



Newsletter
Environmental Practice Group

New Environmental Laws in Mexico City

On June 18, 2024, the following Decrees were published in the Official Gazette of Mexico City: (i) "Decree whereby the Environmental Law of Mexico City is issued and the Environmental Law for the Protection of the Land in Mexico City is repealed" (hereinafter the "Mexico City Environmental Law"); and (ii) The "Decree whereby Article 65 of the Mexico City Solid Waste Law is amended; Articles 221, 222, 223 and 224 of Chapter VI of Title Seven of the Environmental Law for the Protection of the Land in Mexico City are repealed; and the "Mexico City Environmental Responsibility Law" (hereinafter the "Mexico City Environmental Responsibility Law", are hereby enacted in order to achieve homologation with the provisions of the Mexico City Political Constitution, and to define a protectionist course in environmental matters as a main pillar in the development of Mexico City.

With the issuance of the Mexico City Environmental Law and the Mexico City Environmental Responsibility Law, a new environmental legal and regulatory stage begins in Mexico City. Both laws impose new obligations, restrictions and penalties, of which, among others, the following stand out:

Mexico City Environmental Law:

1. It mainly updates and orders the content of a law that has undergone multiple changes and adjustments to guarantee respect for the human right to a healthy environment;
2. It maintains the recognition of the rights of nature as a collective entity subject to rights;
3. It recognizes and broadens the right of citizen participation in environmental decision-making, in a prior, free and informed manner;

4. It promotes the Neighborhood Consultation Process (at the developer's expense and cost), for the development of works and activities in areas of social influence; and
5. Exempts from obtaining environmental impact authorization for maintenance and rehabilitation works on conservation land.

Mexico City Environmental Responsibility Law:

1. The assumptions of environmental liability and human health, of all environmental legislation of the CDMX, are compiled in a single legal body;
2. A special judicial procedure is created for the determination of liability and/or environmental damage, determination of integral reparation or compensation, and restoration actions; and
3. Creation of Civil and Criminal Courts specialized in environmental matters.

These laws become effective the day after their publication and grant a term of 180 days for the issuance of regulatory provisions.

Finally, the creation of Civil and Criminal Courts, specialized in environmental matters, is subject to the analysis that the Judiciary Council of the Mexico City Judiciary Power determines according to needs and budget.

At Sánchez-Devanny, we have a highly experienced team in these matters. We will be pleased to provide more information and answer any particular questions to guarantee adequate compliance with the environmental obligations of the CDMX.

We can also gladly provide more information and answer your particular questions to ensure adequate internalization of costs and incentives to navigate this new legal environment.

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