



Brussels, 28 May 2021
(OR. en)

9032/21

ENV 331
CLIMA 119
IND 141
CHIMIE 59
TRANS 319
AGRI 232
ENER 198
SAN 315
COMPET 386
ECOFIN 468
CONSOM 123
MARE 17
RELEX 463

NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions
Pathway to a Healthy Planet for All - EU Action Plan Towards Zero Pollution for Air, Water and Soil'

1. On 12 May 2021, the Commission adopted the above-mentioned Communication "Pathway to a Healthy Planet for All - EU Action Plan Towards Zero Pollution for Air, Water and Soil" as one of the key deliverables of the European Green Deal.
2. In its Communication the Commission sets a new overarching framework for the EU's action against pollution. Based on nine flagship initiatives and other actions, including legislative proposals, it provides a compass to mainstream pollution prevention in all relevant EU policies, to step up implementation of the relevant EU legislation and to identify possible gaps. To steer the EU towards the 2050 goal of a healthy planet for all, the Action Plan sets out key 2030 targets as indicators to measure progress in reducing pollution at source based on existing legislation and initiatives with regard to air and noise pollution, biodiversity, pesticides, microplastics and waste.

3. The EU Action plan is supported by two staff working documents entitled "Towards a monitoring and outlook framework for the zero pollution ambition" as well as "Digital Solutions for Zero Pollution".
 4. The Commission presented the Action Plan to the Working Party of Environment on 21 May 2021 and addressed initial questions.
 5. In order to guide the exchange of views at the forthcoming meeting of the Council (Environment) on 10 June 2021, delegations will find in the Annex a Presidency background note including three questions to help structure the debate.
 6. The Committee of Permanent Representatives is invited to take note of the Presidency's background paper and to forward it to the Council for its exchange of views on 10 June 2021.
-

**Council meeting of Environment Ministers,
10 June 2021**

- Exchange of views -

***Pathway to a Healthy Planet for All
EU Action Plan: ‘Towards Zero Pollution for Air, Water and Soil’***

Presidency background paper with questions for Ministers

Since 2019, under the European Green Deal (EGD)¹, various policies and measures have been launched with the aim of reaching climate-neutrality by 2050, while promoting synergies between different sectors. To respond to persistent threats to humans, animals and ecosystems, the EGD calls *‘for the EU to better monitor, report, prevent and remedy air, water, soil and consumer products pollution, among other things’*².

Ambition, priorities and targets

The Communication ‘Pathway to a Healthy Planet for All – EU Action Plan “Towards Zero Pollution for Air, Water and Soil”’³, adopted by the European Commission on 12 May 2021, is the last building block in this set of new strategies and policies that sets out the vision for a toxic-free environment in the EU, and combines all the ongoing and planned efforts in an integrated approach, putting pollution prevention at its forefront. To this end, a more effective ‘zero pollution hierarchy’ is set, taking into account the principles enshrined in the Treaty, notably the precautionary principle, the preventive action principle and the principles according to which environmental damage should, as a priority, be rectified at the source and that the polluter should pay.

¹ COM(2019) 640.

² COM(2021) 400, p. 1.

³ *idem*.

At the top of the reverse pyramid of action stands prevention, since pollution should always be prevented at the source, and only when this is not possible, should it be minimised. To this end, it is essential to focus on the way goods and services are designed, produced, delivered, performed and/or used, and disposed of. Finally, when pollution occurs, it should be remediated – and the related damage compensated for.

The zero pollution ambition is a cross-cutting objective contributing to the UN 2030 Agenda for Sustainable Development and complementing the 2050 climate-neutrality goal, in synergy with the clean and circular economy and goals on restoring biodiversity.

The main objective of the Action Plan is to promote the inclusion of pollution prevention in all relevant EU policies, maximising synergies in an effective and proportionate way, stepping up implementation and identifying possible gaps or trade-offs. In order to promote action, the Plan sets six targets for 2030, ranging from air and noise pollution, to chemical pesticides, microplastics and waste generation.

These targets are accompanied by a set of actions to be accomplished between 2021 and 2024, which, together with nine flagship initiatives featuring throughout the text, are designed to complement the many other EGD initiatives and instruments, thus contributing to improving our health and well-being, preserving ecosystems, and targeting zero pollution from production and consumption. Most of the targets are linked to evaluations and revisions of legislation, with a view to improving implementation and enforcement of legal instruments, addressing in particular noise, water, air and soil quality.

To bring about the zero pollution transformation, the Action Plan sets measures to ensure stricter implementation and enforcement, to boost action across society, to promote worldwide change and to track progress, anticipate trends and mainstream zero pollution.

Improving health and well-being

The Communication mainly aims to reduce health inequalities through zero pollution and to support urban action. To do this, the Communication suggests strengthening coaction between different sectors at national, European and international level. The social dimension of the Action Plan focuses on policies in the health sector, for example through the Cancer Plan, and its interaction with environmental legislation, such as the ongoing and upcoming revisions of the Air Quality, Drinking Water, Bathing Water and Urban Waste Water Treatment Directives, and the Chemicals Strategy. Urban planning is key to reducing inequalities, and the developments within the framework of the Sustainable and Smart Mobility Strategy, the Renovation Wave, the Horizon Europe Missions and the New European Bauhaus may therefore provide a meaningful contribution in terms of pursuing the zero pollution objective and targets, to the extent they inspire action at national, regional and local level, also bearing in mind the inherent purpose of those instruments, i.e. to contribute to the reduction of pollution at the source.

Living within our planetary boundaries

Pollution has put enormous pressure on our ecosystems over the years, putting biodiversity at risk. The Action Plan sets out clear actions related directly to the environment, emphasising the importance of the future legally binding EU nature restoration targets, under the EU Biodiversity Strategy, and the upcoming EU Soil Strategy. A regional approach to zero pollution is also needed, and once again, synergies with existing regulatory frameworks protecting air, freshwaters, seas and oceans – such as the National Emission Reduction Commitments Directive, the Water Framework and Marine Strategy Framework Directives, and the Farm-to-Fork Strategy – will play an essential role.

Towards zero pollution from production and consumption

The way we produce and consume is one of the priorities under the EGD, and the Action Plan also tackles the industrial and economic dimensions of the path towards zero pollution. To achieve this aim, a circular and green approach to the economy is needed, one aspect of which involves facilitating zero pollution choices by implementing and improving existing frameworks, such as the Product Environmental Footprint, the Circular Economy Action Plan, the Industrial Emissions Directive and the EU Ecolabel, and the implementation of upcoming initiatives, such as the Green Claims initiative and the revision of the Energy Taxation Directive.

Creating zero pollution transformation together

Pursuing the triple objective of increasing human health and well-being, acknowledging the need to live within the planet's boundaries, and moving towards zero pollution from production and consumption, the Action Plan highlights a significant array of new and ongoing initiatives. It also emphasises the importance of a coordinated planning and implementing process for ensuring constant progress towards achieving the zero pollution objective and targets, while addressing pollution at its source. This will generate long-term benefits for the environment in the most systemic and sustained manner, while taking into account the most recent scientific knowledge and standards that ultimately ensure the health of our citizens and ecosystems. Striving for zero pollution may, at the same time, contribute to driving action and strengthening opportunities within those initiatives.

To allow stricter implementation and enforcement, the Action Plan enumerates several actions such as: the development of new joint compliance actions carried out by national authorities in conjunction with the European network of environmental agencies, inspectors, auditors, police, prosecutors and judges; the strengthening of cooperation between environmental and other enforcement authorities to devise cross-sectorial compliance actions at national and transboundary level; the strengthening of the Environmental Crime Directive; the evaluation and possible revision of the Environmental Liability Directive; the development of standardised provisions on compliance assurance at European and at international level; the promotion of highly developed technologies; and the empowerment of civil society to act as a compliance watchdog.

The Commission, under the 8th Environment Programme, will develop an integrated Zero Pollution Monitoring and Outlook Framework, which will analyse synergies, track progress and promote integrated solutions and recommendations – the first report is planned for 2022, and the second for 2024. To be able to achieve this, existing structures, such as the EU's Knowledge Centres of Excellence for Zero Pollution, will need to be consolidated. The European Environment Agency, the Joint Research Centre and the recently created European Climate and Health Observatory will have an essential role to play in collecting data for this Monitoring and Outlook tool.

The setting up of a new Zero Pollution Stakeholder Platform, in cooperation with the Committee of the Regions, will bring together stakeholders and experts from different policy areas to effectively mainstream the zero pollution agenda, help create co-ownership, and promote collaboration, integrated solutions and actions that maximise synergies with decarbonisation and post-COVID-19 recovery efforts.

At international level, the EU, in accordance with the Action Plan, will promote the zero pollution ambition through trade policy initiatives and free trade agreements, and will strengthen the implementation and enforcement of the trade and sustainable development chapters of those agreements.

Suggested questions for the exchange of views at the Council meeting of Environment Ministers on 10 June 2021:

- What is the Member States' assessment of the approach, scope and level of ambition of the Zero Pollution Action Plan?
- Considering the interlinkages with several strategies presented under the European Green Deal, how can the effect of synergies be increased?
- What do Member States consider to be the main actions on implementation and enforcement set out in the Zero Pollution Action Plan?