

Deutsche Emissionshandelsstelle (DEHSt)
Dr. Hans-Jürgen Nantke
Wörlitzer Platz 1
06844 Dessau-Rosslau

cc
Bundesministerium für Umwelt, Naturschutz, Bau und
Reaktorsicherheit (BMUB)
Referat Luftverkehr
Stresemannstraße 128 - 130
10117 Berlin

15 April 2014

**Fachaufsichtsbeschwerde: Durchsetzung des Emissionshandels Systems
bezüglich *Aeroflot – Russian Airlines* und *Air China Limited***

Dear Dr Nantke,

We refer to our letter of 26 February 2014 written jointly with Bund and your reply of 19 March 2014 indicating that information on the enforcement process would not be available before 30 April. We also understand that there has been contact in the meantime between the German and Chinese authorities/carriers concerning the need for compliance. We are also well aware that as regards compliance to the 2012 „stop-the-clock“ legislation, there is an enforcement deadline of 26 April 2014 beyond which time non-compliant carriers cannot be pursued under German law.

It is a fundamental tenet of European legislation and of European climate policy that responsible entities be treated equally under the law. Over 98% of airlines complied with the 2012 aviation ETS legislation. Not to require the remaining 2% to comply – particularly when national carriers from dissenting foreign countries are concerned – serves only to undermine Europe's position in the world and indeed the whole basis of the ETS legislation for which DEHSt is responsible for enforcement in Germany.

With this open letter, we therefore call on the German Government and the DEHSt to provide public proof that German enforcement provisions as regards the 2012 ETS legislation are fully applied to non compliant carriers by the 26 April 2014 deadline.

Yours sincerely,



Jos Dings
Director
Transport & Environment