To
Dr Ursula von der Leyen
President of the European Commission

Commissioner Dan Jørgensen
Commissioner for Energy and Housing

- via E-Mail -

Dear President von der Leyen,

Dear Commissioner Jørgensen,

Dear Members of the Commission,

We call on the Commission to bring forward, **without delay, a targeted opening and simplification of Regulation (EU) 2024/1787, in particular Chapter V on import requirements, together with an immediate penalty grace period and legal safe harbour** until the necessary implementing acts, standards, model clauses and harmonised enforcement arrangements are fully in place.

This is now a matter of strategic urgency. The rapidly deteriorating security situation involving Iran and the disruption risk in and around the Strait of Hormuz have sharply increased the importance of preserving maximum flexibility for Europe's oil and gas sourcing. Recent reporting indicates severe disruptions to Gulf energy flows and heightened risks for LNG and oil exports through Hormuz, with direct implications for European supply security and prices. At the same time, Algeria remains one of the EU's key gas suppliers, and Europe explicitly relies on Algerian gas for security of supply. However, Algeria has clearly and publicly stated that, despite its efforts, it will not be able to achieve MER compliance within the timeframe set by the MER. Therefore, European importers are currently unable to conclude any new contracts. In this geopolitical environment, the Union cannot afford to let avoidable regulatory uncertainty hinder the conclusion of urgently needed supply contracts.

We fully support the objective of reducing methane emissions. Methane mitigation is important for climate policy, air quality and public health. The Commission's own methane strategy rightly underlined these benefits, including the contribution of methane to ozone formation, and the IEA continues to estimate that around 70% of fossil-fuel methane emissions could be reduced with existing technologies, often at low cost. But precisely because methane reduction matters, EU rules must be technically implementable, proportionate and focused on the largest, measurable sources of emissions rather than on administrative formality for its own sake.

There are serious legal, operational and proportionality concerns with the current design and timing of the import regime.

1. First, the primary legislation itself confirms that the Regulation was adopted on the legal basis of Article 192(1) TFEU. That requires environmental action to respect proportionality and real-world implementability. Yet the final import architecture in Articles 27 to 29 imposes extensive obligations on importers although compliance frequently depends on actors outside the Union and outside the importer's contractual control. The Regulation requires annual reporting under Article 27, MRV equivalence under Article 28, methane-intensity reporting under Article 29, and eventually compliance with maximum methane-intensity values set later by delegated act. At the same time, key implementation elements are still dependent on secondary legislation or Commission guidance, including the country-equivalence procedure under Article 28(6), model clauses under Article 28(3), the methane-intensity methodology under Article 29(4), and standards under Articles 8 and 32. That sequencing is fundamentally flawed. An operator cannot be expected to bear full compliance exposure before the legal pathway to compliance is complete.

2. Second, the current system does not adequately reflect how global gas and crude markets function. In complex and commingled supply chains, importers often do not have a direct contractual relationship with the producer and cannot, in practice, trace all the Annex IX data back through trading hubs and multiple intermediaries. The Commission's own Q&A acknowledges that the producer must in every case be identified and that information must simply be "passed down" through the contractual chain. In legal theory that may sound neat; in commercial reality it is often not workable. Oxford Institute for Energy Studies analysis likewise concludes that comparison of emissions intensities across complex supply chains remains highly challenging and that the practical implications of the import standard were poorly understood during the legislative process.

3. Third, the sanctions framework is disproportionate in the current state of implementation. Article 33 requires Member States to empower competent authorities to impose administrative fines, and for legal persons these fines may reach up to 20% of annual turnover in the preceding business year. These are extraordinarily high exposures in a context where companies are still being asked to comply with obligations that depend on incomplete guidance, incomplete standardisation and uneven administrative structures across Member States. The same Regulation also subjects failures under Articles 27, 28 and 29 to penalties. This creates precisely the kind of unmanageable liability risk that stakeholders have identified as already delaying or impeding new contracts.

4. Fourth, even the institutional prerequisites for uniform enforcement have not yet been secured. Member States were required to notify competent authorities by 5 February 2025, yet the Commission has since had to pursue infringement action against several Member States for failing to do so, and the Commission's own

published list has shown that authorities were still missing in some cases. In such circumstances, fragmented enforcement, divergent reporting expectations and unequal legal risk are not hypothetical concerns; they are already visible.

5. Fifth, the current approach does not sufficiently distinguish between what is environmentally essential and what is administratively excessive. The scientific literature strongly supports prioritising high-emitting sources and super-emitters, which account for a disproportionate share of emissions. Recent peer-reviewed work shows that a very small fraction of infrastructure can account for a large share of basin-level emissions, and research on tiered LDAR strategies indicates that targeting higher-emitting sources can materially increase emission reductions relative to blanket low-threshold approaches. That argues for a smarter, risk-based regime: rigorous where emissions are large and measurable, but flexible where the environmental payoff is marginal and the compliance burden is extreme.

It is also important to recall that the Commission's 2020 Methane Strategy envisaged the possible use of default values, international cooperation, and further measures on imports only on the basis of robust scientific analysis and an impact assessment covering verification, compliance checks and market implications. That caution is important. By contrast, stakeholders have repeatedly pointed out that the import chapter as finally adopted was not subject to a dedicated impact assessment in its trilogue form. That gap should now be corrected.

For these reasons, we urge the Commission to table a targeted legislative simplification package with the following elements:

1. **Immediate suspension or grace period for penalties** under Articles 27 to 29 until all essential implementing acts, delegated acts, standards, model clauses and harmonised reporting procedures are in force and operational across the Union.
2. **A clear legal safe harbour and grandfathering regime** for contracts concluded before full implementation certainty exists.
3. **A substantial simplification of Articles 27 to 29**, including workable rules for commingled gas and crude, acceptance of robust proxy approaches where tracing to individual producers is not feasible, and legal recognition of compliance pathways appropriate for complex value chains.
4. **A full impact assessment of Chapter V**, focusing on workability, proportionality, environmental effectiveness, competitiveness, affordability and security of supply.
5. **A stronger focus on high-impact methane abatement**, including super-emitters, major leaks, venting and flaring, instead of imposing disproportionate burdens where measurable environmental gains are limited.
6. **Fast-tracked cooperation frameworks with key suppliers under Article 28(8)**, especially where this can deliver real methane reductions without disrupting Europe's access to supply.

7. The **option provided for in Article 33.2** of the MER, allowing Member States to grant exemptions on the grounds of a threat to security of supply, gains particular relevance in light of the current geopolitical situation. Member States should be encouraged to make use of this option. A simplification of the MER should include a broad definition of security of supply, identifying as criteria not only the volume of imports but, in particular, regional diversification and diversification of import routes.

Europe should not be forced to choose between climate realism and energy realism. A well-designed methane framework can do both: reduce emissions meaningfully and preserve the supply flexibility the Union now urgently needs. But to achieve that balance, the present Regulation must be opened and simplified quickly and pragmatically.

We would be grateful for an urgent response setting out whether the Commission intends to bring forward such a targeted revision and what immediate interim measures it will adopt to prevent the current framework from undermining Europe's energy security.

Yours sincerely,

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