

Mining and environmental law in Germany

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I. The necessary respect of ecological affairs:

- Water protection
- Habitat protection
- Environmental impact assessment

II. Balance between economy and ecology

III. Modernisation of German mining law

IV. Mining and climate protection

1. Importance
2. International agreement
3. EU competition and WTO law

V. International perspective on security of raw materials supply

1. Moving away from a purely national view
2. Expansion through the internationally conceived climate protection requirement in Article 20a of the German Constitutional Law
   a) Germany should be an example for a society with CO_2-reduction and good living conditions
   b) The basis are raw materials

3. International view of securing raw material supplies and site-dependency
4. Raw material safeguard clause
    a) Changed meaning
        (1) Also internationally
        (2) Mining and other issues with the same weight
    b) Specific application for climate-relevant raw materials
    c) similarly wind power plants in relation to protection of birds
    d) But precedence from case to case

VI. Addition of secondary raw materials

1. So far ignored contrary to the significance for climate protection
2. Transition from a primary to a secondary raw materials economy, but primary raw materials (eg. Lithium) remain necessary
3. Effects on the licensing procedure
4. Relevance in balancing the permissibility of raw material projects
5. But: climate protection! Difficult to anticipate the demand
6. Raw material interests are no longer predominant

VII. Conclusion

- Mining is necessary for climate protection, above all against the backdrop of the Russia-Ukraine-War
- We must find international solutions to guarantee the acceds to raw materials and to maintain the ecological standards
- We must integrate secondary raw materials

Thank you for your attention!

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