Tackling Air Pollution through Legislation

17 November 2023, h. 11:15 – 12:45, Session Track: 4

Valentina Ricca
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Session agenda

1. Welcome and Introduction to UNEP’s work on air quality legislation
   - Valentina Ricca, Associate Legal Officer, Montevideo Coordination and Delivery Unit, Law Division, UNEP

2. Effective legislation as a key step towards fulfilling the human right to breathe clean air
   - David Boyd, UN Special Rapporteur on human rights and the environment

3. Legislation for robust and participatory air quality governance
   - Eloise Scotford, Author, UNEP Guide on Ambient Air Quality Legislation - Dean, Faculty of Law, University College London

   - Matthew Baird, Executive Director, Asian Research Institution for Environmental Law (ARIEL)
   - Jundy Del Socorro, Air Quality Management Section Chief, Environment Management Bureau, Department of Environment and Natural Resources, Philippines
   - Watchalawalee Kumboonreung, Public interest environmental lawyer, Thailand
   - Syaharani Kadir, Researcher, Indonesian Center for Environmental Law
   - Moderated by Bert Fabien, Coordinator, Secretariat of the EANET

5. Panel discussion
The right to breathe clean air as a vital component of the right to a healthy environment.

Poor air quality has implications for a wide range of human rights, including the rights to life, health, water, food, housing and an adequate standard of living.

Fulfilling the right to breathe clean air requires action at all levels.

The right imposes procedural and substantive obligations on States: public participation in the assessment of proposed projects, policies and environmental decisions is one of them.

Key steps to implement this right:
- assess sources of air pollution;
- make information publicly available;
- establish air quality legislation, regulations, standards and policies;
- implement and enforce standards.

**UNEP Air Quality Programme**

- **UNEP’s mandate, UNEA Resolution 3/8: Preventing and Reducing Air Pollution to Improve Air Quality Globally**
  - Encourage Member States to join/cooperate with specific action
  - Share knowledge at regional level
  - Strengthen inter-governmental cooperation

**Monitoring & Assessments**
- Assessments on Policy action & integrated air and climate action
- Guidance developed on deployment & maintenance of affordable air quality monitoring networks
- Synergies with national action planning supported by CCAC

**Policy, Legislation & Technology Support**
- **National Governments**
  - Priority sector focus, national legislation & standards
- **Local Governments**
  - Priority sector focus, clean air action planning
- **Sectoral focus**
  - Combined interventions – technology (electrification) & infrastructure (NMT)

**Advocacy & Awareness Raising**
- **BreatheLife Campaign**
- UNEP Clean Air Patron
- Scaling up local Air Quality Campaigns
- Int’l Day of Clean Air for blue skies
- Global Platform on Air Quality (jointly with WHO)

**International / Regional cooperation**
- Regional Environment and Health Fora (with WHO)
- Asia Pacific Clean Air Partnership
- Europe Air Convention (CLRTAP)
- LAC ministerial Forum
- Regional Communities of Practice
The Montevideo Environmental Law Programme is a 10-year intergovernmental programme designed to promote environmental rule of law, build related capacities, and contribute to the achievement of the environmental dimensions of the Sustainable Development Goals.

**Legal responses to air pollution** is one of the priority areas under the Montevideo Programme.
Why focus on air quality legislation?

- UNEP’s Actions on Air Quality report highlights law as one of the key responses to the air pollution crisis.
- Legislative processes are well adapted to the collective, cross-sectoral, evolving problem of air pollution.
- Enforceability of ambient air quality standards, and of administrative processes for delivering them.
- The regulation of ambient air quality (AAQ) and legal implementation of ambient air quality standards (AAQS), when legally framed and institutionally embedded, create the bedrock of a robust air quality governance system (UNEP, 2021).
Global Assessment of Air Pollution Legislation

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<th>Air Pollution Series</th>
<th>Regulating Air Quality</th>
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<td>The first global assessment of air pollution legislation</td>
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- Assesses national air quality legislation in 194 States and the European Union (EU) against a model of robust air quality governance developed as part of the research.

- AAQS, when *legally framed and institutionally embedded*, create the bedrock of a **robust air quality governance system**

- Addresses whether national legal measures exist for determining whether air quality standards are being met and what legal consequences exist for failure to meet them.
Guide on Ambient Air Quality Legislation

- Translates key findings of the GAAPL into concrete questions and considerations for law-makers.
- Targeted at countries seeking to develop or improve ambient air quality legislation.
- Aims to promote robust national systems of air quality governance that prioritize public health outcomes and respect that all humans share the same need to breathe air of adequate quality.

Regulatory alignment across wide-ranging policy areas is critical to achieving AAQS in practice.
Thank you!

Contact us:

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