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COMMISSION RECOMMENDATION (EU) 2026/1834

of 20 July 2026

on optional model clauses developed pursuant to Regulation (EU) 2024/1787 of the European Parliament and of the Council on the reduction of methane emissions in the energy sector and amending Regulation (EU) 2019/942

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

(1) Article 28(3) of Regulation (EU) 2024/1787 of the European Parliament and of the Council [1] provides that the Commission shall issue recommendations containing optional model clauses related to the information to be provided for the purposes of Article 28(1) and (2) thereof.

(2) Article 28(1) of Regulation (EU) 2024/1787 requires importers to demonstrate and report, from 1 January 2027, that their supply contracts cover only crude oil, natural gas or coal produced under monitoring, reporting and verification measures equivalent to those set out in that Regulation.

(3) Pursuant to Article 28(1) of Regulation (EU) 2024/1787, that obligation applies to contracts concluded or renewed on or after 4 August 2024. As regards contracts concluded before that date, Article 28(2) of Regulation (EU) 2024/1787 states that importers have an obligation to undertake all reasonable efforts to require such equivalence at producer level in their contracts.

(4) The optional model clauses may be used by importers placing crude oil, natural gas and coal on the Union market who are in the process of modifying or renewing existing contracts or signing new contracts for the supply of crude oil, natural gas and coal.

(5) The optional model clauses are intended to promote fair, transparent and sustainable contractual practices, to provide a framework for the adjustment of contractual terms, to support compliance with Regulation (EU) 2024/1787 and to foster reliable supply of crude oil, natural gas, LNG or coal to the Union.

(6) In addition to the obligations concerning equivalence of measures, Article 27(1) of Regulation (EU) 2024/1787 requires importers to report, on an annual basis, methane emissions data and information from countries and companies exporting to the Union, including details on whether, and if so, how they are measuring, reporting and abating their methane emissions.

(7) Moreover, the first subparagraph of Article 29(1) of Regulation (EU) 2024/1787 requires importers to report, by 5 august 2028 and every year thereafter, on the methane intensity of the production of crude oil, natural gas and coal that they place on the Union market, according to a methodology to be set out by the Commission. The obligation set out in the first subparagraph of Article 29(1) of Regulation (EU) 2024/1787 applies to contracts concluded or renewed on or after the entry into force of the Regulation. As regards contracts concluded before that date, importers have an obligation of undertaking all reasonable efforts to report the methane intensity of the production of crude oil, natural gas and coal placed by them on the Union market.

[1] Regulation (EU) 2024/1787 of the European Parliament and of the Council of 13 June 2024 on the reduction of methane emissions in the energy sector and amending Regulation (EU) 2019/942 (OJ L, 2024/1787, 15.7.2024, ELI: http://data.europa.eu/eli/reg/2024/1787/oj).

(8) Article 29(2) of Regulation (EU) 2024/1787 requires importers to demonstrate that the methane intensity of the production of crude oil, natural gas and coal that they place on the Union market is below maximum values to be set by the Commission. As per Article 29(6) of Regulation (EU) 2024/1787, the methane intensity values are to be set by the Commission by way of delegated acts. Before setting intensity values, the Commission is tasked to assess the potential impact of various maximum methane intensity levels on both security of supply and the promotion of methane emission reductions, and to present a report to the European Parliament and to the Council in this regard. The Commission is required to set these values at levels that promote reductions of the global methane emissions in relation to the crude oil, natural gas and coal placed on the Union market, while preserving the security of energy supply at Union and national levels, ensuring a balanced distribution of the volumes of crude oil, natural gas and coal placed on the Union market as well as non-discriminatory treatment, and protecting the competitiveness of the Union's economy.

(9) To demonstrate compliance with the requirements set out in Article 27(1), Article 28(1) and (2), and Article 29(1) and (2) of Regulation (EU) 2024/1787, an importer must provide evidence to the competent authorities of the Member State designated pursuant to Article 4(1) of Regulation (EU) 2024/1787 in which it is established. Regulation (EU) 2024/1787 does not specify any concrete means or requirements for evidence of compliance. In particular, Regulation (EU) 2024/1787 does not require physical tracing of molecules, deliveries or cargoes.

(10) Where an importer has a direct relationship with a producer or can identify the producer through contractual relationships with intermediaries, evidence of compliance as well as any other information concerning, for instance, methane-measurement, reporting and verification can be transmitted by the producer down the supply chain, as part of or together with the contracts and/or the supply of physical energy, to the importer, and, ultimately, by the latter to the competent authorities of the relevant Member State.

(11) Where a direct or indirect relationship between the producer and importer is difficult or impossible to establish due, for instance, to the practice of mixing together different supplies of gas or oil for transport or storage, or because of trading through hubs or exchanges before export, importers can rely on different types of compliance solutions to provide evidence of compliance with the import requirements of Regulation (EU) 2024/1787.

(12) A type of compliance solution that Member State competent authorities, in situations set out in recital (11), can decide demonstrates compliance with the import requirements of Regulation (EU) 2024/1787 is known as 'trace and claim'. This approach tracks the transactions of crude oil, natural gas or coal down the supply chain from the production level to the importer, including through the various exchanges and trading hubs where the energy is bought and sold. In a 'trace and claim' type solution, the information related to the particular quantity of crude oil, natural gas or coal produced which is required from importers to provide evidence of compliance with Regulation (EU) 2024/1787 is either passed down the supply chain by contractual counterparties, or collected by compliance solution providers. That information follows the specific quantities of energy as they are passed down the supply chain together with the commercial transactions from the producer to the importer.

(13) Another type of compliance solution that Member State competent authorities, in situations set out in recital (11), can decide demonstrates compliance with the import requirements of Regulation (EU) 2024/1787 is known as 'certification'. Compliance solution providers issue certificates to producers of crude oil, natural gas or coal that have demonstrated evidence of compliance with the requirements of Regulation (EU) 2024/1787. These certificates, which contain, or are delivered together with, all the information necessary to demonstrate evidence of compliance with Regulation (EU) 2024/1787, can be obtained by importers as an alternative to providing evidence of either physical or contractual tracking and delivery of equivalent quantities of compliant energy placed on the Union markets.

(14) Compliance solutions should meet certain criteria as a minimum condition for Member State competent authorities to deem them suitable for use by importers to demonstrate compliance with the import requirements of Regulation (EU) 2024/1787 and in order to minimise the risk of fraudulent or multiple issuance or claims.

HAS ADOPTED THIS RECOMMENDATION:

(1) It is recommended that contracting parties use the optional model clauses set out in Section 2 of the Annex to this Recommendation in their contracts for the supply of crude oil, natural gas or coal to be placed on the Union market.

(2) It is recommended that Member State competent authorities promote the use of the model clauses set out in Section 2 of the Annex to this Recommendation.

(3) In cases where a direct or indirect relationship between the producer and the importer is difficult or impossible to establish, Member State competent authorities should recognise providers of compliance solutions known as 'trace and claim' and 'certification' as described in this Recommendation, to be used by obligated parties in order to help demonstrate compliance with the import requirements of Regulation (EU) 2024/1787. In such cases, Member State competent authorities should take due account of the criteria set out in Section 1 of the Annex to this Recommendation when assessing compliance of the information submitted by importers with the requirements of Regulation (EU) 2024/1787.

Done at Brussels, 20 July 2026.

For the Commission
Dan JØRGENSEN
Member of the Commission

ANNEX

Recognition of compliance solution providers, criteria applicable to compliance solutions and optional model clauses

Disclaimer

The information and guidance provided in this Annex are intended to support the efforts of economic operators with respect to obligations set out in Regulation (EU) 2024/1787. The proposed clauses are optional, non-binding model clauses.

1. **Recognition by Member State competent authorities of providers of compliance solutions and compliance criteria for compliance solutions**

For the purpose of part 1 of this Recommendation, the following definitions apply:

(a) 'Member State competent authority' means the relevant authority in the Member State where the importer is established, designated pursuant to Article 4(1) of Regulation (EU) 2024/1787.

(b) 'Document of compliance' means a document such as a certificate issued by a compliance solution provider for the purpose of providing written evidence that a quantity of crude oil, natural gas or coal placed on the Union market complies with the requirements of Regulation (EU) 2024/1787 and which either contains or is delivered together with the documents containing evidence of that compliance.

(c) 'Compliance solution provider/provider of compliance solution' means the entity that operates the compliance solution and issues documents of compliance to producers of crude oil, natural gas, or coal that have demonstrated compliance with the requirements of Regulation 2024/1787. The types of compliance solutions envisaged in this Recommendation are described in recitals 12 and 13.

(d) 'Issuance' means the act of creation of a document of compliance by a provider of a compliance solution after having established evidence of compliance by a producer in accordance with the relevant import requirements of Regulation (EU) 2024/1787.

(e) 'Claim' or 'claiming' means the act of provision to the relevant EU Member State Competent Authority of a document of compliance by an importer after purchase from a provider of a compliance solution or from a third party, for the purpose of demonstrating evidence of compliance in accordance with the relevant import requirements of Regulation (EU) 2024/1787.

In cases where a direct or indirect relationship between the producer and the importer is difficult or impossible to establish, in accordance with recital 11 of this Recommendation, Member State competent authorities should recognise providers of compliance solutions known as 'trace and claim' and 'certification', as described respectively in recitals 12 and 13 of this Recommendation, to be used by obligated parties in order to help demonstrate compliance with the import requirements of Articles 27(1), 28(1) and (2) and 29(1) and (2) of Regulation (EU) 2024/1787.

In such cases, Member State competent authorities should ensure that compliance solutions meet at least the following criteria in order to minimise the risk of fraudulent or multiple issuance or claims:

1. The information contained in, or provided together with, the documents of compliance supplied by importers should include at least the following elements:

   (i) registration/identification number and date of issuance of the document of compliance;

   (ii) period of validity of the document of compliance;

   (iii) the country of origin of the production of crude oil, natural gas or coal covered by the document of compliance;

   (iv) the identity and location of the production site as well as quantity of the crude oil, natural gas or coal produced covered by the document of compliance and the time period of production;

   (v) information proving compliance with the relevant import requirement(s) set out respectively for crude oil, natural gas or coal in Articles 27(1), 28(1) and (2) and 29(1) and (2) of Regulation (EU) 2024/1787.

2. Along with the documents of compliance, importers should submit all the information necessary to demonstrate producer-level compliance with Regulation (EU) 2024/1787.

3. While importers can combine different means of proving compliance for the quantities they place on the Union markets, they should not submit more documents of compliance, in terms of the quantities of energy that they represent, than the total quantities of the same type of energy that they have physically placed on the EU market in the relevant reporting period. In addition, the country of origin of production in the documents of compliance should match the country of origin of production of the crude oil, natural gas or coal physically placed on the Union market.

4. Providers of compliance solutions should set up a registry which includes at least all the information recommended under point 1 on all the documents of compliance that have been issued; in the case of certification, the registry should also provide information on when a certificate has been claimed. All of this information should be published. Confidential business information should not be published, but if needed should be submitted directly to the competent authority and shall be treated in accordance with Article 28(4) and Article 29(3) of Regulation (EU) 2024/1787.

5. Providers of compliance solutions should implement, and publish information on, the measures they have put in place to prevent double issuance and double claiming of documents of compliance.

6. Upon issuing each set of documents of compliance, providers of compliance solutions should systematically check the registry information of other providers of compliance solutions active in markets in which they are issuing documents of compliance in order to prevent that a proof of compliance for a volume of energy produced during a particular production period in a specific production site is being issued more than once to the same producer. Confirmation that such a check has been performed and that multiple issuance has been excluded should be included in, or provided together with, the document of compliance. The risk of double issuance would in addition be greatly reduced if providers of compliance solutions required producers to use only one compliance solution provider for each production site.

7. Documents of compliance should be claimed only once by an importer, and once claimed, information related to the claim should be conveyed by the importer to the provider of compliance solutions to be included in the public part of the registry and the certificate no longer available to be claimed a second time by the same or by another importer.

8. Providers of compliance solutions should be legally and functionally independent from any entity engaged in activities of energy production, supply, distribution, or transmission and import of crude oil, natural gas or coal or from any other entity with which it may have a conflict of interest, i.e. each provider of a compliance solution should be a legally distinct entity which operates with full impartiality and is organised in an independent manner in terms of corporate governance and internal organisation of activities, including separation of accounts.

9. In the case when the crude oil, natural gas or coal imported into the Union transits through one or more third country before final delivery into the Union, importers wishing to use certificates to demonstrate compliance with Regulation (EU) 2024/1787 should provide evidence of the prior import of those quantities to the EU via these third countries.

10. Documents explaining the functioning of the compliance solution offered by the provider of compliance solutions, and a description of the methodology that it has developed to ascertain compliance with the requirements of Regulation (EU) 2024/1787, should be published. This should include information on the functioning and rules of the compliance solution, the responsibilities and requirements incumbent on all actors involved in the use of the solution (such as the providers of compliance solutions, the producers seeking proof of compliance, the importers supplying documents of compliance to demonstrate compliance with Regulation (EU) 2024/1787 as well as any intermediaries) and references to relevant provisions of Regulation (EU) 2024/1787, including the requirements that producers have to meet to achieve compliance with it.

11. Documents of compliance should be issued in accordance with point 1 of this Annex to interested producers only after an external, third-party audit for conformity with the requirements of the compliance solution has been successfully completed and a statement of audit has been produced.

12. Once a Member State competent authority recognises a type of compliance solution as compliant with Regulation (EU) 2024/1787, such recognition of type of compliance solution should remain valid as long as the terms of that compliance solution are not materially changed. Providers of compliance solutions should inform the Member State competent authority that has recognised the compliance solution about any changes to the terms of the compliance solution at least on an annual basis. Member State competent authorities have the right to revoke the recognition subject to an assessment and with a reasonable notice period. Recognition of a compliance solution provider by one Member State competent authority should be taken into account by the other Member State competent authorities.

13. Documents of compliance should be valid at the time of demonstrating compliance with EU Member Sate competent authorities and their period of validity should be in accordance with the reporting obligations of the relevant import requirement of Regulation (EU) 2024/1787 for which the document of compliance is being used and should in any case not exceed 24 months from the beginning of the period of production covered in the document of compliance.

14. In the specific case of import requirements under Regulation (EU) 2024/1787 which require independent third party verification of methane emissions reports, compliance solution providers should not discriminate between different verifiers that have been accredited in accordance with Article 9 of that Regulation.

2. **Model clauses**

Clause 1 – Obligations of the final buyer

Commentary: A contractual chain can include several sellers and onward buyers until the final buyer. This clause pertains to the final buyer. The other clauses may still be used, with the necessary adjustments, by sellers and onward buyers.

The Parties acknowledge that the final buyer is considered an 'importer' within the meaning of Regulation (EU) 2024/1787, when placing [crude oil/natural gas/LNG/coal] originating from a third country on the Union market, and in these cases obliged to carry out acts and formalities required under Chapter 5 of that Regulation.

Clause 2 – Disclosure of information

The seller acknowledges that the information the buyer receives from the seller and is legally bound to transmit to a competent authority pursuant to Articles 27 to 29 and Annex IX of Regulation (EU) 2024/1787 may be shared by that competent authority or respective Member State with the European Commission and may be subsequently published in the Commission's methane transparency database and as part of the methane performance profiles established by the Commission pursuant to that Regulation.

The seller waives any non-disclosure obligation applicable under this contract to the buyer, in relation to that information and solely to enable the buyer to ensure compliance with the obligations set out under Regulation (EU) 2024/1787.

Clause 3 – Proof of compliance

Commentary: This clause contains several options to cater for contracts concluded or renewed on or after 4 August 2024 and in force on or after 1 January 2027 (Article 28(1) of Regulation (EU) 2024/1787) and contracts concluded or renewed before 4 August 2024 and in force on or after 1 January 2027 (Article 28(2) of Regulation (EU) 2024/1787).

Clause 3(3) applies only to contracts concluded or renewed before 4 August 2024 and in force on or after 1 January 2027.

Clauses 3(1) and 3(2) apply to contracts concluded or renewed on or after 4 August 2024 and in force on or after 1 January 2027. For contracts concluded or renewed before 4 August 2024 and in force on or after 1 January 2027, see footnotes of those clauses.

1. From 1 January 2027, the seller undertakes to demonstrate and report ([1]) to the buyer that [crude oil/natural gas/LNG/coal] originating from a third country which is supplied under this contract and intended to be placed on the Union market is subject to monitoring, reporting and verification measures applied by producer(s) that are equivalent to those set out in [for crude oil, natural gas/LNG: Article 28(5), point (a) and Article 28(5), point (a)(i)] [for coal: Article 28(5), point (a) and Article 28(5), point (a)(ii)] of Regulation (EU) 2024/1787.

2. For the purposes of paragraph 1, the seller undertakes to provide a document of compliance ([2]) by [date before 31 May 2028, to be determined by the Parties] ([3]) in relation to the [crude oil/natural gas/LNG/coal] supplied from 1 January 2027 and subsequently annually by [date before 31 May, to be agreed by the Parties] of the following year in relation to the [crude oil/natural gas/LNG/coal] supplied in the preceding calendar year.

3. Where the seller wholly or partially fails to provide the information pursuant to paragraph 1 by the deadline indicated in paragraph 2, the seller undertakes to provide the buyer with sound justification setting out all reasonable efforts deployed to obtain and provide the information to the buyer. That sound justification shall be provided not later than by [date to be agreed by the Parties, but not later than by (...) to allow for timely reporting under Regulation (EU) 2024/1787].

Clause 4 – Non-application of Clause 3 for commodity of certain origin

1. The seller is to be released from undertaking the obligations set out in Clause 3 only in relation to the [crude oil/natural gas/LNG/coal] supplied under this contract which is solely produced in a country outside the European Union which is recognised by an act of the European Commission as having in place a system of monitoring, reporting and verification measures deemed equivalent to that of the Union pursuant to Article 28(6) of Regulation (EU) 2024/1787, for as long as that act is in force in the Union.

The buyer will provide the relevant European Commission act to the seller upon its publication in the Official Journal of the European Union.

The seller will be released from undertaking the obligations set out in Clause 3 upon providing written evidence confirming the place of production of [crude oil/natural gas/LNG/coal].

2. The obligations set out in Clause 3 will continue to apply to [crude oil/natural gas/LNG/coal] of any other origin not meeting the conditions set out in paragraph 1.

([1]) For contracts concluded or renewed before 4 August 2024 and in force on or after 1 January 2027: 'From 1 January 2027, the seller undertakes all reasonable efforts to demonstrate and report to the buyer...'.

([2]) Idem, this commitment should be based on all reasonable efforts for contracts concluded before 4 August 2024 and in force on or after 1 January 2027.

([3]) The date by which the seller should provide the information should fall at the latest in early Q2 of the calendar year in which the buyer is due to report to the EU national competent authority. Advance provision of information in the reporting calendar year should enable the buyer to receive all information in good time and, if need be, cross-check it ahead of the reporting deadline of 31 May of every year, set by Article 27(1) of Regulation (EU) 2024/1787. Accordingly, the seller should, by a date in early Q2 2028, provide information on the commodity supplied in the entire year 2027, and so forth. Importers are required to comply with Article 28(1) and (2) from 1 January 2027. Therefore, companies are encouraged to report by 31 May 2027 on the [crude oil/natural gas/LNG/coal] supplied as from 1 January 2027 under contracts in force on or after that date.