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President Calderon Signs Legislation to Protect Coastal Wetlands

by LADB Staff

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Environmental advocates have scored a major victory in the fight to protect Mexico's fragile coastal ecosystem. On Feb. 2, President Felipe Calderon's administration enacted the wildlife-protection law (Ley General de la Vida Silvestre), which prohibits any activities that could affect the well-being of Mexico's coastal mangroves.

Environmental organizations immediately applauded Calderon's decision, but governors from more than a dozen states have threatened to defy the strict environmental provisions, warning that they could affect development of tourism infrastructure.

Calderon's signature formalizes the legislation approved by Congress on Dec. 21, which includes an amendment prohibiting any activity that would affect the water flow of mangrove swamps, their area of influence, natural productivity, wildlife-reproduction cycles, interactions with other ecosystems, and environmental services. The only activities in the mangroves exempt from these restrictions are research, restoration, and conservation projects.

Mangroves, which are salt-tolerant woodlands along the sea coast, account for many of the 65 marshes in Mexico designated Wetlands of International Importance under the UN Convention on Wetlands, approved in Ramsar, Iran, in 1971. More than 1,600 coastal wetlands around the globe, covering 121.4 million hectares, have received the designation.

Environmental advocates laud decision

Healthy mangroves can help protect against environmental disasters such as hurricanes, providing a barrier against the storm surge, preventing erosion, and offering shelter to birds and other animals. "Mangroves are fundamental for the environmental balance of the coasts," said a group of organizations that worked hard to gain approval for the legislation in Congress last year.

The group includes Greenpeace Mexico, the Centro Mexicano de Derecho Ambiental (CEMDA), and the Fondo Internacional para la Proteccion de los Animales y su Habitat (International Fund for Animal Welfare, IFAW). "In addition to serving as barriers against flooding and hurricanes, mangroves protect the coastal region against erosion and serve as filters to purify water," Hector Magallon of Greenpeace Mexico said recently.

Supporters in Congress also spoke out on behalf of the new law. "This is an important piece of legislation that will stop unrestrained growth in resort cities around the country where mangroves are disappearing," said Deputy Francisco Elizondo Garrido of the Partido Verde Ecologista de Mexico (PVEM). Elizondo's concerns are justified, with government statistics showing that mangroves have been disappearing in Mexico at a rapid pace.

A study of Mexican forests (Inventario Nacional Forestal) showed that Mexico lost about 7.8% of its mangrove forests between 1993 and 2000, almost 70,000 ha. "Ten years ago, Mexico ranked sixth in the world as the country with the most mangroves, but, because of human interference, our ranking fell below tenth place," said Osires Gaona, a researcher at the Instituto de Ecologia, which is affiliated with the Universidad Nacional Autonoma de Mexico (UNAM).

Protections for mangroves were weakened under President Vicente Fox, whose stance on development in tourist areas was ambivalent and sometimes contradictory (see SourceMex, 2001-08-22 and 2003-11-12). In signing the legislation, Calderon, in contrast, fully commits the federal government to protect the environmentally sensitive coastal wetlands.

Environmental advocate Talli Nauman, who writes a column in the Mexico City English-language daily newspaper The Herald, noted that the presidential signing coincided with World Wetlands Day, the anniversary of the signing of the UN Convention on Wetlands. "Now, exactly 36 years after Mexico and 153 other nations signed the treaty, President Felipe Calderon has decreed a reform of the General Wildlife Law that authorizes reinstatement of swampland protections removed in the past administration," said Nauman.

Until the president signed the legislation, there was uncertainty about whether he would support the bill. "This is one of the first tests of fire for President Calderon, who will have to decide whether he allows himself to be manipulated by economic interests...or whether he makes his own independent decisions with the well-being of Mexicans in mind," Yolanda Alaniz, director of the wildlife-protection group Conservacion de Mamiferos Marinos (COMARINO), said on Jan. 20.

Business organizations oppose law

Organizations such as the Asociacion de Propietarios e Inversionistas de la Riviera Maya (APIR), the Asociacion de Hoteles de Cancun, the Asociacion de Clubes Vacacionales (ACLUVAC), and the Centro Coordinador Empresarial y del Caribe (CCEyC) had lobbied Calderon to veto the wetlands initiative. The organizations warned that the legislation "ties the hands" of the state and of investors to complete major projects already under way, including the development of the Costa Maya in southern Quintana Roo.

Sigfrido Paz Paredes, a spokesman for the Asociacion Mexicana de Desarrolladores Turisticos (AMDETUR), said the new law was "imbalanced and excessive" and would have a major negative impact on states like Jalisco, Nayarit, Quintana Roo, Sonora, Baja California, and Baja California Sur, where work on multimillion-dollar investments would have to be suspended. "The law does not take into account economic implications," he said. "Many types of tourism development would be halted as of today," Grupo Quintana Roo president Carlos Constandse Madrazo said on the day Calderon signed the bill.

Environmental advocates countered that, in addition to hotels and other tourism developments, many questionable projects, such as beachside golf courses, are built on the mangroves. "They will cut down the mangrove trees and fill the area with limestone and then build on top of it," said Araceli Dominguez of the Cancun-based environmental organization Grupo Ecologico del

Mayab (GEMA). Paz Paredes said news coverage of the debate on the new law complicated recent negotiations between Quintana Roo tourism officials and European investors at the international tourism fair (Feria Internacional de Turismo, FITUR) in Spain in January. State officials were looking for European involvement in a project that would result in 10,000 new hotel rooms, which would in turn create 40,000 new jobs in the state, he said.

Governors state their case in newspaper ad

The tourism developers have the backing of governors from 16 of the 17 Mexican coastal states. In a newspaper advertisement, the 16 governors criticized the legislation and threatened to defy implementation of the stiffer protections. The governors were careful not to fully dismiss the legislation but said its provisions went too far. "The governors signing this ad agree with the legislative branch on the need to promote sustainable development, including protection of wetlands and mangroves," said the advertisement published in many daily newspapers in Mexico. "Nonetheless, the very restrictive nature...of some of these provisions...will hinder economic development and prevent us from meeting the social rights of some of the inhabitants of our states."

This is not a partisan issue because the 16 governors belong to the three major political parties. Among those signing the document were chief executives from Baja California and Jalisco (Partido Accion Nacional, PAN); Chiapas, Guerrero, Baja California Sur, and Michoacan (Partido de la Revolucion Democratica, PRD); and Campeche, Colima, Nayarit, Oaxaca, Quintana Roo, Sinaloa, Sonora, Tabasco, Tamaulipas, and Veracruz (Partido Revolucionario Institucional, PRI). The only signature missing was that of PAN Gov. Patricio Patron Laviada of Yucatan, who completes his term this year.

Quintana Roo Gov. Felix Gonzalez Canto, who is leading the effort against the new law, said governors would seek changes in the legislation to "reconcile the protection measures with the requirements of development and job creation." Environmental advocates criticized the governors' opposition to the law as it was passed. "Their advertisement ignored constituents' welfare, falsely stating that the reform impedes economic development," said Nauman. "It was a bold-faced admission of ignorance about sustainability. The principle of sustainable development is that you protect the natural resources so that you can make a living from them, not only in the present, but also in the future."

There is some difference of opinion within some state governments. Just days before Veracruz Gov. Fidel Herrera's signature appeared on the governors' advertisement, two state-affiliated agencies the Instituto de Ecologia (INECOL) and the Consejo Estatal de Proteccion Ambiental issued a statement urging Calderon to sign the legislation. Joining the state agencies was the Veracruz-based nongovernmental environmental organization PRONATURA.

The statement raised concerns about the massive loss of 16%, or about 70 sq km, of mangroves in Veracruz during a 30-year period. Furthermore, said INECOL researcher Jose Guadalupe Lopez Portillo, the elimination of these wetlands has greatly affected plant diversity in Veracruz. Some environmental advocates note that the loss of potential tourism-development dollars is balanced by benefits to other industries like fisheries.

"As many as 80% of the species of fish and crustaceans that are of commercial interest spend a portion of their lives in the mangrove forests," said Greenpeace Mexico's Magallon. He noted, therefore, that the value of the mangroves to the Mexican fishing industry is in the billions of dollars annually. (Sources: Notimex, 02/01/07; El Universal, 01/21/07, 01/31/07, 02/01/07, 02/02/07; La Jornada, 01/24/07, 01/26/06, 02/02/07; Novedades de Quintana Roo, Milenio Diario, Excelsior, 02/02/07; Reforma, 02/02/07, 02/07/07; The Herald-Mexico City, 02/03/07, 02/12/07)

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