

**From:** [REDACTED]  
**To:** [REDACTED] ([CAB-TIMMERMANS](#)); [COLOMBANI Antoine \(CAB-TIMMERMANS\)](#); [HIESINGER Stefanie \(CAB-TIMMERMANS\)](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Ares(2021)3401885 CEMBUREAU, European Cement Association / Confirmation meeting 2nd July at 3 pm  
**Date:** jeudi 17 juin 2021 11:55:17  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Carbon Leakage Infographic.pdf](#)

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Dear [REDACTED]

Thank you very much for your message and I can hereby confirm that [REDACTED] and myself are available for a meeting on 2<sup>nd</sup> July at 3 pm.

Dear Antoine,  
Dear Stefanie,

If you allow me and as we understand important decisions on the package and CBAM are made now, please find some reflections below that we would appreciate could be taken up in the discussions. Our industry is pretty alarmed by messages coming out of the European Commission that, as part of the 'Fit for 55' package, the level of free allowances for industry may be significantly reduced for sectors covered by a Carbon Border Adjustment Mechanisms (CBAM).

It is vital that the 'Fit for 55' package does not endanger the investment decisions and projects made by European cement companies. In this respect, the package should:

- **Ensure that free allocation under the EU ETS fully co-exists alongside CBAM for an appropriate transition period lasting until 2030.** Legal analysis has shown that such design can be WTO compatible whilst avoiding any form of 'double protection', provided that CBAM takes into account the level of free allowances in calculating the levy to be paid by third country importers. Such co-existence is key to shield the industry from the risks of a complex and untested mechanism by CBAM. It also honours the legitimate expectations flowing from the existing EU ETS, adopted in 2018 and applicable until 2030, which forms the basis for decarbonisation investments in industries with long-term investment cycles;
- **Ensure a fully comparable CO2 cost basis between EU and non-EU cement suppliers, and does not result in weakened carbon leakage protection.** Already under the current ETS, only the average 10% best performers receive their full allocation for free, which incentivises best performing companies on CO2 reductions. This means 95% of the EU cement operators do carry a CO2 cost that virtually no other cement plant in the world is facing. Any additional cost that would not be met with an appropriate level of CBAM would paralyze the investments already initiated in the European industry;
- **Include a solution for European exports through export rebates, and covers both direct and indirect emissions.** Such approach would incentivize emission reductions in both the EU and third countries and prevent carbon-intensive products to flood the EU market to the detriment of EU operators that bear the full CO2 cost;
- **Secures a solid monitoring and verification system for assessing emission levels in third countries** whereby a proper monitoring is set up to accurately measure imports' emissions, and mitigate any risk of circumvention of CBAM through resource shuffling or public support measures.

- **Include a sufficiently broad number of sectors in CBAM** to avoid market distortions both in terms of ETS coverage and on downstream markets.

In the absence of these essential elements being part of the “Fit for 55” package, the conditions for the cement industry to develop a sound business case for investments in Europe and its crucial role in supplying the downstream concrete and construction market, would be seriously compromised. This would indeed happen at a time the sector faces rapidly-increasing imports from non-EU countries (see some data attached) and witnesses the emergence of an alternative business model whereby clinker, the most CO2-intensive part of cement, is produced outside the European Union and imported to be grinded in Europe. An exacerbation of these trends would only lead to significantly higher CO2 emissions in Europe, in addition to closure of production sites. We firmly believe in a scenario where a comparable cost basis with third country operators is ensured, allowing all to work towards a more global Industrial Decarbonisation Agenda as suggested in the Conclusions of the recent G7 summit.

Many thanks for taking these points into consideration and looking forward to talk to you on 2<sup>nd</sup> July.

Best regards,

[Redacted]

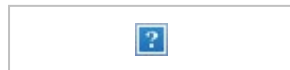
[Redacted]

**CEMBUREAU – The European Cement Association**

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EU Transparency Register No: 93987316076-63

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**From:** [Redacted]@ec.europa.eu>

**Sent:** 15 June 2021 18:26

**To:** [Redacted]@cembureau.eu>

**Cc:** [Redacted]@cembureau.eu>; [Redacted]  
[Redacted]@cembureau.eu>; COLOMBANI Antoine [Redacted]@ec.europa.eu>

**Subject:** RE: Ares(2021)3401885 CEMBUREAU, European Cement Association / Legal opinion on CBAM and meeting request on “Fit for 55%” package

Dear [Redacted]

Kindly thank you for your mail and patience. We would be pleased to propose you a slot on **2 July at 15h00**. On our side, it will be Mr Antoine Colombani and Ms Stefanie Hiesinger who will take part in the meeting. Due to heavy agenda constraints, regrettably, Mr Samsom cannot join the meeting.

If this is acceptable and suitable on your side, could you please kindly confirm the names and the e-mail addresses of the participants on your side? We would be pleased to set-up the video-call.

Best regards,

[Redacted]

[Redacted]

Executive Vice-President Frans Timmermans  
**European Green Deal**



**European Commission**

BERL [Redacted]  
B-1049 Brussels/Belgium

[Redacted]

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**From:** COLOMBANI Antoine (CAB-TIMMERMANS) [Redacted] [@ec.europa.eu](mailto:[Redacted]@ec.europa.eu)>

**Sent:** Monday, June 14, 2021 10:15 AM

**To:** [Redacted] [@cembureau.eu](mailto:[Redacted]@cembureau.eu)>

**Cc:** [Redacted] [@cembureau.eu](mailto:[Redacted]@cembureau.eu)>; [Redacted]  
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[Redacted] [@ec.europa.eu](mailto:[Redacted]@ec.europa.eu)>

**Subject:** RE: CEMBUREAU, European Cement Association / Legal opinion on CBAM and meeting request on "Fit for 55%" package

Dear [Redacted]

Apologies for the long delay, we were planning to get back to you to find a slot.  
[Redacted] will be in touch very soon.

Best regards,  
Antoine

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**From:** [Redacted] [@cembureau.eu](mailto:[Redacted]@cembureau.eu)>

**Sent:** Monday, June 14, 2021 9:47 AM

**To:** SAMSOM Diederik (CAB-TIMMERMANS)

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[redacted] [\[redacted\]@cembureau.eu](mailto:[redacted]@cembureau.eu)>

**Subject:** RE: CEMBUREAU, European Cement Association / Legal opinion on CBAM and meeting request on “Fit for 55%” package

Dear Mr Samsom,  
Dear Mr. Colombani, Dear Antoine,

I am writing to follow-up from the below e-mail and meeting request. We are fully conscious these are very busy times for you and the cabinet, but we would appreciate a brief virtual meeting in the coming days given the very dense EU agenda for our industry and the upcoming “Fit for 55” package.

The following dates would work well from our perspective:

- 21<sup>st</sup> June morning
- 22<sup>nd</sup> June afternoon
- 23<sup>rd</sup> June at 14.00 or 15.00
- 24<sup>th</sup> June at 16.00
- 28<sup>th</sup> June anytime from 11.00
- 29<sup>th</sup> June at 16.00
- 30<sup>th</sup> June anytime except lunchtime
- 1<sup>st</sup> July anytime
- 2<sup>nd</sup> July afternoon
- 5<sup>th</sup> July anytime
- 6<sup>th</sup> July anytime

I attach again for reference the recent letter we sent to the Executive Vice-President, together with our CEOs. I thank you in advance for your response and we look forward to hearing from you.

Best Regards,

[redacted]

[redacted]

**CEMBUREAU – The European Cement Association**  
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