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2009 - 2014

Committee on the Environment, Public Health and Food Safety

2013/0344(COD)

19.12.2013

AMENDMENTS 21 - 111

Draft report

Peter Liese

(PE522.946v01-00)

on the proposal for a directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in view of the implementation by 2020 of an international agreement applying a single global market-based measure to international aviation emissions

Proposal for a directive

(COM(2013)0722 – C7-0374/2013 – 2013/0344(COD))

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PE526.175v01-00

EN

United in diversity

EN

Amendment 21
Bas Eickhout

Proposal for a directive

—

Proposal for rejection

The European Parliament rejects the Commission proposal.

Or. en

Justification

The proposal creates a bad precedent, damaging the credibility of EU regulation in the eyes of the outside world. It also undermines the predictability for aviation sector actors in the market and goes against the objectives of better regulation.

Amendment 22
Satu Hassi

Proposal for a directive
Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) It is self-evident that aviation industry must abide by Union legislation when operating within its territory. It should also be noted that the aviation sector benefits from a number of subsidies in the EU, i.e. exemption from Value Added Tax unlike other consumer services as well as fuel taxes. The sector also benefits from very generous State Aid rules under the Community guidelines on financing of airports and start-up aid to airlines departing from regional airports. The Commission should review these exemptions and include VAT on all intra-EU flights and flights from the EU to the extent that they are deemed to be EU consumption. The Commission should also re-negotiate all Air Service Agreements with a view to ensuring that the taxation of fuel is allowed and

encouraged.

Or. en

Amendment 23
Holger Krahmer

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) The Union is endeavouring to secure a future international agreement to control greenhouse gas impacts from aviation and, in the meantime, is limiting climate change impacts from aviation ***activities to and from aerodromes*** in the Union by autonomous action. In order to ensure that these objectives are mutually supportive and not in conflict, it is appropriate to take account of developments at and positions taken in international fora and in particular to take account of the Resolution containing the ‘Consolidated statement of continuing ICAO policies and practices related to environmental protection’ adopted at the 38th session of the Assembly of the International civil Aviation Organisation (ICAO).

Amendment

(1) The Union is endeavouring to secure a future international agreement to control greenhouse gas impacts from ***international*** aviation and, in the meantime, is limiting climate change impacts from aviation in the Union ***and EEA*** by autonomous action. In order to ensure that these objectives are mutually supportive and not in conflict, it is appropriate to take account of developments at and positions taken in international fora and in particular to take account of the Resolution containing the ‘Consolidated statement of continuing ICAO policies and practices related to environmental protection’ adopted at the 38th session of the Assembly of the International civil Aviation Organisation (ICAO).

Or. en

Amendment 24
Georgios Koumoutsakos

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The aviation sector operates at international level. Global problems such as those arising from aircraft emissions

can be effectively dealt with through an international approach requiring the same measures to be taken by all or the same objectives achieved by means of different measures. An international ICAO agreement offers the best prospects of a sustainable long-term solution.

Or. el

Amendment 25
Eija-Riitta Korhola

Proposal for a directive
Recital 2

Text proposed by the Commission

Amendment

(2) Consequently it is desirable to temporarily consider the requirements set out in Directive 2003/87/EC of the European Parliament and of the Council⁴ as satisfied, when obligations are met in respect of a certain percentage of the emissions from flights to and from aerodromes in third countries. In doing so, the Union emphasises that requirements can be applied in respect of certain percentages of emissions from flights to and from aerodromes in countries of the European Economic Area (EEA), in the same manner as legal requirements can be placed on more of the emissions from flights to and from such aerodromes.

deleted

⁴ *Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32)*

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 26

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive**Recital 2***Text proposed by the Commission*

(2) Consequently it is desirable to temporarily consider the requirements set out in Directive 2003/87/EC of the European Parliament and of the Council⁴ as satisfied, when obligations are met in respect of a certain percentage of the emissions from flights to and from aerodromes in third countries. In doing so, the Union emphasises that requirements can be applied in respect of certain percentages of emissions from flights to and from aerodromes in countries of the European Economic Area (EEA), in the same manner as legal requirements can be placed on more of the emissions from flights to and from such aerodromes.

⁴ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Amendment

(2) The adoption of Decision 377/2013/EU has enabled major progress to be made within the International Civil Aviation Organisation with a view to the conclusion of a global agreement at the next assembly. In order to facilitate that agreement, to maintain the competitiveness of the European air transport sector and to avoid retaliatory trade measures, it is necessary to limit the scope of the Directive to flights to and from aerodromes in countries of the European Economic Area (EEA).

Justification

Flights to and from countries outside the EEA should only be included in the emission allowance trading scheme where this has been mutually agreed. It would be irresponsible for the EU to unilaterally renege on the commitments it made at the last ICAO assembly in

October 2013. Deciding to do this would seriously jeopardise the conclusion of a global agreement and expose the European air transport sector to retaliatory measures.

Amendment 27
Holger Kraemer

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) Consequently it is desirable to temporarily consider the requirements set out in Directive 2003/87/EC of the European Parliament and of the Council⁴ as satisfied, when obligations are met in respect of a certain percentage of the emissions from flights to and from aerodromes in third countries. In doing so, the Union emphasises that requirements can be applied in respect of certain percentages of emissions from flights to and from aerodromes in countries of the European Economic Area (EEA), in the same manner as legal requirements can be placed on more of the emissions from flights to and from such aerodromes.

⁴ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32)

Amendment

(2) The adoption of Decision No 377/2013/EU derogating temporarily from Directive 2003/87/EC has facilitated progress in ICAO. In order to maintain momentum and facilitate an agreement on a global MBM scheme for international aviation at the next ICAO Assembly, it is desirable to suspend enforcement of requirements relating to flights to and from aerodromes outside of the Union and European Economic Area (EEA).

⁴ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32)

Or. en

Amendment 28
Georgios Koumoutsakos

Proposal for a directive
Recital 2

Text proposed by the Commission

(2) Consequently it is desirable to temporarily consider the requirements set out in Directive 2003/87/EC of the European Parliament and of the Council⁴ as satisfied, when obligations are met in respect of a certain percentage of the emissions from flights to and from aerodromes in third countries. In doing so, the Union emphasises that requirements can be applied in respect of certain percentages of emissions from flights to and from aerodromes in countries of the European Economic Area (EEA), in the same manner as legal requirements can be placed on more of the emissions from flights to and from such aerodromes.

⁴ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32)

Amendment

(2) Consequently it is desirable to temporarily ***extend the 'stop the clock' provisions contained in Decision 2013/377/EU of the European Parliament and of the Council⁴ so as to ensure that preparations for the 2016 ICAO Assembly can take place under the best possible conditions.***

⁴ ***Decision No 377/2013/EU of the European Parliament and of the Council of 24 April 2013 derogating temporarily from Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community (OJ L 113, 25.4.2013, p.1)***

Or. el

Amendment 29
Satu Hassi

Proposal for a directive
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Member States should implement passenger charges for flights to the extent that they are not covered by the ETS and should transfer the revenues to the Green Climate Fund established under the

**United Nations Framework Convention
on Climate Change.**

Or. en

Justification

In the context of the US budget agreement reached in December 2013 the US Congress is in the process of raising a new flight duty of 2,5 USD applicable to all flights departing from US aerodromes. Passenger charges should also be introduced in the Union for flights to the extent that they are not covered by the aviation ETS. Such charges should be calculated to be at least equivalent to 10€/ tonne of CO2 in 2014 increasing by 3€ each year.

Amendment 30

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive

Recital 3

Text proposed by the Commission

Amendment

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020.

deleted

Or. fr

Justification

Deleted as a result of the limiting of the scope of the Directive.

Amendment 31
Holger Krahmer

Proposal for a directive
Recital 3

Text proposed by the Commission

Amendment

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020.

deleted

Or. en

Amendment 32
Eija-Riitta Korhola

Proposal for a directive
Recital 3

Text proposed by the Commission

Amendment

(3) While the application of Directive

deleted

2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020.

Or. en

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only.

Amendment 33
Jolanta Emilia Hibner

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more

Amendment

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more

than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020.

than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period **from 2013** up to 2020.

Or. pl

Amendment 34 **Satu Hassi**

Proposal for a directive **Recital 3**

Text proposed by the Commission

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure ***begins operation***, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than **12** miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to **2020**.

Amendment

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the ***three*** years until a ***ratifiable*** global market-based measure ***that applies to the majority of international aviation emissions is agreed at the 39th ICAO Assembly***, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than **200** miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to **2016**. ***From 1 January 2017 all the percentages will be 50% until a global market-based mechanism with equivalent environmental integrity begins operation, with responsibility for other half left to***

other countries.

Or. en

Justification

The proposed 12 nautical miles perimeter is artificially low for aviation activities. 200 miles represents EEA Exclusive Economic Zone distance. From 2017 until an international MBM of equivalent environmental integrity is implemented, the EU aviation ETS should cover 50% of the incoming and outgoing flights, regulation of the other half should be at the responsibility of the other country.

Amendment 35
Spyros Danellis

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020.

Amendment

(3) While the application of Directive 2003/87/EC continues to be based on arrival at or departure from aerodromes in the Union, in order to be a simple and workable means to limit the application of regional market-based measures for the 7 years until a global market-based measure begins operation, the percentages have been calculated by Eurocontrol on the basis of the proportion of the Great Circle Distance between the main airports in the EEA and in third countries that is not more than 12 miles beyond the furthest point of EEA coastline. Since the Union does not consider that a global market-based measure should be based on actual airspace considerations, as compared to the arrival or departure from aerodromes, the relevance of the percentages is limited to the period up to 2020. ***If a global market-based measure is not agreed at ICAO's 39th Assembly, then from 1 January 2017 until the end of 2020 the percentage of emissions that will require the surrender of allowances will be 50% of each departing and arriving flight, to improve***

However, no account is being taken of emissions not covered by that percentage.

Or. en

Amendment 38
Eija-Riitta Korhola

Proposal for a directive
Recital 6

Text proposed by the Commission

Amendment

(6) In order to establish a percentage of verified emissions for flights to and from aerodromes in third countries, whole flight emissions have to be known. However, no account is being taken of emissions not covered by that percentage.

deleted

Or. en

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 39
Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive
Recital 7

Text proposed by the Commission

Amendment

(7) In addition, in respect of flights to and from third countries, an aircraft operator should be able to choose not to report verified emissions from these flights but instead to rely upon a determination of estimated emissions taking place not beyond EEA Member countries from such flights that is as accurate as possible.

deleted

Or. fr

Justification

Deleted as a result of the limiting of the scope of the Directive.

Amendment 40

Satu Hassi

Proposal for a directive

Recital 7

Text proposed by the Commission

Amendment

(7) In addition, in respect of flights to and from third countries, an aircraft operator should be able to choose not to report verified emissions from these flights but instead to rely upon a determination of estimated emissions taking place not beyond EEA Member countries from such flights that is as accurate as possible. ***deleted***

Or. en

Justification

The ETS has introduced a system of MRV for the aviation sector in Europe and beyond. The information has been instrumental for the operators to reduce fuel use.

Amendment 41

Holger Krahmer

Proposal for a directive

Recital 7

Text proposed by the Commission

Amendment

(7) In addition, in respect of flights to and from third countries, an aircraft operator should be able to choose not to report verified emissions from these flights but instead to rely upon a determination of estimated emissions taking place not beyond EEA Member countries from such flights that is as accurate as possible. ***deleted***

Amendment 42
Eija-Riitta Korhola

Proposal for a directive
Recital 7

Text proposed by the Commission

Amendment

(7) In addition, in respect of flights to and from third countries, an aircraft operator should be able to choose not to report verified emissions from these flights but instead to rely upon a determination of estimated emissions taking place not beyond EEA Member countries from such flights that is as accurate as possible.

deleted

Or. en

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 43
Françoise Grossetête

Proposal for a directive
Recital 8

Text proposed by the Commission

Amendment

(8) As a simplification and to in order to lighten administrative tasks for the smallest aircraft operators, non-commercial aircraft operators emitting less than **1000** tonnes CO2 per annum should be considered as meeting the requirements of the Directive, and additional measures by Member States' competent authorities should be facilitated to simplify **adminstration** for small aircraft operators.

(8) As a simplification and to in order to lighten administrative tasks for the smallest aircraft operators, non-commercial aircraft operators emitting less than **10 000** tonnes CO2 per annum **within European airspace** should be considered as meeting the requirements of the Directive, and additional measures by Member States' competent authorities should be facilitated to simplify **administration** for small aircraft operators.

Justification

Commercial and non-commercial operators should not be treated differently. The former are the subject of an exemption in cases where under 10 000 tonnes of CO2 are emitted each year, and that threshold should also apply to non-commercial operators.

Amendment 44

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive**Recital 9**

Text proposed by the Commission

Amendment

(9) The application of a percentage to verified emissions for flights to and from aerodromes in third countries, or the use of an alternative approach by operators, should relate to emissions from 2014 onwards to give time for operators to understand these approaches when planning their flight activities, ***deleted***

Justification

Deleted as a result of the limiting of the scope of the Directive.

Amendment 45

Eija-Riitta Korhola

Proposal for a directive**Recital 9**

Text proposed by the Commission

Amendment

(9) The application of a percentage to verified emissions for flights to and from aerodromes in third countries, or the use of an alternative approach by operators, should relate to emissions from 2014 onwards to give time for operators to ***deleted***

understand these approaches when planning their flight activities,

Or. en

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 46
Holger Krahmer

Proposal for a directive
Recital 9

Text proposed by the Commission

Amendment

(9) The application of a percentage to verified emissions for flights to and from aerodromes in third countries, or the use of an alternative approach by operators, should relate to emissions from 2014 onwards to give time for operators to understand these approaches when planning their flight activities,

deleted

Or. en

Amendment 47
Eija-Riitta Korhola

Proposal for a directive
Recital 10

Text proposed by the Commission

Amendment

(10) Without prejudice to the global market-based measure applying from 2020, emissions from flights to and from countries which are developing countries and whose share of total revenue ton kilometres of international civil aviation activities is less than 1% should be exempted for the period 2014 to 2020.

deleted

Countries considered to be developing for the purposes of this proposal should be those which benefit at the time of adoption of this proposal from preferential access to the Union market in accordance with Regulation (EU) No 978/2012 of the European Parliament and of the Council, that is those which are not classified in 2013 by the World Bank as high-income or upper-middle income countries.

Or. en

Justification

Recital redundant due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 48

Françoise Grossetête, Christine De Veyrac, Dominique Riquet, Maurice Ponga

Proposal for a directive

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Without prejudice to the global market-based measure applying from 2020, emissions from flights to and from the outermost regions of the European Union should be exempted for the period 2014 to 2020.

Or. fr

Justification

Since the outermost regions are territorial enclaves, air travel is a key means of transport for ensuring public mobility. Given these circumstances, there is a need to ensure that the competitiveness of the airline routes serving those territories is not threatened.

Amendment 49

Satu Hassi

Proposal for a directive
Recital 11

Text proposed by the Commission

Amendment

(11) In order to ensure legal certainty for aircraft operators and national authorities it is appropriate to allow until 2015 for the surrender and reporting deadlines for 2013 emissions.

deleted

Or. en

Justification

The 2013 emissions should be reported in 2014 as foreseen in the legislation.

Amendment 50
Jolanta Emilia Hibner

Proposal for a directive
Recital 12

Text proposed by the Commission

Amendment

(12) After the 2016 ICAO Assembly the Commission **should** submit a report to the European Parliament and to the Council in order to ensure that international developments can be taken into account and any issues about the application of the derogation be addressed.

(12) After the 2016 ICAO Assembly the Commission **shall** submit a report to the European Parliament and to the Council in order to ensure that international developments can be taken into account and any issues about the application of the derogation be addressed.

Or. pl

Amendment 51
Satu Hassi

Proposal for a directive
Recital 12

Text proposed by the Commission

Amendment

(12) After the 2016 ICAO Assembly the

(12) After the 2016 ICAO Assembly the

Commission should submit a report to the European Parliament and to the Council *in order to ensure that international developments can be taken into account and any issues about the application of the derogation be addressed.*

Commission should submit a report to the European Parliament and to the Council *on progress at ICAO towards implementing a global MBM.*

Or. en

Amendment 52
Jolanta Emilia Hibner

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – introductory part

Text proposed by the Commission

1. By way of derogation from Article 12(2a) *and* Article 14(3), Member States shall consider the requirements set out in those paragraphs satisfied in respect of:

Amendment

1. By way of derogation from Article 12(2a), Article 14(3) *and Article 16(3)*, Member States shall consider the requirements set out in those paragraphs satisfied in respect of:

Or. pl

Amendment 53
Martin Callanan

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point a

Text proposed by the Commission

(a) all emissions from flights to *and* from countries outside the European Economic Area *in 2013*;

Amendment

(a) all emissions from flights to *or* from countries outside the European Economic Area *(EEA) in each calendar year from and including 2013 to and including 2020*;

Or. en

Justification

Extending the Commission's 2013 scope to 2020 would allow the 2016 review to assess whether the scope should change following the 39th ICAO Assembly.

Amendment 54
Holger Krahmer

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point a

Text proposed by the Commission

(a) all emissions from flights to and from countries outside the European Economic Area in **2013**;

Amendment

(a) all emissions from flights to and from countries outside the European Economic Area in ***each calendar year starting 2013 up to and including 2020***;

Or. en

Amendment 55
Françoise Grosse-tête, Christine De Veyrac, Dominique Riquet

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point a

Text proposed by the Commission

(a) all emissions from flights to and from countries outside the European Economic Area ***in 2013***;

Amendment

(a) all emissions from flights to and from countries outside the European Economic Area ***up to 2020***;

Or. fr

Justification

Flights to and from countries outside the EEA should only be included in the emission allowance trading scheme where this has been mutually agreed. It would be irresponsible for the EU to unilaterally renege on the commitments it made at the last ICAO assembly in October 2013. Deciding to do this would seriously jeopardise the conclusion of a global

agreement and expose the European air transport sector to retaliatory measures.

Amendment 56
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point a

Text proposed by the Commission

(a) all emissions from flights to and from countries outside the European Economic Area **in 2013**;

Amendment

(a) all emissions from flights to and from countries outside the European Economic Area **between the calendar years 2013 and 2016**;

Or. en

Justification

The ‘Stop the clock’ decision has been a correct one and vital in order to finding a global agreement, hence this directive applies until the end of year 2016, with the view of the ICAO assembly due to be held that year.

Amendment 57
Gilles Pargneaux

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point a

Text proposed by the Commission

(a) all emissions from flights to and from countries outside the European Economic Area **in 2013**;

Amendment

(a) all emissions from flights to and from countries outside the European Economic Area **for each calendar year from 2013 to 2016**;

Or. fr

Justification

It would seem necessary to maintain a ‘stop the clock’ approach up until 2016. An assessment

phase for the various options will still be needed for the period 2017-2020. An approach strictly limited to internal European flights up to 2016 at the earliest, with a review of the arrangements in 2016, would certainly offer the most balanced solution.

Amendment 58

Georgios Koumoutsakos

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point α

Text proposed by the Commission

Amendment

(a) all emissions from flights to and from countries outside the European Economic Area *in* 2013;

(a) all emissions from flights to and from countries outside the European Economic Area *from 2013 to 2016*;

Or. el

Amendment 59

Françoise Grossetête, Christine De Veyrac, Dominique Riquet, Maurice Ponga

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) all emissions from flights to and from the outermost regions of the European Union up to 2020;

Or. fr

Justification

Since the outermost regions are territorial enclaves, air travel is a key means of transport for ensuring public mobility. Given these circumstances, there is a need to ensure that the competitiveness of the airline routes serving those territories is not threatened.

Amendment 60

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

deleted

Or. fr

Justification

Flights to and from countries outside the EEA should only be included in the emission allowance trading scheme where this has been mutually agreed. It would be irresponsible for the EU to unilaterally renege on the commitments it made at the last ICAO assembly in October 2013. Deciding to do this would seriously jeopardise the conclusion of a global agreement and expose the European air transport sector to retaliatory measures.

Amendment 61

Eija-Riitta Korhola

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered

deleted

allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Or. en

Justification

Point b redundant due to limiting the scope of the directive to apply to intra-EEA flights only. The 'Stop the clock' decision has been a correct one and vital in order to finding a global agreement, hence this directive applies until the end of year 2016, with the view of the ICAO assembly due to be held that year.

Amendment 62
Holger Krahmer

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

deleted

Or. en

Amendment 63
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1

Directive 2003/87/EC
Article 28a – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

deleted

Or. en

Justification

Extending the Commission's 2013 scope to 2020 would allow the 2016 Review to assess whether the scope should change following the 39th ICAO Assembly.

Amendment 64
Satu Hassi

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and **2020** where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and **2016** where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Or. en

Justification

From 2017 until a global MBM is implemented the aviation ETS should cover 50% of the incoming and outgoing flights, regulation of the other half should be at the responsibility of the other country.

Amendment 65 **Spyros Danellis**

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point b

Text proposed by the Commission

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and **2020** where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and **2016** where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Or. en

Justification

The hybrid solution of the ‘airspace’ model should only be applied until a binding agreement comes into force at global level. Once that is done, the EU can adjust its provisions accordingly. If such a deal fails to be concluded at ICAO’s 2016 assembly, then a system with better coverage and environmental integrity (50-50) - which however still addresses the sovereignty issues expressed - should come into effect.

Amendment 66 **Gilles Pargneaux**

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point b

Text proposed by the Commission

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between **2014** and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between **2017** and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, or calculated in accordance with paragraph 6;

Or. fr

Justification

An assessment phase for the various options will still be needed for the period 2017-2020. An approach strictly limited to internal European flights up to 2016 at the earliest, with a review of the arrangements in 2016, would certainly offer the most balanced solution.

Amendment 67

Jolanta Emilia Hibner

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point b

Text proposed by the Commission

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc, **or calculated in accordance with paragraph 6**;

Amendment

(b) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2014 and 2020 where the operator of such flights has surrendered allowances in respect of the percentages of their verified emissions from those flights listed in accordance with Annex IIc;

Or. pl

Amendment 68
Satu Hassi

Proposal for a directive
Article 1 – paragraph 1 – point 1
2003/87/EC
Article 28a – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) emissions from flights to and from countries outside the European Economic Area from 2017 where the operator of such flights has surrendered allowances in respect of 50% of their verified emissions from those flights;

Or. en

Justification

From 2017 until a global MBM is implemented the aviation ETS should cover 50% of the incoming and outgoing flights, regulation of the other half should be at the responsibility of the other country.

Amendment 69
Spyros Danellis

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2017 and 2020, where the operator of such flights has surrendered allowances in respect of 50% of their verified emissions from those flights, if the 39th ICAO Assembly fails to agree on a global market-based measure that applies to the majority of international aviation emissions and that is effective as

of 2020;

Or. en

Justification

The hybrid solution of the ‘airspace’ model should only be applied until a binding agreement comes into force at global level. Once that is done, the EU can adjust its provisions accordingly. If such a deal fails to be concluded at ICAO’s 2016 assembly, then a system with better coverage and environmental integrity (50-50) - which however still addresses the sovereignty issues expressed - should come into effect.

Amendment 70
Spyros Danellis

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28 – paragraph 1 – point b b (new)

Text proposed by the Commission

Amendment

(bb) emissions from flights to and from countries outside the European Economic Area (EEA) in each calendar year between 2017 and 2020, where the operator of such flights has surrendered allowances in compliance with point b of Paragraph 1, only if the 39th Assembly of ICAO has agreed a global market-based measure that applies to the majority of international aviation emissions and that is effective as of 2020;

Or. en

Justification

The hybrid solution of the ‘airspace’ model should only be applied until a binding agreement comes into force at global level. Once that is done, the EU can adjust its provisions accordingly. If such a deal fails to be concluded at ICAO’s 2016 assembly, then a system with better coverage and environmental integrity (50-50) - which however still addresses the sovereignty issues expressed - should come into effect.

Amendment 71
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point c

Text proposed by the Commission

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year **up to 2020** where the emissions for which that aircraft operator are responsible in **the** calendar year are less than 1000 tonnes;

Amendment

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year **between 2013 and 2016**, where the emissions for which that aircraft operator are responsible in **that** calendar year are less than 1000 tonnes;

Or. en

Justification

The ‘Stop the clock’ decision has been a correct one and vital in order to finding a global agreement, hence this directive applies until the end of year 2016, with the view of the ICAO assembly due to be held that year.

Amendment 72
Jolanta Emilia Hibner

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point c

Text proposed by the Commission

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes;

Amendment

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year **in the period from 2013** up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes;

Or. pl

Amendment 73

Françoise Grossetête

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point c

Text proposed by the Commission

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than **1000** tonnes;

Amendment

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than **10 000** tonnes ***emitted during flights inside the EEA***;

Or. fr

Justification

Commercial and non-commercial operators should not be treated differently. The former are the subject of an exemption in cases where under 10 000 tonnes of CO₂ are emitted each year, and that threshold should also apply to non-commercial operators.

Amendment 74

Satu Hassi

Proposal for a directive

Article 1 – paragraph 1 – point 1

2003/87/EC

Article 28a – paragraph 1 – point c

Text proposed by the Commission

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes;

Amendment

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year up to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes ***and the operator has made an equivalent contribution to the Green Climate Fund established under the UNFCCC corresponding to €10/tonne of CO₂ in 2014 increasing by €3 each***

year;

Or. en

Justification

The exemption for non-commercial aircraft, i.e. business jets is only acceptable if they are subject to an equivalent contribution to the UNFCCC Green Climate Fund. The proposed price is based on one of the Commission price scenarios in the impact assessment for the shipping MRV proposal.

Amendment 75
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point c

Text proposed by the Commission

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year **up** to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes;

Amendment

(c) emissions from flights operated by a non-commercial aircraft operator in each calendar year **from and including 2013** to 2020 where the emissions for which that aircraft operator are responsible in the calendar year are less than 1000 tonnes;

Or. en

Justification

For the purposes of Articles 11a, 12 and 14 relating to project credits, the transfer and surrender of allowances and MRV, the verified emissions should be considered to be the emissions relating to the reduced scope.

Amendment 76
Gilles Pargneaux

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the surrender, before 31 December 2013, of allowances corresponding to verified 2012 emissions.

Or. fr

Justification

This clause seeks to enable regularisation of the situation of aircraft operators who have surrendered their allowances beyond the 30 April 2013 deadline, bearing in mind the changes in the rules established by way of Decision No 377/2013/EU and this proposal amending Directive No 2003/87.

Amendment 77

Satu Hassi

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the surrender of allowances corresponding to verified 2013 emissions from flights between countries in the EEA taking place by 30 April 2015 instead of 30 April 2014, and verified 2013 emissions for those flights being reported by 31 March **2015 instead of 31 March** 2014.

(d) the surrender of allowances corresponding to verified 2013 emissions from flights between countries in the EEA taking place by 30 April 2015 instead of 30 April 2014, and verified 2013 emissions for those flights being reported by 31 March 2014.

Or. en

Amendment 78

Jolanta Emilia Hibner

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) emissions from flights to and from developing countries whose share of total revenue ton kilometres of international civil aviation activities is less than 1%.

Or. pl

Amendment 79

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The verified emissions referred to in paragraph 1(b) calculated in accordance with Annex IIc shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12 and 14.

deleted

Or. fr

Justification

Deleted as a result of the limiting of the scope of the Directive and in line with the deletion of Article 28a (1)(b).

Amendment 80

Eija-Riitta Korhola

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The verified emissions referred to in paragraph 1(b) calculated in accordance with Annex IIc shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12 and 14.

deleted

Or. en

Justification

Redundant due to limiting the scope of the directive to apply to intra-EEA flights only where normal reporting of actual emissions applies

Amendment 81
Holger Krahmer

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The verified emissions referred to in paragraph 1(b) calculated in accordance with Annex IIc shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12 and 14.

deleted

Or. en

Amendment 82
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 1 – subparagraph 2

Text proposed by the Commission

The verified emissions referred to in paragraph 1**(b)** *calculated in accordance with Annex IIc* shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12 and 14.

Amendment

The verified emissions referred to in paragraph 1**(a)** shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12 and 14.

Or. en

Justification

For the purposes of Articles 11a, 12 and 14 relating to project credits, the transfer and surrender of allowances and MRV, the verified emissions should be considered to be the emissions relating to the reduced scope.

Amendment 83
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. By way of derogation from Article 3e(5) and Article 3f, an aircraft operator benefitting from the derogations provided for in paragraphs 1(a) to 1**(c)** shall be issued a number of free allowances reduced in proportion to reduction of the surrender obligation provided for in those paragraphs.

Amendment

2. By way of derogation from Article 3e(5) and Article 3f, an aircraft operator benefitting from the derogations provided for in paragraphs 1(a) to 1**(b)** shall be issued a number of free allowances reduced in proportion to reduction of the surrender obligation provided for in those paragraphs.

Or. en

Amendment 84
Satu Hassi

Proposal for a directive
Article 1 – paragraph 1 – point 1

Directive 2003/87/EC
Article 28a – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. By way of derogation from Article 3e(5) and Article 3f, an aircraft operator benefitting from the derogations provided for in paragraphs 1(a) to 1(c) shall be issued **a number of** free allowances **reduced in proportion to reduction of the surrender obligation provided for in those paragraphs.**

Amendment

2. By way of derogation from Article 3e(5) and Article 3f, an aircraft operator benefitting from the derogations provided for in paragraphs 1(a) to 1(c) shall **not** be issued free allowances.

Or. en

Justification

The aviation sector receives a much higher proportion of free allowances than other sectors under ETS. The receipt of free allowances is so beneficial that some operators voluntarily did not ‘stop the clock’ in 2012 in order to continue to receive their full allocation of allowances. Airlines have also passed on the full carbon price to customers, regardless of allowances received for free. Reducing the scope of the system should be used to remove some of the excess opportunity for windfall profits.

Amendment 85
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 2 – subparagraph 2

Text proposed by the Commission

As regards activity in 2013 to **2020**, Member States shall publish the number of free aviation allowances allocated to each operator by [OP: insert a date **4** months after the entry into force of this Directive].

Amendment

As regards activity in **calendar years** 2013 to **2016**, Member States shall publish the number of free aviation allowances allocated to each operator by [OP: insert a date **x** months after the entry into force of this Directive].

Or. en

Justification

The 'Stop the clock' decision has been a correct one and vital in order to finding a global agreement, hence this directive applies until the end of year 2016, with the view of the ICAO assembly to be held that year.

Amendment 86 **Martin Callanan**

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 2 – subparagraph 2

Text proposed by the Commission

As regards activity in 2013 to 2020, Member States shall publish the number of free aviation allowances allocated to each operator by [OP: insert a date **4** months after the entry into force of this Directive].

Amendment

As regards activity in 2013 to 2020, Member States shall publish the number of free aviation allowances allocated to each operator by [OP: insert a date **8** months after the entry into force of this Directive].

Or. en

Justification

A longer deadline is required if the legal vehicle is an amending Directive.

Amendment 87 **Jolanta Emilia Hibner**

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 2a (new)

Text proposed by the Commission

Amendment

2a. No later than three months after the entry into force of this directive, the Commission shall calculate the percentage shares for individual operators, expressed in ton kilometres reported in 2010, that correspond to emissions not subject to exemption

pursuant to paragraph 1(a)-(c). Data calculated in accordance with this paragraph shall be transmitted to Member States solely through agencies administered by those states.

Or. pl

Amendment 88
Jolanta Emilia Hibner

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 3

Text proposed by the Commission

3. By way of derogation from Article 3d, Member States *shall auction a number of aviation allowances reduced* in proportion to the reduction in the total number of allowances issued.

Amendment

3. By way of derogation from Article 3d, *the pool of allowances to be auctioned by the Member States shall be reduced* in proportion to the reduction in the total number of allowances issued.

Or. pl

Amendment 89
Satu Hasi

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 3

Text proposed by the Commission

3. By way of derogation from Article 3d, Member States shall auction *a number of aviation allowances reduced in proportion to the reduction in the total number of allowances issued.*

Amendment

3. By way of derogation from Article 3d, Member States shall *not* auction aviation allowances.

Or. en

Justification

The ETS market is flooded with oversupply and until the Member States agree to the earmarking of revenues to financing climate action in developing countries, auctioning of aviation allowances should be suspended.

Amendment 90
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 4

Text proposed by the Commission

4. By way of derogation from Article 3d(3), the number of allowances to be auctioned by each Member State in respect of the period from 2013 to **2020** shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of Article 28(a) to (c).

Amendment

4. By way of derogation from Article 3d(3), the number of allowances to be auctioned by each Member State in respect of the period from *calendar years* 2013 to **2016** shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of Article 28(a) to (c).

Or. en

Justification

The ‘Stop the clock’ decision has been a correct one and vital in order to finding a global agreement, hence this directive applies until the end of year 2016, with the view of the ICAO assembly due to be held that year.

Amendment 91
Jolanta Emilia Hibner

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 4

Text proposed by the Commission

4. By way of derogation from Article 3d(3), the number of allowances to be

Amendment

4. By way of derogation from Article 3d(3), the number of allowances to be

auctioned by each Member State in respect of the period from 2013 to 2020 shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of Article 28(a) to (c).

auctioned by each Member State in respect of the period from 2013 to 2020 shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of Article 28(a) to (c) **and (e)**.

Or. pl

Amendment 92
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 4

Text proposed by the Commission

4. By way of derogation from Article 3d(3), the number of allowances to be auctioned by each Member State in respect of the period from 2013 to 2020 shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of **Article 28(a) to (c)**.

Amendment

4. By way of derogation from Article 3d(3), the number of allowances to be auctioned by each Member State in respect of the period from 2013 to 2020 shall be reduced to correspond with its share of attributed aviation emissions resulting from the application of **paragraphs 1(a) to 1(c) of this Article**.

Or. en

Justification

Amended for consistency with the amendments covering Article 28a, paragraphs 1(a) to 1(c).

Amendment 93
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 5

Text proposed by the Commission

5. By way of derogation from Articles 3g, 12, 15 and 18a, where an aircraft operator has total annual emissions lower than 25000 tonnes, its emissions shall be considered to be verified emissions if determined using ***a small emitters tool approved by the Commission and populated by Eurocontrol with data from its*** ETS support facility, and Member States may implement simplified procedures for non-commercial aircraft operators as long as there is no less accuracy than such a tool provides.

Amendment

5. By way of derogation from Articles 3g, 12, 15 and 18a, where an aircraft operator has total annual emissions lower than 25000 tonnes, its emissions shall be considered to be verified emissions if determined using data from ***Eurocontrol's*** ETS support facility, and Member States may implement simplified procedures for non-commercial aircraft operators as long as there is no less accuracy than such a tool provides.

Or. en

Justification

The role of the small emitters tool is not self-evident in this context as the emissions report can be received from ETS Support Facility if the carrier has a licence to use that programme

Amendment 94
Gilles Pargneaux

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 5

Text proposed by the Commission

5. By way of derogation from Articles 3g, 12, 15 and 18a, where an aircraft operator has total annual emissions lower than 25000 tonnes, its emissions shall be considered to be verified emissions if determined using a small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility, and Member States may implement simplified procedures for non-commercial aircraft operators as long as there is no less

Amendment

5. By way of derogation from Articles 3g, 12, 15 and 18a, where an aircraft operator has total annual emissions lower than 25 000 tonnes ***after the provisions of paragraph 1(a) of this article have been taken into consideration***, its emissions shall be considered to be verified emissions if determined using a small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility, and Member States may implement simplified

accuracy than such a tool provides.

procedures for non-commercial aircraft operators as long as there is no less accuracy than such a tool provides.

Or. fr

Amendment 95
Jolanta Emilia Hibner

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a.

deleted

Or. pl

Amendment 96
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a.

deleted

Or. en

Justification

No longer necessary under an intra-EEA scope.

Amendment 97

Françoise Grossetête, Christine De Veyrac, Dominique Riquet

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent

deleted

authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a.

Or. fr

Justification

Deleted as a result of the limiting of the scope of the Directive and in line with the deletion of Article 28a (1)(b).

Amendment 98
Satu Hassi

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be

deleted

the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a.

Or. en

Justification

The ETS has introduced a system of MRV for the aviation sector in Europe and beyond. The information has been instrumental for the operators to reduce fuel use.

Amendment 99
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a. **deleted**

Or. en

Justification

Paragraph redundant due to limiting the scope of the directive to apply to intra-EEA flights

only where the normal reporting obligation applies

Amendment 100
Holger Krahmer

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from Article 12(2a) and Article 14(3), for flights to and from countries outside the EEA, an aircraft operator may choose not to report emission data using the percentages in Annex IIc, in order that such emissions shall be calculated by the competent authority. This calculation shall take into account figures from the small emitters tool approved by the Commission and populated by Eurocontrol with data from its ETS support facility. The competent authority shall report all such calculations to the Commission. Calculations of emissions made in these circumstances shall be considered to be the verified emissions of the aircraft operator for the purposes of Articles 11a, 12, 14 and 28a.

deleted

Or. en

Amendment 101
Martin Callanan

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

In the event that a global measure will not apply from 2020, that report shall consider the appropriate scope for coverage of emissions from activity to and from countries outside the EEA from 2020 onwards in the continued absence of such a global measure. In its report, the Commission shall also consider solutions to other issues that may arise in the application of paragraphs 1 to 4, while preserving equal treatment for all operators on the same route.

That report shall consider and, if appropriate, make proposals on, the appropriate scope for coverage of emissions from activity to or from countries outside the EEA from 2017 onwards. In its report, the Commission shall also consider solutions to other issues that may arise in the application of paragraphs 1 to 4, while preserving equal treatment for all operators on the same route.

Or. en

Justification

The 2016 Review conducted by the Commission should consider progress following the ICAO Assembly in 2016 and should, if appropriate make a new proposal on the Aviation ETS.

Amendment 102
Satu Hassi

Proposal for a directive
Article 1 – paragraph 1 – point 1
Directive 2003/87/EC
Article 28a – paragraph 7 – subparagraph 2

Text proposed by the Commission

Amendment

In the event that a global measure will not apply from 2020, that report shall consider the appropriate scope for coverage of emissions from activity to and from countries outside the EEA from 2020 onwards in the continued absence of such a global measure. In its report, the Commission shall also consider solutions to other issues that may arise in the application of paragraphs 1 to 4, while preserving equal treatment for all operators on the same route.

In the event that a global measure of equivalent environmental integrity will not apply from 2020, the possibility to apply derogation in paragraph 1 point (ba) shall remain in force.

Justification

If a global MBM of equivalent environmental integrity is not implemented from 2020 the EU aviation ETS should cover 50% of the incoming and outgoing flights, regulation of the other half should be at the responsibility of the other country.

Amendment 103
Gilles Pargneaux

Proposal for a directive

Article 1 – paragraph 1 – point 1

Directive 2003/87/EC

Article 28a – paragraph 7 – subparagraph 2

Text proposed by the Commission

In the *event that a global measure will not apply from 2020, that* report shall consider *the appropriate scope for* coverage of emissions from *activity* to and from countries outside the EEA from **2020 onwards in the continued absence of such a global measure**. In its report, the Commission shall also consider solutions to other issues that may arise in the application of paragraphs 1 to 4, while preserving equal treatment for all operators on the same route.

Amendment

In the report, *the Commission* shall consider *and, where appropriate, make proposals on, extension of the* coverage of emissions from *activities* to and from countries outside the EEA from **2017 onwards**. In its report, the Commission shall also consider solutions to other issues that may arise in the application of paragraphs 1 to 4, while preserving equal treatment for all operators on the same route.

Or. fr

Justification

The review conducted in 2016 should lead to a review of all facets of the arrangements and their application as from 2017, not least in terms of coverage, based on the outcome of the ICAO assembly (and not just if a global measure is not applied from 2020).

Amendment 104
Martin Callanan

Proposal for a directive

Article 1 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) The Annexes are amended as set out in the Annex to this Directive. **deleted**

Or. en

Justification

No longer necessary under an intra-EEA scope.

Amendment 105
Eija-Riitta Korhola

Proposal for a directive
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) The Annexes are amended as set out in the Annex to this Directive. **deleted**

Or. en

Justification

Not needed due to limiting the scope of the directive to apply to intra-EEA flights only

Amendment 106
Holger Kraemer

Proposal for a directive
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) The Annexes are amended as set out in the Annex to this Directive. **deleted**

Or. en

Amendment 107
Martin Callanan

Proposal for a directive
Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall adopt and publish, by [OP: please insert concrete date – last day of 3rd month from the date of entry into force], the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

1. Member States shall adopt and publish, by [OP: please insert concrete date – last day of **the 6th** month from the date of entry into force], the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

Justification

A longer deadline is required if the legal vehicle is an amending Directive.

Amendment 108
Holger Krahmer

Proposal for a directive
Annex
Directive 2003/87/EC
Annex IIc

Text proposed by the Commission

[...]

Amendment

deleted

Or. en

Amendment 109
Martin Callanan

Proposal for a directive
Annex
Directive 2003/87/EC
Annex IIc

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Justification

This annex is no longer necessary under an intra-EEA scope.

Amendment 110

Satu Hassi

Proposal for a directive

Annex

Directive 2003/87/EC

Annex IIc – paragraph 3

Text proposed by the Commission

Amendment

Y = the part of the Great Circle Distance of the flight defined in Z between the reference EEA Member countries aerodrome and the first point on that route **12** nautical miles from the last point in EEA Member countries, excluding third country areas and excluding sea area in excess of 400 nautical miles between EEA Member countries.

Y = the part of the Great Circle Distance of the flight defined in Z between the reference EEA Member countries aerodrome and the first point on that route **200** nautical miles from the last point in EEA Member countries, excluding third country areas and excluding sea area in excess of 400 nautical miles between EEA Member countries.

Or. en

Justification

The proposed 12 nautical miles perimeter is artificially low for aviation activities. 200 miles represents EEA Exclusive Economic Zone distance.

Amendment 111

Satu Hassi

Proposal for a directive

Annex 1 – paragraph 1

Directive 2003/87/EC

Annex IIc – paragraph 6

Text proposed by the Commission

For the period 2014 to **2020**, and without prejudice to the global market-based measure applying from 2020, the percentage applicable to flights between EEA Member countries and countries which are developing countries and whose share of total revenue ton kilometres of international civil aviation activities is less than 1% shall be zero. Countries considered to be developing for the purposes of this proposal are those which benefit at the time of adoption of this proposal from preferential access to the Union market in accordance with Regulation (EU) No 978/2012 of the European Parliament and of the Council, that is those which are not classified in 2013 by the World Bank as high-income or upper-middle income countries.]

Amendment

For the period 2014 to **2016**, and without prejudice to the global market-based measure applying from 2020, the percentage applicable to flights between EEA Member countries and countries which are developing countries and whose share of total revenue ton kilometres of international civil aviation activities is less than 1% shall be zero. Countries considered to be developing for the purposes of this proposal are those which benefit at the time of adoption of this proposal from preferential access to the Union market in accordance with Regulation (EU) No 978/2012 of the European Parliament and of the Council, that is those which are not classified in 2013 by the World Bank as high-income or upper-middle income countries.]

Or. en