

Basic information	
2021/0210(COD)	Procedure completed
COD - Ordinary legislative procedure (ex-codecision procedure)	
Regulation	
Sustainable maritime fuels (FuelEU Maritime Initiative)	
Amending Directive 2009/16/EC 2005/0238(COD)	
Subject	
3.20.03 Maritime transport: passengers and freight	
3.60.02 Oil industry, motor fuels	
3.60.05 Alternative and renewable energies	
3.70.02 Atmospheric pollution, motor vehicle pollution	
3.70.03 Climate policy, climate change, ozone layer	
Legislative priorities	
Joint Declaration 2021	
Joint Declaration 2022	
Joint Declaration 2023-24	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism	WARBORN Jörgen (EPP)	29/10/2021
		Shadow rapporteur TAX Vera (S&D) KATAINEN Elsi (Renew) PAULUS Jutta (Greens /EFA) VAN OVERTVELDT Johan (ECR) PIMENTA LOPES João (The Left)	
Council of the	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety (Associated committee)	WÖLKEN Tiemo (S&D)	17/09/2021
Council of the	ITRE Industry, Research and Energy (Associated committee)	ANDRESEN Rasmus (Greens/EFA)	30/09/2021

European Union			
European Commission	Commission DG	Commissioner	
	Climate Action	TIMMERMANS Frans	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
Date	Event	Reference	Summary
14/07/2021	Legislative proposal published	COM(2021)0562 	Summary
13/09/2021	Committee referral announced in Parliament, 1st reading		
11/11/2021	Referral to associated committees announced in Parliament		
03/10/2022	Vote in committee, 1st reading		
04/10/2022	Committee report tabled for plenary, 1st reading	A9-0233/2022	Summary
17/10/2022	Debate in Parliament		
19/10/2022	Decision by Parliament, 1st reading	T9-0367/2022	Summary
19/10/2022	Results of vote in Parliament		
19/10/2022	Matter referred back to the committee responsible for interinstitutional negotiations		
24/05/2023	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2023)003055 PE746.978	
10/07/2023	Debate in Parliament		
11/07/2023	Decision by Parliament, 1st reading	T9-0262/2023	Summary
11/07/2023	Results of vote in Parliament		
25/07/2023	Act adopted by Council after Parliament's 1st reading		
13/09/2023	Final act signed		
22/09/2023	Final act published in Official Journal		

Technical information	
Procedure reference	2021/0210(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Directive 2009/16/EC 2005/0238(COD)
Legal basis	Rules of Procedure EP 57_o

	Treaty on the Functioning of the EU TFEU 100-p2
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/06918

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE729.908	04/04/2022	
Amendments tabled in committee		PE731.663	28/04/2022	
Amendments tabled in committee		PE731.682	28/04/2022	
Committee opinion	ENVI	PE703.146	20/06/2022	
Committee opinion	ITRE	PE704.703	28/06/2022	
Committee report tabled for plenary, 1st reading/single reading		A9-0233/2022	04/10/2022	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T9-0367/2022	19/10/2022	Summary
Text agreed during interinstitutional negotiations		PE746.978	26/04/2023	
Text adopted by Parliament, 1st reading/single reading		T9-0262/2023	11/07/2023	Summary
Council of the EU				
Document type		Reference	Date	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2023)003055	26/04/2023	
Draft final act		00026/2023/LEX	13/09/2023	
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2021)0562	14/07/2021	Summary
Document attached to the procedure		SEC(2021)0562	15/07/2021	
Document attached to the procedure		SWD(2021)0635	15/07/2021	
Document attached to the procedure		SWD(2021)0636	15/07/2021	
Commission response to text adopted in plenary		SP(2023)459	30/10/2023	
National parliaments				
	Parliament			

Document type	/Chamber	Reference	Date	Summary
Contribution	ES_PARLIAMENT	COM(2021)0562	03/11/2021	
Contribution	ES_PARLIAMENT	SWD(2021)0635	03/11/2021	
Contribution	ES_PARLIAMENT	SWD(2021)0636	03/11/2021	
Reasoned opinion	IE_SENATE	PE700.513	20/12/2021	
Contribution	DE_BUNDESRAT	COM(2021)0562	03/01/2022	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES3630/2021	08/12/2021	

Additional information

Source	Document	Date
EP Research Service	Briefing	23/11/2021

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
TAX Vera	Shadow rapporteur	TRAN	01/06/2023	ESPO
TAX Vera	Shadow rapporteur	TRAN	31/05/2023	Methanol Institute
PAULUS Jutta	Shadow rapporteur	TRAN	25/04/2023	BMWKG
TAX Vera	Shadow rapporteur	TRAN	07/04/2023	KVNR
TAX Vera	Shadow rapporteur	TRAN	30/03/2023	T&E
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	15/03/2023	Transport and Environment (European Federation for Transport and Environment)
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	15/03/2023	Bundesministerium für Wirtschaft und Klimaschutz
ANDRESEN Rasmus	Rapporteur for opinion	ITRE	21/02/2023	FFG Flensburger Fahrzeugbau Gesellschaft mbH
PAULUS Jutta	Shadow rapporteur	TRAN	13/02/2023	BMWKG
CAMPOMENOSI Marco	Shadow rapporteur	TRAN	08/02/2023	FuelsEurope
PAULUS Jutta	Shadow rapporteur	TRAN	03/02/2023	Bundesministerium für Wirtschaft & Klimaschutz Deutschland

TAX Vera	Shadow rapporteur	TRAN	01/02/2023	Ammonia First
CAMPOMENOSI Marco	Shadow rapporteur	TRAN	01/02/2023	Assarmatori
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	01/02/2023	Transport and Environment (European Federation for Transport and Environment)
TAX Vera	Shadow rapporteur	TRAN	27/01/2023	Center for Simulator Maritime Training (CSMART)
PAULUS Jutta	Shadow rapporteur	TRAN	16/01/2023	Permanent Representation of the Kingdom of the Netherlands to the European Union
TAX Vera	Shadow rapporteur	TRAN	23/11/2022	IRU
TAX Vera	Shadow rapporteur	TRAN	16/11/2022	NS
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	11/11/2022	Hamburg Port Authority
TAX Vera	Shadow rapporteur	TRAN	09/11/2022	KNVR
TAX Vera	Shadow rapporteur	TRAN	08/11/2022	T&E
TAX Vera	Shadow rapporteur	TRAN	24/10/2022	The Correspondent
KATAINEN Elsi	Shadow rapporteur	TRAN	14/10/2022	Advanced Biofuels Coalition UPM
TAX Vera	Shadow rapporteur	TRAN	12/10/2022	FEPORT
PAULUS Jutta	Shadow rapporteur	TRAN	28/09/2022	Danish Shipping Maersk
TAX Vera	Shadow rapporteur	TRAN	27/09/2022	Ammonia First
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	14/09/2022	DG MOVE
WARBORN Jörgen	Rapporteur	TRAN	09/09/2022	Stockholms hamnar
KATAINEN Elsi	Shadow rapporteur	TRAN	06/09/2022	Wärtsilä Corporation
WARBORN Jörgen	Rapporteur	TRAN	30/08/2022	Tjeckiska rådsordförandeskapet
WARBORN Jörgen	Rapporteur	TRAN	12/07/2022	Sveriges EU-representation
WARBORN Jörgen	Rapporteur	TRAN	06/07/2022	Tjeckiska rådsordförandeskapet
KATAINEN Elsi	Shadow rapporteur	TRAN	06/07/2022	Costa Cruises Group Cruise Lines International Association MSC Cruises S.A. Royal Caribbean Group Ponant
TAX Vera	Shadow rapporteur	TRAN	05/07/2022	CLIA
WARBORN Jörgen	Rapporteur	TRAN	05/07/2022	World Shipping Council
WARBORN Jörgen	Rapporteur	TRAN	05/07/2022	Cruise Lines International Association
KATAINEN Elsi	Rapporteur	TRAN	04/07/2022	Westport Fuel Systems Inc.
PAULUS Jutta	Shadow rapporteur	TRAN	22/06/2022	Union of Greek Shipowners
TAX Vera	Shadow rapporteur	TRAN	21/06/2022	ESPO

WARBORN Jørgen	Rapporteur	TRAN	21/06/2022	Danmarks EU-representation
WARBORN Jørgen	Rapporteur	TRAN	20/06/2022	World Shipping Council
WARBORN Jørgen	Rapporteur	TRAN	20/06/2022	EU-kommissionens generaldirektorat för transporter (GD MOVE)
WARBORN Jørgen	Rapporteur	TRAN	14/06/2022	Transport and Environment (European Federation for Transport and Environment)
PAULUS Jutta	Shadow rapporteur	TRAN	13/06/2022	Danish Shipping
PAULUS Jutta	Shadow rapporteur	TRAN	13/06/2022	BDMV
WARBORN Jørgen	Rapporteur	TRAN	13/06/2022	European Sea Ports Organisation
PAULUS Jutta	Shadow rapporteur	TRAN	02/06/2022	Deutsches Verkehrsforum e.V. (DVF)
PAULUS Jutta	Shadow rapporteur	TRAN	24/05/2022	BDMV
PAULUS Jutta	Shadow rapporteur	TRAN	24/05/2022	DG Move
WARBORN Jørgen	Rapporteur	TRAN	18/05/2022	Rolls Royce
WARBORN Jørgen	Rapporteur	TRAN	18/05/2022	Europe's Independent Fuel Suppliers Federation of European Tank Storage Associations
WARBORN Jørgen	Rapporteur	TRAN	16/05/2022	European Sea Ports Organisation
WARBORN Jørgen	Rapporteur	TRAN	16/05/2022	European Community Shipowners' Associations
WARBORN Jørgen	Rapporteur	TRAN	11/05/2022	Cyperns transportdepartement
PAULUS Jutta	Shadow rapporteur	TRAN	05/05/2022	International Windship Association IWSA
WARBORN Jørgen	Rapporteur	TRAN	28/04/2022	Interferry
KATAINEN Elsi	Rapporteur	TRAN	26/04/2022	Liikenne- ja viestintäministeriö
WARBORN Jørgen	Rapporteur	TRAN	26/04/2022	World Shipping Council
DANTI Nicola	Shadow rapporteur for opinion	ITRE	26/04/2022	Assarmatori
WARBORN Jørgen	Rapporteur	TRAN	25/04/2022	Frankrikes EU-representation Tjeckiens EU-representation
WARBORN Jørgen	Rapporteur	TRAN	25/04/2022	Getting to Zero Coalition
TAX Vera	Shadow rapporteur	TRAN	21/04/2022	T&E/CATF
PAULUS Jutta	Shadow rapporteur	TRAN	19/04/2022	Sunfire
WARBORN Jørgen	Rapporteur	TRAN	11/04/2022	Edison
KATAINEN Elsi	Rapporteur	TRAN	08/04/2022	Wärtsilä Corporation
PAULUS Jutta	Shadow rapporteur	TRAN	07/04/2022	CMA CGM FEPORT Methanol Institute Global Maritime Forum
WÖLKEN Tiemo	Rapporteur	TRAN	30/03/2022	IHK Nord e.V. - Arbeitsgemeinschaft norddeutscher Industrie- und Handelskammern
TAX Vera	Shadow rapporteur	TRAN	28/03/2022	Van Berkel Logistics

CHABAUD Catherine	Shadow rapporteur	ENVI	03/03/2022	Ethic Ocean
CHABAUD Catherine	Shadow rapporteur	ENVI	02/03/2022	CMA CGM
PAULUS Jutta	Shadow rapporteur	TRAN	02/03/2022	Cruise Lines International Association
ANDRESEN Rasmus	Rapporteur for opinion	ITRE	07/02/2022	Bund für Umwelt und Naturschutz Deutschland e. V.
CHABAUD Catherine	Shadow rapporteur	ENVI	03/02/2022	Commission de Régulation de l'Energie
CHABAUD Catherine	Shadow rapporteur	ENVI	31/01/2022	MERCATOR OCEAN INTERNATIONAL
TAX Vera	Shadow rapporteur	TRAN	19/01/2022	Rolls Royce
TAX Vera	Shadow rapporteur	TRAN	18/01/2022	Port of Rotterdam
ANDRESEN Rasmus	Rapporteur for opinion	ITRE	12/01/2022	EUROGAS aisbl
CHABAUD Catherine	Shadow rapporteur	ENVI	10/01/2022	Zephyr & Borée
TAX Vera	Shadow rapporteur	TRAN	14/12/2021	Carbon Market Watch
TAX Vera	Shadow rapporteur	TRAN	14/12/2021	CLIA
CHABAUD Catherine	Shadow rapporteur	ENVI	14/12/2021	Transport & Environment
TAX Vera	Shadow rapporteur	TRAN	08/12/2021	T&E
TAX Vera	Shadow rapporteur	TRAN	06/12/2021	ECT Rotterdam
TAX Vera	Shadow rapporteur	TRAN	03/12/2021	Port of Zwolle
TAX Vera	Shadow rapporteur	TRAN	23/11/2021	Representatives from the shipping industry
CHABAUD Catherine	Shadow rapporteur	ENVI	22/10/2021	Soper
CHABAUD Catherine	Shadow rapporteur	ENVI	21/10/2021	Cluster maritime français

Other Members

Transparency			
Name	Date	Interest representatives	
VAN BREMPT Kathleen	23/09/2022	Transport & Environment	
KARLESKIND Pierre	05/09/2022	sea'nergy	
TORVALDS Nils	03/02/2022	Environmental Defense Fund Europe	

Final act
Regulation 2023/1805 OJ L 234 22.09.2023, p. 0048

Summary

Sustainable maritime fuels (FuelEU Maritime Initiative)

2021/0210(COD) - 14/07/2021 - Legislative proposal

PURPOSE: to propose an EU common framework on the use of renewable and low-carbon fuels in maritime transport (FuelEU).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in the context of fuel transition to renewable and low carbon fuels and substitute sources of energy, it is essential to ensure the proper functioning of and fair competition in the EU maritime transport market regarding marine fuels, which account for a substantial share of ship operators' costs.

Differences in marine fuel prices can have a significant impact on the economic performance of ship operators. At the same time, the price differential between conventional fossil-based marine fuels and low-carbon renewable fuels remains high.

In order to achieve significant reductions in CO2 emissions from international shipping, measures are needed to ensure that the penetration of low-carbon renewable fuels in the marine fuel market takes place under fair competition in the EU shipping market.

The European Green Deal launched a new growth strategy for the EU that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy. The '[European Climate Law](#)' has made the EU's climate neutrality target by 2050 legally binding.

The Commission has presented a **complementary and interconnected set of proposals as part of the 2030 Climate and Energy 'Fit for 55' package** to achieve the greenhouse gas emission reduction target of **at least 55% compared to 1990**. This 'Fit for 55' legislative package is the most comprehensive building block in the efforts to implement the ambitious new 2030 climate target, and all economic sectors and policies will need to make their contribution.

CONTENT: the Commission proposes the **FuelEU Maritime Initiative** which aims to establish a **common EU regulatory framework** to increase the share of renewable and low-carbon fuels in the fuel mix of international maritime transport without creating barriers to the single market.

In particular, the proposed Regulation:

- lays down rules to reduce the greenhouse gas intensity of energy used on-board by ships arriving at, within or departing from ports under the jurisdiction of a EU Member State, to promote the harmonious development and consistent use of renewable and low-carbon fuels across the Union, without introducing barriers to the single market to promote the reduction of greenhouse gas emissions from maritime transport;
- establishes requirements for the use of on-shore power supply or zero-emission energy at berth for specific ship types and lists possible exceptions;
- lays down the conditions to issue a FuelEU certificate of compliance;
- encourages the use of sustainable maritime fuels and zero-emission technologies by imposing a maximum limit on the greenhouse gas content of the energy used by ships calling at European ports
- obliges passenger ships and container ships to use on-shore power in ports under the jurisdiction of a Member State, unless they can demonstrate that they use an alternative zero-emission technology;
- establishes common principles for monitoring compliance: the regulation builds on the existing system of monitoring, verification and reporting of greenhouse gas emissions from the sector;
- establishes the requirement for ships to carry a valid FuelEU compliance certificate and sets out the conditions for issuing a FuelEU certificate of compliance;
- establishes the penalties to be incurred if compliance has not been achieved;
- requires the Commission to report to the European Parliament and the Council on the application of this Regulation, at least every five years.

Budgetary implications

Expected costs of EUR 500 000 are related to IT services, IT system development and the pooling of ships for compliance.

Sustainable maritime fuels (FuelEU Maritime Initiative)

2021/0210(COD) - 04/10/2022 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted a report by Jörgen WARBORN (EPP, SE) on the proposal for a regulation of the European Parliament and of the Council on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Objective and purpose

This Regulation lays down uniform rules imposing: (a) the limit on the greenhouse gas ('GHG') intensity of energy used on-board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State and (b) the obligation to use on-shore power supply or zero-emission technology in ports under the jurisdiction of a Member State. Its purpose in doing so is to increase consistent use of renewable and low carbon fuels and substitute sources of energy in maritime transport across the Union, in line with the Union's objective of reaching climate neutrality at the latest by 2050 and the goals of the Paris Agreement, while ensuring the smooth operation of maritime traffic, creating development opportunities for the maritime industry and avoiding distortions in the internal market.

Scope

The proposed Regulation should apply to all ships above a gross tonnage of 5000 and encompasses 100% of their intra-EU voyages and 50% of their voyages between EU ports and ports located in third countries.

Members proposed the inclusion of a new article stipulating that Member States may, in respect of the energy used on voyages performed by **passenger ships** other than cruise passenger ships between a port of call under the jurisdiction of a Member State and a port of call under the jurisdiction of the same Member State located in an island with fewer than 100 000 permanent residents, and in respect of the energy used during their stay within a port call of the corresponding island, exempt specific routes and ports from the application of the Regulation.

In addition, the report requested that the Commission continuously monitor the impact of this Regulation on **cargo diversion**, in particular via transhipment ports in neighbouring countries. Where the Commission identifies major negative impacts on Union ports, the Commission shall submit legislative proposals to the European Parliament and to the Council to amend this Regulation.

Greenhouse gas intensity limit of energy used on-board by a ship

Members proposed to reduce greenhouse gas limits by:

- **20%** from 1 January 2035;
- **38%** from 1 January 2040;
- **64%** from 1 January 2045;
- **80%** from 1 January 2050.

For ships in **ice classes**, a correction factor should be applied, resulting in the deduction of the higher fuel consumption linked to ice navigation.

Use of Renewable Fuels of Non-Biological Origin

The report proposed that Member States should take the necessary measures to ensure that renewable fuels of non-biological origin (RFNBOs) are made available in ports within their territory. From 1 January 2030, **at least 2%** of the average annual energy used on board a ship should be covered by RFNBOs.

On-shore power supply

Regarding the requirement for ships to connect to on-shore power supply in certain situations in order to limit harmful air pollution, a new article proposed that from 1 January 2030, a ship at berth in a port of call covered by the Alternative Fuels Infrastructure Regulation should connect to on-shore power supply and use it for all its electricity needs while at berth. In the event that a non-TEN-T port has voluntarily installed on-shore power supply, ships calling at that port and having compatible on-shore power supply equipment on-board should connect to on-shore power supply when available at the visited berth.

Calculation of emission factors and compliance

The proposed Regulation provides tables with default reference values for the calculation of emission factors for fuels from well-to-tank and from tank-to-wake. These default values should, depending on the fuel mix bunkered by a vessel, constitute the basis for determining a ship's compliance or non-compliance. Members suggested that the use of default values laid down in the annexes should be complemented by the possibility for a ship owner or operator to use real values for well-to-tank and tank-to-wake emissions provided that the actual values are certified by means of laboratory testing or direct emissions measurements.

Dedicated Ocean Fund

Members proposed the setting up of a dedicated Ocean Fund channelling revenues generated from the auctioning of maritime allowances within the ETS back to the maritime sector.

The revenue from the financial penalties provided for in the Regulation should be paid into the Oceans Fund and used to support projects and investments related to improving the energy efficiency of ships and ports, to innovative technologies and infrastructure for decarbonising maritime transport, to the production and deployment of sustainable alternative fuels and to the development of zero-emission propulsion technologies.

Sustainable maritime fuels (FuelEU Maritime Initiative)

2021/0210(COD) - 22/09/2023 - Final act

PURPOSE: to increase the demand for and consistent use of renewable and low-carbon fuels and to reduce greenhouse gas emissions from the maritime sector, while ensuring the smooth flow of maritime traffic and avoiding distortions in the internal market.

LEGISLATIVE ACT: Regulation (EU) 2023/1805 of the European Parliament and of the Council on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC.

CONTENT: the main objective of the FuelEU maritime initiative, as a key part of the EU's Fit for 55 package, is to **increase the demand for and consistent use of renewable and low-carbon fuels and reduce the greenhouse gas emissions from the shipping sector**, while ensuring the smooth operation of maritime traffic and avoiding distortions in the internal market.

The new legislation aims to put maritime transport on the trajectory of the EU's climate targets for 2030 and 2050 and should play a fundamental role in delivering on the European climate law.

The new regulation includes the following key provisions:

Limiting the GHG intensity of energy used on board a ship

The Regulation contains measures to ensure that the greenhouse gas intensity of fuels used by the shipping sector will gradually decrease over time, by **2% in 2025 to as much as 80% by 2050**.

The Regulation will apply in a non-discriminatory manner to ships regardless of their flag. It will apply to ships with a **gross tonnage (GT) above 5 000**, but should not apply to warships, naval auxiliaries, fish-catching or fish-processing ships, wooden ships of a primitive build, ships not propelled by mechanical means, or government ships used for non-commercial purposes. The Regulation provides for **time limited exceptions** for the specific treatment of the outermost regions, small islands, and areas economically highly dependent on their connectivity.

Incentives for the use of renewable fuels of non-biological origin

The Regulation introduces a set of measures to ensure support for the use of sustainable non-biological renewable fuels, including the possibility of applying a **multiplier** until the end of 2033 to double-count energy from non-biological renewable fuels.

In addition, a sub-target of **2%** renewable non-biofuels will apply from 2034 if, after monitoring the market, the Commission indicates that the share of renewable non-biofuels in bunker fuels used by ships falling within the scope of the Regulation is less than 1% in 2031.

On-shore power supply

The Regulation requires passenger ships and container ships to use on-shore power supply for all electricity needs while moored at the quayside in major EU ports as of 2030, with a view to mitigating air pollution in ports, which are often close to densely populated areas.

Certification and monitoring

A robust certification and monitoring of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector. Such certification will be undertaken by means of a transparent and non-discriminatory procedure.

No later than 31 August 2024, companies will have to submit to the verifiers a **monitoring plan** for each of their ships, indicating the method chosen to monitor and report the quantity, type and emission factor of energy used on board the ships, as well as other relevant information.

Verification activities will be carried out by **verifiers**. Verification should ensure the accuracy and completeness of monitoring and reporting by companies, as well as compliance with the regulation.

Fossil fuels will be excluded from the Regulation's certification process.

The Commission will develop, ensure the functioning of and update an **electronic database** for the monitoring of compliance with this Regulation.

Compliance grouping

The Regulation introduces a voluntary pooling mechanism, under which ships will be allowed to pool their compliance balance with one or more other ships, with the pool – as a whole – having to meet the greenhouse gas intensity limits on average.

FuelEU penalties

The revenue generated from the regulation's implementation ('FuelEU penalties') should be used for projects in support of the maritime sector's decarbonisation with an enhanced transparency mechanism.

ENTRY INTO FORCE: 12.10.2023.

APPLICATION: from 1.1.2025.

Sustainable maritime fuels (FuelEU Maritime Initiative)

2021/0210(COD) - 19/10/2022 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 451 votes to 137, with 54 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC.

The matter was referred back to the committee responsible for interinstitutional negotiations.

The main amendments adopted in plenary concern the following points:

Objective and purpose

This Regulation lays down uniform rules imposing: (a) the **limit on the greenhouse gas ('GHG') intensity** of energy used on-board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State and (b) the **obligation to use on-shore power supply** or zero-emission technology in ports under the jurisdiction of a Member State.

In doing so, the Regulation aims to increase **consistent use of renewable and low carbon fuels** and substitute sources of energy in maritime transport across the Union, in line with the Union's objective of reaching climate neutrality at the latest by 2050 and the goals of the Paris Agreement, while ensuring the smooth operation of maritime traffic, creating development opportunities for the maritime industry and avoiding distortions in the internal market.

Scope

The proposed Regulation should apply to all ships above a gross tonnage of 5000 and encompasses 100% of their intra-EU voyages and 50% of their voyages between EU ports and ports located in third countries.

Members proposed the inclusion of a new article stipulating that Member States may, in respect of the energy used on voyages performed by passenger ships other than cruise passenger ships between a port of call under the jurisdiction of a Member State and a port of call under the jurisdiction of the same Member State located in an island with fewer than 100 000 permanent residents, and in respect of the energy used during their stay within a port call of the corresponding island, exempt specific routes and ports from the application of the Regulation.

In addition, the report requested that the Commission continuously monitor the impact of this Regulation on cargo diversion, in particular via transhipment ports in neighbouring countries. Where the Commission identifies major negative impacts on Union ports, the Commission should submit legislative proposals to the European Parliament and to the Council to amend this Regulation.

Greenhouse gas intensity limit of energy used on-board by a ship

Members proposed to reduce greenhouse gas limits by:

- **20%** from 1 January 2035;
- **38%** from 1 January 2040;
- **64%** from 1 January 2045;
- **80%** from 1 January 2050.

The Commission had proposed reductions of 13%, 26%, 59% and 75%.

Use of renewable fuels of non-biological origin

Parliament proposed that Member States should take the necessary measures to ensure that renewable fuels of non-biological origin (RFNBOs) are made available in ports within their territory.

From 1 January 2030, **at least 2%** of the average annual energy used on board a ship should be covered by RFNBOs.

By 2028 at the latest, the Commission should evaluate this obligation with a view to adjusting it if for example there are serious concerns about the production capacity, availability or price of such renewable fuels.

On-shore power supply

Regarding the requirement for ships to connect to on-shore power supply in certain situations in order to limit harmful air pollution, a new article proposed that **from 1 January 2030**, a ship at berth in a port of call covered by the Alternative Fuels Infrastructure Regulation should connect to on-shore power supply and use it for all its electricity needs while at berth. In the event that a non-TEN-T port has voluntarily installed on-shore power supply, ships calling at that port and having compatible on-shore power supply equipment on-board should connect to on-shore power supply when available at the visited berth.

Consultations should be organised between managing bodies of ports, terminal operators, ship-owners, ship-operators, OPS providers, grid managers and other relevant stakeholders to ensure cooperation on the OPS infrastructure that is planned and deployed in individual ports, as well as on the demand expected from vessels calling on these ports.

Ocean Fund

Members proposed the setting up of a dedicated Ocean Fund channelling revenues generated from the auctioning of maritime allowances within the ETS back to the maritime sector. The **revenue from the financial penalties** provided for in the Regulation should be paid into the Oceans Fund and used to support projects and investments related to improving the energy efficiency of ships and ports, to innovative technologies and infrastructure for decarbonising maritime transport, to the production and deployment of sustainable alternative fuels and to the development of zero-emission propulsion technologies.

Reporting and monitoring

By 1 January 2024, the Commission should draw up a report on the social impact of the Regulation. This report should include a projection of the impact of the Regulation on employment and training needs up to 2030 and 2050.

The Regulation should be reviewed, and when needed, amended, as **new greenhouse gas abatement technologies**, such as on-board carbon capture, new renewable and low-carbon fuels and new propulsion methods, such as wind propulsion, become technically and economically mature.

The Commission should continuously evaluate the maturity of different greenhouse gas abatement technologies and present a first review in this regard by 1 January 2027.

Sustainable maritime fuels (FuelEU Maritime Initiative)

2021/0210(COD) - 11/07/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 555 votes to 48, with 25 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the use of renewable and low-carbon fuels in maritime transport and amending Directive 2009/16/EC.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Subject matter and objective

This Regulation lays down uniform rules imposing: (a) a limit on the greenhouse gas (GHG) intensity of energy used on board by a ship arriving at, staying within or departing from ports under the jurisdiction of a Member State; and (b) an obligation to use **on-shore power supply** (OPS) or zero-emission technology in ports under the jurisdiction of a Member State.

Its objective in doing so is to increase consistent use of renewable and low-carbon fuels and substitute sources of energy in maritime transport across the Union, in line with the objective of reaching Union-wide climate neutrality at the latest by 2050, while ensuring the smooth operation of maritime transport, creating regulatory certainty for the uptake of renewable and low-carbon fuels and sustainable technologies and avoiding distortions in the internal market.

GHG intensity limit on energy used on board by a ship

The amended text stipulates that ships must gradually reduce their greenhouse gas (GHG) emissions by reducing the amount of GHGs in the energy they use by:

- 2% from 1 January 2025;
- 6% from 1 January 2030;
- 14.5% from 1 January 2035;
- 31% from 1 January 2040;
- 62% from 1 January 2045;
- 80% from 1 January 2050.**

This will apply to ships with a **gross tonnage of more than 5 000 tonnes**, as well as all energy used on board or between EU ports, and 50% of the energy used during voyages when the port of departure or arrival is outside the EU, or in the outermost regions of the EU.

Member States may **exempt** specific routes and ports from the application of the Regulation in respect of the energy used on voyages performed by passenger ships other than cruise passenger ships between a port of call under the jurisdiction of a Member State and a port of call under the jurisdiction of the same Member State located in an island with fewer than 200 000 permanent residents, and in respect of the energy used during their stay within a port of call of that island. No such exemptions should apply beyond 31 December 2029.

Use of Renewable Fuels of Non-Biological Origin (RFNBO)

For the calculation of the GHG intensity of the energy used on board by a ship, from 1 January 2025 to 31 December 2033 a multiplier of "2" can be used to reward the ship for the use of RFNBO.

The Commission should monitor, calculate and annually publish at the latest 18 months after the end of each reporting period, the share of RFNBO in the yearly energy used on board by ships falling under the scope of this Regulation.

The new rules set a **2% renewable fuels usage target as of 2034** if the Commission reports that in 2031 renewable fuels of non-biological origin (RFNBO) amount to less than 1% of fuel mix.

If monitoring and the Commission's assessment show conclusively that the production capacity and availability of RFNBO for the maritime sector are insufficient, that the geographical distribution of these fuels is uneven or that the price of these fuels is too high, the 2% sub-target should not apply.

On-shore power supply

In order to significantly reduce air pollution in ports, containerships and passenger ships will be obliged to use on-shore power supply for all electricity needs while moored at the quayside in major EU ports as of 2030.

Different OPS projects and solutions have been tested for ships at anchorage, but there is currently no mature and scalable technical solution available. For that reason, the obligation to use OPS should be, in principle, limited to ships moored at the quayside. Nevertheless, the Commission should regularly reassess the situation, with a view to extending that obligation to ships at anchorage, when the necessary technologies are sufficiently mature. In the meantime, Member States should be allowed to impose, in certain cases, the obligation to use OPS on ships at anchorage, for example in ports that are already equipped with such technology or are located in areas where any pollution should be avoided.

Exceptions from the obligation to use OPS should also be provided for a number of objective reasons, subject to verification by the competent authority of the Member State of the port of call or any duly authorised entity, after consulting relevant entities where appropriate.

Such exceptions should be limited to unscheduled port calls, which are not made on a systematic basis, for reasons of safety or saving life at sea, to short stays of ships moored at the quayside of less than two hours as this is the minimum time required for connection, to cases of unavailability or incompatibility of OPS, to the use of onboard energy generation under emergency situations and to maintenance and functional tests.

Certification and penalties

A robust certification and monitoring of fuels is essential to achieve the objectives of this Regulation and guarantee the environmental integrity of the renewable and low-carbon fuels that are expected to be deployed in the maritime sector.

Verification activities are carried out by verifiers. Verifiers should be equipped with means and staff commensurate with the size of the fleet for which they perform verification activities under this Regulation. Verification should ensure the accuracy and completeness of the monitoring and reporting by companies and the compliance with this Regulation.

A **document of compliance** (the FuelEU document of compliance) issued by a verifier or, where applicable, the competent authority of the administering State should be held by ships as evidence of compliance with the limits on the GHG intensity of the energy used on board by a ship and with the obligation to use on-shore power supply. Verifiers should record in the **FuelEU database** the issuance of the FuelEU document of compliance.

A **FuelEU penalty** should be imposed also for each non-compliant port call. That FuelEU penalty should be proportionate to the cost of using the electricity at sufficient level, should have a dissuasive effect as regards the use of more polluting energy sources and should be expressed in a fixed amount in EUR, multiplied by the established total electrical power demand of the ship at berth and by the total number of hours, rounded up to the nearest whole hour, spent at berth in noncompliance with on-shore power supply requirements.