



2023/2440

31.10.2023

COMMISSION DECISION (EU) 2023/2440

of 27 October 2023

on the Union-wide total quantity of allowances to be allocated in respect of aircraft operators under the EU Emissions Trading System for 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/EC ⁽¹⁾, and in particular Article 3c(5) thereof,

Whereas:

- (1) Article 3c of Directive 2003/87/EC sets the calculation methodology for the total quantity of allowances to be allocated to aircraft operators for the year 2024 for flights within the European Economic Area and departing to Switzerland and to the United Kingdom, supplementing the amount of 1 386 051 745 allowances determined in Commission Decision (EU) 2023/1575 ⁽²⁾.
- (2) Directive (EU) 2023/958 of the European Parliament and of the Council ⁽³⁾ amended Directive 2003/87/EC to base the total quantity of allowances to be allocated in respect of aircraft operators for the year 2024 on the total allocation of allowances in respect of aircraft operators that were performing aviation activities listed in Annex I to Directive 2003/87/EC in the year 2023, reduced by the linear reduction factor as referred to in Article 9 of that Directive. As a first step, the Commission determined the total quantity of allowances in respect of aircraft operators that were performing aviation activities listed in Annex I to Directive 2003/87/EC in the year 2023, which consist of 85 % free allocation and 15 % auction volume. Aircraft operators that were excluded for the year 2023 on 1 September 2023 were not taken into account, as those operators had no aviation activity listed in Annex I to Directive 2003/87/EC in 2023. In accordance with Article 3c(7) of Directive 2003/87/EC, the amount is to be increased by the levels of allocations in respect of flights which are only covered by the EU ETS from 1 January 2024, concerning flights between an aerodrome located in an outermost region of a Member State and an aerodrome located in another Member State, and decreased by the level of allocation in respect of flights that are not covered by the EU ETS from 1 January 2024 anymore, concerning flights within the same outermost region. This amounts to 30 259 690 allowances.
- (3) Directive (EU) 2023/958 amended Directive 2003/87/EC to increase the linear reduction factor from 2,2 % to 4,3 % for the years 2024 to 2027, and to apply a linear reduction factor of 4,4 % from 2028. To apply the 4,3 % reduction in 2024, compared to 2023 levels, the linear reduction factor has been calculated based on the allocation in the year 2020, and amounts to 1 393 112 allowances for each of the years 2024 to 2026. The application of this linear reduction factor results in 28 866 578 allowances for the year 2024.
- (4) In order for the free allocation to aircraft operators to be calculated in accordance with Article 3d(1) of Directive 2003/87/EC, Article 3c(5) of that Directive requires the Commission to also publish the amount of free allocation which would have taken place in 2024 under the rules for free allocation in force prior to the amendments introduced by Directive (EU) 2023/958. This amount is 85 % of the total quantity of allowances to be allocated in respect of aircraft operators or to supplement innovation support through the Innovation Fund established by Article 10a(8) of Directive 2003/87/EC.

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ Commission Decision (EU) 2023/1575 of 27 July 2023 on the Union-wide quantity of allowances to be issued under the EU Emissions Trading System for 2024 (OJ L 192, 31.7.2023, p. 30).

⁽³⁾ 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).

- (5) The total quantity of allowances to be allocated in respect of aircraft operators for 2024 and the yearly reduction of the allowances to be issued applies to the States of the European Economic Area and the European Free Trade Association,

HAS ADOPTED THIS DECISION:

Article 1

The total quantity of allowances to be allocated in respect of aircraft operators for 2024 referred to in Article 3c(5) of Directive 2003/87/EC amounts to 28 866 578.

Article 2

The quantity of free allocation which would have taken place in 2024 under the rules for free allocation in force prior to the amendments introduced by Directive (EU) 2023/958 amounts to 24 536 591.

Article 3

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

Done at Brussels, 27 October 2023.

For the Commission
The President
Ursula VON DER LEYEN
