

**Environmental Law and the Challenges of the Decades
Ahead: Promoting Transformative and Recovery
Responses to the Planetary Emergency**

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PANEL 1. The context and status of Environmental Law in raising the planetary emergency

**ENVIRONMENTAL RESPONSIBILITY IN MEXICO:
A VIEW FROM THE DEGRADATION OF FORESTS**

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At the international level, there is a profound debate on how to adapt local legislation to the principles of environmental liability, taking into account the scope of the concepts and the judicial channels to request reparation and/or compensation for environmental damage. The Mexican legal framework presents an unclear position regarding environmental damage from forest degradation, which questions the way to link biomass decrease with the possibility of repairing degraded forests, taking into account that 45% of Mexican forests present some degradation process. This study analyzes the scope of the Mexican legal framework on environmental liability applicable to forest degradation. The main findings suggest that the Federal Environmental Liability Law (LFRA for its acronym in Spanish) does not establish the scope of the figures of environmental damage, repair, and compensation; furthermore, it conditions that the environmental damage must be adverse, allowing the assumption that, if the damage caused is not adverse, the legal figure of environmental damage does not arise. In the case of the decrease in biomass levels from forest degradation processes, it would be assumed that the adversity of the act is fulfilled and that there is a possibility that the forest can be repaired. These characteristics lead to reflect on the scope of the figures of environmental damage, repair, and compensation to improve degraded forests. This lack of clarity in the Mexican environmental legal framework could presuppose a legal and political weakness regarding the actions being taken in Mexico to address forest degradation.