



PRESS RELEASE

ELFAA welcomes ECJ Advocate General's Opinion re: the legality of EU ETS Directive

YES to EU ETS. NO to bogus "environmental" tax takes.

6 October 2011, Brussels – The European Low Fares Airline Association (ELFAA) welcomes the opinion of the Advocate General of the European Court of Justice (ECJ) that the inclusion of flights by non-EU carriers within the scope of the EU's Emissions Trading Scheme (ETS) is compatible with international law.

ELFAA has lent its strong support to the inclusion of aviation in the EU ETS. Of all market-based mechanisms it considered, the Commission concluded that, in contrast to taxation, the inclusion of aviation in EU ETS offers the greatest environmental benefit at the lowest cost to society. ELFAA agrees with that conclusion and is, therefore, pleased that the Advocate General's Opinion confirms the legality of the Directive.

ELFAA's support for ETS has always been conditional on it being environmentally effective. 80% of European aviation emissions of CO₂ being from long distance flights to and from points outside the EU, environmental effectiveness necessarily requires inclusion of all flights to and from the EU, as per the Directive.

"Although aviation's emissions of CO₂ are low in relative terms, (1.6% of global emissions of CO₂ according to the Stern Review), we acknowledge that this is material and we see ETS as the most environmentally-effective market-based mechanism to take account of it", said ELFAA Secretary General John Hanlon.

"Under the EU ETS airlines are not being forced to change behaviour but are, rather, incentivised to do so" continued Mr Hanlon.

ELFAA airlines, for their part, deploy the newest and cleanest aircraft, and their high occupancy factor means they carry more passengers more efficiently, with less impact on the environment.

"In light of the Advocate General's Opinion, ELFAA urges our colleagues in the industry to halt their resistance and lend their constructive support to the implementation of EU ETS" said Hanlon.

Mr Hanlon concluded: "With its inclusion in the EU ETS, aviation will more than cover its environmental costs. Government policy should recognise this and stop the spread of taxation of aviation, by cash-strapped governments, under the guise of environmental measures."

**Notes to the editor:**

ELFAA represents the fastest-growing European airline sector. Its members carry over 180 million passengers a year and account for over 43% of scheduled intra-European traffic.

Today, ELFAA comprises 9 airline members which include: easyJet, Flybe, Jet2.com, Norwegian, Ryanair, SverigeFlyg, transavia.com, vueling and Wizz Air.

ELFAA's primary objective is to ensure that European policy and legislation promote free and equal competition to enable the continued growth and development of low fares into the future, thereby allowing a greater number of people to travel by air.

For further information, please contact:

ELFAA Press Office - Grayling

T. +32 (0) 2 50 49 001

E. press@elfaa.com

Register at www.elfaa.com

To receive ELFAA press releases and newsletters as they become available