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(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Seventh Chamber) of 12 May 2022 — European Commission v Italian Republic**(Case C-573/19) ⁽¹⁾*****(Failure of a Member State to fulfil obligations — Environment — Directive 2008/50/EC — Ambient air quality — Article 13(1) and Annex XI — Systematic and persistent exceedance of the limit values for nitrogen dioxide (NO₂) in certain Italian zones and agglomerations — Article 23(1) — Annex XV — Exceedance period to be ‘as short as possible’ — Appropriate measures)***

(2022/C 257/02)

*Language of the case: Italian***Parties***Applicant:* European Commission (represented by: G. Gattinara and E. Manhaeve, acting as Agents)*Defendant:* Italian Republic (represented by: G. Palmieri, acting as Agent, and by G. Palatiello and P. Pucciariello, avvocati dello Stato)**Operative part of the judgment**

The Court:

- 1) Declares that, by having failed to ensure that the annual limit value for nitrogen dioxide (NO₂) was not systematically and persistently exceeded,
 - from 2010 up to 2018 inclusive, in zones IT0118 (agglomeration of Turin), IT0306 (agglomeration of Milan), IT0307 (agglomeration of Bergamo), IT0308 (agglomeration of Brescia), IT0711 (municipality of Genoa), IT0906 (agglomeration of Florence) and IT1215 (agglomeration of Rome);
 - from 2010 up to 2017 inclusive in zone IT0309 (zone A — highly urbanised plain);
 - from 2010 up to 2012 and from 2014 up to 2018 inclusive, in zone IT1912 (agglomeration of Catania), and
 - from 2010 up to 2012 and from 2014 up to 2017 inclusive, in zone IT1914 (industrial zones),

the Italian Republic has failed to fulfil its obligations under the provisions of Article 13(1) of, in conjunction with Annex XI to, Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe and, by failing to adopt as from 11 June 2010 appropriate measures to ensure compliance with the annual limit value for nitrogen dioxide (NO₂) in all those zones and, in particular, by failing to ensure that the air quality plans provide for appropriate measures to ensure that the period of exceedance of that limit value is kept as short as possible, has failed to meet its obligations under Article 23(1) of that directive, on its own and in conjunction with Section A of Annex XV to the directive.

2. Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 305, 9.9.2019.