



# Climate change, laws and public policy in Mexico

## CLIMATE CHANGE AND ENVIRONMENTAL ASSESSMENT

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Washington, DC November 2010

# Activities in Climate Change: Mexico

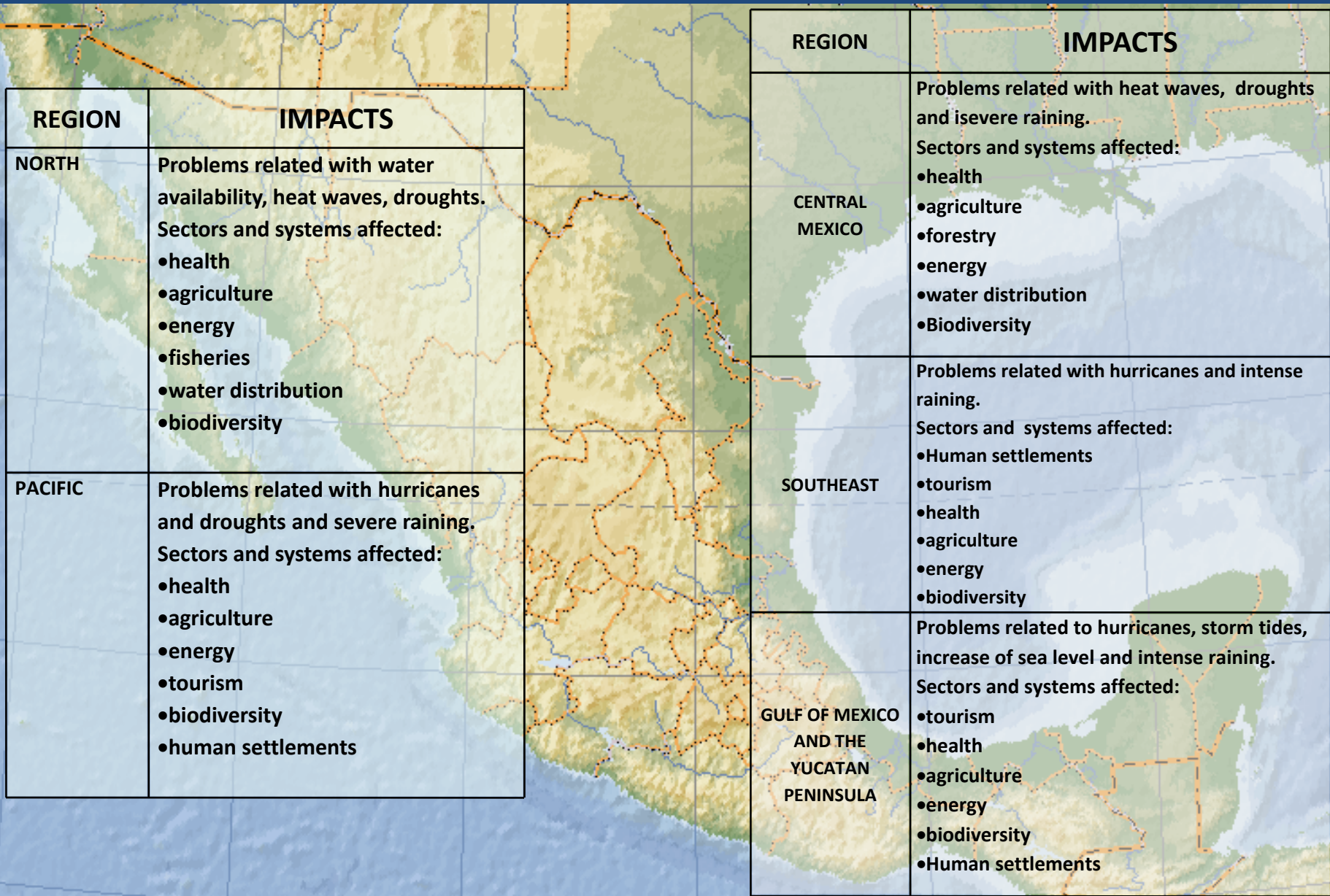
México has performed a series of activities to comply with its obligations under the UN Climate Change Framework Convention or UNCCFC/CMNUCC (Articles 4.1 and 12.1).



# Main research actions on Climate Change In Mexico

- 4th & 5th National Communications before CMNUCC
- National Inventory of Emissions (INEGEI, 2006).
- Studies on GEGs – emissions scenarios, low intensity carbon economy, energy, transport, forestry, etc.
- Studies on vulnerability and adaptation to CC – scenarios: climate, hurricanes risks, health, agriculture, hydraulic resources, forests and ecosystems, tourism, etc.
- Support for the development and quantification goals of the CC Special Program.
- Support to international negotiations on CC.
- Support, guidelines and training for State Programs for Action before CC.
- Fostering of Research: CONACYT, IAI, PMC, IPCC, etc.

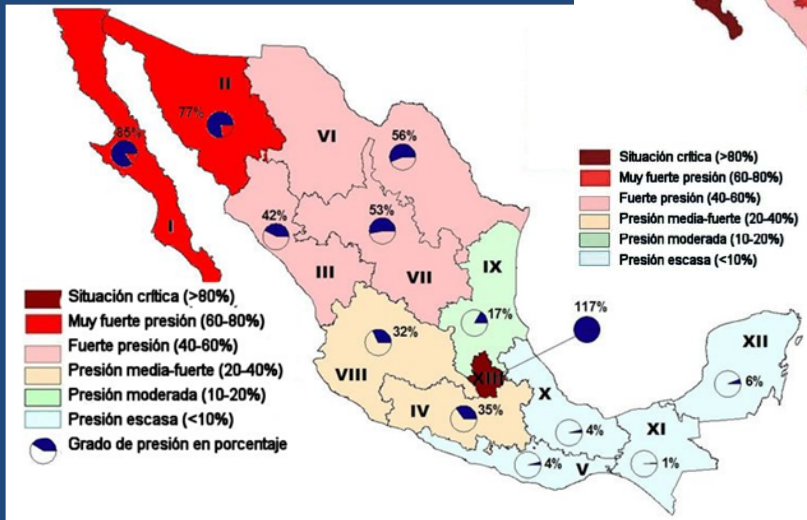
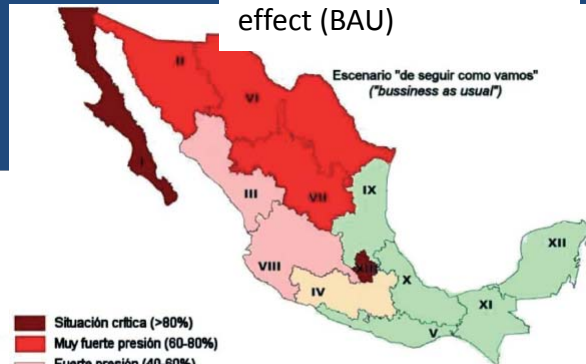
# Impacts and vulnerability of the regions of the country



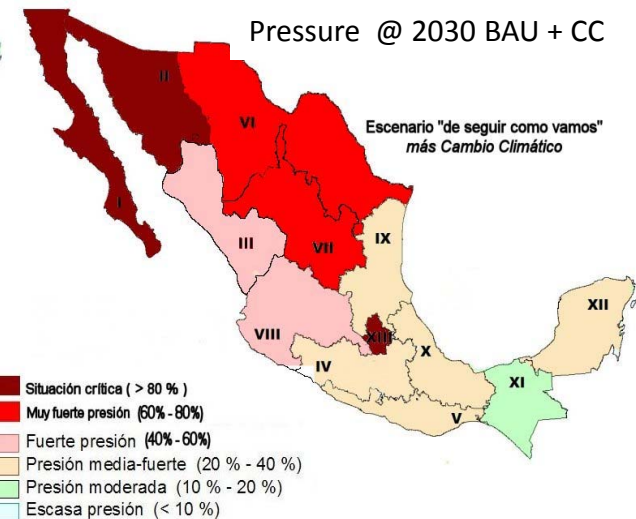
# Water availability: Projection by 2030.

Pressure @ 2030 by economic development effect (BAU)

Current pressure on water resources



Pressure @ 2030 BAU + CC

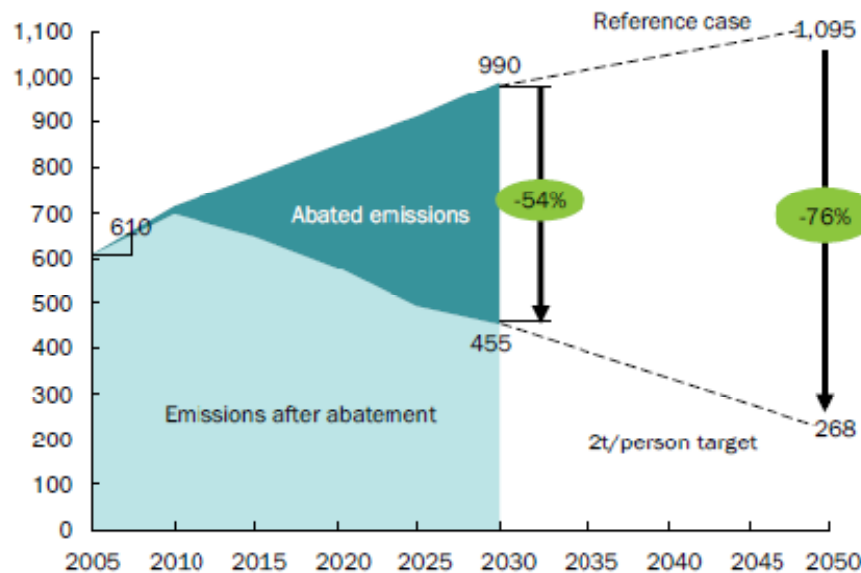


- At a national level, a 10% reduction of water availability is foreseen under BAU+CC by 2030 with respect to 2000.

# Base Line and Emissions Reductions by 2030

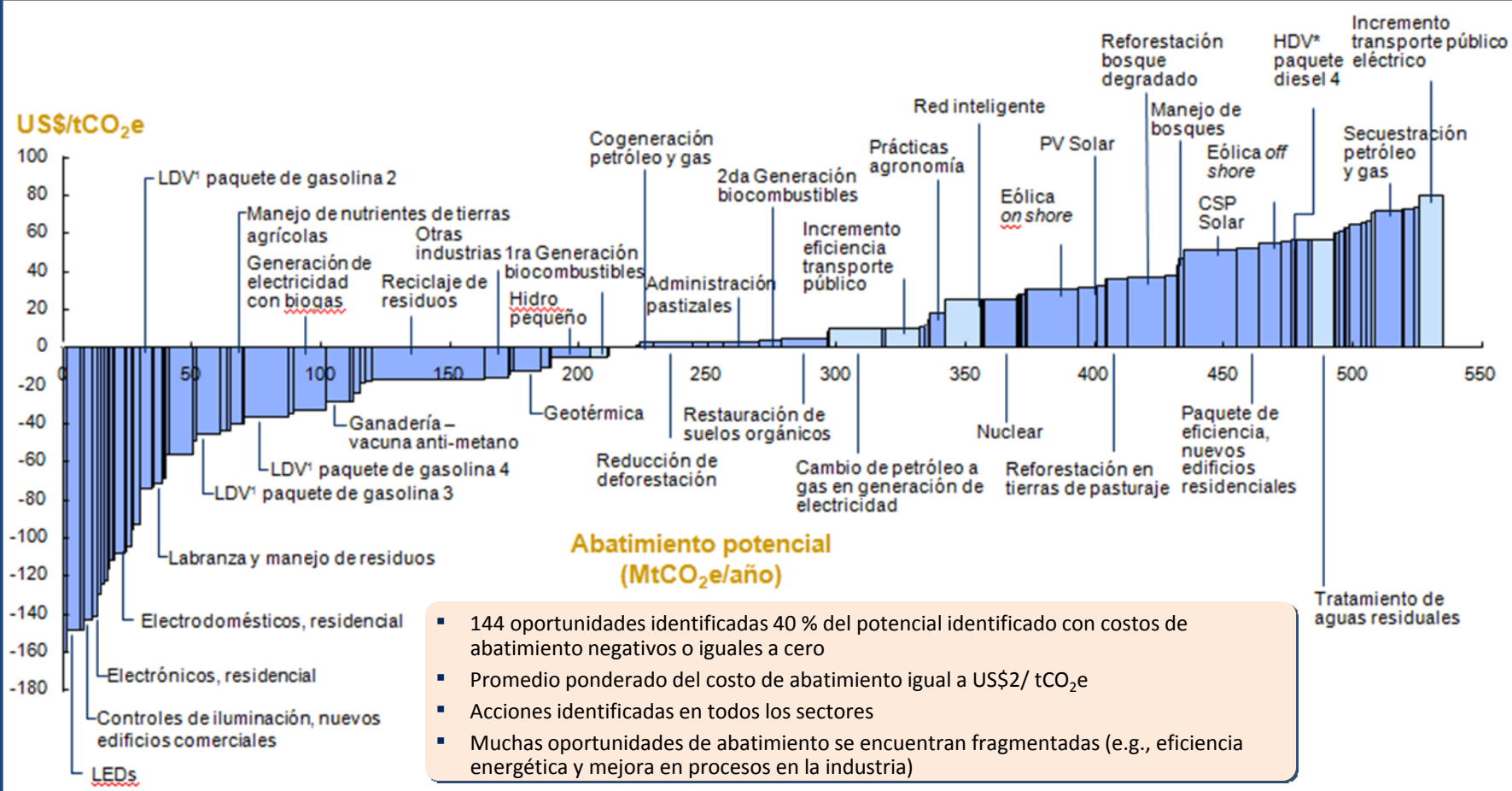
## Exhibit i. Potential low carbon pathway for Mexico

Total greenhouse gas emissions,  
MtCO<sub>2</sub>e



Through currently available technologies México may reach its emissions peak in 2015 and reduce them 25% with respect to 2005 by 2030. That is 54% less than BAU

# Estimated costs of GEI emissions' abatement for Mexico 2030



1 LDV: vehículos de carga ligera, HDV: vehículos de carga pesada

Fuente: CMM & McKinsey 2008. Project Catalyst, Low Carbon Growth: a Potential Path for Mexico; UK

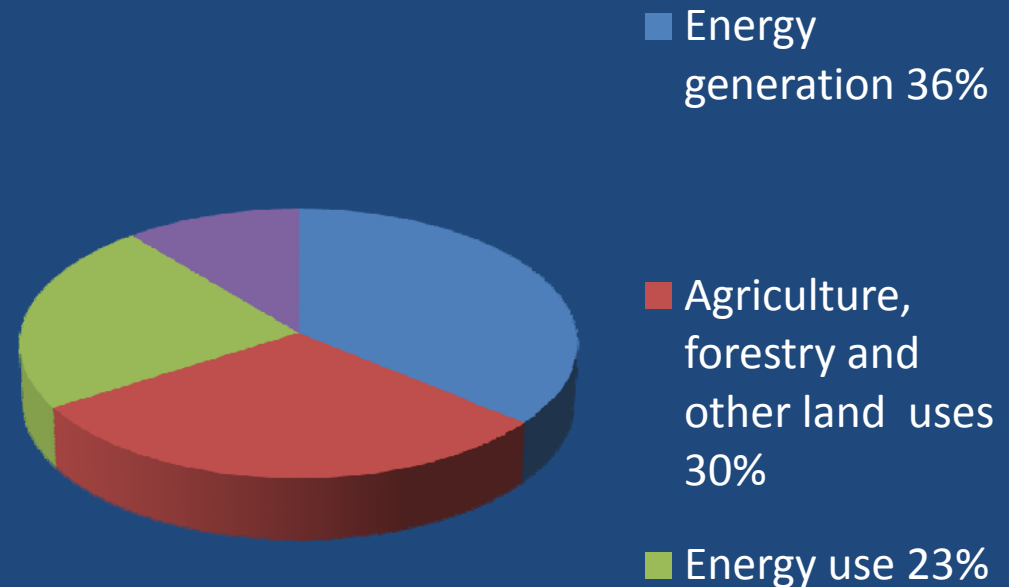
# The cost ....

- Mexico has to spend 0.7 to 2.21% of its annual GDP (up to 20 billion USD/yr) to reduce 50% of emissions...
- If not, Mexico will lose 6.2% GDP or 60 billion USD per year
  - » Luis Galindo, *The Economy of Climate Change*, 2008.
- FONDEN and States have spent in natural disasters 1 billion USD only January thru September 2010...

# What are we doing

- Programs
  - Energy (PEMEX, CFE, private)
  - Transportation
  - Forestry
  - Agriculture
  - Biodiversity

## 2012 Reductions



# Towards a Climate Change Legislation?

- Senate

- Creation of a Special Committee on Climate Change, approved September 2010
- Bill for a GENERAL LAW ON CLIMATE CHANGE:
  - TITLE FIRST: GENERAL PROVISIONS
  - TITLE SECOND: CONCURRENCE AND COORDINATION BETWEEN FEDERALITY, STATE AND MUNICIPAL GOVERNMENTS
  - TITLE THIRD.: PUBLIC POLICIES BEFORE CLIMATE CHANGE (adaptation and mitigation.)
  - TITLE FOURTH: NATIONAL SYSTEM FOR CLIMATE CHANGE

- House

- Creation of a Special Committee on Climate Change, approved December 2009
- No Laws proposed
- SEMARNAT
  - Proponent of modification of existing laws
    - Environmental impact
    - Air emissions
    - Waste
    - Transportation
    - Biodiversity
    - Forestry
    - etc

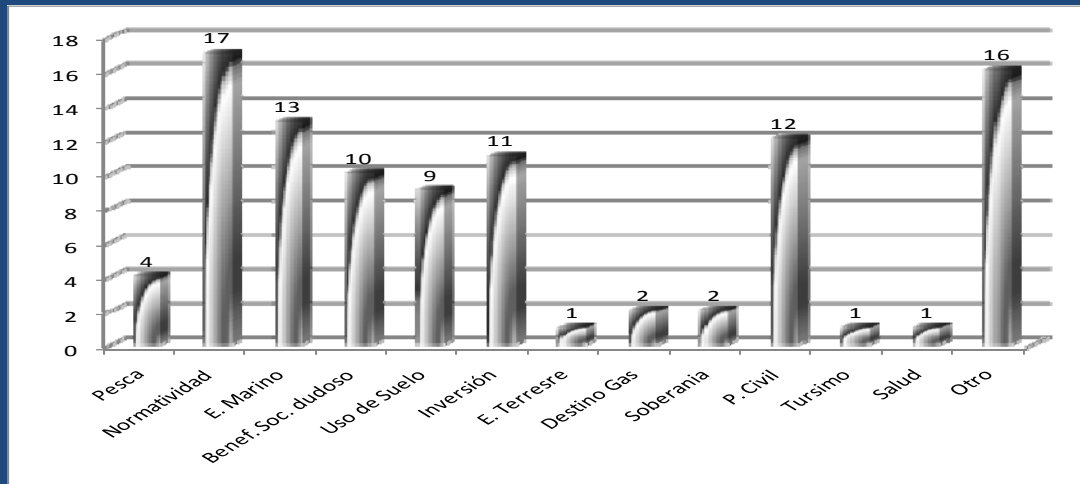
# Filling the gap: creative use of policy instruments, i.e. IA

- As of 2006, 6 projects were submitted to evaluation: 3 where climate change scenarios were included and 3 following the official guidelines (no CC scenarios)
- Cases were:
  - Comparable
  - In the same region
  - Under the same regulations
  - By the same authorities
  - Affecting the same population
  - Assessment included public consultation
- A social perception analysis tool was used

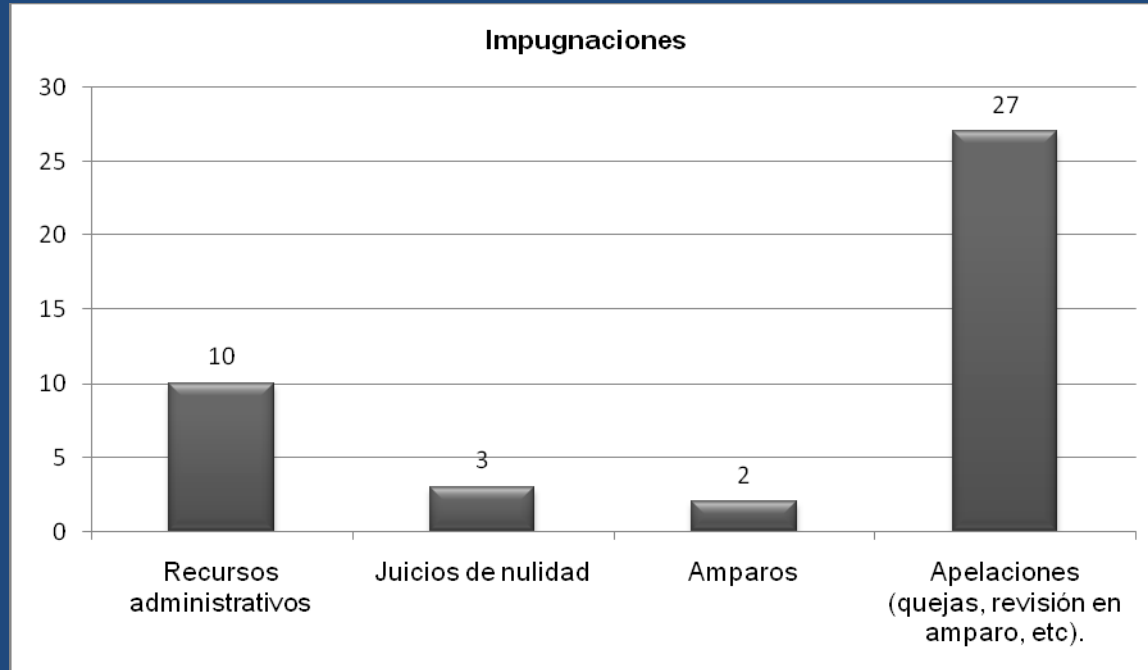


# CASE A: SOCIAL PARTICIPATION

REUNIÓN PÚBLICA DE INFORMACIÓN			
N° de Participantes 412		43 Orales	24 No guardan relación con aspectos técnicos del proyecto (54%)
			21 Si guardan relación con aspectos técnicos del proyecto (44%)
99 Observaciones		56 Escritas	23 No guardan relación con aspectos técnicos del proyecto (40%)
			33 Si guardan relación con aspectos técnicos del proyecto (60%)
-52 posibles respuestas a ser incluidas en la resolución que autorizó el proyecto			
-13 observaciones respondidas			



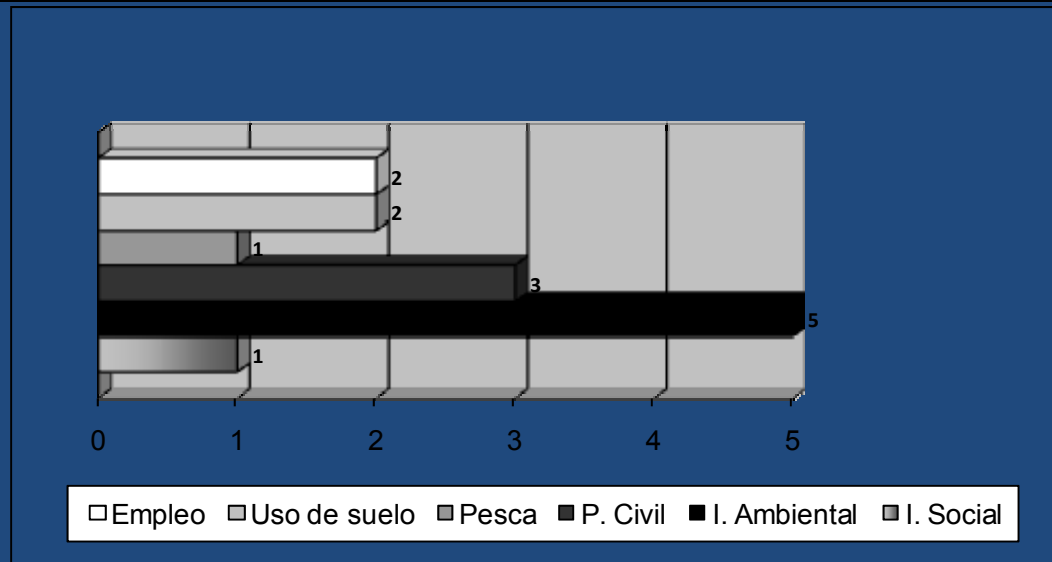
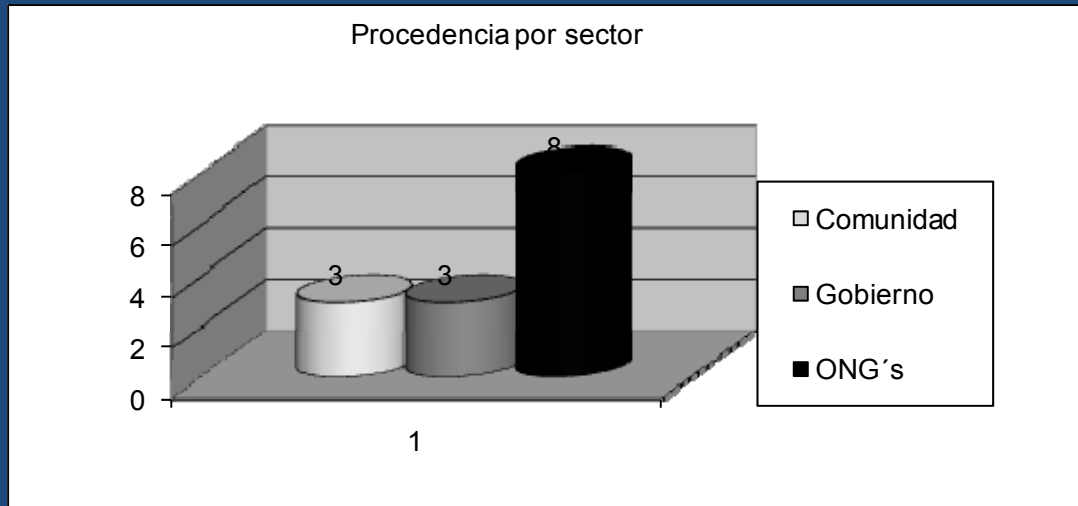
# Case A: satisfaction indicators



# Caso B: Results

- Social Intervention Process ASP (technical , socioeconomic and CC criteria)
- 4 regionals workshops (655 participants)
- 2 official public meetings (PEIA)(199 participants, 28 speakers)
- 2 appeals

# Case B: Social Participation



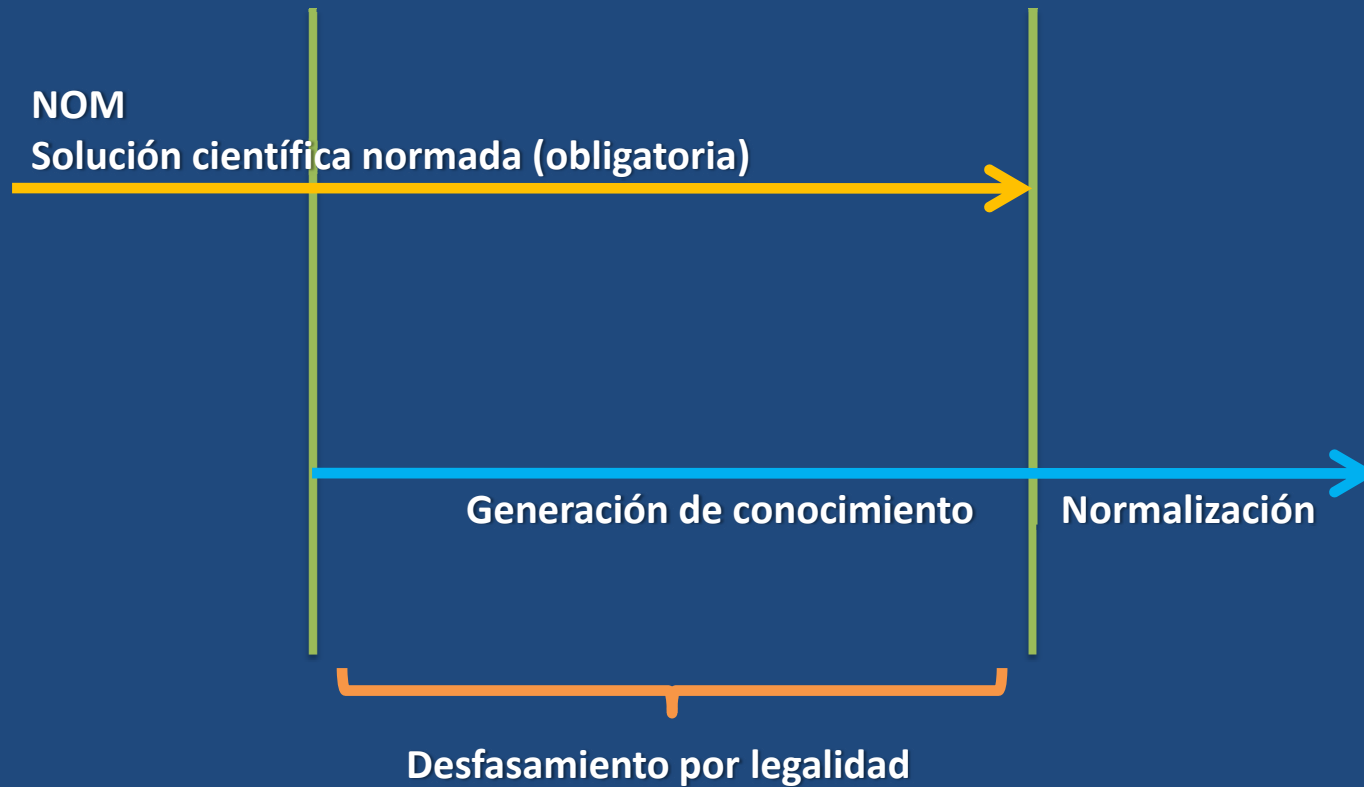
# Compared Results

	Taller de consenso	Reunión pública	No. de Participantes	Cuestionamiento escritos y orales	Apelaciones (recursos, juicios)
Caso A	No	Si	63	20	42
Caso B	Si	Si	417	99	2

# Findings

- Social participation has a limited administrative value
- Required use of “official scientific knowledge”, freezing use of new knowledge
- Narrow interpretation of Legality principle
- No evaluation (no measure) of social requirements

# Effects of Positivism / legal certainty principle in the application of scientific knowledge in the EIS



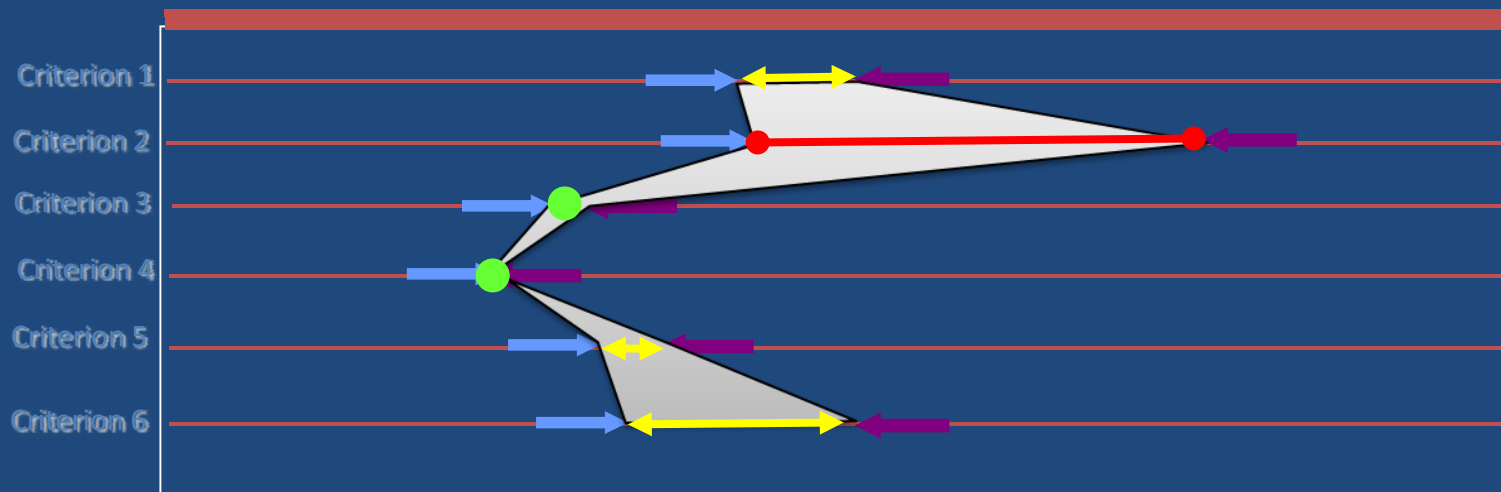


# Planification...

Stakeholders concerns

Negotiation Limits

Project requirements



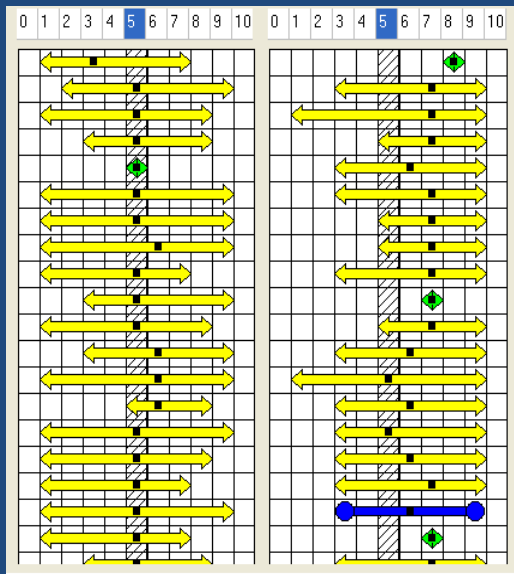
Social opportunity

Consensus: ● ; absence of information: ↔ ; interest conflict: —●—●

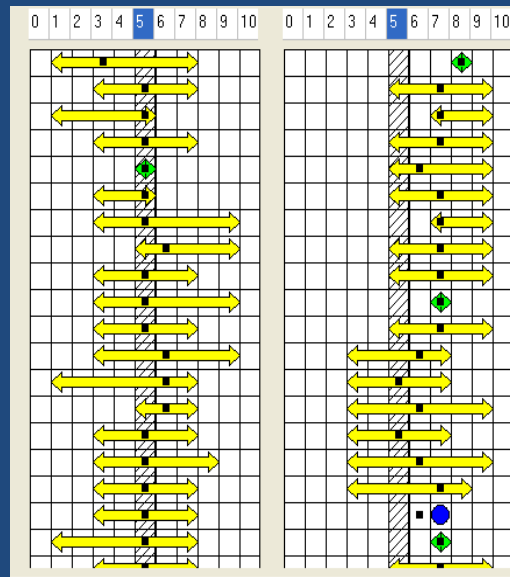
The workshop target is to reduce divergence between participants.

# Consensus building

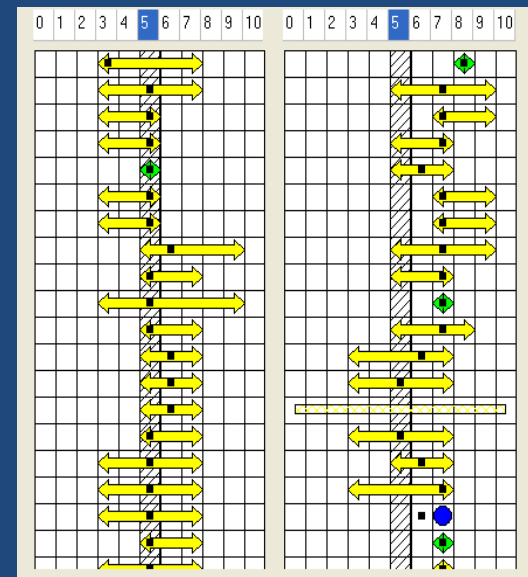
## Phase 1: Diagnostic



## Phase 2: Consensus



## Phase 3: Consensus





# New criteria (case B)

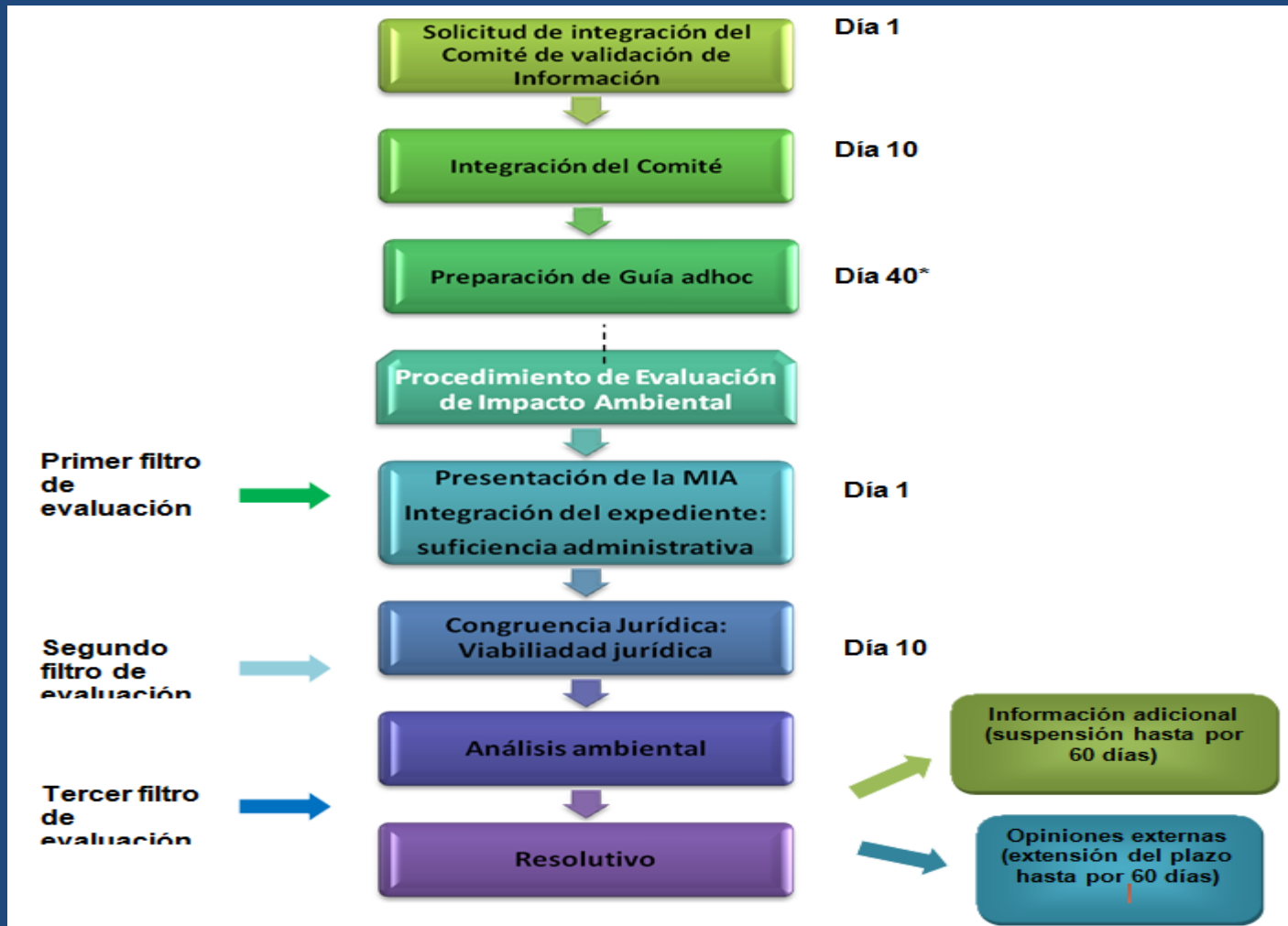
- DE82
  - Include implementation of desalt plant in case of lack of groundwater (15 year study and obligation)
- MIA 9
  - Preparation of a urban development plan to foresee human settlements in the area (30 year span), subject to IA
- PRO18
  - Collaborative planning on use of coastal resources
- PRO 20
  - Monitoring of sea wolves

# New principles for the IA

- Expanded principle of legality
  - Use of state of the art information and technology
- Social Participation
  - Principles: inclusiveness, transparency, documentability, information, sistematization
  - Participative process of creation of guidelines



# Propuesta normativa: Conformación participativa de Guías de Evaluación



# Final Conclusions

- Society needs to perceive that CC actions will benefit them
- IA guidelines must be upgraded with social input
- New knowledge and technology must be used as soon as practicable
- Good, proactive governance is needed.

- Legislation no matter how good, cannot resolve the problems by itself,
  - ...but without a good legislation no problem can be resolved
  
  - Thank you
    - Luis R. Vera
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