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## **WORKING DOCUMENT**

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From: Presidency  
To: Working Party on Competitiveness and Growth (Industry)

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Subject: Presidency flash note for the meeting of the Working Party on Competitiveness and Growth (Industry) on 12 January 2026

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# PRESIDENCY FLASH NOTE

## 1<sup>st</sup> WP ON COMPETITIVENESS AND GROWTH – INDUSTRY

Monday, 12 January 2026, 14:30

### Commission's intention to negotiate a Memorandum of Understanding on behalf of the EU with the United States, establishing a Strategic Partnership on critical minerals

#### *Examination*

The Commission will inform the Council of its intention to negotiate, on behalf of the European Union, a **Memorandum of Understanding (MoU) with the United States** establishing a Strategic Partnership on critical minerals (first phase of the Non-Binding Instrument procedure). The initiative aims to strengthen transatlantic cooperation and enhance the resilience and diversification of critical minerals supply chains. **Member States will be asked to indicate whether they have any objections to the opening of the negotiations.**

The EU and the US aim to conclude the MoU by 22 January 2026, coinciding with the deadline of the US Section 232 investigation on critical minerals derivatives. The Commission therefore intends to seek Council endorsement as soon as possible, in line with the approach taken for previous critical minerals partnerships. Subject to agreement in the Industry Working Party on 12 January, Coreper would invite the Council to authorise the Commission to negotiate this non-binding instrument.

### Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1252

#### *Examination (doc. 16460/25)*

On 3 December, the European Commission presented the **RESourceEU Action Plan**, aimed at accelerating the EU's critical raw materials strategy in response to heightened geopolitical risks, market distortions, and the EU's strong dependency on imported critical raw materials. The Action Plan seeks to strengthen economic security and reduce strategic dependencies by mobilising policy, financial, and regulatory tools across the full value chain, including extraction, processing, recycling, and international cooperation.

As part of this package, the Commission proposes targeted amendments to the **Critical Raw Materials Act (CRMA)** to enhance supply chain resilience, strengthen risk preparedness for large companies, promote diversification, and reinforce recycling and circularity, particularly for products containing rare earth permanent magnets. The proposal also aims to improve coordination, including stockpiling, and to adapt governance arrangements to the evolving market reality. Following the Commission’s presentation and in order to facilitate and structure the discussion, Member States are invited to reply to the following guiding questions in relation to the targeted amendment of the CRMA:

**1. Company risk preparedness (Amendment to Article 24)**

- How do you envisage the best way forward regarding the interaction between the Commission’s proposal to harmonise and centralise the designation of large companies within the scope of Article 24 and the ongoing efforts by Member States to identify such companies at national level?

**2. Increasing recycling of permanent magnets (Amendments to Articles 28 and 29)**

- Do you have any comments on the list of products containing permanent magnets proposed by the Commission to facilitate traceability and dismantling? Are there additional products that should be considered?
- Setting minimum shares of recycled content in products containing permanent magnets could help boost demand for secondary raw materials and reduce dependency on primary materials. What are your views on including pre-consumer waste as part of recycled content to support recycling in the short term? Do you see a need for additional safeguards to address potential challenges related to the recycling of permanent magnets in the EU?

We look forward to our first, constructive discussions.

With kind regards,

**CY Presidency Industry WP Team**

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