

norms governing environmental issues are still under discussion. Under this legislation, all projects involving emissions, potential health risks or the relocation of communities, are liable to produce an environmental impact study to be appraised by CONAMA or by the corresponding regional COREMA. Such a study must set forth both whether or not the referred project abides to environmental norms currently under discussion, and what actions the party will adopt in order to impede or minimize any adverse environmental effects.

Unlike lengthy environmental codes elsewhere in Latin America, the law does not define acceptable emissions levels but empowers CONAMA to set standards and review them every five years. CONAMA is undergoing discussions with Canada, the US Environmental Protection Agency and the European Union to see about the possibility of these foreign models. Recently, CONAMA signed a MOU (Memorandum of Understanding) with Canada pertaining to environmental issues, norms and regulations that will be further discussed. Also worth mentioning is that in Article 24 of the law, the President is authorized to establish all the above mentioned standards by Presidential Decree.

The General Law is the first legal instrument to set forth a systematic approach to environmental issues in Chile. So far, a series of presidential decrees aimed at specific polluters have already helped push industry, led by the copper, wood pulp, and fishmeal export heavyweights to spend around US\$ 1.2 billion cleaning up over the past four years. The biggest spenders have been copper smelters that have belched out soot, arsenic and sulphur dioxide for decades, with state-owned Codelco and Enami among the worst offenders. Codelco estimates that cleaning up its act could cost up to US\$ 1 billion; the Chuquicamata division alone plans to spend US\$ 23 million by 2000.

The law also considers an active community participation in the evaluation of an environmental impact assessment. The Official Gazette has the right to publish all such studies, giving the population access to any environmental impact study submitted to the National Environmental Commission, or its regional counterparts. Individuals, groups and government officials can file lawsuits aimed at getting polluting industries to pay fines, limit emissions, shut down and/or restore damaged environments. Considering that the environmental movement in Chile is still in its very early stages, what impact this right will have in reality still remains to be seen. This new law may improve the present environmental situation, but a sustained budgetary effort will also be required to accompany the required changes in enforcement capabilities.