

Instead, new tasks directly related to the enforcement of environmental laws have been added."⁵²

Since the new organizations have yet to establish their own track records, the description that follows of Mexico's legislative, regulatory and enforcement structures is based largely on the SEDUE experience.

B. GENERAL ECOLOGY LAW

The General Law of Ecological Equilibrium and Environmental Protection (the Law) went into effect in March 1988. It abrogated all prior environmental law and established the current Mexican legal regime for the environment. The Law addresses pollution problems in all media, natural resource conservation, environmental impact and risk assessment, ecological zoning and sanctions. It covers the full spectrum of environmental issues thereby contrasting with the legal regimes of countries such as Canada and the U.S. that have specific laws for each of the different media.

The Law establishes general criteria and policy guidelines for specific regulatory practices and directs SEDUE to develop the details of the environmental programs. It foresees the establishment of environmental standards, comparable to those of industrialized nations, enforcement procedures and penalties for non-compliance.

By the summer of 1992, four regulations had been promulgated under the Law. These included regulations applicable to environmental impact assessment; hazardous wastes; prevention and control of mobile source pollution in the Mexico City metropolitan area; and prevention and control of atmospheric pollution. A new regulation dealing with water pollution has apparently been drafted, but has not yet been promulgated.

Technical ecological norms (TENs) and ecological criteria are used to further define the regulations of the Law and to determine compliance. These scientific or technical rules set forth the requirements, procedures, conditions and limits that must be met. Some 70 TENs and ecological criteria have been issued under the Law and its regulations. These focus on air pollution, hazardous waste and water pollution. Mexico intends to set 80 additional environmental technical standards by the end of 1992. Once these remaining regulatory and technical standards have been promulgated, Mexico will, for the first time, have a complete legal program for the environment.

Many of the TENs are developed co-operatively between SEDESOL and Mexico's Ministry of Health. The latter is responsible for acquiring available health-related information, including toxicity data, and existing standards from other countries, as well as for recommending appropriate criteria to SEDESOL. SEDESOL then circulates the recommendations within the Mexican government for review and comment. The proposed standards are also sent to state and municipal governments, and attempts are made to reach out to the scientific, professional and educational communities as well as to Mexican industry.

52. Colosio, Honourable Luis Donaldo, "Environment and Development in Mexico."