

To: The Netherlands Ministry of
Infrastructure and Water
Management

From: A.P. Møller Maersk A/S

Date: 16 October 2025

A.P. Møller Maersk A/S ("Maersk" in the following) hereby forwards its answer to the public internet consultation by the Netherlands Ministry of Infrastructure and Water Management ("MIWM" in the following) regarding the proposal to amend the Energy Transport Regulations for the implementation of the Renewable Energy Directive III (REDIII in the following).

Summary of Maersk's input to the public consultation

Maersk appreciates the opportunity to share our views on the amendment of the Energy Transport Regulation for the implementation of REDIII through this consultation process. We welcome the ministry's ambition, and would like to highlight the following points:

- Maersk supports the efforts to reduce Greenhouse gas emissions in the shipping sector and recognizes the important role of national implementation of EU legislation in driving progress.
- However, the implementation of the ERE system in the absence of equivalent bunker regulations in neighboring countries such as Belgium and France could create serious market distortions. It is therefore essential that implementation happens simultaneously across Member States, with particular attention to the Memorandum of Understanding with Belgium. Although no official stance has been confirmed, the uncertainty around Belgium's transposition is growing. If Belgium does not succeed in properly transposing the directive for 2026, given the proximity of Antwerp to Rotterdam, there is a high-risk that shipowners will withdraw from Rotterdam if suppliers pass through the additional ERE costs needed for REDIII compliance solely in the Netherlands. This would ultimately undermine, rather than support, the goal of reducing emissions.
- Regarding the customs treatment of maritime biofuels, bunker fuels are exempt from excise duties, as they are treated as exports and therefore not subject to domestic taxation. Maersk believes that biofuels used for bunkering should be granted the same treatment. While this was previously not considered due to compliance and audit requirements, the extension of obligation to the maritime sector makes it both possible and necessary.

Necessity of coordination with other legislation

The expected restrictions for maritime fuel suppliers in neighboring countries, differ from the Dutch approach and place the Netherlands in a comparatively more restrictive position.

Maersk requests that booking of mass balanced biogas and bio-LNG molecules be allowed, in line with Implementing Regulation 2022/996, which clearly states that the natural gas network and terminals must be treated as a mass balance system. As the largest bunkering hub in Europe, the Netherlands could strengthen its position in the bio-LNG market and attract demand, without triggering price increases. This would also help develop the infrastructure needed to support growing bio-LNG use under Fuel EU Maritime, which progressively increases GHG reduction targets up to 2050.

The proposed exclusion of green gas imports via the gas network would undermine subsequent processing in methanol plants and prevent mass balanced bio methanol from being counted towards renewable fuel target, despite its acceptance by other regulations such as Fuel EU Maritime.

Such measures risk halting progress and penalizing companies that have already made significant investments in alternative fuels for maritime transport, a sector widely recognized as hard-to-abate.

Risk of geographic displacement in the bunkering market

The introduction of the proposed measures for shipping in 2026 risks undermining the achievement of Greenhouse gas reduction targets. The Dutch government relies on other EU Member States to implement obligations in the maritime sector to avoid jeopardizing Rotterdam's role as a leading bunkering hub.

Geographic displacement has occurred in the biofuels bunker market in the past, as biofuels are structurally cheaper in other regions. While this impact was limited, a similar trend could affect international fossil bunkering, with direct negative consequences for the fuel industry, e.g. impacting local port infrastructure, logistics and storage providers, and possibly with consequences for the wider Dutch economy.

Conclusion

Maersk supports the Ministry's proposal to require fuel suppliers across four modal sectors to reduce their GHG chain emissions annually, either by supplying renewable energy or by purchasing certificates from suppliers of renewable energy.

That said, Maersk cannot support provisions that would:

- Encourage a displacement of fossil bunker demand to other EU ports and without achieving real emissions reduction in the shipping and inland sectors. Such a framework would create

loopholes allowing vessels to secure cost advantages by bunkering at ports just 100 km away from Rotterdam.

- Impose unequal treatment on the maritime sector compared with other transport modes associated with an elevated premium of fuel produced from advanced feedstocks. While other sectors have greater flexibility in biofuel use, maritime transport is Annex IXa and RFNBO, and excluded from utilizing Annex IXb biofuels, which are accepted across all other sectors. Moreover, it must be taken into account how production of biofuels from Annex IXa at scale is highly challenging why POME is the only feasible annex IXa feedstock at the moment.
- Create an uneven playing field between road sector and other sectors, where surplus compliance generated by the road is transferable to other sectors, but the same principle does not apply freely in reverse direction where other sectors can sell the compliance to road or one another. Introducing such trading restrictions on ERE tickets can result in liquidity issues and unnatural price dislocations.

Maersk welcomes the Ministry's proposal to introduce annual GHG requirements across transport modes. The framework offers an important opportunity to accelerate the energy transition by incentivizing both the direct supply of renewable fuels and the trading of certificates, thereby supporting innovation, investment, and cross-sector decarbonization. In line with this, Maersk encourages the Netherlands to leverage its influence in the European Union to promote collaboration and alignment among all member states – acknowledging the sector's inherent mobility.

At the same time, it's important to design measures in a way that avoids unintended side effects. This includes ensuring a level playing field, preventing the displacement of maritime bunkering activity from Rotterdam to nearby foreign ports without real emissions benefits, and safeguarding efficient and liquid certificate trading.