

Serbia: March from the Drina Demands European Commission Reject Jadar Project Under Critical Raw Materials Act

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“We are challenging the EU-level political decision and will continue legal action if Jadar receives strategic status. In Serbia, the Jadar project proposal’s deficiencies provide strong legal arguments against issuing any environmental permits”, activists state.

The Serbian collective March from the Drina and German NGO Green Legal Impact have issued an official statement to the European Commission and Critical Raw Materials Committee members opposing the recognition of the Jadar project under the Critical Raw Materials Act.

“Rio Sava Exploration d.o.o. has applied for ‘strategic project’ status under Articles 6, 7 CRMA for the planned lithium and boron mine in Serbia’s Jadar River Valley. This project should not receive strategic status for legal, environmental, social and political reasons”, states the joint announcement from March from the Drina and Green Legal Impact.

As recalled, known risks include mining activities threatening surrounding water resources, repression against environmental activists, and lack of administrative transparency and accountability. The project proposal submitted for environmental impact assessment is now in the scoping phase and contains deficiencies that fail to meet the criteria for ‘strategic status’ under the Critical Raw Materials Act, they warn both the public and European Commission.

Filing such an appeal is unprecedented

The activists emphasise this appeal’s unprecedented nature. Although the EU Commission hasn’t provided space for NGOs to challenge strategic status decisions, its decision on project classification under Article 6(1) CRMA is an “administrative act” according to Article 2(1)(g) of Regulation No. 1367/2006 (Aarhus Convention). This appeal, they explain, exercises the right to challenge an administrative act, which is ultimately subject to internal review under Article 10 of the Aarhus Convention.

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The report highlights: environmental, human rights and health hazards, lack of transparency and non-compliance with good business practices, legal irregularities, impacts on environment, land, agriculture, water, protected areas and species, land acquisition process, lack of transparency and intimidation, impact on the region’s social structure, job creation, tax revenues, effects on existing businesses especially agriculture, irregularities regarding permitting issues, deadlines and management, and violations of Serbian Republic laws.

“The future isn’t green if it’s only green for you”, says Bojana Novaković

The European Union's mineral procurement is deeply intertwined with neocolonial practices, assess March from the Drina and Green Legal Impact.

"As the EU seeks to secure a 'greener' economy, its dependence on these minerals puts it in a position of significant power over resource-rich foreign countries, where mining projects are often conducted by global giants like Rio Tinto. This dependence reveals a broader pattern of exploitative dynamics in EU's relationship with resource-rich countries, particularly in regions where governance and environmental protection aren't at high levels", they state.

"In countries like Serbia, mineral extraction could destroy local ecosystems - threatening soil, water and biodiversity and creating political and social instability - raising questions about EU's commitment to human rights and sustainable practices abroad. EU's effort for 'ethical sourcing' is compromised when turning a blind eye to these environmental and social impacts. In turn, EU's political credibility is risked, especially when this is seen as reinforcing (neo)colonial exploitation. Moreover, the lack of transparency, legal irregularities and flawed feasibility studies in this project further expose EU's complicity in undermining the very governance and regulatory frameworks it claims to advocate, maintaining a system of unequal resource exploitation that benefits parts of Europe at others' expense. The future isn't green if it's only green for you", commented Bojana Novaković from March from the Drina.

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