

Red lights for green flights?



Approach against greenwashing on EU level

- BEUC – The European Consumer Organisation
 - umbrella group for 45 consumer organisations from 31 EU countries
 - represents the consumer organisations to the EU institutions
 - defends the interests of European consumers
- 22 June 2023: BEUC and 23 member organisations of 19 countries filed a complaint to the European Commission against 17 European airlines for alleged greenwashing
- April 2024: Airlines were contacted by the Commission and asked for a statement on the reproaches

Aim and contents of the complaint

- Prohibition of alleged misleading practices and claims of airlines:
 - Programmes to „offset“, „neutralise“ or „compensate“ the CO₂ emissions of a flight
 - Programmes to contribute to the development of Sustainable Aviation Fuels (SAF)
 - Advertising that air travel is „sustainable“, „responsible“ or „green“
- Request that authorities make airlines reimburse payments made by passengers for „green fares“

Aim and contents of the complaint

- Amendment of the Unfair Commercial Practices Directive: explicit ban of „carbon-neutral“ claims
- Promotion of actual decarbonisation methods: alternatives to flights for distances shorter than 1,500 - 2,000 km (e.g. denser high-speed train network)
- Introduction of EU-wide kerosene tax to fund more sustainable means of transport such as cross-border rail connections

Approaches against greenwashing in Germany

- March 2024: Judgment against Eurowings re ad „CO₂-neutral travelling. Together we make flying more sustainable: offset CO₂ emissions and take off.”
- Warning letters and lawsuits by VZBV (umbrella organisation of the German consumer protection organisations)
- VZBV did not take part in the BEUC complaint of 22 June 2023 but acts independently on national level

- sends warning letters to various airlines
 - request: airline shall stop the alleged misleading practice
 - attribution of „sustainable“, „more sustainable“, „responsible“, „green“, „carbon-neutral“, „climate-friendly“ to air travel or to SAF
 - offering carbon offsetting programmes
 - request: airline shall sign a Cease-and-Desist-Declaration including a contractual penalty for each case of future non-compliance
- if Cease-and-Desist-Declaration is not signed: lawsuit is filed against airline

VZBV's arguments:

- airlines' advertisements and programmes are misleading and not transparent (enough)
- flying is not sustainable, responsible or green
- offsetting programmes: flight-related CO₂ is not offset, therefore no decarbonisation of air travel
- contribution to invest in SAF: SAF is not sustainable as it is not emission-free

Consequences in case of judgment in favour of VZBV:

- airline must amend their programme in terms of wording and/or transparency
- risk of fine of up to € 250,000 for each case of future non-compliance



Thank you for your attention!

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