

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2021/0210(COD) Awaiting Parliament's position in 1st reading
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	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Transport and Tourism	 WARBORN Jörgen	29/10/2021
		Shadow rapporteur	
		 TAX Vera	
		 KATAINEN Elsi	
		 PAULUS Jutta	
		 CAMPOMENOSI Marco	
		 VAN OVERTVELDT Johan	
		 PIMENTA LOPES João	
		Rapporteur for opinion	Appointed
Committee for opinion			
 Environment, Public Health and Food Safety (Associated committee)	 WÖLKEN Tiemo		17/09/2021
 Industry, Research and Energy (Associated committee)	 ANDRESEN Rasmus		30/09/2021
Council of the European Union	Commission DG	Commissioner	
European Commission	Climate Action	TIMMERMANS Frans	
European Economic and			

Key events

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	Matter referred back to the committee responsible		

Technical information

Procedure reference	2021/0210(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 2009/16/EC 2005/0238(COD)
Legal basis	Rules of Procedure EP 57; 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	Awaiting Parliament's position in 1st reading
Committee dossier	TRAN/9/06918

Documentation gateway

Legislative proposal		COM(2021)0562	14/07/2021	EC	Summary
Document attached to the procedure		SEC(2021)0562	15/07/2021	EC	
Document attached to the procedure		SWD(2021)0635	15/07/2021	EC	
Document attached to the procedure		SWD(2021)0636	15/07/2021	EC	
Economic and Social Committee: opinion, report		CES3630/2021	08/12/2021	ESC	
Reasoned opinion	IE_SENATE	PE700.513	20/12/2021	NP	
Committee draft report		PE729.908	04/04/2022	EP	
Amendments tabled in committee		PE731.633	28/04/2022	EP	
Amendments tabled in committee		PE731.663	28/04/2022	EP	

Amendments tabled in committee		PE731.682	28/04/2022	EP	
Committee opinion	ENVI	PE703.146	20/06/2022	EP	
Committee opinion	ITRE	PE704.703	28/06/2022	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0233/2022	04/10/2022	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		T9-0367/2022	19/10/2022	EP	Summary

Additional information

Research document	Briefing	23/11/2021
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Sustainable maritime fuels (FuelEU Maritime Initiative)

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 the 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)

The Committee on Transport and Tourism adopted a report by Jürgen 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 transshipment 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)

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 Unions 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 transshipment 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.

Transparency				
CHABAUD Catherine	Shadow rapporteur	ENVI	21/10/2021	Cluster maritime français
CHABAUD Catherine	Shadow rapporteur	ENVI	22/10/2021	Soper
TAX Vera	Shadow rapporteur	TRAN	23/11/2021	Representatives from the shipping industry
TAX Vera	Shadow rapporteur	TRAN	03/12/2021	Port of Zwolle
TAX Vera	Shadow rapporteur	TRAN	06/12/2021	ECT Rotterdam
TAX Vera	Shadow rapporteur	TRAN	08/12/2021	T&E
CHABAUD Catherine	Shadow rapporteur	ENVI	14/12/2021	Transport & Environment
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	10/01/2022	Zephyr & Borée
ANDRESEN Rasmus	Rapporteur for opinion	ITRE	12/01/2022	EUROGAS aisbl
TAX Vera	Shadow rapporteur	TRAN	18/01/2022	Port of Rotterdam
TAX Vera	Shadow rapporteur	TRAN	19/01/2022	Rolls Royce
CHABAUD Catherine	Shadow rapporteur	ENVI	31/01/2022	MERCATOR OCEAN INTERNATIONAL
CHABAUD Catherine	Shadow rapporteur	ENVI	03/02/2022	Commission de Régulation de l'Energie
ANDRESEN Rasmus	Rapporteur for opinion	ITRE	07/02/2022	Bund für Umwelt und Naturschutz Deutschland e. V.
PAULUS Jutta	Shadow rapporteur	TRAN	02/03/2022	Cruise Lines International Association Europe
CHABAUD Catherine	Shadow rapporteur	ENVI	02/03/2022	CMA CGM
CHABAUD Catherine	Shadow rapporteur	ENVI	03/03/2022	Ethic Ocean
TAX Vera	Shadow rapporteur	TRAN	28/03/2022	Van Berkel Logistics
WÖLKEN Tiemo	Rapporteur	TRAN	30/03/2022	IHK Nord e.V. - Arbeitsgemeinschaft norddeutscher Industrie- und Handelskammern
PAULUS Jutta	Shadow rapporteur	TRAN	07/04/2022	CMA CGM FEPORT

				Methanol Institute Global Maritime Forum
KATAINEN Elsi	Rapporteur	TRAN	08/04/2022	Wärtsilä Corporation
WARBORN Jörgen	Rapporteur	TRAN	11/04/2022	Edison
PAULUS Jutta	Shadow rapporteur	TRAN	19/04/2022	Sunfire
TAX Vera	Shadow rapporteur	TRAN	21/04/2022	T&E/CATF
WARBORN Jörgen	Rapporteur	TRAN	25/04/2022	Frankrikes EU-representation Tjeckiens EU-representation
WARBORN Jörgen	Rapporteur	TRAN	25/04/2022	Getting to Zero Coalition
KATAINEN Elsi	Rapporteur	TRAN	26/04/2022	Liikenne- ja viestintäministeriö
WARBORN Jörgen	Rapporteur	TRAN	26/04/2022	World Shipping Council
DANTI Nicola	Shadow rapporteur for opinion	ITRE	26/04/2022	Assarmatori
WARBORN Jörgen	Rapporteur	TRAN	28/04/2022	Interferry
PAULUS Jutta	Shadow rapporteur	TRAN	05/05/2022	International Windship Association IWSA
WARBORN Jörgen	Rapporteur	TRAN	11/05/2022	Cyprens transportdepartement
WARBORN Jörgen	Rapporteur	TRAN	16/05/2022	European Community Shipowners' Associations
WARBORN Jörgen	Rapporteur	TRAN	16/05/2022	European Sea Ports Organisation
WARBORN Jörgen	Rapporteur	TRAN	18/05/2022	Rolls Royce
WARBORN Jörgen	Rapporteur	TRAN	18/05/2022	Europe's Independent Fuel Suppliers Federation of European Tank Storage Associations
PAULUS Jutta	Shadow rapporteur	TRAN	24/05/2022	BDMV
PAULUS Jutta	Shadow rapporteur	TRAN	24/05/2022	DG Move
PAULUS Jutta	Shadow rapporteur	TRAN	02/06/2022	Deutsches Verkehrsforum e.V. (DVF)
WARBORN Jörgen	Rapporteur	TRAN	13/06/2022	European Sea Ports Organisation
PAULUS Jutta	Shadow rapporteur	TRAN	13/06/2022	Danish Shipping
PAULUS Jutta	Shadow rapporteur	TRAN	13/06/2022	BDMV

WARBORN Jörgen	Rapporteur	TRAN	14/06/2022	Transport and Environment (European Federation for Transport and Environment)
WARBORN Jörgen	Rapporteur	TRAN	20/06/2022	World Shipping Council
WARBORN Jörgen	Rapporteur	TRAN	20/06/2022	EU-kommissionens generaldirektorat för transporter (GD MOVE)
WARBORN Jörgen	Rapporteur	TRAN	21/06/2022	Danmarks EU-representation
TAX Vera	Shadow rapporteur	TRAN	21/06/2022	ESPO
PAULUS Jutta	Shadow rapporteur	TRAN	22/06/2022	Union of Greek Shipowners
KATAINEN Elsi	Rapporteur	TRAN	04/07/2022	Westport Fuel Systems Inc.
WARBORN Jörgen	Rapporteur	TRAN	05/07/2022	World Shipping Council
WARBORN Jörgen	Rapporteur	TRAN	05/07/2022	Cruise Lines International Association Europe
TAX Vera	Shadow rapporteur	TRAN	05/07/2022	CLIA
KATAINEN Elsi	Shadow rapporteur	TRAN	06/07/2022	Costa Group Cruise Lines International Association Europe MSC Cruises S.A. Royal Caribbean Cruises Ltd. Ponant
WARBORN Jörgen	Rapporteur	TRAN	06/07/2022	Tjeckiska rådsordförandeskapet
WARBORN Jörgen	Rapporteur	TRAN	12/07/2022	Sveriges EU-representation
WARBORN Jörgen	Rapporteur	TRAN	30/08/2022	Tjeckiska rådsordförandeskapet
KATAINEN Elsi	Shadow rapporteur	TRAN	06/09/2022	Wärtsilä Corporation
WARBORN Jörgen	Rapporteur	TRAN	09/09/2022	Stockholms hamnar
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	14/09/2022	DG MOVE
TAX Vera	Shadow rapporteur	TRAN	27/09/2022	Ammonia First
PAULUS Jutta	Shadow rapporteur	TRAN	28/09/2022	Danish Shipping Maersk
TAX Vera	Shadow rapporteur	TRAN	12/10/2022	FEPOR
KATAINEN Elsi	Shadow rapporteur	TRAN	14/10/2022	Advanced Biofuels Coalition UPM
TAX Vera	Shadow rapporteur	TRAN	24/10/2022	The Correspondent

TAX Vera	Shadow rapporteur	TRAN	08/11/2022	T&E
TAX Vera	Shadow rapporteur	TRAN	09/11/2022	KNVR
WÖLKEN Tiemo	Rapporteur for opinion	ENVI	11/11/2022	Hamburg Port Authority
TAX Vera	Shadow rapporteur	TRAN	16/11/2022	NS
TAX Vera	Shadow rapporteur	TRAN	23/11/2022	IRU
TORVALDS Nils	Member	03/02/2022	Environmental Defense Fund Europe	
KARLESKIND Pierre	Member	05/09/2022	sea'nergy	
VAN BREMPT Kathleen	Member	23/09/2022	Transport & Environment	