



Council of the European Union
General Secretariat

Brussels, 04 February 2026

**Interinstitutional files:
2025/0385 (COD)**

WK 1860/2026 INIT

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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Competitiveness and Growth (Industry)
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/1252 – Presentation on the Presidency compromise proposal

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Cyprus Presidency of the Council of the EU

9 February 2026

WP ON COMPETITIVENESS AND
GROWTH (INDUSTRY)

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Critical Raw Materials Act (CRMA)

PROPOSAL FOR A REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL AMENDING
REGULATION (EU) 2024/1252

PRESIDENCY COMPROMISE PROPOSAL



Recital 2

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(2) Access to secure and sustainable critical raw materials is essential for the Union’s objectives of clean and digital transition as set out in the Clean Industrial Deal. They are also essential components for the Union’s industries, in all areas including defence. Due to the current geopolitical situation the Union’s supply and security of critical raw materials is put at risk and therefore, the current framework should be strengthened.</p>	<p>(2) Access to secure and sustainable critical raw materials is essential for the Union’s objectives of clean and digital transition as set out in the Clean Industrial Deal. They are also essential components for the Union’s industries, in all areas including defence. Due to the current geopolitical situation the Union’s supply and security of critical raw materials is put at risk and therefore, the current framework should be strengthened.</p>



Recital 3

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AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(3) Under Regulation (EU) 2024/1252, the Commission is required to set up calls for application for Strategic Projects with at least four cut-off dates per year. Given the high number of applications for recognition of Strategic Project under each call per call received for the identification of Strategic projects of strategic critical raw material projects and to ensure a better assessment of the various applications, it should be possible for the Commission to limit the number of such calls per year.</p>	<p>(3) Under Regulation (EU) 2024/1252, the Commission is required to set up calls for application for Strategic Projects with at least four cut-off dates per year. Given the high number of applications for recognition of Strategic Project under each call per call received for the identification of Strategic projects of strategic critical raw material projects and to ensure a better assessment of the various applications, it should be possible for the Commission to limit the number of such calls per year.</p>



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Recital 4

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(4) Under Regulation (EU) 2024/1252, Member States are required to identify large companies by May 2025 and within 12 months of each update of the list of strategic raw materials pursuant to Article 3(3). Nevertheless, large companies that use critical raw materials can operate in more than one Member State. To avoid a duplication of the identification of these large companies by the various national administrations and to prevent a risk of fragmentation of the Single Market, it should be for the Commission to identify these large companies operating in the Union.</p>	<p>(4) Under Regulation (EU) 2024/1252, Member States are required to identify large companies by May 2025 and within 12 months of each update of the list of strategic raw materials pursuant to Article 3(3). Nevertheless, large companies that use critical<u>strategic</u> raw materials can operate in more than one Member State. To avoid a duplication of the identification of these large companies by the various national administrations and to prevent a risk of fragmentation of the Single Market, it should be for the Commission to identify these large companies operating in the Union. <u>During the process of identification of large companies, the Commission should keep informed the Member State where the large company operates to be identified, this to ensure cooperation with national authorities.</u></p>



Recital 5

AMENDING REGULATION

(5) It is essential to strengthen the risk preparedness of the large companies that are identified by the Commission, it is essential that their obligations are strengthened, and therefore large companies should be required to take measures to mitigate their vulnerabilities, including by diversifying their raw material supply chain. The Commission should be able to receive the information regarding their compliance necessary for an effective monitoring and ensure they are prepared in case of supply disruption. The Commission should specify the mitigation measures that large companies should adopt in case of vulnerabilities, it should be able to do so by means of delegated acts.

COMPROMISE PROPOSAL

(5) It is essential to strengthen the risk preparedness of the large companies that are identified by the Commission, it is essential that their obligations are strengthened, and therefore large companies should be required to take measures to mitigate their vulnerabilities, including by diversifying their strategic raw material supply chains. ~~The Commission should be able to receive the information regarding their compliance necessary for an effective monitoring and ensure they are prepared in case of supply disruption.~~ The Commission should specify the various mitigation measures among which are those that large companies should adopt in case of vulnerabilities, it should be able to do so by means of delegated acts. These measures should aim at ensuring the continuity of the production in case of supply disruption and should build on the assessment of the situation provided to the European Critical Raw Materials Board (the 'Board').



Recital 6

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(6) Large companies should, as part of that risk assessment, map where the strategic raw materials they use are extracted, processed and recycled from, and analyse the factors that could affect their supply and assess their vulnerabilities to supply disruptions. In order to have a clear understanding of their vulnerabilities, they should also map the supply chain of the components containing critical raw materials. To reinforce their preparedness large companies should report on their risk assessment to the companies' board of directors or management board.</p>	<p>(6) Large companies should, as part of that risk assessment, map where the strategic raw materials they use are extracted, processed and recycled from, and analyse the factors that could affect their supply and assess their vulnerabilities to supply disruptions. In order to have a clear understanding of their vulnerabilities, they should also map the supply chain of the components containing critical <u>strategic</u> raw materials. To reinforce their preparedness large companies should report on their risk assessment to the companies' board of directors or management board.</p>



Recital 7

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(7) The Commission should continue to monitor the situation and the risk preparedness of large companies, ensuring their readiness in case of disruption of their supply chains. To that end, and when it decides so, the Commission can request information from large companies on their compliance and mitigation measures as required by this Regulation.</p>	<p>(7) The Commission should continue to monitor the situation and the risk preparedness of large companies, ensuring their readiness in case of disruption of their supply chains. To that end, and when it decides so, the Commission can request information from large companies on their compliance and mitigation measures as required by this Regulation. <u>To ensure effective enforcement of large companies' obligations regarding risk preparedness by Member States, the Commission should provide the concerned Member State with the relevant information obtained from large companies on their compliance with these obligations. Following its monitoring, where significant vulnerabilities are detected, the Commission should provide to the Board an assessment of the situation based on information at its disposal, among others the trade flows between the Union and third countries and information on the compliance by large companies with their obligation.</u></p>



Article 7(3)

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(3) The Commission shall assess the applications referred to in paragraph 1 through an open call with regular cut-off dates.</p> <p>The first such cut-off date shall be no later than 24 August 2024. The Commission shall set cut-off dates up to four times per year.</p>	<p>(3) The Commission shall assess the applications referred to in paragraph 1 through an open call with regular cut-off dates.</p> <p>The first such cut-off date shall be no later than 24 August 2024. The Commission shall set cut-off dates <u>at least once per year and</u> up to four times per year</p>



Article 24(1)

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(1) By [P.O.: please insert date corresponding to the date of entry into force of this Regulation plus 2 months] and within six months of each update of the list of strategic raw materials, the Commission shall identify the large companies operating in the Union that use strategic raw materials to manufacture batteries for energy storage and e-mobility, equipment related to hydrogen production and utilisation, equipment related to renewable energy generation, aircrafts, traction motors, heat pumps, equipment related to data transmission and storage, mobile electronic devices, equipment related to additive manufacturing, equipment related to robotics, drones, rocket launchers, radar, satellites or advanced chips.</p>	<p>(1) By [P.O.: please insert date corresponding to the date of entry into force of this Regulation plus 2 months] and within six months of each update of the list of strategic raw materials, the Commission shall identify the large companies operating in the Union that use strategic raw materials to manufacture batteries for energy storage and e-mobility, equipment related to hydrogen production and utilisation, equipment related to renewable energy generation, aircrafts, traction motors, heat pumps, equipment related to data transmission and storage, mobile electronic devices, equipment related to additive manufacturing, equipment related to robotics, drones, rocket launchers, radar, satellites or advanced chips. <u>In the course of this identification, the Commission shall inform the Member State concerned and exchange relevant information with it regarding the identified large companies operating in its territory.</u></p>



Article 24(4)

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(4) If significant vulnerabilities to supply disruptions are detected as a result of the risk assessment referred to in paragraph 2, large companies as referred to under paragraph 1 shall take efforts to mitigate those vulnerabilities, including by diversifying its raw materials supply chains, considering secondary raw materials, or substituting the strategic raw materials.</p>	<p>(4) If significant vulnerabilities to supply disruptions are detected as a result of the risk assessment referred to in paragraph 2, large companies as referred to under paragraph 1 shall take efforts to mitigate those vulnerabilities, including by diversifying its strategic raw materials supply chains, considering secondary raw materials, or substituting the strategic raw materials <u>and, where a delegated act has been adopted pursuant to paragraph 5b, shall take the appropriate mitigation measures identified thereof.</u></p>



Article 24 (5a)

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(5a) The Commission may request large companies referred to in paragraph 1 to explain how they comply with the obligations set out in this Article. They shall provide that information no later than 30 days after receiving the request from the Commission.</p>	<p>(5a) The Commission may request large companies referred to in paragraph 1 to explain how they comply with the obligations set out in this Article. They shall provide that information no later than 30 days after receiving the request from the Commission. <u>Where appropriate, the Commission shall provide the Member State in which the company operates with the relevant information on the compliance.</u></p>



Article 24 (5aa)

AMENDING REGULATION	COMPROMISE PROPOSAL
	<p><u>(5aa) Where significant vulnerabilities to supply disruptions are detected, the Commission shall submit to the Board an assessment of the available information on supply risks, the trade flows between the Union and third countries, and the potential obstacles to trade in strategic raw materials.</u></p>



Article 24 (5b)

AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(5b) The Commission is empowered to adopt a delegated act in accordance with Article 38 to supplement this Regulation by specifying the risk mitigation measures that the large companies referred to in paragraph 1 of this Article are to take when significant vulnerabilities to supply disruptions are detected in accordance with paragraph 4 of this Article.</p> <p>The Commission shall base such risk mitigation measures on an assessment of the available information on supply risks, the trade flows between the Union and third countries, and the potential obstacles to trade in critical raw materials and shall specify the maximum shares of reliance on a single third country in the supply chain of critical raw materials.</p>	<p>(5b) <u>When significant vulnerabilities to supply disruptions are detected in accordance with paragraph 4 of this Article, and following the submission of the assessment pursuant to paragraph 5aa, the</u> The Commission is empowered to adopt a delegated act in accordance with Article 38 to supplement this Regulation by specifying the risk mitigation measures that the large companies referred to in paragraph 1 of this Article are to take, when significant vulnerabilities to supply disruptions are detected in accordance with paragraph 4 of this Article. Those measures shall be proportionate to the vulnerabilities to supply disruptions identified. They shall consist of measures ensuring the continuity of production in case of supply disruption, including by specifying the maximum shares of reliance on a single third country in the supply chain of strategic raw materials.</p> <p>The Commission shall base such risk mitigation measures on an <u>the</u> assessment <u>in paragraph 5aa</u> of the available information on supply risks, the trade flows between the Union and third countries, and the potential obstacles to trade in critical raw materials and shall specify the maximum shares of reliance on a single third country in the supply chain of critical raw materials.</p>



Article 29 (2)

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AMENDING REGULATION	COMPROMISE PROPOSAL
<p>(2) The Commission shall adopt a delegated act in accordance with Article 38 to supplement this Regulation by establishing rules for the calculation and verification of the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from pre-consumer and post-consumer waste, including the shares of such waste produced within the Union, present in the permanent magnets incorporated in the products referred to in paragraph 1 of this Article.</p>	<p>(2) <u>By 31 December 2027, the</u> The Commission shall adopt a delegated act in accordance with Article 38 to supplement this Regulation by establishing rules for the calculation and verification of the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from pre-consumer and post-consumer waste, including the shares of such waste produced within the Union, present in the permanent magnets incorporated in the products referred to in paragraph 1 of this Article.</p>

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Thank you

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