

To
Mr. Roberto Kobeh González
President of the Council

International Civil Aviation Organization (ICAO)
999 University Street, Montréal, Quebec H3C 5H7, Canada

- via E-Mail -

OPEN LETTER

24.09.2013

Dear Mr President,

We, the undersigned, want to thank you for the efforts you and your colleagues have undertaken to bring a meaningful agreement on the emissions of international aviation under this year's ICAO General Assembly on the way. We have been encouraged about the resolution which is now put to vote at the assembly and appreciate the clear words on the establishment of regional market based measures while there is no global MBM in place.

Nevertheless, we are concerned that the current text will be weakened during the negotiations despite all your effort you have put in. We are advocating for a meaningful framework on our common way towards a global MBM.

As you know, the inclusion of aviation in the EU Emission Trading System has been criticised by some third countries that have joined the call for action through ICAO. Therefore this spring the European Parliament and Council of Ministers adopted the so-called "Stop the Clock" legislation, as you know. With this gesture of goodwill the European Union did its part to pave the way for substantial progress in the now-starting General Assembly.

We always have been stating very clear that we, as the co-legislators in the EU, are ready to amend our legislation again in reaction to the positive developments we have seen under ICAO in the last weeks. But we cannot just suspend our legislation or prolong the one-year "Stop the Clock" derogation until 2020. We are committed to the will of the European Parliament as the EU-citizens' chamber to include aviation emissions in our Emission Trading System and to make sure that this sector contributes alongside other parts of the economy to reducing global greenhouse gas emissions. A Resolution that does not recognise that States are acting before 2020 would be a step back from the 2010 Assembly Resolution, and is not solution. With a meaningful framework included, we would consider adjusting our ETS to apply in an amended way. Let us add that the Council of Ministers of the EU cannot amend legislation on their own, the agreement of European Parliament as the responsible co-legislators is always needed. In this regard we cannot guarantee that the European Parliament accepts any proposal by the

European Commission on amending the existing legislation. The current framework approach can in this way only be seen as a minimum compromise, and further weakening of the text would in our eyes hardly be acceptable for the European Parliament.

Furthermore, we welcome the steps that you have made but we have serious concerns about a threshold which is under discussion and could exempt most countries including industrialized ones. We would argue for phrasing in which the special situation of least developed countries is considered. We would kindly ask you to take our concerns into account and draft the corresponding paragraph in favour of the least developed countries in respect of whom we consider a special treatment as something acceptable for the European Parliament.

Last but not least let us express our respect for all your work towards a global agreement under ICAO on emissions of international aviation. We are very happy that the international community is now tackling the issue. Climate change is one of the most important threats for the whole world.

Kind regards,

Matthias Groote,	Chairman of the Environment Committee
Peter Liese,	Rapporteur on the inclusion of aviation in the EU-ETS (Environment Committee)
Mathieu Grosch	Rapporteur of the Opinion on Stop the Clock of the Transport Committee