

**From:** [REDACTED]  
**To:** [JAHNS Hanna \(CAB-HAHN\)](#)  
**Cc:** [JANNES Pauline \(CAB-HAHN\)](#); [REDACTED]  
**Subject:** Thank you / CRMA and governance - additional information  
**Date:** mardi 7 mars 2023 14:48:53

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Dear Hanna,

Thank you for taking the time to meet with us recently to discuss the Critical Raw Materials Act (CRMA) file. Please find follow up information below regarding the need for **binding good governance requirements**. In case useful, we have also included additional statistics and information at the bottom of the email.

Given the high risk of corruption in the extractives sector, we believe it is essential that the proposed regulation includes binding requirements on companies extracting, processing and using critical raw materials to carry out due diligence to address corruption and other governance concerns throughout their value chain.

It is uncertain whether the Corporate Sustainability Due Diligence Directive (CSDDD) will address corruption and other governance risks and its transposition and implementation will take several years. However, wording currently being considered in the EP for inclusion in the CSDDD could serve as a model for the CRMA:

- *‘adverse good governance impact’ means any adverse impact on good governance resulting from the violation of one of the prohibitions enshrined in the international conventions listed in the Annex or failure to comply with obligations under those conventions, or any adverse impact on the proper functioning of public administration and services, the rule of law, democratic electoral systems, and freedom of expression, including bribery, corruption, blackmail, tax evasion, illegal political funding or exercise of influence, and other business practices detrimental to good governance;*
- *Annex: Violations of internationally recognized objectives and prohibitions included in good governance and anti-corruption conventions. Such instruments include, among others:*
  1. *United Nations Convention Against Corruption, 2003*
  2. *United Nations Basic Principles on the Independence of the Judiciary, 1985*
  3. *United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985*
  4. *Council of Europe Civil Law on Corruption, 1999*
  5. *OECD Anti-Bribery Convention, 1997*
  6. *European Union Convention against Corruption Involving Officials (EU Convention against Corruption), 2005*

We remain at your disposal to answer any additional questions you may have.

Yours sincerely,

[REDACTED] (NRGI)

[REDACTED] (EUChanger)

*Transparency Register Information:*

