2-1-2006

NAFTA Environmental Panel Probes Two Complaints Against Fox Government

LADB Staff

Follow this and additional works at: https://digitalrepository.unm.edu/sourcemex

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
NAFTA Environmental Panel Probes Two Complaints Against Fox Government

by LADB Staff
Category/Department: Mexico
Published: 2006-02-01

In two separate reports at the beginning of the year, the Commission for Environmental Cooperation (CEC) addressed complaints against President Vicente Fox’s administration for failing to take action on logging in Chihuahua and for the planned construction of a liquefied natural gas (LNG) terminal off the coast of Baja California.

The Montreal-based CEC is an agency created under the auspices of the North American Free Trade Agreement (NAFTA) to address environmental issues affecting the US, Canada, and Mexico. The commission has no enforcement authority and can only make recommendations and highlight violations.

In a report issued in mid-January, the CEC criticized the government for its slow response to complaints by members of Raramuris indigenous communities against loggers who are clearcutting forests in the mountains of Chihuahua. The conflict between loggers and local communities has lasted for at least a quarter of a century. The loggers, with the cooperation of local officials, have harassed and persecuted those who opposed their activities.

In 2003, Isidro Baldenegro Lopez and Hermenegildo Rivas, two Raramuri Indian activists who fought to halt logging near their community of Coloradas de la Virgen, were imprisoned on trumped-up charges of drug and weapons violations. A judge ordered their release in 2004 (see SourceMex, 2004-06-04 and 2005-04-20).

Logging remains a problem in Chihuahua sierras

Local Raramuri leaders said the release of Lopez and Rivas did not mean that authorities were halting clear-cut logging in the area. This prompted several communities to band together to file a complaint against the Fox government for failing to take action to enforce environmental laws that prohibit clear-cut logging.

"The law isn't being enforced. If you don't pressure [authorities,] they don't listen to you," said Maria Teresa Guerrero, who heads the local nongovernmental organization Comision de Solidaridad y Defensa de los Derechos Humanos (COSYDDHAC). The organization assisted with the complaint against the Fox government.

The Fox government had no immediate comment on the CEC report. The agency, however, cited some Mexican officials as saying there were too few environmental inspectors, a backlog of complaints, and too few resources to mount enough inspection trips to the rugged Tarahumara mountains. "It is acknowledged by government authorities that there are too few...inspectors and that their salaries are not in line with the rest of the federal civil service," said the report.
The CEC said it received 28 citizen complaints. In 16 of those cases, authorities issued fines or prescribed corrective measures like reforestation. The guilty parties did not carry out the remediating measures in nine of the 16 cases, the CEC said.

**CEC still deciding whether to investigate LNG complaint**

The second case that came before the CEC involved the government's controversial project to construct a LNG terminal just off the coast of Baja California despite strong environmental concerns. In May 2005, the CEC said it would consider whether to take up a full investigation of the project. The case came before the commission because several environmental organizations filed a complaint, including Greenpeace Mexico, Wildcoast, Los Angeles Audubon Society, the Pacific Environment and Resources Center, the Center for Biological Diversity, and the American Bird Conservancy.

The groups argued that the LNG plant would threaten the breeding activities of the endangered Xantus's Murrelet and other at-risk species that make a home in the Coronado Islands (see SourceMex, 2005-05-18). The CEC asked the Fox government to respond to the complaints, so it can incorporate the government's viewpoint. Based on the Mexican government's response, the CEC secretary will decide whether there are sufficient grounds to proceed with an investigation.

The administration, responding through the Secretaria del Medio Ambiente y Recursos Naturales (SEMARNAT), declined to respond directly to the complaints by the environmental organizations but also informally disputed their claims. SEMARNAT officials argued that the complaints filed by the organizations were based only on an environmental-impact study presented by ChevronTexaco, which will construct and operate the terminal.

The environmental groups did not take into account the strict environmental guidelines that the government would impose on the facility, said SEMARNAT. SEMARNAT officials went as far as to formally ask the CEC not to proceed with the investigation, which angered some environmental advocates. "The Fox administration wants to block an international inquiry into the environmental impact of a proposed gas terminal off Baja California's west coast," charged Talli Naumann, founder and co-director of Journalism to Raise Environmental Awareness. "Not only that but his environmental secretariat also wants to cover up the very existence of the investigation."

In addition to infringing on the habitat of a protected species, the plant is said to pose other dangers to the marine ecosystem and to nearby communities in Baja California. "Don't think about the fact that the shipping and process of using sea water to reheat the natural gas will damage the marine ecosystem," Naumann said in a column published in the Mexico City English-language newspaper The Herald.

"Disregard the argument that accidents at LNG plants have killed and injured hundreds of people. Say nobody told you about a Mexican government study concluding that an LNG terminal accident would give second-degree burns within 20 seconds to anyone within a mile of it." (Sources: Agencia de noticias Proceso, Associated Press, 01/09/06; The Herald-Mexico City, 01/10/06, 01/30/06; La Jornada, 01/30/06)