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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Memorandum of Understanding to establish a Strategic Partnership on
Critical Minerals with the United States, and EU-US Action Plan for Critical
Minerals Supply Chain Resilience

Delegations will find in the Annex the draft Memorandum of Understanding to establish a Strategic Partnership on Critical Minerals with the United States and the draft EU-US Action Plan for Critical Minerals Supply Chain Resilience.

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE EUROPEAN UNION AND THE UNITED STATES OF AMERICA
ON A STRATEGIC PARTNERSHIP ON CRITICAL MINERALS**

Section I: Context and Principles

Critical minerals are no longer just commodities; they are strategic assets integral to national security, industrial competitiveness, energy challenges and geopolitics. The United States of America (the “United States” or “US”) and the European Union (the “EU”) (collectively, the “Participants”) intend to support the supply of raw and processed critical minerals crucial to the commercial and defense industries of both jurisdictions. By building a diversified, secure, and sustainable supply-chain network, the Participants aim to safeguard their technological future (including energy, automotive, and electronics sectors), defense readiness, and economic resilience against external disruptions. The Participants plan to accomplish this through the use of economic policy tools and coordinated investment to accelerate the development of resilient, diversified, liquid, and fair markets for critical minerals

The Participants already cooperate on critical minerals in multilateral fora such as the G7 Production Alliance and the Forum on Resource Geostrategic Engagement (FORGE). In their Joint Statement of August 21, 2025, the Participants committed to strengthening cooperation and action related to the imposition of export restrictions on critical minerals and other similar resources by third countries.

To that end, the Participants are establishing a strategic partnership (hereinafter “the Partnership”) on critical minerals value chains, including through the signing of this Memorandum of Understanding (hereinafter “the Memorandum”). Both sides reiterate their respect for public international law obligations.

Section II: Scope of the Partnership

The Partnership covers critical minerals along the entire value chain and life-cycle management, including exploration, extraction, processing, refining, recycling and recovery in accordance with applicable domestic laws and international obligations.

Section III: Objectives and Activities

The Partnership, based on mutual benefits, is expected to support the following objectives and activities:

- **Securing Diversified Supply:** Identifying and jointly developing innovative, sustainable, and responsible critical minerals projects of mutual interest in the EU, the US, or third countries, expected to generate end products for delivery to buyers in the United States and the European Union. The Participants intend to deploy financial support and investment de-risking instruments in sustainable industrial projects and facilitating business-to-business links, subject to the availability of funds, and intend to ensure that their respective investments are not mutually exclusive and contribute to each other's security of supply, including in third countries.
- **Fair Competition and standards-based markets:** The Participants recognize the need to secure their critical minerals supply chains by addressing non-market policies and unfair trade practices and by promoting a market environment where the valuation of critical minerals reflects the real costs of responsible extraction, processing, and trade to the highest standards of transparency and sustainability. In this regard, the United States and European Union intend under the Action Plan for Critical Minerals Supply Chain Resilience to explore a plurilateral trade initiative in critical minerals that could include policy solutions related to fair pricing frameworks, joint public procurement, or offtake agreements to support alternative projects and such high-standard markets.
- **Cooperation related to export restrictions:** The EU and US intend to share information about third country export restrictions on critical minerals, their impacts and their engagement vis-à-vis third countries.

- **Economic and Industrial Integration:** Enhancing economic and industrial integration of the Participants within the sustainable and strategic value chain of critical minerals.
- **Rapid Response:** Exchanging information on critical minerals supply chains, risk management, and analytical tools. The Participants intend to cooperate on measures to prevent supply disruptions, including stockpiling.
- **Innovation and Recycling:** Cooperating on research and innovation, including developing earth observation-based tools, innovative extractive technologies, and exchanging good practices on recycling, life-cycle management and value chain cooperation on critical minerals.
- **Investment Awareness:** While each Participant determines if a project is suitable for investment, the Participants intend to facilitate early visibility and encourage opportunities for mutual investment in accordance with applicable law.
- **Permitting:** The Participants are expected to take measures to accelerate, streamline, or reduce permitting timelines and processes to obtain permits for critical minerals mining, separation, and processing within their respective regulatory systems, consistent with applicable law.
- **Asset Sales:** The Participants intend to develop new or strengthen existing authorities and diplomatic tools to review and deter critical minerals and rare earths asset sales to protect collective security and strategic interests.
- **Third-Party Cooperation:** The Participants intend to collaborate with third parties, as appropriate, to ensure supply chain security and utilize existing engagement mechanisms. Furthermore, this Partnership is expected to complement and support EU and US efforts to coordinate in international fora or plurilateral processes with other like-minded partners, such as the G7 Production Alliance and [FORGE].
- **Geological Mapping:** The Participants intend to cooperate to assist in mapping mineral resources in the European Union, the United States, and other mutually determined locations to support diversified supply chains.

Section IV: Legal Status and General Provisions

- **Non-Binding Nature:** This Memorandum is not intended to and does not create legally binding rights or obligations under international or domestic law. Nothing in this Memorandum constitutes a commitment of financing by either Participant, or a commitment to give preferential treatment to the other Participant in any matter contemplated herein or otherwise. The implementation of the Memorandum and any activities hereunder is expected to be conducted in accordance with each side's domestic laws, regulations, policies, procedures and international obligations.
- **Post-Project Analysis:** The Participants intend to carry out post-project analysis and implementation, as appropriate. The specific content of the post-project analysis is to be developed between/among the Participants, in accordance with their respective laws
- **Meetings:** The Participants intend to continue engaging within existing international fora and intend to organize regular meetings (at least twice per year) to take stock of the Partnership's progress.
- **Protection of Information:** The Participants intend to protect sensitive or national security protected information exchanged under this Memorandum, including business confidential information, in accordance with the Agreement Between the European Union and the Government of the United States of America on the Security of Classified Information, done at Washington on April 30, 2007. Except as required by applicable law, the Participants intend not to disclose non-public information transferred under this Memorandum by the receiving Participant to third parties without the written consent of the other Participant, and non-public information transferred under this Memorandum is expected to be used exclusively for purposes within the scope of this Memorandum and not for any other purpose.

- **Discontinuation:** Any questions or differences arising from the implementation of this Memorandum are expected to be resolved amicably through consultations. Either Participant may discontinue this Memorandum and is expected to provide 6 months prior written notice of its intent to discontinue.

Signed in [Location] this [Day] of [Month], 2026.

FOR THE EUROPEAN UNION:

FOR THE UNITED STATES OF AMERICA:

**UNITED STATES - EUROPEAN UNION ACTION PLAN
FOR CRITICAL MINERALS SUPPLY CHAIN RESILIENCE****1. Introduction**

In recent decades, distortions resulting from pervasive non-market policies and practices have left critical minerals supply chains of market-oriented economies vulnerable to a myriad of disruptions, including economic coercion. Correcting these vulnerabilities is imperative, as critical minerals are strategic assets integral to modern and innovative industrial economies, and diverse, resilient, and market-based supply chains are essential for our economic and national security.

To this end, the United States and the European Union (“EU”) (collectively, “the Participants”) have established this Action Plan with a view to developing a plurilateral trade initiative with like-minded partners on trade in critical minerals which would support the objective of securing mutual supply chain resilience for critical minerals.

2. Action Plan

The Participants intend to expeditiously implement the following Action Plan:

- The Participants intend to discuss the feasibility and development of coordinated trade policies and mechanisms, including market and trade measures based on reference prices, such as border-adjusted price floors, standards-based markets, price gap subsidies, or offtake-agreements, focusing in the first instance on mutually agreed select critical minerals and associated supply chains.

- The Participants intend to further explore how such measures may be embodied in a plurilateral agreement on trade in critical minerals. The Participants intend to also consider any other provisions that would be necessary to ensure supply chain resilience. Such other provisions may include, but would not be limited to:
 - Trade measures to support a resilient critical minerals marketplace among the contracting parties;
 - Standards for mining, processing, recycling, or trade in critical minerals;
 - Technical and regulatory cooperation;
 - Investment promotion and screening cooperation;
 - Coordinated rapid responses to prevent disruptions and crises in critical minerals supply chains, including from third countries;
 - Research and development cooperation on critical minerals technologies; and
 - Stockpiling cooperation.

3. This Action Plan will be implemented and developed by the Office of the United States Trade Representative (USTR) and the European Commission's Directorate-General for Trade and Economic Security (DG TRADE).
