

ECIJA

June 2020

International challenges for environment

Legislative report
World Environment Day

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Legislation for a sustainable world

1. Foreword

World Environment Day was established by the United Nations (UN) in its resolution (A/RES/2994 (XXVII)) of 15 December 1977. It has been celebrated since 1974 on 5 June each year, the date on which the Stockholm Conference began in 1972, whose central theme was the Environment, and two days after Environment Day the UN General Assembly also approved the creation of the United Nations Environment Programme (UNEP). It called on "Governments and the organizations of the United Nations system to undertake on this day, each year, global activities that reaffirm their concern for the protection and improvement of the environment, with a view to enhancing awareness of environmental problems and to pursue the resolve expressed at the Conference".

Since the first observance in 1974, World Environment Day has helped UNEP to raise awareness and create political pressure to address growing concerns such as ozone depletion, toxic chemical management, desertification and global warming. The Day has become a major global platform for action on environmental issues. Over the years, millions of people have participated to promote change in our consumption habits, as well as in national and international policies.

This year 2020 the theme for World Environment Day is biodiversity. Recent events, such as the unprecedented forest fires in Brazil, California and Australia, the locust invasion in the Horn of Africa and now the COVID-19 pandemic, demonstrate the inextricable link between humans and the webs of life in which we live.

From **ECIJA, we would like to recall that first great conference on the environment in 1972, known as the Stockholm Conference, preparing this report from each local office where we have a presence (13) in Europe, Latin America and Asia to provide a broad perspective** on the environment, focusing on all those great challenges that modern society must take on, not only in protecting biodiversity, but also and especially in matters of climate change and the circular economy.

These new challenges are marked, on the one hand, by the **Paris Agreement** of 2015 (21st Conference of the Parties to the UNFCCC -COP21-), by which the signatories committed themselves to reducing greenhouse gas emissions as soon as possible with the aim of maintaining the increase in global temperature "well below 2°C with respect to pre-industrial levels".

On the other hand, they are marked by the **United Nations Agenda 2030** for sustainable development of 25 September 2015. This Agenda contains the 17 Sustainable Development Goals to which countries must aspire: 1. eradication of poverty, 2. fight against hunger, 3. good health, 4. quality education, 5. gender equality, 6. drinking water and sanitation, 7. renewable energy, 8. - decent work and economic growth, 9. industry, innovation and infrastructure, 10. reduction of inequality, 11. sustainable cities, 12. responsible consumption, 13. climate action, 14.

2. Europe

With regard to biodiversity, the Commission has just presented the Biodiversity Strategy on 20 May, which recognises that nature is in a state of crisis. The five main direct drivers of biodiversity loss are land and sea use changes, over-exploitation, climate change, pollution, and invasive alien species. Throughout the Strategy, the symbiotic relationship



between health and the state of biodiversity, as well as its economic effects, is also made clear. These are key commitments for 2030:

1. Legally protect at least 30% of the EU's land area and 30% of the EU's sea area and integrate ecological corridors, as part of a genuine trans-European nature network.
2. Strictly protect at least one third of the EU's protected areas, including all the remaining primary and old-growth forests in the EU
3. Effectively manage all protected areas, defining clear conservation objectives and measures and monitoring them appropriately.

Tomorrow's society will be the recycling society. Five years ago, the Action Plan for a Circular Economy in Europe proposed by the European Commission (2015) was approved, which included 54 measures on which action was needed to advance the circular economy. The aim of this ambitious Action Plan was to make Europe a more resource-efficient society, which generates less waste, and which uses as resources those that cannot be avoided, as far as is technically and economically possible, with the maximum guarantee for health and the environment. The transformation of the linear economy based on extraction, production, consumption, and disposal into a circular economy was encouraged.

The Action Plan on the circular economy included a regulatory package reviewing key pieces of EU waste legislation, which was approved in 2018. The so-called "Waste Package" consists of four directives:

- Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste;

- Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste;

- Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018 amending Directive 94/62/EC on packaging and packaging waste; and

- Directive (EU) 2018/849 of the European Parliament and of the Council of 30 May 2018 amending Directive 2000/53/EC on end-of-life vehicles, Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and Directive 2012/19/EU on waste electrical and electronic equipment.

Finally, we would like to highlight the fight against climate change. The European Commission is preparing the so-called European Climate Act, which derives from the European Green Pact, and aims to make the EU economy sustainable by transforming climate and environmental challenges into opportunities in all policy areas and making the transition fair and inclusive for all. The future regulation establishes an ambitious legal framework for the irreversible and gradual reduction of greenhouse gas emissions and the enhancement of natural and other sinks in the Union. The future standard will determine a binding climate-neutral target for the Union in 2050 consistent with the objectives set out in Articles 2 and 7 of the Paris Agreement ratified by the whole of the European Union on 4 October 2016.

The climate-neutral objective implies that greenhouse gas emissions and removals throughout the Union covered by Union legislation will be balanced by 2050 at the latest, thus reducing net emissions to 0 by that date.

Among the projections of the standard, it is worth noting:

- By September 2020, it proposes to explore options for a new target for 2030 of 50 to 55% emissions reduction compared to 1990.

- No later than 30 June 2021, the Commission will assess how the Union's legislation will achieve the 50-55% emission reduction compared to 1990 and reach the goal of climate



neutrality, and consider taking the necessary measures, including the adoption of legislative proposals, in accordance with the Treaties.

The bill also regulates adaptation to climate change. To this end, it provides that the relevant institutions of the Union and the Member States shall ensure continued progress in improving adaptive capacity, strengthening resilience and reducing vulnerability to climate change, in accordance with Article 7 of the Paris Agreement.

2.1 Legislation in Spain

In Spain there are numerous laws that guarantee the care and protection of the environment through different techniques of control of projects and activities, emissions, both at a state and European level. We can cite among the most recent:

1. Law 21/2013 of 19 December on environmental assessment, recently amended by Law 9/2018, which facilitates the incorporation of sustainability criteria in strategic decision-making at the state level, through the assessment of plans and programmes. And through the evaluation of projects, it guarantees an adequate prevention of the concrete environmental impacts that may be generated, while establishing effective correction or compensation mechanisms.
2. Royal Legislative Decree 1/2016, of 16 December, which approves the revised text of the Integrated Pollution Prevention and Control Act, which regulates the enabling regime for industrial and economic activities, through the imposition of corrective measures that make them compatible with the environment.
3. Law 22/2011, of 28th July, on Waste and Contaminated Soils, which incorporated the Waste Framework Directive into the internal legal system, at the same time as revising the regulations on this matter existing in Spain and dating from 1998. This law will be modified in the imminent future once the APL of 22-5-2020 is approved, with the aim of transforming Spanish society into a "recycling society" and contributing to the fight against climate change, Law 34/2007, of November 15th, on air quality and protection of the atmosphere.

In relation to the previous one, Royal Decree 1042/2017, of 22 December, on the limitation of emissions into the atmosphere of certain pollutants from medium-sized combustion plants. In terms of natural areas, we highlight the Natura 2000 Network created by Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna. It consists of the Special Areas of Conservation (SAC), declared on the basis of the Sites of Community Importance (SCI), for housing habitats and species of fauna (not birds) and flora of Community interest, and the Special Protection Areas for Birds (SPA), and is the largest conservation commitment made to date in Europe. It has management plans and programmes in the different territories.

We also highlight Law 43/2003, of 21 November, on Forestry, Law 43/2002, of 20 November, on plant health

- The autonomous communities have laws

The Autonomous Communities also have their own laws for the protection of the environment and natural areas, management guidelines, plans and programmes for the conservation and protection of the environment.

- Legislation against climate change



In our country, the first decisive step has been taken by the Autonomous Community of the Balearic Islands with Law 10/2019 of 22 February on climate change and energy transition.

At a state level, the Draft Law on Climate Change and Energy Transition (PLCCTE), approved by the Council of Ministers and sent to Parliament for approval. It is a text that has been strengthened in terms of ambition, governance, participation and transparency. The text consists of 37 articles under nine titles, four additional provisions, one transitional provision, one single repealing provision and eleven final provisions. The new title is dedicated to governance and public participation, establishing a Committee on Climate Change and Energy Transition, responsible for assessing and making recommendations on climate and energy policies and measures, and preparing an annual report to be submitted to the Congress of Deputies.

Commitment to being part of the UN Global Compact for the Environment and against climate change

Spain has ratified international conventions and agreements, assuming an active role in the defence of the environment and in the fight against climate change:

- Convention on Environmental Impact Assessment in a Transboundary Context, of 25 February 1991, known as the Espoo Convention and ratified by our country on 1 September 1992 and its Protocol on Strategic Environmental Assessment, ratified on 24 June 2009.
- The 21st Conference of the Parties (COP21) to the UNFCCC adopted the Paris Agreement of 2015, by which the signatories committed themselves to reducing greenhouse gas emissions as soon as possible with the aim of maintaining the increase in global temperature "well below 2°C with respect to pre-industrial levels". The Paris Agreement was ratified by the European Union as a whole on 4 October 2016, and by the Spanish State on 12 January 2017.
- The United Nations Agenda 2030 for sustainable development of 25 September 2015, which contains the 17 Sustainable Development Goals.

Commitment to meeting the objectives of the UN Agenda 2030

Spain is committed to developing Agenda 2030 through a new regulatory package. Also with a set of measures, such as the Spain Circular 2030 Strategy, which will serve as a boost to achieve the ecological transition of our society and economy.

What kind of legislative measures have been approved or are in the pipeline to fight climate change and promote the circular economy?

Among those pending approval, it is worth mentioning:

1.- The Waste and Polluted Soil APP of 22 May 2020, in particular for the achievement of the following ODS of Agenda 2030: 12 - sustainable production and consumption-, 13 - action for the climate- and 14 -underwater life-.

2.- The Draft Law on Climate Change and Energy Transition (PLCCTE), approved by the Council of Ministers on 19 May 2020 The aim is to provide a broad legal framework that will enable us to be at the forefront of the transition and to meet the targets for reducing greenhouse gas emissions by 2030, a 40% reduction in greenhouse gases compared to



1990. It reflects the spirit of the European Union's Communication on the European Green Deal of December 2019, which is committed to a new growth strategy that aims to transform the European Union into a fair and prosperous society with a modern, resource-efficient and competitive economy, and to become the first climate-neutral continent by 2050.

2.2 Legislation in Portugal

Portugal's legal system in environmental matters is mainly determined by Law 19/2014, 2014-04-14 and Law No. 11/87 of April 7th, among others.

Commitment to being part of the UN Global Compact for the Environment and against climate change

Portugal is on the path to sustainability, as several companies have joined the UN Global Compact for the Environment and against Climate Change.

Commitment to meeting the UN Agenda 2030 Goals

Portugal had an important participation in the process of defining this Agenda 2030, with emphasis on the stronger defence of the objectives of promoting peaceful and inclusive societies, of eradicating all forms of discrimination and gender violence and of conserving the seas and oceans, managing their resources in a sustainable manner.

What kind of legislative measures have been adopted or are in the pipeline to combat climate change and promote the circular economy?

1. "Action plan for a circular economy in Portugal", approved by Council of Ministers Resolution No 190-A / 2017 of 23 November, which aims to define a national strategy for a circular economy based on the production and disposal of waste and the reuse, repair and renewal of materials and energy.
2. Council of Ministers Resolution no. 108/2019, of July 2nd, establishes a new composition of the PAEC Coordination Group, which includes representatives from all government areas and is jointly coordinated by the Directorate General for Economic Activities and the Portuguese Environment Agency, IP.
3. The National Action Plan presents three levels of action, namely
 - a) Transversal and national actions (macro actions)
 - b) Sectorial agendas, especially for more resource-intensive and export-oriented sectors (meso actions)
 - c) Regional agendas, to adapt to the socio-economic specificities of each region (micro actions).

3. Latin America



One of the most important challenges facing the countries of Latin America and the Caribbean is to achieve environmentally sustainable development, overcoming models of productive growth that have often degraded the environment. The problem is complex and requires a comprehensive concept of development, in which the environment is an intrinsic element.

Consequently, all the countries are trying to follow this new path of integral development because, in the name of progress, the very source of development cannot be destroyed. This is even more important in a region of the world with a very large availability of natural resources and environmental goods, which generates income and foreign exchange derived in a very significant way from the exploitation of its natural resources. For this reason, the need to provide a legal framework that makes the economic drive compatible with the natural heritage arises.

Regarding biodiversity, legal rules guarantee its valuation. A framework is proposed for the design of policies aimed at curbing it. In this report, which does not aspire to be an exhaustive code of environmental regulations, a global vision of the current legal framework in the region is given, thus showing the main regulatory trends in order to address current challenges and allow for environmentally sustainable development.

3.1 Legislation in Guatemala

Guatemala's legal system has laws of an environmental nature, which are aimed at ensuring the protection and maintenance of the quality of the environment and the ecological balance, so that the quality of life of the inhabitants of Guatemala can be improved, ranging from regulations, decrees and ministerial agreements.

Commitment to being part of the UN Global Compact for the Environment and against climate change

In Guatemala there is a commitment to be part of the Global Compact for the Environment, which seeks to highlight the importance of the public sector in building regulatory frameworks that catalyze the private sector to become an agent of change for a more sustainable world. To highlight the fact that urgent, ambitious and practical actions are required in order to make progress on climate challenges.

Commitment to meeting the UN Agenda 2030 Goals

In Guatemala, a Letter of Understanding has been signed between the Global Compact Network Guatemala and the Office of the United Nations Resident Coordinator, signed by Rosa María de Frade, president of the Board of Directors of the Local Network of the Global Compact in Guatemala and Rebeca Arias, Resident Coordinator of the United Nations System in Guatemala, and promotes collaboration between both parties in areas of mutual interest to advance the implementation of Agenda 2030 in Guatemala, through the involvement of the private sector in initiatives promoted by the UN system.

What kind of legislative measures have been approved or are in the pipeline to fight climate change and promote the circular economy?

Currently, with the signing of the Letter of Understanding between the Guatemala Global Compact Network and the United Nations Resident Coordinator's Office, it was agreed:



- The implementation of actions that promote the 10 Principles of the Global Pact, Agenda 2030 and the ODS, and the activities and programs of the Global Pact Network Guatemala, which in turn will help promote corporate social responsibility in the country;
- Collaboration in initiatives to raise awareness and promote ODS in the private sector, in order to encourage progress in the implementation of ODS in the country;
- Contributing to the establishment of alliances by identifying common objectives between companies and the Country Team. In this regard, the RC will encourage companies working with the UN System in the country to become members of the Global Compact, so that they act in accordance with the 10 Principles of the UN Global Compact;
- The promotion of activities that recognize the leadership of the private sector in fulfilling Agenda 2030 and the ODS.

In addition, in Guatemala there are regulations that guarantee the protection and maintenance of the environment, to improve the quality of life of its inhabitants, such as

- Article 64 and 97 of the Political Constitution of the Republic of Guatemala.
- Decree 74-96 of the Congress of the Republic of Guatemala, Law for the Promotion of Environmental Education
- Law of Protected Areas, Decree 4-89 of the Congress of the Republic of Guatemala, whose application corresponds to the National Council of Protected Areas (CONAP), generically incorporates waters as part of essential ecological processes and vital natural systems.
- Decree 68-86 of the Congress of the Republic of Guatemala, Law for the Protection and Improvement of the Environment, whose application corresponds to the Ministry of the Environment and Natural Resources (MARN).
- Regulation of Wastewater Discharge and Reuse and Sludge Disposal, Governmental Agreement 236-2006, is intended to protect water bodies from the impacts of human activity; recover those that are in the process of deteriorating; and promote the development of water resources, with a view to integrated management. It is complemented by its General Manual of Regulations on Wastewater Discharges and Resources and Sludge Disposal, Ministerial Agreement 105-2008, which serves to interpret the technical and legal aspects regulated by Governmental Agreement 236-2006.
- Regulation of Wastewater Discharges in the Lake Atitlán Basin, Governmental Agreement 12-2011, aims to set the parameters and establishes a progressive reduction of the maximum permissible limits of wastewater discharges to receiving bodies in the Lake Atitlán Basin.
- Decree 90-2000 of the Congress of the Republic of Guatemala, "Law of Creation of the Ministry of Environment and Natural Resources", of December 11, 2000.
- Decree 91-2000 of the Congress of the Republic of Guatemala, "Reformas a la Ley de Creación del Ministerio de Ambiente y Recursos Naturales", published on 20 December 2000.
- Ministerial Agreement No. 124-2002: "Crease la Unidad de Políticas Mayas de Ambiente y Recursos Naturales", published on 7 October 2002.
- Ministerial Agreement No. 147: "Creation of the Advisory Council on the Environment and Natural Resources", published on 22 November 2002.



- Governmental Agreement No. 23-2003: "Regulations on Environmental Evaluation, Control and Monitoring", dated 27 January 2003; reformed by Governmental Agreements No. 240-2003, published on 25 April 2003; 424-2003, published on 1 August 2003; and 704-2003.

3.2 Legislation in Honduras

Honduras has laws that guarantee the care of the environment, some of them are

- General Environmental Law;
- Regulation of Environmental Audits;
- General Regulations on the Use of Ozone Depleting Substances;
- Regulation of the National System of Environmental Impact Assessment;
- Regulation for the Sanitary Control of Products and Services of Health Interest Establishments;
- General Water Law;
- Fishing Law;
- General Law on Mining; Forestry Law, Protected Areas and Wildlife

Commitment to being part of the UN Global Compact for the Environment and against climate change

On 10 May 2018, at the United Nations General Assembly, Honduras voted to adopt resolution 72/277 entitled "Towards a Global Compact for the Environment".

Commitment to meeting the objectives of the UN Agenda 2030

There is a commitment on the part of the Government of Honduras to meet the objectives of the UN Agenda 2030. For the month of September 2015, Honduras subscribed to this Agenda in the LXX General Assembly of the United Nations (UN).

What kind of legislative measures have been approved or are in the pipeline to combat climate change and promote the circular economy?

For the year 2018, the National Commission of the Agenda 2030 for Sustainable Development Objectives (CN-OSD) was created and approved by Executive Decree PCM-064-2018. The purpose of this Commission is to coordinate the implementation, monitoring and evaluation of the fulfillment of the Sustainable Development Objectives in Honduras.

The Commission was sworn in by the President of the Republic in July 2019. The national goals and indicators of this Agenda are incorporated in the instruments of the Country Vision 2038, the National Plan 2022, and the Government Strategic Plan 2018-2022.



3.3 Legislation in Mexico

The main federal law on the subject is the General Law of Ecological Balance and Environmental Protection, from which six regulations have been issued in the following areas:

- 1) Natural Protected Areas.
- 2) Self-regulation and Environmental Audits.
- 3) Environmental Impact Assessment.
- 4) Ecological Regulation.
- 5) Prevention and Control of Air Pollution.
- 6) Pollutant Release and Transfer Register.

Likewise, there are other relevant federal laws on the subject, such as the National Waters Law, the General Law on Climate Change, the General Law on Sustainable Forestry Development, the General Law on Wildlife, the General Law on the Prevention and Integral Management of Waste, the Law on Dumping in Mexican Maritime Areas, the Law on the Promotion and Development of Bioenergy, etc.

Commitment to being part of the UN Global Compact for the Environment and against climate change

The Mexican Network of the Global Compact or Global Compact Mexico was launched on June 9, 2005 by the United Nations Development Program (UNDP), with the endorsement of the then president of the Mexican Republic, Vicente Fox Quezada.

It was presented as a Service Platform that offers Mexican business tools, training and access to the largest international network of knowledge and good practices in Corporate Social Responsibility. It currently has more than 700 participants.

Likewise, Mexico reflects its interest in the subject through the incorporation, application and strengthening of various guiding instruments of national policy, which are the General Law on Climate Change, the National Strategy on Climate Change and the Special Climate Change Program.

Commitment to meeting the objectives of the UN Agenda 2030

In May 2019, Mexico signed a collaboration and commitment agreement between the business sector and the federal government in order to achieve Agenda 2030 and its 17 Sustainable Development Goals.

Likewise, with respect to Goal 12 Responsible Production and Consumption, in August 2019 the National Institute of Ecology and Climate Change (INECC), together with the United Nations Industrial Development Organization (UNIDO), the United Nations Environment Programme (UNEP), and the Climate Technology Network (CTCN), among other non-governmental organizations, carried out the "Assessment of the current state of the Circular Economy to develop the roadmap for Mexico, Brazil, Uruguay and Chile".

What kind of legislative measures have been approved or are in the pipeline to fight climate change and promote the circular economy?



In 2018, the General Law on Climate Change was reformed to include the following commitments in its second transitional period

"...the country undertakes to reduce its greenhouse gas emissions by twenty-two percent and its black carbon emissions by fifty-one percent by 2030 compared to the baseline in an unconditional manner. This commitment, assumed as a nationally determined contribution, implies reaching a maximum of national emissions by 2026; and decoupling greenhouse gas emissions from economic growth, the intensity of emissions per unit of gross domestic product will be reduced by around forty percent between 2013 and 2030.

The 22 percent reduction in greenhouse gas emissions will be achieved through the commitment of the different participating sectors, in accordance with the following targets: transport -18 percent; electricity generation -31 percent; residential and commercial -18 percent; oil and gas -14 percent; industry -5 percent; agriculture and livestock -8 percent and waste -28 percent.

The targets for reducing greenhouse gas and black carbon emissions by 2030 may be increased to thirty-six percent and seventy percent respectively, subject to the adoption of a global agreement that includes issues such as an international carbon price, adjustments to carbon content tariffs, technical cooperation, access to low-cost financial resources and technology transfer, all on a scale commensurate with the challenge of global climate change."

Likewise, in November 2019, a bill for a General Law on Circular Economy, presented by the Morena party, was published in the Senate Gazette. This bill was turned over to the United Commissions on the Environment, Natural Resources and Climate Change; and Legislative Studies, Second, for analysis and ruling, which is currently in process.

3.4 Legislation in Nicaragua

The main regulation at the level of the Political Constitution in Nicaragua is the General Environmental Law and sectorial laws.

Among others, we highlight:

- Law No. 217, General Law on the Environment and Natural Resources (2014)
- Law No. 168, Law Prohibiting the Traffic of Hazardous Wastes and Toxic Substances (1994);
- Law No. 387, Special Law on the Exploration and Exploitation of Mines (2005)
- Law No. 443, Law on the Exploration and Exploitation of Geothermal Resources (2006)
- Law No. 462, Law on the Conservation, Promotion and Sustainable Development of Forest Resources (2004);
- Law No. 849, Fisheries and Aquaculture Law (2009);
- Law No. 585, Law on the Prohibition of the Cutting, Use and Marketing of Natural Resources (2006)
- Law No. 620, General Law on National Waters, among others

Commitment to be part of the UN Global Compact for the Environment and against Climate Change



Many international treaties and conventions have been signed, both at the multilateral and regional levels. Among others: UN Convention on Biological Diversity (1992); UN Framework Convention on Climate Change (1995); Cartagena Convention on the Protection and Development of the Marine Environment in the Wider Caribbean Region (2002); International Convention for the Prevention of Pollution from Ships (1973); Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (1989); Vienna Convention for the Protection of the Ozone Layer (1985); Convention on Wetlands of International Importance (1971).

Commitment to the UN Agenda 2030 Goals

Nicaragua has ratified its commitment to the objectives of the UN Agenda 2030 for Sustainable Development. It did so at the 163rd session of the United Nations Council for Food and Agriculture (FAO).

What kind of legislative measures have been approved or are in the pipeline to combat climate change and promote the circular economy?

All environmental legislation has been renewed and updated and various international conventions have been signed and/or ratified.

3.5 Legislation in Chile

Environmental regulation in Chile is established in the 1980 Political Constitution of the Republic (CPR) and article 19 No. 8 establishes the right to live in an environment free of pollution. The mechanisms to comply with this mandate, such as emission and quality standards; environmental policy; and environmental licensing of certain projects that cause environmental impact within the SEIA, are outlined in the Framework Law on the General Basis of the Environment, Law No. 19,300, and then governed in detail in different regulations. An example of this is Supreme Decree (SD) No. 40/2012 of the MMA, the regulations of the Environmental Impact Assessment System (SEIA).

Commitment to being part of the UN Global Compact for the Environment and against Climate Change

There is no commitment on the part of the Chilean State and there is a lack of greater investment. The same is considered with respect to meeting the UN Agenda 2030 goals.

What kind of legislative measures have been approved or are in the pipeline to fight climate change and promote the circular economy?

Although legislative activity is currently in another focus, there are several bills in Congress aimed at improving environmental protection, such as the Glacier Bill and the Environmental Crimes Bill. In addition, the Environmental Impact Assessment System (SEIA) reform bill may lead to a new SEIA, with greater public participation.

In relation to climate change, although current legislation does not directly or comprehensively regulate climate change and its effects, there is a draft law that aims to provide a global framework for this task, and which sets the goal of achieving carbon neutrality by 2050.



3.6 Legislation in Panama

The most relevant laws in environmental matters are: Law 41 of July 1, 1998, General Law on the Environment; Law 44 of August 5, 2002, or the Watershed Law; Law 1 of February 3, 1994, or the Forestry Law; Law 24 of June 7, 1995, or the Wildlife Law.

Commitment to be part of the UN Global Compact for the Environment and against Climate Change

Panama has contributed to the frameworks defined for the reduction of global warming, being part of the Kyoto Protocol since June 1998 and the Paris Agreement since 2016, being Panama the 28th country to do so. That same year it presented its Nationally Determined Contribution to Climate Change Mitigation (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC). Among the most important actions are those related to the Energy Sector and the Land Use, Land Use Change and Forestry Sector.

Commitment to meeting the UN Agenda 2030 Goals

In 2017, Panama presented its First Voluntary Report in which it details some of the initiatives carried out by the country, linked above all with the aim of fulfilling the objectives of the UN's Agenda 2030.

What kind of legislative measures have been approved or are in the pipeline to fight climate change and promote the circular economy?

The first reference to Panamanian environmental legislation is found in the 1947 Health Code. Subsequently, the Political Constitution of the Republic incorporated chapter 7 on the "Ecological Regime", which states: "it is the fundamental duty of the State to guarantee that the population lives in a healthy environment free of contamination, where the air, water and food satisfy the requirements of the adequate development of human life". The Constitution states that economic and social development must prevent environmental pollution and promote ecological balance, as well as "avoid the destruction of ecosystems". The legislative measures that have been approved in Panama are The Forestry Law, the Law on Deforestation, and the General Law on the Environment.

3.7 Legislation in Puerto Rico

Air pollution control is governed by the Environmental Public Policy Act, as well as by bans on sulfur dioxide emissions from sulfuric acid plants that exceed 3.25 kilograms per metric ton of 100 percent acid produced. In addition, there is a ban on open burning of waste and on burning of agricultural waste unless authorized.



Commitment to be part of the UN Global Compact for the Environment and against Climate Change

Puerto Rico has committed to reduce its greenhouse gas emissions by 50% in the next five years and to achieve 100% renewable energy by 2050. Puerto Rico has 10 key objectives in its climate change pledge, including boosting climate change education, supporting reforestation efforts, and reducing its carbon footprint by half. The Government of Puerto Rico will invest up to \$185 million to develop renewable energy projects throughout the island.

Commitment to Meet UN Agenda 2030 Goals

In 2019, Puerto Rico announced a partnership to create a digital portal that includes all available information on the island's progress towards achieving the UN Agenda 2030 Goals. The portal seeks primarily to provide the greatest amount of data to measure Puerto Rico's development in each respective area and to generate affirmative actions to achieve these goals by the established year.

What type of legislative measures have been approved or are in the pipeline that will fight climate change and promote the circular economy?

The information on the website created to achieve the United Nations Agenda 2030 will be collected through associations of different entities in Puerto Rico. These associations include the Department of Education of P.R., the United States Forest Service, the United States National Park Service, the Environmental Protection Agency, the National Institutes of Health, the Puerto Rico Manufacturers Association, the Puerto Rico Psychology Association, the Puerto Rico Bar Association, the University of the Sacred Heart and the University of Puerto Rico.

The emphasis in these associations will be on providing data that will help in the efforts to comply with the United Nations Agenda. The Climate Change Mitigation, Adaptation and Resilience Act of 2019 also sets the goal of reducing energy consumption across the island by at least 1 percent each year. It prohibits the extension or granting of new contracts or permits for coal-fired power generation. It encourages the adoption of hybrid or electric vehicles, improves energy and water efficiency, and creates strategic water reservoirs for use during droughts. This initiative also aims to reduce the amount of waste going to landfills by 60 percent by 2030, and requires the planting of 500,000 trees within five years.

3.8 Legislation in Costa Rica

The protection of the environment is established at a constitutional level in Costa Rica (Art. 50 Political Constitution). Additionally, there is the Organic Law on the Environment, the Law on Wildlife Conservation, the Law on Biodiversity and the Law on the Conservation and Use of Natural Resources, among others.

Commitment to being part of the UN Global Compact for the Environment and against climate change

Costa Rica is one of the countries that has promoted the UN Global Compact for the Environment and is one of the standard-bearers in the fight against climate change. In



October 2019, Costa Rica hosted the PreCOP 25, which was the preparatory meeting for the Conference of the Parties (COP) of the United Nations Convention on Climate Change (UNCCC), with a non-conventional PreCOP, where greater participation was given to civil society and seeking to raise the dialogue of social inclusion.

Commitment to meeting the UN Agenda 2030 Goals

In Costa Rica there is a Council of the ODS and Agenda 2030, made up of the President, the Minister of Foreign Affairs and Worship, the Minister of National Planning and Economic Policy and the Minister of Environment and Energy. In addition, there is an Advisory Committee and a Technical Secretariat of the ODS.

Thus, there is a clear and determined commitment on the part of Costa Rica, which includes the government, the decentralized sector, the municipalities, the private sector and civil society, to comply with the ODS and Agenda 2030.

What kind of legislative measures have been approved or are in the pipeline to combat climate change and promote the circular economy?

Costa Rica is promoting its Decarbonization Plan in which it commits to becoming a decarbonized economy with zero net emissions by 2050. The Decarbonization Plan is composed of 10 axes, which trace routes of change in key areas to reverse the growth of greenhouse gas emissions, as well as promote the modernization and dynamization of the economy under a green growth vision; and by 8 cross-cutting strategies that seek to consolidate the process of transformational change, through the modernization of the institutionality, the fiscal framework, the educational system under comprehensive approaches, with social, financial, environmental and technological considerations.

3.9 Legislation in El Salvador

In environmental matters, the law that articulates this area is the Environmental Law of 4 May 1998. Its last reform was in 2015 and the law aims to develop the provisions on the protection, conservation and recovery of the environment; the sustainable use of natural resources; as well as to regulate public and private environmental management and environmental protection as a basic obligation of the State, the municipalities and the inhabitants in general; and to ensure the application of the international treaties or agreements concluded by El Salvador in this area. Likewise, it establishes a general framework on information and participation in environmental matters, and the responsibility for environmental damage.

El Salvador also has the Municipal Code, the ordinances on territorial planning and the Mining Law, among others.

Commitment to be part of the UN Global Compact for the Environment and against climate change

El Salvador has actively participated in the UN commissions on the environment.

Commitment to meeting the UN Agenda 2030 Goals



After the approval of Agenda 2030 and the 17 ODS, the Government of El Salvador was selected by the United Nations as one of the countries in which the accelerated implementation program is being executed, which involves incorporating the ODS into public policies and supporting the countries in achieving them.

At the same time, national authorities established a plan to incorporate the Sustainable Development Agenda into the country's goals. Their first step was to introduce the ODS to more than 450 government officials.

What kind of legislative measures have been adopted or are in the pipeline that will combat climate change and promote the circular economy?

In 2018, the country promoted the National Environmental Education Policy, which is the result of a participatory construction process and aims to develop knowledge, values, skills and attitudes that will generate changes in practices and actions aimed at conserving the environment and promoting a culture of environmental responsibility in society. Finally, the water law is pending.

4. Asia

4.1 Legislation in China

China witnessed significant progress in its environmental legislative landscape in 2018, which was the first year in which the resolutions of the ruling party's 19th National Congress were implemented and was also a key transition period for the 13th Five-Year Plan. 2 he ETC government takes environmental issues seriously and is committed to pollution prevention and control and to combating climate change in its quest for "rapid, sustainable and healthy development".

To achieve this, during the institutional reform of the State, the Ministry of Environmental Protection has been officially renamed the Ministry of Ecology and Environment, with the aim of consolidating the implementation of the law to protect the ecological environment.

The new national laws, amendments and regulations cover the protection of soil, water sources, the ozone layer, the ecological system and the marine environment. The most notable legislation that came into force in 2018 was the Environmental Protection Tax Law of the People's Republic of China (PRC), which collected taxes to replace discharge fees.

Regarding climate change, China supports the Paris Agreement and is committed to fulfilling the promises made by other treaty members. The year 2018 was the first year that the newly launched domestic carbon trading market was fully operational in China, with the energy industry being the first industry to be fully covered and the total market value of the new trading regime expected to reach 2 trillion yuan in the long term.

Regarding the legislative framework, the Environmental Protection Law, which is the main one for environmental protection, was significantly amended in 2014. The new legislation introduced in 2018 includes the Environmental Protection Tax Law of the People's Republic of China (in force since 1 April 2018, amended on 26 October 2018) and the Amendment to the Law of the People's Republic of China on Water Pollution Prevention and Control (in force since 1 January 2018).



What kind of legislative measures have been adopted or are in the pipeline to combat climate change and promote the circular economy?

In order to fully implement environmental protection laws and regulations, the Ministry of Economy and Finance is promulgating technical specifications and operational standards covering an increasing number of industries, so as to build a "green economy", especially to combat the air pollution that stalks most of China. A more aggressive car emission standard, China VI, is expected to come into effect from 2020, while the new emission standard for diesel vehicles will come into effect this year. In addition, China also expects the implementation of the new Soil Pollution Prevention and Control Law to come into effect early this year.

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