

THE REGULATORY ENVIRONMENT

Several Mexican laws regulate activities in the marine environment. The nation is also a signatory to a number of international agreements and United Nations conventions.

Mexico's ocean resources are governed by a large number of laws, regulations, decrees and inter-governmental agreements. Many of them have not been rigorously enforced and others are in a state of flux as the government proceeds with its deregulation plans.

The legal framework for government regulation of ocean environmental issues is set out in Articles 27 and 42 of the *Constitución Política de los Estados Unidos Mexicanos*, the Mexican constitution, and the *Ley Federal del Mar*, Federal Law of the Sea. More specific regulation is provided under the *Ley General del Equilibrio Ecológico y la Protección del Ambiente*, General Law of Ecological Equilibrium and Environmental Protection.

Enforcement efforts were increased with Mexico's accession to the North American Free Trade Agreement (NAFTA), and its environmental side agreement. But the financial crisis precipitated by the devaluation of the peso in December 1994 put several planned improvements on hold. Renewed efforts to improve enforcement are expected as the economy recovers.

Several other laws have some application to the marine environment:

- *Ley General de Salud*, General Law of Health;
- *Ley de Aguas Nacionales*, Law of the National Waters;
- *Reglamento para el Transporte de Residuos Peligrosos*, regulations for the transportation of dangerous residues;
- *Reglamento para el Uso y Aprovechamiento del Mar Territorial, Vías Navegables, Playas, Zona Federal Marítimo-Terrestre y Terrenos Ganados del Mar*, regulations for use and exploitation of the coastal waters, navigable routes, beaches and federal coastal zones;
- *Reglamento para la Prevención y control de la contaminación de aguas*, regulations for the prevention and control of water pollution;
- *Reglamento para prevenir la contaminación del mar por vertimiento de desechos y otras materias*, regulations preventing pollution in coastal waters due to spillage of residues and other materials; and
- various official standards setting limits of permissible emissions and transportation risks of toxic waste.

A series of *Normas Oficiales Mexicanas (NOMs)*, official standards, regulates the fishing industry. These are issued under the authority of the *Ley de Pesca y su Reglamento*, Fishery Law. There are separate *NOMs* covering the harvesting of tuna, sardines, shellfish, abalone, lobster, sea urchin and octopus. Several additional standards are concerned with sanitary standards for fish products, and others govern specific fishing zones.