



**ANKARA DEMİR VE DEMİR DIŐI
METALLER
İHRACATÇILARI BİRLİĐİ**

Sayı: 21704200-TİM.OAİB.11.ARG3.2022/1284-8589
Konu: AB-TAXUD CBAM Gayriresmi Çalıőma Grubu Kurulması hk.

Ankara, 7/09/2022

SİRKÜLER (D-2022)

Sayın Üyemiz,

Ticaret Bakanlığı'ndan alınan bir yazıda, AB Vergilendirme ve Gümrükler Genel Müdürlüğü'ne (The Commission's Directorate-General for Taxation and Customs Union-'DG TAXUD') yardımcı olmak üzere CBAM kapsamında bir Gayriresmi Uzman Grubu kurulacağı bildirilmekte ve söz konusu grupta görev almayı talep eden kişilerin belirtilen başvuru evrakları doldurarak başvurmaları gerektiği belirtilmektedir. Yazıda devamla, Ek-1'de bir örneđi yer alan "Call for Applications" başlıklı belgede; doğrudan AB üyelerine ve EEA üyesi EFTA ülkelerine yapılan atıfların yanı sıra firmalar, dernekler, sivil toplum kuruluşları, ticaret birlikleri/odaları, üniversiteler, hukukçu, araştırma kurumları vb. ülke ayırımına gitmeyen atıfların da bulunduğu ifade edilmektedir.

Bu kapsamda, DG TAXUD çalışmalarına yardımcı olmak üzere kurulacak Gayriresmi Uzman Grubunun görevleri arasında;

- Gömülü emisyonların izlenmesi, emisyon miktarının belirlenmesi, raporlanması ve doğrulanmasına yönelik oluşturulacak yöntemin sonuçlandırılması,
- Komiteye sunulması öncesinde uygulama kuralları ve prensiplerinin (implementing acts) erkenden hazırlanması,
- Ürün AB'ye ithal edildiğinde; CBAM kapsamında bulunan ürünlere ilişkin gömülü emisyonların izlenmesi, emisyon miktarının belirlenmesi, raporlanması ve doğrulanmasına amacıyla yönelik olarak, üçüncü ülke üreticileri (ithalatçıları) ve AB içinde CBAM beyanında bulunacaklar tarafından uygulanacak analitik metotların belirlenmesi,
- Gerçek emisyon değerlerinin yeterli bir şekilde belirlenmediđi ya da raporlanamadıđı durumlarda varsayılan değerlerin belirlenmesi,
- Geçiş ve uygulama dönemine ilişkin CBAM kapsamı ürünlerin gömülü emisyonlarının izlenmesi, emisyon miktarının belirlenmesi, raporlanması ve doğrulanması metotları ile varsayılan değerlerin belirlenmesi konusunda uygulama kuralları ve prensiplerinin (implementing acts) hazırlanması hususlarının yer aldığı belirtilmektedir.

Ayrıntılı bilgi için: Zeynep Karaosmanođlu - Uzman

Orta Anadolu İhracatçı Birlikleri Genel Sekreterliđi

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Ankara, 7/09/2022

Konu: AB-TAXUD CBAM Gayriresmi Çalıőma Grubu Kurulması hk.

Konuya iliőkin olarak, anılan belgeden ülkemizden yapılan başvuruların kabul edilip edilmeyeceğinin kesin olarak anlaőılamadıėı, bununla birlikte emisyon miktarlarının belirlenmesi, raporlanması, doėrulanması konularında üçüncü ülkelere uygulanacak analitik metodlarının belirlenmesine çalıőılacağı ve konunun ihracatımız açısından önem arz ettiėi dikkate alındığında, ülkemizde zamanında ve yerinde müdahalelerin yapılabilmesine imkan vermesi açısından başvuruda bulunulmasında fayda görüldüėü ifade edilmektedir.Öte yandan, ülkemizden katılım sağlanamaması durumunda ise AB'de yerleőik kurumlar (Association of the Aluminium Industry in Europe, Eurometaux, Fertilisers Europe, Cembureau) üzerinden bahis konusu uzman grubunda temsil edilmesine dair girişimlerde bulunulmasının (örneğin Eurofer'in katılacağı bu gruba çelik sektöründe ülkemiz ile benzer mülahazaları paylaşan Euric'in de iőtirak etmesi için kendileri ile irtibata geçilmesi vb.) büyük önem arz etmekte olduėu bildirilmektedir.

Bu kapsamda, "Call For Applications" belgelerinin **9 Eylül 2022 tarihine kadar** gönderilmesi gerektiėi belirtilmiő olup, uzman önerilerinin söz konusu tarihe kadar karaosmanogluz@oaib.org.tr e-posta adresine bildirilmesine ihtiyaç duyulmaktadır. Buna gör başvuru belgelerinin doldurulacağı formların yer aldıėı link ilgili kiőilere bilahare iletilecektir.

Bilgilerini rica ederim.

Fatih YUMUŐ
Genel Sekreter Yrd.

Ek:

- 1- TAXUD - Call-for-applications - CBAM clean.pdf
- 2- TAXUD_ToR_CBAM clean.pdf
- 3- TAXUD - RoP_CBAM clean.pdf

Ayrıntılı bilgi için: Zeynep Karaosmanoėlu - Uzman

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***COMMISSION INFORMAL EXPERT GROUP ON ANALYTICAL METHODS FOR THE MONITORING,
REPORTING, QUANTIFICATION AND VERIFICATION OF EMBEDDED EMISSIONS IN GOODS
UNDER THE SCOPE OF CBAM***

TERMS OF REFERENCE

1. BACKGROUND

The Commission's Directorate-General for Taxation and Customs Union ('DG TAXUD') has taken the initiative to set up the Commission informal expert group on the analytical methods for the monitoring, reporting, quantification and verification of embedded emissions in goods under the scope of the Carbon Border Adjustment Mechanism (CBAM) ('the group').

The overall mission of the group is to assist DG TAXUD in the completion of methods for the monitoring, reporting, quantification and verification of embedded emissions and the early preparation of implementing acts, before submission to the committee in accordance with Regulation (EU) N°182/2011.

The group is expected to operate until the end of 2023. Its operatibility could be extended if deemed necessary.

2. SUBJECT MATTER

The group of experts on analytical methods for the monitoring, reporting, quantification and verification of embedded emissions in goods under the scope of the CBAM ('the group') is set up.

3. TASKS

The group's tasks shall be to assist DG TAXUD:

1. in the completion of methods for the monitoring, reporting, quantification and verification of embedded emissions.
2. in the early preparation of implementing acts, before submission to the committee in accordance with Regulation (EU) N°182/2011.
3. by providing advice and expertise in relation to:
 - The analytical methods that shall be applied by third country producers and EU CBAM declarants in order to monitor, quantify, report and verify the embedded emissions of goods under the CBAM scope, when imported in the EU;

- The default values that shall be applied for goods under the CBAM scope, when actual emissions cannot be adequately determined and reported.
- The early preparation of implementing acts, regarding the CBAM, in the context of:
 - o The monitoring, reporting, quantification and verification methods for embedded emissions of goods under CBAM scope to be used during the transitional and definitive period of the CBAM;
 - o The elaboration of technical material such as guidelines and reporting templates to support the implementation of the methods applicable during the transitional and definitive periods of the CBAM;
 - o The determination of default values that will be applied when actual emissions cannot be adequately determined and reported.

The group shall meet in different formations, depending on the meeting agenda and the Type of Membership. Specifically, meetings can be strictly limited to Type D members, or involve also Type C and/or E (See section 4 on Membership). The following topics shall be addressed in accordance with Articles 7, 8 and 35, and Annexes I, III and V of the Proposal for a Regulation on the Carbon Border Adjustment Mechanism:

- Cement, including the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.
- Electricity, including the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.
- Fertilisers, including the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.
- Iron and Steel, including the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.
- Aluminium, including the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.

The expertise of each sector would include the methods, technical material and default values for the monitoring, reporting, quantification and verification of embedded emissions.

4. MEMBERSHIP

Members of the group shall be:

1. organisations in the broad sense of the word, including companies, associations, Non-Governmental Organisations, trade unions, universities, research institutes, law firms and consultancies ('Type C members').
2. Member States' authorities, at national, regional or local level ('Type D members').
3. EEA/EFTA Member States' authorities ('Type E members').

Members shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG TAXUD may refuse the nomination by an organisation of a representative if it considers this nomination inappropriate in the light of the requirements specified in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative.

Member organisations who are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of DG TAXUD, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

In order to ensure that real added value is provided on the basis of the relevant expertise, the composition of the group shall be shaped as follows:

(i) Cement:

- EU Member States' and EEA/EFTA Member States' authorities, with one representative per State each.
- Up to a total of 2 members of the following type:
 - European associations representing producers of goods in the cement industry under the scope of the CBAM, with one representative per association.
- 1 member of the following type:
 - Non-Governmental Organisation with one representative.

(ii) Electricity:

- EU Member States' and EEA/EFTA Member States' authorities, with one representative per State each
- Up to a total of 2 members of the following type:
 - European associations representing producers of electricity, with one representative per association.
- 1 member of the following type:
 - Non-Governmental Organisation with one representative.

(iii) Fertilisers:

- EU Member States' and EEA/EFTA Member States' authorities, with one representative per State each.
- Up to a total of 2 members of the following type:
 - European associations representing producers of goods in the fertilisers subject under the scope of the CBAM, with one representative per association.
- 1 member of the following type:
 - Non-Governmental Organisation with one representative.

(iv) Iron and Steel:

- EU Member States' and EEA/EFTA Member States' authorities, with one representative per State each.
- Up to a total of 2 members of the following type:

- European associations representing producers of goods in the iron and steel industry under the scope of the CBAM, with one representative per association.
- 1 member of the following type:
 - Non-Governmental Organisation with one representative.

(v) Aluminium

- EU Member States' and EEA/EFTA Member States' authorities, with one representative per State each.
- Up to a total of 2 members of the following type:
 - European associations representing producers of goods in the aluminium industry under the scope of the CBAM, with one representative per association.
- 1 member of the following type:
 - Non-Governmental Organisation with one representative.

5. SELECTION PROCESS

1. The selection of the member organisations shall be carried out via a public call for applications, to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups'). In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Registration in the Transparency Register is required in order for organisations referred to in point 4 to be appointed.
3. The members of the group shall be appointed by the Director-General of DG TAXUD from applicants with competence in the areas referred to in point 3 and who have responded to the call for applications.
4. Members shall be appointed until the start of the definitive period of CBAM.
5. Members shall remain in office until replaced or until the end of their term of office. Their term of office may be renewed.
6. DG TAXUD shall establish a reserve list of suitable candidates that may be used to appoint members' replacements. DG TAXUD shall ask applicants for their consent before including their names on the reserve list.
7. Member States' authorities and other public entities shall be appointed by direct invitation.

6. CHAIR

The group shall be chaired by a representative of DG TAXUD.

7. OPERATION

1. The group shall act at the request of DG TAXUD, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')¹.
2. Meetings of the group shall, in principle, be held on Commission premises or virtually, depending on the circumstances.
3. DG TAXUD shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group.
4. In agreement with DG TAXUD, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. The group shall adopt its opinions, recommendations or reports by consensus.

8. INVITED EXPERTS

DG TAXUD may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.

9. OBSERVERS

1. Individuals, organisations in the broad sense of the word and public entities other than EU Member States' and EEA/EFTA Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. In particular, DG TAXUD may by invitation, include the following associations as observers if they do not apply to become members:
 - Eurelectric
 - Association of the Aluminium Industry in Europe
 - The European Steel Association EUROFER
 - European Association of Metals EUROMETAUX
 - Fertilisers Europe (previously European Fertiliser Manufacturers Association)
 - The European Cement Association CEMBUREAU
3. Organisations and public entities appointed as observers shall nominate their representatives.
4. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

¹ C(2016) 3301, Article 13.1.

10. RULES OF PROCEDURE

On a proposal by and in agreement with DG TAXUD the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules².

11. PROFESSIONAL SECRECY AND HANDLING OF CLASSIFIED INFORMATION

The members of the group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443³ and 2015/444⁴. Should they fail to respect these obligations, the Commission may take all appropriate measures.

12. TRANSPARENCY

1. The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').
2. As regards the group composition, the following data shall be published on the Register of expert groups:
 - (a) the name of the Member States' authorities;
 - (b) the name of EEA/EFTA Member States' authorities;
 - (c) the name of member organisations; the interest represented shall be disclosed;
 - (d) the names of observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups. In particular, DG TAXUD shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001⁵.

² See Article 17 of the horizontal rules.

³ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁴ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

⁵ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE EXPERT GROUP

1. Background

The Commission's Directorate-General for Taxation and Customs Union ('DG TAXUD') shall set up the Commission informal expert group on the analytical methods for the monitoring, reporting, quantification and verification of embedded emissions in goods under the scope of the Carbon Border Adjustment Mechanism (CBAM) ('the group').

The group's tasks shall be to assist DG TAXUD:

1. in the completion of methods for the monitoring, reporting, quantification and verification of embedded emissions;
2. in the early preparation of implementing acts, before submission to the committee in accordance with Regulation (EU) N°182/2011.
3. by providing advice and expertise in relation to:
 - The analytical methods that shall be applied by third country producers and EU CBAM declarants in order to monitor, quantify, report and verify the embedded emissions of goods under the CBAM scope, when imported in the EU.
 - The default values that shall be applied for goods under the CBAM scope, when actual emissions cannot be adequately determined and reported.
 - The early preparation of implementing acts, regarding the CBAM, in the context of:
 - o The monitoring, reporting, quantification and verification methods for embedded emissions of goods under CBAM scope to be used during the transitional and definitive period of the CBAM;
 - o The elaboration of technical material such as guidelines and reporting templates to support the implementation of the methods applicable during the transitional and definitive periods of the CBAM;
 - o The determination of default values that will be applied when actual emissions cannot be adequately determined and reported.

The Commission is calling for applications with a view to selecting members of the group other than Member States' authorities.

2. Features of the Group

2.1. COMPOSITION

Members of the group shall be drawn from the following types:

1. Organisations in the broad sense of the word, including companies, associations, Non-Governmental Organisations, trade unions, universities, research institutes, law firms and consultancies ('Type C members').
2. Member States' authorities, at national, regional or local level ('Type D members').
3. EEA/EFTA Member States' authorities ('Type E members').

In order to ensure that real added value is provided on the basis of relevant expertise, the following members shall be considered eligible:

- (i) EU Member States' and EEA/EFTA Member States' authorities (1 member per state will be selected).
- (ii) European associations representing producers of goods in the industries under the scope of the CBAM - up to a total of 2 associations will be selected for each sector with one representative per association;
- (iii) Non-Governmental Organisations (up to 6-7 NGOs will be selected with one representative per NGO).

Members States' authorities, other public entities and organisations shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG TAXUD may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call. In such case, the organisation concerned shall be asked to appoint another representative.

2.2. APPOINTMENT

Members shall be appointed by the Director-General of DG TAXUD from applicants complying with the requirements referred to in chapter 4 of this call.

Members shall be appointed until the end of 2023. They shall remain in office until replaced or until the end of their term of office.

Registration in the Transparency Register¹ is required in order for organisations to be appointed.

DG TAXUD shall appoint alternate members, in accordance with the same conditions as members, who shall automatically replace any members who are absent or indisposed.

In order to ensure continuity and the smooth functioning of the group, DG TAXUD shall establish a reserve list of suitable candidates that may be used to appoint replacements. DG TAXUD shall ask applicants for their consent before including their names on the reserve list.

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of DG TAXUD do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

2.3 RULES OF ENGAGEMENT AND OPERATION OF THE GROUP

The group shall be chaired by a representative of DG TAXUD.

The group shall act at the request of DG TAXUD, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')².

¹ <http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>

² C(2016) 3301.

In principle, the group shall meet approximately 6 times in plenary on Commission premises, in order to discuss the methods for the monitoring, reporting, quantification and verification of embedded emissions together with the early preparation of implementing acts before submission to the committee in accordance with Regulation (EU) N°182/2011. The group shall also meet in online meetings with Type D, C and E in separate formations depending on the agenda to address specific technical matters. These meetings may take place once a month for the period of duration of this informal expert group. DG TAXUD shall provide secretarial services.

Members' representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the group, to be involved in preparatory work ahead of meetings, to examine and provide comments on documents under discussion, and to act, as appropriate, as 'rapporteurs' on *ad hoc* basis.

As a general rule, working documents will be drafted in English and meetings will be also conducted in English.

In agreement with the DG TAXUD, the group may, by simple majority of its members, decide that deliberations shall be public.

Participants in the activities of the group shall not be remunerated for the services they offer. Travel and subsistence expenses incurred by participants in the activities of the group shall not be reimbursed by the Commission.

The members of the group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443³ and 2015/444⁴. Should they fail to respect these obligations, the Commission may take all appropriate measures.

On a proposal by and in agreement with DG TAXUD the group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.

DG TAXUD may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.

Organisations and public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation. In particular, DG TAXUD may by invitation, include the following associations as observers if they do not apply to become members:

- Eurelectric
- Association of the Aluminium Industry in Europe
- The European Steel Association EUROFER
- European Association of Metals EUROMETAUX
- Fertilisers Europe (previously European Fertiliser Manufacturers Association)

³ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁴ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

- The European Cement Association CEMBUREAU

Organisations and public entities appointed as observers shall nominate their representatives. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not participate in the formulation of recommendations or advice of the group.

2.4. TRANSPARENCY

The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁵.

As concerns the group composition, DG TAXUD shall publish the following data on the Register of expert groups:

- the name of Member States' authorities;
- the name of EEA-/EFTA Member States' authorities;
- the name of member organisations; the interest represented shall be disclosed;
- the name of observers.

DG TAXUD shall make available all relevant documents, including the agendas, the minutes and the participants' submissions on the Register of expert groups. In particular, DG TAXUD shall ensure publication of the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001⁶.

Personal data shall be collected, processed and published in accordance with Regulation (EU) No 2018/1725.

3. Application procedure

Interested organisations are invited to submit their application to the European Commission, DG TAXUD by email to: TAXUD-CBAM@ec.europa.eu.

Applications must be completed in English.

Organisations shall indicate the name of their representative(s) in the group.

An application will be deemed admissible only if it is sent by the deadline and includes the documents referred to below. All documents submitted by applicants should be duly filled in, legible, signed and numbered sequentially.

Supporting documents

⁵ <http://ec.europa.eu/transparency/regexpert/index.cfm>

⁶ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Each application shall include the following documents:

- a cover letter explaining the applicant's motivation for answering this call and stating what contribution the applicant could make to the group;
- a classification form duly filled in specifying the member category for which the application is made (Annex I);
- a selection criteria form duly filled in documenting how the applicant fulfills the selection criteria listed in chapter 4 of this call (Annex II).

For individuals indicated by organisations as their representatives, a *curriculum vitae* (CV) shall also be provided, preferably not exceeding three pages. All CVs shall be submitted in the European format (<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>).

Additional supporting documents (e.g. publications) may be requested at a later stage.

Deadline for application

The duly signed applications must be sent by 9th of September , only by email. The date of sending will be established as follows:

- Where applications are sent by e-mail to the following e-mail address: TAXUD-CBAM @ec.europa.eu, the date of the e-mail will be the date of sending.

4. Selection criteria

Eligible applications for membership shall be as described in section 2.1 of this call.

When assessing applications, DG TAXUD will take the following criteria into account concerning each field:

- In the case of representatives of industry associations at European: proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope such as cement, fertilisers, iron, steel and aluminium and electricity generation,;
- In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.
- competence, experience and hierarchical level of the proposed representatives (organisations only);
- good knowledge of the English language allowing active participation in the discussions.

5. Selection procedure

The selection procedure shall consist of an assessment of the applications performed by DG TAXUD against the selection criteria listed in chapter 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group.

When defining the composition of the group, DG TAXUD shall aim at ensuring, as far as possible, a high level of expertise, as well as a balanced representation of relevant know-how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received.

Where individual experts are appointed, either in their personal capacity or to represent a common interest, DG TAXUD shall seek a geographical balance and a gender balance.

For any further information please contact, Telephone: (32-2) 295 28 02, e-mail: TAXUD-CBAM@ec.europa.eu.

ANNEXES:

- Annex I: Classification form
- Annex II: Selection criteria form
- Annex III: Privacy statement

To be filled in by organisations applying to be appointed as Type C members

This application is made as the following **type of organisation**: (*please select only one option, taking into account the definitions indicated below*).

- a) Academia, research Institutes and Think Tanks
- b) Banks/Financial institutions
- c) Companies/groups
- d) Law firms
- e) Non-Governmental Organisations (NGOs)
- f) Professionals' associations
- g) Professional consultancies
- h) Trade and business associations
- i) Trade unions
- j) Other (please specify):

Definitions for organisation types

Academia, Research Institutes and Think Tanks

Universities, schools, research centers, think tanks and other similar bodies performing academic and/or educational activities.

Banks/Financial institutions

Banks and other similar bodies providing financial services, including financial intermediation. All sorts of banks should be classified within this category, including national central banks.

Companies/groups

Individual companies or groups of companies operating in the business sector, whether they are national companies or multinational ones.

Law firms

Business entities formed by one or more lawyers to engage in the practice of law. The primary service rendered by a law firm is to advise clients (individuals or corporations) about their legal rights and responsibilities, and to represent clients in civil or criminal cases, business transactions, and other matters in which legal advice and other assistance are sought.

NGOs

Non-profit organisations which are independent from public authorities and commercial organisations. Some NGOs are organised around specific issues, such as environment, consumer affairs, health and human rights.

Professionals' associations

Non-profit organisations seeking to further the interests of individuals engaged in a particular profession, such as physicians, nurses, architects, engineers and lawyers. Professionals' associations are different from business associations, as they promote and defend the interests of individuals carrying on a specific profession, not the interests of companies operating in the business sector.

Professional consultancies

Firms carrying on, on behalf of clients, activities involving advocacy, lobbying, promotion, public affairs and relations with public authorities.

Trade and business associations

Private bodies representing the interests of its members operating in the business sector.


Trade unions

Organisations of workers. The most common activities performed by trade unions include the negotiation of wages, work rules, rules governing hiring, firing and promotion of workers.

Other organisations

Organisations which are not possible to classify in any other category.

SMEs

"SME" stands for small and medium-sized enterprises – as defined in EU law: [EU recommendation 2003/361](#) .

The main factors determining whether a company is an SME are:

1. **number of employees** and
2. either **turnover** or **balance sheet total**.

Company category Employees Turnover or Balance sheet total

Medium-sized < 250 ≤ € 50 m ≤ € 43 m

Small < 50 ≤ € 10 m ≤ € 10 m

Micro < 10 ≤ € 2 m ≤ € 2 m

These ceilings apply to the figures for individual firms only. A firm which is part of larger grouping may need to include employee/turnover/balance sheet data from that grouping too.

Other interest

Interest which is not possible to classify in any other category.

To be filled in by organisations applying to be appointed as Type C members

Please select one or more policy areas in which your organisation operates:

- Agriculture
- Archaeology
- Architecture
- Audiovisual and media
- Audit
- Banking
- Biodiversity
- Civil protection
- Civil service
- Climate
- Competition
- Conservation
- Consumer affairs
- Culture
- Cultural Heritage
- Cultural Landscape
- Customs

- Development
- Disaster Risk Reduction
- Economy
- Education
- Employment and social affairs
- Energy
- Engineering (chemical)
- Engineering (civil)
- Engineering (infrastructure)
- Engineering (IT)
- Engineering (maritime)
- Engineering (space policy)
- Engineering (space research)
- Enlargement
- Environment
- Equal opportunities
- External relations
- External trade
- Finance
- Fisheries and aquaculture
- Food safety
- Forestry
- Fundamental rights
- Humanitarian aid
- Industry
- Information society
- Innovation
- Insurance
- Labour
- Land management
- Law (civil)
- Law (corporate)
- Law (criminal)
- Law (taxation)
- Linguistics and Terminology
- Livestock
- Medical profession
- Migration
- Natural resources
- Plant production
- Public affairs
- Public health
- Public relations
- Raw materials
- Research
- Science
- Science diplomacy
- Security
- Smart specialisation
- Social service
- Space and Satellites (policy)
- Space and Satellites (research)

- Sport
- Statistics
- Sustainable Development
- Systemic eco-innovation
- Tax
- Trade
- Training
- Transport
- Urban development
- Water
- Youth
- Other

Organisation applying to be appointed as Type C members

Name of the organisation⁷:

Surname of the representative proposed:

First name of the representative proposed:

Surname of the person applying on behalf of the organisation:

First name of the person applying on behalf of the organisation:

Date:

Signature

⁷ It is mandatory to use exactly the same name used when registering in the Transparency Register.

Annex II: Selection criteria form⁸

Applicants are requested to describe how they fulfil the criteria indicated for at least one of the following expert group topics, detailed in the Call .

Applicants are requested to clearly indicate for which expert group topic(s) they are justifying to fulfil the criteria, by crossing out (" X ") the fields corresponding to the topics where **no justification** of the criteria is intended.

<p>Cement:</p> <p>i. Proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in cement goods under the CBAM scope.</p> <p>ii. In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.</p>	<p>Overall Justification (up to 100 words):</p> <p>Years of experience in this field:</p> <p>Relevant projects/studies/initiatives:</p> <p>Other relevant information (up to 100 words):</p>
<p>Electricity:</p> <p>i. Proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in electricity generation under the CBAM scope.</p> <p>ii. In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.</p>	<p>Overall Justification (up to 100 words):</p> <p>Years of experience in this field:</p>

⁸ This form must be filled in, signed and returned with the application.

	<p>Relevant projects/studies/initiatives:</p> <p>Other relevant information (up to 100 words):</p>
<p>Fertilisers:</p> <p>i. Proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in fertiliser goods under the CBAM scope.</p> <p>ii. In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.</p>	<p>Overall Justification (up to 100 words):</p> <p>Years of experience in this field:</p> <p>Relevant projects/studies/initiatives:</p> <p>Other relevant information (up to 100 words):</p>
<p>Iron and Steel:</p> <p>i. Proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in iron and steel goods under the CBAM scope.</p> <p>ii. In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.</p>	<p>Overall Justification (up to 100 words):</p> <p>Years of experience in this field:</p> <p>Relevant projects/studies/initiatives:</p>

	Other relevant information (up to 100 words):
<p>Aluminium:</p> <p>i. Proven and relevant competence and experience in technical analysis related to quantifying, monitoring and/or reporting carbon emissions in iron and steel goods under the CBAM scope.</p> <p>ii. In the case of NGOs: Experience in analysis related to quantifying, monitoring and/or reporting carbon emissions in goods under the CBAM scope.</p>	<p>Overall Justification (up to 100 words):</p> <p>Years of experience in this field:</p> <p>Relevant projects/studies/initiatives:</p> <p>Other relevant information (up to 100 words):</p>

Applicants are also requested to describe how they fulfil the general selection criteria listed in this call.

Competence, experience and hierarchical level of the proposed representatives of the organisations;	
Good knowledge of the English language of the organisations' representatives allowing active participation in the discussions.	

groups, of representatives of candidate members and observers, and of immediate family members of candidate members and observers appointed in personal capacity.

Furthermore, Commission services collect and assess personal information of observers and members' and observers' representatives of the expert groups which are not selected through a public call for applications.

For candidates, personal data is stored by the Commission service managing the expert group. Some types of personal data of individuals appointed as members (either appointed in personal capacity to act independently and in the public interest or to represent a common interest shared by stakeholders in a particular policy area) are made publicly available on the Register of expert groups (as described under Headings 4 and 5 of this privacy statement). The names of the representatives of organisations, Member States and other public entities, as well as the name of specific national departments or other public authority which they represent may also be made publicly available on the Register of expert groups.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data, because processing is necessary for the performance of a task carried out in the public interest (Article 5(1)(a) of Regulation (EU) 2018/1725), since it allows for the selection of members of expert groups (individuals appointed as members in a personal capacity, individuals appointed to represent a common interest and organisations) and also increases the transparency on expert groups. Processing is also necessary to comply with a legal obligation to which the controller is subject (Article 5(1)(b) of Regulation (EU) 2018/1725). The Union act for such necessary processing under Article 5(1)(a) and (b) of Regulation (EU) 2018/1725 is Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups and in particular Articles 10 and 22 thereof.

As regards, in particular, the declarations of interests filled in by candidate members to be appointed in a personal capacity in expert groups, the processing of personal data serves the public interest of enabling the Commission to verify in the process of selection the experts' independence in providing advice to the Commission. Furthermore, the public disclosure of declarations of interests of those experts once appointed allows for public scrutiny of the interests declared by these experts, which is necessary in order to ensure public confidence in the independence of these experts. The public disclosure of declarations of interests also ensures a high degree of transparency with respect to the membership of expert groups and aims at contributing to fostering the integrity of the experts in question.

Any publication of names of the representatives of organisations, Member States' authorities and other public entities in the Register of expert groups is based on consent (Article 5(1)(d) of Regulation (EU) 2018/1725).

4. Which personal data do we collect and further process?

In order to carry out these processing operations, the Data Controller may collect the following categories of personal data:

- *Name;*
- *Function;*
- *Contact details (for example, e-mail address, telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, IP address);*

- *Information for the evaluation of selection criteria or eligibility criteria (for example, expertise, technical skills and languages, educational background, professional experience, including details on current and past employment);*
- *Nationality;*
- *Gender;*
- *Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest shared by stakeholders in a particular policy area and for organisations applying to be appointed as members of expert groups or sub-groups, as well as for their designated representatives);*
- *Information included in the declarations of interests, including personal data of immediate family members as required in the declaration of interests (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).*

The provision to the Commission service of the personal data required is mandatory to meet a legal requirement of selecting members of expert groups as set in Commission Decision C(2016)3301. In principle, the types of personal data listed above (with the exception of contact details and information for the evaluation of selection criteria or eligibility criteria) are made publicly available on the Register of expert groups, in order to comply with the legal requirement to ensure transparency on the composition and functioning of Commission expert groups. If you do not provide the personal data required, possible consequences are that you will not be considered for selection as a member of an expert group or, if already selected, your membership will be suspended.

With the prior freely given, specific, informed and unambiguous consent of the representatives of organisations, Member States' authorities and other public entities, their names may also be published on the Register of expert groups.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. The following modalities apply:

- The competent Commission services keep personal data submitted to them as part of rejected applications for three years after the end of the selection process and do not process them for other purposes; these personal data are not published on the Register of expert groups.
- The expert group and some types of personal data of its members and observers, as described in Heading 4, are published on the Register of expert groups during the duration of existence of the expert group.
- When an individual is no longer member or observer or representative of a member or observer of an expert group listed in the Register of expert groups, all personal data related to this individual, including a declaration of interests, is removed from the Register and is therefore not public anymore.
- The competent Commission services keep personal data for the period during which the relevant individual is a member or an observer or a representative of a member or of an observer of the group and for five years after the date on which the individual is no longer member or observer or representative of a member or observer of the group.
- When a group is closed down, it remains published in the Register of expert groups for five years, with the indication 'Closed'. Those types of personal data other than the declarations of interests of members appointed in personal capacity that were published while the group was active remain visible on the Register of expert groups during these five years. On the contrary, the said declarations of interests are removed

from the Register after closure of a group and are therefore not public anymore; they are however kept by the competent Commission service for a period of five years after the closure of the group.

- An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register of expert groups as of the day it was created, are stored in a file server for 5 years and are not public.

6. How do we protect and safeguard your personal data?

Personal data submitted in paper form is stored in the competent Commission service. All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored *[either]* on the servers of the Commission or of its contractors. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#)).

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data collected in the course of the process of selection of members of expert groups is provided to the Commission staff authorised for carrying out this processing operation and to other authorised Commission staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data collected, as explained in Headings 4 and 5, is publicly available on the Register of expert groups.

The XML files referred to in Heading 5 are only accessible to a reduced number of users in the Secretariat-General (System Owner) and IT development team within the Commission (System Supplier).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor edps@edps.europa.eu if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

These specific processing operations will be included in the DPO's public register with the following Record references: DPR-EC-01066 and DPR-EC-00656.

**RULES OF PROCEDURE OF INFORMAL EXPERT GROUP ON THE
ANALYTICAL METHODS FOR THE MONITORING, REPORTING,
QUANTIFICATION AND VERIFICATION OF EMBEDDED EMISSIONS IN
GOODS UNDER THE SCOPE OF THE CARBON BORDER ADJUSTMENT
MECHANISM (CBAM)**

THE INFORMAL EXPERT GROUP ON THE ANALYTICAL METHODS FOR THE MONITORING, REPORTING, QUANTIFICATION AND VERIFICATION OF EMBEDDED EMISSIONS IN GOODS UNDER THE SCOPE OF THE CARBON BORDER ADJUSTMENT MECHANISM (CBAM),

Having regard to the creation of the group by DG TAXUD,

Having regard to the standard rules of procedure of expert groups¹,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the group

The group shall act at the request of DG TAXUD in compliance with the Commission's horizontal rules on expert groups² ('the horizontal rules').

Point 2

Convening a meeting

1. Meetings of the group are convened by the Chair, with the agreement of DG TAXUD either on its own initiative, or at the request of a simple majority of members after DG TAXUD has given its agreement.
2. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. In principle, meetings of the group shall be held on Commission premises or virtually, depending on the circumstances.

Point 3

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the group.
2. The agenda shall be adopted by the group at the start of the meeting.

¹ C(2016) 3301, Annex 3.

² C(2016) 3301.

Point 4

Documentation to be sent to group members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the group members no later than thirty calendar days before the date of the meeting.
2. The secretariat shall send documents on which the group is consulted to the group members no later than fourteen calendar days before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Point 5

Opinions of the group

1. The group shall adopt its opinions, recommendations or reports by consensus.

Point 6

Invited experts

DG TAXUD may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.

Point 7

Observers

1. Individuals, organisations in the broad sense of the word and public entities other than EU Member States' and EEA/EFTA Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. In particular, DG TAXUD may by invitation, include the following associations as observers if they do not apply to become members:
 - Eurelectric
 - Association of the Aluminium Industry in Europe
 - The European Steel Association EUROFER
 - European Association of Metals EUROMETAUX
 - Fertilisers Europe (previously European Fertiliser Manufacturers Association)
 - The European Cement Association CEMBUREAU
3. Organisations and public entities appointed as observers shall nominate their representatives.
4. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

Point 8

Written procedure

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat shall send the group members the document(s) on which the group is being consulted.
2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group as soon as possible.

Point 9

Secretariat

DG TAXUD shall provide secretarial support for the group and any sub-groups.

Point 10

Minutes of the meetings

Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

Point 11

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the organisations, Member States' authorities or other public entities to which the participants belong³.

Point 12

Correspondence

1. Correspondence relating to the group shall be addressed to DG TAXUD, for the attention of the Chair.
2. Correspondence for group members shall be sent to the e-mail address which they provide for that purpose.

Point 13

Transparency

1. The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').

³ The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

2. As regards the group composition, the following data shall be published on the Register of expert groups:

- (a) the name of the Member States' authorities;
- (b) the name of EEA/EFTA Member States' authorities;
- (c) the name of member organisations; the interest represented shall be disclosed;
- (d) the names of observers.

3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups. In particular, DG TAXUD shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001 .

Point 14

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001⁴.

⁴ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).