



Proposal for a Regulation on Carbon Removals Certification (CRC)

Analysis of Articles 8-19 + Annexes I-II

WPE 3/3/2023

Recital 18: Certification methodologies

(18) It is appropriate to develop detailed certification methodologies for the different carbon removal activities in order to apply, in a standardised, verifiable and comparable way, the quality criteria laid down in this Regulation. Those methodologies should ensure the robust and transparent certification of the net carbon removal benefit generated by the carbon removal activity, while avoiding disproportionate administrative burden for operators or group of operators, in particular for small farmers and forest holders. To this end, the Commission should be empowered to supplement this Regulation by adopting delegated acts establishing detailed certification methodologies for the different carbon removal activities. Those methodologies should be developed in close consultation with the Expert Group on Carbon Removals and all other interested actors. They need to be based on the best available scientific evidence, build upon existing public and private schemes and methodologies for carbon removal certification, and take into account any relevant standard and rules adopted at national and Union level.

Article 8 Certification methodologies

1. An **operator** or a group of operators shall apply the relevant **certification methodologies to comply with the criteria** laid down in Articles 4 to 7.
2. The Commission is empowered to adopt **delegated acts** in accordance with Article 16 **to establish the technical certification methodologies** referred to in paragraph 1 for activities related to permanent carbon storage, carbon farming and carbon storage in products. Those certification methodologies shall include at least the elements set out in Annex I.
3. When preparing those delegated acts, the **Commission shall take into** account the following elements:
 - a. the objectives of **ensuring the robustness** of carbon removals and recognising the protection and restoration of ecosystems;
 - b. the objective of **minimising administrative burden** for operators, particularly for small-scale carbon farming operators;
 - c. relevant **Union and national law**;
 - d. relevant Union and international **certification methodologies and standards**.

Annex I: Elements of the certification methodologies referred to in Article 8

When adopting delegated acts pursuant to Article 8, the certification methodologies shall include at least the following elements:

- a. **description of the carbon removal activity** covered, including its **monitoring period**;
- b. **rules** for identifying all **carbon removal sinks** and **GHG emission sources** referred to in Article 4(1);
- c. rules for calculating the **carbon removals under the baseline** referred to in Article 4(1), point (a);
- d. rules for calculating the **total carbon removals** referred to in Article 4(1), point (b);
- e. rules for calculating the increase in direct and indirect **greenhouse gas emissions** referred to in Article 4(1), point (c);
- f. rules to address **uncertainties** in the quantification of carbon removals referred to in Article 4(8);
- g. rules to carry out the specific **additionality** tests referred to in Article 5(2);
- h. rules on monitoring and mitigation of any **risk of release** of the stored carbon referred to in Article 6(2), point (a);
- i. rules on appropriate **liability mechanisms** referred to in Article 6(2), point (b);
- j. rules on the minimum **sustainability requirements** referred to in Article 7(2);
- k. rules on the monitoring and reporting of **co-benefits** referred to in Article 7(3).

Q: What is the expected number, priority and adoption schedule of the proposed DAs and IAs? (CZ, AT, DE)

- Over 2023-2024, mapping & assessment of existing certification methodologies on carbon removals, in order to inform the swift preparation of DAs on certification methodologies following the entering into force of the Regulation
- We expect a limited number of DAs establishing certification methodologies tailored to the 3 main types of carbon removal activities. Possible priority certification methodologies could include:
 - permanent storage: BECCS and DACCS (building on the EU innovation fund)
 - carbon farming: peatland re-wetting and agro-forestry
 - carbon storage in products: wood in construction, further research needed

Q: Use of delegated/implementing acts vs basic act, MS involvement in DA (ES, LT, PL, FI)

- Rules agreed on by the institutions when to use which empowerment: no full discretion of the Commission (agreement of co-legislators).
- Delegated acts supplement or amend the basic act. Full involvement of MS ensured through the Expert Group + scrutiny period for Council and EP.
- Art 8 methodologies not determined by the basic act due to the complexity and technicality of the exercise: any change only via the ordinary legislative procedure.
- Implementing acts set technical details of provisions already laid down in the basic act (reporting templates, technical certification rules etc.)

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Chapter 3 Certification

Articles 9-11

Article 9 Certification of compliance - recitals

(19) In order to ensure a credible and reliable certification process, carbon removal activities should be subject to independent third-party auditing. In particular, carbon removal activities should be subject to an initial certification audit before their implementation, verifying their compliance with the quality criteria set out in this Regulation, including the correct quantification of the expected net carbon removal benefit. Carbon removal activities should also be subject to periodic re-certification audits to verify the compliance of the generated carbon removals. To this end, the Commission should be empowered to adopt implementing acts to set out the structure, technical details, and the minimum information to be contained in the description of the carbon removal activity, and in the certification and re-certification audit reports.

(20) Providing land managers with improved knowledge, tools and methods for a better assessment and optimisation of the carbon removals is key for cost-efficient implementation of mitigation actions and for securing their engagement in carbon farming. This is particularly relevant for Union small farmers or forest holders that often lack the know-how and the expertise required to implement carbon removal activities and to comply with the required quality criteria and related certification methodologies. Therefore, it is appropriate to require that producer organisations facilitate the provision of relevant advisory services through technical advice to their members. The Common Agricultural Policy and national State aid can support financially the provision of advisory services, knowledge exchange, training, information actions or interactive innovation projects with farmers and foresters.

Article 9 Certification of compliance - recitals

(21) It is appropriate that carbon removal certificates underpin different end-uses, such as the compilation of national and corporate greenhouse gas inventories, including with regard to Regulation (EU) 2018/841 of the European Parliament and of the Council , the proof of climate-related and other environmental corporate claims (including on biodiversity), or the exchange of verified carbon removal units through voluntary carbon offsetting markets. To this end, the certificate should contain accurate and transparent information on the carbon removal activity, including the total removals and net carbon removal benefit that comply with the quality criteria set out in this Regulation. The Commission should be also empowered to adopt delegated acts to further specify or amend Annex II which lists the minimum information to be contained in the certificates.

Article 9 Certification of compliance

1. To apply for a certification of compliance with this Regulation, an **operator** or a group of operators shall **submit an application** to a certification scheme. Upon acceptance of that application, the operator or a group of operators shall submit to a certification body a **comprehensive description** of the carbon removal activity, including the certification **methodology** applied to assess compliance with Articles 4 to 7, the expected **total carbon removals** and **net carbon removal benefit**. Groups of operators shall also specify how advisory services on carbon removal activities are provided, in particular to small-scale carbon farming operators.
2. The **certification body** shall conduct a **certification audit** to verify the information submitted in accordance with paragraph 1 and to confirm compliance of the carbon removal activity with Articles 4 to 7. As a result of that certification audit, the certification body shall issue **a certification audit report**, that includes a summary, and a **certificate** containing, as a minimum, the information set out in **Annex II**. The **certification scheme** shall control the certification audit report and the certificate, and make the summary of the certification audit report and the certificate publicly available in a **registry** referred to in Article 12.

Article 9 Certification of compliance

3. The **certification body** shall carry out **periodic re-certification audits** to reconfirm compliance of the carbon removal activity with Articles 4 to 7 and verify the generated carbon benefit. As a result of that re-certification audit, the certification body shall issue a **re-certification audit report**, that includes a summary, and an **updated certificate**.

The **certification scheme** shall control the re-certification audit report and the updated certificate, and make the summary of the re-certification audit report, the updated certificate and the certified carbon removal units publicly available in a **registry** referred to in Article 12.

4. The operator or a group of operators shall support the certification body during certification and re-certification audits, notably by giving access to the activity premises and providing relevant data and documentation.
5. The Commission may adopt **implementing acts** to set out the **structure, format, technical details** of the **comprehensive description** of the carbon removal activity referred to in paragraph 1, and of the **certification and re-certification audit** reports referred to in paragraphs 2 and 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Annex II: Minimum information included in the certificate referred to in Article 9

The certificate shall include the following minimum information:

- a. **name and type** of the carbon removal activity, including the name and contact details of the operator or group of operators;
- b. the **location** of the carbon removal activity, including geographically explicit location of the activity boundaries, respecting 1:5000 mapping scale requirements for the Member State;
- c. **start date and end date** of the carbon removal activity;
- d. name of the **certification scheme**;
- e. name and address of the **certification body** and logo;
- f. (unique) **certificate number** or code;
- g. place and date of **issuance** of the certificate;
- h. reference to the applicable **certification methodology** referred to in Article 8;
- i. net **carbon removal benefit** referred to in Article 4(1);
- j. carbon removals under the **baseline** referred to in Article 4(1), point (a);
- k. **total** carbon removals referred to in Article 4(1), point (b);
- l. increase in direct and indirect **greenhouse gas emissions** referred to in Article 4(1), point (c);
- m. **breakdown** by gases, sources, carbon sinks and stocks with regard to the information referred to in points (j), (k) and (l) of this Annex;
- n. duration of the **monitoring period** of the carbon removal activity;
- o. any **sustainability co-benefits** referred to in Article 7(3);
- p. reference to **any other carbon removal certification**.

Examples of RED certificates of compliance




ISCC PLUS Certificate

Certificate Number: ISCC-PLUS-Cert- US201-70601418

SCS Global Services
2000 Powell Street, Emeryville, CA 94608, USA
certifies that
INEOS Olefins & Polymers USA
1230 Independence Pkwy
La Porte, TX 77571

complies with the requirements of the certification system
ISCC PLUS
(International Sustainability and Carbon Certification)

This certificate is valid from 12.03.2022 to 11.03.2023.



The site of the system user is certified as:
Processing Unit – Polymerization Plant

The scope of the certificate includes the following chain of custody options:
(not applicable for paper traders)
Mass Balance

Emeryville, CA USA
05.03.2022
Place and date of issue

Mark Friday
Stamp, Signature of issuing party

The issuing Certification Body is responsible for the accuracy of this document.
Version / Date: 1 (no adjustments) / 05.03.2022

Annex to the certificate:

Sustainable materials handled by the certified site
(This annex is only applicable for material handled under the scopes: farm/plantation, point of origin, central office, (farm/plantation or point of origin) first gathering point, processing unit (any type) but not for material that is only traded and/or stored)

This annex is only valid in connection with the certificate:
ISCC-PLUS-Cert-US201-70601418 issued on 05.03.2022

Input material	Output material	Add-ons (voluntary) ¹⁾	ISCC waste process applied ²⁾	SAI/ FSA ³⁾	FEFAC ⁴⁾
Circular Ethylene	Circular PE	N/A	YES	N/A	N/A
Bio Ethylene	Bio PE	N/A	NO	N/A	N/A
Bio-circular Ethylene	Bio-circular PE	N/A	YES	N/A	N/A
Circular Propylene	Circular PP	N/A	YES	N/A	N/A
Bio Propylene	Bio PP	N/A	NO	N/A	N/A
Bio-circular Propylene	Bio-circular PP	N/A	YES	N/A	N/A
Mixed Waste Plastic	Circular PE	N/A	YES	N/A	N/A
Mixed Waste Plastic	Circular PP	N/A	YES	N/A	N/A

¹⁾ ISCC PLUS add-ons (voluntary application, see www.iscc-system.org for further information):

- 202-03: SAI Gold
- 205-01: GHG emission requirements
- 205-02: Consumables
- 205-03: Non GMO for food and feed
- 205-04: Non GMO for technical markets

²⁾ Yes: The raw material meets the ISCC definition of waste or residue, i.e. it was not intentionally produced and not intentionally modified, or contaminated, or discarded, to meet the definition of waste or residue
No: The raw material complies with the ISCC Principles 1 – 6 for the cultivation of sustainable biomass

³⁾ Farm Sustainability Assessment (FSA) was developed by the Sustainable Agriculture Initiative (SAI)
SAI Silver Compliance: ISCC Compliant material can be claimed as "Equivalent to FSA 2.1 Silver"
SAI Gold Compliance: ISCC Compliant material incl. add-on SAI Gold can be claimed as "Equivalent to FSA 2.1 Gold"

⁴⁾ FEFAC: European Feed Manufacturers' Federation. ISCC compliant materials can be claimed as "in line with FEFAC soy sourcing guidelines 2015"

The issuing Certification Body is responsible for the accuracy of this document.
Version / Date: 1 (no adjustments) / 05.03.2022

Certificates will provide all key information needed to facilitate both public and private financing of carbon removals

Certificates and certified carbon removals units will also differentiate between permanent and temporary storage

Article 10 Certification bodies - recital

(22) To ensure an accurate, robust and transparent verification, certification bodies responsible for performing the certification of carbon removal activities should have the required competences and skills and should be accredited by national accreditation authorities pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council . To avoid possible conflicts of interest, the certification bodies should also be completely independent from the operator carrying out the carbon removal activity that is subject to the certification. In addition, Member States should contribute towards ensuring the correct implementation of the certification process by supervising the operation of certification bodies that are accredited by national accreditation authorities, and by informing the certification schemes about relevant non-conformity findings.

Article 10 Certification bodies

1. The **certification bodies** appointed by certification schemes **shall be accredited by a national accreditation authority** pursuant to **Regulation (EC) No 765/2008** of the European Parliament and of the Council.
2. Certification bodies shall be:
 - a. **competent** to carry out the certification and re-certification audits referred to in Article 9;
 - b. **independent** from the operators or from a group of operators, and carry out the activities required under this Regulation in the public interest.
3. For the purpose of paragraph 2, point (b), certification bodies or any part thereof shall not:
 - a. be an operator or a group of operators, the owner of an operator or of a group of operators, or be owned by them;
 - b. have relations with operators or with a group of operators, that could affect their independence and impartiality.
4. **Member States shall supervise** the operation of certification bodies. Certification bodies shall submit, upon request by the national competent authorities, all relevant information necessary to supervise their operation, including date, time and location of the audits referred to in Article 9. Where Member States find issues of non-conformity, they shall inform the certification body and the relevant certification scheme thereof without delay.

Verification & Certification – key MS questions

Q: What is relation between certification bodies and certification schemes? HR, CZ

- Certification schemes oversee the certification process and manage the certification registries. Schemes need to operate on the basis of reliable and transparent rules and procedures
- Certification bodies play the key role of verifying the compliance of operators/activities with the criteria and rules of the CRC Regulation, they issue certificates of compliance

Q: What is the role of National Accreditation authorities? Can Ministries act as accreditation bodies? IRL

- Certification bodies need to be competent and free of conflict of interest, accredited by National Accreditation Authorities (Regulation (EC) No 765/2008)

Verification & Certification – key MS questions

Q: Can the MS supervision of certification bodies be strengthened? What happens if a certification body is active in more than one MS? NL HU

- Requirements for MS supervision of certification bodies similar to those set out in the Renewable Energy Directive, and the related Implementing Act C(2022)3740 on certification rules
- MS working group under RED discussing questions on MS supervision of certification bodies.
- *Q: Can the project be subject only to certification audit at the end of the project in order to reduce administrative costs? FR ES*
 - These kind of MRV details will be set out the tailored certification methodologies

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Sustainability certification under the Renewable Energy Directive

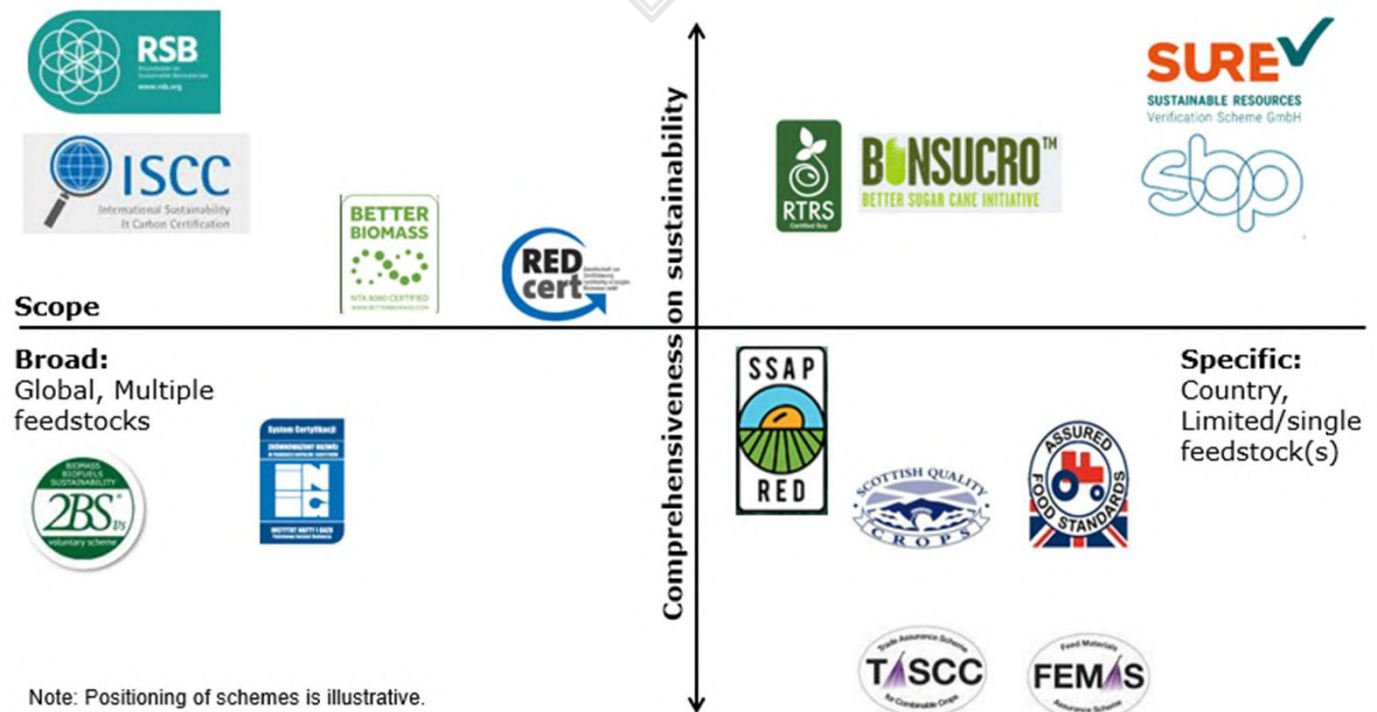
Overview and lessons learned

What is the EU bioenergy certification scheme under the Renewable Energy Directive (EU RED)?

- MS are responsible for implementation of the EU RED sustainability criteria for bioenergy. Options to demonstrate compliance are:
 - National (government) schemes set up by Member States, or
 - Voluntary (market based) schemes that have been recognised by the European Commission
- Third party auditing and certification governance
 - Audits for each economic operator have to be conducted (at least) annually and before participation in the scheme
 - Auditors should be 'external, independent of the activity being audited, free from conflict of interest and competent'
 - Certification schemes need to have independent governance structure, complaints procedures, internal monitoring process and transparency on operation

What is a certification scheme under RED?

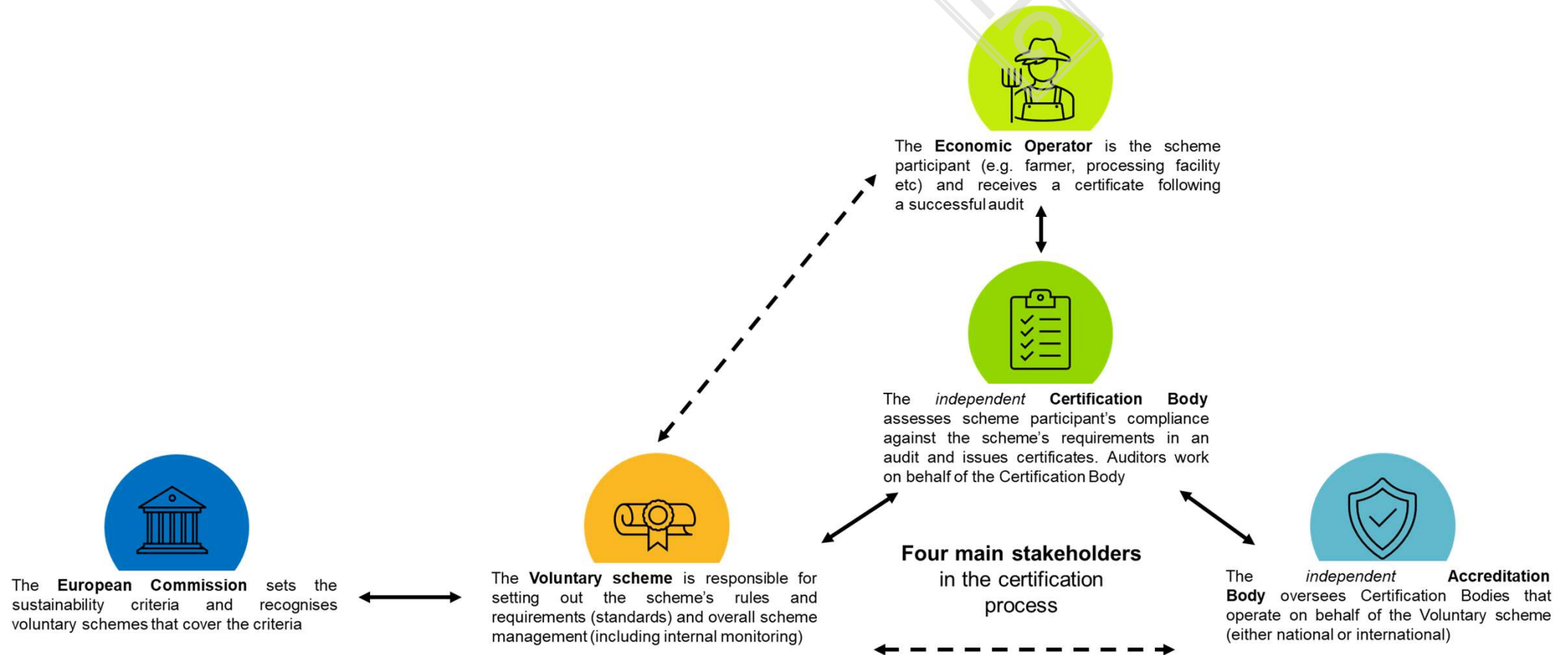
- Certification schemes CS (or voluntary schemes) provide *independent assurance* (through a certificate mechanism) that minimum requirements are being fulfilled (e.g. for food safety or environmental claims)
- EC-recognised certification schemes are the main compliance mechanism under the EU renewable energy directive
- Schemes can be diverse in scope: cover different types of projects (e.g. agriculture or/and forest biomass), or one or more sustainability criteria (land or/and GHG saving criteria)



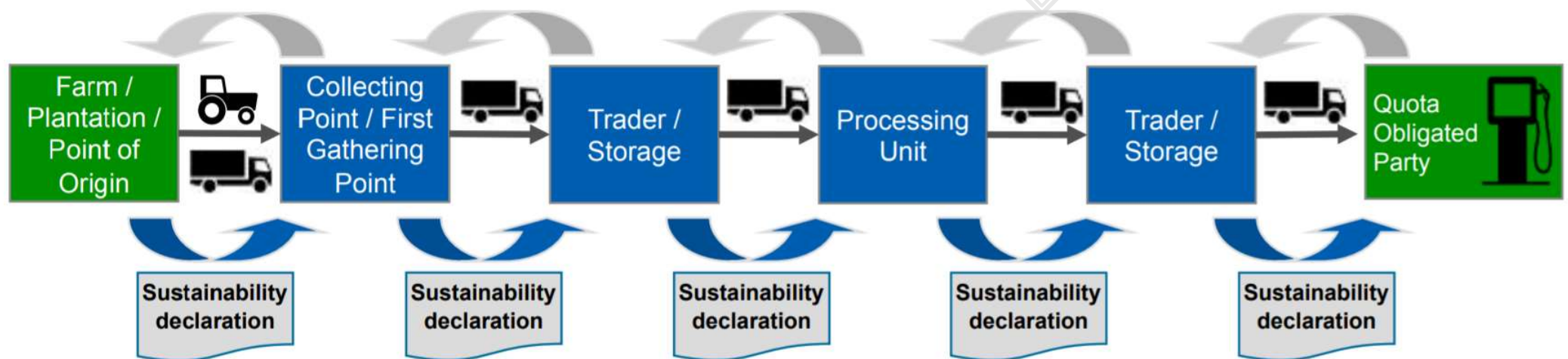
What is the EC recognition of certification schemes under RED?

- The EC recognition (e.g. approval) of certification schemes process consists of 5 steps:
 1. *Certification schemes submit documents (standards) to EC (DG ENER) for assessment*
 2. *Technical assessment by contractor on behalf EC (see below)*
 3. *Consultation with other DGs (Inter-service consultation)*
 4. *Consultation with MS (Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels)*
 5. *Approval by the Commission and publication on EC website (Decision and Scheme docs)*
- Technical assessment uses a publicly available [Assessment Protocol template](#) which covers all RED requirements : Sustainability and GHG emission saving criteria, Chain of custody, Audit Quality, and Scheme Governance
- 15 certification schemes have been officially recognised by the Commission to date. All info available on COM website: [Voluntary schemes \(europa.eu\)](#)

Key stakeholders in the RED certification process

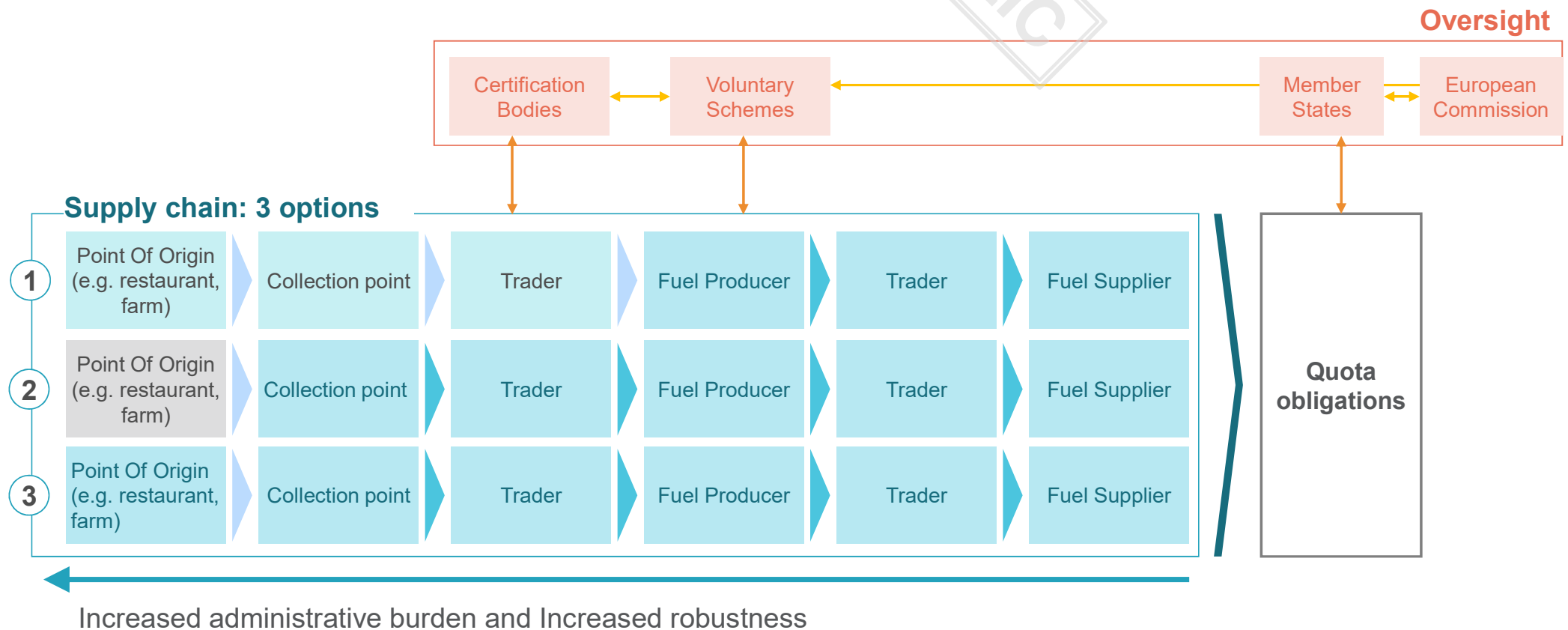


Certification of each step of the supply chain



Sustainability information for each feedstock or fuel consignment flows down the supply chain from party to party

Development of EU database to track and trace fuel consignments compliant with RED



Implementing Act on RED Certification Rules - C(2022)3740

- General rules on certification scheme governance, internal monitoring, complaints procedures and transparency of voluntary schemes (Articles 3-9);
- Specific rules on certification body's audit process, audit scope, qualifications of auditors and audit supervision (Articles 10-17);
- Specific rules on implementation of the mass balance system, as well as on establishing GHG emission savings and biological fraction of fuels (Articles 18-23);
- Specific rules on compliance with the requirements on low ILUC certification (Articles 24- 27).
- More info: <https://op.europa.eu/en/publication-detail/-/publication/8793eb1c-ebc7-11ec-a534-01aa75ed71a1/language-en/format-PDF>

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Chapter 4: Certification schemes

Articles 11-14

Article 11 Operation schemes - recital

(23) Certification schemes should be used by operators to demonstrate compliance with this Regulation. Therefore, certification schemes should operate on the basis of reliable and transparent rules and procedures and should ensure accuracy, reliability, integrity and non-repudiation of origin, and protection against fraud of information and of data submitted by operators. They should also ensure the correct accounting of the verified carbon removal units, notably by avoiding double counting. To this end, the Commission should be empowered to adopt implementing acts, including adequate standards of reliability, transparency, accounting and of independent auditing to be applied by certification schemes, so as to ensure the necessary legal certainty as regards the rules applicable to operators and to certification schemes. To ensure a cost-effective certification process, those technical harmonised rules on certification should also have the objective of reducing unnecessary administrative burden for operators, or group of operators, in particular for Small and Medium Enterprises (SMEs), including small farmers and foresters.

Article 11 Operation of certification schemes

1. To demonstrate compliance with this Regulation an operator or a group of operators shall use a **certification scheme recognised by the Commission** pursuant to Article 13.
2. Certification schemes shall operate on the basis of **reliable and transparent rules and procedures**, in particular with regard to internal management and monitoring, handling of complaints and appeals, stakeholder consultation, transparency and publication of information, appointment and training of certification bodies, addressing non-conformity issues, development and management of registries. **Certification schemes shall verify** if the information and data submitted by the operator or a group of operators for the certification of compliance pursuant to Article 9 were subject to independent auditing and if the **certification of compliance** was carried out in an accurate, reliable, and cost-effective manner.
3. Certification schemes shall publish, at least annually, a list of the **appointed certification bodies**, stating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring it.
4. The Commission shall adopt **implementing acts setting out the structure, format, technical details** and process referred to in paragraphs 2, 3 and 4, which shall apply to all certification schemes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Article 12 Registries - recital

(26) Certification schemes should establish and maintain interoperable public registries in order to ensure transparency and full traceability of carbon removal certificates, and to avoid the risk of fraud and double counting. Fraud may occur if more than one certificate is issued for the same carbon removal activity because the activity has been registered under two different certification schemes or has been registered twice under the same scheme. Fraud may also occur when the same certificate is used several times to make the same claim based on a carbon removal activity or a carbon removal unit. The registries should store the documents resulting from the certification process of carbon removals, including summaries of certification audits and re-certification audit reports, the certificates and updated certificates, and make them publicly available in electronic form. The registries should also record the certified carbon removal units that meet the Union quality criteria. In order to ensure a level playing field within the single market, the Commission should be empowered to adopt implementing rules setting out standards and technical rules on the functioning and the inter-operability of those registries.

Article 12 Registries

1. A **certification scheme** shall establish and duly maintain a public **registry** to make publicly accessible the **information related to the certification process**, including the certificates and updated certificates, and the quantity of carbon removal units certified in accordance with Article 9. Those registries shall use automated systems, including electronic templates, and shall be interoperable.
2. The Commission may adopt **implementing acts setting out the structure, format, and technical details** of the public registries, and of the **recording, holding or use** of carbon removal units, as referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Certification registries – key MS questions

Q: What are certification registries, who manages them and register the certified carbon removal units? Who owns the certified carbon removals? IRL, HR, IT EE

- Certification registries are inter-operable databases managed by the EC recognised certification schemes (public or private) storing all the certification documents e.g. summaries of certification/re-certification audit reports, certificates, certified carbon removal units.
- Certification schemes are a key tool to track and trace the certified carbon removal units and avoid double selling.

Article 13 Recognition of certification schemes - recitals

(24) In order to ensure a reliable and harmonised control of certification, the Commission should be able to adopt decisions recognising certification schemes that meet the requirements set out in this Regulation, including with respect to technical competence, reliability, transparency and independent auditing. Such recognition decisions should be limited in time. To this end, the Commission should be empowered to adopt implementing acts on the content and processes of Union recognition of certification schemes.

(25) The provisions of the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ('the Aarhus Convention') regarding access to information, public participation in decision-making, and access to justice in environmental matters, in particular the provisions relating to public participation and to access to justice remain applicable, where relevant.

Article 13 Recognition of certification schemes

1. Only a **certification scheme recognised by the Commission** by means of a decision may be used by operators or group of operators to demonstrate compliance with this Regulation. Such decision shall be valid for a period of no more than 5 years.
2. A Member State shall notify to the Commission the application for recognition of the public certification scheme. The legal representative of a private certification scheme shall notify to the Commission the application for recognition of the private certification scheme.
3. The **Commission may repeal a decision** recognising a certification scheme pursuant to paragraph 1 where the certification scheme fails to implement the standards and rules set out in the implementing acts referred to in Article 11(5). Where a Member State raises concerns that a certification scheme does not operate in accordance with the standards and rules set out in the implementing acts referred to in Article 11(5) that constitute the basis for decisions under paragraph 1, the Commission shall investigate the matter and take appropriate action, including repealing the relevant decision.
4. The Commission may adopt **implementing acts setting out the structure, format, and technical details** of the **notification and recognition processes** referred to in paragraphs 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Verification & Certification – key MS questions

Q: Will existing certification schemes (public or private) be required to apply the EU quality standards and verification rules? FR

- Existing carbon removal certification schemes (national or private) can apply for EU recognition (i.e. approval) to apply the CRC Regulation. EC will check whether they meet the CRC Regulation requirements, including standard of reliability, transparency and independent auditing

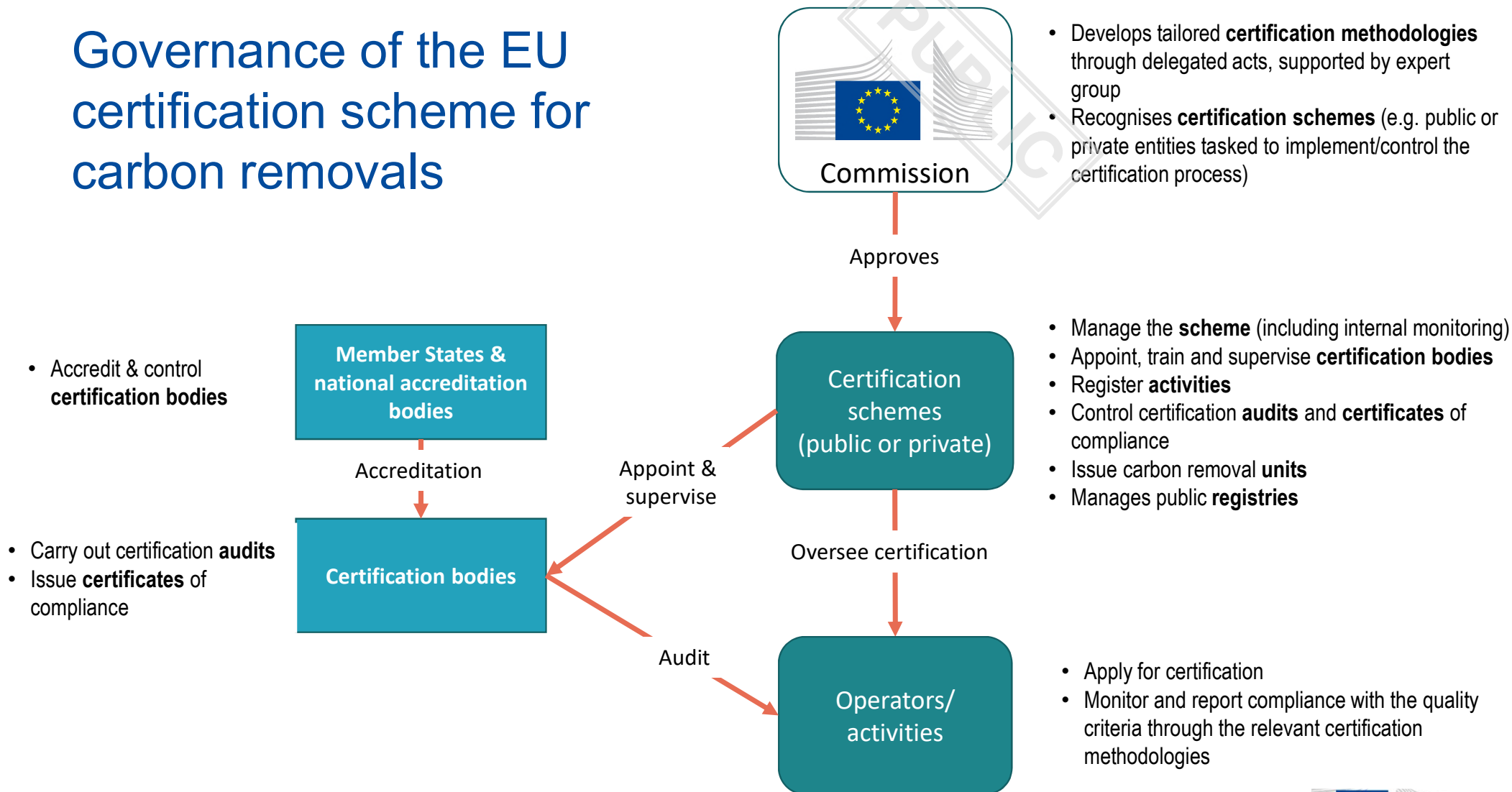
Article 14 Reporting requirements - recitals

(27) Certification schemes play an important role in providing evidence of compliance with the quality criteria for carbon removals. It is therefore appropriate for the Commission to require certification schemes to report regularly on their activity. Such reports should be made public, in full or where appropriate in an aggregated format, in order to increase transparency and to improve supervision by the Commission. Furthermore, such reporting would provide the necessary information for the Commission to report on the operation of the certification schemes with a view to identifying best practices and submitting, if appropriate, a proposal to further promote such best practices. In order to ensure comparable and consistent reporting, the Commission should be empowered to adopt implementing acts setting out the technical details on the content and format of the reports drawn up by the certification schemes.

Article 14 Reporting requirements

1. **Each certification scheme** recognised by the Commission shall submit to the Commission an **annual report about its operations**, including a description of any cases of fraud and related remediation measures. The report shall be submitted annually by 30 April, covering the preceding calendar year. The requirement to submit a report shall apply only to certification schemes that have operated for at least 12 months.
2. The **Commission** shall make **those reports publicly available**, in full or, where necessary to preserve the confidentiality of commercially sensitive information, in an aggregated form.
3. The Commission may adopt **implementing acts** setting out **the structure, format, and technical details** of the reports referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Governance of the EU certification scheme for carbon removals



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Chapter 5: Final provisions

Articles 15-19

Article 15 Amendment to Annex II

The Commission is empowered to adopt delegated acts in accordance with Article 16 to amend Annex II in order to adapt the list of minimum information included in the certificates referred to in Article 9.

Article 16 Exercise of delegation - recitals

(28) To enable operators to apply the quality criteria set out in this Regulation in a standardised and cost-effective way, while taking into account the specific characteristics of different carbon removal activities, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation by establishing detailed certification methodologies for different types of carbon removal activities. The Commission should also be able to amend Annex II listing the minimum information to be contained in the certificates. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making . In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Article 16 Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 8 and 15 shall be conferred on the Commission for an indeterminate period of time from [PO: please insert the date = the date of entry into force of this Regulation].
3. The delegation of power referred to in Articles 8 and 15 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.
5. Delegated acts adopted pursuant to Articles 8 and 15 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

Article 17 Committee procedure - recital

(29) The implementing powers conferred on the Commission should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. In order to exercise the implementing powers laid down in this Regulation, the Commission should be assisted in its tasks under this Regulation by a Climate Change Committee established pursuant to Article 44(3) of Regulation (EU) 2018/1999 of the European Parliament and of the Council.

Article 17 Committee procedure

1. The Commission shall be assisted by the Climate Change Committee established by Article 44 paragraph (1), point (1) of Regulation (EU) 2018/1999. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this Article, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 18 Review - recital

(30) The Commission should review the implementation of this Regulation 3 years following the entry into force of this Regulation, and subsequently not later than six months after the global stocktake agreed under Article 14 of the Paris Agreement.. Those reviews should take into account the relevant developments concerning the Union legislation, technological and scientific progress, market developments in the field of carbon removals and food security including food availability and affordability, and should be informed by the results of the global stocktake of the Paris Agreement.

Article 18 Review

1. This Regulation shall be kept under review in all aspects, taking into account the relevant developments concerning Union legislation, United Nations Framework Convention on Climate Change and the Paris Agreement, technological and scientific progress, market developments in the field of carbon removals, and Union food security.
2. Three years after the entry into force of this Regulation and not later than by the end of 2028, and subsequently within six months after the outcome of each global stocktake agreed under Article 14 of the Paris Agreement, the Commission shall report to the European Parliament and to the Council on the implementation of this Regulation.

Article 19 Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

PUBLIC

Thank you!

CRC Regulation Proposal: https://climate.ec.europa.eu/document/fad4a049-ff98-476f-b626-b46c6afdded3_en

Impact Assessment: https://climate.ec.europa.eu/document/ab53e63b-4b85-4d28-ac67-6bd742506bae_en

Q&A: https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_7159

Expert Group on Carbon Removals: https://climate.ec.europa.eu/eu-action/sustainable-carbon-cycles/expert-group-carbon-removals_en



Council of the European Union
General Secretariat

**Interinstitutional files:
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Brussels, 02 March 2023

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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on the Environment
Subject:	Carbon removal certification framework (CRCF): WPE on 03 March 2023 - Commission Presentation

With a view to the WPE meeting on 3 March on the abovementioned proposal, delegations will find attached the presentation that will be given by the Commission during the meeting.

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