



Brussels, **XXX**
[...] (2024) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

on the list of States which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC of the European Parliament and of the Council for emissions in 2024

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

on the list of States which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC of the European Parliament and of the Council for emissions in 2024

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC¹, and in particular Article 25a(3) thereof,

Whereas:

- (1) Aviation activities are included in the system for greenhouse gas emission allowance trading within the Union ('EU ETS') established by Directive 2003/87/EC.
- (2) Directive (EU) 2023/958 of the European Parliament and of the Council² amended Directive 2003/87/EC so as to appropriately implement the Carbon Offsetting and Reduction Scheme for International Aviation ('CORSIA') of the International Civil Aviation Organization ('ICAO').
- (3) Pursuant to Article 25a(3) of Directive 2003/87/EC, the Commission is to adopt a list of States, other than EEA countries, Switzerland and the United Kingdom, which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC, with a baseline of 85 % of 2019 emissions for each year from 2024. The legislator excluded EEA countries, Switzerland and the United Kingdom from such a list of States because the routes between those countries fall within the scope of their respective emissions trading systems.
- (4) In respect of 2024, the inclusion of a State in the list of States considered to be applying CORSIA for the purposes of Directive 2003/87/EC is based upon the notification by the State of an intention to apply CORSIA for emissions in 2024, such notification being made to the ICAO Secretariat. The ICAO Secretariat publishes an annual list of States that have made such notification. To reflect the changes in these annually published lists, the Commission is to adopt each year a list of States, other than EEA countries, Switzerland and the United Kingdom, which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC.

-

¹ OJ L 275, 25.10.2003, p. 32, ELI: <http://data.europa.eu/eli/dir/2003/87/oj>.

² Directive (EU) 2023/958 of the European Parliament and of the Council of 10 May 2023 amending Directive 2003/87/EC as regards aviation's contribution to the Union's economy-wide emission reduction target and the appropriate implementation of a global market-based measure (OJ L 130, 16.5.2023, p. 115, ELI: <http://data.europa.eu/eli/dir/2023/958/oj>).

- (5) The list of States considered to be applying CORSIA published by the ICAO Secretariat for 2024 includes San Marino and Monaco. However, San Marino and Monaco should not be included in the Annex to this Regulation as they have no airport and no flights involving routes to which CORSIA is being applied for the purposes of Directive 2003/87/EC.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The list of States which are considered to be applying CORSIA for the purposes of Directive 2003/87/EC for emissions in 2024 is set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN