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## EU Court of Justice Upholds Emissions Trading Scheme for Aviation

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On December 20, 2011, the Court of Justice of the European Union upheld the EU's 2008 decision to include aviation in the emissions trading scheme ("ETS"), beginning January 2012. The EU has imposed a "cap and trade" system to account for the greenhouse gas emissions of commercial airlines operating at European airports. The Court of Justice rejected claims by the Air Transport Association and several U.S. airlines that the ETS is inconsistent with prior agreements and international law.