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Answer given by Mr Hoekstra
on behalf of the European Commission
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The Commission cannot disclose the identity of the installations forming the 10% most efficient group for reasons of business confidentiality surrounding the data. But to increase transparency, the Commission intends to publish a document including benchmark curves and key parameters of the benchmark exercise, as the one published in October 2021¹.

The benchmark update methodology is set in the EU Emissions Trading System (ETS) Directive² and is based on the actual performance of the most efficient installations rather than Best Available Techniques conclusions under the Industrial Emissions Directive³, which do not include levels for emissions of greenhouse gases covered by the ETS. Indeed, the data submitted by the Member States to the Commission of the performance of installations includes verified data on emissions and heat flows, but not feedstock and technology used. In the case of coke, however, it should be noted that the greenhouse gas intensity of the 10% best-performing installations is lower than the 2026-2030 benchmark level, which indicates that the most efficient installations should still receive sufficient free allocation to cover their emissions.

The Carbon Border Adjustment Mechanism (CBAM) review report⁴ required by the CBAM Regulation⁵ includes an assessment of a potential extension of CBAM to more goods and precursors based on carbon leakage risk and technical feasibility. Several sectors have been considered in the analytical work, such as organic chemicals and polymers, as highlighted by the Regulation, but also refinery products, among others. These materials have been prioritised for further assessment. It is therefore too early to say whether coke would be included in any future CBAM scope extension.

¹ Benchmark curves and key parameters: https://climate.ec.europa.eu/system/files/2021-10/policy_ets_allowances_bm_curve_factsheets_en.pdf.

² Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC, OJ L 275, 25.10.2003, pp. 32, ELI: <http://data.europa.eu/eli/dir/2003/87/oj>.

³ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), OJ L 334, 17.12.2010, pp. 17–119, ELI: <http://data.europa.eu/eli/dir/2010/75/oj>.

⁴ Report from the Commission to the European Parliament and the Council on the application of the Regulation on the Carbon Border Adjustment Mechanism, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52025DC0783>.

⁵ Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism, OJ L 130, 16.5.2023, pp. 52–104, ELI: <http://data.europa.eu/eli/reg/2023/956/oj>.