

MASSPOINT SERVICES

Critical Resources

Supply Chain Risk Management and Transactions

CRITICAL MINERALS | RARE EARTH ELEMENTS | FOOD & AGRICULTURE | WATER

Critical minerals, rare earth elements, agriculture, and water are essential for life, and for modern life. Managing the reliable and timely supply of critical resources on economically viable terms is key for suppliers and consumers. Price movements and supply chain disruptions attributable to weather, transport, and other events are, among other factors, part of supply chain management, as is legal risk.

CRITICAL RESOURCES, STRATEGIC ASSETS

Minerals and REEs

Minerals and rare earth elements—essential inputs for a range of goods, services and systems, including consumer technology, electric vehicles, healthcare devices, defense articles, and telecommunications—are now seen as strategic assets deserving of protectionist measures.

Agriculture and Water

To meet the increased food demands of growing and more affluent populations and facing water scarcity, governments in developed and developing nations increasingly treat agricultural assets and water as critical resources essential to domestic food and water security.

With increasing recognition among governments and policy influencers of the inextricable links between critical resources and industrial and technological production and national stability, critical resources are no longer treated as mere commodities. Minerals, rare earth elements, agricultural assets, and water are widely viewed as national and economic security assets deserving of protectionist and other measures.

As legal and policy makers increasingly view critical resources through a strategic lens, so must approaches to critical resources supply chain management and transactions. Standard approaches to legal risk management—which tend to focus exclusively on third party corruption, human rights and other known legal risks—are siloed, reactive and fail to capture the numerous, interconnected and nuanced legal issues and risks of today.

MassPoint takes a strategic and contextual approach to critical resources law, policy and risk. The Firm works with critical resources suppliers, consumers and investors to manage legal and policy complexity in supply chains and transactions.

MassPoint’s Principal, Hdeel Abdelhady, brings to the table the ability to both frame the big picture and manage details with an understanding of related but distinct legal areas. With cross-practice legal experience, international depth and commercial awareness, Hdeel is uniquely positioned to anticipate, analyze, articulate and act on existing and emerging legal and policy risks and opportunities.

Hdeel’s related representative experience includes:

- ✓ **Trade Law and Policy.** Advisor to companies, financial institutions, nonprofit organizations on U.S. and international trade law and policy.
- ✓ **Commodities Transactions.** Lead counsel to banks in structured commodities financing transactions involving jurisdictions in Africa, Europe, Asia, and the Middle East.
- ✓ **Commodities Logistics.** Lead counsel to lenders and businesses on legal and risk issues arising from commodities storage, transit, security, and insurance in common and civil law jurisdictions.
- ✓ **Sanctions, Anti-Corruption, AML.** Counsel to companies, financial institutions, and other parties on sanctions, anti-corruption and anti-money laundering regulatory counseling and compliance matters under U.S. law and international standards.

MASSPOINT’S CRITICAL RESOURCES SERVICES Law and Policy Analysis Supply Chain Risk Management Transactions	
Law and Policy Surveillance and Advisory	MassPoint provides legal and policy surveillance and advisory services keyed to specific clients and critical resources. In light of the rapidly changing U.S. domestic and international legal and policy landscape, MassPoint provides clients with proactive monitoring and analyses of how U.S. trade, legal enforcement, natural resources management and investment law and policy combine to impact critical resources supply chains and transactions.
Supply Chain Surveillance and Risk Management	MassPoint works closely with clients to provide or enhance legal risk monitoring and assessment for supply chain management. The Firm tailors its output (content and format) to plug-in to clients’ existing supply chain management systems. MassPoint will also develop bespoke legal and policy monitoring frameworks for clients that can be used by internal teams after the Firm’s mandate has concluded.
Investments, Transactions, Market Entry	MassPoint works with parties at due diligence, market entry, transaction, and operational phases to identify and mitigate legal and related risks associated with specific jurisdictions and/or critical resources. The Firm takes a contextual approach to risk management, incorporating both legal and non-legal solutions designed, for example, to enhance local receptiveness to foreign investment and win-win scenarios to facilitate longer-term investment stability.
Industrial and Agricultural Water Use	MassPoint helps clients to identify and manage legal, commercial and reputational risks arising from industrial and agricultural water use, and to develop mutually valuable scenarios designed to mitigate risk and facilitate responsible access to water.

GET IN TOUCH

For more information about MassPoint’s Critical Resources services, please contact Hdeel Abdelhady at habelhady@masspointllc.com or +1-202-630-2512. Please also visit MassPoint’s [publications](#) and [blog](#) for related analyses and updates.