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CONTRIBUTION

From: To:	General Secretariat of the Council Working Party on the Environment
N° prev. doc.:	WK 5954/2022
Subject:	Fit for 55 package - ETS: Comments from delegations

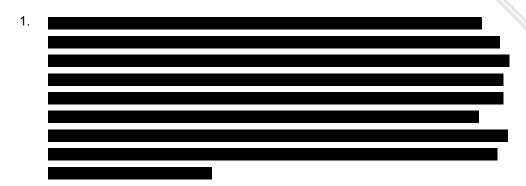
Following the call for comments set out in WK 5954/2022, delegations will find attached comments from the DK and IT delegations regarding ETS aviation.

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DENMARK

Written comments on ETS aviation

Pending parliamentary scrutiny, the Danish government has the following comments to the PCY compromise proposal on the revision of ETS for aviation:



- Maintaining scope of emissions in NDC: Currently, half of the emissions from extra-EEA flights are included in the NDC, calculated including emissions from outgoing flights that start in the EU, on the basis of fuels sold in the EU. If the scope of ETS is permanently delimited to intra-EEA flights, it may be considered by some as an indicator that only emissions from intra-EEA flights should be included in the EU's future NDC's. However, a decision by the EU to exclude emissions from extra-EEA flights could lead to criticism that the EU is backsliding on its obligations to undertake "economy-wide absolute emission reduction targets" as set out in the Paris Agreement's article 4, as well as the European Climate Law's objective of reducing emissions "economy-wide". On that basis, DK proposes adding to the recitals, that the current scope of emissions from extra-EEA flights in the NDC should be maintained in future NDC's, irrespectively of changes to the scope of ETS for aviation.
- 3. <u>Quicker phase out of free allowances:</u> DK supports phasing out the free allowances as they constitute a derogation from the "polluter pays" principle. However, DK would prefer to see a quicker phase out than proposed.

ITALY

Réunion du groupe de travail Environnement du 26 avril 2022 Directive ETS

Comments

I. Quotas gratuits

Extinction progressive des quotas gratuits (Article 3d (1-3))

Considérant que la proposition de la Commission constitue un point d'équilibre, la Présidence propose dans sa proposition de compromis de maintenir cette disposition en l'état.

Though keeping the reservation on the legal text which is under scrutiny, the proposal by the Presidency represents an acceptable compromise.

Exemption temporaire pour les régions ultrapériphériques (Article 3c(7))

La Présidence propose donc de conserver la proposition de la Commission en l'état.

Though keeping the reservation on the legal text which is under scrutiny, the proposal by the Presidency represents an acceptable compromise.

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III. Ajustements rédactionnels divers

La Présidence propose quelques ajustements rédactionnels sur la base des contributions des délégations :

- aux paragraphes 4 à 6 de l'article 25a, les termes « cancel units » sont remplacés par les termes « surrender allowances according to Article 12(3) in respect of those emissions » parce que l'exemption concerne une exemption de l'ETS et non une exemption de CORSIA;
- A l'annexe IV (et au considérant 23a) le facteur d'émission du kérosène est précisé.

Typos/errors:

- Article 6(2) point (e): this article refers to "installation".
- Article 12, '6.: "in accordance with the methodology laid down in the [...] implemeting act" shall be modified with "implementing act".