

Brussels, 28 April 2023

Joint letter on the implementation of the EU Carbon Border Adjustment Mechanism (CBAM)

The undersigned trade associations represent European Customs Brokers and freight forwarders, the Express Delivery Sector, European industry and services sector, cargo owners including airlines, retailers and wholesalers, ship brokers and suppliers.

Trade respects the objectives of the 'Green Agenda'. In this respect, our members and their customers have a vast interest in a smooth and effective implementation of the EU CBAM, ensuring the continued seamless movement of goods and cargo.

Given its complex nature, we reiterate our support to the gradual implementation schedule which has been laid out by the European institutions in the provisional agreement. This joint letter aims to reflect on the impact that the CBAM is likely to have on trade once the transition period starts in October 2023 and urges a delay in applying the reporting requirements.

Although the text of the Regulation has now been approved, in the absence of official guidance, there is at the moment a general uncertainty around responsibilities, in specific scenarios, for the different actors involved when importing CBAM goods. This uncertainty is heightened by the fact that our members understand that the CBAM implementation regulation will not be published before July. This will give us approximately only two months to learn the details on the applicability of the new rules before the beginning of the reporting obligations foreseen during the transition period. This timeframe creates a disproportionate burden for economic operators to prepare in a successful and compliant manner. This is not only related to the reporting obligation itself, in terms of roles and liabilities, but also to all the resources and activities required in order to collect, process, and submit the CBAM quarterly reports. We assume IT adjustments will be needed and in order to ensure an optimal implementation of CBAM requirements, we have assessed that we would need at least a year to plan, implement and test. Moreover, this adaptation comes at a time when we are implementing several Union Customs Code (UCC) projects. This in itself is a difficult challenge with the many uncertainties surrounding UCC implementation. Certainly, the EU Commission is aware of the short period between the final adoption of the CBAM regulation, its implementing regulation, and the start of the transition period.

For this reason, we call on the EU institutions to postpone the CBAM reporting obligations by at least 12 months in order to grant economic operators reasonable time to prepare. Furthermore, we respectfully request that any postponement agreed by the EU and the Member States should be communicated to economic operators as early as possible.

We look forward to hearing from you and remain at your disposal to discuss this issue in further detail.

Yours sincerely,



Sabine Van Depoele
on behalf of the following associations,



A4E



CLECAT



CONFIAD



EEA



ESF



EuroCommerce



ESIA



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OCEAN