

**GOVERNMENT OF INDIA**

Representative of India  
on the Council of  
International Civil Aviation Organization



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**OSG**

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**SUBJECT: DECLARATION OF RESERVATION OF THE REPUBLIC OF INDIA IN RELATION TO RESOLUTION A40-19: CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION – CARBON OFFSETTING AND REDUCTION SCHEME FOR INTERNATIONAL AVIATION (CORSA)**

Dear Madam,

The Republic of India is committed to addressing the issue of climate change and appreciates the initiative of ICAO to address Climate Change.

As a responsible member of ICAO, India is willing to play its part to support ICAO policies and practices related to Environmental protection, including CORSIA. The review of CORSIA in 2022 must make adjustments in CORSIA design elements to use RTKs based on international travel by nationals of member States irrespective of the airline used for the purpose of computing the emission levels.

The Republic of India registers its reservations on preamble and certain paragraphs of the Assembly Resolution A40-19 for the reasons recorded as under:

**1. Preamble**

The Republic of India registers its reservations on clauses of the Preamble of the Assembly Resolution A40-19, for the reasons recorded as under:

**Clause-16** (*Recalling the United Nations ....*)

While India agrees with the principle enunciated in this clause, it is observed that this principle does not find place in the Resolution for which corrective action should be taken.

**Clause-21** (*Recognizing that this Resolution ....*)

While India supports the cooperation between UNFCCC and ICAO on the development of CDM methodologies, and the principle to honour UNFCCC and Paris agreement, it is observed that ICAO is going ahead on its own in this matter, and that the resolution gives priority to the decision of TAB and CAEP. This needs to be corrected.

The agreed principles of accounting of GHG as established under UNFCCC place the responsibility for mitigation of GHG emissions with Member States and not with sectoral sources of emission. The Assembly Resolution should take into this into account.

## **2. Resolution**

The Republic of India registers its reservations on the following paragraphs of the Assembly Resolution A40-19, for the reasons recorded as under:

### **Para-1**

The provisions of this resolution should be subject to the reservations being registered herewith.

### **Para-3 and 5**

We would like to state our reservation regarding the achievement of global aspirational goal of 2020 as it is against the growth of aviation in developing States. We recommend that a different baseline may be considered closer to 2027 for the developing States as the aviation growth in such States is expected to be quite high after 2020, whereas the developed States have already reached a saturation level.

### **Para-8**

While India supports the principle contained in this paragraph, it is observed that there is no provision either in the resolution or in CORSIA which gives any advantage to the developing States.

### **Para-11**

Keeping in view our reservations on Clause 21 of the preamble, we recommend that the method may be changed to calculate States' offsetting requirements as against aeroplane operators' offsetting requirements. This must be done by taking into consideration the international travel by nationals of the Member States irrespective of the airline used.

### **Para-12**

The provision for new entrants lacks clarity with regard to baseline and therefore this provision should be revised on the basis of further work to be undertaken by ICAO in consultation with Member States. In this connection we would like to reiterate our stand that the emissions should not be determined airline-wise but should be assigned to Member States. If such an approach is adopted, a separate provision for new entrants would not be necessary.

### **Para-19**

We are of the view that the Council must adopt a mechanism for technical dialogue and consultation with Member States for review and amendment to Annex 16, volume IV, particularly with regard to baseline determination.

### **Para-20**

India registers its strong reservations to the decision that the mechanism for Emission Units Criteria (EUC) established under the UNFCCC and the Paris Agreement will be accepted only if it is aligned with the decisions by the ICAO council. We recommend that this provision should

be modified to say that the mechanism for EUC established by ICAO council shall be consistent with the mechanisms established under the UNFCCC and the Paris Agreement.

Madam Secretary General, please accept the assurance of my highest consideration.

  
(Shefali Juneja)

Representative of India  
on the Council of ICAO

Dr. Fang Liu,  
Secretary General,  
ICAO

**DECLARATION OF RESERVATION OF THE REPUBLIC OF INDIA IN RELATION  
TO RESOLUTION A40-18: CONSOLIDATED STATEMENT OF CONTINUING ICAO  
POLICIES AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION –  
CLIMATE CHANGE**

Dear Madam,

The Republic of India is a responsible nation and is committed to working with ICAO on climate change. It strongly believes that the response of the international aviation community should be under the overarching principles set by the Paris Agreement achieved under UNFCCC during COP21 in 2015.

The Paris Agreement clearly recognizes that the developing States have not yet reached their peak emission and it will take longer for developing States to reach their peak emission. It does not mandate carbon neutral growth specific to any particular sector, and certainly not by 2020. Therefore Carbon Neutral Growth -2020 would be regressive and would hurt the aviation sector, particularly in the developing States, where aviation sector has not yet matured and is growing at a fast pace.

**1. Preamble**

The Republic of India registers its reservations on paragraphs of the Preamble of the Assembly Resolution A40-18, for the reasons recorded as under:

**Clause-10** (*Recognizing the global aspirational....*)

We register our serious concerns on the fairness and feasibility of the goal of freezing the net carbon emissions at 2020 and have filed our reservations to last Assembly Resolution A39-22/1 in 2016 and are again filing our reservations. The threshold of 2020 is very unfair for the developing States. We recommend that a different baseline may be considered for the developing States as the aviation growth in such States is expected to be quite high after 2020, whereas the developed States have already reached a saturation level.

**Clause-12** (*Affirming that addressing GHG....*)

The Republic of India registers its reservation on the goal to reduce its carbon emissions by 50 per cent by 2050 compared to 2005 levels. This goal appears to be too ambitious and would not be feasible to be achieved, particularly by the developing States. Therefore we recommend that this should be modified to more realistic levels.

**Clause-13** (*Recalling the UNFCCC and ....*)

While India agrees with the principle enunciated in this clause, it is observed that this principle does not find place in the Resolution for which corrective action should be taken.

**Clause-30** (*Recalling that Assembly Resolution ....*)

The reservations filed by India in respect of Resolution A40-19 shall be applicable to this clause.

## 2. Resolution

The Republic of India registers its reservations on the following paragraphs of the Assembly Resolution A40-18, for the reasons recorded as under:

### Para -2 (c)

While India supports the cooperation between UNFCCC and ICAO, and the principle to honour UNFCCC and Paris Agreement, it is observed that ICAO resolutions are not giving due importance to the principles/decisions agreed under the UNFCCC and Paris Agreement. We recommend necessary corrections in the approach of ICAO in this regard.

### Para-6 and 8

We register our strong reservations regarding the medium-term global aspirational goal of keeping the global net carbon emissions from international aviation from 2020 at the same level. The threshold of 2020 is very unfair for the developing States. We recommend that a different threshold may be considered for the developing States as the aviation growth in such States is expected to be quite high after 2020, whereas the developed States have already reached a saturation level.

### Para-9

In view of our reservations on Clause-12 of the preamble, we support the proposal to explore the feasibility of a long-term global aspirational goal for international aviation, through conducting detailed studies assessing the attainability and impacts of any goals. However, we recommend that due attention should be paid to the disparity in terms of need for eradication of poverty and equitable socio-economic development in developing States.

Madam Secretary General, please accept the assurance of my highest consideration.

  
(Shefali Juneja)

Representative of India  
on the Council of ICAO

Dr. Fang Liu,  
Secretary General,  
ICAO