



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 April 2013

**Interinstitutional File:
2012/0328 (COD)**

**8352/13
ADD 2**

**CODEC 784
ENV 287
AVIATION 58
MI 277
IND 99
ENER 121
OC 202**

ADDENDUM TO "I/A" ITEM NOTE

from: General Secretariat of the Council

to: COREPER/COUNCIL

No. Cion prop.: 16723/12 ENV 888 AVIATION 181 MI 771 IND 204 ENER 495 CODEC 2793

Subject: Proposal for a Decision of the European Parliament and of the Council derogating temporarily from Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community (**first reading**)

- Adoption of the legislative act (**LA + S**)

= Statements

COMMON GUIDELINES

Consultation deadline: 19.4.2013

Statement by Poland

Throughout the negotiations Poland had been consistently pointing out that the proposal for a *Decision of the European Parliament and of the Council derogating temporarily from Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community* as presented by the European Commission provides only for a partial solution to the problem which has arisen in the application of the ETS in the aviation sector. Poland has been of the opinion that the optimum solution would have to cover all the flights, both to and from the EU as well as within the EU. As the text negotiated with the European Parliament does not provide a response to Polish concerns, yet endeavours to facilitate the global climate negotiations, Poland will abstain from voting.

Statement by the United Kingdom

The British Crown Dependencies - the Isle of Man, the Bailiwick of Guernsey, and the Bailiwick of Jersey - recognise that the purpose of “stop the clock” is to improve the prospects of securing a global deal within the framework of ICAO in September 2013. The Crown Dependencies strongly support this objective. The Crown Dependencies also recognise that the inclusion of certain third countries (ie the Overseas and Dependent Territories, and the EEA/EFTA countries) is helpful for the EU’s negotiating position ahead of the ICAO meeting.

For this reason, the Crown Dependencies are, exceptionally, prepared to accept continued inclusion within the EU ETS aviation scheme on the temporary basis set out in the Commission “stop the clock” proposal in order to maximise the chances of securing a global deal within the framework of ICAO.

However in the event of no global agreement being reached in September within the framework of ICAO, the UK supports the view of the Crown Dependencies governments that the exclusion of the dependent territories from the temporary derogation should not be treated as a precedent for any successor regime which may or may not be required after the expiry of the temporary measure.

In such an event (ie no global agreement in ICAO), the UK would expect the Commission to engage in full and timely consultations with all interested parties, including the Crown Dependencies, before submitting any proposal for a successor to the temporary “stop the clock” regime.

