



# Clean air is a fundamental human right

‘Pollution has no borders’

London Hazards Centre Parliamentary Seminar  
hosted by Catherine West MP on 23 April 2019

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# What is clean air?

- David Boyd, UN Special Rapporteur on Human Rights and the Environment, says:

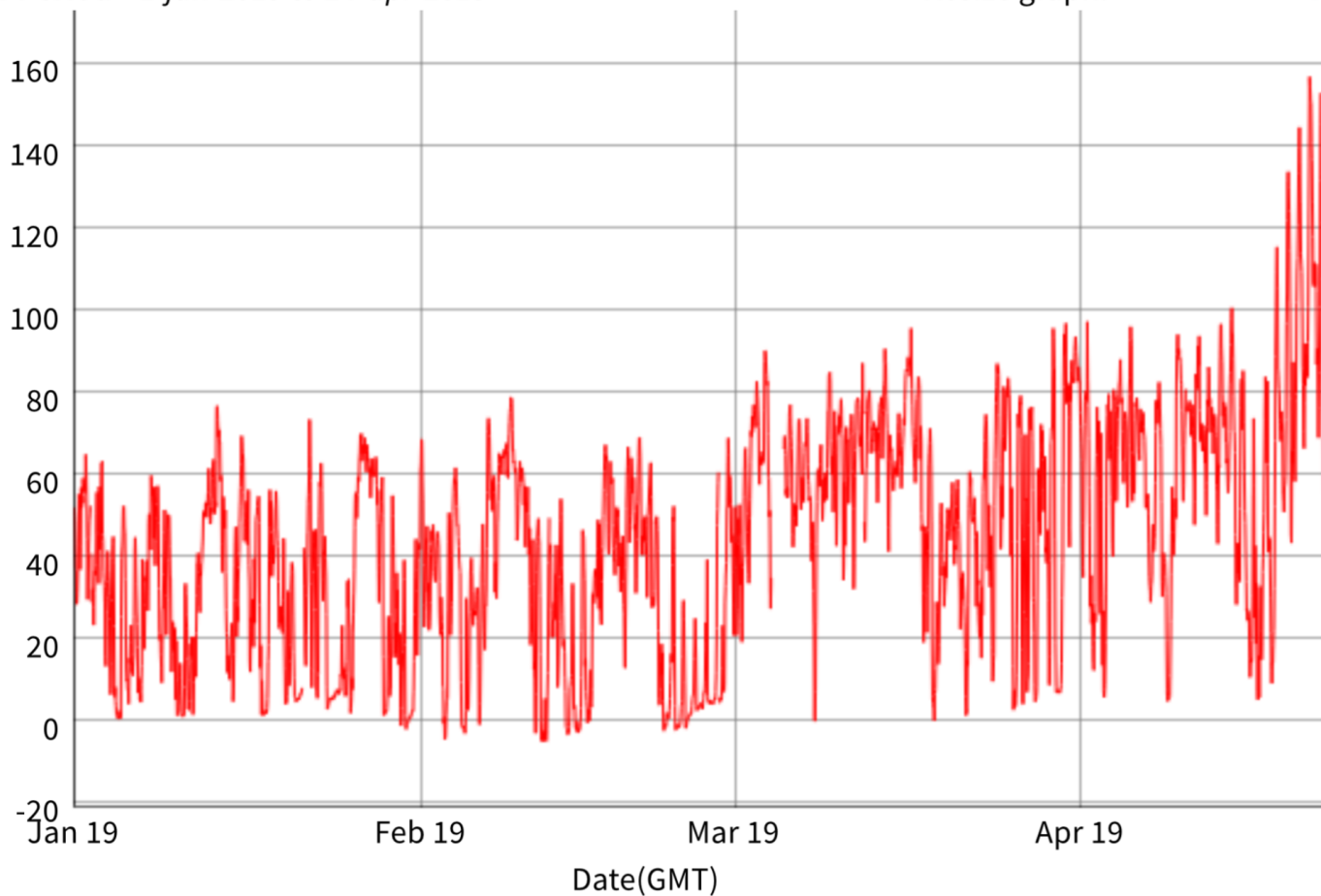
*Clean air is air that you cannot see any pollution, cannot smell any pollution and most importantly it's air that does not have any negative impact on your health and well-being.*

- Air pollution is the world's largest environmental health risk
- Historic emissions have committed the world to an extended period of climate change. 3-5°C global warming on current trends
- They affect public health (ambient air and indoors), the natural environment and climate change
- Hope = 1% chance? **No Fate!** A Clean Air (Human Rights) Act would address both problems and empower people. **It's our best chance.** Both problems require 'zero air emissions' soon
- Our goal: enshrine the human right to a safe, clean, healthy and sustainable environment in UK and international law

# @LondonAir's ozone monitor in North Kensington

View Period » 1-jan-2019 to 24-apr-2019

Resize graph: - +



Zoom: + (or select area with mouse) - (Or double click) Pan: left right

**London Air** FORECAST TODAY MODERATE TOMORROW MODERATE

KING'S COLLEGE LONDON

Air Pollution Information Monitoring Tools Quick Links (Public)

You are on this page: Bulletin Maps

**LAQN Pollution Levels**

Find postcode

Map Satellite Greyscale

This map shows the daily air quality index from LAQN pollution analysers. Not all analysers on the network are contacted every hour, so some sites may show 'no data'. Data have undergone automatic validity checks.

You can find out more information about each location (monitoring site) by clicking on its dot on the map. Once selected you can find out further information by clicking the 'Site Details' link above.

Click the 'Statistics' link above to see results from this site compared to national limit values. Past pollution episodes can be seen by clicking on the 'Episodes' link.

Show latest daily bulletin (Monday)  
Change the bulletin date (dd/mm/yyyy): 22/04/2019

All Species Include closed sites:

Show Authorities (OS Data):

Show WHO standards: (More Information)

Air pollution levels for Tuesday 23 April 2019, 13:00-14:00BST

Low (1-3) Moderate (4-6) High (7-9) Very High (10) Predicted No Index Closed

Department for Environment Food & Rural Affairs

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**Pollution notification**  
High pollution measured in 4 regions. More details

**Air pollution forecast**

Latest forecast

**Today:** Air pollution levels on Tuesday will be Moderate across large expanses of the UK, with light winds from the east or southeast importing air from continental Europe. Some inland areas may see Low levels of air pollution, however locally High levels of air pollution are also forecast, these most likely in larger conurbations of England, and also across some far southwestern areas of the UK affected by Saharan dust.

**Tomorrow:** Widespread Moderate air pollution levels will again persist across the UK, perhaps locally High again in larger urban areas such as Manchester. Inland areas may experience Low air pollution levels.

**Outlook:** Air pollution levels similar Thursday, Friday with widespread Moderate levels, perhaps locally High. On Saturday Atlantic air should lead to air quality improving, with Low to Moderate air pollution levels.

Today (23rd April 2019)

1 2 3 4 5 6 7 8 9 10  
Low Moderate High Very High

**Tools**

Data collection & statistical tools...

Pollution forecast

Latest measurement summary

Monitoring networks map

Data tools

**Clean Air Strategy**

Clean Air Strategy 2019

**Information**

European Environment Agency Topics Countries Data and maps Indicators Publications Media About us

Environmental topics Air pollution Air quality index

**Air quality index**

GIS Map Application — Published 16 Nov 2017 — Last modified 04 May 2018 — 1 min read

How clean is the air you're breathing right now? How does the air in your city compare with that of a neighbouring city or region? Air pollution is the single largest environmental health risk in Europe. The European Environment Agency's European Air Quality Index allows users to understand more about air quality where they live. Displaying up-to-the-minute data for the whole of Europe, users can gain new insights into the air quality of individual countries, regions and cities.

European Air Quality Index 2019-04-23 09:00 UTC+1

Country: (All) Stations: All 6 hours ago

Air quality: Good Fair Moderate Poor Very poor No data Legend explained

uk-air.defra.gov.uk

Department for Environment Food & Rural Affairs

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Home > UK AIR news

**Air Quality Information Bulletin - 21st April 2019**

News published: 21/04/2019

Dry and sunny weather along with light winds has resulted in increased levels of pollution at some UK locations. The following pollution thresholds have been exceeded at the following locations:

EU ozone public information threshold of 180 µg/m3.

- Bournemouth - 186 µg/m3 @ 18:00 BST
- Bournemouth - 181 µg/m3 @ 19:00 BST

For more information, air quality forecasts, latest measurements and health advice are available on UK AIR and via freephone helpline (0800 556677). Updates on current and forecast levels of air pollution can also be found on Twitter (@DefraUKAir). Public Health England advises that some people are more sensitive to pollution than others and may begin to notice an effect on their breathing. People with asthma are not necessarily more sensitive but, if affected, can use their reliever inhaler to alleviate symptoms. If affected, people are urged to take sensible precautions. In particular, avoiding exercise outdoors in the afternoon can reduce individual exposure to ozone.

Further information about health impacts can be found on the UK Air website. <https://uk-air.defra.gov.uk/air-pollution/daq>

If the pollution information or alert thresholds are again breached, further alerts will be issued on our UK AIR website <http://uk-air.defra.gov.uk/>.

You may also be interested in...

Latest Defra news

Latest news from the NAEI

# Air pollution is the world's largest environmental health risk

- Affects everyone to some extent
- Seven million premature deaths per year including over 600,000 children under the age of five
- 90% of people breathing air that fails to comply with World Health Organisation (WHO) guidelines
- Most premature deaths due to cardiovascular disease e.g. heart attacks/strokes
- Emissions, concentrations, exposures and impacts cause outcomes (which don't appear on death certificates 'yet')
- New health risks discovered every day

# Conflating 'climate change' issues confuses the public

- Five drivers of environmental change: population; urbanization; economic development; technology; and climate change. 6<sup>th</sup> mass extinction event is underway
- Emissions (rate) vs concentrations (static)
- Local air pollution including black carbon
- Greenhouse gases including tropospheric ozone
- Carbon, carbon dioxide and CO<sub>2</sub> equivalent
- Carbon neutral, decarbonization, carbon offsetting. No – we need zero air emissions!
- Global warming impacts over 300 years e.g. ice melt
- Changes in the climate or weather now e.g. cyclones
- Complex cross-cutting interactions with air, land, oceans (acidification), freshwater (floods and droughts) and biodiversity
- Mitigation (reduction) and adaptation (protection)

# Unifying theory: 'Zero air emissions' now

	Local air pollution	Greenhouse gases
London		
Rest of world		

Air: Ambient air, indoor air, natural environment and greenhouse gases

## Seven steps to ensure clean air and the right to a healthy environment (per David Boyd)

1. Monitor air quality
2. Assess the sources of air pollution
3. Engage the public
4. Establish laws, regulations and standards
5. Have a national action plan to achieve those standards
6. Adequate resources to achieve their objectives
7. Track progress and strengthen their plan if they need to



# Key milestones

- 2017: Green and Labour manifestos call for a new 'Clean Air Act'
- 18 March 2018: 'Super inquiry' calls for a new Clean Air Act to improve existing legislation and enshrine the right to clean air in UK law
- 5 July 2018: Baroness Jones introduces Clean Air (Human Rights) Bill to House of Lords. Full legislation ready to approve and enact (30 pages!)
- 14 February 2019: Mayors and city leaders call for modern Clean Air Act
- 4 March 2019: David Boyd, UN Special Rapporteur on the Environment presents his report on the Right to Clean Air to the UN Human Rights Council in Geneva. Watch this space...
- 21 March 2019: London Councils discuss 'Emissions Reduction Bill'
- 26 March 2019: Geraint Davies MP confirms his Clean Air Bill will include human right to clean air at APPG meeting

## Withdrawal Agreement does not do it (Part Two, Article 2)

Environmental Protection: Non-regression in the level of environmental protection

Paragraph 1:

*“UK shall ensure that the level of environmental protection provided by law, regulations and practices is not reduced below the level provided by the common standards applicable within the Union and the United Kingdom at the end of the transition period in relation to: access to environmental information, public participation and access to justice in environmental matters; environmental impact assessment and strategic environmental assessment; industrial emissions; **air emissions and air quality targets and ceilings**;...”*. [What about limit values!?

Paragraph 3:

*“Having regard to the common standards referred to in paragraph 1, the Joint Committee shall adopt decisions laying down minimum commitments for:*

- *(a) the reduction of national **emissions** of certain atmospheric pollutants; [What about concentrations!?*
- *(b) the maximum sulphur content of marine fuels...”*

# Three complementary new 'Clean Air Acts'

Geraint Davies MP (22 November 2017): Clean Air Bill

<https://services.parliament.uk/bills/2017-19/cleanair.html>

Baroness Jenny Jones (5 July 2018): Clean Air (Human Rights) Bill

<https://services.parliament.uk/bills/2017-19/cleanairhumanrights.html>

London Councils and City of London (21 March 2019): (Emissions Reduction (Local authorities in London) Bill

<https://www.londoncouncils.gov.uk/node/35303>

We'll have all three please!

## Baroness Jones' Clean Air (Human Rights) Bill would:

- Ensure everyone has the right to breathe clean air and the Human Rights Act 1998 is to be read as though this were a Convention right.  
*Section 1(1) of the Bill establishes the right of individuals to breathe clean air. The right to breathe clean air is to be understood as part of the right to life, guaranteed under Article 2 of the European Convention on Human Rights, which triggers the duty of the State to protect life. Under section 6 of the Human Rights Act 1998 it is unlawful for a public authority to act in a way which is incompatible with a Convention right. As applied to the right to breathe clean air it would mean no public authority could act incompatibly with the right to breathe clean air, and that would include omitting to act.*
- Address ambient air quality, indoor air quality, the natural environment and greenhouse gases
- Review and revise pollutants and limits. Tightening only of protections
- Impose duties on the Secretary of State, local government and others
- Establish the Citizens' Commission for Clean Air with powers
- Establish nine environmental principles e.g. precautionary

# Important to include the right to clean indoor air

- People spend about 90% of their times indoors
- Based on ISO standards (and WHO guidelines)
  - ISO 16798-3:2017 (for minimum air filtration efficiency)
  - ISO 16890-1:2016 (for particulate matter including PM<sub>1</sub>)
  - ISO 10121-2:2013 (for gases)
- Require owners of buildings used as places of work or regularly accessed by public to assess and report concentrations in accordance with latest ISO standards
- Require developers to assess and report concentrations in newly refurbished or constructed residential developments for 12 months
- Ask your 'facilities manager' whether air handling equipment is regularly maintained and complies fully with these ISO standards

*Camfil, a world leader in air filters for buildings, has been the leading sponsor of 'Clean Air in London' since 2011*

# Mayor strongly supports a new Clean Air Act

Mayor Sadiq Khan says a new Clean Air Act should:

- confer a legal right to clean air for all the UK's citizens;
- ensure that this right is legally enforceable with an appropriate structure to hold the Government and others (e.g. car manufacturers) to account [after Brexit];
- adopt tighter pollution limits based on the best health evidence provided by the World Health Organisation; and
- provide Mayors and local authorities with the extra powers they need to tackle all sources of pollution including over buildings, construction and inland waterways.

*MQT response: 23 January 2018*

## Red line

We need a new and separate Clean Air Act (or three) that will enshrine the human right to clean air in UK legislation.

This is a red line because...

- i. everyone has the right to breathe clean air i.e. justice;
- ii. solutions to air pollution and climate change both point to 'zero air emissions' now;
- iii. 'Science Based Targets' exist for both i.e. WHO and 1.5°C;
- iv. existing Clean Air Act needs modernizing; and
- v. Environment Act is unlikely to enshrine the 'human right' to a safe, clean, healthy and sustainable environment in UK law i.e. all environmental pillars

## Enshrining the right to clean air in law would:

- Address the world's largest environmental health risk.
- Mitigate and adapt to climate change.
- Treating air holistically to avoid diesel, wood, local CHP etc.
- Level the playing field by allowing people to:
  - protect themselves; and
  - become champions for clean air. No fate!
- Address ambient air, indoor air, the natural environment (e.g. acid rain) and greenhouses.
- Put a stake in the ground to support the need to enshrine the human right to a safe, clean, healthy and sustainable environment in UK and international law.



# Useful links and resources (by slide number)

2. UN Environment's sixth Global Environment Outlook (GEO6)

<https://www.unenvironment.org/resources/global-environment-outlook-6>

8. David Boyd's short video

[https://twitter.com/UN\\_SPExperts/status/1116328282516074498](https://twitter.com/UN_SPExperts/status/1116328282516074498)

David Boyd's statement to UNEA 4 on 12 March 2019

<http://web.unep.org/environmentassembly/fr/node/42439>

9. Super inquiry <https://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/news-parliament-2017/joint-improving-air-quality-report-publication-17-19/>

10. Withdrawal Agreement

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/759019/25\\_November\\_Agreement\\_on\\_the\\_withdrawal\\_of\\_the\\_United\\_Kingdom\\_of\\_Great\\_Britain\\_and\\_Northern\\_Ireland\\_from\\_the\\_European\\_Union\\_and\\_the\\_European\\_Atomic\\_Energy\\_Community.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759019/25_November_Agreement_on_the_withdrawal_of_the_United_Kingdom_of_Great_Britain_and_Northern_Ireland_from_the_European_Union_and_the_European_Atomic_Energy_Community.pdf)

14. MQT <https://www.london.gov.uk/questions/2018/0108>