

(English version)

**Question for written answer E-002724/25
to the Commission
Jorge Martín Frías (Pfe)
(3 July 2025)**

Subject: Inconsistencies in critical raw materials policy

In an interview in March 2025, Commissioner Stéphane Séjourné underscored the key role that Spain plays in the European plan on critical raw materials, in the light of the seven strategic projects being carried out in the country.

However, although the Commission has repeatedly recognised that nuclear energy will be essential in successfully implementing its decarbonisation plans and in achieving energy independence, radioactive minerals have still not been included in the European Critical Raw Materials Act.

Considering the above:

1. Is the Commission planning to revise the regulation in question to include radioactive minerals, which are essential in fuelling nuclear power plants in several Member States?
2. What is the Commission's view on the fact that Member States such as Spain have made exploration and mining for these minerals illegal under the European Green Deal, despite their strategic importance?
3. Does the Commission not think that these measures compromise the EU's energy sovereignty and hinder other Member States from sourcing resources that are available within the EU itself?

Submitted: 3.7.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(4 September 2025)**

1. The definition of 'raw material' used in the Critical Raw Materials Act (CRMA) does not include materials mainly used as combustion fuels. Nuclear materials (i.e. ores, source materials and special fissile materials) ⁽¹⁾, come under the nuclear common supply policy ⁽²⁾, which is an exclusive competence of the European Atomic Energy Community. This competence is executed by the Euratom Supply Agency, under the supervision of the Commission, for nuclear materials for all civilian uses and all EU users. Therefore, nuclear materials have not been included in the scope of the CRMA.
2. While the Commission may, according to the Euratom Treaty ⁽³⁾, issue recommendations with a view to the development of prospecting for and exploitation of mineral deposits, the Euratom Treaty and the related secondary legislation do not establish obligations for Member States to engage in the mining of or exploration for radioactive minerals ⁽⁴⁾. At the same time, Member States have the right according to Article 194 of the Treaty on the Functioning of the European Union to determine the conditions for exploiting their energy resources, their choice between different energy sources and the general structure of their energy supply. In this context, it is up to Spain to decide whether to prohibit the exploration and mining of radioactive minerals under its national legislation.
3. Ensuring access to critical raw materials is essential for the EU's energy transition and strategic autonomy. The Commission therefore supports close coordination and information-sharing between Member States to help build a shared understanding of future supply needs and opportunities.

⁽¹⁾ Article 197 of the Euratom Treaty and Euratom Regulation No 9 of 2 February 1960.

⁽²⁾ Title II, Chapter 6 of the Euratom Treaty.

⁽³⁾ Article 70, paragraph 2.

⁽⁴⁾ According to Article 70, paragraph 3 of the Euratom Treaty, Member States shall submit annually to the Commission a report on the development of prospecting and production, on probable reserves and on investment in mining which has been made or is planned in their territories.