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HYPOS

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Session III: Wasserstoffhochlauf sichern – Rahmenbedingungen für eine erfolgreiche Marktentwicklung

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HYPOS

Germany and Spain lead on the transposition of the RED3, with long-term ambition, clear enforcement mechanisms and attractive investment environment

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Good Neutral Bad

	Summary	Assessment
DE	Ambitious RFNBO quotas with time horizon to 2040. Obligation is high enough to ensure direct use of RFNBO as transport fuel without penalising the refinery route. High penalty ensures compliance while a tradeable GHG certificate with multipliers provides an additional revenue stream. Exclusion of the maritime sector is a negative.	
NL	Its RFNBO sub-target increases annually, reaching 1.45% for land transport in 2030. A specific industrial hydrogen obligation. Coverage of all transport modes – including maritime and inland waterways. However visibility only untill 2030 and lack of a clear, strong eforcement mechanism is a negative.	
FR	RFNBO quota covering both road transport and maritime sector. Visibility of the quota until 2035. Strong quotas for matirime sector – in line with the 1.2% by 2030 required by RED III (as the only EU MS so far). Low carbon non-fossil electrolytic hydrogen is part of the framework. But the law is not transposed/ implemented yet.	
ES	Ambitious RFNBO quotas with time horizon to 2040. Adopted RED III for transport sector, covering industry too. Strong enforcement mechanism with high penalty even if RFNBO production costs are relatively low (penalty level only in draft law, under consultation). Partial exclusion of the maritime sector is a negative.	
PL	RED III implementation delayed. The proposed transport quota lacks ambition (effectively 0.5% only) and with visibility only until 2030. Penalty for non-compliance so low it is an attractive buy-out option. No specific measures for RFNBO uptake in the maritime sector. Lack of a credible plan for RFNBO use in industry.	
IT	RED III implemented – including binding RFNBO quotas in transport and also industry, until 2030. High enough penalty for non-compliance in transport. As for the industrial sector, no credible enforcement mechanism has been proposed so far.	
BE	RED III implementation delayed- partly because responsibilities are divided between federal and regional governments, which further increases regulatory risk. Proposed RFNBO quota covers road transport, inland waterways and maritime sector. Visibility until 2040. No credible plan for industry proposed so far.	
FI	Most ambitious quota for transport sector by 2030. Transposition successfully made before 2025 deadline. However, visibility only until 2030 (with a weak indication for post-2030). And the complete exclusion of the maritime sector undermines viability of e-fuels projects in development, while industry implementation remains incomplete.	
SE	Sweden's RFNBO demand framework is still not implemented. Draft proposed quota very weak and unambitious, only until 2030 and covering only road transport sector. Unclear enforcement mechanism. No plan for industry proposed (although for 2030-2035 none is needed).	
RO	RED III implementation complete with quotas for both RFNBO use in transport as well as in industry with strong enforcement mechanisms for both (penalty is not a buy-out mechanism). However the quota in transport is relatively weak and has no visibility for after 2030.	
DK	Transposition successfully made before 2025 deadline. Quota for transport significantly lacks ambition, and only valid for 2030. Little ambition for maritime sector. Treating RFNBO projects that receive state-aid ineligible to the RFNBO quota is unreasonable and endangers business case of many projects.	
AT	RED III implementation delayed. The latest proposal lacks ambition and provides visibility only until 2030.	

Key design aspects of the RED3 transposition to ensure a good investment. Germany and Spain on the lead

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Best-in-class

Germany

- Comprehensive RFNBO quota transposed
- Long term visibility
- Enforcement mechanism

Ambitious RFNBO quotas with extended time horizon stretching to 2040. Level of the obligation is high enough to ensure direct use of RFNBO as transport fuel without artificially penalising the refinery route. High penalty ensures compliance while a tradeable GHG certificate with multipliers provides an additional revenue stream. Exclusion of the maritime sector is a negative.

Best-in-class

Spain

- Comprehensive RFNBO quota transposed
- Long term visibility
- Enforcement mechanism

Ambitious RFNBO quotas with time horizon to 2040. Adopted RED III for transport sector is covering industry as well. Strong enforcement mechanism with high penalty that is not a buy-out mechanism below certain level. Partial exclusion of the maritime sector is a negative. Only RFNBO produced in the EU is eligible.

- Good
- Neutral
- Bad

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