

Minimising the impact of aviation emissions: what way forward?
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TITLE / NAME

Airlines and Airports as Non-State actors in the inter-State Chicago Regime and CORSIA
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Biography:

Dr Steven Truxal is Reader in Aviation Law at City, University of London, Fellow at Humboldt-Universität zu Berlin and Guest Lecturer at the International Institute of Air & Space Law at Universiteit Leiden. Steven's most recent book, *Economic and Environmental Regulation of International Aviation: From Inter-National to Global Governance* (Routledge 2017), observes that the nature of the airline business has become less 'inter-national' and more global, and therefore the developing governance in the sector reflect an 'upgraded' system of decision-making to account for the proliferation of actors and participants in a global public policy network. The book identifies and reviews a selection of contemporary, trans-national economic and environmental challenges facing the globalised aviation sector, e.g. fair competition safeguards, consumer protection, noise pollution and greenhouse gas emissions, and the respective 'legal' and policy actions taken at national, regional and international levels. The book concludes that economic and environmental regulation of inter-national aviation, designed for an inter-national world of yesterday, evolves into global governance of aviation, which is more suited for today's global world.

Steven worked previously for Deutsche Lufthansa AG and the U.S. Department of Commerce.

Abstract:

This paper considers environmental regulation of international (civil) aviation a case study of the broader context of the large-scale, emerging environmental concerns of the global neighbourhood. A major, global contemporary challenge in the context of aviation is greenhouse gas (GHG) emissions from aircraft engines, airport infrastructure and ground transportation. Owing to the impact GHG emissions are understood to have on global climate change, the broad aim of the international aviation community for the past 15+ years has been to find ways of limiting and reducing emissions while creating and managing quality offsets.

GHG emissions are a global problem, thus any effective solution will require multilevel action. A Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) has been developed through intergovernmental collaboration of International Civil Aviation Organization (ICAO) Member States. Beyond ICAO, however, the protection of the environment takes political priority for only some States; for others, economic considerations continue to outweigh environmental concerns.

First, this paper observes that aircraft manufacturers, airlines and airports have taken steps to produce more fuel-efficient aircraft, adopt the use of biofuels and wingtips, and electric vehicles for pushback and ground transportation, respectively. Next, this paper argues that airlines and airports in particular should be recognised as integral to any meaningful strategy for the limitation and reduction of GHG emissions; they must be included as non-state actors and private actors – alongside States – as key stakeholders in global aviation who play important roles in the environmental context. The paper concludes that the balancing, on the one hand, the powers of sovereign States in the Chicago System and international law more broadly, and on the other hand, improving international decision-making, bring into focus the transnational nature of environmental damage in a global industry and revealing the need for greater recognition of non-state and private actors such as airlines and airports in the global governance regime for global aviation.