

Regulating Air Quality: The first global assessment of air pollution legislation

Presentation for the twenty-third Session of the Intergovernmental Meeting (IG23) of EANET
25 November 2021

National Environmental Law Unit (NLU)

The guardian of environmental law at the national level.

Functions:

- Provide legal advisory services and technical legal assistance to developing countries and countries with economies in transition to develop and strengthen national environmental laws;
- Develop tools to advance national environmental regulation and ensure wider appreciation of evolving national environmental norms, approaches and mechanisms; and
- Support implementation of, compliance with and enforcement of environmental law.

Introduction

- UN Environment Assembly (UNEA) Resolutions 1/7 (Strengthening the role of the United Nations Environment Programme in promoting air quality) and 3/4 (Environment and health), and UNEP Air Quality Programme.
- The UNEP Air Quality Programme seeks to ensure that by 2030, 30% or 50% of the world's population live in areas where WHO Air Quality Guidelines and WHO interim targets are attained, respectively.



Effectively addressing air pollution is a key component of **Sustainable Development Goals (SDGs) 3, 11 and 12**. It is also implicated in, and facilitated by, achieving **SDG 7 and SDG 17**.

The First Global Assessment of Air Pollution Legislation

- 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.
- 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.
- Adds to previous studies on **ambient air quality standards (AAQS)** with its **clear focus on law and legislative structures**, and how these make AAQS binding within states.

Why focus on law?

- Ensuring institutional responsibility, transparency and accountability
- Creating administrative architectures to support and entrench the implementation of air quality standards, including monitoring requirements and enforcement mechanisms
- Embedding processes for reviewing air quality standards and plans
- Symbolic importance of legislative commitments to air quality standards

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

Key Findings

- 64 per cent of countries embed **AAQS** in legislation.
- 66 per cent of countries are subject to constitutional legal requirements that may be interpreted (over time) to require legally mandated acceptable air quality.
- 43 per cent of countries do not define “air pollution.”
- Most national air quality laws include **AAQS** that are not aligned with WHO air quality guideline values in terms of their headline numerical standard.
- Institutional responsibility for **AAQS**, even when legally adopted, is relatively weak globally.

Key Findings – Cont'd

- While ambient air quality is monitored in many countries, this is not a legal requirement in at least 37 per cent of countries.
- Public participation and other procedural rights relating to air quality are relatively strong globally.
- Only 31 per cent of countries have legal mechanisms for managing or addressing transboundary air pollution.
- **Indoor air quality standards (IAQS)** are infrequently included in air quality legislation globally – only 7 per cent of countries have some form of general **IAQS**.

Recommendations

- Timely progression towards adoption of the WHO air quality guidelines in legislative **AAQS** should be considered and planned in all countries where possible.
- Air quality legislation should include, among others, strong public health and environmental objectives in primary legislation and regular review processes that take into account the latest scientific knowledge.
- Global climate policy commitments could be achieved by shifting to “clean” modes of energy generation, which could be supported by more stringent SO₂ and NO₂ standards.
- Implementation of air quality law is supported by citizen empowerment.
- Systems of multilevel governance provide particularly effective frameworks for enforcing **AAQS**.

The report can be accessed at

[Regulating Air Quality: the First Global Assessment of Air Pollution
Legislation | UNEP - UN Environment Programme](#)

Thank you

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