

(English version)

**Question for written answer E-003014/26
to the Commission
Jonas Sjöstedt (The Left), Hanna Gedin (The Left)
(16 July 2026)**

Subject: EU taxonomy and private jets

The General Court of the European Union ruled in June 2026 that the manufacture of private jets cannot be excluded from a list of activities deemed to be environmentally sustainable, annulling the Commission's 2023 decision to exclude aircraft for private or commercial business aviation from the sustainable finance taxonomy list, based on CO₂ emissions per passenger kilometre compared with other modes of transport. The General Court stated that the Commission could not base its assessment on the criterion of the CO₂ footprint per passenger kilometre, as this is not provided for in the Taxonomy Regulation and relates to the operation of aircraft rather than their manufacture.

1. Does the Commission intend to appeal this ruling?
2. Is the Commission planning to update the Taxonomy Regulation to enable assessments to also be based on the operation of private jets, such as the CO₂ footprint per passenger kilometre?
3. What other alternatives does the Commission have to close the loophole in the Taxonomy Regulation which has now been created through this ruling?

Submitted: 16.7.2026

**Answer given by Ms Albuquerque on behalf of the European Commission
(7 September 2026)**

In the light of the sound reasoning of the General Court in its judgment ⁽¹⁾, the Commission considers that an appeal would most probably not be successful.

The judgment does not mean that private jets are automatically classified as environmentally sustainable under the EU Taxonomy. By annulling Section 3.21 of Annex I to Commission Delegated Regulation (EU) 2021/2139 ⁽²⁾, the General Court removed the legal basis for reporting aircraft-manufacturing activities under that Section.

The Commission will aim to reintroduce a new Section 3.21 as part of the ongoing revision of Delegated Regulation (EU) 2021/2139 in a manner that complies with the General Court's judgment and ensures that the criteria remain robust and consistent with the objectives of the Taxonomy Regulation.

Following the General Court's judgment, reporting under Commission Delegated Regulation (EU) 2021/2178 of activities covered in Section 3.21 of Annex I to Delegated Regulation (EU) 2021/2139 is no longer possible.

This applies both to aircraft-manufacturing activities that previously met the criteria and to the manufacturing of aircraft for private or commercial business aviation, which was previously excluded from the scope of that economic activity.

⁽¹⁾ Judgment of the General Court of 24 June 2026, Case T-77/24 Dassault vs Commission: <https://eur-lex.europa.eu/legal-content/EN/TEXT/?uri=CELEX%3A62024TJ0077>.

⁽²⁾ Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives (OJ L 442, 9.12.2021: http://data.europa.eu/eli/reg_del/2021/2139/oj).