

Question for written answer E-004248/2025

to the Commission

Rule 144

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Subject: CBAM – legal implications of only selling CBAM certificates from 2027

In its response to Written Question E-002914/2025¹, the Commission confirmed that the sale of carbon border adjustment mechanism (CBAM) certificates will not start before February 2027. This means that CBAM declarants will be required to purchase certificates retroactively in 2027 for emissions generated in 2026, without being able to calculate the costs in advance. This creates serious commercial and legal uncertainties for European companies, thereby threatening their economic viability.

1. How, in the Commission's view, is it possible for affected companies across all Member States to act in a commercially responsible and legally compliant manner if CBAM costs for 2026 are only to be settled ex post in 2027?
2. How are CBAM declarants expected to submit compliant CBAM declarations if the necessary default and benchmark values are not published by 1 January 2026 and, according to the Commission's reply, will only be available after the adoption of the new EU emissions trading system benchmarks in early 2026, while the study on default values, as presented to the 3rd Meeting of the Informal Expert Group on the CBAM (E03927), is not due to be completed before June 2026?
3. How does the Commission intend to ensure compatibility with the World Trade Organization in light of these evident deficiencies in the CBAM framework?

Supporter²

Submitted: 29.10.2025

¹ https://www.europarl.europa.eu/doceo/document/E-10-2025-002914-ASW_EN.html.

² This question is supported by a Member other than the authors: Emmanouil Fragkos (ECR).