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Geneva

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**Note Verbale No. 161**

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to submit its' response to communication OL GBR 7/2023 sent by the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment on 29 March 2023.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 31 May 2023.

Special Procedures Branch  
Office of the High Commissioner for Human Rights



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**From the Permanent  
Representative**  
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Dear Mr Boyd,

**Communication from Special Procedures - OL GBR 7/2023**

Thank you for your letter dated 29 March 2023 regarding the Clean Air (Human Rights) Bill (Bill 210, 2022-23), which is currently before the House of Commons (second reading). The UK wishes to reaffirm its support for the work of your mandate as Special Rapporteur in relation to the environment and human rights.

Air pollution remains the greatest environmental threat to human health, and we know that there is more to do to protect people and the environment from its harmful effects. The tragic case of Ella Adoo-Kissi-Debrah has made this all the clearer. The UK Government is committed to improving air quality. Latest published figures (which go up to the year 2021) show that air pollution in the UK has reduced significantly since 2010, with emissions of nitrogen oxides down by 45%, fine particulate matter down 10% and sulphur dioxide down 73%.

Against this backdrop, the UK Government fully recognises the positive intention of the Clean Air (Human Rights) Bill. However it is the UK Government's position that further legislation is not necessary since our comprehensive existing legal framework, now improved by the Environment Act 2021, already allows us the capability, accountability and ambition we need to take effective actions to drive down air pollution.

The action we are taking to continue improving air quality is set out in our recently published Environmental Improvement Plan. This action is supported by the Environment Act 2021, which, among other important measures, established the Office for Environmental Protection to hold the Government to account and scrutinise us on environmental law.

You have referenced World Health Organisation (WHO) guidelines. These guidelines are intended to inform the setting of air quality standards and are not ready-made targets for adoption. Our evidence is clear that WHO's updated guideline level for fine particulate matter is not possible to achieve in many locations in England, due to natural sources (such as pollen and sea spray) and transboundary sources alone often exceeding the WHO guidelines. We have used the best available evidence to set targets that are stretching but achievable, and specific to our national circumstances.

Under the Environment Act 2021 we have set a new maximum annual mean concentration target for PM<sub>2.5</sub> of 10 µg/m<sup>3</sup>, alongside an innovative population exposure reduction target. Our dual target approach will ensure reductions where concentrations are highest as well as reducing average exposure across the country by over a third by 2040 compared to 2018.

By way of update on the process, as you have noted in your letter, the next step for the Bill is to receive its second reading at the House of Commons. Updates on scheduling can be found on the UK Parliament website<sup>1</sup>.

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<sup>1</sup> <https://bills.parliament.uk/bills/3161>