

**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).