



**A submission by Community Law & Mediation's
Centre for Environmental Justice to the
Department of the Environment, Climate and Communications on the
Draft Clean Air Strategy Public Consultation 2022.**

Summary of Recommendations

Community Law and Mediation's (CLM) Centre for Environmental Justice believe that it is imperative that air quality in Ireland be tackled in a systematic manner, ensuring that the National Clean Air Strategy (henceforth, "*the Strategy*") protects the right to breathe clean air, while also delivering on Ireland's obligations under the Aarhus Convention and the Sustainable Development Goals.

CLM therefore recommends the following:

1. **Right to Breathe Clean Air:** the right to breathe clean air should be the central guiding principle for the National Clean Air Strategy.
2. **"Clean" air as the stated aim:** in accordance with the World Health Organisation guidelines, the stated aim of the Strategy should be revised to ensure that it aims to deliver "clean" air rather than "cleaner" air.
3. **A Whole of Government Approach:** The Strategy should be placed on statutory footing to ensure a whole-of-government approach and enhanced policy coherence.
4. **World Health Organisation (WHO) Air Quality Standards 2021:** the Strategy should set out a path for Ireland to adopt WHO standards for air quality by the end of 2022 at the latest.
5. **Improved Specificity:** The Strategy should be revised to *specify* how the priority areas, and the overall objective of the Strategy, are to be implemented and delivered in a timely manner.
6. **Monitoring and Accountability:** The Strategy should be revised to include clear monitoring and accountability mechanisms that are measurable, actionable, and time-bound, with a view to ensuring policy coherence and protecting citizens' rights under the Aarhus Convention.
7. **Address Inequality:** the Strategy should identify measures to engage and consult with impacted communities on air quality issues in accordance with their participatory rights under the Aarhus Convention.

- 8. Develop a new Energy Poverty Strategy:** The last strategy to combat energy poverty lapsed in 2019, three years ago. An inter-departmental strategy must be introduced as a matter of priority and data collection on energy poverty must be improved so that progress can effectively be monitored in tackling this issue.
- 9. Dissemination of Data:** The Strategy should require relevant public bodies and local authorities to engage in greater public dissemination of real-time localised air quality issues as part of a national awareness campaign.
- 10. Adopt a New Clean Air Act:** we recommend the replacement of the Air Pollution Act 1987 with a new Clean Air Act which would consolidate existing legislation relating to air pollution. This new Act would provide greater powers to local authorities to deal with air pollution issues, as well as enhanced access to justice provisions for affected individuals and organisations.

Community Law and Mediation's Centre for Environmental Justice

Community Law and Mediation (CLM, formerly Coolock/Northside Community Law Centre) was established in 1975 in direct response to the need in the community for free legal information services and has been a pioneering organisation in the provision of community based legal and mediation services. With the establishment of a second law centre in Limerick in 2012, the community CLM serves has grown to include anyone across Ireland who, because of economic, social, or other disadvantage, is unable to access the services CLM provides.

In our community law centres in Dublin and Limerick, we observed how climate change interacts with the issues experienced by the communities we work with, including energy poverty, housing, employment, and health. In response to this, CLM's Centre for Environmental Justice was opened in February 2021. We work with communities experiencing disadvantage or discrimination, who are likely to be negatively impacted by climate change and environmental issues, who are least able to cope with these impacts, and who have contributed the least to climate change.

The links between air pollution and climate change are clear. Many of the primary causes of air pollution contribute directly to climate change. For instance, combustion in the electricity, industry, transport, waste, and livestock sectors, in addition to the use of solid fuels for heating, can create detrimental health and environmental impacts, while also heating our atmosphere. However, as outlined by the United Nations Special Rapporteur on Human Rights and the Environment, the overlap between air pollution and climate change presents an opportunity to address both issues in tandem.¹ A well-designed National Clean Air Strategy can act to deliver clean air while simultaneously reducing emissions in accordance with Ireland's obligations under the Climate Action and Low Carbon Development (Amendment) Act 2021 and the Paris Agreement.

CLM has contributed to previous public consultations relating to air pollution and equality in Ireland, including a [submission on the Development of a new Solid Fuel Regulation](#) for Ireland in April 2021. CLM recommended the consolidation of air pollution legislation and the updating of air pollution legislation in order to incorporate World Health Organization (WHO) guidelines in respect of particulate matter.

CLM has furthermore published research with DCU, "[Environmental Justice in Ireland](#)", funded by the Irish Research Council, which includes recommendations on air quality. As part of this project, CLM

developed resources outlining the [links between air pollution and health](#) for communities and schools.

Air Pollution and Equality in Ireland

Air quality issues are being felt within the communities CLM serves, and air pollution has presented to our free legal advice clinics. The most recent Environmental Protection Agency (EPA) Report showed that approximately 1300 people die prematurely each year in Ireland due to poor air quality. Such loss of life is wholly preventable, and it is unacceptable - two years into a global pandemic - that avoidable deaths persist in Ireland due to air pollution.

Air pollution impacts certain groups more than others because of where they live, where they can afford to live, the level and quality of healthcare they have access to, or because of existing respiratory problems. Within many marginalised communities, poor air quality is a constant reality.¹ Ireland's EPA note that: *"People of lower socio-economic status tend to be disproportionately exposed to environmental pollution (such as air pollution), and this may be exacerbated in the future without appropriate policies to protect those most vulnerable in our society."*²

We are also aware of the escalating issue of energy poverty in Ireland. Between December 2020 and December 2021, the cost of electricity rose by 22.4% and gas by 27.7%. Energy costs are now 34% higher than December 2016.³ Up to 28% of households may be in fuel poverty, including 165,000 households with older persons.⁴ In 2021, St Vincent de Paul found that 19% of adults had reduced their heating or electricity use due to cost since the start of the pandemic. Among those who experienced financial difficulties prior to the pandemic, 37% had cut back on heating or electricity due to cost. A staggering 42% of those unable to work due to disability reduced heating or electricity due to cost, and 36 per cent of lone parent families had cut back.⁵ More may be at risk of falling into energy poverty in 2022 due to recent hikes in energy prices.⁶

Many households in - or at risk of - energy poverty may rely on traditional sources of fuel, such as turf or wood, to heat their homes, without being aware of the significant health consequences of doing so, and without access to readily available alternatives. The negative effects of emissions caused by the burning of solid fuels can be compounded with serious impacts on health and wellbeing. Air quality then is not only a matter of environment and health quality, but of economic and housing justice. It is very closely linked to energy poverty.

¹ European Environment Agency (2018) Unequal exposure and unequal impacts: social vulnerability to air pollution, noise and extreme temperatures in Europe. Available at: <https://www.eea.europa.eu/publications/unequal-exposure-and-unequal-impacts>.

² Environmental Protection Agency Ireland. Environment and Wellbeing. <https://www.epa.ie/our-services/monitoring--assessment/assessment/irelands-environment/environment--wellbeing/environment-and-wellbeing-learn-more/>

³ Doubling of €100 credit for electricity bills on cards to help with rising costs <https://www.irishexaminer.com/news/arid-40800186.html>

⁴ <https://www.ageaction.ie/news/2022/02/08/energy-poverty-strategy-needed-climate-justice>

⁵ <https://svp.ie/getattachment/2de2b8af-bc90-4c49-be38-d9a4ff6b53e8/Development-of-a-new-Solid-Fuel-Regulation-for-Ir.aspx>

⁶ <https://www.irishtimes.com/business/energy-and-resources/irish-consumers-could-see-50-hike-in-electricity-bills-1.4820863>

The Need for a Rights-Based Approach

The United Nations High Commissioner for Human Rights stated in 2018 that “there can be no doubt that all human beings are entitled to breathe clean air”. The United Nations Special Rapporteur on Human Rights and the Environment in his 2019 report on clean air and human rights rightly found that “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.”⁷ Indeed, the right to life and the right to health are protected in various forms by the Constitution and the European Convention on Human Rights Act 2003. Ireland furthermore ratified the United Nations Convention on the Rights of People with Disabilities (UNCPRD) in 2018. Article 25 of the UNCPRD outlines that state parties should “recognise that disabled people have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.” It is our contention that the right to breathe clean air falls squarely within article 25 of the Convention.

Equality rights are highly relevant to the Strategy, given the differential impact of air pollution on different groups across Ireland. Equality protections are set out in the Constitution, international and EU law, including the EU Charter on Fundamental Rights and the EU Equality Directives. In addition, the Public Sector Equality and Human Rights Duty lends further weight to the need for a human rights-based approach to regulatory reform of air quality in Ireland.

The UN Special Rapporteur on Human Rights and the Environment additionally found that States have procedural, substantive, and special obligations to vulnerable persons in the context of air quality.⁸ Such obligations however are not reflected in the current draft Strategy. To ensure that action taken to address air quality is rights-based, the proposed Clean Air Strategy must be grounded in the normative policy framework in which the State operates. Human rights and equality issues in the context of climate and environmental action are recognised in both national legislation and international frameworks to which the State is a signatory:

- **United Nations Framework Convention for Climate Change:** Decision 1/CP.16 (2010) refers to Human Rights Council resolution 10/4, which recognises the adverse effects of climate change on the effective enjoyment of human rights and calls upon States to ensure respect for human rights in their climate actions.
- **The Paris Agreement:** the Preamble to the Paris Agreement calls on States, when taking action to address climate change, to “respect, promote and consider their respective obligations on human rights”.
- **United Nations Human Rights Council:** In 2021, Ireland signed a Joint Statement which noted: “increasing calls for a global recognition of such a right [to a safe, clean, healthy and sustainable environment] from States, UN Representatives, experts and civil society” and committed to “engaging in an open, transparent and inclusive dialogue with all States and interested stakeholders on a possible international recognition of the right to a safe, clean, healthy and

⁷ Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment- Report of the Special Rapporteur. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/002/54/PDF/G1900254.pdf?OpenElement>

⁸ Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment- Report of the Special Rapporteur. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/002/54/PDF/G1900254.pdf?OpenElement>

sustainable environment.”⁹ Ireland further co-sponsored a resolution at the UNHRC which recognises a right to a clean, healthy and sustainable environment.

- **The Sustainable Development Goals:** Ireland has committed to fully achieving all 17 of the Sustainable Development Goals (SDG) by 2030. SDG 3.9 specifically seeks to “substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination”
- **The Aarhus Convention:** Ireland is party to the Aarhus Convention which protects “the right of every person of present and future generations to live in an environment adequate to his or her health and well-being” (art. 1). The right to breathe clean air is central to citizens’ right to a safe environment - a right which, as noted, Ireland has supported at the multilateral level.¹⁰ The Convention protects the right of Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters.
- **Climate Action and Low Carbon Development (Amendment) Act 2021:** Ireland’s Climate Act provides “for the approval of plans by the Government in relation to climate change for the purpose of pursuing the transition to a climate resilient, biodiversity rich and climate neutral economy by no later than the end of the year 2050 and to thereby promote climate justice, and just transition;” and Section 8; “For the purposes of performing their respective functions under this section, the Minister and the Government shall have regard to the following matters: (d) climate justice.

Consultation Questions

1. Do you agree with the five strategic priorities outlined in the draft strategy?

The draft strategy lacks an overall vision to address air pollution and to achieve clean air throughout Ireland. We provide the below recommendations on how the priorities - and the Strategy overall - may be improved for more effective implementation and delivery.

1. Lack of specificity

The draft Strategy lacks specificity as to *how* the five strategic priorities are to be achieved. The draft Strategy places an over-emphasis on explaining air quality issues in Ireland, when what is needed for effective and timely implementation is detailed steps that the Government, public bodies, and local authorities can take to ensure that the right to breathe clean air is delivered.

2. Monitoring and accountability

The priorities and stated aim of the draft Strategy lack robust monitoring and accountability mechanisms. We are very concerned that in the absence of a clear monitoring framework, the

⁹ <https://www.gov.ie/en/press-release/7a820-government-to-co-sponsor-a-un-resolution-recognising-a-right-to-a-clean-healthy-and-sustainable-environment/#:~:text=At%20HRC46%20last%20March%2C%20Ireland,an%20open%2C%20transparent%20and%20inclusive>

¹⁰ Core Group Statement on Right to a Healthy Environment at Human Rights Council 46th Session: <https://www.childenvironment.org/blog/core-group-statement>

Strategy will not deliver on its key priorities, and its overall aim of achieving clean(er) air. Effective monitoring and accountability are essential to track progress and make course corrections, and for citizens and communities to hold the government accountable to its obligations on air quality. The Strategy should be revised to include clear monitoring and accountability commitments that are measurable, actionable, and time-bound. Furthermore, the Strategy must ensure that citizens and communities have access to legal remedies when Ireland's obligations in relation to air quality are not being fulfilled.

3. Whole of Government approach

While the draft Strategy notes that there is a "whole of Government commitment" to achieving clean air, we believe that the Strategy should be revised to ensure robust governance mechanisms with the aim of delivering policy coherence across departments. This would best be achieved by placing the Strategy on a statutory footing.

4. World Health Organisation Guidelines

The draft Strategy commits to "considering" the adoption of 2021 WHO air quality guidelines by 2025. However, the stated aim of the Strategy is to realise the full environmental and health benefits of clean(er) air. To achieve this aim, the standards applied to air pollution must be measured in a way which is most closely related to its impact on human health. For this reason, the Strategy should be redrafted to adopt 2021 WHO guidelines by the end of 2022.

5. Adopt a New Clean Air Act

We support the recommendation, set out in the draft Strategy, to consolidate existing air pollution legislation, including the Air Pollution Act 1987, and to create a new Clean Air Act. We recommend that this new legislation include enhanced provisions for individuals and other bodies to enforce their rights to clean air. We believe that facilitating access to justice is fundamentally important in ensuring that individuals and communities are protected from harmful air pollution and other environmental hazards. The right to clean air has been consistently upheld by the European Court of Justice which has said that citizens are entitled to go to court to enforce air pollutant limit values. Enhanced access to justice in relation to air quality would also be consistent with Ireland's commitments under the Aarhus Convention. The revised legislation must furthermore enshrine the principle of non-regression, to prevent the weakening of air quality regulations in future.

2. Do you feel there are additional strategic priorities which should be included?

We recommend that the below priorities should be included in a revised Strategy:

1. The right to breathe clean air should be the central guiding principle for Ireland's National Clean Air Strategy.
2. The stated aim of the Strategy should be to achieve "clean" air across Ireland.

The stated aim of the draft Strategy is to “realise the full environmental and health benefits of *cleaner* air” [Emphasis added].

Community Law and Mediation’s Centre for Environmental Justice recently held a public webinar on “The Right to Breathe Clean Air”¹¹ in preparation for this consultation. As noted by Araceli Camargo of the UK [Centric Lab](#), “*cleaner* air denotes a permission to still pollute at a certain level, whereas communities are asking for “*clean* air” i.e., no pollution.” Indeed, the WHO in its updated air quality guidelines “avoids consideration about what level of exposure should be considered safe, given that the available evidence cannot currently identify levels of exposure that are risk free.”¹² In other words, there are no safe levels of air pollution. This is confirmed by the EPA's "State of the Environment Report" which states that: “Air pollution is the single largest environmental health risk in Europe.” The WHO has further found that air pollution is the second leading cause of death from chronic diseases, after smoking. Poor air quality is linked to serious health implications, both in the short-term (leading to issues such as headaches, breathing difficulties, or eye irritation) and in the long-term (including asthma, reduced liver function, and cardiovascular disease).

The stated aim of the Clean Air Strategy should therefore be revised to: “realise the full environmental and health benefits of *clean* air.”

3. Address Inequality

In order to ensure that a redrafted Strategy promotes equality, targeted efforts should be made to engage with affected communities. This engagement should be effective and early in the process, in accordance with the right to public participation in environmental matters, protected by the Aarhus Convention. This engagement should furthermore be tailored to relevant communities. For example, in the case of older persons, Age Action found that 65% of persons aged 65 or older do not use the internet or have below basic digital skills. Therefore it is important that they can participate through in person consultations or via post. In the latter case, time must be allowed for sending and receiving letters. Participation should cover all stages of the process, from initial design to final implementation and review.

4. Develop a new Energy Poverty Strategy

In addition to facilitating the meaningful participation of affected communities, the Strategy must be brought in line with the Sustainable Development Goals, which prioritise “leaving no one behind” and “supporting the furthest behind first.” This necessitates the introduction of a new, cross-departmental, Energy Poverty Strategy. The last strategy to combat energy poverty

¹¹ Community Law and Mediation, Webinar Right to breath clean air – available at: <https://www.youtube.com/watch?v=qGDPQVBaJuw>

¹² World Health Organisation. 2021. World Health Organisation Global Air Quality Guidelines. <https://apps.who.int/iris/bitstream/handle/10665/345329/9789240034228-eng.pdf?sequence=1&isAllowed=y>

lapsed in 2019, three years ago. An inter-departmental strategy must be introduced as a matter of priority and data collection on energy poverty must be improved so that we can effectively monitor progress in tackling the issue. Such data can also assist in the targeting of retrofitting programmes and income supports.

In the case of older persons, measures that could be taken to protect them from any negative ramifications of the clean air strategy include enhancing the Housing Aid Grant for Older Persons and implementing an Energy Guarantee for Older Persons.

- Enhance the Housing Aid Grant for Older Persons

Older persons disproportionately occupy poorly insulated homes and are often locked into fossil fuel dependency. Measures to improve air quality in Ireland put older persons who burn solid fuels at risk. This risk can be alleviated if actions are taken by the State to ensure these persons are able to transition away from such fuels. In particular, there needs to be a systematic programme that offers central heating systems to those households who cannot afford them. This could be delivered through enhancing the Housing Aid Grant for Older Persons, as the grant already provides for the installation of central heating systems. If some of the carbon tax revenue ringfenced for tackling fuel poverty was funnelled into expanding the grant, those persons currently dependent on solid fuels could have their homes systematically upgraded. As it is delivered by the local authorities, expanded funding could be targeted in the areas with the most dependence on solid fuels. Using the processes and infrastructure that already exist to deliver the grant, specialized eligibility criteria and available grant sizes could be established particularly for the installation of central heating systems to ensure no household falls through the cracks. Alongside this, there could be an interim system for granting licences to persons dependent on turf while they await the installation of central heating systems. There would also need to be an information campaign to ensure uptake of the grant.

- An Energy Guarantee for Older Persons

As part of a new, comprehensive energy poverty strategy, Age Action is calling for the introduction of an Energy Guarantee for Older Persons. This social welfare measure would use carbon tax revenue ringfenced for combatting fuel poverty to support those facing the most difficulties in keeping their homes adequately warm. The measure has two key features. Firstly, eligibility criteria account for not only income, but also the BER of a person's home, house type, and fuel type. This means even if an older person is on a moderate income, if their situation means their energy costs are unmanageable, due to for example living in a poorly insulated home, they would be entitled to the energy guarantee. The other fundamental feature of the guarantee is that it is a cash payment benchmarked and indexed against the cost of energy. Instead of receiving a fixed amount of money each month, recipients would receive an amount equal to the cost of

a fixed number of units of energy. In this way, older persons would not have to shoulder the risk of inflation or sudden energy price spikes. The free electricity and gas allowances were in unit form from 1968 to 2012, and Age Action is calling for a return to this system. More detail on the energy guarantee is available through Age Action's website.

5. Disseminate Data

The Strategy should require relevant public bodies and local authorities to engage in greater public dissemination of real-time localised air quality issues as part of a national awareness campaign. (Further information provided in question 3).

3. How can pollutant emissions data be better used to inform actions at local and national levels?

We believe that real-time air quality data should be more widely disseminated and should be communicated in a manner which is more accessible than it is at present. This would include media alerts when levels of harmful pollutants, such as fine particulate matter, exceed WHO guideline levels, rather than the less stringent European Union (EU) ambient air quality standards. A report from Ireland's EPA showed that air pollution exceeded WHO guidelines at 38 of 67 monitoring stations in 2020. This is significant, given that the WHO published its new Global Air Quality Guidelines in 2021.¹³ The new guidelines present science-based recommendations for concentrations of the major air pollutants. These recommendations now suggest much lower values for the main pollutants, especially particulate matter.

Data would also assist local authorities in terms of enforcement and also the adoption of measures to prevent air pollution, for example the creation of Low Emission Zones (LEZs), improvement of active mobility infrastructure or the reduction of speed limits. The Department of Transport's [Five Cities Demand Management Study](#) found that introducing LEZs in Irish urban centres could reduce nitrogen dioxide emissions from transport by 60 to 71 percent. The reduction of speed limits would yield multiple benefits at the local and national levels including the reduction of localised air pollution but also for climate change mitigation, safer roads for vulnerable road users, as well as reduced fuel consumption for drivers in the midst of a cost-of-living crisis.

In addition, data on air pollution would help better inform the decision-making processes of planning authorities in Ireland.

4. What do you feel are the most important current and emerging air quality issues in Ireland that require further research?

The recently launched [Environmental Justice in Ireland](#) Report of Community Law and Mediation and Dublin City University notes that there is no published research on the impacts of poor air quality upon children in socially deprived urban areas in Ireland. Such research must be conducted, and special attention should be paid to the siting of landfill sites, access to green space, traffic congestion, and measures to address energy poverty. The linkages between social inequality and air pollution impacts on children are becoming increasingly clear. For example, in the United Kingdom the Labour Party

¹³ World Health Organisation. 2021. Global Air Quality Guidelines. Available at: <https://apps.who.int/iris/bitstream/handle/10665/345329/9789240034228-eng.pdf?sequence=1&isAllowed=y>

conducted an analysis which found that five London boroughs which ranked worst for child poverty also ranked worst for dirty air.

One of the barriers to such research, as identified by researchers in University College Cork, lies in the difficulty of accessing sensitive health data. Another possible reason for the lack of data on these issues may be the fact that the EPA is not required to identify (nor address) environmental injustice, unlike its counterpart in the United States. However, certain groups are disproportionately impacted. For example, members of the Traveller and Roma communities may be forced to resort to informal halting sites at road-side locations due to a lack of culturally appropriate accommodation, with consequent exposure to greater levels of air pollutants such as fine particulate matter and nitrogen dioxide. A 2017 Irish study linked increased hospital admissions for respiratory and cardiovascular conditions with air pollution exposure in disadvantaged areas of Dublin city. Here it should be noted that there is a strong correlation between lower-than-average car ownership and economic deprivation.¹⁴

5. How can we better increase awareness of the health impacts of air pollution?

We believe that a national clean air awareness campaign should be conducted in order to inform the wider public of the health impacts of air pollution. Citizens and communities have a right to know how their local environment may impact their health. This campaign could include extensive social media engagement and a TV or radio campaign. We also believe that it would be beneficial to develop a user-friendly air quality forecasting app in Ireland, similar to the *Northern Ireland Air* mobile application. This would help raise public awareness of the dangers of poor air quality and also inform decision making at the local level.

As stated above, we favour the dissemination of real-time data on air quality and alerts to members of the public when there are localised air pollution issues, in accordance with 2021 WHO standards. This will depend upon effective air quality monitoring through the complete and timely implementation of the national Ambient Air Quality Monitoring Programme 2017-2022 and the LIFE Emerald modelling project.

The EPA's [air quality website](#) should also be reviewed and updated in order to make its interface more-user friendly and accessible to a wider range of users. Further explanatory information and transparency should be provided, for example in relation to the classification and functions of Ireland's monitoring stations. The Strategy should also reflect a requirement for greater transparency in relation to "offline" air quality monitors, and greater clarity regarding the siting of air quality monitoring stations and their geographical distribution, in accordance with the requirements of the Air Quality Directive. We recommend that such information and related documentation should be easily accessible by members of the public on the EPA's air quality website. Such action would furthermore enable Ireland to fulfil its obligations under Article 5 of the Aarhus Convention.

6. What issues might a national clean air awareness campaign encompass and how could its impact be measured?

The campaign should highlight the health impacts of air pollutants from both the residential heating and transport, particularly fine particulate matter and nitrogen dioxide which are regarded as the most

¹⁴ Cournane, S., Conway, R., Byrne, D., O'Riordan, D., Coveney, S. and Silke, B. (2017) 'High risk subgroups sensitive to air pollution levels following an emergency medical admission', *Toxics*, 5(4), pp. 27

harmful and prevalent air pollutants to which individuals are exposed. It may be useful to examine whether the various anti-passive smoking campaigns may yield useful communication lessons in the context of an air quality awareness campaign. The impact of the awareness campaign could be measured by conducting surveys and by looking at social media engagement by members of the public.

A public awareness campaign should also encompass the impact of private motor vehicle usage upon ambient air quality and call on individuals to limit their car usage where possible, reduce driving speeds and avoid idling vehicles when stationary.

7. What particular metrics or benchmarks do you think should be considered in tracking the progress of a Clean Air Strategy?

We believe that Ireland's Clean Air Strategy needs to adopt 2021 WHO air quality guidelines as legally binding targets by the end of 2022 at the latest. The EU has set out commitments to move towards the adoption of WHO standards through the revision of the Ambient Air Quality Directives, in recognition of the fact that the EU's current air quality standards are insufficient. It is estimated that poor air quality caused 400,000 premature deaths across Europe in 2016.¹⁵ As part of the European Green Deal, the European Commission has adopted a zero-pollution action plan for air, soil and water which includes an interim 2030 target to reduce the number of premature deaths caused by air pollution by 55% by improving air quality.¹⁶

The EPA has noted that Ireland's overall ambient air quality compares favourably to many other European countries but highlights localised air quality issues throughout the country, particularly on cold winter evenings. As aforementioned, approximately 1,300 deaths occur annually in Ireland as a result of poor air quality, mainly from fine particulate matter. The draft Strategy points to concerning levels of nitrogen dioxide and particulate matter at certain locations around the country, further underscoring the imperative to tackle air pollution swiftly and effectively. We therefore recommend that the Strategy sets a target for Ireland to adopt 2021 WHO air quality standards by the end of 2022 and that these should be legally binding limit values. We believe that there is an invaluable opportunity for Ireland to be an environmental and climate leader amongst EU member states by being an early adopter of the more robust WHO standards. This would also ensure Ireland's compliance with revised EU legislation.

8. Are there any other comments you have in relation to the draft national Clean Air Strategy

Current enforcement powers for local authorities under Ireland's Air Pollution Act 1987 are weak. The new Clean Air Act must include enhanced provisions for local authorities to deal with air quality-related issues. This should be accompanied by training and appropriate funding so that Local Authority officials are (1) aware of their responsibilities and (2) effectively resourced to use their powers.

The EPA, in its most recent report on local authority environmental enforcement, highlighted a declining level of engagement and enforcement on air quality (and noise) issues since 2015, along with a reduced inspection capacity. The draft Clean Air Strategy document also notes concerns that poor enforcement is

¹⁵ [Cutting air pollution in Europe would prevent early deaths, improve productivity and curb climate change — European Environment Agency \(europa.eu\).](https://www.euro.who.int/en/health-topics/air-quality/news-and-events/2019/09/cutting-air-pollution-in-europe-would-prevent-early-deaths-improve-productivity-and-curb-climate-change)

¹⁶ [Zero pollution action plan \(europa.eu\).](https://www.euro.who.int/en/health-topics/air-quality/news-and-events/2020/04/zero-pollution-action-plan)

contributing to an increased trade in prohibited solid fuels. It calls for the provision of more local authority resources to deal with air quality-related issues, a recommendation which we agree with.

The new Clean Air Act should also include provisions empowering local authorities to take action in preventing poor air quality, including specific powers to create LEZs.