



Submitting organization: **Quaker United Nations Office through the Friends World Committee for Consultation (2)**

## Description of climate action

**1. *Description of the climate action:***

Recognising the right to breathe clean air through the recognition of the human right to a healthy environment.

**2. *Name of the policy action:***

Good practices to to help improve air quality through climate change actions, outlined in the UN Special Rapporteur Report to the Human Rights Council -

<https://digitallibrary.un.org/record/1663859?v=pdf#files>

**3. *The objective of the action:***

To reduce air pollution from climate change drivers, through a range of climate actions listed below.

**4. *The country in which the policy was implemented:***

Worldwide

**5. *The geographical coverage of the action:***

National

**6. *Classification of the action (Programme, policy, or project):***

Policy

**7. *References such as link to a website:***

<https://digitallibrary.un.org/record/1663859?v=pdf#files>

**8. *Other relevant details about the climate action, as necessary:***

The UN Special Rapporteurs on Human Rights and a Healthy Environment have produced a range of reports on healthy climate actions and their benefits. This submission to to alert the KCI of these important resources for your consideration. More will be listed below.

**9. *The type of action (Adaptation, mitigation, or both):***

Mitigation



***10. The sector(s) targeted by the policy:***

Air pollution

**Co-benefits and assessment of co-benefits of the climate action**

***11. The area(s) for which co-benefits were monitored***

Air pollution – in a range of countries

***12. The co-benefits that have arisen from the implementation of such climate action, including secondary co-benefits that may arise from the identified co-benefits:***

92. There is compelling evidence that enacting and enforcing strong air quality regulations saves lives and prevents illnesses. Since the Clean Air Act was enacted in 1970, the economy of the United States of America has grown by 262 per cent (measured by increased gross domestic product) while achieving average reductions of 73 per cent for six main air pollutants. Full implementation of the Clean Air Act will prevent 230,000 premature deaths per year by 2020. Its costs are measured in billions of dollars, while the benefits are in the trillions. Reduced air pollution in California resulted in significant improvements in children's lung function.

93. Air quality in China is improving as a result of strong laws, policies and actions. China strengthened its Law on the Prevention and Control of Atmospheric Pollution Control and invested hundreds of billions of dollars to improve air quality. The Government is implementing a “three-year plan on defending the blue sky”, with specific targets for reducing air pollution by 2020. Levels of particulate matter in 74 cities decreased by 33 per cent in five years. China also achieved substantial reductions in nitrogen oxides and Sulphur dioxide. Cleaner air is linked to significant declines in infant mortality.

94. Shenzhen, in southern China, has grown from a town of 30,000 in 1980 to a megalopolis of 12 million, but managed to maintain 45 per cent of the metropolitan area as green space. Shenzhen converted its entire municipal bus fleet – more than 16,000 buses – to fully electric, making a significant contribution to improving urban air quality.

95. Several States explicitly recognize the right to breathe clean air. Examples include the Philippines Clean Air Act, the Environmental Code of France and the General Law on the Environment and Natural Resources 2000 of the Dominican Republic. The right to breathe clean air is also recognized at the subnational level in some countries, including the state constitutions of Pennsylvania and Massachusetts in the United States. In other countries, including India and Pakistan, courts have clarified that the right to breathe clean air is constitutionally protected because it is an integral component of the rights



to life and health. The National Strategy for Air Quality Management of Lebanon states: “Every citizen has the right to enjoy clean air.”

96. In Europe, a series of legal developments has established that European citizens have an enforceable right to breathe clean air. In 2008, the European Union amended its rules governing air quality. Many States are not in compliance with the new rules. Successful lawsuits based on violations of air quality standards have been brought by civil society organizations including ClientEarth in the United Kingdom of Great Britain and Northern Ireland, Friends of the Earth in France, Deutsche Umwelthilfe in Germany and others in Austria, Czechia and Poland.

97. In its latest report, the Intergovernmental Panel on Climate Change calls for a two thirds reduction in coal power generation in 2030 and a near-total elimination by 2050. A growing number of States have eliminated the use of coal to generate electricity, are phasing out coal or are committed to never using coal for electricity generation. Canada and the United Kingdom created the Powering Past Coal Alliance in 2017 and have been joined by more than 25 States pledging to end coal use by 2030. China and India have closed coalfired electricity plants located in proximity to large cities. The number of proposed coalfired power plants has fallen dramatically since 2015 and new construction is almost offset by the retirement of existing coal plants.

98. Two initiatives that have dramatically improved air quality in many countries are the phase-out of leaded gasoline and major reductions in the Sulphur content of transport fuels.

These actions have produced enormous health, environmental and economic benefits, valued in the trillions

***13. Explanation of how such co-benefits were assessed and analyzed in detail, including how the assessment accounted for, among others, different groups of stakeholders, different types of households, gender considerations, and benefits to vulnerable groups:***

Please read the full report in detail -

<https://digitallibrary.un.org/record/1663859?v=pdf#files>

***14. The process, including methodology(ies) that was used and data collection, of the assessment and analysis:***

In the present report, the Special Rapporteur recalls that the right to a healthy environment has been recognized by a majority of States in their constitutions, legislation, and various regional treaties to which they are parties. However, in spite of the wide recognition of its crucial importance, the right to a healthy environment has not yet been recognized as such at the global level. The Special Rapporteur focuses on the right to breathe clean air as one of its component and describes the negative



impact of air pollution on the enjoyment of many human rights, in particular the right to life and the right to health, in particular by vulnerable groups. He highlights the different State obligations in relation to the right to breathe clean air, which are both procedural and substantive, as well as the specific obligation to protect people and groups in vulnerable situations. He identifies several good practices implemented worldwide that have helped to improve air quality. Finally, the Special Rapporteur offers a number of recommendations to States for actions they should consider as part of a national air quality action plan and urges businesses, in order to fulfil their responsibility in this regard, to contribute to and support efforts to reduce air pollution.

***15. The sources of data that were used in the assessment and analysis:***

The UN Human Rights Council UN Special Rapporteur Reports on Human Rights and the Environment. The KCI would also find climate action examples in <https://documents.un.org/doc/undoc/gen/n19/216/42/pdf/n1921642.pdf> and its Annex on Good Practices.

***16. The actions undertaken to promote the co-benefits, if applicable:***

Again, quoting the report from p. 19, Specific actions that States should consider as part of the national air quality action plan include:

- (a) Prohibiting the construction of new fossil fuel power plants and replacing existing fossil fuel power plants with renewable sources of energy (by 2030 in high-income nations and 2050 elsewhere);
- (b) Eliminating all remaining fossil fuel subsidies, except for LPG cooking programmes;
- (c) Supporting the growth of distributed renewable energy generation systems;
- (d) Reducing, minimizing or avoiding government actions that cause air pollution;
- (e) Conducting assessments of the environmental, health and human rights implications of new projects, policies and plans that could cause air pollution;
- (f) Disseminating information about best available technologies;
- (g) Requiring industry to reduce and eliminate emissions of harmful air pollutants;
- (h) Requiring the oil and gas industry to recover and use methane and other gases released during the exploration, development and production processes;
- (i) Prioritizing emission reductions from high-polluting industrial facilities such as coke ovens, smelters, refineries, cement plants and brick kilns;
- (j) Refusing to issue permits for new polluting facilities or activities in areas that are air pollution hotspots until air quality in such areas meets national standards and would continue to meet those standards despite the additional pollution;



- (k) Ensuring an integrated approach to tackling air pollution and climate change to maximize co-benefits;
- (l) Promoting compact and mixed-use urban design;
- (m) Protecting and expanding urban green spaces;
- (n) Prioritizing investments in safe walking, safe cycling and rapid public transit over infrastructure for private vehicles;
- (o) Shifting to cleaner vehicles by strengthening emission standards and fuel efficiency rules while accelerating the transition to zero emission vehicles;
- (p) Implementing building codes, rules and standards that substantially increase energy efficiency in buildings;
- (q) Improving waste management by prohibiting the open burning of garbage, avoiding incineration and requiring the capture of methane at landfills;
- (r) Creating laws, policies and programmes to discourage or prohibit burning of crop residue or agricultural waste and assist farmers to shift to cleaner practices;
- (s) Lowering ammonia emissions from livestock manure and fertilizer use, in part by promoting a predominantly plant-based diet;
- (t) Educating the public about the adverse health effects of air pollution and the benefits of implementing solutions;
- (u) Using government procurement policies to advance all of the foregoing.

***17. The actions undertaken or policy/plan put in place to maximize these co-benefits, if applicable, noting the co-benefits:***

from p.20, to quote - States must accelerate programmes to replace solid fuels and kerosene with cleaner energy and clean technologies. A concerted effort is required to address nonfinancial barriers to clean cooking by extending fuel supply infrastructure, implementing policies to reduce the variability of fuel prices and promoting gender equity in household decision-making. States must also educate the public about the adverse health consequences of household air pollution and the availability of cleaner alternatives. Transitional fuels and technologies may achieve major health gains at a lower cost, but the end goal is clean fuels and clean technologies, not merely less dirty ones. States should increase their financing to reduce and eliminate household air pollution and achieve universal access to clean cooking by 2030

115. Governments, businesses, international agencies and philanthropic foundations must accelerate their efforts to ensure access to clean energy. High-income countries should provide economic and technical assistance to low-income countries to support their efforts to fulfil the right to breathe clean air. The international financial institutions



(e.g. World Bank, International Monetary Fund, Asian Development Bank and European Investment Bank) must avoid financing projects that will cause significant increases in air pollution.

116. In order to fulfil their responsibility to respect the human right to breathe clean air, businesses should:

- (a) Make every effort to reduce emissions of air pollutants from their facilities and supply chains;
- (b) Stop delaying the transition away from fossil fuels;
- (c) Embrace the extraordinary economic opportunities presented by renewable energy, energy storage, energy efficiency, clean cook stoves, heating and lighting and zero emission vehicles;
- (d) Contribute to and support efforts to shift towards the goal of a pollution free circular economy.

***18. The indicators that are used to monitor these co-benefits, if the implementation of these climate actions includes monitoring of co-benefits:***

Again, please refer to the full report -

<https://digitallibrary.un.org/record/1663859?v=pdf#files>

***19. The challenges, barriers and lessons learned from assessing, analyzing and monitoring, as applicable, the co-benefits of climate actions:***

Again, from p. 18 of the report –

109. Given the devastating impacts of poor air quality on people's lives, health and human rights, actions must be taken rapidly and systematically, with a priority focus on ameliorating conditions for the most vulnerable. Fulfilling the right to breathe clean air goes hand in hand with achieving the Sustainable Development Goals, including healthy lives for all, sustainable cities, universal access to clean energy and effective action to address climate change. A rapid shift away from fossil fuels to renewables such as solar and wind (except in the context of clean cooking, which often involves a shift to LPG) could save as many as 150 million lives over the course of the twenty-first century by reducing air pollution.

110. The failure to respect, protect and fulfil the right to breathe clean air is inflicting a terrible toll on people all across the world. The statistics presented in the present report depict a public health catastrophe, yet the numbers fail to capture the magnitude of human suffering involved. Each premature death, every illness and every disability afflicts an individual with hopes, dreams and loved ones. Air pollution is a preventable problem. The solutions – laws, standards, policies, programmes, investments and technologies – are known. Implementing these solutions will of course entail large



investments, but the benefits of fulfilling the right to breathe clean air for all of humanity are incalculable.

111. In order to respect, protect and fulfil the right to breathe clean air, States must implement the seven steps outlined in paragraphs 63–78 (monitoring, source assessment, public information, air quality standards, action plan, implementation/enforcement and evaluation).

***Any other relevant information:***

We encourage the UNFCCC KCI Secretariat to integrate findings from the UN Human Rights Council Special Reports on Human Rights and the Environment, including the one integrated in this submission as well as other reports, for example:

<https://documents.un.org/doc/undoc/gen/n19/216/42/pdf/n1921642.pdf>

<https://www.ohchr.org/en/special-procedures/sr-environment/good-practices-right-healthy-environment>

<https://www.ohchr.org/en/documents/thematic-reports/a79270-report-special-rapporteur-human-right-clean-healthy-and>

and more links - <https://www.ohchr.org/en/special-procedures/sr-environment/annual-thematic-reports>