



# IMPACT

## 'Right-to-Know' Takes Hold in México

Advocates around the world assisted in drafting a code that allows communities the right to obtain information on toxic emissions.



Polluting factories are spelling disaster for communities on the U.S.-México border. The North American Free Trade Agreement (NAFTA), coupled with México's lax enforcement of environmental laws and generous tax exemptions, has made the border area attractive to foreign corporations.

Grassroots organizations in Tijuana have responded to this threat by pushing through new legislation giving local communities the right to know what toxic substances are present in their environment.

The Los Angeles Times quoted E-LAW advocate Carla García Zendejas about the citizen movement in México: "There is a change in the way things are being done... It's not just about going up and throwing trash in front of the municipal building. It's about learning about the law." (4/29/01)

Reforms to México's Constitution are making it possible for communities to address environmental injustice across México. In Tijuana, Carla worked with grassroots organizations to help draft the Municipal Environmental Code — a new law that gives citizens the right to know the content of factory emissions and the right to enforce this law.

Carla drew support from E-LAW advocates around the world who offered laws granting access to information from Australia, Canada, Kenya and Perú. An advocate in



Spain provided an analysis of the enforcement of access to information laws across Europe, including the Aarhus Convention. E-LAW U.S. provided the U.S. Freedom of Information Act and Eugene, Oregon's Toxics Right-to-Know law.

Using this information, Carla and her colleagues submitted a draft code. It was adopted and took effect on May 11, 2001. Now, anyone in Tijuana can obtain information from local authorities on the toxic emissions of local industries. In addition, the Toxic Pollutant Release Registry was created and a recent federal amendment requires companies to comply with the Registry.

As with any law, the true test comes with enforcement. This new law is one of the first examples in México of citizens participating in crafting environmental legislation. This bodes well for citizens who seek protection from industries that pollute.

*For more information about this E-LAW Impact or the work of grassroots advocates in México, contact the Environmental Law Alliance Worldwide at [elawus@elaw.org](mailto:elawus@elaw.org).*