

Regulatory Streamlining of ReFuelEU Aviation

March 2026

1. Introduction

This document has been jointly commissioned by the European airline associations A4E & ERA to support a targeted 2026 fast-track revision of the ReFuelEU Aviation Regulation. It presents a structured regulatory assessment based on consultations with European member airlines representing network, low-cost, regional and cargo business models. The paper identifies implementation challenges emerging from the first phase of application and proposes targeted amendments designed to enhance proportionality, legal certainty, administrative efficiency and market transparency while fully preserving the Regulation's environmental ambition.

1.1 Context, Mandate and Methodology

The ReFuelEU Aviation Regulation ("ReFuelEU" or "Regulation") establishes binding sustainable aviation fuel (SAF) blending mandates for aviation fuel suppliers at Union airports. The Regulation constitutes a cornerstone of the EU's aviation decarbonisation framework, supporting the broader objectives of the European Green Deal and Fit for 55 packages.

While the Regulation is broadly supported across the airline sector, early implementation experience has revealed a series of structural frictions. These frictions do not concern the climate objective itself, but rather the operational design, administrative architecture, and market allocation of compliance responsibilities.

This paper identifies targeted amendments in three priority areas, consistent with the Commission's simplification objectives under the Sustainable Transport Investment Plan ("STIP"): (1) anti-tankering implementation under Article 5; (2) documentation and Proof of Sustainability/Compliance under Article 9; and (3) supplier market behaviour and pricing transparency. The analysis is based on structured consultations with 13 European A4E and ERA member airlines, including network, regional, low-cost and cargo airlines, representing a broad spectrum of business models and operational structures.

The consultation process followed a three-step methodology:

First, a detailed questionnaire was circulated to participating airlines, covering operational implementation of Article 5 (anti-tankering), documentation and ETS alignment under Article 9, and market and pricing practices. The questionnaire aimed to identify concrete operational experiences, administrative burdens, and areas of regulatory misalignment.

Second, structured interviews were conducted with each airline. Several departments participated on the airline side, including government affairs, operations control, fuel procurement, sustainability and EU ETS reporting teams, and in certain cases flight operations representatives. This ensured that both commercial and operational perspectives were captured.

Third, the feedback was aggregated, cross-checked across business models and Member States, and condensed into a set of targeted recommendations reflecting converging themes rather than isolated individual concerns. The findings therefore represent coordinated and evidence-based industry input.

Across business models and Member States, three overarching concerns consistently emerged:

- **Implementation asymmetry and misalignment between regulatory instruments**
Airlines highlighted structural inconsistencies between ReFuelEU and RED obligations, EU ETS reporting, and national verification practices, creating compliance friction affecting SAF demand.
- **Disproportionate administrative burden relative to environmental impact**
Interviewed operators reported significant operational and reporting workload resulting from anti-tankering mechanics and documentation processes for sustainability claims, often linked to marginal or safety-driven deviations rather than deliberate avoidance behaviour.
- **Market power imbalances and limited pricing transparency**
Consultations revealed concerns regarding opaque SAF surcharge methodologies, and insufficient traceability between charged premiums and verifiable SAF volumes.

2. Focus areas

2.1 Anti-Tankering Rule (Article 5)

2.1.1 Implementation Challenges

Article 5 requires aircraft operators to uplift at least 90% of their annual fuel needs at each Union airport. The rule seeks to prevent economic tankering whereby operators might otherwise uplift fuel outside the Union to avoid SAF blending costs. In reality, pure intra-EU flights are not relevant to achieving this goal.

In this context, greater attention could be given to the impacts on competitiveness, potential market distortions, and risks to air connectivity — effects explicitly identified in recital (5) of the Regulation as outcomes to be avoided. Stakeholders note that, in practice, certain elements of the current framework may inadvertently contribute to such challenges. These impacts could therefore be examined in more detail when assessing the implementation and possible adjustments of the measure.

The provision includes an exemption mechanism intended to accommodate justified operational circumstances. However, the regulation does not provide a harmonised definition of exemption categories nor a standardized evidence framework.

There is no transparency across the EU on how exemptions are going to be dealt with as final acceptance varies from country to country. Furthermore, some airlines felt that there might be a lack of flight operations experience in the regulatory bodies, which makes it hard to explain the daily challenges airlines experience across the EU.

One carrier described a case involving a 60-minute rotational delay on a short-haul flight to Barcelona. Prior to the anti-tankering restriction, additional fuel would be uplifted at the departure airport to avoid refuelling at the destination, where operational constraints prevent parallel boarding and refuelling. This optimisation enabled partial delay recovery and required approx. 85 kg of additional fuel burn. Under the current rule, refuelling must take place at the destination, extending turnaround time and propagating the delay. To recover schedule integrity on the return flight, the cost index (i.e. speed) was increased, resulting in more than 350 kg of additional fuel burn.

2.1.2 Consequences

A. Operational

- Airline consultations consistently indicate that deviations from the 90% threshold frequently arise from operational realities rather than deliberate economic tankering. These include weather-driven diversions, alternate airport fuel planning, air traffic flow restrictions, fuel contamination events and island and remote operations.

A regional airline operating aircraft with up to 17 flight legs per day highlighted the structural impact of the 90% uplift requirement on high-frequency ultra short-haul networks. Such operations function on tightly sequenced rotations, with refuelling optimised across multiple sectors. Requiring uplift of at least 90% at each Union airport may necessitate additional ground time at multiple stops, disrupting turnaround processes and requiring adjustments to network planning. For operators serving Public Service Obligation (PSO) routes, these constraints may affect schedule reliability and the ability to meet contractual service requirements. It also exposes the airline to so called “low-volume surcharges” for small uplifts, which can cost more than the actual fuel volume uplifted in such cases (e.g. 100 € per uplift for fuelling below 100 litres).

- Prior flight leg remaining fuel imbalances, i.e. fuel carried on longer inbound sectors may legitimately serve as trip fuel for subsequent short-haul flights. This can artificially inflate apparent non-compliance ratios without any avoidance intent.

*A network carrier reported **recurring** ATC shortcut clearances reducing flown distance by 10–13% versus filed flight plans, e.g. for approach to VIE. The predictable arrival fuel surplus led to repeated apparent non-compliance with the 90% uplift threshold. An ex-ante exemption request was rejected, resulting in recurring ex-post justifications.*

B. Economic

- Moreover, mandatory uplift requirements at high-cost or single-supplier airports may inadvertently reinforce supplier market power. In certain locations, airlines face limited ability to negotiate pricing or sourcing alternatives.

C. Administrative

- The current framework creates a substantial administrative burden across business models. For large network carriers and low-cost carriers operating thousands of rotations per day, this results in extensive flight-by-flight reporting obligations, even where deviations are minor and operationally unavoidable. At the same time, the relative burden can be proportionally more significant for regional and smaller operators, which typically operate with more limited compliance resources. Even where absolute reporting volumes are lower, the resource impact may be materially higher relative to organisational capacity.

Consultations indicate that several airlines allocate between 1 and 2 full-time equivalents (FTE) exclusively to anti-tankering compliance management, including data extraction, exemption substantiation, authority correspondence and audit-related document retention.

In particular, regional operators — with an average route length of approximately 399 nautical miles — conduct a high share of short, high-frequency sectors. The structural characteristics of such operations increase the likelihood of recurring deviation cases close to exemption margins, thereby generating a comparatively high volume of justification and reporting requirements relative to fleet size and staffing levels.

- Airlines report significant divergence in interpretation by competent authorities and verifiers. Evidence requirements differ across Member States. Acceptability of NOTAMs (e.g. notifying airport users there is no fuel at destination airport, or strike of fuelling staff), operational flight plans, fuel supplier notifications or airport communications varies materially.

One airline group operating approximately one million annual departures indicated that even a low single-digit rate of airport-level deviations from the 90% annual uplift threshold under Article 5 generates a significant number of exemption assessments each year. The airline reported several hundred cases annually requiring individual documentation, internal review and regulatory justification before competent authorities.

2.1.3 Amendment proposals

A. Abolish intra-EU anti-tankering measures

A potential structural adjustment that has been suggested by some airlines would be to remove the application of the Article 5 uplift requirement for intra-EU operations. The original objective of the anti-tankering rule was to prevent fuel uplift outside the Union in order to avoid SAF surcharges or Regulation compliance costs. For flights operated entirely within the Union, however, SAF blending obligations apply uniformly at all Union airports, meaning that the risk of regulatory arbitrage through extra-EU tankering does not arise.

At the same time, the uplift obligation was also introduced for environmental reasons. In practice, airlines highlight that the current implementation may generate administrative burden and operational constraints without clearly contributing to additional SAF demand in purely intra-EU

operations, given that blending obligations already apply across EU Union Airports. In certain cases, compliance may even lead to additional CO₂ emissions where operators are required to uplift fuel in ways that increase aircraft weight and fuel burn. This outcome can appear counterintuitive given that the Regulation was introduced to reduce aviation emissions, and it therefore warrants closer examination in the context of future implementation and possible adjustments.

Abolishing the intra-EU application of the anti-tankering rule would therefore eliminate a significant compliance workload while preserving the environmental objective of the Regulation, provided that safeguards remain in place for extra-EU uplift patterns where genuine arbitrage risks may exist. Alternatively, we propose the following under B. and C. below.

B. Operational & Administrative

While discussing Option B, it should be made clear that its implementation should not result in any further increase in administrative burden.

- **EU-wide Exemption Catalogue** (Implementing Act to ReFuel EU Aviation): Establish a harmonised list of recognised exemption categories accompanied by defined evidence standards. This would enhance legal certainty, reduce verifier divergence, and ensure consistent application across Member States.

Such examples should include:

- Safety-driven fuel planning requirements: Cases where weather conditions, alternate airport requirements, fuel contamination events or other safety-mandated operational constraints necessitate uplift patterns that affect the annual 90% threshold.
 - Network and rotation-related fuel carry-forward: Hub-and-spoke or cargo operations where inbound long-haul fuel is legitimately used for subsequent sectors, creating structural uplift imbalances unrelated to price arbitrage.
 - Irregular operations and infrastructure constraints: Diversions, slot-driven disruptions, or airport-specific supply and infrastructure limitations that objectively affect refuelling patterns beyond the operator's control.
 - Structural operational route deviations: Flights where predictable ATC shortcuts or recurring flow management procedures systematically reduce flown distance compared to filed flight plans, resulting in higher arrival fuel without economic tankering intent.
- **Ex-Ante Structural Approvals:** Introduce a mechanism allowing recurring operational cases (e.g. island routes or cargo transfer patterns) to receive time-limited pre-approval. This reduces ex-post administrative workload without weakening anti-avoidance safeguards.

- **Threshold Adjustment to 80%:** A calibrated reduction from 90% to 80% across all Union airports, would reflect operational variability while maintaining strong deterrence against deliberate economic tankering.
- In addition, consideration could be given to introducing automatic proportionality-based exemptions for structurally very short intra-EU sectors where the likelihood of economic tankering is inherently low. For ultra-short routes, fuel uplift typically represents only a marginal proportion of annual airport-level consumption, while the compliance and reporting burden may be comparatively significant. Objective and measurable criteria — such as sector distance thresholds and/or limited uplift quantities relative to annual consumption — could be defined in an Implementing Act to ensure legal certainty. In such cases, compliance costs may outweigh any environmental benefit associated with strict application of the uplift ratio, and a clearly defined exemption framework would enhance proportionality without weakening the overall anti-tankering objective.

C. Exceptional Economic Tankering Clause

Permit narrowly defined cases of economic tankering where demonstrable supply constraints or extreme market distortions exist. Such a clause would require strict transparency and verification safeguards.

The above options primarily address reporting mechanics rather than fuel demand volumes.

Article 5 overview – Anti-Tankering Rule

Current Regulation	Proposed Amendment
<ul style="list-style-type: none"> • Applies equally to intra-EU and extra-EU operations. • Aircraft operators must uplift at least 90% of their annual fuel needs at each Union airport. • Exemptions exist but are not harmonised at EU level. • No EU-wide catalogue of exemption categories or evidence standards. • Compliance assessed annually per airport. 	<ul style="list-style-type: none"> • Remove application of uplift obligation for intra-EU operations (risk-based approach). • Reduce threshold from 90% to 80% or introduce aggregated compliance logic. • Establish EU-wide Exemption Catalogue via Implementing Act with defined categories and evidence standards. • Introduce structural pre-approval mechanism for recurring operational cases. • Clarify airport-level aggregate compliance assessment.

Illustrative Revised Article 5

Aircraft operators shall ensure that, on an annual basis and per Union airport, the total quantity of aviation fuel uplifted represents at least 80% of the total fuel required for flights departing from

that airport. This requirement shall not apply to flights operated exclusively between Union airports. The Commission shall adopt an Implementing Act establishing a harmonised catalogue of exemption categories and associated evidence standards.

Compliance shall be assessed in aggregate at airport level, and not on a flight-by-flight basis.

2.2. Documentation and Proof of Sustainability (Article 9)

2.2.1 Implementation challenges

According to Article 9, fuel suppliers are required to provide aircraft operators with relevant and accurate information necessary for compliance with the reporting obligations under the Regulation. However, Article 9 does not explicitly refer to specific sustainability documentation formats or claimable certificates, nor does it mention Proof of Sustainability (PoS) or Proof of Compliance (PoC). Instead, it refers more generally to the provision of the information needed for ReFuelEU Aviation reporting. The Regulation also requires that such information be provided as soon as possible and, in any case, no later than 14 February of the following reporting year. This reporting requirement should be clearly distinguished from the provision of claimable sustainability documentation used for other regulatory frameworks, such as EU ETS reporting. Furthermore, the Regulation does not prescribe harmonised templates, delivery cadence, or enforceable supplier-side timelines beyond the reporting deadline.

2.2.2 Consequences

A. Timelines

Late or incomplete documentation can prevent ETS claimability despite airlines having paid for SAF premium. Documentation often arrives shortly before 14 February supplier deadlines, sometimes even later. In various cases, no documentation is provided as suppliers consider transfer of (in many cases incorrectly filled) PoC documents satisfies the documentation obligation, leaving limited time for reconciliation before EU ETS reporting.

Several airlines reported receiving less than half of their required PoS/PoC documentation by the end of January, leaving less than two weeks for reconciliation before the EU ETS reporting deadline. This compressed timeline significantly increased audit risk and required temporary reallocation of staff resources from other compliance functions.

B. Format:

Inconsistencies between different formats and the lack of a standard template for the PoC render some certificates unusable and create a significant amount of additional work. This also includes:

- Certificate validity dates,
- Airport identifiers,
- Differences in units (tonnes, cubic metres, litres) and related conversion rates,
- Differences in fuel density.

National databases frequently store PoS but not PoC, limiting usability.

In practice, airlines report recurring inconsistencies that materially complicate reconciliation processes. These include certificates issued in different units (e.g. tonnes versus cubic metres or litres), requiring manual density conversions; inconsistent airport identifiers (ICAO versus IATA codes or free-text entries); and discrepancies in certificate validity periods relative to reporting windows. Airlines also report cases of incorrect conversion of energy values, inaccurate or incomplete airline, dispatch, or receiving point addresses, and missing or incorrect mandatory data fields in sustainability documentation.

In some cases, sustainability certificates recorded in national databases may not be accompanied by corresponding documentation that allows operators to demonstrate compliance under other regulatory frameworks, such as the EU ETS, thereby limiting their usability for reporting purposes. Airlines note that while parameters such as fuel density can require technical conversion, these are generally of lesser relevance for EU ETS reporting compared with inaccuracies in energy values or missing mandatory data fields.

In practice, even minor administrative errors can create significant downstream workload. For example, in one reported case, the identification of an incorrect ISCC EU certificate number at the level of a pre-supplier triggered corrections to sustainability documentation across the supply chain. This resulted in amendments to previously issued certificates and required the manual deletion and re-entry of approximately 100 compliance documents by the aircraft operator.

While each divergence may appear minor in isolation, the cumulative effect creates a significant manual reconciliation workload and increases the risk of reporting discrepancies.

C. One-sided flexibility mechanism:

ReFuelEU allows supplier-side flexibility and aggregation across airports (Article 15). EU ETS reporting, by contrast, is airport- and route-specific. This structural misalignment exposes airlines to financial burden.

In practice, this means that suppliers have the option to deliver more than 2% SAF into a bigger airport and use that additional delivery to fulfil the mandate at other airports. It is then not possible to generate a PoS/PoC for SAF delivery at those airports, and therefore the airlines concerned are unable to avail of SAF allowances as they cannot prove the purchase and uplift of SAF. The structural misalignment of volume flexibility in ReFuelEU and the lack of such an option in ETS expose airlines to financial risk, as they cannot make the claims resulting from ultimately having paid for SAF under the mandate.

Airlines repeatedly highlighted that where SAF is physically delivered at hub airports but compliance surcharges are applied elsewhere, the resulting inability to claim ETS reductions undermines effective CO₂ accounting alignment. In several cases, SAF volumes paid for could not be reflected in verified emissions reports, creating a disconnect between financial cost and environmental accounting benefit.

2.2.3 Amendment proposals

A. Timelines:

Mandatory quarterly delivery:

- At the request of airlines, require suppliers to provide sustainability documentation on a regular basis, with a harmonised annual cut-off date (e.g. 31 January of the following reporting year). Any approach to documentation transfer should first be anchored in a clear harmonisation between the requirements of ReFuelEU Aviation and the EU ETS, given that operators must rely on consistent sustainability information across both frameworks.
- If a quarterly documentation system were to be introduced, the delivery timelines would need to be carefully calibrated. Under existing certification schemes such as ISCC, upstream suppliers may have up to 30 days to pass sustainability documentation downstream. As fuel suppliers are dependent on the responsiveness of pre-suppliers, overly strict timelines could therefore prove difficult to meet in practice.
- A possible compromise could be the provision of documentation within six weeks after the end of each quarter, with a harmonised deadline of 31 January for the fourth quarter to align with annual reporting obligations. Such requirements should be anchored directly in Article 9 through an explicit supplier-side obligation, while detailed delivery cadence, digital submission standards and data specifications could be further specified through an Implementing Act, ensuring alignment with EU ETS reporting timelines.
- Proportionate consequences for late or incomplete PoS/PoC delivery should be reflected through an amendment to Article 9, complemented by enforcement provisions under Article 12 (penalties). These should include administrative financial penalties borne exclusively by the supplier, combined with a temporary presumption mechanism protecting airline ETS claimability where documentation delays are attributable to the supplier. Repeated non-compliance could trigger enhanced audit requirements or temporary restrictions on the use of flexibility mechanisms under Article 15. Any demonstrable financial loss incurred by aircraft operators due to supplier-side documentation failure should be compensable. Such measures would ensure symmetry between mandate obligations and documentation responsibility while safeguarding environmental integrity. It should be explicitly clarified that penalties or compliance consequences may not be contractually passed through to aircraft operators through fuel pricing.

B. Format:

- Adopt a single EU-wide PoS/PoC template, for example, aligned with ISCC content but format-standardised. This could be introduced through a Delegated Act under Article 9, defining mandatory data fields (including volume, density reference, airport identifier, validity period and certification reference) and preventing additional national requirements (“gold-plating”). This would significantly reduce reconciliation burden and verifier divergence. That being said, harmonisation of ReFuel EU, RED and EU ETS plus ensuring the UDB is up and running would solve all the issues.

- Additionally, expand the Union Database (UDB) by amending Article 9 or Article 15 to enable controlled access for aircraft operators or to establish a central EU reporting portal integrating ReFuelEU, EU ETS and Renewable Energy Directive (RED) reporting. Technical interoperability specifications could be defined through an Implementing Act. This would enhance traceability, digital efficiency and regulatory coherence.

C. Volume flexibility for ETS

The structurally efficient solution would be to introduce volume flexibility in the EU ETS framework during its 2026 revision, mirroring the flexibility mechanism available to suppliers under ReFuelEU. While this falls formally outside the scope of ReFuelEU, alignment between both instruments is essential to avoid structural financial asymmetry. This issue has already been addressed in an ERA paper in November 2025¹.

As an alternative measure within the ReFuelEU framework, Article 9 could be amended to introduce an option for aircraft operators to require contractual delivery of SAF to a specific airport where a ReFuelEU compliance surcharge is applied. Such a mechanism would ensure that airlines can claim SAF volumes under EU ETS while maintaining transparency of supplier allocation. This approach would necessarily limit supplier-side flexibility and may require technical adjustments to the ReFuelEU allocation methodology.

Article 9 overview – Documentation / Proof of Sustainability (PoS/PoC)

Current Regulation	Proposed Amendment
<ul style="list-style-type: none"> • Suppliers must provide sustainability documentation. • No mandatory quarterly delivery or harmonised annual cut-off date. • No explicit supplier-side penalties for delayed documentation. No harmonised EU-wide template. • No alignment mechanism with EU ETS reporting deadlines. 	<ul style="list-style-type: none"> • Introduce mandatory quarterly PoC delivery, unless waived by airlines. • Establish harmonised annual cut-off (e.g. 31 January). • Introduce supplier-only administrative penalties for late or incomplete documentation. • Adopt harmonised EU-wide PoS/PoC template via Delegated Act. • Create temporary ETS claim presumption where delay is supplier-driven. • Expand Union Database access or establish integrated EU reporting portal.

¹ ERA, Cutting emissions without cutting connections: How to make ReFuelEU work for all of Europe’s airlines, <https://www.eraa.org/wp-content/uploads/2025/10/ERA-ReFuelEU-publication-2025-FINAL.pdf>

Illustrative Revised Article 9 Paragraph

Aviation fuel suppliers shall provide aircraft operators with standardised Proof of Compliance on a quarterly basis, unless the airline explicitly permits reporting on a yearly basis. All documentation relating to a reporting year shall be delivered no later than 31 January of the following year. The Commission shall adopt a Delegated Act specifying a harmonised documentation template and mandatory data fields. Where documentation is not delivered within the prescribed timeframe, administrative penalties shall apply to the supplier and shall not be contractually transferred to aircraft operators. Airlines shall be able to claim any benefits attached to the SAF for which certificates were not received in time before the EU ETS annual emissions report submission deadline in the next ETS compliance period.

2.3. Supplier Market Behaviour and Pricing Transparency

2.3.1 Implementation challenges

ReFuelEU obligations are imposed on suppliers at Union airports. As the mandated party, suppliers charge their customers an additional separate line item on the conventional fuel.

Structured consultations indicate that, in certain cases, surcharge methodologies lack transparency and are not clearly linked to verifiable SAF volumes or recognised market indices. Several airlines provided anonymised examples where charged premiums materially exceeded observable SAF price differentials during the same period, without a sufficient breakdown of cost components (incl. for example mandated SAF tends to be higher priced than voluntary SAF for the same route). Operators also reported instances where SAF was physically allocated at selected hubs, while compliance-related surcharges were applied at other locations without corresponding certificate availability for ETS claim purposes.

At airports characterised by limited supplier competition, airlines indicated constrained negotiating leverage and reduced transparency in surcharge methodology.

One airline estimated that SAF compliance surcharges resulted in additional annual costs exceeding USD 20 million, without a corresponding increase in physical SAF delivery or claimable sustainability certificates at the airport concerned. The airline reported limited ability to verify the cost components underlying the surcharge.

2.3.2 Consequences

Airlines estimate sector-wide additional costs in excess of USD 1.3 billion in 2025² under current practices (May 2025). This additional cost does not benefit the decarbonisation of aviation or facilitate additional SAF deliveries. It does not necessarily correspond to incremental SAF deployment. During the interviews, it was assumed that this amount constitutes additional profit

² IATA, Chart of the Week - Excessive SAF Fees in the EU – a lost opportunity to abate 2.7 million tons of CO₂, <https://www.iata.org/en/iata-repository/publications/economic-reports/excessive-saf-fees-in-the-eu--a-lost-opportunity-to-abate-2.7-million-tonnes-of-co2>

for the mandated fuel supplier. These dynamics may divert airline funds from voluntary SAF offtake agreements or long-term decarbonisation investments.

Some airlines state they have addressed this behaviour with the competition authorities, but this has not led to any investigation or regulatory changes yet.

In one case, an airline agreed on a fixed SAF premium at a specific Union airport. During the reporting year, the supplier fulfilled its overall ReFuelEU obligation by allocating physical SAF volumes at other airports where prevailing SAF premiums were lower. However, the airline continued to pay the higher contracted premium at the original airport, without corresponding SAF delivery or certificate allocation at that location.

2.3.3 Amendment Options

A. Transparency Requirements:

Require breakdown of SAF surcharge components linked to verifiable volumes and recognised market indices.

B. Option for airlines to buy their own SAF / certificates

This option would enable the airline to exempt their supplier from the ReFuelEU mandate for a certain volume equivalent to the SAF / certificates purchased, and therefore the ability to reject the SAF / ReFuelEU compliance fee for that specific volume.

A regulated and harmonised Book & Claim mechanism should be introduced as a priority measure within the 2026 revision, as it could act as a counterweight to fuel suppliers' flexibility mechanism. Enabling aircraft operators to procure sustainable aviation fuel volumes or recognised sustainability certificates independently would address structural market asymmetries and ensure that SAF-related financial contributions translate into verifiable decarbonisation outcomes.

Such a mechanism should allow aircraft operators to deduct independently procured SAF volumes from the compliance obligation of the aviation fuel supplier at the relevant Union airport. For those volumes, suppliers should not be permitted to levy a ReFuelEU compliance surcharge. Airlines can therefore opt into the mandate fulfilment by surrendering their certificates to the supplier and thus relieving this supplier from buying SAF for their own mandate fulfilment. This would ensure cost transparency, prevent double charging, and strengthen competitive neutrality.

Implementation would require integration with a robust Union-level registry (e.g. the Union Database) under strict safeguards to prevent double counting and ensure full alignment with EU ETS accounting rules. The mechanism should be operationalised without delay to provide immediate legal certainty and market transparency.

Given the recurring concerns identified during consultations, the introduction of a harmonised EU Book & Claim framework, respecting the ETS proportionality principle, should be treated as a key structural reform and prioritised for rapid implementation.

C. Targeted Oversight of Dominant Position Behaviour

Strengthen structured market monitoring and transparency safeguards to enhance visibility of pricing dynamics and allocation patterns under ReFuelEU.

Rather than introducing direct price oversight, the objective should be to establish a structured reporting and monitoring framework capable of identifying emerging structural distortions at an early stage. While competition law remains applicable, it operates primarily through reactive, case-by-case investigations and high evidentiary thresholds. In a newly mandated and geographically concentrated SAF market, this may not provide sufficient ongoing transparency.

It would therefore be appropriate to introduce a dedicated transparency and monitoring mechanism within the ReFuelEU framework. This could require suppliers to report, on a periodic basis, aggregated data on SAF surcharge methodologies, allocation patterns across airports, and volume-price linkages. Such reporting could be reviewed by the Commission or another competent authority within its existing mandate, without conferring price-setting powers or interfering with established competition competences.

The purpose of such a mechanism would be preventive and informational — enhancing market visibility, identifying potential geographic imbalances or structural asymmetries, and complementing existing competition enforcement tools — rather than regulating price levels directly.

Article 10 overview – SAF Surcharge Transparency

Current Regulation	Proposed Amendment
<ul style="list-style-type: none">• No explicit transparency obligation for SAF compliance surcharges.• No structured reporting of surcharge methodologies.• Competition law applies only reactively.• No preventive monitoring mechanism.	<ul style="list-style-type: none">• Introduce explicit transparency obligation for SAF surcharges.• Require verifiable breakdown of cost components upon reasoned request.• Establish structured reporting and monitoring framework.• Ensure oversight enhances transparency without introducing price regulation.• Enable competent authorities to review surcharge methodologies.

Illustrative New Paragraph in Article 10

Where aviation fuel suppliers recover costs associated with compliance with this Regulation through a dedicated surcharge or separate line item, such surcharge shall be transparent, proportionate, non-discriminatory and objectively justified.

Upon reasoned request by the aircraft operator or the competent authority, aviation fuel suppliers shall provide a clear and verifiable breakdown of the elements underlying the surcharge, including, as applicable:

- *the volumes of sustainable aviation fuel attributed for compliance purposes;*
- *the locations to which the SAF has been delivered in fulfilment of the supplier's obligation;*
- *the reference prices or recognised market indices applied;*
- *logistics, blending and handling costs;*
- *the certificates, sustainability documentation or compliance units used to substantiate delivery.*

Member States shall ensure that such information may be reviewed by the competent authority for the purposes of verifying compliance with this Regulation.

3. Conclusion

Across the three focus areas, four cross-cutting findings emerge:

- **Disproportionate administrative burden relative to environmental impact**, particularly in relation to anti-tankering reporting and documentation reconciliation requirements;
- **Regulatory misalignment between ReFuelEU and EU ETS architectures**, creating financial burden despite compliance with SAF payment obligations;
- **Divergent national implementation and verifier practices**, reducing legal certainty; and
- **Limited transparency in SAF allocation and surcharge methodologies.**

These issues do not concern the environmental objective of the Regulation, but rather its operational mechanics and market architecture.

Measures suitable for a 2026 fast-track revision therefore include: a harmonised exemption catalogue under Article 5, quarterly and standardised documentation requirements under Article 9, strengthened digital interoperability, and enhanced transparency and monitoring safeguards. These adjustments are implementation-focused and can be operationalised without reopening the core SAF blending mandate.

More structural reforms — including expanded flexibility participation mechanisms and broader alignment with EU ETS architecture (to be revised in 2026) — may require consideration in the 2027 ReFuel EU review cycle.

The amendments proposed in this paper preserve the environmental ambition of ReFuelEU Aviation while strengthening proportionality, legal certainty, transparency and competitiveness across diverse operational models, including network, regional and high-frequency short-haul networks. By addressing early implementation frictions in a targeted manner, the 2026 revision can reinforce regulatory credibility and ensure that SAF-related financial flows translate into measurable and verifiable climate outcomes.