



**2021/0207(COD)**

18.2.2022

# **AMENDMENTS**

## **26- 185**

**Draft report**

**Sunčana Glavak**

(PE703.137v01-00)

Proposal for a Directive of the European Parliament and the Council amending Directive 2003/87/EC as regards aviation's contribution to the Union's economy-wide emission reduction target and

Proposal for a directive

(COM(2021)0552 – C9-0319/2021 – 2021/0207(COD))

AM\_Com\_LegReport

## **Amendment 26**

**Anna Zalewska**

### **Draft legislative resolution Citation 2**

#### *Draft legislative resolution*

— having regard to Article **294(2)** and Article **192(1)** of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0319/2021),

#### *Amendment*

— having regard to Article **294(3)** and Article **192(2)** of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0319/2021),

Or. en

## **Amendment 27**

**Anna Zalewska**

### **Proposal for a directive Citation 1**

#### *Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article **192(1)** thereof,

#### *Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article **192(2)** thereof,

Or. en

#### *Justification*

*Article 192 paragraph 1 of the TFEU is an inaccurate legal basis. Article 192 paragraph 2 of the TFEU is better suited to be the legal basis for this proposal as it concerns provisions "of a fiscal nature" which the EU ETS is.*

## **Amendment 28**

**Bas Eickhout**

### **Proposal for a directive Recital 1**

(1) Directive 2003/87/EC of the European Parliament and of the Council<sup>10</sup> established a system for greenhouse gas emission allowance trading within the Union, in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner. **Aviation activities** were included in the EU emissions trading system by Directive 2008/101/EC of the European Parliament and of the Council<sup>11</sup>.

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<sup>10</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

<sup>11</sup> Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (OJ L 8, 13.1.2009, p. 3).

(1) Directive 2003/87/EC of the European Parliament and of the Council<sup>10</sup> established a system for greenhouse gas emission allowance trading within the Union, in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner. **Emissions from all flights arriving at and departing from Union aerodromes** were included in the EU emissions trading system by Directive 2008/101/EC of the European Parliament and of the Council<sup>11</sup>. **The Court of Justice of the European Union ruled in its judgment of 21 December 2011<sup>1a</sup> that the inclusion of aviation activities in the EU ETS pursuant to that Directive does not violate international law. Flights with origin from or destination to Member States are intrinsic part of the socio-economic activity of the Union and their emissions should therefore be accounted as such.**

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<sup>1a</sup> **Judgment of the Court of Justice of 21 December 2011, Air Transport Association of America and Others v. Secretary of State for Energy and Climate Change, C-366/10, ECLI:EU:C:2011:864.**

<sup>10</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

<sup>11</sup> Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (OJ L 8, 13.1.2009, p. 3).

**Amendment 29****Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland****Proposal for a directive****Recital 1***Text proposed by the Commission*

(1) Directive 2003/87/EC of the European Parliament and of the Council<sup>10</sup> established a system for greenhouse gas emission allowance trading within the Union, in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner. Aviation activities were included in the EU emissions trading system by Directive 2008/101/EC of the European Parliament and of the Council<sup>11</sup>.

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<sup>10</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

<sup>11</sup> Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (OJ L 8, 13.1.2009, p. 3).

*Amendment*

(1) Directive 2003/87/EC of the European Parliament and of the Council<sup>10</sup> established a system for greenhouse gas emission allowance trading within the Union, in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner. Aviation activities ***related to all flights departing from or arriving at an aerodrome in the Union*** were included in the EU emissions trading system by Directive 2008/101/EC of the European Parliament and of the Council<sup>11</sup>.

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<sup>10</sup> Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

<sup>11</sup> Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (OJ L 8, 13.1.2009, p. 3).

**Amendment 30****Silvia Modig**

**Proposal for a directive**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1a)** *The Union's climate and environmental policy should be implemented in line with the principle of a fair and just transition that leaves no one behind. In addition, pursuant to Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), Union policy on the environment is to aim at a high level of protection taking into account the diversity of situations in the various regions of the Union, and is to be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay.*

Or. en

**Amendment 31**  
**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1a)** *In April 2013, the Union, under international pressure, discontinued the enforcement of certain provisions of Directive 2008/101/EC by introducing the so-called 'stop the clock' derogation, which excluded all extra-EU flights from the EU ETS. The derogation was put in place in order for the International Civil Aviation Organization (ICAO) to establish a global agreement on regulating international aviation emissions, and it has been extended twice, first until 2017 and subsequently until 2023.*

Or. en

**Amendment 32**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) In order to facilitate progress at the ICAO on the establishment of a global framework for emissions reductions from international aviation, the Union adopted a number of time-bound derogations to the EU ETS to limit compliance obligations to emissions from flights between aerodromes situated in the European Economic Area. The last derogation, introduced by Regulation (EU) 2017/2392, applies until the year 2023.***

Or. en

**Amendment 33**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 2**

*Text proposed by the Commission*

*Amendment*

(2) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission

(2) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. ***By adopting the Glasgow Climate Pact in November 2021, its Parties recognised that keeping the increase in the global***

reductions, including international aviation.

*average temperature to 1,5°C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and committed to strengthen their 2030 targets by the end of 2022 in order to accelerate climate action in this critical decade and to close the ambition gap with the 1,5°C target.* In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission reductions, including international aviation, *which is one of the fastest growing sources of greenhouse gas emissions. Between 1990 and 2018, total EU aviation emissions grew from 1,5% of EU emissions to 3,6%, not accounting for non-CO2 emissions. In 2018, Eurocontrol projected an annual increase in European aviation emissions by 53% by 2040 compared to 2017. Even though the COVID-19 pandemic impacts air travel demand, this does not seem to significantly impact the dominant upward trend<sup>1a</sup>.*

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<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

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<sup>1a</sup> Eurocontrol. 2018. *European aviation until 2040: Challenges of Growth*. Available at: [https://www.eurocontrol.int/sites/default/files/2019-07/challenges-of-growth-2018-annex1\\_0.pdf](https://www.eurocontrol.int/sites/default/files/2019-07/challenges-of-growth-2018-annex1_0.pdf).

<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

Or. en

#### **Amendment 34**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

##### **Recital 2**

*Text proposed by the Commission*

(2) The Paris Agreement, adopted in

*Amendment*

(2) The Paris Agreement, adopted in



December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission reductions, including international aviation.

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<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. ***Given that experts’ estimations, announced during the 2021 United Nations Climate Change Conference (COP26), held in Glasgow from 31 October to 13 November 2021, indicate that the world is on a path to experiencing an average temperature increase of between 1,8°C and 2,4°C, the Parties agreed in their conclusions of COP26 to revisit their commitments, as necessary, by the end of 2022 to be back on track to limit global warming to 1,5°C.*** In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission reductions, including international aviation.

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<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

Or. en

## **Amendment 35**

### **Silvia Modig**

#### **Proposal for a directive**

#### **Recital 2**

##### *Text proposed by the Commission*

(2) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have

##### *Amendment*

(2) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)<sup>12</sup>. The parties to the Paris Agreement have

agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission reductions, including *international* aviation.

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<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels, *while reflecting equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances*. In order to achieve the objectives of the Paris Agreement, all sectors of the economy need to contribute to achieving emission reductions, including aviation. *However, current measures to reduce emissions of the sector have been inadequate and lacked environmental integrity.*

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<sup>12</sup> Paris Agreement (OJ L 282, 19.10.2016, p. 4).

Or. en

## **Amendment 36**

**Silvia Modig**

### **Proposal for a directive**

**Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) Before the COVID-19 pandemic, Eurocontrol had projected an annual increase in European aviation emissions by 53% by 2040 compared to 2017. Before the COVID-19 crisis, ICAO had estimated that, by 2040, international aviation emissions could rise by up to 150% compared to 2020. The Communication of 11 December 2019 on The European Green Deal<sup>1a</sup> clearly states that a 90% reduction by 2050 relative to 1990 levels for transport emissions is needed to achieve climate neutrality, recognising that aviation will need to contribute to this goal. Furthermore, in the public consultation on updated rules for aviation***

***EU ETS, 91% of respondents agree that aviation should contribute more to climate actions.***

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***1a COM(2019) 640 final***

Or. en

**Amendment 37**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Recital 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***(2a) Aviation accounts for 2-3 % of total human-induced CO2 emissions globally, positioning the sector, if it were a state, within the top ten world emitters. In the Union, direct emissions from aviation account for 3,7 % of total CO2 emissions. The aviation sector generates 15,7 % of the emissions from transport, making it the second biggest source of transport greenhouse gas emissions after road transport. While emissions from stationary sectors covered by the EU ETS have decreased by almost 20 % since 2013, aviation emissions have increased by almost 28 %.***

Or. en

*Justification*

*Transport&Environment. 2020. Emission Trading System - Aviation: T&E Feedback on Inception Impact Assessment. Available at: <https://www.transportenvironment.org/wp-content/uploads/2021/07/ETS%20IIA%20-%20T&E%20feedback%20attachement.pdf>.*

**Amendment 38**

**Silvia Modig**

**Proposal for a directive**  
**Recital 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**(2b)** *The urgency of not exceeding the Paris Agreement goal of 1,5 °C has become more significant following the findings of the Intergovernmental Panel on Climate Change (IPCC) in its reports of 8 October 2018 entitled ‘Global warming of 1,5°C’ and of 7 August 2021 entitled ‘Climate Change 2021: The Physical Science Basis’. The IPCC found that the consequences of climate change are far more destructive if global warming is failed to delimit to 1,5 °C and reaches 2°C. In addition, global temperature will reach or exceed the 1,5 °C mark earlier than previously anticipated, namely averaging over the next 20 years. It also found that unless there are immediate and ambitious reductions in greenhouse gas emissions, it will no longer be possible to limit global warming to close to 1,5 °C or even 2°C.*

Or. en

**Amendment 39**  
**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**(2b)** *While the COVID-19 pandemic caused a temporary reduction of aviation traffic, existing pre-COVID-19 pandemic projections point to an annual increase in aviation emissions at global and Union level by 150 % by 2040, compared to 2020, and by 53 % by 2040, compared to 2017, respectively.*

Or. en

## *Justification*

*Eurocontrol. 2018. European aviation until 2040: Challenges of Growth. Available at: [https://www.eurocontrol.int/sites/default/files/2019-07/challenges-of-growth-2018-annex1\\_0.pdf](https://www.eurocontrol.int/sites/default/files/2019-07/challenges-of-growth-2018-annex1_0.pdf). ICAO. 2019. Trends in Emissions that affect Climate Change. Available at: [https://www.icao.int/environmental-protection/Pages/ClimateChange\\_Trends.aspx](https://www.icao.int/environmental-protection/Pages/ClimateChange_Trends.aspx).*

### **Amendment 40**

**Silvia Modig**

#### **Proposal for a directive**

##### **Recital 2 c (new)**

*Text proposed by the Commission*

*Amendment*

**(2c) In its resolution of 28 November 2019 on the climate and environment emergency<sup>2a</sup>, the European Parliament urged the Commission to take immediate and ambitious action to limit global warming to 1,5°C and to avoid massive biodiversity loss, including by addressing inconsistencies in current Union policies with the climate and environment emergency and by ensuring that all relevant future legislative and budgetary proposals are fully aligned with the objective of limiting global warming to under 1,5°C and that they do not contribute to biodiversity loss.**

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<sup>2a</sup> **P9\_TA(2019)0078**

Or. en

### **Amendment 41**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

##### **Recital 2 c (new)**

*Text proposed by the Commission*

*Amendment*

**(2c) Swift policy action is therefore**

*needed in order to regulate aviation emissions at Union and global level by increasing the level of ambition through the use of carbon pricing tools based on environmental integrity and the efficient interplay between the global and Union market-based instruments that ensure aviation's contribution to economy-wide emissions reduction.*

Or. en

**Amendment 42**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 2 d (new)**

*Text proposed by the Commission*

*Amendment*

*(2d) The need for urgent action is further intensified by the increase in the frequency and intensity of extreme weather conditions as a direct result of climate change. According to the United Nations Office for Disaster Risk Reduction, the number of disasters recorded and the scale of economic losses have nearly doubled in the last 20 years, much of which increase corresponds to the significant rise in the number of climate-related disasters that pose a significant threat to human health. Furthermore, in its resolution 48/13 of 8 October 2021, the UN Human Rights Council recognised right to a safe, clean, healthy and sustainable environment as a human right.*

Or. en

**Amendment 43**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 2 e (new)**

*Text proposed by the Commission*

*Amendment*

**(2e) By adopting the Glasgow Climate Pact in the United Nations Climate Change Conference (COP26) in November 2021, its Parties recognised that limiting the increase in the global average temperature to 1,5 °C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and committed to strengthen their 2030 targets by the end of 2022 to close the ambition gap.**

Or. en

**Amendment 44**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 2 f (new)**

*Text proposed by the Commission*

*Amendment*

**(2f) The Union should therefore address this urgency by stepping up its efforts and establishing itself as an international leader in the fight against climate change, while reflecting the principles of equity and of common but differentiated responsibilities and respective capabilities, as laid down in Article 2(2) of the Paris Agreement.**

Or. en

**Amendment 45**  
**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 3**

(3) The International Civil Aviation Organization (ICAO) Council adopted the First Edition of the International Standards and Recommended Practices on Environmental Protection - Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (Annex 16, Volume IV to the Chicago Convention) at the tenth meeting of its 214th session on 27 June 2018. The Union and its Member States ***continue to support CORSIA and are committed to*** implement ***it*** from the start of the pilot phase 2021-2023<sup>13</sup>.

(3) The International Civil Aviation Organization (ICAO) Council adopted the First Edition of the International Standards and Recommended Practices on Environmental Protection - Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (Annex 16, Volume IV to the Chicago Convention) at the tenth meeting of its 214th session on 27 June 2018. The Union and its Member States implement ***CORSIA*** from the start of the pilot phase 2021-2023<sup>13</sup>. ***However, in terms of its effectiveness in reaching the goals of the Paris Agreement as well as the Union's climate targets, CORSIA's level of ambition for the international aviation sector is not in line with the global level of ambition required to keep within the temperature goals of the Paris Agreement<sup>3a</sup>. The Union and its Member States should therefore be actively involved in climate diplomacy with the purpose of increasing the coverage of CORSIA and improving its environmental integrity, thereby ensuring that it effectively reduces aviation emissions. It is also important that the enforceability and the public access to information linked to CORSIA be improved.***

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<sup>13</sup> Council Decision (EU) 2020/954 of 25 June 2020 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization as regards the notification of voluntary participation in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) from 1 January 2021 and the option selected for calculating aeroplane operators' offsetting

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<sup>3a</sup> ***Assessment of ICAO's global market-based measure (CORSIA) pursuant to Article 28b and for studying cost pass-through pursuant to Article 3d of the EU ETS Directive.***

<sup>13</sup> Council Decision (EU) 2020/954 of 25 June 2020 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization as regards the notification of voluntary participation in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) from 1 January 2021 and the option selected for calculating aeroplane operators' offsetting



requirements during the 2021-2023 period  
(OJ L 212, 3.7.2020, p. 14).

requirements during the 2021-2023 period  
(OJ L 212, 3.7.2020, p. 14).

Or. en

## **Amendment 46**

**Bas Eickhout**

### **Proposal for a directive**

#### **Recital 3**

##### *Text proposed by the Commission*

(3) The International Civil Aviation Organization (ICAO) Council adopted the First Edition of the International Standards and Recommended Practices on Environmental Protection - Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (Annex 16, Volume IV to the Chicago Convention) at the tenth meeting of its 214th session on 27 June 2018. The Union and its Member States ***continue to support CORSIA and are committed to implement it from the start of the*** pilot phase 2021-2023<sup>13</sup>.

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<sup>13</sup> Council Decision (EU) 2020/954 of 25 June 2020 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization as regards the notification of voluntary participation in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) from 1 January 2021 and the option selected for calculating aeroplane operators' offsetting requirements during the 2021-2023 period (OJ L 212, 3.7.2020, p. 14).

##### *Amendment*

(3) The International Civil Aviation Organization (ICAO) Council adopted the First Edition of the International Standards and Recommended Practices on Environmental Protection - Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (Annex 16, Volume IV to the Chicago Convention) at the tenth meeting of its 214th session on 27 June 2018. The Union and its Member States ***participate in the*** CORSIA pilot phase 2021-2023<sup>13</sup>.

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<sup>13</sup> Council Decision (EU) 2020/954 of 25 June 2020 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization as regards the notification of voluntary participation in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) from 1 January 2021 and the option selected for calculating aeroplane operators' offsetting requirements during the 2021-2023 period (OJ L 212, 3.7.2020, p. 14).

Or. en

## **Amendment 47**

**Silvia Modig**

**Proposal for a directive**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) In its resolution of 21 October 2021 on the 2021 UN Climate Change Conference in Glasgow, UK (COP26)<sup>3a</sup>, the European Parliament highlighted the fact that the transport sector is the only sector in which emissions at EU level have risen since 1990 and that this is not compatible with a long-term climate neutrality objective, which requires bigger and faster reductions in emissions from all sectors of society, including the aviation. The European Parliament also expressed concerns of the slow progress achieved in the ICAO in addressing emissions from international aviation and called on the Commission and the Member States to do their utmost to strengthen CORSIA and to support the adoption by the ICAO of a long-term goal to reduce in-sector emissions. In addition, the European Parliament stated that measures should be implemented at international, regional and national level, to reduce emissions from the sector, including non-CO2 impacts from aviation. The European Parliament also reiterated that in this context the need to regulate the sector under the EU emissions trading system (EU ETS), which could also serve as a role model for the parallel work, supporting the higher global ambition at international level, including in the ICAO. Furthermore, the European Parliament called on the Commission and the Member States to do their utmost to strengthen CORSIA and to support the adoption by the ICAO of a long-term goal to reduce in-sector emissions while safeguarding the Union's legislative autonomy in implementing the EU ETS Directive.***

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Or. en

**Amendment 48**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) With a view to strengthening the CORSIA provisions and contributing to the scheme's improvements and adjustments, the Council should adopt a decision on the position to be taken on behalf of the Union at the 41st ICAO Assembly to be held from 27 September to 7 October 2022. In the context of the first CORSIA periodic review, in its position the Union should promote a long-term reduction goal, a global carbon-pricing scheme, strong sustainability criteria for offsets, CORSIA's environmental integrity, its effectiveness in aviation emissions reduction, wide international participation, enforcement of its provisions, and public access to information related to operations under CORSIA.***

Or. en

**Amendment 49**

**Silvia Modig**

**Proposal for a directive**

**Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***(3b) A report, commissioned by the European Commission, of September 2020 entitled 'Assessment of ICAO's***

*global market-based measure (CORSIA) pursuant to Article 28b and for studying cost pass-through pursuant to Article 3d of the EU ETS Directive' by ICF Consulting, Air Transportation Analytics, New Climate Institute, Cambridge Econometrics, HFW and Sven Starckx highlighted the severe shortcomings of ICAO's CORSIA scheme. The report stated that there are a number of features of CORSIA, which imply its level of ambition for the international aviation sector is misaligned with, and weaker than the global level of ambition required to keep within the temperature goals of the Paris Agreement. In addition, the report stated that leaving all international aviation outside the scope of the EU ETS would risk undermining these objectives and weakening current EU climate policies. The report also found that there is a risk the CORSIA scheme may only provide a limited climate benefit compared to the case in which international aviation emissions remain unregulated. Out of all considered policy options in the report, CORSIA foresaw the largest growth to emissions and weakest macroeconomic outcomes, whereas full scope of EU ETS was seen to deliver the biggest climate benefits with relatively low cost impact, while providing positive effects on employment and economy under the parameters used in the study. Furthermore, the report pointed to questionable criteria, low price and oversupply of offsetting credits, lack of participation of high emitting countries and problems in transparency and enforceability. A large body of other reports, academic studies and expert have drawn similar conclusions of the lack effectiveness and integrity of ICAO's CORSIA scheme.*

Or. en

**Amendment 50**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 4**

*Text proposed by the Commission*

(4) In line with Council Decision (EU) 2018/2027<sup>14</sup>, Member States notified the ICAO Secretariat of differences between CORSIA and the EU ETS. The objective was to preserve the Union acquis and future policy space, as well as the Union level of climate ambition and the exclusive roles of the European Parliament and Council in deciding the contents of Union legislation. Following the adoption of this amendment to Directive 2003/87/EC, the notification of differences between CORSIA and the EU ETS to the ICAO Secretariat should be updated to reflect the revisions made to Union law.

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<sup>14</sup> Council Decision (EU) 2018/2027 of 29 November 2018 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization in respect of the First Edition of the International Standards and Recommended Practices on Environmental Protection — Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (OJ L 325, 20.12.2018, p. 25).

*Amendment*

(4) In line with Council Decision (EU) 2018/2027<sup>14</sup>, Member States notified the ICAO Secretariat of differences between CORSIA and the EU ETS. The objective was to preserve the Union acquis and future policy space, as well as the Union level of climate ambition and the exclusive roles of the European Parliament and Council in deciding the contents of Union legislation. Following the adoption of this amendment to Directive 2003/87/EC, the notification of differences between CORSIA and the EU ETS to the ICAO Secretariat should be updated to reflect the revisions made to Union law. ***However, the implementation of CORSIA or other relevant international agreements must not undermine the Union's competence to regulate its share of emissions from aviation in line with the obligations of the Paris Agreement, especially by applying the EU ETS to air travel.***

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<sup>14</sup> Council Decision (EU) 2018/2027 of 29 November 2018 on the position to be taken on behalf of the European Union within the International Civil Aviation Organization in respect of the First Edition of the International Standards and Recommended Practices on Environmental Protection — Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) (OJ L 325, 20.12.2018, p. 25).

Or. en

**Amendment 51**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 5**

*Text proposed by the Commission*

(5) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are **at the core of** the Communication on “The European Green Deal”, adopted by the Commission on 11 December 2019<sup>15</sup>.

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<sup>15</sup> COM(2019)640 final.

*Amendment*

(5) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are **addressed in** the Communication on “The European Green Deal”, adopted by the Commission on 11 December 2019<sup>15</sup>.

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<sup>15</sup> COM(2019)640 final.

Or. en

**Amendment 52**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 6**

*Text proposed by the Commission*

(6) The Union undertook to reduce its economy-wide net greenhouse gas emissions by at least 55 % below 1990 levels by 2030 in the updated nationally determined reduction **commitment** of the Union and its Member States submitted to the UNFCCC Secretariat on 17 December 2020<sup>16</sup>.

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<sup>16</sup>

[https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU\\_NDC\\_Submission\\_December%202020.pdf](https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU_NDC_Submission_December%202020.pdf)

*Amendment*

(6) The Union undertook to reduce its economy-wide net greenhouse gas emissions by at least 55 % below 1990 levels by 2030 in the updated nationally determined reduction **contributions** of the Union and its Member States submitted to the UNFCCC Secretariat on 17 December 2020<sup>16</sup>.

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<sup>16</sup>

[https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU\\_NDC\\_Submission\\_December%202020.pdf](https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU_NDC_Submission_December%202020.pdf)

Or. cs

## Amendment 53

Silvia Modig

### Proposal for a directive

#### Recital 7

##### *Text proposed by the Commission*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also establishes a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) by at least 55% below 1990 levels by 2030.

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

##### *Amendment*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 ***at the latest and the aim to achieve negative emissions thereafter*** in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also establishes a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) by at least 55% below 1990 levels by 2030.

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

Or. en

## Amendment 54

Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland

### Proposal for a directive

#### Recital 7

##### *Text proposed by the Commission*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also establishes a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) by at least

##### *Amendment*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 ***at the latest*** in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also establishes a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) by at least

55% below 1990 levels by 2030.

55% below 1990 levels by 2030.

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

Or. en

## **Amendment 55**

### **Bas Eickhout**

#### **Proposal for a directive**

##### **Recital 7**

###### *Text proposed by the Commission*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also ***establishes a binding Union domestic reduction commitment of net greenhouse gas emissions (emissions after deduction of removals) by*** at least 55% below 1990 levels by 2030.

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

###### *Amendment*

(7) The Union has enshrined into legislation the target of economy-wide climate neutrality by 2050 ***at the latest and of achieving negative emissions thereafter*** in Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>17</sup>. That Regulation also ***increased the EU 2030 intermediate climate target to*** at least 55% ***net greenhouse gas emissions reduction*** below 1990 levels by 2030.

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<sup>17</sup> Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality (European Climate Law) (OJ L 243, 9.7.2021, p. 1).

Or. en

## **Amendment 56**

### **Sunčana Glavak**

#### **Proposal for a directive**

##### **Recital 7 a (new)**



*Text proposed by the Commission*

*Amendment*

***(7a) Aviation activities have an impact on the global climate through the release of carbon dioxide (CO<sub>2</sub>) and non-CO<sub>2</sub> emissions such as oxides of nitrogen (NO<sub>x</sub>), water vapour, oxidised sulphur species and soot particles as detailed by the Commission in its report entitled “Updated analysis of the non-CO<sub>2</sub> climate impacts of aviation and potential policy measures pursuant to EU Emissions Trading System Directive Article 30(4)”.***

Or. en

#### **Amendment 57**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

#### **Recital 8**

*Text proposed by the Commission*

*Amendment*

(8) This amendment to Directive 2003/87/EC aims at the implementation for aviation of the Union’s contributions under the Paris Agreement, and of the regulatory framework to achieve the binding Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 set out in Regulation (EU) **2021/...**

(8) This amendment to Directive 2003/87/EC aims at the implementation for aviation of the Union’s contributions under the Paris Agreement, and of the regulatory framework to achieve the binding Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 ***and to achieve the target of economy-wide climate neutrality by 2050 at the latest, as set out in Regulation (EU) 2021/1119.***

Or. en

#### **Amendment 58**

**Stanislav Polčák**

#### **Proposal for a directive**

#### **Recital 8**

*Text proposed by the Commission*

(8) This amendment to Directive 2003/87/EC aims at the implementation for aviation of the Union's contributions under the Paris Agreement, and of the regulatory framework to achieve the binding Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 set out in Regulation (EU) 2021/ ... .

*Amendment*

(8) *(Does not affect English version.)*

Or. cs

**Amendment 59**

**Bas Eickhout**

**Proposal for a directive**

**Recital 8**

*Text proposed by the Commission*

(8) This amendment to Directive 2003/87/EC aims at the implementation for aviation of the Union's contributions under the Paris Agreement, and of the regulatory framework to achieve the binding Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 set out in Regulation (EU) **2021/ ...** .

*Amendment*

(8) This amendment to Directive 2003/87/EC aims at the implementation for aviation of the Union's contributions under the Paris Agreement, and of the regulatory framework to achieve the binding Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 set out in Regulation (EU) **2021/1119**.

Or. en

**Amendment 60**

**Silvia Modig**

**Proposal for a directive**

**Recital 8**

*Text proposed by the Commission*

(8) This amendment to Directive 2003/87/EC aims at the implementation for

*Amendment*

(8) This amendment to Directive 2003/87/EC aims at the implementation for

aviation of the Union's contributions under the Paris Agreement, and of the regulatory framework to achieve the binding ***Union 2030 climate target of a domestic reduction of net greenhouse gas emissions by at least 55 % compared to 1990 levels by 2030 set out in Regulation (EU) 2021/***

... .

aviation of the Union's contributions under the Paris Agreement, and of the regulatory framework to achieve the binding climate ***objectives laid out in*** in Regulation (EU) 2021/1119 of the European Parliament and of the Council and the Paris Agreement.

Or. en

## **Amendment 61**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

### **Proposal for a directive**

#### **Recital 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***(8a) In addition to CO<sub>2</sub>, aviation affects the climate through non-CO<sub>2</sub> emissions such as water vapour (H<sub>2</sub>O), oxides of nitrogen (NO<sub>x</sub>), sulphur dioxide (SO<sub>2</sub>) and soot particles, as well as through atmospheric processes caused by such emissions, for example the formation of ozone and contrail cirrus. The climate impact of such non-CO<sub>2</sub> emissions depends on the type of fuel and engines used, on the location of the emissions, in particular cruise altitude and latitude/longitude, and the time of the emissions/weather conditions. The International Panel on Climate Change estimated both in 1997 and 2007 that the effects of non-CO<sub>2</sub> emissions from aviation are two to four times higher than the effect of aviation's CO<sub>2</sub> emissions alone. Based upon those findings and the Commission's Impact Assessment of 2006 on the inclusion of aviation in the EU greenhouse gas Emissions Trading Scheme (EU ETS), Directive 2008/101/EC recognised that aviation has an impact on the global climate through releases of non-CO<sub>2</sub> emissions. The European Parliament, at that time, called, in its***

*position, for a multiplier to be applied to every tonne of CO<sub>2</sub> emitted, but no concrete measures were adopted. Article 30(4) of Directive 2003/87/EC, as amended by Directive (EU) 2018/410 of the European Parliament and of the Council, required the Commission to present an updated analysis of the non-CO<sub>2</sub> effects of aviation, accompanied, where appropriate, by a proposal on how best to address those effects, before 1 January 2020. To fulfil this requirement, the European Union Aviation Safety Agency (EASA) conducted an updated analysis of the non-CO<sub>2</sub> effects of aviation on climate change and published its study on 23 November 2020. The findings of the study fully confirmed what had been previously estimated, namely that the significance of non-CO<sub>2</sub> climate impacts from aviation activities are at least as important in total as those of CO<sub>2</sub> alone.*

Or. en

#### *Justification*

*Commission staff working document - Summary of the Impact Assessment: Inclusion of Aviation in the EU Greenhouse Gas Emissions Trading Scheme (EU ETS), COM(2006) 818 final, SEC(2006) 1684.*

#### **Amendment 62**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

#### **Recital 8 b (new)**

*Text proposed by the Commission*

*Amendment*

**(8b) Non-CO<sub>2</sub> emissions and their impacts cannot be ignored as they are responsible for about two thirds of the climate impact of aviation. Therefore, the Commission should put forward policy measures without delay in order to reduce such emissions and mitigate the related**

*effects.*

Or. en

## **Amendment 63**

**Silvia Modig**

### **Proposal for a directive**

#### **Recital 9**

##### *Text proposed by the Commission*

(9) Aviation should contribute to the emission reduction efforts necessary for the Union's **2030 climate target**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

##### *Amendment*

(9) Aviation should contribute to the emission reduction efforts necessary for the Union's **objectives laid out in Regulation (EU) 2021/1119 of the European Parliament and of the Council and the Paris Agreement**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

Or. en

## **Amendment 64**

**Bas Eickhout**

### **Proposal for a directive**

#### **Recital 9**

##### *Text proposed by the Commission*

(9) Aviation should contribute to the emission **reduction efforts** necessary for the Union's 2030 climate **target**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

##### *Amendment*

(9) Aviation should contribute to the **rapid, deep and sustained** emission **reductions** necessary for the Union's 2030 **and 2050** climate **targets**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

Or. en

## Amendment 65

Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland

### Proposal for a directive

#### Recital 9

*Text proposed by the Commission*

(9) Aviation should contribute to the emission reduction **efforts** necessary for the Union's 2030 climate **target**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

*Amendment*

(9) Aviation should contribute to the emission reduction necessary for the Union's 2030 **and 2050** climate **targets**. Therefore, the total quantity of allowances for aviation should be consolidated and subject to the linear reduction factor.

Or. en

## Amendment 66

Bas Eickhout

### Proposal for a directive

#### Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

**(9a) Aviation has an impact on the global climate through releases of carbon dioxide, nitrogen oxides (NO<sub>x</sub>), water vapour and sulphate and soot particles. The report from the Commission to the European Parliament and the Council “Updated analysis of the non-CO<sub>2</sub> climate impacts of aviation and potential policy measures pursuant to EU Emissions Trading System Directive Article 30(4)” confirmed that climate impacts from aviation activities are at least twice as much as those of CO<sub>2</sub> alone. In accordance with Article 172(4) of the TFEU, the Union's environmental policy is to be based on the precautionary principle, and Directive 2008/101/EC already called for addressing the non-CO<sub>2</sub> impacts of aviation. As non-CO<sub>2</sub> emissions are short-lived, EU regulatory measures are urgently needed to achieve significant and immediate reductions of**

*emissions and keep the Paris 1,5 C target within reach. Requirements introduced by “Refuel EU Aviation” legislation for the uptake of sustainable aviation fuels, potentially complemented with requirements to reduce aromatics and sulphur content in conventional jet fuel, should reduce contrail and soot emissions in the medium- and long-term, while improving also air quality around airports. While more Union funding for research on the formation of non-CO2 effects and on effective mitigation measures is needed, this Directive introduces price incentives for the aviation industry to adopt technological and operational measures that reduce non-CO2 emissions. A multiplier will be applied to every tonne of CO2 emitted. Meanwhile, the Commission will set up a pilot monitoring, reporting and verification system for non-CO2 emissions and allow participating aircraft operators to be exempted from the payment of the multiplier. Building on such pilot system, the Commission will then establish proper monitoring, reporting and verification (MRV) requirements and EU ETS pricing for such emissions.*

Or. en

**Amendment 67**

**Silvia Modig**

**Proposal for a directive**

**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**(9a)** *In order to ensure the objectives and integrity of the Union’s climate policies and to promote adequate progress in ICAO and other relevant international arenas dealing with aviation’s climate impacts, EU ETS should be applied to all*

*flights departing from or arriving at an aerodrome located in the EEA. To avoid double pricing of emissions of flights and to take due account of CORSIA offsetting obligations, aircraft operators shall be reimbursed for the financial value of expenditure on credits used for CORSIA by them for extra-European routes by applying a methodology and mechanism determined by the Commission.*

Or. en

**Amendment 68**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 b (new)**

*Text proposed by the Commission*

*Amendment*

*(9b) In its report of 24 November 2020 entitled ‘Updated analysis of the non-CO<sub>2</sub> climate impacts of aviation and potential policy measures pursuant to the EU Emissions Trading System Directive Article 30(4)’ the European Union Aviation Safety Agency (EASA) fully confirmed previous estimates that the significance of combined non-CO<sub>2</sub> climate impacts from aviation activities are at least as important as those of CO<sub>2</sub> alone. In order to regulate the whole climate impact of the aviation sector, the allowance permits an aircraft operator to emit shall be divided by an impact factor of 2.*

Or. en

**Amendment 69**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 c (new)**



**(9c) Until 2018, over half of the global greenhouse gas emissions and other radiative forcing of the aviation sector were caused by the air travel demand of one percent of world's population. Before the COVID-19 crisis in 2018, mere 11 % of the world's population used air transport, of which international flights constituted for less than 4 %. The number of flights per year grew in relation to income between and within countries. In industrial countries, less than half of the population use air travel annually. The largest emitters from aviation sectors are individuals using private aircrafts causing up to 7 500 tonnes of carbon dioxide every year, excluding non-CO2 warming effects<sup>1a</sup>. Still, most private jets have fell below the threshold of maximum certified take-off mass greater than 5 700 kg laid out in this Directive, giving these individuals an exemption of carbon pricing under aviation activities. In order to enhance mitigation efforts and social justification of climate policies, the take-off mass requirements should be repealed and the Commission should provide a further assessment on the measures that should be implemented to reduce the climate impact of high emitting individuals.**

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<sup>1a</sup> Gössling, S. & Humpe A. The global scale, distribution and growth of aviation: Implications for climate change. *Global Environmental Change*, Volume 65, 2020.

Or. en

**Amendment 70**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 d (new)**

*Text proposed by the Commission*

*Amendment*

**(9d) Due to the urgency of climate change, no sector of the society cannot be exempt from emission reduction efforts. Currently, global military aviation fleet outweighs the civilian fleet in numbers, but due to lack of data transparency, the emissions of military aviation are hard to estimate accurately. In order for the military sector to adequately contribute to climate change mitigation efforts, the exemption of military flights should be repealed.**

Or. en

**Amendment 71**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 e (new)**

*Text proposed by the Commission*

*Amendment*

**(9e) In its report of 15 June 2020 entitled ‘The EIB Climate Survey 2019-2020’, the European Investment Bank found that 62% of European citizens supported a ban on short-haul flights.**

Or. en

**Amendment 72**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 f (new)**

*Text proposed by the Commission*

*Amendment*

**(9f) Trains provide a sustainable**

*alternative to air travel and the two modes of transportation often compete of the same customers, especially on short distances. However, train rides are often costlier than air travel. To incentivise low-carbon alternatives to air travel on routes where train journeys of two and a half hours or less exist as an alternative, aircraft operators should surrender three times the number of allowances that is equal to their total emissions.*

Or. en

**Amendment 73**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 9 g (new)**

*Text proposed by the Commission*

*Amendment*

*(9g) Similar to events of closure of electricity generation capacity in their territory due to additional national measures, Member States should be allowed to cancel EU ETS allowances as a result of national measures that reduce the supply or demand of air travel under the EU ETS.*

Or. en

**Amendment 74**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 10**

*Text proposed by the Commission*

*Amendment*

*(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all auction*

*deleted*

***revenues that are not attributed to the Union budget should be used for climate-related purposes.***

Or. en

*Justification*

*It makes more sense to place text regarding the use of auction revenues in a recital placed after the recital which explains that the EU will return to ETS full scope and the recital explaining that there will no longer be allowances allocated for free to the aviation sector, as these changes have an impact on the revenues.*

**Amendment 75**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Recital 10**

*Text proposed by the Commission*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all auction revenues that are not attributed to the Union budget should be used for climate-related purposes.

*Amendment*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate ***transition, in particular to achieve a just*** transition. As a result, all auction revenues that are not attributed to the Union budget should be used for climate-related purposes. ***For the EU ETS revision for phase four (2021-2030), an increase in auction revenues is envisaged within the aviation sector due to the phasing-out of free allowances and the extension of the scope to cover flights between the Union and third countries. The share of such increased auction revenues that is attributed to the general budget of the Union as well as the revenue from payments of penalties settled by the aircraft operators in accordance with Article 16 of Directive 2003/87/EC should be allocated to the Innovation Fund and used entirely for enabling a just and sustainable transition to decarbonisation of the aviation sector. That funding should be used especially for operational, aeronautics, airframe and new propulsion***

*technologies, and sustainable aviation fuels that can reduce the climate and environmental impacts of the aviation sector, in particular the non-CO2 impacts of aviation. Funding should be inclusive in terms of involvement of stakeholders from public and private sectors representing a wide geographical and competence base across the Member States, and all information on the projects and investments supported by the Innovation Fund should be made available to the public.*

Or. en

**Amendment 76**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 10**

*Text proposed by the Commission*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all auction revenues that are not attributed to the Union budget should be used for climate-related purposes.

*Amendment*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all auction revenues that are not attributed to the Union budget should be used for climate-related purposes *in the Union, especially through the Aviation Fund, and allocated to UNFCCC Climate Funds, in particular the Green Climate Fund and the Adaptation Fund, to advance international action to mitigate the impact of climate change on the most vulnerable communities.*

Or. en

**Amendment 77**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 10**

*Text proposed by the Commission*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all auction revenues that are not attributed to the Union budget should be used for climate-related purposes.

*Amendment*

(10) Achieving the increased climate ambition will require channelling as many resources as possible to the climate transition. As a result, all ***emission*** auction revenues that are not attributed to the Union budget should be used for climate-related purposes.

Or. cs

**Amendment 78**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) The EU ETS should contribute to effectively decarbonising air transport activities as much as possible. The transition from fossil fuels to sustainable aviation fuels will play a considerable role in that process. However, considering the high level of competition between aircraft operators and the important price differential between fossil kerosene and sustainable aviation fuels, this transition should be supported through economic incentives that reflect the environmental benefit of sustainable aviation fuels and make them more competitive for aircraft operators thereby avoiding carbon leakage. For this purpose, free allowances should be allocated to individual aircraft operators, in proportion to the amount of sustainable aviation fuels used and reported. The amount of free allowances allocated for free should be adjusted with multipliers in order to take into account that some types of sustainable aviation fuels deliver higher environmental benefits and are more costly to purchase for aircraft operators. The Commission***

*should regularly review the level of the multipliers based on fuels market price information available in the report published by the European Union Aviation Safety Agency (EASA) pursuant to a regulation at Union level on ensuring a level playing field for sustainable air transport.*

Or. en

**Amendment 79**

**Silvia Modig**

**Proposal for a directive**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) The successful transition to zero emission aviation requires an integrated approach and the appropriate enabling environment to stimulate innovation. That enabling environment involves public and private investment in research and innovation, technological and operational measures to improve the energy efficiency of aviation. An Aviation Fund should be established from revenues generated from the auctioning of allowances in respect of aviation activities under the EU ETS to hasten the deployment of e-kerosene, especially such that uses the atmosphere as a feedstock for CO<sub>2</sub> in production, increased operational efficiency of aviation activities and just transition in the aviation sector. Furthermore, all activities under the Aviation Fund should be aligned with the conditions laid out in Articles 17 and 18 of the Regulation (EU) 2020/852 of the European Parliament and of the Council and the European Pillar of Social Rights, while promoting responsible corporate operations, diffusion of innovation and rule of law in the Union and its Member States.*

**Amendment 80**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) This Directive should fully acknowledge the social dimension of the transition towards sustainable aviation. In order to ensure a socially just transition in the aviation sector and to protect the most vulnerable within the sector, an enhanced social dialogue at all stages should be promoted and funds should be made available within the EU ETS in order to provide training, re-skilling and up-skilling for workers. In addition, the Commission should present a report to the European Parliament and the Council on the application of this Directive and its impact on the internal market as regards the aviation sector, with particular focus on the social impacts.***

Or. en

**Amendment 81**

**Agnès Evren**

**Proposal for a directive**

**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) With a view to stimulating innovation in the relevant sectors, the additional revenue generated by the revision of Directive 2003/87/EC shall be allocated, at least in part, to the EU Innovation Fund.***



*The EU Innovation Fund shall include an aviation programme designed to achieve the EU's climate targets by stimulating research and development, scaling up production and the use of sustainable aviation fuels and synthetic fuels, and fostering technological disruption in the aviation sector.*

Or. fr

**Amendment 82**  
**Andreas Glück, Jan Huitema**

**Proposal for a directive**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) The further greening of air travel is not possible without significant advances in technology and its uptake by the market, which requires earmarking, for the purpose of research and development (R&D) investment exclusively in the aviation sector, revenues generated from the purchase of EU ETS allowances by aircraft operators.*

Or. en

**Amendment 83**  
**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**  
**Recital 10 b (new)**

*Text proposed by the Commission*

*Amendment*

*(10b) An Aviation Transition Fund ('the Aviation Fund') should be established to provide funds to the Member States to support their policies supporting aviation transport sector decarbonisation. This should be achieved notably through*

*development of innovative technologies for decarbonising the sector, production of sustainable aviation fuels as defined in a regulation at Union level on ensuring a level playing field for sustainable air transport, including systems for collection of raw materials for sustainable aviation fuels, investments in research and development and first industrial application of technologies and designs reducing greenhouse gas emissions, research for new aircraft engines and technologies, aircraft operation and performance, and airports infrastructure. The Commission should submit legislative proposals for the creation of an Aviation Fund in the context of the proposals for the MFF Mid-term revision. The Aviation Fund should be a fully budgeted expenditure programme within the MFF. The budgetary envelope for this programme should be expressed as an amount set at a level equivalent to 50% of the revenue expected from the auctioning of aviation allowances. The Fund shall be implemented by the Commission in direct management in accordance with the relevant rules adopted pursuant to Article 322 TFEU, in particular Regulation (EU, Euratom) 2018/1046 and Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council.*

Or. en

**Amendment 84**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Jytte Guteland**

**Proposal for a directive**

**Recital 10 b (new)**

*Text proposed by the Commission*

*Amendment*

***(10b) Flights spanning 1 000 kilometres and less account for 6-9 % of total aviation CO<sub>2</sub> emissions. Pending the technological breakthroughs and***

*availability of zero-emission aviation fuels and aircrafts, measures should be put in place in order to promote a modal shift towards alternative, more sustainable modes of transport, especially for the flight segment comprising regional and the lower-end of short-range flights, namely flights of a range under 1 000 kilometres.*

Or. en

*Justification*

*McKinsey & Company. 2020. Hydrogen-powered aviation: A fact-based study of hydrogen technology, economics, and climate impact by 2050.*

**Amendment 85**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Recital 10 c (new)**

*Text proposed by the Commission*

*Amendment*

*(10c) When necessary, the Commission should review the Monitoring and Reporting Regulation and its guidance material, to ensure that the use of all types of sustainable aviation fuels, as defined in a Regulation on ensuring a level playing field for sustainable air transport, can be reported under the EU ETS.*

Or. en

**Amendment 86**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Recital 10 d (new)**

*Text proposed by the Commission*

*Amendment*

*(10d) Free allowances should also be*

*allocated to individual aircraft operators, in proportion to their share of flights using best available aircraft technology, which reflects latest generation aircraft within each of the aircraft types on a non-discriminatory basis. Such list of aircraft performing with margins to the New Type ICAO CO<sub>2</sub> standard was defined by the Platform on Sustainable Finance in its preliminary recommendations for technical screening criteria for the EU taxonomy, and should provide the basis for the Commission to issue its taxonomy delegated act in accordance with the Regulation (EU) 2019/2088 of the European Parliament and of the Council ('Taxonomy Regulation').<sup>1a</sup>*

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*<sup>1a</sup> Internal note: The preliminary report was published on 3 August 2021 and is due to be finalised in March 2022. The draft report is available: [https://ec.europa.eu/info/publications/210803-sustainable-finance-platform-technical-screening-criteria-taxonomy-report\\_en](https://ec.europa.eu/info/publications/210803-sustainable-finance-platform-technical-screening-criteria-taxonomy-report_en)*

Or. en

**Amendment 87**  
**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**  
**Recital 10 e (new)**

*Text proposed by the Commission*

*Amendment*

*(10e) Each aircraft operator shall report its share of flights using best available aircraft technology – in relation to their total emissions in a given year – to the competent authorities who shall request that the reported data is substantiated and verify the data. To reduce administrative burden on authorities and aircraft operators, the latter may choose not to*

*report this share, resulting in no free allowances.*

Or. en

## **Amendment 88**

**Silvia Modig**

### **Proposal for a directive**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) In accordance with Article 28b(3) of Directive 2003/87/EC, the Union is to assess the ICAO's CORSIA scheme and implement it as appropriate, and in a manner that is consistent with the Union's economy-wide emission reduction commitment *for 2030*.

##### *Amendment*

(11) In accordance with Article 28b(3) of Directive 2003/87/EC, the Union is to assess the ICAO's CORSIA scheme and implement it as appropriate, and in a manner that is consistent with the Union's economy-wide emission reduction commitment *under Regulation (EU) 2021/1119 of the European Parliament and of the Council and the Paris Agreement. If sufficient progress is made in ICAO's CORSIA scheme by 2027, the Commission may choose to propose to the European Parliament and to the Council to amend, delete, extend or replace the derogations established in Article 3da of this Directive.*

Or. en

## **Amendment 89**

**Stanislav Polčák**

### **Proposal for a directive**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) In accordance with Article 28b(3) of Directive 2003/87/EC, the Union is to assess the ICAO's CORSIA scheme and **implement it** as appropriate, and in a manner that is consistent with the Union's

##### *Amendment*

(11) In accordance with Article 28b(3) of Directive 2003/87/EC, the Union is to assess the ICAO's CORSIA scheme and **to propose its implementation** as appropriate, and in a manner that is consistent with the

economy-wide emission reduction  
commitment for 2030.

Union's economy-wide emission reduction  
commitment for 2030.

Or. cs

**Amendment 90**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) While the EU ETS sets a progressively decreasing cap on emission allowances, thus driving emissions reductions over time, CORSIA is an emissions' offsetting scheme with the aim to achieve carbon neutral growth from 2019 levels. The EU ETS is therefore a more ambitious climate instrument. The Commission's impact assessment clearly shows that the return to full-scope EU ETS leads to the lowest net global emissions, the least external costs and highest benefits in terms of EU27 employment. To fulfil its commitment to the Paris Agreement and taking into account the 'no backsliding' principle, to reach its newly established climate neutrality objective by 2050 at the latest, and the intermediary 55% climate target by 2030, and considering that over 60% of its aviation emissions are from flights to or from third countries, the Union should apply the EU ETS to all flights arriving at and departing from its aerodromes, as intended already by Directive 2008/101/EC, as of 2024, and as long as the climate mitigation impact of CORSIA remains lower than the one of the EU ETS. However, as a proof of its maintained commitment to the CORSIA scheme, the Union should provide the possibility to aircraft operators to subtract the financial value of CORSIA credits from EU ETS allowances for flights to***

*and from countries that are implementing CORSIA.*

Or. en

**Amendment 91**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

**Proposal for a directive**

**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) While CORSIA is a mechanism that compensates for emissions through offsets, the EU ETS has proven to be an effective tool to reduce emissions through a pre-defined path and thus at the same time incentivising innovation and frontrunners when it comes to efficient emissions reductions. While CORSIA applies to emissions above a baseline and thus tackling only a part of the total emissions, the EU ETS applies to all emissions of each flight. To ensure ambitious economy-wide greenhouse gas emissions reductions in all sectors in line with the Paris Agreement, and to contribute to an international level playing field, from 2024 the EU ETS should therefore apply to all departing and arriving flights from and to an aerodrome located in the EEA, as foreseen by Directive 2008/101/EC. In order to take into account the simultaneous participation in CORSIA, the financial value of expenditure on credits used for CORSIA on these routes should be deductible from the financial obligations under the EU ETS. In case measures of equivalent stringency to the EU ETS are applied within CORSIA, or by third countries, the emissions scope of the EU ETS should be adjusted accordingly. This will also serve as an incentive to further strengthen the work*

*done on ICAO level.*

Or. en

## **Amendment 92**

**Anna Zalewska**

### **Proposal for a directive**

#### **Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) Emission offsets under CORSIA comprise one element in ICAO's basket of measures to achieve carbon neutral growth in international aviation and should be complemented by advances in airframe and low-carbon propulsion technologies. Continued funding for research strategies and programmes such as the SESAR Joint Undertaking, the Clean Sky Joint Technology Initiatives and Horizon Europe will be essential to technological innovation and operational improvements in order to move beyond carbon neutral growth and achieve sector-wide absolute emission reductions.***

Or. en

## **Amendment 93**

**Bas Eickhout**

### **Proposal for a directive**

#### **Recital 12**

*Text proposed by the Commission*

*Amendment*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for ***flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom.*** The allocation for the year 2024

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for ***all departing and arriving flights at aerodromes located in the Union.*** The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by



should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

Or. en

#### **Amendment 94**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

#### **Proposal for a directive**

##### **Recital 12**

###### *Text proposed by the Commission*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from ***an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom.*** The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

###### *Amendment*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for ***all*** flights departing from ***or*** arriving at an aerodrome located in the EEA. The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

Or. en

#### **Amendment 95**

**Silvia Modig**

#### **Proposal for a directive**

##### **Recital 12**

*Text proposed by the Commission*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland **or** in the United Kingdom. The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

*Amendment*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland, in the United Kingdom **or in a third country**. The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

Or. en

**Amendment 96**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Recital 12**

*Text proposed by the Commission*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom. The allocation for the year **2024** should be based on the total allocation to active aircraft operators in year **2023**, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year **2023** but are covered by the EU ETS from year **2024** onwards.

*Amendment*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom. The allocation for the year **2027** should be based on the total allocation to active aircraft operators in year **2026**, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year **2026** but are covered by the EU ETS from year **2027** onwards.

**Amendment 97**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 12**

*Text proposed by the Commission*

(12) The total quantity of allowances for aviation should be consolidated at the level of allocation for flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom. The allocation for the year 2024 should be based on the total allocation to active aircraft operators in year 2023, reduced by the linear reduction factor as specified in Article 9 of Directive 2003/87/EC. The level of allocation should be increased to take into account the routes that were not covered by the EU ETS in the year 2023 but are covered by the EU ETS from year 2024 onwards.

*Amendment*

*(Does not affect English version.)*

**Amendment 98**  
**Andreas Glück, Jan Huitema**

**Proposal for a directive**  
**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) The EU ETS Directive should also be a tool to incentivise solutions that facilitate decarbonisation. Therefore, 20 million allowances should be reserved and allocated for free to aircraft operators and for subsequent years up to 2030, to provide a guaranteed reward for uplifting sustainable aviation fuels. To ensure that***

*the market for those fuels will find the investment necessary to flourish, 50% of the allowances should be allocated specifically for the uplifting of synthetic aviation fuels. The Commission should detail the methodology to allocate these allowances based on prices. In its methodology, the Commission should set out in particular how to cover the price difference between on the one hand the use of kerosene and on the other sustainable aviation fuels, in relation to reducing CO2 emissions by one tonne. Moreover, to further boost decarbonisation solutions and technologies, a zero-rating should apply to synthetic aviation fuels for the aircraft operators using such fuels, for a transitional period lasting until the implementing acts referred to in Article 14(1) enter into force.*

Or. en

**Amendment 99**

**Christian Doleschal, Angelika Niebler, Markus Ferber, Marlene Mortler, Monika Hohlmeier**

**Proposal for a directive**

**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

*(12a) The core element of the proposed Directive is the termination of the free allocation of emission allowances on 1 January 2027 and the gradual abolition of free allowances by then. It is vital that this phase-out is not accelerated, as there is already an undue economic burden on the European aviation sector, as it is still recovering from the COVID-19 pandemic.*

Or. en

## *Justification*

*Non-European countries will only be affected by the mandatory participation in CORSIA by 2027. (Phase 2 - from 2027) This means that, CORSIA can only contribute to creating an equal and fair international market in the aviation sector from 2027 on, which is why free allowances must not be phased out prior to 2027. Otherwise, the market will be distorted to the detriment of the European aviation sector.*

### **Amendment 100**

**Bas Eickhout**

#### **Proposal for a directive**

##### **Recital 13**

###### *Text proposed by the Commission*

(13) *Increased* auctioning from *the year after the entry into force of this amendment to Directive 2003/87/EC* should be the rule for the aviation sector allocation of allowances, *taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.*

###### *Amendment*

(13) *Full* auctioning from *2024 onwards* should be the rule for the *allocation of EU ETS allowances to the* aviation sector. *The Commission Impact Assessment accompanying this proposal has confirmed that there is no carbon leakage risk in the aviation sector. At the same time, the allocation of free allowances is contrary to the 'polluter pays principle' enshrined in the Treaties, and weakens the price signal that the system provides to the aviation sector, reducing the incentives for investments into the abatement of emissions. Increased revenues from the full auctioning of the allowances will allow increasing investments into the decarbonisation of the sector.*

Or. en

### **Amendment 101**

**Stanislav Polčák**

#### **Proposal for a directive**

##### **Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) Increased auctioning from the year after the entry into force of this amendment to Directive 2003/87/EC should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

(13) Increased auctioning from the year after the entry into force of this amendment to Directive 2003/87/EC should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.  
***The carbon leakage risk associated with increasing this share is not substantial, unlike in certain other sectors, and it is the free allocation of allowances that has a major negative impact on the intended incentive effect of the EU ETS.***

Or. cs

**Amendment 102**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

**Proposal for a directive**

**Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) ***Increased*** auctioning ***from the year after the entry into force of this amendment to Directive 2003/87/EC*** should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

(13) ***From 2024, full*** auctioning should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

Or. en

**Amendment 103**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) ***Increased*** auctioning from the year

(13) ***Full*** auctioning from the year ***2024***

*after the entry into force of this amendment to Directive 2003/87/EC* should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

*onwards* should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

Or. en

**Amendment 104**  
**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) Increased auctioning from the year after *the entry into force of this amendment to Directive 2003/87/EC* should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

*Amendment*

(13) Increased auctioning from the year after **2027** should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

Or. en

**Amendment 105**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) **Increased** auctioning from the year after the entry into force of this amendment to Directive 2003/87/EC should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

*Amendment*

(13) **Full** auctioning from the year after the entry into force of this amendment to Directive 2003/87/EC should be the rule for the aviation sector allocation of allowances, taking into account the sector's ability to pass on the increased cost of CO<sub>2</sub>.

Or. en

**Amendment 106**  
**Sunčana Glavak, Inese Vaidere**

**Proposal for a directive**  
**Recital 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) In order to be aligned with the level of ambition of the European Green Deal and in the context of safeguarding the European carbon markets from disorderly trading or abusive behaviour, specific measures should be foreseen to prevent financial speculation in European carbon markets.***

Or. en

**Amendment 107**  
**Sunčana Glavak, Inese Vaidere, Esther de Lange**

**Proposal for a directive**  
**Recital 13 b (new)**

*Text proposed by the Commission*

*Amendment*

***(13b) The EU ETS Directive should contribute to incentivizing the decarbonisation in air transport. The transition from fossil fuels to an increasing percentage of uplifting of sustainable aviation fuels, especially synthetic aviation fuels, would play a role in achieving such decarbonisation. Therefore, a total of 20 million allowances should be reserved and allocated for free until 2030 for the uptake of sustainable aviation fuels, of which [XX%] are reserved for the uptake of synthetic fuels. Those 20 million allowances should be effectively earmarked to incentivize early movers and should come from the pool of total allowances available and should be used only for flights covered by the EU ETS and in a non-discriminatory manner. The***



*Commission should provide proper accounting for the CO2 emissions from fossil fuels, and should rate synthetic aviation fuels as producing zero emissions for the aircraft operators using them.*

Or. en

## **Amendment 108**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

### **Proposal for a directive**

#### **Recital 14**

##### *Text proposed by the Commission*

(14) Directive 2003/87/EC should also be amended with regard to acceptable compliance units, to take into account the Unit Eligibility Criteria adopted by the ICAO Council at its 216th session in March 2019 as an essential element of CORSIA. Airlines based in the Union should be able to use international credits for compliance for flights to or from third countries that are considered to be participating in CORSIA. To ensure that the Union's CORSIA implementation supports the Paris Agreement goals and gives incentives for broad participation to CORSIA, the credits should originate from states that are parties to the Paris Agreement and that participate in CORSIA, and double counting of credits should be avoided.

##### *Amendment*

(14) Directive 2003/87/EC should also be amended with regard to acceptable compliance units, to take into account the Unit Eligibility Criteria adopted by the ICAO Council at its 216th session in March 2019 as an essential element of CORSIA. Airlines based in the Union should be able to use international credits for compliance **with CORSIA** for flights to or from third countries that are considered to be participating in CORSIA, **and they should be able to deduct the financial value of these credits from their surrendered EU ETS allowances for these routes**. To ensure that the Union's CORSIA implementation supports the Paris Agreement goals and gives incentives for broad participation to CORSIA, the credits should originate from states that are parties to the Paris Agreement and that participate in CORSIA, and double counting of credits should be avoided. **Any deviation from the CORSIA baseline, which is set at 2019-2020, with a time-limited exception for the years 2021 to 2023, should be deemed as non-compliance for the purpose of this Directive.**

Or. en

## Amendment 109

Henna Virkkunen, Marian-Jean Marinescu

### Proposal for a directive

#### Recital 14

##### *Text proposed by the Commission*

(14) Directive 2003/87/EC should also be amended with regard to acceptable compliance units, to take into account the Unit Eligibility Criteria adopted by the ICAO Council at its 216th session in **March 2019** as an essential element of CORSIA. Airlines based in the Union should be able to use international credits for compliance for flights to or from third countries that are considered to be participating in CORSIA. ***To ensure that the Union's CORSIA implementation supports the Paris Agreement goals and gives incentives for broad participation to CORSIA, the credits should originate from states that are parties to the Paris Agreement and that participate in CORSIA,*** and double counting of credits should be avoided.

##### *Amendment*

(14) Directive 2003/87/EC should also be amended with regard to acceptable compliance units, to take into account the Unit Eligibility Criteria adopted by the ICAO Council at its 216th session in **March 2019** as an essential element of CORSIA. Airlines based in the Union should be able to use international credits for compliance for flights to or from third countries that are considered to be participating in CORSIA. ***All offset credits under CORSIA should remain available to all carriers*** and double counting of credits should be avoided.

Or. en

## Amendment 110

Bas Eickhout

### Proposal for a directive

#### Recital 14 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(14a) Discrepancies may further emerge regarding the quality of the different programmes accepted within the CORSIA scheme, given the fact that they encompass different sectors, widespread geographical location and projects of very different nature for eligible offset credits,***

*leading as well to relevant price disparities for the same reduction units, also evolving along the time. Concerns over the inclusion of deforestation and forest degradation prevention projects within the CORSIA scheme have been voiced, not the least among indigenous communities potentially affected, besides further considerations regarding the actual additionality and verification of such projects and others.*

Or. en

#### **Amendment 111**

**Jens Gieseke, Michael Gahler, Karolin Braunsberger-Reinhold**

#### **Proposal for a directive**

#### **Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

*(14a) In order to ensure uniform conditions for EU airlines and their competitors from third countries, to avoid carbon leakage and distortion of competition, the allowances to be surrendered under the EU ETS must be adjusted to the proportion of EU ETS-costs on intra-EEA flights allocated to passengers transferring to a final destination outside the EU – and vice versa – thereby minimising the risk of passengers selecting flights to their final destination with a transfer at an airport outside the Union.*

Or. en

#### **Amendment 112**

**Silvia Modig**

#### **Proposal for a directive**

#### **Recital 15**

*Text proposed by the Commission*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, implementing powers should be conferred on the Commission to adopt a list of the credits which have been considered acceptable by the ICAO Council to use for compliance of CORSIA, and that fulfil the eligibility conditions above. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

*Amendment*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, implementing powers should be conferred on the Commission to adopt a list of the credits which have been considered acceptable by the ICAO Council to use for compliance of CORSIA, and that fulfil the eligibility conditions above. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.

***Furthermore, in order to ensure public scrutiny, aircraft operators should report transparently of their emissions and offsetting under Article 14 of this Directive.***

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

**Amendment 113**

**Anna Zalewska**

**Proposal for a directive**

**Recital 15**

*Text proposed by the Commission*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, ***implementing powers should be conferred on the***

*Amendment*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, the Commission ***should adopt the list of credits that ICAO***

Commission *to* adopt *a* list of *the* credits *which have been considered* acceptable *by the ICAO Council to use for compliance of CORSIA, and that fulfil the eligibility conditions above*. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.

*has identified as acceptable for the purposes of CORSIA* compliance. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

#### *Justification*

*We propose to re-edit and to delete part of the provision due to its confusing nature. We understand that the list of ICAO approved credits is sufficient and these credits do not need any other additional requirements, e.g. more stringent ones.*

#### **Amendment 114**

**Henna Virkkunen, Marian-Jean Marinescu**

#### **Proposal for a directive**

#### **Recital 15**

##### *Text proposed by the Commission*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, implementing powers should be conferred on the Commission to adopt a list of the credits which have been *considered* acceptable by the ICAO Council to use for compliance of CORSIA, *and that fulfil the eligibility conditions above*. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European

##### *Amendment*

(15) In order to ensure uniform conditions for the use of international credits in accordance with Article 11a of Directive 2003/87/EC, implementing powers should be conferred on the Commission to adopt a list of the credits which have been acceptable by the ICAO Council to use for compliance of CORSIA. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>18</sup>.

Parliament and of the Council<sup>18</sup> .

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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<sup>18</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

## **Amendment 115**

**Stanislav Polčák**

### **Proposal for a directive**

**Recital 16**

#### *Text proposed by the Commission*

(16) To ensure that the necessary arrangements are in place for authorisation by the participating parties, timely adjustments to the reporting of anthropogenic emissions by sources and removals by sinks covered by the nationally determined contributions of the participating parties, and avoiding double counting and a net increase in global emissions, implementing powers should be conferred on the Commission to lay down detailed requirements for such arrangements. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>19</sup>.

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<sup>19</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,

#### *Amendment*

(16) To ensure that the necessary arrangements are in place for authorisation by the participating parties, timely adjustments to the reporting of anthropogenic emissions by sources and removals by sinks covered by the nationally determined contributions of the participating parties, and avoiding double counting and a net increase in global emissions, implementing powers should be conferred on the Commission **to enable it** to lay down detailed requirements for such arrangements. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>19</sup>.

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<sup>19</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,

p. 13).

p. 13).

Or. cs

#### **Amendment 116**

**Henna Virkkunen, Marian-Jean Marinescu**

#### **Proposal for a directive**

##### **Recital 17**

###### *Text proposed by the Commission*

(17) For CORSIA implementation on flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for Union-based aircraft operators operating these flights. Aircraft operators' surrender obligations for these flights should be decreased to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and ***above collective 2019-20 levels*** for subsequent years of CORSIA application.

###### *Amendment*

(17) For CORSIA implementation on flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for Union-based aircraft operators operating these flights. Aircraft operators' surrender obligations for these flights should be decreased to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and for subsequent years of CORSIA application ***according to a baseline determined by the ICAO Council.***

Or. en

#### **Amendment 117**

**Bas Eickhout**

#### **Proposal for a directive**

##### **Recital 17**

###### *Text proposed by the Commission*

(17) For CORSIA implementation on flights other than flights ***departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom***, surrender ***obligations*** should be

###### *Amendment*

(17) For CORSIA implementation on flights other than flights ***between the Union and the EEA, Switzerland and the United Kingdom***, surrender ***possibilities with a view to subtracting the financial value of CORSIA credits from EU ETS***



decreased for *Union-based* aircraft operators operating these flights. Aircraft operators' surrender *obligations* for these flights should be decreased to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

*allowances* should be decreased for aircraft operators operating these flights. Aircraft operators' surrender *possibilities* for these flights should be decreased to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

Or. en

**Amendment 118**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 17**

*Text proposed by the Commission*

(17) For CORSIA implementation on flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for Union-based aircraft operators operating these flights. Aircraft operators' surrender obligations for these flights should be *decreased* to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

*Amendment*

(17) For CORSIA implementation on flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for Union-based aircraft operators operating these flights. Aircraft operators' surrender obligations for these flights should be *restricted* to only their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

Or. cs

**Amendment 119**  
**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

**Proposal for a directive**  
**Recital 17**



*Text proposed by the Commission*

(17) For CORSIA implementation on flights other than flights departing from ***an aerodrome located in the EEA*** and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for ***Union-based aircraft operators operating these flights. Aircraft operators' surrender obligations for these flights should be decreased to only*** their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

*Amendment*

(17) For CORSIA implementation on flights other than flights departing from and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, surrender obligations should be decreased for operators operating these flights ***through the possibility to subtract from the corresponding EU ETS allowances the financial value of CORSIA credits representing*** their share of collective international aviation emissions above collective 2019 levels, in respect of emissions during 2021-23, and above collective 2019-20 levels for subsequent years of CORSIA application.

Or. en

**Amendment 120**

**Bas Eickhout**

**Proposal for a directive**

**Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

***(17a) At the forthcoming ICAO triennial assembly scheduled for September 2022, Member States should make their utmost efforts to reach an agreement with their counterparts on a progressive yearly reduction of the established baseline 2019-2020 for the period after 2023, so as to ensure step-wise alignment with the linear factor applied to the EU ETS, also beyond 2035, in consistency with the Union's climate neutrality target for 2050 at the latest. Any changes to the established baseline leading to weakened ambition, or any delay in relation to the start of the mandatory phase, and an insufficient adherence to the CORSIA scheme by third countries, should be considered as a reason for the***

***Commission to propose the removal of the possibility for aircraft operators to apply CORSIA in part for routes from or to the Union.***

Or. en

**Amendment 121**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 18**

*Text proposed by the Commission*

(18) In order to ensure uniform conditions for listing countries which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC pursuant to Article 25a(3) of that Directive, implementing powers should be conferred on the Commission to adopt and maintain the list of states other than EEA countries, Switzerland and the United Kingdom, which are considered to be participating in CORSIA for the purposes of Union law. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

*Amendment*

*(Does not affect English version.)*

Or. cs

**Amendment 122**  
**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**  
**Recital 18**

*Text proposed by the Commission*

(18) In order to ensure uniform conditions for listing countries which are ***considered to be*** applying CORSIA for the purposes of Directive 2003/87/EC pursuant

*Amendment*

(18) In order to ensure uniform conditions for listing countries which are applying CORSIA for the purposes of Directive 2003/87/EC pursuant to Article

to Article 25a(3) of that Directive, implementing powers should be conferred on the Commission to adopt and maintain the list of states other than EEA countries, Switzerland and the United Kingdom, which are *considered to be* participating in CORSIA for the purposes of Union law. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

25a(3) of that Directive, implementing powers should be conferred on the Commission to adopt and maintain the list of states other than EEA countries, Switzerland and the United Kingdom, which are participating in CORSIA for the purposes of Union law. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Or. en

#### **Amendment 123**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

#### **Recital 19**

*Text proposed by the Commission*

*Amendment*

***(19) As CORSIA implementation and enforcement for aircraft operators based outside the Union is meant to belong solely to the home country of these aircraft operators, implementing CORSIA for flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom means exempting aircraft operators based outside the Union from the EU ETS obligations for these flights.***

***deleted***

Or. en

#### **Amendment 124**

**Bas Eickhout**

#### **Proposal for a directive**

#### **Recital 19**

*Text proposed by the Commission*

*Amendment*

**(19) As CORSIA implementation and enforcement for aircraft operators based outside the Union is meant to belong solely to the home country of these aircraft operators, implementing CORSIA for flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom means exempting aircraft operators based outside the Union from the EU ETS obligations for these flights.**

**deleted**

Or. en

#### **Amendment 125**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

#### **Proposal for a directive**

#### **Recital 19**

*Text proposed by the Commission*

*Amendment*

**(19) As CORSIA implementation and enforcement for aircraft operators based outside the Union is meant to belong solely to the home country of these aircraft operators, implementing CORSIA for flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom means exempting aircraft operators based outside the Union from the EU ETS obligations for these flights.**

**(19) To ensure that emissions are not accounted for twice for departing and incoming flights and to take due account of CORSIA offsetting obligations above a baseline set at the 2019 level for the years 2021-2023 and set at the average 2019-2020 level for the years 2024-2035, aircraft operators *should be able to deduct the financial value of expenditure on credits used for CORSIA by them* for flights other than flights departing from and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom.**

Or. en

#### **Amendment 126**

**Stanislav Polčák**

**Proposal for a directive**  
**Recital 19**

*Text proposed by the Commission*

(19) As CORSIA implementation and enforcement for aircraft operators based outside the Union is meant to belong solely to the home country of these aircraft operators, implementing CORSIA for flights other than flights departing from an aerodrome located in the EEA and arriving at an aerodrome located in the EEA, in Switzerland or in the United Kingdom means exempting aircraft operators based outside the Union from the EU ETS obligations for these flights.

*Amendment*

*(Does not affect English version.)*

Or. cs

**Amendment 127**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

**Proposal for a directive**  
**Recital 20**

*Text proposed by the Commission*

(20) To ensure equal treatment on routes, flights to and from countries that are not implementing CORSIA should be exempt from ***EU ETS or*** CORSIA obligations. To incentivise full implementation of CORSIA starting in 2027, the exemption should only apply to emissions up to 31 December 2026.

*Amendment*

(20) To ensure equal treatment on routes, flights to and from countries that are not implementing CORSIA should be exempt from CORSIA obligations ***and from the possibility to subtract the financial value of CORSIA credits from EU ETS allowances for these routes.*** To incentivise full implementation of CORSIA starting in 2027, the exemption should only apply to emissions up to 31 December 2026.

Or. en

**Amendment 128**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 20**

*Text proposed by the Commission*

(20) ***To ensure equal treatment on routes, flights to and from countries that are not implementing CORSIA should be exempt from EU ETS or CORSIA obligations. To incentivise full implementation of CORSIA starting in 2027, the exemption should only apply to emissions up to 31 December 2026.***

*Amendment*

(20) ***Airline companies should not be able to subtract the financial value of CORSIA credits from EU ETS allowances for flights to and from countries that are not implementing CORSIA.***

Or. en

**Amendment 129**  
**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 20**

*Text proposed by the Commission*

(20) ***To ensure equal treatment on routes, flights to and from countries that are not implementing CORSIA should be exempt from EU ETS or CORSIA obligations. To incentivise full implementation of CORSIA starting in 2027, the exemption should only apply to emissions up to 31 December 2026.***

*Amendment*

(20) ***Aircraft operators should not be able to subtract the financial value of CORSIA credits from EU ETS allowances for flights to and from countries that are not implementing CORSIA.***

Or. en

**Amendment 130**  
**Deirdre Clune**

**Proposal for a directive**  
**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

(20a) ***To ensure that CORSIA leads to a***

*single global reduction scheme for tackling carbon emissions from aviation by the second and mandatory phase of the ICAO scheme in 2027, the Union has consistently argued in support of robust implementing rules and governance and adequate participation in CORSIA's voluntary and mandatory phases. In the event that the ICAO global market-based measure is insufficient to achieve the Union's climate objectives and commitments under the Paris Agreement, other carbon mitigation options should be put in place, such as the extension of the EU ETS for aviation to all flights departing the EEA.*

Or. en

**Amendment 131**  
**Sunčana Glavak**

**Proposal for a directive**  
**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

*(20a) To ensure that CORSIA leads to a single global offsetting scheme for tackling carbon emissions from aviation by the second and mandatory phase of the ICAO scheme in 2027, the Union has consistently argued in support of robust implementing rules and governance and adequate participation in CORSIA's voluntary and mandatory phases. In the event that CORSIA proves to be insufficient as a measure to achieve the Union's climate objectives and commitments under the Paris Agreement, other carbon mitigation options should be put in place.*

Or. en

**Amendment 132**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 21**

*Text proposed by the Commission*

(21) Flights to and from Least Developed Countries and Small Island Developing States, as defined by the United Nations, not implementing CORSIA, other than those states whose GDP per capita equals or exceeds the Union average, should be exempt from EU ETS or CORSIA obligations without an end date for the exemption.

*Amendment*

(21) Flights to and from Least Developed Countries and Small Island Developing States, as defined by the United Nations, not implementing CORSIA, other than those states whose GDP per capita equals or exceeds the Union average, should be exempt from EU ETS or CORSIA obligations without an end date for the exemption. ***Historically, these countries have contributed the least to the increase in the concentration of greenhouse gases in the atmosphere, so the current climate ambition should not pose a risk of further exacerbating their underdevelopment and economic decline, bearing in mind that balanced global efforts are essential to meeting the goals of the Paris Agreement.***

Or. cs

**Amendment 133**  
**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 21**

*Text proposed by the Commission*

(21) Flights to and from Least Developed Countries ***and Small Island Developing States***, as defined by the United Nations, ***not implementing CORSIA, other than those states whose GDP per capita equals or exceeds the Union average, should be exempt from EU ETS or CORSIA obligations without an end date for the exemption.***

*Amendment*

(21) Flights to and from Least Developed Countries as defined by the United Nations ***are not*** exempt from EU ETS obligations. ***However, in line with the IPCC principle of 'common but differentiated responsibilities', the Union will increase its contribution to international climate finance, using part of the resources created by the application***



*of the EU ETS to all international flights.*

Or. en

#### **Amendment 134**

**Bas Eickhout**

#### **Proposal for a directive**

##### **Recital 21**

*Text proposed by the Commission*

(21) Flights to and from Least Developed Countries *and Small Island Developing States*, as defined by the United Nations, *not implementing CORSIA, other than those states whose GDP per capita equals or exceeds the Union average, should be exempt from EU ETS or CORSIA obligations without an end date for the exemption.*

*Amendment*

(21) Flights to and from Least Developed Countries as defined by the United Nations *are not* exempt from EU ETS obligations. *However, in line with the IPCC principle of 'common but differentiated responsibilities', the Union will increase its contribution to international climate finance, using part of the resources created by the application of the EU ETS to all international flights.*

Or. en

#### **Amendment 135**

**Andreas Glück, Jan Huitema**

#### **Proposal for a directive**

##### **Recital 22**

*Text proposed by the Commission*

(22) In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC in respect of emissions from flights to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive, *implementing powers should be conferred on* the Commission to exempt airlines

*Amendment*

(22) In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC in respect of emissions from flights to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive *or when it is determined, on the basis of available facts, that a threat of injury*

based in the Union from surrender requirements in respect of emissions from flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country. The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. ***Those powers*** should be ***exercised*** in accordance with ***Regulation (EU) No 182/2011 of the European Parliament and of the Council***.

***which is detrimental to aircraft operators that hold an air operator certificate issued by a Member State or are registered in a Member State, including the outermost regions, dependencies and territories of that Member State, exists.*** The Commission ***should take measures of a temporary nature*** to exempt airlines based in the Union from surrender requirements in respect of emissions from flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country, ***and/or apply EU ETS to aircraft operators from a third country applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in respect of emissions from flights to and from the EEA.*** The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. ***The measures of a temporary nature should apply until the Commission determines that the distortion of competition or threat of injury no longer exist or when a third country complies with CORSIA in a satisfactory manner or in the same manner equal for all aircraft operators. However, in any event, such measures should not apply longer than 9 months. After 9 months, the Commission should, by means of an implementing act, either extend the duration of the measures or modify them or revoke them. That implementing act should be adopted in accordance with the examination procedure referred to in Article 22a(2).***

Or. en

**Amendment 136**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 22**

*Text proposed by the Commission*

(22) *In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC in respect of emissions from flights to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive, implementing powers should be conferred on the Commission to exempt airlines based in the Union from surrender requirements in respect of emissions from flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country. The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.*

*Amendment*

(22) *The implementation of the EU ETS scheme for all flights departing from and arriving at Union aerodromes will result in equal treatment and simple rules for all aircraft operators.*

Or. en

**Amendment 137**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**  
**Recital 22**

*Text proposed by the Commission*

(22) *In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC*

*Amendment*

(22) *Applying the EU ETS in conjunction with CORSIA would lead to the creation of uniform conditions and equal treatment for both Union and third*

in respect of emissions from flights *to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive, implementing powers should be conferred on the Commission to exempt airlines based in the Union from surrender requirements in respect of emissions from flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country. The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.*

*country* aircraft operators, in respect of emissions from flights *departing from and arriving at* Union aerodromes.

Or. en

#### Amendment 138

Henna Virkkunen, Marian-Jean Marinescu

#### Proposal for a directive

##### Recital 22

#### *Text proposed by the Commission*

(22) In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC in respect of emissions from flights to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive, ***implementing powers should be conferred on the Commission to exempt airlines based in the Union from surrender requirements in respect of emissions from***

#### *Amendment*

(22) In order to ensure uniform conditions for exempting aircraft operators from surrender requirements as laid down in Article 12(8) of Directive 2003/87/EC in respect of emissions from flights to and from countries applying CORSIA in a less stringent manner in its domestic law, or failing to enforce CORSIA provisions in a manner equal to all aircraft operators pursuant to Article 25a(7) of that Directive, ***or under a risk of market distortion, evaluated based on available facts, the Commission should exempt airlines based in the Union from surrender requirements***

flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country. The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

in respect of emissions from flights where a significant distortion of competition to the detriment of airlines based in the Union occurs due to a less stringent implementation or enforcement of CORSIA in the third country. The distortion of competition could be caused by a less stringent approach to eligible offset credits or double counting provisions. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.

Or. en

**Amendment 139**  
**Dolors Montserrat**

**Proposal for a directive**  
**Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22a) The application of the emission trading system to intra-EU flights could lead to distortions of competition between intra-EU and international flights. The Commission should continuously monitor and assess these distortions following the implementation of this Directive and report to the European Parliament and the Council on the potential risk of carbon leakage. For its assessment, the Commission will take into account the third countries implementing CORSIA, the different regulatory measures, the prices of allowances for airlines, the geographical situation of EU airports and their vulnerability to unfair competition from third countries, the increase in flight prices and the impact on EU tourism destinations. In view of the overall competitiveness of the EU aviation sector, the Commission shall consider the revision of this Directive to level the playing field vis-a-vis third countries,***

*including through the extension of the emission trading system to flights from and to airports located in third countries.*

Or. en

**Amendment 140**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

*(22a) The Commission should monitor, evaluate and report potential risk of carbon leakage and distortion of competition following implementation of this Directive and, where appropriate, propose amendments in order to address and further prevent such adverse impacts.*

Or. en

**Amendment 141**

**Henna Virkkunen, Marian-Jean Marinescu, Sunčana Glavak**

**Proposal for a directive**

**Recital 22 b (new)**

*Text proposed by the Commission*

*Amendment*

*(22b) By 31 December of the year following the entry into force of this Directive, the Commission should assess Union's competitiveness, changes in prices of allowances, developments in the labour market, flight fares rates and ability of the aviation sector to pass on the cost of required emission units, household purchasing power, the magnitude of carbon leakage, the loss for European tourism destinations, the condition of European tourism sector and the reduction of connectivity on less-*

*connected EU regions, among others by means of a comprehensive impact assessment of the Fit for 55 package.<sup>1a</sup> Following its result, the Commission should determine whether it is justified to revise this Directive, and, where appropriate, it should submit a legislative proposal for that purpose in order to reach global greenhouse gas emissions reduction in the most cost effective way and preserve a level-playing field.*

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*<sup>1a</sup> Communication from the Commission (COM/2021/550), 14 July 2021*

Or. en

**Amendment 142**  
**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**  
**Recital 22 c (new)**

*Text proposed by the Commission*

*Amendment*

*(22c) The Union and its Member States have consistently supported the development of CORSIA in the International Civil Aviation Organization (ICAO). Several design elements of CORSIA are inspired by the EU ETS. In order to preserve the credibility of the Union and its Member States in ICAO, it is therefore important to align the EU ETS with CORSIA as far as it is appropriate.*

Or. en

**Amendment 143**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 23**

*Text proposed by the Commission*

*Amendment*

**(23) In order to ensure uniform conditions for the establishment of a level playing field on routes between two different countries applying CORSIA where those countries allow aircraft operators to use other units than those on the list adopted pursuant to Article 11a(8) of Directive 2003/87/EC, pursuant to Article 25a(8) of that Directive, implementing powers should be conferred on the Commission to allow aircraft operators based in a Member State to use unit types additional to the list adopted pursuant to Article 11a(8) or not to be bound by the conditions of Article 11a(2) and (3). Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.** *deleted*

Or. en

*Justification*

*The climate mitigation potential of CORSIA is dependent on the quality of the offsets. Until now, none of the offsetting programmes approved under CORSIA meet all of the required criteria. The EU should therefore not allow for derogations to the standards set in this regulation.*

**Amendment 144  
Bas Eickhout**

**Proposal for a directive  
Recital 24**

*Text proposed by the Commission*

*Amendment*

**(24) In order to ensure a level playing field on routes between two third countries implementing CORSIA, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of accepting other credits on those routes. It** *deleted*



*is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>20</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

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<sup>20</sup> OJ L 123, 12.5.2016, p.1.

Or. en

#### *Justification*

*The climate mitigation potential of CORSIA is dependent on the quality of the offsets. Until now, none of the offsetting programmes approved under CORSIA meet all of the required criteria. The EU should therefore not allow for derogations to the standards set in this regulation.*

#### **Amendment 145**

**Claudia Gamon, Martin Hojsík, Frédérique Ries, Michal Wiezik**

#### **Proposal for a directive**

#### **Recital 24 a (new)**

*Text proposed by the Commission*

*Amendment*

*(24a) Aviation has an impact on the global climate through releases of Carbon dioxide, nitrogen oxides (NOx), water vapour and sulphate and soot particles. The significance of non-CO<sub>2</sub> climate impacts from aviation activities, previously estimated to be at least as important in total as those of CO<sub>2</sub> alone, is fully confirmed by the report from the Commission to the European Parliament*

*and the Council „Updated analysis of the non-CO2 climate impacts of aviation and potential policy measures pursuant to EU Emissions Trading System Directive Article 30(4)’. Non-CO2 emissions and their impacts cannot be ignored as they potentially represent approximately 60% of total climate impacts that are important in the shorter term (excluding cloudiness impacts). Air traffic management authorities should apply effective pricing and operational measures in order to incentivise airlines to avoid the formation of contrails and cirrus clouds through changes in flight patterns, namely by ensuring that flights avoid areas where due to specific atmospheric conditions the formation and persistence of such clouds is foreseen. In addition, the Commission should strongly promote research on the formation of contrails and cirrus clouds including effective mitigation measures that do not adversely affect other environmental goals, such as hydrotreating kerosene to reduce aromatics that lead to contrail formation, building cleaner engines to reduce NOx emissions, identifying areas in the atmosphere to avoid flying into to reduce contrail persistence. The Commission should therefore urgently conduct an updated analysis on the non-CO2 effects of aviation and propose an effective legislative tool, such as a multiplier per tonne of CO2 within the EU ETS framework, to address these emissions.*

Or. en

**Amendment 146**

**Agnès Evren**

**Proposal for a directive**

**Recital 24 a (new)**

***(24a) The aviation sector, particularly airports, connect the Union with the rest of the world. However, aircraft operators established in a Member State and major European connecting airports – or hubs – are exposed to strong international competition, particularly in the Union’s neighbourhood.***

***This competition from outside Europe, which has been compounded by the cumulative effects of the EU climate package on Union players, calls for corrective measures to be taken to keep the European aviation sector competitive, to maintain the Union’s connectivity, and to combat carbon leakage and unfair competition, to the benefit of the climate and the European economy.***

***The gradual end to free allocation of emission allowances on flights inside Europe will significantly increase the cost of travelling via Europe and undermine the competitiveness of EU-based companies and connecting airports, to the sole benefit of less environmentally friendly non-EU players, leading to significant carbon leakage as a result of a crowding-out effect.***

***Emission allowances for flights inside Europe to and from a connecting airport in the Union shall continue to be allocated free of charge with a view to tackling carbon leakage, preserving EU connectivity and ensuring fair and equitable competition.***

Or. fr

**Amendment 147**  
**Anna Zalewska**

**Proposal for a directive**  
**Recital 24 a (new)**

*Text proposed by the Commission*

*Amendment*

***(24a) The EU ETS Directive includes the possibility, under Article 29a, for the Commission to convene a meeting of government representatives if, for more than six consecutive months, the carbon price is more than three times the average price during the two preceding years. Nevertheless, despite the EU ETS experiencing unprecedented and harmfully excessive price growth since July 2021, this provision remains unused. The Commission should therefore prepare, as a matter of urgency, an evaluation for the co-legislators to assess whether Article 29a can be considered fit for purpose.***

Or. en

**Amendment 148**  
**Andreas Glück, Jan Huitema**

**Proposal for a directive**  
**Recital 24 a (new)**

*Text proposed by the Commission*

*Amendment*

***(24a) The EU ETS Directive provides for measures in the event of prices for allowances being excessive. However, the European Green Deal legislative reforms together with an unprecedented market rally have led to allowance prices increasing with a dramatic impact on EU ETS-related costs. The Commission should present a report to the European Parliament and Council assessing if the current measures are still effective and if they need to be amended.***

Or. en

**Amendment 149**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

**(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union.** **deleted**  
**Therefore, a derogation from the EU ETS should be provided for emissions from flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in the same Member State.**

Or. en

*Justification*

*When the ETS scope is extended to international flights, there is no justification for a derogation for outermost regions of the Union, as all flights are being treated equal.*

**Amendment 150**  
**Stanislav Polčák**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

**(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union.** **deleted**  
**Therefore, a derogation from the EU ETS should be provided for emissions from flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in the same Member State.**

Or. cs

**Amendment 151**  
**Radan Kanev**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union. Therefore, a derogation from the EU ETS should be provided for emissions from flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in the *same Member State*.

*Amendment*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union *and for any destination within a Member State, which is not accessible via high-speed railway, especially in the case when such destination lies on a transit corridor, comprising third countries*. Therefore, a derogation from the EU ETS should be provided for emissions from flights between an aerodrome located in an outermost region of a Member State and in *any* aerodrome located in the *EU. The same derogation applies for emissions from flights of more than 600 km between a destination, which is not accessible via high-speed railway and any aerodrome located in the EU.*

Or. en

**Amendment 152**  
**Agnès Evren**

**Proposal for a directive**  
**Recital 25**

*Text proposed by the Commission*

(25) Special consideration should be given to *promoting* accessibility *for* the outermost regions of the Union. *Therefore, a derogation from the EU ETS should be provided for* emissions from flights *between* an aerodrome *located* in an outermost region of *a Member State* and an aerodrome located in the same Member

*Amendment*

(25) Special consideration should be given to *the* accessibility *of* the outermost regions of the Union *and to providing the best possible territorial continuity with them*. From the *entry into force of the revised Directive 2003/87/EC, an exemption shall apply to* emissions from flights *to and from* an aerodrome in an

State.

outermost region, *as defined in Articles 349 and 355 of the Treaty on the Functioning of the European Union*, and an aerodrome located in the same Member State.

Or. fr

#### **Amendment 153**

**Henna Virkkunen, Marian-Jean Marinescu**

#### **Proposal for a directive**

#### **Recital 25**

*Text proposed by the Commission*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union. Therefore, a derogation from the EU ETS should be provided for emissions from flights *between an aerodrome located in an outermost region of a Member State and an aerodrome located in the same Member State*.

*Amendment*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union. Therefore, a derogation from the EU ETS should be provided for emissions from flights *to and from an outermost region, between two different outermost regions and between islands inside outermost regions*.

Or. en

#### **Amendment 154**

**Pascal Canfin, Stéphane Bijoux**

#### **Proposal for a directive**

#### **Recital 25**

*Text proposed by the Commission*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union. Therefore, a derogation from the EU ETS should be provided for emissions from flights *between* an aerodrome located in an outermost region of a *Member State and an aerodrome located in the same*

*Amendment*

(25) Special consideration should be given to promoting accessibility for the outermost regions of the Union. Therefore, a derogation from the EU ETS should be provided for emissions from flights *from and to* an aerodrome located in an outermost region of a Member State.

Member State.

Or. fr

**Amendment 155**  
**Bas Eickhout**

**Proposal for a directive**  
**Recital 26**

*Text proposed by the Commission*

(26) *A comprehensive approach to innovation is important to achieving the European Green Deal objectives and for the competitiveness of the European industry. This is of particular importance for hard to decarbonise sectors such as aviation and shipping where a combination of operational improvements, alternative climate-neutral fuels and technological solutions need to be deployed. Therefore, Member States should ensure that the national transposition provisions do not hamper innovations and are technologically neutral. At EU level, the necessary R&I efforts, are supported among others, through the Horizon Europe Framework Programme, which includes significant funding and new instruments for the sectors coming under the ETS.*

*Amendment*

(26) *The end of free allowances as of 2024 and the end of the derogation from the application of the EU ETS to international flights will generate substantial revenues. 50% of the revenues associated with the extension of the scope should be re-injected into the aviation industry via the Innovation Fund to support the development of zero emission technologies and reduce the climate and environmental impacts of the aviation sector, in particular to address the non-CO2 impacts. 25% should be used by Member States for actions in accordance with article 10(3), in particular actions that support the decarbonisation of the transport system and support long distance alternatives to aviation with a lower climate impact. 25% of the revenues should be used for international climate finance, both for mitigation and adaptation.*

Or. en

**Amendment 156**  
**Silvia Modig**

**Proposal for a directive**  
**Recital 26**



*Text proposed by the Commission*

(26) A comprehensive approach to innovation is important to achieving the European Green Deal objectives and for the competitiveness of the European industry. This is of particular importance for hard to decarbonise sectors such as aviation and shipping where a combination of operational improvements, alternative climate-neutral fuels and technological solutions need to be deployed. Therefore, Member States should ensure that the national transposition provisions do not hamper innovations and are technologically neutral. At EU level, the necessary R&I efforts, are supported ***among others***, through the Horizon Europe Framework Programme, which includes significant funding and new instruments for the sectors coming under the ETS.

*Amendment*

(26) A comprehensive approach to innovation is important to achieving the European Green Deal objectives and for the competitiveness of the European industry. This is of particular importance for hard to decarbonise sectors such as aviation and shipping where a combination of operational improvements, alternative climate-neutral fuels and technological solutions need to be deployed. Therefore, Member States should ensure that the national transposition provisions do not hamper innovations and are technologically neutral. At EU level, the necessary R&I efforts, are supported ***in addition to the Aviation Fund***, through ***for example*** the Horizon Europe Framework Programme, which includes significant funding and new instruments for the sectors coming under the ETS.

Or. en

**Amendment 157**  
**Deirdre Clune**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

***(26a) All of the revenues generated by the auctioning of allowances for the aviation sector of the Innovation Fund should support innovation in the aviation sector, in proportion to the payment by companies for the auctioning of allowances. In particular, the Innovation Fund should support projects related to the development and implementation of new technologies and designs aiming to reduce greenhouse gas emissions from the aviation sector, particularly in the areas of clean and sustainable aviation fuels***

*and operational, aeronautics, airframe  
and engine innovation.*

Or. en

**Amendment 158**  
**Andreas Glück, Jan Huitema**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) Pursuant to Article 30(4) of this Directive, the Commission presented an updated analysis of the non-CO2 effects of aviation. That analysis found that uncertainties remain with regard to those impacts, and how to assess them in terms of equivalent emissions metrics. Moreover the challenges of finding an appropriate multiplier to account for the climate effects of non-CO2 emissions as well as the uncertainty about the climate impact of NOX, and the potential unintended consequences, creates a political risk for the integrity of the EU ETS.*

Or. en

**Amendment 159**  
**Claudia Gamon, Martin Hojsík, Frédérique Ries, Michal Wiezik**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) In addition, a part of the revenues from the auctioning of aviation allowances should be used under the Innovation Fund of the EU ETS to support the fast transition towards clean technologies and decarbonisation in the aviation sector, in particular relating to*

*the uptake of such technologies, notably clean and sustainable aviation fuels as well as designs aiming to reduce the climate impact of the aviation sector, particularly in the areas of operational, aeronautics, airframe and engine innovation.*

Or. en

**Amendment 160**  
**Sunčana Glavak, Inese Vaidere**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) A significant part of the Innovation Fund should support innovation in the aviation sector, in particular projects related to the development and implementation of new technologies and designs aimed at reducing greenhouse gas emissions from the aviation sector, for example in the areas of clean and sustainable aviation fuels, operational, aeronautics, airframe, and engine innovation, and concerning airport infrastructure and electric aircraft, including through innovation prizes.*

Or. en

**Amendment 161**  
**Anna Zalewska**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) Where appropriate, additional support may be given to encouraging*

*investments and financial, technical, and know-how support for including carbon removal by natural and technological means, including direct air capture, and its geological or biological sequestration, or otherwise utilisation, as a certificate to be used in the EU ETS for aviation.*

Or. en

**Amendment 162**  
**Sirpa Pietikäinen**

**Proposal for a directive**  
**Recital 26 a (new)**

*Text proposed by the Commission*

*Amendment*

*(26a) In order to achieve the Union's climate targets for 2030 and 2050 and the target of 1,5 °C of the Paris Agreement, the Commission should have a roadmap on how and when fossil free aviation is achieved.*

Or. en

**Amendment 163**  
**Claudia Gamon, Nils Torvalds, Martin Hojsík, Frédérique Ries, Emma Wiesner, Michal Wiezik**

**Proposal for a directive**  
**Recital 26 b (new)**

*Text proposed by the Commission*

*Amendment*

*(26b) The deployment of clean and sustainable aviation fuels has a big potential to reduce greenhouse gas emissions in the aviation sector. Due to their significantly higher production cost, these fuels are not yet economically viable. In the light of mandatory quotas for the share of sustainable aviation fuels as laid down in a Regulation at Union*

*level on ensuring a level playing field for sustainable air transport and various voluntary commitments, planning certainty regarding the emissions counting under the EU ETS is crucial. Therefore, the Commission should without delay update the emissions accounting for these fuels to avoid double-counting and provide for zero-counting under the EU ETS for renewable fuels of non-biological origin and recycled carbon fuels produced using renewable sources, such as electrofuels, where it can be ascertained that corresponding EU ETS allowances for captured greenhouse gases have been surrendered in the manufacturing process. Until then, emissions from these fuels should be counted zero.*

Or. en

#### *Justification*

*Text adding a provision for renewable fuels of non-biological origin and recycled carbon fuels produced from renewable sources. This is necessary as aviation fuels will have to contain certain minimum shares of synthetic fuels from 2025. To enable a fast uptake of these fuels certainty as to how to count emissions using these fuels shall be given. The current proposal is clarity lacking about this, as well as about when the relevant implementing act will be adopted. As a provisional rule, emissions from renewable fuels of non-biological origin and recycled carbon fuels produced from renewable sources shall be counted zero until the Commission has adopted an implementing act.*

#### **Amendment 164**

**Anna Zalewska**

#### **Proposal for a directive**

#### **Recital 26 b (new)**

*Text proposed by the Commission*

*Amendment*

*(26b) Where appropriate, additional support may be given to pilot projects which create fuel for commercial aircraft from the utilisation of removed or captured carbon through technological means, such as carbon capture storage*

*and utilisation (CCSU) or direct air capture, with the view of it becoming increasingly utilised.*

Or. en

**Amendment 165**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wieszik**

**Proposal for a directive  
Recital 26 c (new)**

*Text proposed by the Commission*

*Amendment*

*(26c) Given the increasing carbon costs resulting from the full auctioning of allowances in the aviation sector, an economic disadvantage may arise for aircraft operators using hubs within the Union compared to those using hubs outside the Union. As flights to third country hubs are currently not covered by the EU ETS, there might be an advantage for those operators feeding flights outside the Union, where less stringent emission reduction measures are applied. This could lead to shift to these hubs and therefore an increase of emissions eventually resulting in negative impacts on global warming. Extending the scope of the EU ETS to flights from and to aerodromes outside the EEA, Switzerland and the United Kingdom would lead to a fairer competition and more efficient greenhouse gas reduction.*

Or. en

**Amendment 166**

**Silvia Modig**

**Proposal for a directive  
Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

***(27a) Multilateral cooperation is essential to tackle climate change, especially in sectors like aviation. The Union and its Member States must pursue to promote policy measures within the Union and globally that have the highest environmental integrity and aligned the contribution of the aviation sector's emission reductions adequately to the goals of the Paris Agreement, while reflecting equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances. Furthermore, the implementation of CORSIA must not undermine the Union's sovereignty to regulate its share of emissions from aviation in line with the obligations of the Paris Agreement, especially by applying the EU ETS. The aspirational long-term emissions reduction goal of the aviation sector should be reducing emissions to zero by 2050.***

Or. en

**Amendment 167**

**Anna Zalewska**

**Proposal for a directive**

**Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

***(27a) The endeavour to reduce greenhouse gas emissions on a global scale and minimise and reverse the negative effects of climate change is a global undertaking, and as such, the Union should encourage international partners to commit to additional actions beyond carbon neutral growth and reduce greenhouse gas emissions in the aviation***

*sector, including through ICAO, namely the Committee on Aviation Environmental Protection (CAEP) and upcoming Assemblies 41 and 42, as well as at the upcoming UNFCCC COP27 and COP28 summits;*

Or. en

**Amendment 168**

**Henna Virkkunen, Marian-Jean Marinescu, Sunčana Glavak**

**Proposal for a directive**

**Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

*(27a) The Commission should consider possible amendments to Directive 2003/87/EC with regards to regulatory simplification. The Commission and Member State authorities should continuously adapt to best practice administrative procedures and take all measures to simplify the implementation of Directive 2003/87/EC, keeping administrative burdens to a minimum.*

Or. en

**Amendment 169**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

**Proposal for a directive**

**Article 1 – paragraph 1 – point -1 (new)**

Directive 2003/87/EC

Article 3 – point u a (new)

*Text proposed by the Commission*

*Amendment*

*-1. In Article 3, the following point is added:*

*“(ua) ‘non-CO2 emissions’ means the release of oxides of nitrogen (NOx), soot*



*particles, oxidised sulphur species, and water vapour from an aircraft performing an aviation activity listed in Annex I.”*

Or. en

**Amendment 170**

**Henna Virkkunen, Marian-Jean Marinescu**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a**

Directive 2003/87/EC

Article 3 c – paragraph 2

*Text proposed by the Commission*

(a) paragraph 2 is *deleted*,

*Amendment*

(a) paragraph 2 is *replaced by the following*:

*“2. For the period referred to in Article 13, beginning on 1 January 2013, and, in the absence of any amendments following the review referred to in Article 30(4), for each subsequent period till the end of [2026], the total quantity of allowances to be allocated to aircraft operators shall be equivalent to 95 % of the historical aviation emissions multiplied by the number of years in the period. 15 % of allowances shall be auctioned. 85 % of allowances shall be allocated for free in accordance with Article 3d (1d) of this Directive.”*

Or. en

**Amendment 171**

**Silvia Modig**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a a (new)**

Directive 2003/87/EC

Article 3c – paragraph 3 a a (new)

*Text proposed by the Commission*

*Amendment*

**(aa) the following paragraph is inserted:**

**3aa. The Commission shall review the total quantity of allowances to be allocated to aircraft operators in accordance with Article 30(4a).**

Or. en

## **Amendment 172**

**Claudia Gamon, Nils Torvalds, Martin Hojsík, Emma Wiesner, Michal Wiezik**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity, ***as well as the quantity of free allocation which would have taken place in 2024 if the rules for free allocation were not updated.***

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity.

Or. en

## **Amendment 173**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity, ***as well as the quantity of free allocation which would have taken place in 2024 if the rules for free allocation were not updated.***

*Amendment*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity.

Or. en

**Amendment 174**

**Bas Eickhout**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5

*Text proposed by the Commission*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity, ***as well as the quantity of free allocation which would have taken place in 2024 if the rules for free allocation were not updated.***

*Amendment*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity.

Or. en

## **Amendment 175**

**Henna Virkkunen, Marian-Jean Marinescu**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5

#### *Text proposed by the Commission*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year **2024** *on* the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year **2023**, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity, as well as the quantity of free allocation which would have taken place in **2024** if the rules for free allocation were not updated.

#### *Amendment*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year **2027** *on* the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year **2026**, reduced by the linear reduction factor specified in Article 9, and shall publish that quantity, as well as the quantity of free allocation which would have taken place in **2027** if the rules for free allocation were not updated.

Or. en

## **Amendment 176**

**Stanislav Polčák**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5

#### *Text proposed by the Commission*

5. The Commission shall determine the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the basis of the total allocation of allowances in respect of aircraft operators that were performing aviation activities falling within Annex I in the year 2023, reduced by the linear reduction factor specified in Article 9, and

#### *Amendment*

*(Does not affect English version.)*

shall publish that quantity, as well as the quantity of free allocation which would have taken place in 2024 if the rules for free allocation were not updated.

Or. cs

#### **Amendment 177**

**Sunčana Glavak, Inese Vaidere, Esther de Lange**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. 20 million of the total quantity of allowances referred to in paragraph 5 for the period from [the date of entry into force of this Directive] until 1st of January 2030 shall be reserved to be allocated for free in respect of aircraft operators that uplift sustainable aviation fuels. XX % of those allowances shall be allocated specifically for the uplifting of synthetic aviation fuels, including hydrogen.**

Or. en

#### **Amendment 178**

**Marian-Jean Marinescu, Barbara Thaler, Markus Ferber**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. Additional allocation of allowances will be distributed to aircraft operators corresponding to their CORSIA obligation stemming from international**

*flights between Member States, the United Kingdom and Switzerland. These allowances will be allocated to operators in the EU ETS compliance year that is subsequent to the CORSIA compliance year without prejudice to the free allocation.*

Or. en

**Amendment 179**

**Andreas Glück, Jan Huitema**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. 20 million of the total quantity of allowances referred to in paragraph 5 of this Article and for subsequent years up to 2030 shall be reserved to be allocated for free in respect of aircraft operators that uplift sustainable aviation fuels. 50% of these allowances shall be allocated specifically for the uplifting of synthetic aviation fuels.**

Or. en

*Justification*

*In 2019, for the first time a small amount of biofuel was reported to be used. Two aircraft operators reported covering 0.01% of the 2019 ETS aviation emissions (COM 2020, 740 final). "The main incentive for uplifting sustainable aviation fuels, including synthetic aviation fuel, is that allowances will not need to be surrendered for CO2 emissions, which are permanently stored or avoided. In addition, to accelerate the uplifting, a certain amount of allowances should be reserved to provide a guaranteed reward.*

**Amendment 180**

**Sunčana Glavak, Inese Vaidere, Esther de Lange**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 5 b (new)

*Text proposed by the Commission*

*Amendment*

**5b. As from [the date of entry into force of this Directive], the 20 million allowances referred to in paragraph 5a shall be allocated free of charge for the uplifting of sustainable aviation fuels on a non-discriminatory basis.**

***Each aircraft operator may apply for an allocation of the allowances that are to be allocated free of charge for flights covered by the EU ETS until 1st of January 2030 based on the uplifting of the fuels referred to in paragraph 5a from [the date of entry into force of this Directive].***

***The quantity of allowances shall be proportionate to the total greenhouse gas emissions saved according to the treatment of those fuels under Directive (EU) 2018/2001 and the implementing acts referred to in Article 14(1) of this Directive.***

***The Commission shall ensure that CO<sub>2</sub> from fossil fuel is properly accounted for under the EU ETS. Where this is the case, synthetic aviation fuels shall be rated with zero emissions for the aircraft operators using them.***

***The Commission shall publish details of the cost difference between kerosene and sustainable aviation fuels on a yearly basis. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Directive concerning the detailed arrangements for the allocation of aviation allowances for free for uplifting of sustainable aviation fuels by covering the price difference per tonne of CO<sub>2</sub> saved from using those fuels instead of kerosene.***

## Amendment 181

Bas Eickhout

### Proposal for a directive

#### Article 1 – paragraph 1 – point 1 – point b

Directive 2003/87/EC

Article 3 c – paragraph 6

#### *Text proposed by the Commission*

6. In respect of flights ***departing from an aerodrome located in the EEA which arrive at an aerodrome located in the EEA, in Switzerland or in the United Kingdom***, which were not covered by the EU ETS in 2023, the total quantity of allowances to be allocated to aircraft operators shall be increased by the levels of allocations, ***including free allocation and auctioning***, which would have been made if they were covered by the EU ETS in that year, reduced by the linear reduction factor specified in Article 9.

#### *Amendment*

6. In respect of flights ***between the \_Union and third countries***, which were not covered by the EU ETS in 2023, the total quantity of allowances to be allocated to aircraft operators shall be increased by the levels of allocations which would have been made if they were covered by the EU ETS in that year, reduced by the linear reduction factor specified in Article 9.

## Amendment 182

Henna Virkkunen, Marian-Jean Marinescu

### Proposal for a directive

#### Article 1 – paragraph 1 – point 1 – point b

Directive 2003/87/EC

Article 3 c – paragraph 6

#### *Text proposed by the Commission*

6. In respect of flights departing from an aerodrome located in the EEA which arrive at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, which were not covered by the EU ETS in **2023**, the total quantity of allowances to be allocated to aircraft operators shall be

#### *Amendment*

6. In respect of flights departing from an aerodrome located in the EEA which arrive at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, which were not covered by the EU ETS in **2026**, the total quantity of allowances to be allocated to aircraft operators shall be



increased by the levels of allocations, including free allocation and auctioning, which would have been made if they were covered by the EU ETS in that year, reduced by the linear reduction factor specified in Article 9.

increased by the levels of allocations, including free allocation and auctioning, which would have been made if they were covered by the EU ETS in that year, reduced by the linear reduction factor specified in Article 9.

Or. en

**Amendment 183**  
**Stanislav Polčák**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 6

*Text proposed by the Commission*

6. In respect of flights departing from an aerodrome located in the EEA which arrive at an aerodrome located in the EEA, in Switzerland or in the United Kingdom, which were not covered by the EU ETS in 2023, the total quantity of allowances to be allocated to aircraft operators shall be increased by the levels of allocations, including free allocation and auctioning, which would have been made if they were covered by the EU ETS in that year, reduced by the linear reduction factor specified in Article 9.

*Amendment*

*(Does not affect English version.)*

Or. cs

**Amendment 184**  
**Bas Eickhout**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 7

*Text proposed by the Commission*

*Amendment*

**7. By way of derogation from Articles 12(2a), 14(3) and Article 16, Member States shall consider the requirements set out in those provisions to be satisfied and shall take no action against aircraft operators in respect of emissions taking place until 2030 from flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in the same Member State outside that outermost region.;** **deleted**

Or. en

*Justification*

*When the ETS scope is extended to international flights, there is no justification for a derogation for outermost regions of the Union, as all flights are being treated equal.*

#### **Amendment 185**

**Milan Brglez, Robert Hajšel, Tiemo Wölken, Cyrus Engerer, Jytte Guteland**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 2003/87/EC

Article 3 c – paragraph 7

*Text proposed by the Commission*

*Amendment*

**7. By way of derogation from Articles 12(2a), 14(3) and Article 16, Member States shall consider the requirements set out in those provisions to be satisfied and shall take no action against aircraft operators in respect of emissions taking place until 2030 from flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in the same Member State outside that outermost region.;** **deleted**

Or. en

