Airline industry's sustainability for climate change



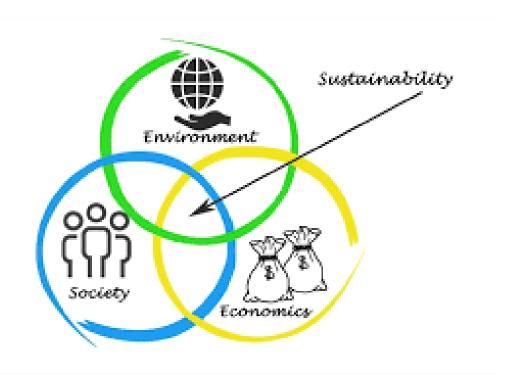
Dr. Jae Woon LEE
Assistant Professor
Faculty of Law
The Chinese University of Hong Kong



- ✓ Overview
- ✓ Legal framework
- ✓ CORSIA
- ✓ Regulatory and non-regulatory approach



✓ Sustainability is "the ability to continue or be continued for a long time" defined through the following interconnected pillars: environmental, economic and social.



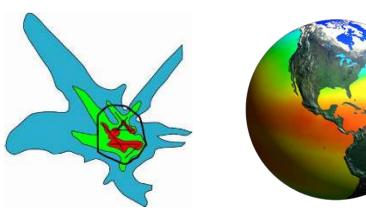
Introduction

The growth of aviation has come concerns regarding noise, air quality, water quality and impacts on climate.

✓ Public awareness of environmental issues, and political pressure to manage environmental impacts, have increased dramatically.



Aviation Environmental Issues





Global climate

The potential impact of aviation on global climate

Community Noise Impacts Dealing with significant aircraft noise impacts around airports

Water Quality

Limiting or reducing impact of aviation on water quality

Air Quality

Limiting or reducing impact of aviation on local air quality

Source: US FAA



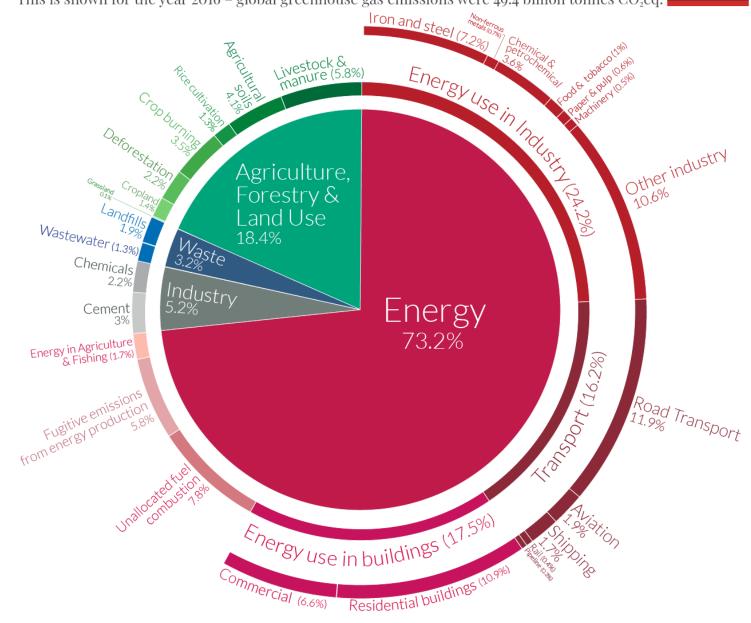
Impact of Aviation on Climate

- ✓ Aircraft emit chemical species and produce physical effects that affect climate.
- ✓ CO2 is a greenhouse gas that causes an increase in global temperatures.
- Because of the very long timescales for the global carbon cycle, CO2 may remain in the atmosphere and affect the climate for 500 years after it is emitted.

Global greenhouse gas emissions by sector



This is shown for the year 2016 – global greenhouse gas emissions were 49.4 billion tonnes CO₂eq.







FLYGSKAM

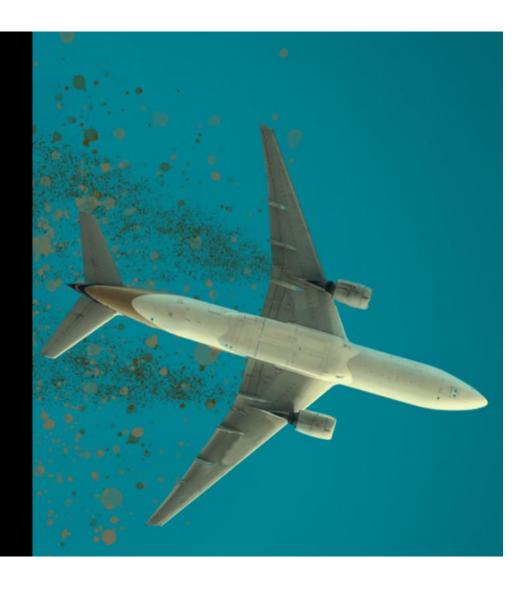
THE FEELING OF SHAME FROM FING IN AN

AIRPLANE, KNOWING

HOW MUCH

CARBON POLLUTION IT CAUSES

EMOTIONALGRANULARITY.COM





Kyoto Protocol to the United Nations Framework

✓ Article 2, paragraph 2

"The Parties included in Annex I shall pursue limitation or reduction of emissions of greenhouse gases not controlled by the Montreal Protocol from aviation and marine bunker fuels, working through the International Civil Aviation Organization and the International Maritime Organization, respectively."

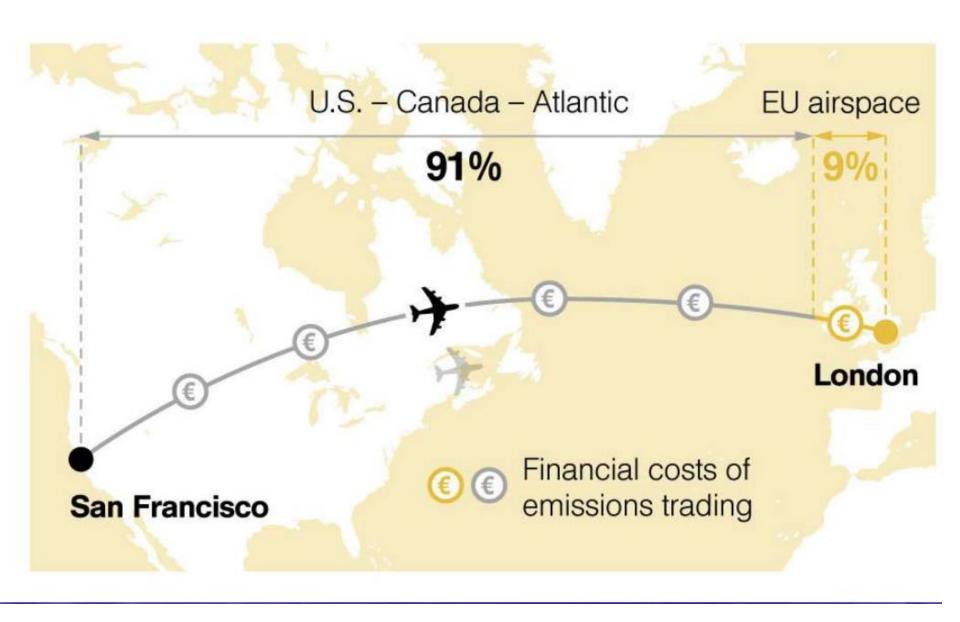


Progress under ICAO's Leadership?

- ✓ Annex 16: Environmental Protection
- Committee on Aviation Environmental Protection
- ✓ Group on International Aviation and Climate Change
- ✓ No global sectorial approach until 2016
- The Role of EU



- Dec. 2006: Commission presented draft legislation aimed at including aviation in the Emissions Trading Scheme.
- ✓ June 2008: EU leaders reached a deal on the details of plans to include aviation in the EU's Emissions Trading Scheme as of 2012.
- ✓ Oct. 2008: EU justice ministers approved a compromise deal on including aviation activities in the EU ETS
- ✓ Jan 2009: Directive 2008/101/EC to include aviation into the EU Emissions Trading Scheme (ETS) was published in the Official Journal.
- ✓ Jan 2012: Target date for aviation sector to start trading CO2.





EU's "stop the clock" of ETS and ICAO A38-18

- ✓ The EU Commission announced in November 2012 that it would "stop the clock" for a year and refrain from applying the ETS to flights to and from the European Union.
- ✓ It was conditioned on the ICAO 38th Assembly's taking "meaningful international action"
- ✓ ICAO General Assembly Resolution A38-18 (Oct. 2013) was adopted.
- ✓ It was accepted that the aspirational "medium term" goal calls for neutral carbon growth only after 2020.



Finally, Carbon Offsetting and Reduction Scheme for International aviation (CORSIA) 2016

✓ Resolution A39-3: Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme



✓ Why?

Aviation's contribution of GHG emissions continues to increase.

✓ What?

The design and implementation of market-based measures (MBMs) for international aviation

✓ Who?

ICAO, not by individual states' unilateral actions

✓ When?

From 2021(pilot phase) / From 2024 (first phase)

✓ Where? (geographical coverage)

Most International Flights



- "20. Requests the following actions be taken, with a view to establishing necessary mechanisms for implementation of the CORSIA from 2020: Regarding the implementation of the MRV system,
- a) the Council to develop, with the technical contribution of CAEP, the SARPs and related guidance material for the implementation of the MRV system under the CORSIA, including simplified MRV procedures, for adoption by the Council by 2018;
- b) all Member States whose aircraft operator undertakes international flights to develop the necessary arrangements, in accordance with the MRV SARPs, for implementation from 1 January 2019;"



SARPs - Annex 16 Volume IV

✓ The First Edition of Annex 16 — Environmental Protection, Volume IV — Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) was adopted by the Council of ICAO on 27 June 2018.

ICAO ANNEXES

ANNEX 1	Personnel Licensing
ANNEX 2	Rules of the Air
ANNEX 3	Meteorological Service for International Air Navigation
ANNEX 4	Aeronautical Charts
ANNEX 5	Units of Measurement to be Used in Air and Ground Operations
ANNEX 6	Operation of Aircraft
ANNEX 7	Aircraft Nationality and Registration Marks
ANNEX 8	Airworthiness of Aircraft
ANNEX 9	Facilitation
ANNEX 10	Aeronautical Telecommunications
ANNEX 11	Air Traffic Services
ANNEX 12	Search and Rescue
ANNEX 13	Aircraft Accident and Incident Investigation
ANNEX 14	Aerodromes
ANNEX 15	Aeronautical Information Services
ANNEX 16	Environmental Protection
ANNEX 17	Security: Safeguarding International Civil Aviation Against Acts of Unlawful Interference
ANNEX 18	The Safe Transport of Dangerous Goods by Air
ANNEX 19	Safety Management



International Standards and Recommended Practices

Annex 16 to the Convention on International Civil Aviation

Environmental Protection

Volume IV, Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) First Edition, October 2018



The first edition of Annex 16, Volume IV, becomes applicable on 1 January 2019.

For information regarding the applicability of the Standards and Recommended Practices, see Foreword.

INTERNATIONAL CIVIL AVIATION ORGANIZATION

ICAO SARPs – Chicago Convention 1944

- Art 54
 - The Council shall...Adopt international standards and recommended practices, designate them as Annexes to this Convention
- Art 37
 States undertakes to collaborate in securing highest practicable degree of uniformity in regulations, standards, procedures...
- Art 38
 impracticable to comply international standards... give immediate notification

CORSIA in Bilateral Air Services Agreements?



Climate change strategy,
Biodiversity,
Water efficiency,
Energy efficiency,
Carbon intensity,
Enviromental
management system



SOCIAL

Equal opportunities,
Freedom of association,
Health and safety,
Human rights,
Customer &
products resposibility,
Child labour



GOVERNANCE

Business ethics, Compliance, Board independence, Executive compensation, Shareholder democracy

Thank you.

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