

# INTERNATIONAL ENVIRONMENTAL LAW

Academic Course: 2022-2023



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# Unit 9. EU Environmental Policy (III)

## **CONTENT**

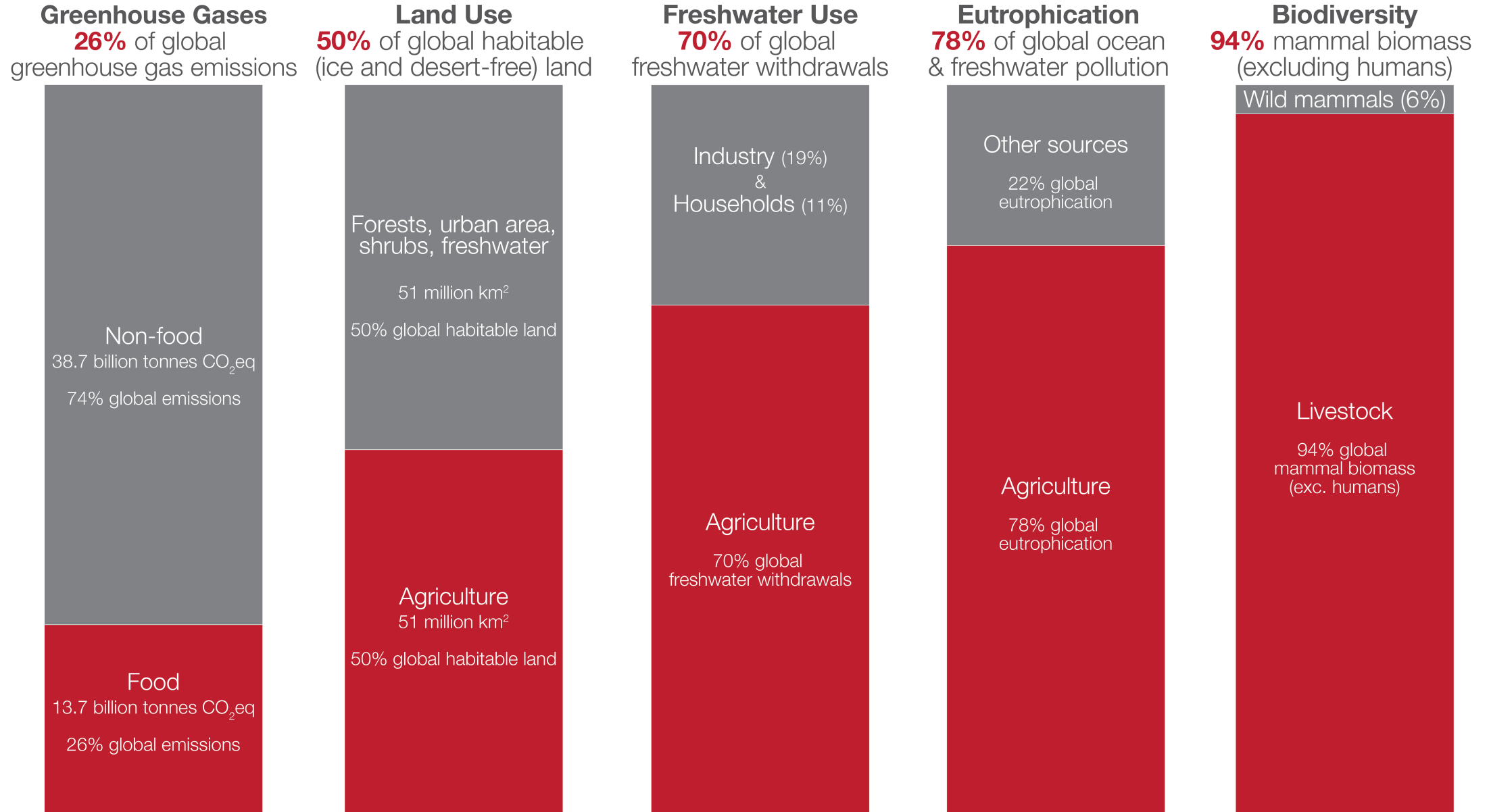
1. 'From farm to fork strategy'
2. Preserving and restoring ecosystems and biodiversity
3. Towards zero pollution for air, water, and soil



## Context

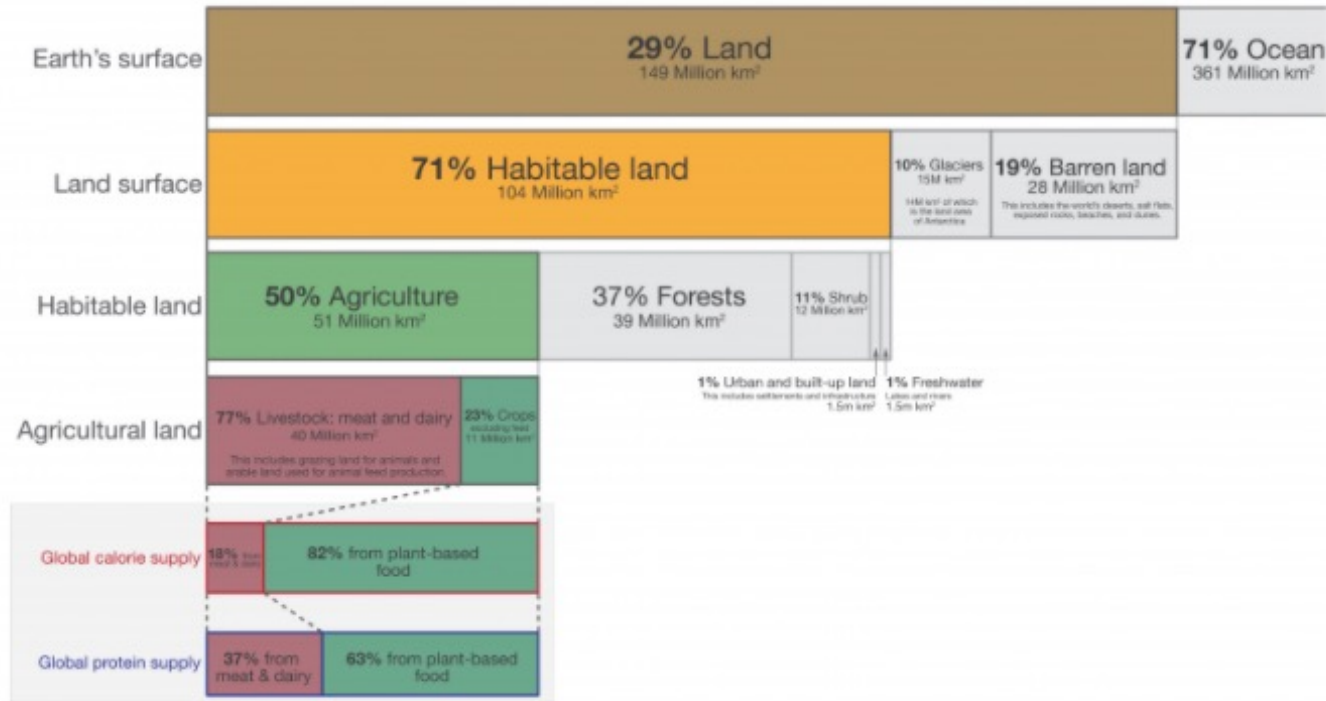
- **Food production is responsible for one-quarter of the world's greenhouse gas emissions**
- Food is responsible for approximately 26% of global GHG emissions.

# What are the environmental impacts of food and agriculture?



# Global land use for food production

Our World  
in Data

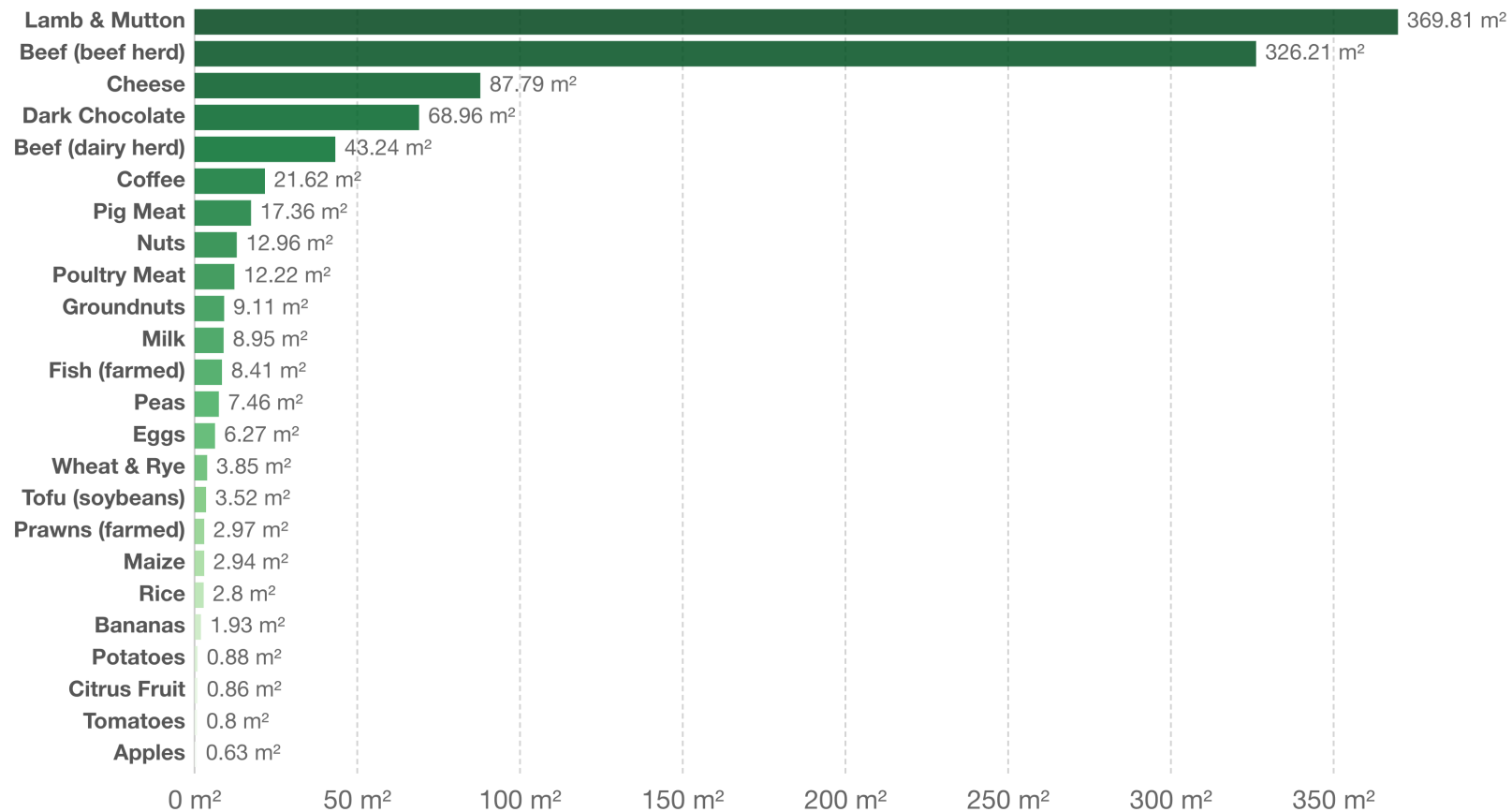


Data source: UN Food and Agriculture Organization (FAO)  
OurWorldinData.org - Research and data to make progress against the world's largest problems.

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# Land use per kilogram of food product

Land use is measured in meters squared (m<sup>2</sup>) per kilogram of a given food product.



Source: Poore, J., & Nemecek, T. (2018). Reducing food's environmental impacts through producers and consumers.



Note: Data represents the global average land use of food products based on a large meta-analysis of food production covering 38,700 commercially viable farms in 119 countries.

[OurWorldInData.org/environmental-impacts-of-food](https://OurWorldInData.org/environmental-impacts-of-food) • CC BY

# 1. From 'farm to fork': environmentally friendly food system design

This food policy addresses comprehensively the challenges of sustainable food systems and recognises the inextricable links between healthy people, healthy societies, and a healthy planet.

The 'Farm to Fork' strategy will strengthen efforts to **tackle** climate change, **protect** the environment, and **preserve** biodiversity.

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- Europeans want food that is **fresh, less processed,** and **sustainably** sourced.
  - Consumers **should be empowered to choose sustainable food** and all actors in the food chain should see this as their responsibility and opportunity.
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# 1.1. Main steps to achieve farm and fork goals

1. Revision of the Common Agricultural Policy (CAP) (in force since December 2021):

- Regulation (EU) 2021/2115 establishing rules on support for strategic plans to be drawn up by member states under the Common Agricultural Policy (CAP Strategic Plans);
- Regulation (EU) 2021/2116 of the European Parliament and the Council of 2 December 2021 on the financing, management, and monitoring of the common agricultural policy;
- Regulation (EU) 2021/2117 amending Regulations (EU) No 1308/2013 establishing a common organisation of markets in agricultural products (EU); No 1151/2012 on quality schemes for agricultural products and foodstuffs; (EU) No 251/2014 on the definition, description, presentation, labelling, and the protection of geographical indications of aromatised wine products; and (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union.

2. The revision of CAP implies the creation of strategic plans between the EU Commission and the EU member states for agriculture: organic farming; agro-ecology; agro-forestry; and stricter animal welfare standards.

\*Farmers should be rewarded for improved environmental climate performance, including for good management and storage of carbon in the soil.

**The EU's goals are to:**

- 1. Reduce the environmental and climate footprint of the EU food system and strengthen its resilience;**
- 2. Ensure food security in the face of climate change and biodiversity loss and;**
- 3. Lead a global transition towards competitive sustainability from farm to fork and tap into new opportunities.**

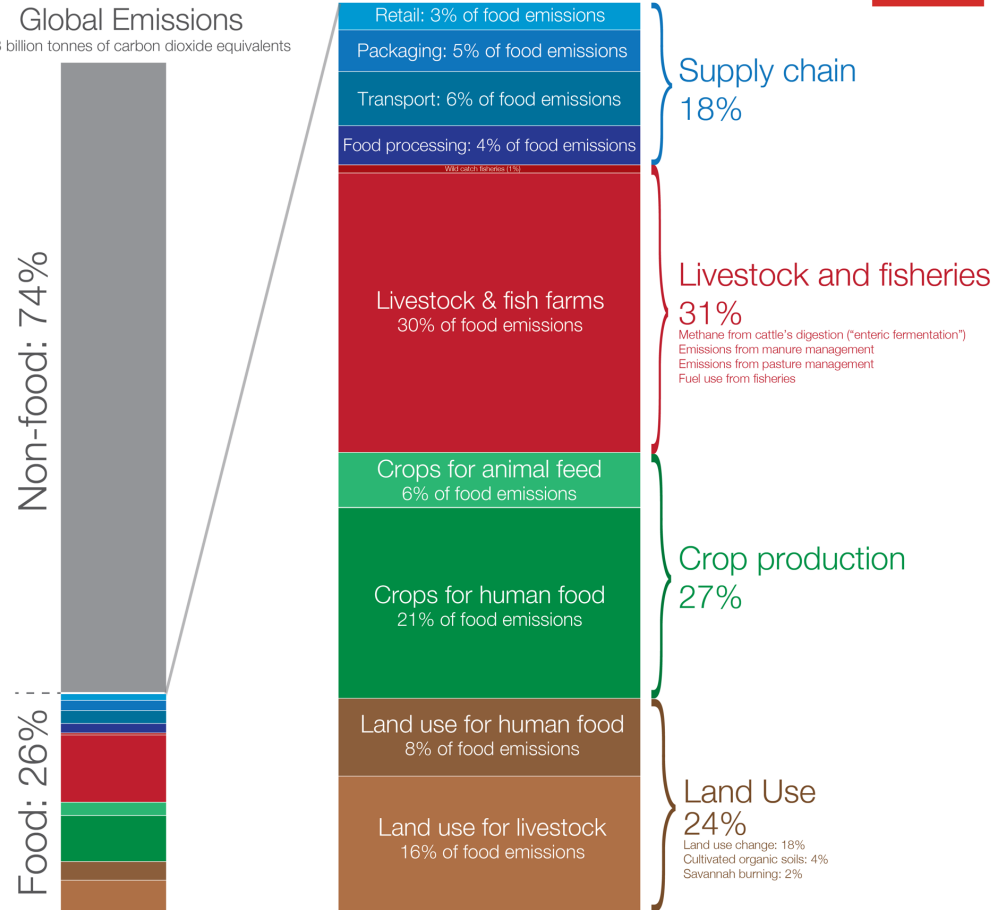
3. Shift in European diets. European diets are not in line with national dietary recommendations, and the 'food environment' does not ensure that the healthy option is always the easiest one. If European diets were in line with dietary recommendations, the environmental footprint of food systems would be significantly reduced.

Each meal has a carbon footprint.

# Global greenhouse gas emissions from food production

Our World in Data

Global Emissions  
52.3 billion tonnes of carbon dioxide equivalents



Data source: Joseph Poore & Thomas Nemecek (2018), Reducing food's environmental impacts through producers and consumers, Published in Science.  
 OurWorldinData.org - Research and data to make progress against the world's largest problems. Licensed under CC-BY by the author Hannah Ritchie.

## 1.2. Main objective of the 'farm to fork' strategy

- **Accelerate our transition to a sustainable food system. But how?**

1. Ensuring that the food chain (**covering food production, transport, distribution, marketing and consumption**) **has a neutral or positive environmental impact**; preserving and restoring the land, freshwater and sea-based resources on which the food system depends; helping to mitigate climate change and adapting to its impacts; protecting land, soil, water, air, plant, and animal health and welfare; and reversing the loss of biodiversity.

2. **Ensuring food security**, nutrition, and public health;

3. **Preserving the affordability of food, while generating fairer economic returns in the supply chain**;

4. **Promoting sustainable food consumption** and facilitating the shift to healthy and sustainable diets;

5. **Reducing food loss and waste**;

6. **Combating food fraud** in the supply chain.


## 1.3 Promoting the global transition

- **Green alliances** on sustainable food systems = adoption of bilateral, regional, or multilateral pacts/agreements/conventions = international cooperation on food research and innovation
- EU Commission legislative proposal in 2021 to avoid or **minimise the placing of products associated with deforestation or forest degradation in the EU market.**
- **Zero tolerance** in the fight against **illegal, unreported, and unregulated fishing** (IUU) and combat overfishing, promote sustainable management of fish and seafood resources, and strengthen ocean governance, marine cooperation, and coastal management.

## 2. Preserving and restoring ecosystems and biodiversity

- Ecosystems provide essential services such as food, fresh water, clean air, and shelter.
- The EU is not meeting some of its most important environmental objectives for 2020, such as the **Aichi targets** under the **Convention on Biological Diversity**.





Nature is as important for our mental and physical wellbeing as it is for our society's ability to cope with global change, health threats, and disasters. We need nature in our lives.

## 2.1. EU biodiversity strategy for 2030: bringing nature back into our lives

- Investing in nature protection and restoration will also be critical for Europe's economic recovery from the Covid-19 crisis.
- Biodiversity conservation...
  1. has potential direct economic benefits for many sectors of the economy;
  2. crucial for safeguarding EU and global food security, because biodiversity loss threatens our food systems and puts our food security and nutrition at risk.
  3. inter-related with the climate crisis. Climate change destroys the natural world, therefore many species are condemned to extinction.

Access:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380>

## 2.2. Nature protection: key commitments by 2030

1. **Legally protect a minimum of 30% of the EU's land area** and 30% of the EU's sea area and integrate ecological corridors, as part of a true trans-European nature network.
2. Strictly protect at least **one-third** of the EU's **protected areas**, including all remaining EU primary and old-growth forests.
3. **Effectively manage all protected areas**, defining clear conservation objectives and measures, and monitoring them appropriately.

## 2.3. Nature restoration: key commitments by 2030

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1. Legally binding EU nature restoration targets to be proposed in 2021, subject to an impact assessment. By 2030, significant areas of degraded and carbon-rich ecosystems will be restored; habitats and species will show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.

2. Decline in pollinators will be reversed.

3. The risk and use of chemical pesticides will be reduced by 50% and the use of more hazardous pesticides is to be reduced by 50%.

4. At least 10% of agricultural areas will be include high-diversity landscape features.

5. At least 25% of agricultural land will be under organic farming management, and the uptake of agro-ecological practices significantly increased.

6. Three billion new trees will be planted in the EU while respecting ecological principles.

7. Significant progress has been made in the remediation of contaminated soil sites.

8. At least 25,000 km of free-flowing rivers will be restored.

9. There will be a 50% reduction in the number of Red List species threatened by invasive alien species.

10. The losses of nutrients from fertilisers will be reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.

11. Cities with at least 20,000 inhabitants will have an ambitious Urban Greening Plan.

12. No chemical pesticides are going to be used in sensitive areas such as EU urban green areas.

13. Negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, will be substantially reduced to achieve good environmental status.


14. The by-catch of species will be eliminated or reduced to a level that allows recovery and conservation.

To support the long-term sustainability of **both nature and farming**, this strategy will work in tandem with the new Farm to Fork Strategy and the new Common Agricultural Policy (CAP), including by promoting eco-schemes and result-based payment schemes.

## 3. EU Action Plan: 'Towards zero pollution for air, water and soil'

### 3.1. A zero pollution ambition for a toxic-free environment

Creating a toxic-free environment requires **more action to prevent pollution from being generated, as well as measures to clean and remedy it.** To protect Europe's citizens and ecosystems, the EU needs to better monitor, report, prevent, and remedy pollution from air, water, soil, and consumer products. To achieve this, the EU and member states will need to look more systematically at all policies and regulations. To address these interlinked challenges, the commission will adopt in 2021 a zero pollution action plan for air, water, and soil.

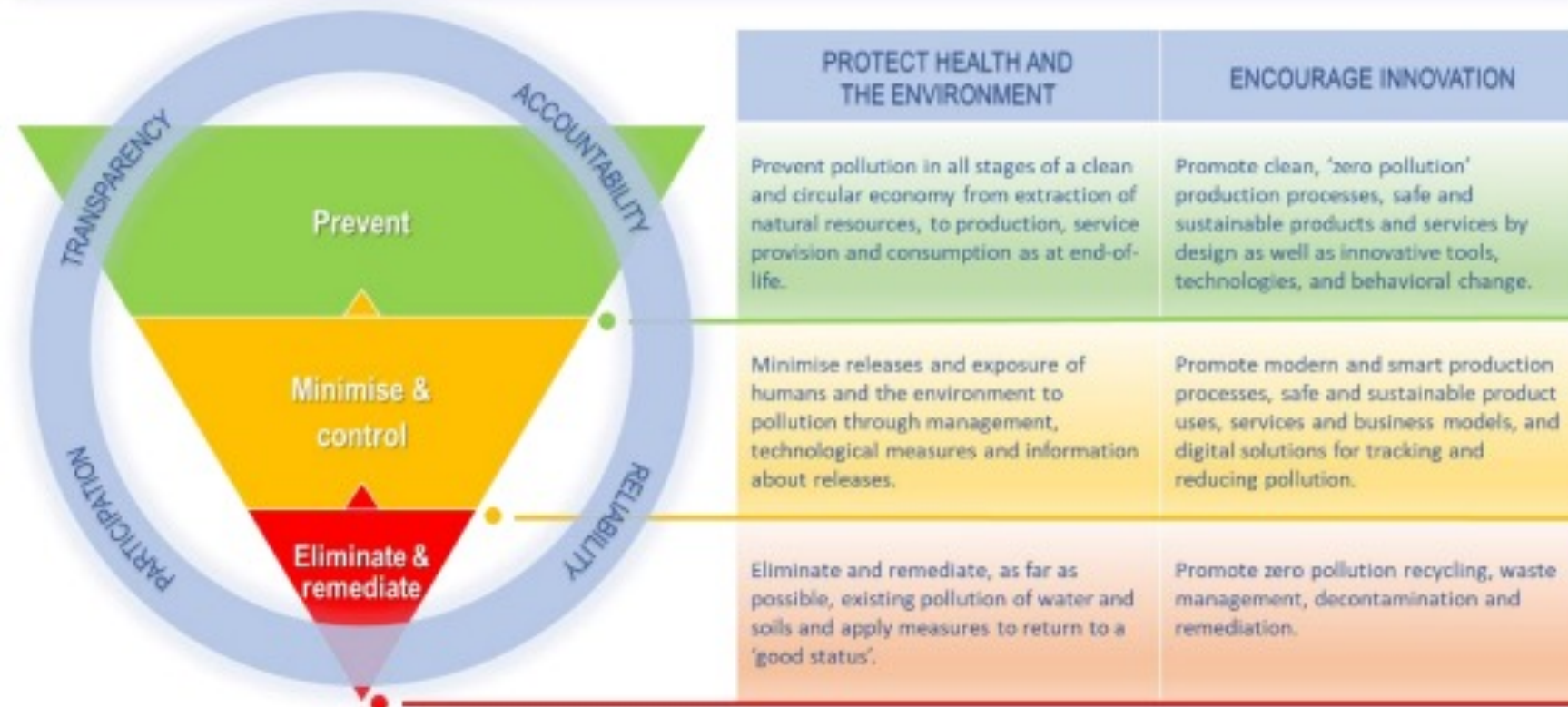


The 'Zero Pollution' ambition is a cross-cutting objective contributing to the UN 2030 Agenda for Sustainable Development and complementing the 2050 climate-neutrality goal in synergy with the clean and circular economy and restored biodiversity goals. It is part and parcel of many European Green Deals and other initiatives, and the commission will continue including the 'Zero Pollution' ambition in future policy initiatives.

## 3.2. Main objective

The main objective of this action plan is **to provide a compass** for including **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. To steer the EU towards the 2050 vision of a Healthy Planet for All, this action plan sets key 2030 targets to speed pollution reduction.





### 3.2.1. Zero pollution hierarchy

- Alongside efforts to achieve climate neutrality, the EU needs a more effective 'zero pollution hierarchy' taking into account the precautionary principle, as well as the principle of international cooperation.

### 3.3. Relationship between pollution and adverse effects on human health

Pollution can cause cancer, heart disease, obstructive pulmonary disease, strokes, mental and neurological conditions, and diabetes. Despite tangible progress, in 2015 pollution still led to an estimated nine million premature deaths worldwide (16% of all deaths) – three times more deaths than from AIDS, tuberculosis, and malaria combined and 15 times more than from all wars and other forms of violence. In the EU, every year, pollution causes 1 in 8 deaths.

- EEA: 'air pollution is the biggest cause of premature death and disease and the biggest environmental health risk in Europe' = approx. 400,000 premature deaths/year (excl. Turkey) = human health consequences.

## 3.4. Improving compliance

The European Commission will:

1. Promote enhanced collaboration between national authorities and the European networks of environmental agencies, inspectors, auditors, police, prosecutors and judges in the framework of the Environmental Compliance and Governance Forum

2. Bring together environmental and other enforcement authorities (e.g., those in charge of EU transport, energy, agriculture, fisheries, maritime surveillance or consumer protection legislation) to exchange best practices and devise cross-sectorial compliance actions towards zero tolerance for pollution at national and transboundary levels;

3. Improve the horizontal legal framework by strengthening the Environmental Crime Directive; evaluate by 2023 the Environmental Liability Directive's fitness for purpose (ELD), including its pollution-related aspects, and revise if necessary;

4. Consider developing standardised provisions on compliance assurance for new legislative proposals and monitor the proportionate and dissuasive application of penalty clauses in force;

5. Encourage the application across the member states of existing inspections and other compliance checks and penalty clauses, and assess possibilities to improve them, where relevant;

6. Promote the use of cutting-edge technologies to boost national capacities for monitoring and compliance verification.

# SOURCES

- Juste Ruiz, J. & Castillo Daudí, M. (2014). *La Protección del Medio Ambiente en el Ámbito Internacional y en la Unión Europea*. Tirant lo Blanch.
- Zambrano, K. Teaching materials for international environmental law.