



The Carbon Border Adjustment Mechanism: How to Navigate a Complex Mechanism

Update

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This note is dedicated to importers and producers of specific goods from countries outside the European Union, who will be subject to carbon pricing equivalent to that applied to European manufacturers of the same goods, without using third-country goods.

Regulatory Framework

As a reminder, the *Carbon Border Adjustment Mechanism* (CBAM or MACF in French) was introduced at European Union (EU) level by three regulations dated 2023:

- Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023; and
- Commission implementing regulations (EU) 2023/1773 and 2025/486 dated 17 August 2023 and 17 March 2025.

It should be noted that the legal framework applicable to CBAM is likely to be simplified at EU level (see the paragraph below entitled “*Potential simplification*”).

Objectives

Directly applicable since 1 October 2023, this regulatory mechanism has nonetheless been implemented gradually in order to eventually bring the carbon footprint of imports into line with European standards, notably by requiring economic players to quantify the CO₂ emissions of their imported

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goods (the idea being to restore the balance between European and non-European producers by applying a carbon price to products imported into the EU).

This environmental policy measure also marks the phasing-out, at the same time, of the free allocation of allowances under the EU Emissions Trading Scheme (ETS) created in 2005. As a result, in the medium term, an importer and a producer established in the EU will both pay the same carbon price.

Conditions of Application

An importer^[1] or an indirect customs representative acting as an authorized CBAM declarant at the time of import^[2] will have to pay the carbon “tax” at the border if the following cumulative conditions are met:

- the imported goods are on the list of products referred to in Annex 1 of Regulation 2023/956 (e.g., steel, aluminum, nitrogen fertilizers, cement, hydrogen or electricity)^[3];
- the imported goods come from a non-EU country (exemptions: Iceland, Norway, Liechtenstein, Switzerland or certain territories of member states such as Ceuta, Melilla, Livigno, Helgoland, Büsingen);
- the imported goods have an intrinsic value of more than €150 per shipment (the Omnibus Proposal proposes to remove this financial threshold); and
- the customs procedure applicable to the imported goods corresponds either to “release for free circulation” (i.e., the imported goods will be consumed and/or move freely within the customs territory of the Union), or to “inward processing” (i.e., the imported goods will be processed and *ultimately* released for free circulation without being re-exported outside the Union, even if the processed goods are no longer included in the list products referred to in Annex 1 of Regulation 2023/956).

Potential Simplification

Less than a year before the CBAM becomes fully operational, at the end of February 2025 the European Commission published a proposal to simplify the system for the benefit of “small” importers, who in reality represent around 90 percent of the economic players affected by the CBAM (**Omnibus Proposal**).^[4]

In other words, economic players whose cumulative imports of iron, steel, aluminum, cement and nitrogen fertilizers (with the exception of electricity or hydrogen) do not exceed 50 tons over the calendar year would be exempt from any CBAM obligation. This Omnibus Proposal should considerably reduce the

administrative burden for the majority of importers, while ensuring that 99 percent of carbon emissions remain covered by the CBAM.

Regarding the Omnibus Proposal, requests for “Authorized CBAM Declarant” status and access to the definitive CBAM portal will be processed by the Directorate General for Energy and Climate (called in French “DGECE”) as follows:

- priority to businesses that imported more than 50 metric tons of goods in 2024 or that can demonstrate that they plan to import more than 50 metric tons in 2025 or 2026;
- access to the portal maintained, but processing of the application for “Authorized CBAM Declarant” status postponed to the second half of 2025 for economic operators who imported between 10 and 50 tons of goods in 2024;
- refusal of both access to the registry and processing of applications for “Authorized CBAM Declarant” status for economic operators importing less than 10 tons of goods in 2024.

Since the endorsement of the Omnibus Proposal by the European Parliament on 22 May 2025, all eyes are now on the Council, who will have to examine and validate the Omnibus Proposal by end of 2025/early 2026.

CBAM Obligations

CBAM Registry Connection Mode Changes

The CBAM registry connection mode will change on 1 January 2026.

If the importer already has access to the CBAM registry (i.e., by creating an account based on the EORI SIRET number and accessing it via the [douane.gouv](https://douane.gouv.fr) website), the 2025 quarterly reports must continue to be filed via the current CBAM account. The OLGA online service will remain active to address any problems of access to these “old” CBAM accounts via the [douane.gouv](https://douane.gouv.fr) website. However, it is recommended that you save the pdf and xml formats of the quarterly reports linked to this account, to keep them after 2026 in view of the future withdrawal of access, the date of which has yet to be determined.

Without waiting for 1 January 2026, you will need to contact the **CCE** (in French *cellule-conseil aux entreprises*) within the economic action unit of the regional customs directorate responsible for the company’s head office, to request the creation of a new account on the CBAM registry, based on the EORI SIREN number (accessible free of charge via the SOPRANO online service available on the [douane.gouv](https://douane.gouv.fr) website). To secure the data in this new account, an EU Login will be needed for each connection to the register

In practice, you will need to email the relevant CCE a completed form requesting the creation of a new CBAM account on the permanent registry (form available on the [douane.gouv](https://douane.gouv.fr) website), with “UUMDS “CBA/ MACF” account creation request” in the subject line.

If the importer is not located in an EU member state and does not have an EORI, he will not be able to obtain Authorized CBAM Declarant status directly. In this case, an indirect customs representative will be required to take the necessary steps on the importer’s behalf (since the indirect customs representative has an EORI).

Once the account has been created, and from 1 January 2026, it will be possible to access the definitive CBAM registry directly via the TAXUD European authentication portal (<https://cbam.ec.europa.eu/authorised-declarant>).

Takeaway

At this stage, importers should:

- Follow up closely the Omnibus Proposal (amendment, adoption, etc.);
- Continue to provide information and training to suppliers, to ensure that they receive a satisfactory flow of information on time, and to ensure the quality of reporting.

Contacts

The Carbon Markets Office of the French Directorate General for Energy and Climate (**DGEC**; questions.MACF@developpement-durable.gouv.fr) is responsible for all practical and methodological questions relating to emissions calculations.

As far as customs are concerned, you should contact the Restrictions and Securing Trade office of the General Directorate of Customs and Indirect Taxation (**DGDDI**; dg-comint2@douane.finances.gouv.fr).

[1] Economic actor established in an EU member state identified by a Community identification number called “EORI”; this number has been essential since 2023 to manage relations with intra-Community customs authorities, and you can request it by logging on to [douane.gouv.fr](https://www.douane.gouv.fr) via the Soprano platform: <https://www.douane.gouv.fr/service-en-ligne/demande-dautorisation-douaniere-et-fiscale-soprano>.

[2] In particular, if the importer uses a DDP incoterm (*Delivered Duty Paid*) and is not established in an EU member state, he will use an indirect representative

[3] The identification of imports covered by CBAM is based on the customs nomenclature. To find the CN product code associated with the imported merchandise, you need to refer to the RITA database (please note that the CN codes 7616 and 7326 refer respectively to “*other articles*” in aluminum and steel, as these codes are likely to cover a wider range of products; they are referred to as “sweeper” codes, extending CBAM to a large number of merchandise items).

[4] Omnibus I – COM(2025)87

[5] France’s leading certification body. The list of accredited auditors is not yet available.

[6] It will not be possible to trade or sell certificates between authorized CBAM declarants (unlike on the ETS market). However, an authorized CBAM declarant will be able to optimize purchases of CBAM certificates by acquiring hedging products on the ETS market, or by purchasing more CBAM certificates in year Y than anticipated imports, which will enable the registrant to request reimbursement of the most expensive certificates.