

# Environmental Action Germany

## Legal actions for clean air



**RIGHT TO**  
CLEAN AIR

## THE AIR WE BREATHE IS MAKING US ILL

Air pollution is still one of the greatest environmental problems of our time. Despite directives that apply throughout Europe and the Right to Clean Air, the limits for harmful air-borne pollutants such as nitrogen dioxide (NO<sub>2</sub>) or particulate matter (PM<sub>10</sub>) are regularly exceeded in many cities and conurbations. This adversely affects the health of citizens and harms our environment and the climate.

Studies show that more than 400,000 people die prematurely every year as a result of air pollution. Poor air quality increases the risk of cardiovascular and respiratory disease as well as cancer. This damage to human health causes economic costs of between 330bn and 940bn Euro, which accounts for three to nine per cent of the gross domestic product of the EU. Up to 95% of the inhabitants of European cities are exposed to pollutant concentrations that are detrimental to their health. The main sources of this pollution are industry, transport and private small-scale furnaces.

With the EU-funded project Right to Clean Air, Environmental Action Germany (DUH) is working to significantly improve air quality in Europe, thereby protecting the environment and human health. Together with the Czech organisation the Frank Bold Society (FBS), the DUH is promoting measures to maintain air quality, and also supports legal action at European and national level, including law suits for clean air in selected German cities.

## AIR QUALITY IN GERMANY

In addition to particulate matter pollution (PM<sub>10</sub>), the pollution of the air in cities with nitrogen dioxide (NO<sub>2</sub>), is a key air pollution challenge in Germany. Permanent exposure to such air pollution damages the respiratory system and affects the cardiovascular system. Studies carried out by the World Health Organization (WHO) show that long-term exposure to air pollution – as is found at sites close to traffic – is also associated with an increased susceptibility to disease and an increased mortality rate. According to the European Environment Agency (EEA), 10,610 people die prematurely due to exposure to NO<sub>2</sub> and 73,400 due to particulate pollution in Germany every year. And the trend is rising. The evaluation of the air quality monitoring stations in 2016 shows that the NO<sub>2</sub> annual mean of 40 µg/m<sup>3</sup> nationwide is not met at 57% of the monitoring stations located near to traffic. The sorry front-runner is the

station at Stuttgart Am Neckartor. The annual mean NO<sub>2</sub> value here was 82 µg/m<sup>3</sup> – more than twice the permissible limit value. The mean daily mean value of 50 µg/m<sup>3</sup> for particulate matter was exceeded on 63 days. Legally, no more than 35 days are permitted. According to the WHO, this level is still too high because there is no particulate matter concentration below which no damaging effect can be expected. Diesel vehicle emissions are the main cause of the high level of NO<sub>2</sub> pollution in cities. The EU Commission – but also courts in Germany – reiterate that measures such as a ban on diesel vehicles in urban areas can make a significant contribution to solving the problem.

## EMISSION CONTROLS

The Federal Government ascribes the fact that the NO<sub>2</sub> limits are persistently being exceeded primarily to the high real average nitrogen oxide (NO<sub>x</sub>) emissions from new diesel passenger cars. In actual fact, though, it is known – and not just since the exhaust gas scandal – that vehicles on the road have a much higher NO<sub>x</sub> output than those measured in laboratory tests.

Since 2007, the DUH has had evidence that there was something fishy about the manufacturers' official data on their cars, and has published this information and submitted it to the authorities. Because politicians remained inactive despite clear evidence and even after the VW exhaust scandal became known in the USA, the DUH has been measuring emissions from passenger cars itself since the spring of 2016. Since March 2016, the DUH, together with the Emission Control Institute (ECI), has measured 60 passenger cars of exhaust gas standards Euro 6 and Euro 5 under real-world conditions on the road (as of July 2017). This includes vehicles with diesel, petrol and hybrid drives. Only a few of the vehicles tested so far comply with the limit value on the road, too. An overview of the measurement results can be found on this website: [www.duh.de/eki\\_messungen](http://www.duh.de/eki_messungen). Measurements at predominantly summery temperatures showed, on average, lower emissions than in winter. This is also due to the fact that many vehicles have their lawful exhaust gas treatment system deactivated at temperatures below +19 degrees Celsius. The highest NO<sub>x</sub> emissions have so far been recorded (as of July 2017) with a diesel Audi A8 4.2 TDI of the Euro 6 emissions standard. This model is a popular company car of many top policymakers and company managers and emits an average of 1,422 mg NO<sub>x</sub>/km. The approval limit applicable on the test bench is 80 mg/km.



Measurements show that air quality limits are still exceeded in many cities in Germany. DUH sues against the competent authorities in order that citizens will be able to breathe deeply.

## LEGAL ACTIONS CONCERNING NON-COMPLIANCE WITH AIR QUALITY LIMITS

City	Type of case	Defendant	Administrative Court	Breach of NO <sub>2</sub> limit value 2015 (40 µg/m <sup>3</sup> )	Decision by
Aachen	Administrative action	District Council of Köln	Aachen	50 µg/m <sup>3</sup>	
Berlin	Administrative action	Senate District for Environment, Transport and Climate Protection	Berlin	62 µg/m <sup>3</sup> (2015: 50 µg/m <sup>3</sup> )	
Bonn	Administrative action	District Council of Köln	Köln	52 µg/m <sup>3</sup>	
Darmstadt	Enforcement action	Hessian Ministry of Environment	Wiesbaden	60 µg/m <sup>3</sup>	BVerwG Leipzig 05.10.2013 (4 K 165/12.WI(1))
Düsseldorf	Administrative action	District Council of Düsseldorf	Düsseldorf	60 µg/m <sup>3</sup>	VG Düsseldorf 13.09.2016 (3 K 7695/15)
Essen	Administrative action	District Council of Düsseldorf	Gelsenkirchen	55 µg/m <sup>3</sup>	
Frankfurt	Administrative action	Hessian Ministry of Environment	Wiesbaden	55 µg/m <sup>3</sup>	
Gelsenkirchen	Administrative action	District Council of Münster	Münster	51 µg/m <sup>3</sup>	
Köln	Administrative action	District Council of Köln	Köln	63 µg/m <sup>3</sup>	
Limburg	Enforcement action	Hessian Ministry of Environment	Wiesbaden	63 µg/m <sup>3</sup>	VG Wiesbaden 30.06.2015 (4 K 97/15.WI(2))
Mainz	Administrative action	Municipality of Mainz	Mainz	57 µg/m <sup>3</sup>	
München	Enforcement action	Bavarian Ministry of Environment	München	83 µg/m <sup>3</sup>	EuGH 25.07.2008 (M 1 K 12.1046) VG München 09.10.2012 (22 BV 12.2450) VG München decision 29.06.2016 (M 1 V 15.5203) BayVGH decision 16.02.2017 (22 C 16.1427)
Offenbach	Administrative action	Hessian Ministry of Environment	Wiesbaden	54 µg/m <sup>3</sup>	VG Wiesbaden 30.06.2015 (4 K 1178/13.WI(V))
Reutlingen	Enforcement action	District Council of Tübingen	Sigmaringen	71 µg/m <sup>3</sup>	VG Sigmaringen 22.10.2014 (1 K 154/12) VG Sigmaringen decision 24.11.2016 (1 K 5134/15)
Stuttgart	Administrative action	District Council of Stuttgart	Stuttgart	89 µg/m <sup>3</sup>	VG Stuttgart 19.07.2017 (13 K 5412/15)
Wiesbaden	Enforcement action	Hessian Ministry of Environment	Wiesbaden	56 µg/m <sup>3</sup>	VG Wiesbaden 10.10.2011 (4 K 757/11.WI)

Were executory titles already exists, but were not implemented, DUH initiated enforcement measures.

**„Audi’s top limousine is flooding German inner cities with record volumes of the diesel exhaust gas nitrogen dioxide. Federal Minister of Transport Alexander Dobrindt has to work towards ensuring that the Federal Motor Transport Authority is aware of the fact that the type approval for this and all similarly dirty diesel Audis of the Euro 6 standard has expired.“**

Jürgen Resch – CEO, Environmental Action Germany

With the aid of the measurements, the DUH wishes to draw attention to the fact that more and, above all, better controls of the exhaust gas cleaning system of vehicles are urgently required in order to determine realistic values. Contrary to the Federal Ministry of Transport,

the DUH publishes its measurements, informs consumers and, with the extremely high NO<sub>x</sub> emissions, shows why more than half of the air quality monitoring stations located close to traffic exceed the limit values that have been valid for the last seven years. However, the measurements also indicate that it is possible to produce „clean“ diesel cars, which meet the on-road limit values.

## CLEAN AIR PLANS AND EMISSION FACTORS

Current clean air plans along with numerous drafts for their updating are based on outdated and underestimated emission values contained in the Handbook on Emission Factors (HBEFA), Version 3.2, and published by the Federal Environment Agency. In the updated Version 3.3, published in April 2017, the emission factors of all Euro 4, 5 and 6 diesel passenger cars have been increased. For Euro 4 and 5 vehicles, an increase of up to 35% is to be expected, depending on the traffic situation, and in the case of Euro 6 cars one can even expect the figure to

double ([www.umweltbundesamt.at/en/hbafa](http://www.umweltbundesamt.at/en/hbafa)). The forecasts regarding limit value compliance in the clean air plans must, therefore, be significantly revised and the requisite measures must be expanded correspondingly. Even with the old emission factors, compliance with the limit value is not expected in many areas before the year 2021 (as in Stuttgart) or 2025 (as in Munich). After the forecasts have been updated, it will soon be apparent that most plans will continue to provide the public with insufficient protection against the harmful effects of air-borne pollutants that lead to illnesses and deaths, and will thus infringe not only the EU Air Quality Directive and its national implementation, but also Article 2 para. 2 of the Basic Law (right to life and physical integrity).

**„We need a clear pledge from policymakers that they will fulfil their responsibility towards citizens and that the right to physical integrity as enshrined in the Basic Law is not trampled on any further. As long as the air pollution values are not met as quickly as possible, we will continue to sue.“**

Jürgen Resch – CEO, Environmental Action Germany

## LEGAL BASIS

The legal basis for legal actions relating to clean air are Council Directive 96/62/EC on ambient air quality assessment and management of 27 September 1996 and Directive 2008/50/EC on ambient air quality and cleaner air for Europe, which came into force on 21 May 2008. The guidelines establish limit values for the pollutant concentration in ambient air. The 39<sup>th</sup> Federal Emission Control Act anchors the defined limit values in German law. If air quality limits are exceeded, cities and municipalities are obliged to draw up action plans and/or clean air plans.

In order to protect the well-being of citizens, the environment and the climate, the Federal Government and the federal states (Länder) must ensure rapid compliance with the limits by implementing effective measures. Where this is not the case, the DUH and partner organisations, such as the British NGO ClientEarth and the Frank Bold Society (FBS), use the national judicial system to remedy the shortcomings of the Member States and to legally enforce the right to clean air. Since, as a result of the lack of provisions and measures or the inadequate enforcement of these limits, limit values are nevertheless being exceeded, the DUH has, in the past, supported test cases conducted by affected citizens in, among other places, Berlin, Stuttgart, Munich and Wiesbaden. The action brought by a resident of the highly polluted road in Munich named Landshuter Allee passed through all the authorities until it reached the European Court of Justice (ECJ), which confirmed the

legally enforceable **right to clean air** on 25 July 2008 (file number M 1 K 12.1046, Janecek case). With the ruling of the Federal Administrative Court (BVerwG) Leipzig of 5 September 2013 (file number 4 K 165/12.WI (1)) regarding a legal action brought by the DUH against the state of Hesse on account of the exceedance of air quality limits in Darmstadt, the **right of environmental associations to sue** was significantly strengthened. Thanks to this ruling, environmental and consumer protection organisations that are entitled to prosecute can legally pursue compliance with air quality limits throughout the entire city. The Administrative Court of Wiesbaden (file number 4 K 757/11WI, 4 K 165/12.WI (1)), stated in its judgement of 30 June 2015 that **financial or economic aspects** are no valid excuse to refrain from taking measures to ensure that the limit values are observed. Clean air plans must, therefore, include all measures that are appropriate to comply with the limit values as soon as possible.

In cooperation with the British NGO ClientEarth, the DUH brought an action it against several regional authorities in November 2015 for exceeding the air quality limits for NO<sub>2</sub>. The cities concerned are Stuttgart, Frankfurt, Düsseldorf, Essen, Gelsenkirchen, Aachen, Cologne and Bonn. Citizens in these towns have been exposed to high levels of air pollution for years. In June 2016, the DUH also took legal action in this area because of the exceedance of the NO<sub>2</sub> limits at all air quality monitoring stations situated close to traffic in Berlin. In October 2016, the DUH resumed the proceedings against the state capital of Mainz because the NO<sub>2</sub> limits were being persistently exceeded.

In addition, the DUH initiated enforcement measures in Munich, Darmstadt, Reutlingen, Wiesbaden and Limburg. In some of these cities, there have, in recent years, been legally binding judgements requiring the competent authorities to update existing clean air plans and to introduce measures to ensure compliance with the NO<sub>2</sub> limits as soon as possible. Despite these court decisions, no measures have been taken to date to ensure compliance with the limit values in a timely manner.

In other Member States, environmental associations are also compelled to legally enforce compliance with air quality standards. In 2011, for example, **ClientEarth** filed a lawsuit against the United Kingdom for non-compliance with NO<sub>2</sub> limits in 16 British cities and regions. With its judgement of 19 November 2014, the European Court of Justice ruled that national courts are obliged to take **any necessary measure** with regard to the competent authorities when air quality limits are exceeded. The Supreme Court of the United Kingdom ruled that the UK government must submit new and effective air quality plans by 31 December 2015. However, this proved to be less effective and did not provide for a limit value until after 2025, whereupon ClientEarth filed a complaint again.

On 2 November 2016, the Supreme Court of the United Kingdom reiterated that these clean air plans were insufficient and needed to be revised. After the British government attempted to postpone the publication of new clean air plans until after the election, the Supreme Court ruled that the plans had to be submitted and agreed by 31 July 2017 at the latest.

## INFRINGEMENT PROCEEDINGS

Besides the proceedings of aggrieved citizens and NGOs, the EU Commission also enforces the right to legal proceedings. On account of excessive particulate matter pollution alone, 16 Member States have already received warning letters. The Commission has brought an action before the European Court of Justice against two Member States: Bulgaria and Poland. On 5 April 2017, it condemned the Bulgarian government for the “systematic and prolonged exceedance” of the particulate matter limit values. Bulgaria is now required to submit a new clean air plans to ensure compliance with the applicable limit values. Otherwise, the country will face new proceedings initiated by the EU Commission, which might result in very high penalties being imposed.

There are also infringement proceedings ongoing against seven Member States (the United Kingdom, Portugal, Italy, France, Spain, Germany and Austria) for non-compliance with the NO<sub>2</sub> limits.

## MEASURES TO IMPROVE AIR QUALITY

In 2013, the Federal Environment Agency has compiled a list of the German clean air plans and recorded more than 100 measures that are suitable for reducing PM<sub>10</sub> and NO<sub>2</sub> concentrations [www.umweltbundesamt.de/publikationen/bestandsaufnahme-wirksamkeit-von-massnahmen-der-duh](http://www.umweltbundesamt.de/publikationen/bestandsaufnahme-wirksamkeit-von-massnahmen-der-duh). The DUH carried out an analysis of the current situation and, on 31 July 2017, published the **“8-Point Emergency Programme for Clean Air”**, which will enable air quality values to be complied with as of 1 January 2018 and ensure the mobility of people.

## DRIVING RESTRICTIONS

The key measure for the fastest possible compliance with the air quality limit values is a driving ban for diesel vehicles – including the Euro 6 emissions standard – in all affected cities as of the beginning of 2018. Diesel cars are the largest contributor to NO<sub>x</sub> emissions (an average of more than 50%). Modern Euro 6 diesel cars emit 30 times more NO<sub>x</sub> in real driving conditions than modern Euro 6 petrol cars. That is why driving restrictions must apply to all diesel vehicles that do not meet the Euro 6 limit on the road. In the DUH’s view, only vehicles that have been shown to meet the laboratory limits in real-world operation on the road all year round are to be allowed to drive into inner cities. According to the DUH and the Administrative Court of Stuttgart (13 K 5412/15), carrying out mere software changes in Euro 5 + 6 diesel vehicles, as decided by policymakers and the car industry at the National Forum Diesel on 2 August 2017, is unsuitable for ensuring a sufficient reduction with respect to the NO<sub>2</sub> air pollution in our cities. It is technically possible to replace the exhaust gas purification system and thus make the Euro 5 + 6 diesel vehicles so clean so that these vehicles could safely enter inner cities. The cost for this hardware solution amounts to approximately 1,500 Euro, which, according to the DUH, would have to be paid in full by the manufacturer.

## 8-POINT EMERGENCY PROGRAMME FOR CLEAN AIR

1. Binding commitment by car companies to sell, as of 1 January 2018, only new diesel cars that comply with the Euro 6 limit value for NO<sub>x</sub> of 80 mg/km on the road (according to RDE emissions measurement at temperatures of minus 15 degrees Celsius),
2. Strengthening of the supply of clean and efficient drive technologies for new vehicles in 2018 (natural gas, efficient hybrid and electric drives).
3. Compulsory recall of all Euro 5 + 6 diesel vehicles for hardware retrofitting with urea-powered SCR exhaust gas purification system. Ensuring compliance with the Euro 6 limit value for NO<sub>x</sub> of 80 mg/km on the road (RDE) to -15 degrees Celsius. If manufacturer refuses to carry out the technical retrofitting, then the dirty diesel car will be bought back.
4. Retrofitting programme for all Euro 5/V + 6/VI light commercial vehicles (vehicles of delivery people and tradespeople) to current Euro 6/VI SCR technology.
5. A special infrastructure program for „clean public transport”: commitment and improvement of municipalities to ensure that all public transport buses have SCR catalytic converters and particulate filters by 1 July 2018 at the latest and that they comply with Euro 6 emission values or are replaced by new vehicles with natural gas or electric drives. Expansion of the range of local transport services, such as the expansion of routes, more frequent services and the extension of operating times.
6. Introduction of class action lawsuits in German law to give consumers improved rights against fraudulent companies.
7. Industrial transparency commitment: obligation to publish the RDE measurements of all vehicle models for CO<sub>2</sub> and NO<sub>x</sub> (for the temperature range of minus 15 degrees Celsius to plus 35 degrees Celsius) and the vehicle-specific temperature range with software-controlled, lawful exhaust gas purification system.
8. Transparency of the authorities: disclosure of all CO<sub>2</sub>- and emissions-related data by the Federal Motor Transport Authority: the automotive industry expressly agrees to publish all the vehicle data required to verify CO<sub>2</sub> and exhaust gas values, as well as the illegal and the legally declared shutdown devices.

## FURTHER CLEAN AIR MEASURES

### National measures

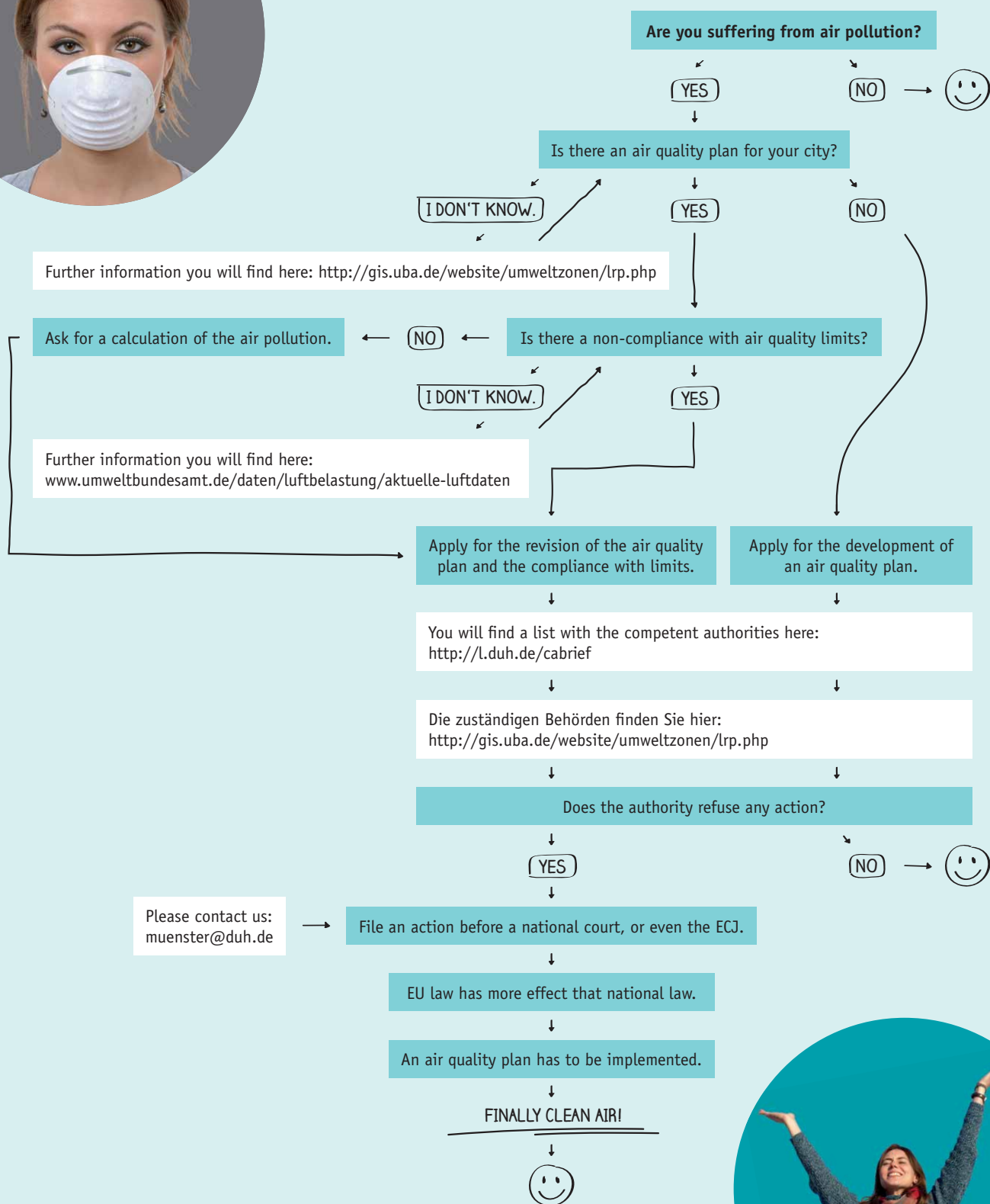
- Ending of the diesel fuel subsidy by adjusting the energy tax rates of all fuels according to carbon content
- Further development of the environmental regulations and the introduction of a blue sticker to identify vehicles that meet the NO<sub>x</sub> limit value of the Euro 6 standard diesel in real-world operation (Background Paper Blue Sticker: <http://l.duh.de/hgpbldpl>)
- Retrofitting programme for all Euro 5/V + 6/VI light commercial vehicles (suppliers and tradespeople) to current Euro 6/VI SCR technology.
- Introduction of a special investment programme for expansion and 100% electric rail transport by 2030
- A special infrastructure programme for „clean public transport”: obligation and improved funding of municipalities to ensure that all public transport buses have SCR catalytic converters and particulate filters by 1 July 2018 at the latest and that they comply with Euro 6 emissions values or are replaced by new vehicles with natural gas or electric drives.
- More capacities and effective structures for market monitoring with emission measurements of vehicles in actual operation
- Link state support for wood combustion systems to the use of emission reduction technology
- A more realistic measurement method for furnaces and the reduction of measuring tolerances with recurrent measurements for boilers
- More stringent requirements for small-scale furnaces in contaminated areas (based on national emission control laws, country regulations according to Section 47/49 BImSchG (Federal Immission Control Act – Bundes-Immissionsschutzgesetz) or building plans)

### Local measures

- Driving bans for diesel vehicles (press release from 13 September 2016: <http://l.duh.de/pm130916>)
- Retrofitting of all local transport buses with Particulate and NO<sub>x</sub> reduction systems (SCRT) that work in real operation
- No exception permits for buses with no effective exhaust gas cleaning systems in environmental zones
- Changeover of the taxi fleet to environmental taxis with gas, hybrid or electric drives
- Conversion of the urban fleet to low-emission vehicles
- Introduction of a citizens' ticket to increase demand for public transport
- Introduction of a city toll to limit motorised private transport (Legal opinion congestion charge: <http://l.duh.de/rgacitymaut>)
- Speed limit of 30 km/h on very busy roads while maintaining or improving traffic flow ([www.umweltbundesamt.de/publikationen/wirkungen-von-tempo-30-an-hauptverkehrsstraessen](http://www.umweltbundesamt.de/publikationen/wirkungen-von-tempo-30-an-hauptverkehrsstraessen))
- Amendment of the tender criteria for the obligatory use of construction machines and diesel locomotives with particulate filters in cities
- Reduction in the number of parking spaces, in conjunction with an expansion of Park&Ride places
- Installation of „Pförtnerampeln“ („gatekeeping traffic lights“) to regulate traffic on very busy roads
- Development of a comprehensive network of cycle paths throughout the entire town
- Reduction of the transitional periods for old furnaces, subsidy programmes to replace or decommission them, as provided for in the first BImSchV (Bundes-Immissionsschutzverordnungen – Federal Immission Control Act),
- Obligatory use of effective emission reduction technology in wood-fired stoves and boilers right through to bans on usage for certain types of installations
- Information campaigns to encourage the proper use of furnaces as well as the effective control of fuel abuse by local authorities



## YOUR WAY TO CLEAN AIR





## HOW DIRTY IS THE AIR?

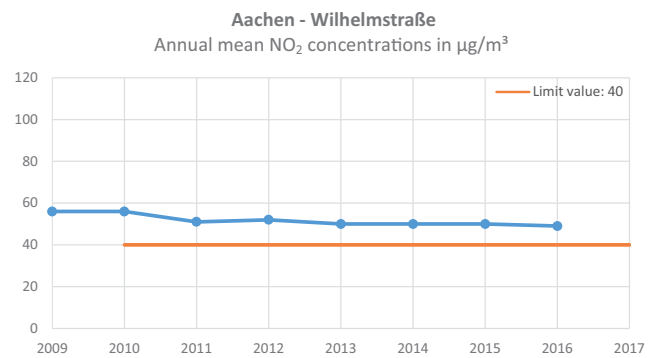
At both traffic monitoring stations (Wilhelmstrasse 50  $\mu\text{g}/\text{m}^3$  and Adalbertsteinweg 47  $\mu\text{g}/\text{m}^3$ ) in Aachen, the annual average values for nitrogen dioxide have been exceeded for years. The emissions are mainly attributable to traffic (share of  $\text{NO}_x$  emissions 72.2%). Among them, passenger cars (35.3%) and heavy commercial vehicles and buses (47.2%) account for the largest shares. Furnaces not requiring approval also play a role in  $\text{NO}_x$  emissions (22.5%).

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

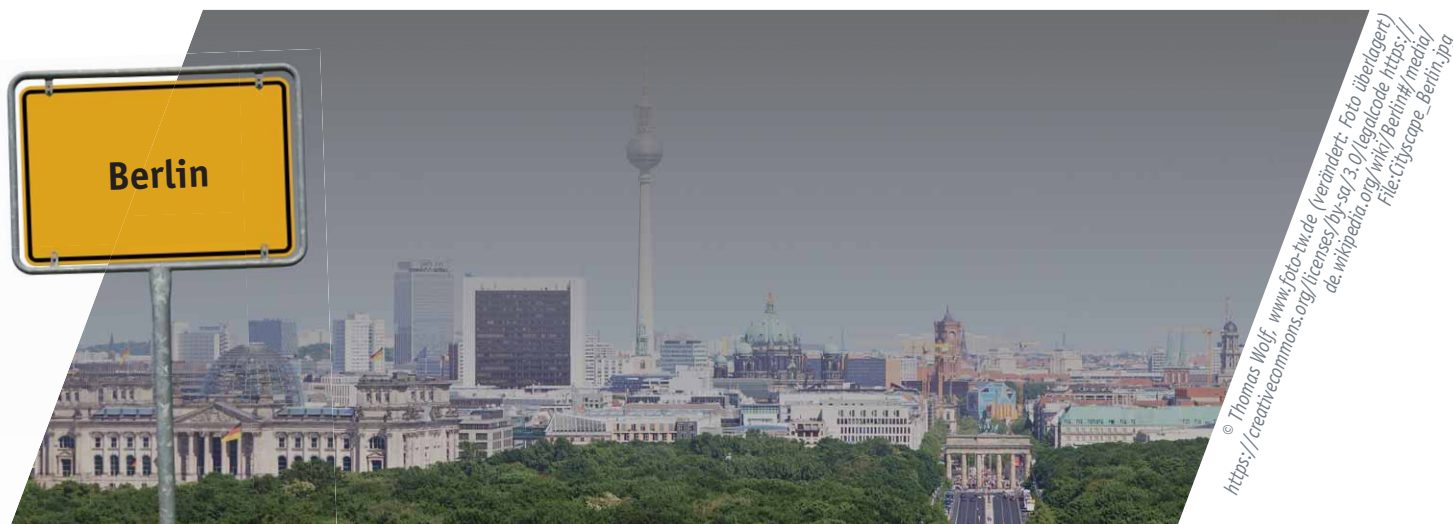
The clean air plan for the City of Aachen entered into force on 1 January 2009. The environmental zone measure was assessed by the Landesamt für Natur, Umwelt und Verbraucherschutz Nordrhein-Westfalen (LANUV, "State Office for Nature, Environment and Consumer Protection") and it was estimated that a yellow-green environmental zone could bring about a reduction in  $\text{PM}_{10}$  emissions of up to 16% along with a 14% reduction in  $\text{NO}_2$  emissions. If the previous measures were not sufficient to meet the limit values for  $\text{PM}_{10}$  or  $\text{NO}_2$ , the LANUV intended to again draw up a pollutant reduction scenario for an environmental zone as of 1 October 2010 and to introduce an environmental zone based on these results. The city was strongly opposed to this measure. However, the so-called "Aachen concept without an environmental zone" did not lead to a reduction in the pollutant burden and urgently has to be further developed. The first update of the Aachen Clean Air Plan entered into force on 1 September 2015, but only provides for an environmental zone for a comparatively small part of the city. On 6 February 2015, the DUH requested that the clean air plan should be amended in such a way so that it contained the measures needed to ensure compliance with the air quality limit values as quickly as possible. Since, with the present update, compliance with the limit values can only be expected significantly later than 2020, the DUH brought an action on 17 November 2015.

## WHAT CAN THE CITY DO?

In addition to the measures already proposed, the clean air plan in Aachen must focus on the following areas. The environmental zone now implemented ends at the outer ring and does not cover the complete area in which the limit values are being exceeded (Haaren, Eilendorf) or the valley basin. The environmental zone, which entered into force on 1 February 2016, should be extended in order to enable its full effect to unfold. The condition of the public transport bus fleet is extremely unsatisfactory: in 2014, only 60% of ASEAG fleet vehicles of the Euro 5 and Euro 6 standards and 80% of buses were equipped with soot particle filters. Instead of the planned annual acquisition of 20 buses between 2015 and 2017, no new diesel buses were commissioned in 2015 and only 14 new diesel buses were ordered in 2016. Many buses continue to drive through the urban area without a green sticker, because the city grants exemptions, a practice that only serves to cover peak demand for transport services relating to the transport of school children. Retrofitting all public transport vehicles and buses operating in Aachen with a particulate and  $\text{NO}_x$  filter system (SCRT) that works in real operation can massively reduce the air pollution caused by these vehicles fast.







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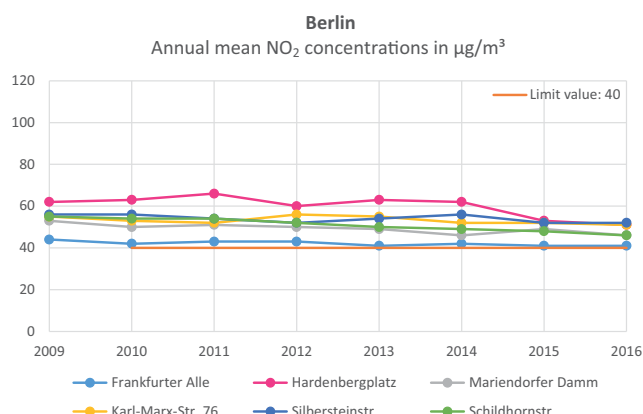
## HOW DIRTY IS THE AIR?

The annual mean value for  $\text{NO}_2$  is still being exceeded at all monitoring stations situated close to traffic. The main sources of  $\text{NO}_x$  are road transport (39%), emissions from installations requiring approval (34%) and emissions from heating plants (15%). In 2015, the daily mean value for  $\text{PM}_{10}$  on Frankfurt Allee was not met on more than 35 days. More than half of the particulate matter emissions originate from the group of 'other sources' (abrasion, road dust resuspension, the exhaust gases of mobile machines, wood burning in households, construction site activities). Exhaust gases from motor vehicle traffic accounted for 7% of the  $\text{PM}_{10}$  load.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

The Senate adopted the current Clean Air Plan 2011– 2017 on 18 June 2013. Even though air pollution control measures have already been implemented in the past, the  $\text{NO}_2$  load has hardly changed in the vicinity of the monitoring stations that are situated close to traffic, in the inner city and on the city outskirts in the last ten years. The values measured on busy roads are clearly above the EU limit value. On 30 March 2016, therefore, the DUH asked the Federal State of Berlin to amend the clean air plan so that it would contain the requisite measures to ensure compliance with the limit values laid down in the 39<sup>th</sup> BImSchV within the entire urban area as quickly as possible. Since the Senate Administration did not comply with the request to explain when and with which measures the limit values were to be reached, the DUH filed an action with the Administrative Court of Berlin on 2 June 2016.

A reduction in the  $\text{NO}_2$  concentration can and must be achieved primarily through measures relating to motor vehicle traffic. The current clean air plan forecasts that comprehensive compliance with the  $\text{NO}_2$  limits in the urban area of Berlin can be expected by about 2020. Despite having known about the values to be observed since as far back as 1 January 2010, to date, the selection of measures has not been oriented towards achievement of the goal, but largely based on proportionality principles.





## HOW DIRTY IS THE AIR?

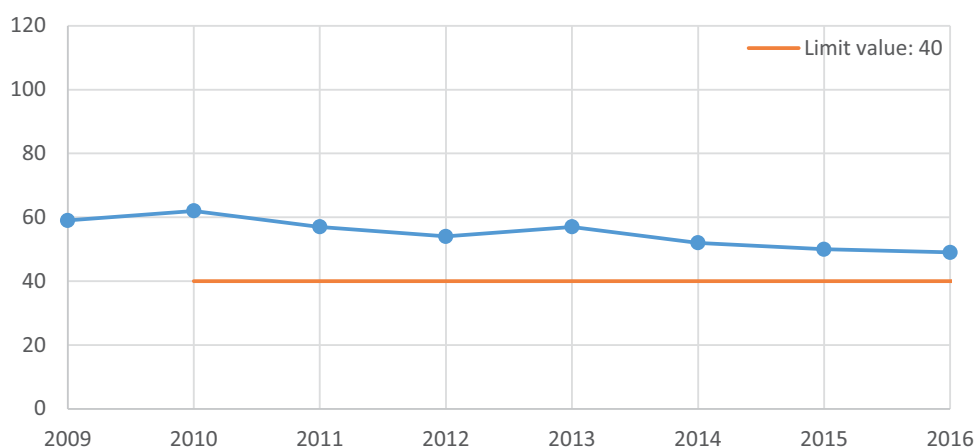
As in the previous years, the annual mean value for  $\text{NO}_2$  in 2016 was also exceeded at the monitoring stations of Bornheimer Str. ( $41 \mu\text{g}/\text{m}^3$ ) and Reuterstrasse ( $49 \mu\text{g}/\text{m}^3$ ). Road traffic represents the main source of  $\text{NO}_2$  pollution (approx. 38%).

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

Currently, the clean air plan for the city of Bonn (as amended from the 1<sup>st</sup> update of 1 July 2012) applies. It is insufficient to ensure compliance with the limit value. An update of the clean air plan was announced for 2015. To date, no draft has been made available. On 13 August 2015, therefore, the DUH sent a letter to the district government of Cologne requesting that it update this plan. In November 2015, the DUH brought an action against the administrative court in Cologne on account of a lack of response from the accountable district government.

The district government of Cologne has now set up a participation portal on the web so that citizens can play a part in updating the clean air plan prior to its actual public participation. Comments and suggestions can be sent by e-mail to the department responsible. [www.bezreg-koeln.nrw.de/brk\\_internet/luftreinhalteplaene/index.html](http://www.bezreg-koeln.nrw.de/brk_internet/luftreinhalteplaene/index.html)

**Bonn - Reuterstraße 24**  
Annual mean  $\text{NO}_2$  concentrations in  $\mu\text{g}/\text{m}^3$





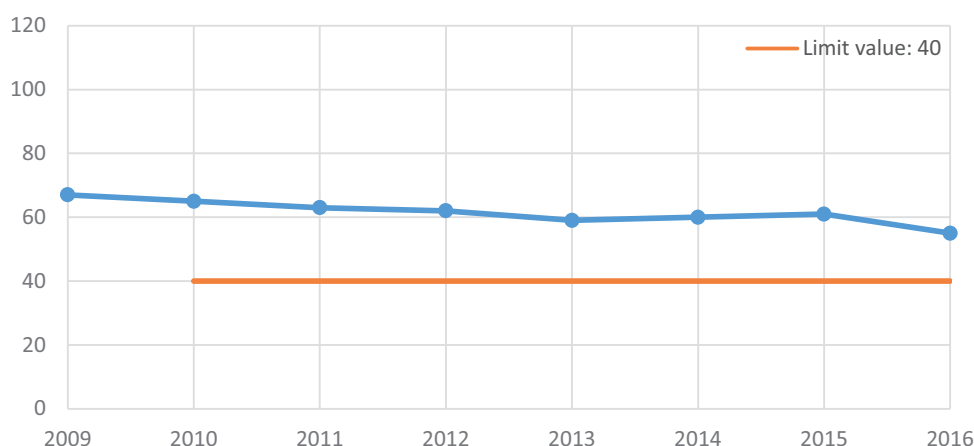
## HOW DIRTY IS THE AIR?

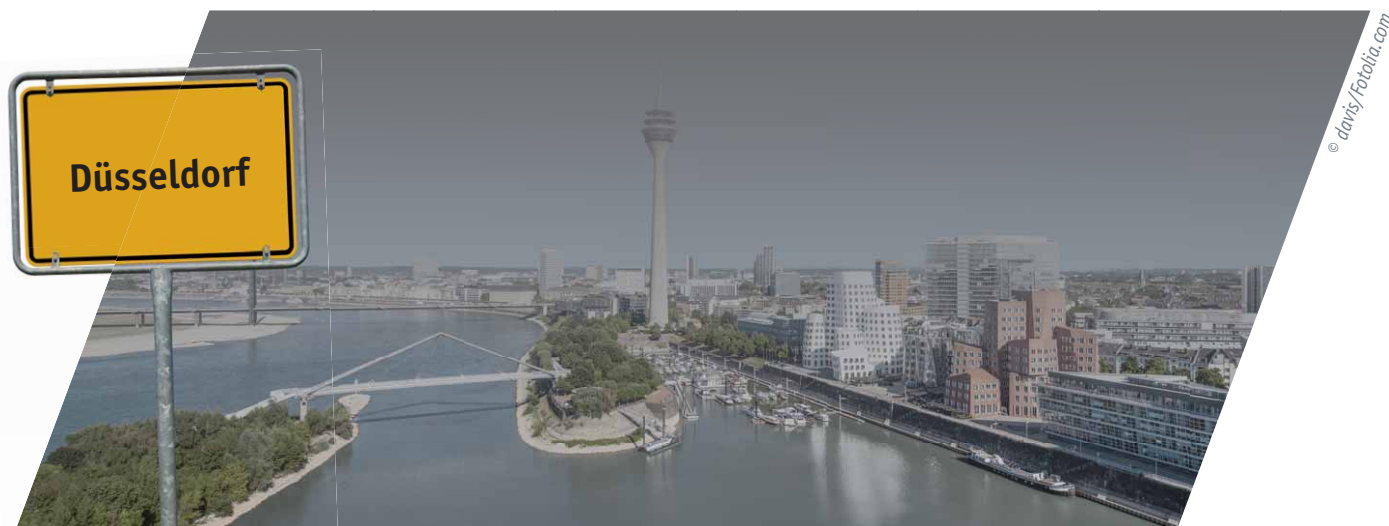
The NO<sub>2</sub> annual average has been exceeded at the Darmstadt-Hügelstrasse monitoring station for years. Traffic is the main cause of NO<sub>2</sub> pollution (75%). Likewise relevant are building heating and industry, whereby the share of emissions from building heating is increasing. According to the current clean air plan, the NO<sub>2</sub> emission limit will only be met on Hügelstrasse in the year 2021.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 14 February 2012, the DUH brought an action against the state of Hesse for exceeding the limits of the 39<sup>th</sup> BImSchV. On 16 August 2012, the Administrative Court of Wiesbaden obliged the federal state to amend its clean air plan so that it complied with the necessary measures to meet the emission limit value for NO<sub>2</sub> as quickly as possible. In its revision proceedings on 5 September 2013, the Federal Administrative Court of Leipzig ruled that the Hessian Ministry of the Environment has to update the clean air plan and, in addition, considerably extended the right to sue for environmental associations. Since September 2015, the second update of the plan has applied. However, because this does not contain sufficient measures, the DUH filed an application in November 2015, under penalty of a fine. At the same time, the ecological Transport Club Germany (VCD) brought an action on account of the air quality limit values being exceeded. With its ruling on 11 January 2016, the Administrative Court of Wiesbaden obliged the Hessian Ministry of the Environment to update its clean air plan within twelve months. When the Ministry appealed, the Hessian Administrative Court rejected the execution proceedings. In May 2016, the action brought by the VCD had a further plaintiff added to it: the DUH. The court will probably rule on the action in the summer of 2017.

**Darmstadt - Hügelstraße**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>





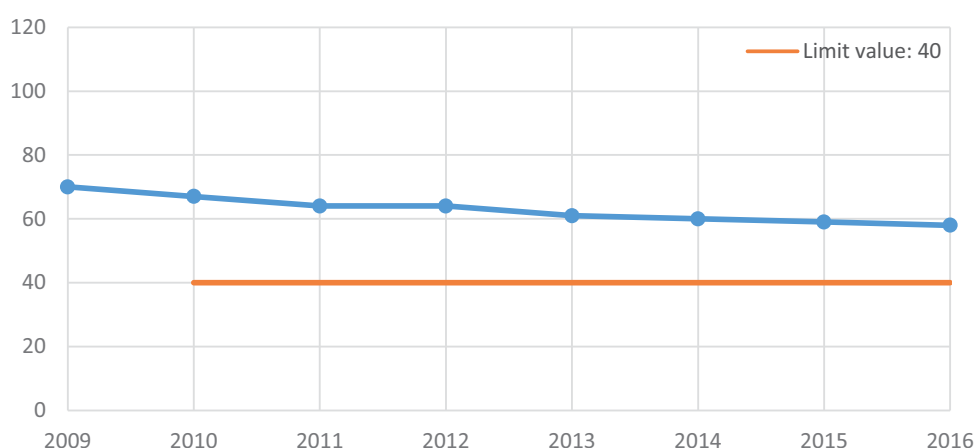
## HOW DIRTY IS THE AIR?

Local car traffic accounts for the largest share of  $\text{NO}_x$  emissions: around 46%. The second largest contributor to the  $\text{NO}_2$  burden is the regional background (approx. 38%). At the monitoring stations situated close to traffic on Corneliusstrasse and in Bilk, the  $\text{NO}_2$  annual mean values have thus clearly been exceeding the limit values for years.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

Düsseldorf's clean air plan has been in force since 20 December 2012. Compliance with the limit value is expected only after the year 2020. On 13 August 2015, the DUH had sent an application for air pollution control to the district government of Düsseldorf and brought an action against the Federal State of North Rhine-Westphalia on 17 November 2015. On 13 September 2016, the Administrative Court of Düsseldorf upheld the action in its entirety and stated that driving bans for diesel vehicles should be imposed as soon as possible. In the court's opinion, the legal instruments for doing so are already in place. This ruling thus calls upon the district government of Düsseldorf to update its clean air plan for Düsseldorf by 1 October 2017. The State of NRW has submitted a leapfrog appeal to the Federal Administrative Court of Leipzig to examine the issue of the obligation to impose driving bans for diesel vehicles as part of the clean air plan update. An oral hearing is expected early in 2018 at the latest.

**Düsseldorf - Corneliusstraße**  
Annual mean  $\text{NO}_2$  concentrations in  $\mu\text{g}/\text{m}^3$



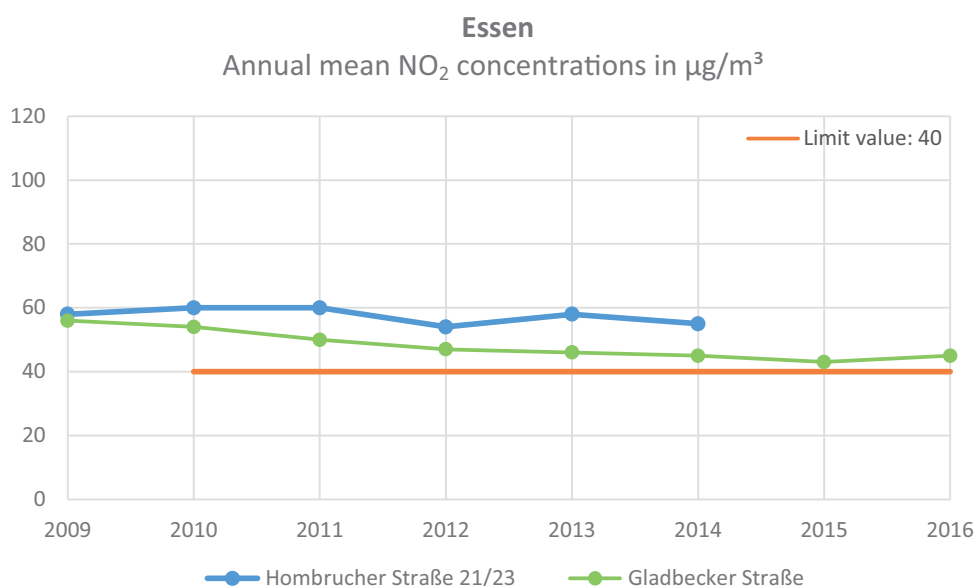


## HOW DIRTY IS THE AIR?

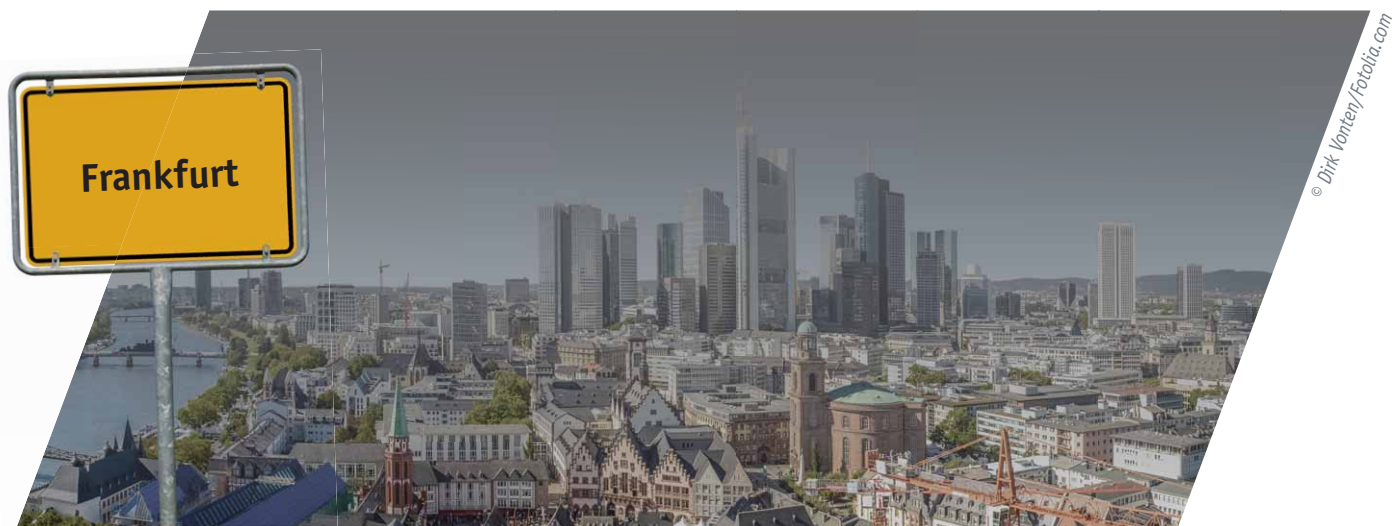
The annual average values for  $\text{NO}_2$  are not met at almost all monitoring stations in the urban area of Essen. The largest share of  $\text{NO}_x$  emissions is generated by local car traffic (74%), depending on the measuring station. Industry is the third largest contributor to the overall  $\text{NO}_x$  burden.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

The clean air plan of the Ruhr Area Subplan West has been in force since 15 October 2015. Compliance with the limit value is expected only after the year 2020. The DUH, therefore, brought an action against the state of North Rhine-Westphalia in November 2015. Currently, the clean air plan of the Ruhr, Subplan West, for the city of Essen is being updated and is to enter into force by 1 January 2018.







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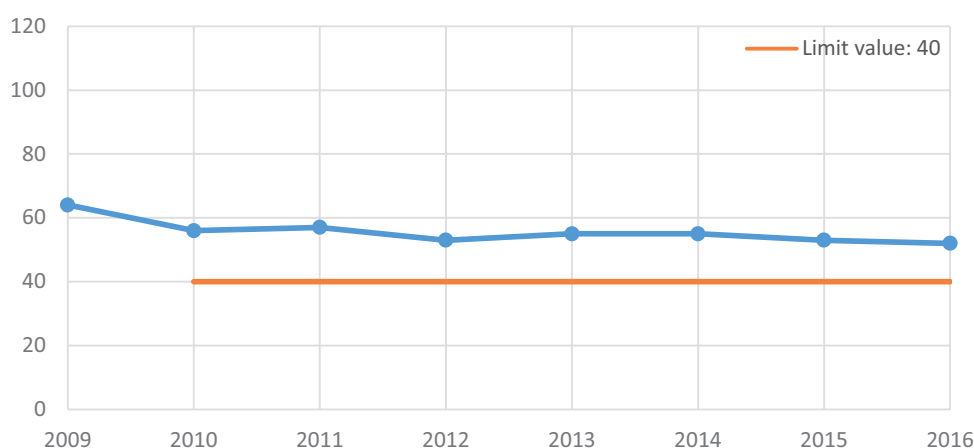
## HOW DIRTY IS THE AIR?

In Frankfurt, the monitoring stations at Friedberger Landstrasse and in Höchst have exceeded the NO<sub>2</sub> annual average values for years. The largest share of NO<sub>x</sub> emissions is generated by local motor vehicle traffic (approx. 56.5%). According to the projections of the first update of the clean air plan, all streets are expected to comply with the limit values by the year 2020.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 13 August 2015, the DUH sent a request for air pollution control measures to the Hessian Ministry for the Environment, Energy, Agriculture and Consumer Protection. The clean air plan for the Rhine-Main metropolitan area, Frankfurt am Main Sub-Plan, is currently being updated. However, the DUH brought an action against the state of Hesse in November 2015, because it highly unlikely that these limits will be observed in the near future. The Chamber is expected to rule on the action in the summer of 2017.

**Frankfurt - Friedberger Landstraße**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>







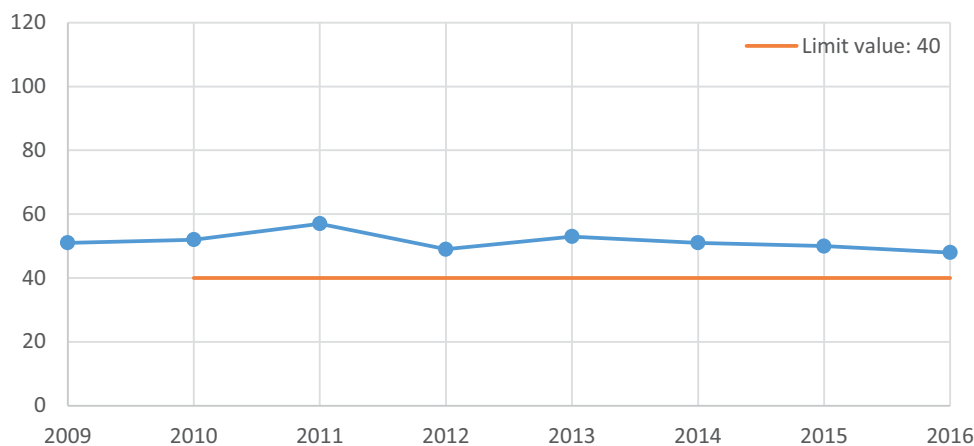
## HOW DIRTY IS THE AIR?

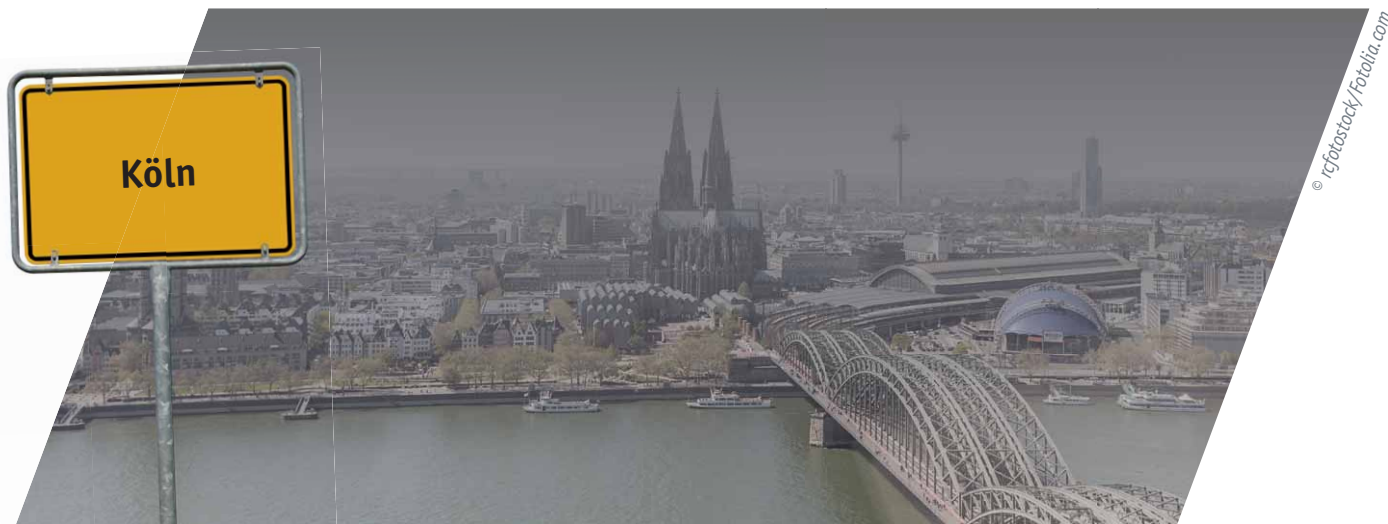
At the Kurt-Schumacher-Ring, the limits for particulate matter and nitrogen dioxide have been significantly exceeded in recent years. The biggest contributor to air pollution is traffic (approx. 49%). Likewise relevant is building heating, with an average share of 5%, whereby this percentage is generally on the increase.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

The North Rhine-Westphalia Clean Air Plan has been in force since October 2011 and has specified measures such as the introduction of an environmental zone level 3 since 1 July 2014. Compliance with the NO<sub>2</sub> limit value is expected after the year 2020. The clean air plan for the Ruhr area, Subplan North, is currently being revised.

**Gelsenkirchen - Kurt-Schumacher Ring**  
 Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>





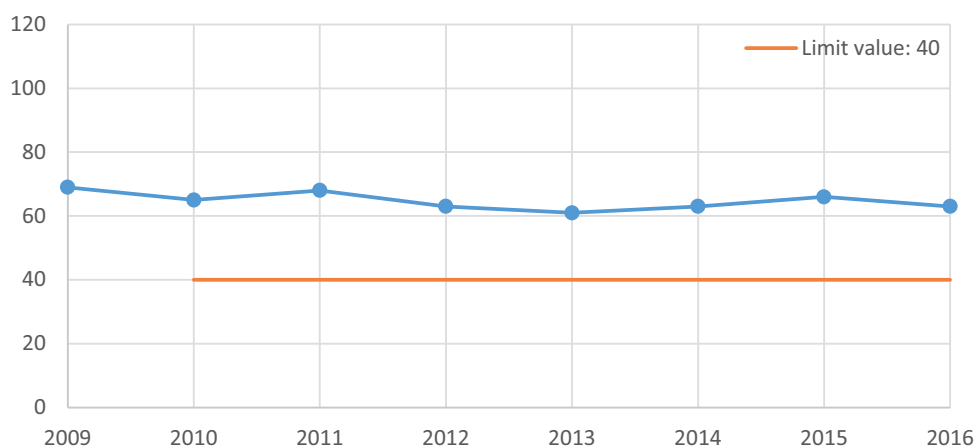
## HOW DIRTY IS THE AIR?

Almost all monitoring stations in the urban as well as in the suburban area register a continuous exceedance of the NO<sub>2</sub> annual mean values. The main causes are the regional background and motor vehicle traffic (up to 77%).

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

The first update of the clean air plan for the urban area of Cologne came into force on 1 April 2012. Full compliance with the NO<sub>2</sub> limit value is expected only after 2020. Since this exceeds the deadline for compliance with the limit values by ten years, the DUH brought an action against the state of North Rhine-Westphalia on 17 November 2015.

**Köln - Clevischer Ring 3**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>





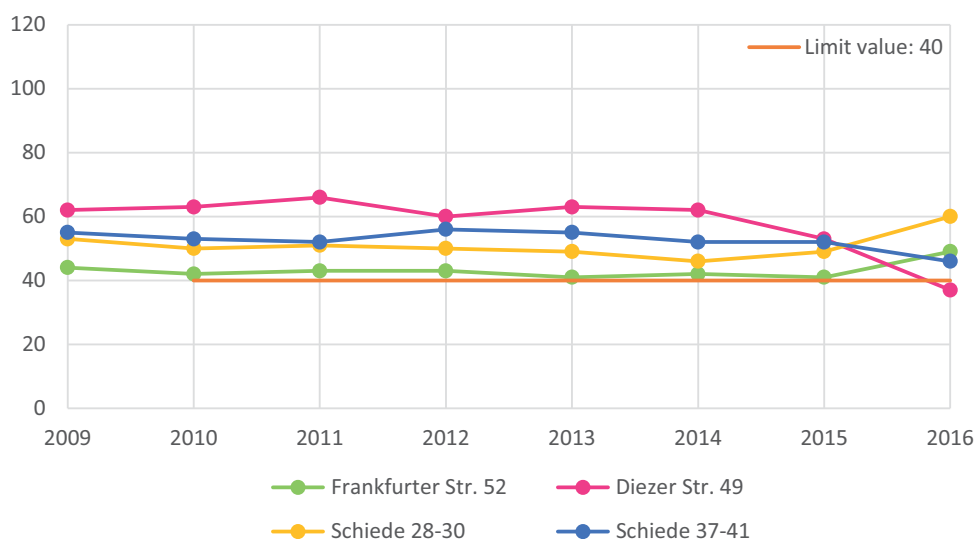
## HOW DIRTY IS THE AIR?

The annual mean value for NO<sub>2</sub> is still being exceeded at all monitoring stations located close to traffic. At approximately 80%, motor vehicle traffic accounts for the largest share of NO<sub>x</sub> emissions.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

The March 2012 version of the clean air plan predicts overall compliance with the emission limit values through the introduction of the Euro 6/VI standard by 2020. In February 2015, the DUH brought an action against the state of Hesse on account of a lack of effective air pollution control measures. On 30 June 2015, the court ruled that the Hessian Ministry of the Environment should update the current clean air plan and provide a timetable showing the measures to be followed and by when the limits will be met. The judges also made it clear that financial or economic aspects are no valid arguments to refrain from taking measures to comply with the limit values. The clean air plan is currently being updated. The city of Limburg and the Hessian Ministry of Transport have drafted an action plan. Objections, concerns and suggestions on the design of the plan could be submitted up to 20 April 2017. The agreed plan will soon come into force.

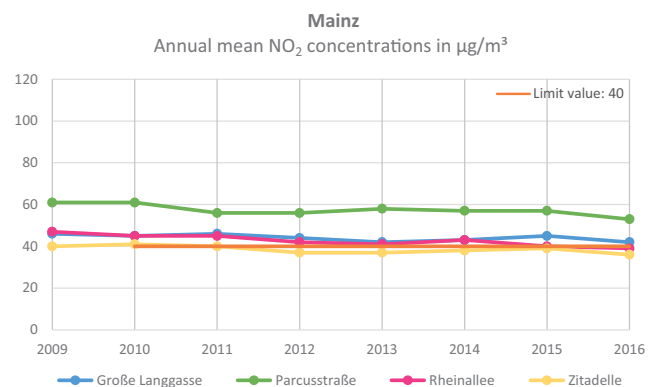
**Limburg**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>





## HOW DIRTY IS THE AIR?

In 2015, the annual mean value for  $\text{NO}_2$  was exceeded at the monitoring stations at Grosse Langgasse, Parcustrasse and Rheinallee. Road traffic accounts for approximately 87% of  $\text{NO}_x$  emissions and is thus the main cause of them. In 2016, stationary nitrogen dioxide measurements were carried out, which led to the conclusion that passenger vehicles account for more than 60% of the  $\text{NO}_2$  vehicle-related concentrations on Parcustrasse. About one quarter of the  $\text{NO}_2$  concentrations are caused by public transport buses. Transporters and trucks account for 15% of the  $\text{NO}_2$  concentrations. The analysis confirms that compliance with the legal limit value for annual mean values of  $40 \mu\text{g}/\text{m}^3$  at the Parcustrasse measuring station is possible if vehicle emissions are cut by more than half.

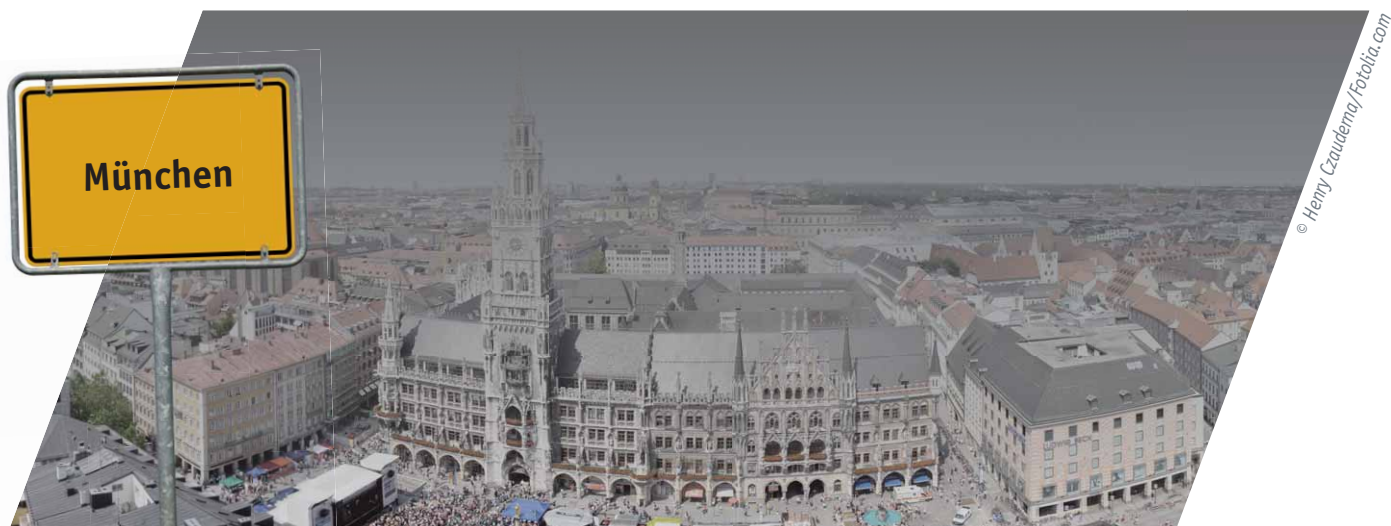


## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 30 November 2011, the DUH brought an action against the state of the Rhineland-Palatinate for exceeding the  $\text{NO}_2$  limit values of the 39<sup>th</sup> BImSchV. On condition that the city of Mainz commissions measurements to identify traffic-related emitters and to adopt measures to comply with the limit values, the DUH applied for the proceedings to be suspended in December 2013. As the limit values are still being exceeded and no measures are being derived from the measurement results and implemented in order to reduce the pollutant load as quickly as possible, the DUH resumed the action against the state of Rhineland-Palatinate on 4 October 2016. The update of the Clean Air Plan 2016-2020, Reducing Air Pollution Caused by Nitrogen Dioxide, entered into force on 1 April 2017. The plan does not show by when compliance with the limit value can be expected. According to the city of Mainz, "the decisive breakthrough is only to be expected when the vehicle fleet consists largely of vehicles of the Euro 6/VI emission standard and these vehicles respect the limits not only on the test stand, but also in real-world driving conditions."

## WHAT CAN THE CITY DO?

In order to reduce vehicle emissions and the associated  $\text{NO}_2$  load in Mainz, the entire volume of traffic has to be reduced considerably. In Mainz, buses account for a disproportionate share of emissions compared with actual mileage. They account for a share of  $\text{NO}_2$  values of up to 25% at the measuring points situated close to traffic. Rapid retrofitting of the entire public transport bus system with functioning nitrogen reduction systems is urgently required, but not planned. This would complement the much too slow replacement of the bus fleet with genuinely low-pollutant buses. The DUH suggests foregoing the purchase of diesel buses in principle and opting for buses with natural gas drives instead.

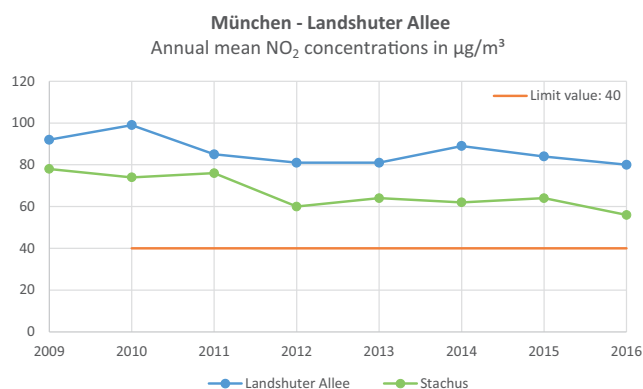


## HOW DIRTY IS THE AIR?

The annual mean value and the hourly average value for NO<sub>2</sub> are exceeded at the Stachus and Landshuter Allee monitoring stations. The NO<sub>2</sub> burden at measuring points near traffic is mainly caused by diesel engines.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 29 February 2012, the DUH brought an action against the Free State of Bavaria for exceeding the NO<sub>2</sub> limit. With the judgement of the Administrative Court of Munich dated 9 October 2012, the free state of Bavaria was sentenced in line with the action brought against it. With the 6<sup>th</sup> update of the plan, the NO<sub>2</sub> limit values will only be complied with in the year after 2030. Since no rapid and effective measures are being taken to ensure the fastest possible compliance with the limit values, the DUH has filed an application for the enforcement of the final judgement. With its ruling of 29 June 2016, the Bavarian Administrative Court in Munich calls for the updating of the clean air plan for Munich with effective measures within one year and threatens the Free State with the payment of a fine of up to EUR 10,000 if this deadline is not met. The Free State has lodged a complaint against this decision. The Bavarian Administrative Court, by order dated 27 February 2017, threatens the Free State of Bavaria with the imposition of a compulsory fine of EUR 2,000 if it does not submit to the public by 29 June 2017 a complete list of all road sections in the area of Munich where the NO<sub>2</sub> emission limit is being exceeded. Further compulsory charges of 4,000 Euro each are threatened if the Free State has not initiated public participation by 31 August 2017 in the run-up to updating Munich's clean air plan, or it does not disclose to the public by 31 December 2017 a viable concept which indicates that a future update of the clean air plan may include driving bans on cars with diesel engines. Because the competent authorities refused, at the behest of the Bavarian Minister-President, Mr Seehofer, to publish the opinion on current air pollution in the state capital on time, the DUH has filed a request to impose a fine of 2,000 Euro. The report published three weeks later shows that the NO<sub>2</sub> limit is being exceeded along 23 kilometres of the main road network of Munich. However, the emission data used for diesel vehicles were too low, which is why the pollution situation is actually even more serious than assumed. Since the Bavarian government also ignored the second deadline for starting the public participation process for the revision of the air quality plan, DUH filed on 21 August 2017 again a request to impose a fine of 4,000 Euro.







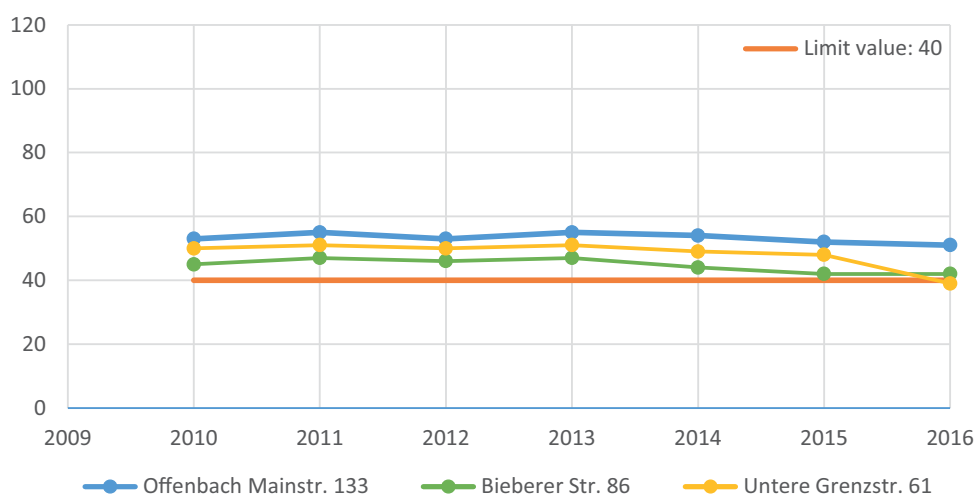
## HOW DIRTY IS THE AIR?

The annual mean value for NO<sub>2</sub> has been exceeded in Offenbach at all monitoring stations situated close to traffic for years. At approximately 60%, traffic accounts for the largest share of NO<sub>x</sub> emissions. Given the measures included in the 2<sup>nd</sup> update of the Clean Air Rhine-Main, Subplan Offenbach, the NO<sub>2</sub> limits cannot be met before 2020.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 11 November 2013, the DUH brought an action against the federal state of Hesse persistently exceeding the air quality limit values for NO<sub>2</sub>. With its ruling of 30 June 2015, the Administrative Court of Wiesbaden demanded that the Hessian Ministry of Environment update the clean air plan. It has to present a comprehensive concept with a timetable showing with what measures and by when the limit value will be complied with. In doing so, the court makes it clear that financial or economic aspects are no excuse to avoid implementing measures to comply with the emission limits. The concept has to include all conceivable measures to reduce the NO<sub>2</sub> load and its impact.

**Offenbach**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>







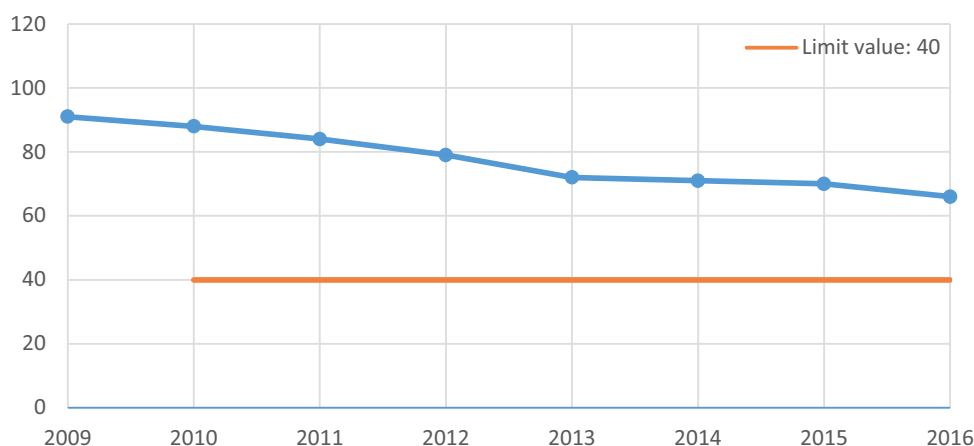
## HOW DIRTY IS THE AIR?

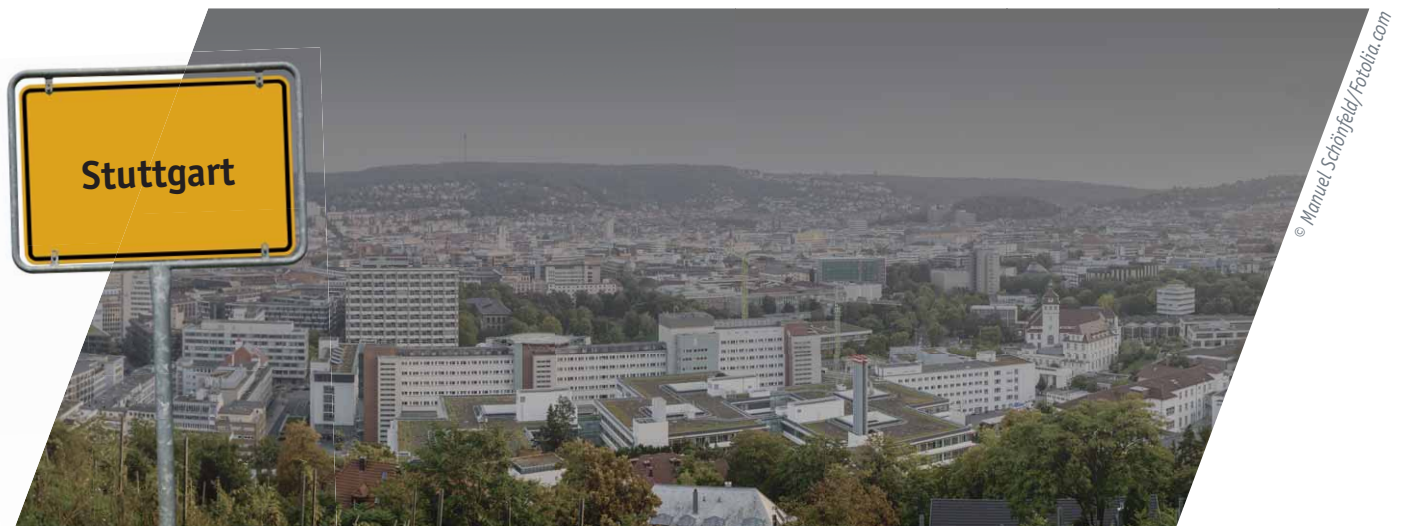
The NO<sub>2</sub> annual average has been exceeded at the Lederstrasse Ost measuring station for years. The main cause of the pollution recorded at the monitoring stations close to traffic (spot station) in Reutlingen is road traffic. However, with the measures currently being implemented, compliance with the limits will not be achieved before the year 2024.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 27 January 2012, the DUH brought an action against the state of Baden-Württemberg for exceeding the limits of the 39<sup>th</sup> BImSchV in Reutlingen. On 23 October 2014, the Administrative Court of Sigmaringen ruled that the Regional Council of Tübingen had to amend the clean air plan applicable to Reutlingen in such a way that it contained the requisite measures to ensure that the air quality limit values were complied with as fast as possible. More than a year after this decision, the Regional Council has not taken any measures to reduce airborne pollution. Within the framework of the "Modelstadt Reutlingen" project ("Model Town Reutlingen"), a professional opinion on possible measures and their feasibility and effectiveness is now going to be drawn up. It is evident from the public invitation to tender that the drawing up of the expert opinion can be completed only in two years' time, i.e. in 2018. It is, therefore, not possible to comply with the limits laid down in the final judgement as fast as possible. This is why, on 25 November 2015, the DUH filed an application, under a penalty of a fine. The Administrative Court of Sigmaringen rejected the application by decision of 24 November 2016. The court confirmed that the revised clean air plan must be submitted by September 2017 at the latest, and thus has to be available by the time the Scheibengipfel tunnel opens as one measure against air pollution. Since the state has assured that plan is currently being updated, the DUH is eagerly awaiting its publication and reserves the right to apply for compulsory enforcement measures again if the contents of the plan do not satisfy the requirements.

**Reutlingen - Lederstraße Ost**  
Annual mean NO<sub>2</sub> concentrations in µg/m<sup>3</sup>





## HOW DIRTY IS THE AIR?

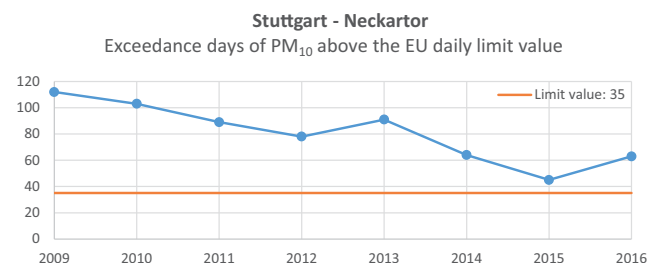
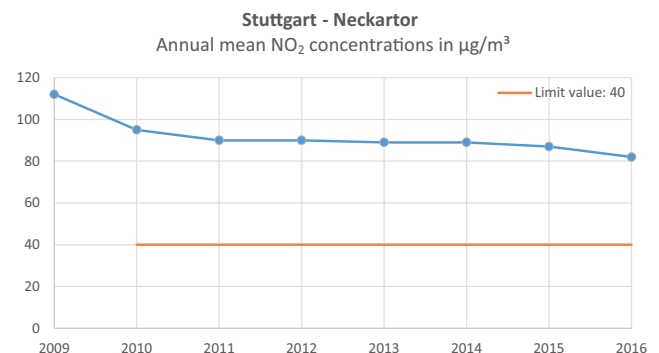
One of the most heavily polluted 'hot spots' in Germany is the Am Neckartor measuring station in Stuttgart. Both the annual mean value for  $\text{NO}_2$  and the permissible annual mean value for  $\text{PM}_{10}$  are still being exceeded significantly. In 2016, the permitted daily limit of  $50 \mu\text{g}/\text{m}^3$  was exceeded for 68 days and the  $\text{NO}_2$  annual average value was  $82 \mu\text{g}/\text{m}^3$ . The annual average  $\text{NO}_2$  limit of  $40 \mu\text{g}/\text{m}^3$  was also far exceeded at the monitoring stations located close to traffic on Hohenheimer Strasse and at Arnulf-Klett-Platz.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

Currently, the second updated version (2014) of the Clean Air Plan for the Administrative District of Stuttgart, Subplan Regional Capital of Stuttgart, applies. An update is currently being planned. The concept "Air Pollution Control for the State Capital of Stuttgart", published on 27 July 2015, is the basis for this update and assumes that the limit value will be complied with only as of the year 2020. That is why, on 13 August 2015, the DUH sent an application for air pollution control measures to the Regional Council of Stuttgart and filed an action on 17 November 2015 with the Administrative Court of Stuttgart.

The State of Baden-Württemberg, represented by the Regional Council of Stuttgart, had commissioned an overall evaluation report, examining the impacts of a large number of individual measures on the traffic and emissions as well as on the impact of emissions. The findings and measures will be included in the updated clean air plan. However, the investigation does not reveal any measures or any scenario which would allow compliance with the limit value before 2020. On days with a particulate matter alarm, the regional government had already decided to temporarily put in place driving bans on diesel vehicles that did not comply with the Euro 6 standard, but at the same time drastically reduced the requirements for so-called "comfort chimneys" (i.e. fireplaces operated in addition to another heating system) in a new regional regulation. Originally, it was foreseen that only fireplaces equipped with a filter can be used when there is a particulate matter alarm. All fireplaces built since 1 January 2015 are now excluded from this ban.

On 19 July 2017, the Administrative Court of Stuttgart granted the DUH's action and declared the present draft of the clean air plan to be invalid. The court clarified that year-round diesel driving bans will be inevitable in the environmental zone of Stuttgart as of 1 January 2018 and are already legally permissible. The state government had announced that instead of driving bans it was going to call on car manufacturers to make software changes to Euro 5 vehicles, but could not, however, demonstrate any relevant mitigation effect by such a software update. The court, therefore, considered that this measure to be inadequate.





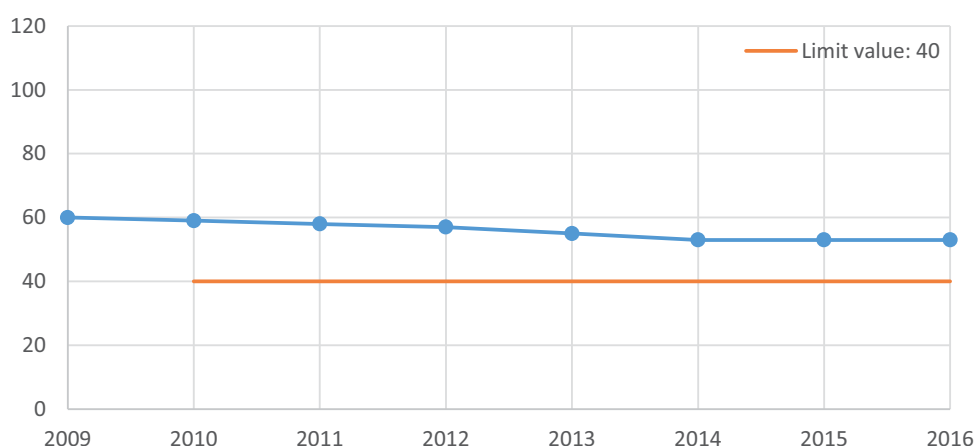
## HOW DIRTY IS THE AIR?

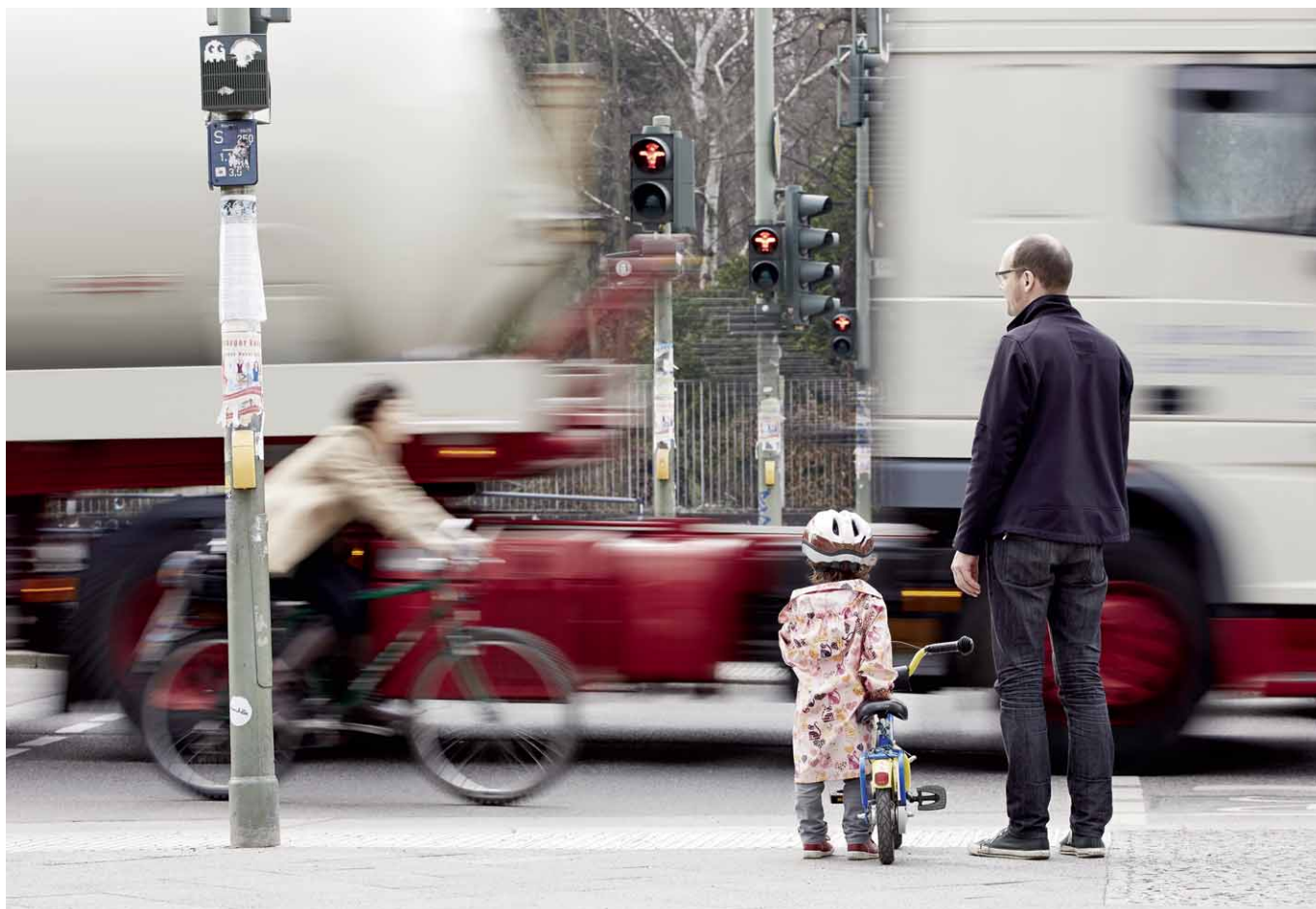
The annual mean  $\text{NO}_2$  level has been exceeded at the monitoring stations of Ringkirche and Schiersteiner Strasse for years. Motor vehicle traffic accounts for 67% of  $\text{NO}_2$  emissions. With the measures currently being implemented, compliance with the limit value is projected to take place by 2021.

## WHAT ARE THE LEGAL FOUNDATIONS AND STEPS?

On 11 July 2011, the DUH and an affected resident filed a lawsuit against the state of Hesse at the Administrative Court of Wiesbaden for exceeding the limits of the 39<sup>th</sup> BImSchV. With its ruling of 10 October 2011, the court obliged the federal state to update the clean air plan in order to bring about effective measures. The 1<sup>st</sup> update of the clean air plan entered into force in November 2012; the 2<sup>nd</sup> update is currently being drawn up. Since the verdict of the Administrative Court of Wiesbaden was not sufficiently implemented, the DUH filed an application for a compulsory fine to be imposed in November 2015. At the same time, the ecological Transport Club Germany (VCD) brought an action on account of the air quality limit values being exceeded. With its ruling of 11 January 2016, the Administrative Court of Wiesbaden decided that the Hessian Ministry of the Environment had to update the clean air plan within nine months. The Hessian Administrative Court rejected the Ministry's appeal. In May 2016, DUH submitted a new request for the amendment of the clean air plan and joined the action of the VCD. The court is expected to rule on the action in the summer of 2017.

**Wiesbaden - Ringkirche**  
Annual mean  $\text{NO}_2$  concentrations in  $\mu\text{g}/\text{m}^3$





## DUH FIGHTS FOR YOUR RIGHT TO CLEAN AIR

Since many years the German Environmental Aid has supported affected residents and environmental protection organisations in various Member States when suing for their right to clean air. Currently DUH is working together with environmental organisations in the Czech Republic and Portugal, which have initiated legal proceedings for exceeding air quality limits, in order to achieve better implementation of effective measures. If you are suffering from traffic-related air pollution and want to move your city to take action, feel free to contact us. Further information on the legal possibilities for improved implementation of the European air pollution policy can be found on our website.

➤ [www.right-to-clean-air.eu](http://www.right-to-clean-air.eu)





## Join us!

Protecting nature, health and consumers is vital and urgent. **Therefore, Environmental Action Germany (Deutsche Umwelthilfe – DUH) fights for:**

- Clean Air and Climate Protection
- Intact Ecosystems, Biodiversity and Wilderness
- Waste Reduction and Recycling
- Affordable Energy and Mobility Transition
- Responsible Consumption and Eco-friendly Products
- Environmental Justice and “Green” Cities
- Enforcement of Consumer Rights
- Healthy and Ecological Lifestyle

**All in all: A better life – now and for the future generations.**

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sustaining member –  
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Thank you ♥

## ABOUT THE PROJECT

Air pollution is still one of the greatest challenges of our time. Despite directives throughout Europe, air pollution limits are regularly exceeded in many cities and agglomerations. This burdens the health of the citizens and harms our environment and the climate. With the project Right to Clean Air, we are endeavoring to significantly improve air quality in Europe. The Environmental Action Germany (DUH) and the Frank Bold Society (FBS) jointly promote air pollution control measures in different source areas and support legal action at European and national level. The project is funded under the LIFE program by the EU Commission.

A project by



The Environmental Action Germany (DUH) is a non-profit consumer protection association entitled to sue, that is working for a careful handling of natural resources, biodiversity and landscape since 1975.



The non-governmental organization Frank Bold Society (FBS) was founded in the Czech Republic in 1995 and provide legal aid in environmental complaints.

Co-financed by



The European Union's LIFE Program is a funding instrument that supports environmental and climate protection projects.

*Picture credits: Fotolia: Stefan Germer (p.1, statue), spuno (p.2), BildPix.de (p.7 top); DUH (p.7 bottom)*



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We have been fighting to protect our climate and natural resources for over 40 years. Please help us with a donation! Your support will enable us to fulfill our mission – for a future of nature and mankind.  
Sincere thanks! [www.duh.de/spenden](http://www.duh.de/spenden)