



20 August 2018

Commissioner Violeta Bulc
 European Commission
 Rue de la Loi 200
 1049 Brussels
 Belgium

Commissioner Miguel Arias Cañete
 European Commission
 Rue de la Loi 200
 1049 Brussels
 Belgium

CORSIA & implementation of Annex 16 to the Chicago Convention in EU Member States

Dear Commissioner Bulc, dear Commissioner Cañete,

Our associations warmly welcome the adoption by the ICAO Council in June of the international standards and recommended practices (SARPs) for the implementation of ICAO's Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). We thank the European Commission and European Governments for their role in facilitating the adoption of the SARPs and in ensuring they establish a robust set of rules for the monitoring, reporting and verification of emissions from 1 January 2019 and for compliance with offsetting requirements from 1 January 2021.

For the airline industry, it is fundamental that the SARPs were adopted as the new Volume IV of Annex 16 to the Chicago Convention as this will ensure the necessary level of uniformity in regulations which our industry needs and which is recognized by both Article 37 of the Chicago Convention and ICAO Assembly Resolution A39-22. Uniformity is not only key to prevent market distortions, but also to preserve the environmental integrity of CORSIA.

We, therefore, expect that Annex 16, Volume IV, will be implemented in Europe to monitor and report emissions from international aviation and would be extremely concerned if European States were to implement CORSIA on the basis of requirements which differ in any respect from Annex 16, Volume IV. This would be perceived by other States as a disavowal of the SARPs and send the signal that uniformity is not important. The precedent would be particularly damaging given the very active participation of European experts in the development of the SARPs, at the technical and political levels.

Therefore, we strongly urge the European Commission to take all necessary measures to ensure Annex 16, Volume IV is implemented in Europe in its entirety and for all flights subject to CORSIA, including international flights to/from and between States in the European Economic Area. To prevent an unnecessary administrative burden for both authorities and operators, we strongly believe that the EU ETS MRV requirements for international flights must be aligned with the CORSIA SARPs. If the EU ETS MRV requirements were not aligned with Annex 16, Volume IV, operators and authorities in Europe would have to administer and comply with two schemes in parallel, using two sets of rules to monitor, report and verify emissions.

The SARPs have been the fruit of several years of technical work in ICAO and are just as robust as the EU ETS MRV. Aligning EU ETS MRV requirements with Annex 16, Volume IV would not raise any significant difficulties as the SARPs have been developed on the basis of the experience gained under EU ETS and with the same guiding principles. In your joint statement of 28 June 2018, you also noted the central role of the European Union and its Member States in the development and adoption of the SARPs.

Also, with due respect, non-EU States almost certainly would expect that the international flights of their operators would be addressed under the SARPs MRV provisions rather than under both the SARPs and an EU-specific system.

While the priority is the full implementation of Annex 16, Volume IV in Europe to support the SARPs MRV provisions due to commence on 1 January 2019, we are also concerned by the overlapping compliance requirements between EU ETS and CORSIA from 2021. Whilst we understand the political reasons that led to the decision to put a time limit (31 December 2023) to the derogation adopted last year (EU Regulation 2017/2392), we stress the fact that the implementation of CORSIA from 1 January 2021 obviates the need for existing and new economic measures to be applied to international aviation emissions on a regional or national basis.

As emphasized in the preamble of ICAO Assembly Resolution 39-3, Member States of ICAO and the industry strongly support a global solution for emissions from international aviation, as opposed to a patchwork of State and regional market-based measures. The European Commission also expressed its support for a global market-based measure, which it described as a “historic milestone” and which it viewed as the fruit of the “EU’s commitment and perseverance to find a global solution.” (European Commission, Press release of 7 October 2016).

The ICAO Assembly notably unanimously recognized the principle that “MBMs should not be duplicative and international aviation CO₂ emissions should be accounted for only once” (Annex to Resolution 39-2; no reservations were filed against this principle). Consequently, at the European level, all international flights to/from/between airports in the EEA should be subject exclusively to CORSIA and removed from the scope of the EU ETS as from 1 January 2021.

If the EU were to attempt to exclude international intra-EEA flights from the application of CORSIA or subject international flights to both EU ETS and CORSIA, this would set a very damaging precedent, compromising the implementation of CORSIA. Indeed, this would give the signal that other groups of countries could also derogate from CORSIA by implementing regional or bilateral agreements. Such arrangements may not offer the same environmental benefits as CORSIA and the EU ETS and would result in a “patchwork” of regulatory measures. This is precisely the situation which all parties have sought to avoid through the adoption of a global mechanism in ICAO.

Our associations and the broader airline industry are fully committed to CORSIA and we are now in a crucial period of preparation for CORSIA's implementation. We believe European States should continue to play a key role in addressing aviation's emissions by being amongst the first to implement Annex 16, Volume IV, without differences.

We therefore hope we can count on your commitment to ensure European States meet their commitments under the Chicago Convention and implement Annex 16, Volume IV in its entirety from 1 January 2019.

Yours sincerely,

African Airlines Association (AFRAA)

Mr. Abderahmane Berthé, Secretary General

Airlines Association of Southern Africa (AASA)

Mr. Chris Zweigenthal, Chief Executive Officer

Airlines for America (A4A)

Ms. Nancy Young, Vice President Environmental Affairs

Airlines for Europe (A4E)

Mr. Thomas Reynaert, Managing Director

Airlines International Representation in Europe (AIRE)

Ms. Sylviane Lust, Director General

Arab Air Carriers Organization (AACO)

Mr. Abdul Wahab Teffaha, Secretary General

Association of Asia Pacific Airlines (AAPA)

Mr. Andrew Herdman, Director General

European Express Association (EEA)

Mr. Mark van der Horst, Chair

European Regions Airline Association (ERAA)

Ms. Montserrat Barriga, Director General

International Air Transport Association (IATA)

Mr. Alexandre de Juniac, Director General & CEO

Latin American and Caribbean Air Transport Association (ALTA)

Mr. Luis Felipe de Oliveira, Executive Director