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Effective climate policy is needed to reduce the negative climate impact of aviation

What does the data show →

2-3% of global CO₂ emissions come from aviation

20.5% of European emissions come from road traffic

4% of European emissions come from aviation

According to IATA's latest figures, air travel passenger numbers have almost returned to pre-pandemic levels

If we do not take action, the share of CO₂ from aviation will grow to 22% in 2050

KLM invests EUR 6-7 billion in the acquisition of a new fleet
AFKL purchases 17.5% of the global SAF volume

KLM consistently blends 1% SAF



Environmental Claims

- The law does not contain specific rules about environmental claims.
- But the general rules on unfair commercial practices are applicable and being applied by courts and regulatory bodies to environmental claims.

What is the legal framework for “environmental claims”?



The Unfair Commercial Practices Directive - Implemented in Dutch law as the Unfair Commercial Practices Code (CPC).



Guidance on UCPD issued by the EC in 2021. The Guidance addresses “environmental claims.”



Green Claims Directive was adopted on 26 March 2024, and will be implemented in local legislation.



Also, part of the framework is the Netherlands Authority for Consumers & Markets (ACM)

Unfair Commercial Practices

What is a misleading claim?

Misleading occurs when an 'average consumer' can be deceived, causing them to make a transactional decision they otherwise would not have made.

Misleading even if the information is factually correct.

Who is an average consumer?

Someone who is reasonably well informed and reasonably observant.

What is an “environmental claim”?

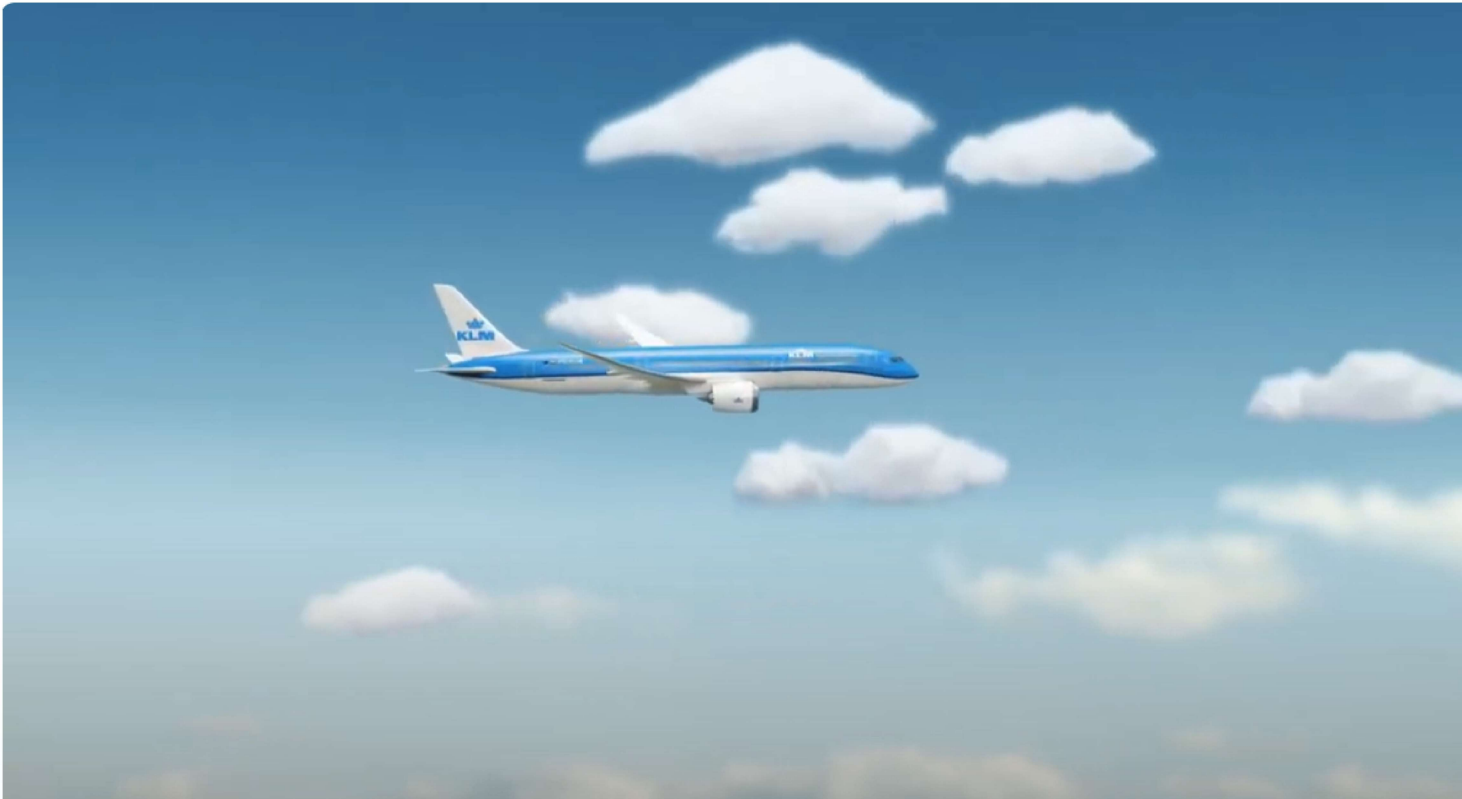
Refers to the “practice of suggesting or otherwise creating the impression (in a commercial communication, marketing or advertising) that a good or a service has a positive or no impact on the environment or is less damaging to the environment than competing goods or services.”

(Commission Guidance on the UCPD)

Greenwashing?

There is no legal definition of ‘greenwashing.’

Commission Guidance on the UCPD indicates that greenwashing relates to all forms of business-to-consumer practices concerning the environmental attributes of products.



From 'Greenwashing' to 'Greenhushing'?



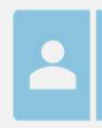
Broader Impact of the *FossilVriej* Decision



The 'Greenhushing' Phenomenon – What is it?



Industry-Wide Adverse Effects of Greenhushing



The Path Forward
(and away from 'Greenwashing' and 'Greenhushing')

Concluding Remarks