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REPORT: SPAIN

BY:

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**- RECENT DEVELOPMENTS IN SPAIN'S ENVIRONMENTAL LAW -**

*- New laws and policies:* the national government in power since December 2011 has announced the enactment of dozens of pieces of legislation, aiming at the economic recovery and fighting the economic crisis. They are supposed to be a part of a comprehensive national package of regulatory measures and structural reforms which would streamline government and ease the creation of new companies, activities and jobs.

Among those future enactments stand some environmental rules. For instance, the government has sent to the national Parliament a legislative proposal to amend the Coastal Management Act of 1988. Environmental groups claim that the new legislative scheme will downgrade the standard of protection accorded to the coastal area. Another amendments will touch (i.a) the national statute on IPPC, and the Environmental impact assessment. In general, there is not a strong or reinvigorated environmental policy, as the paramount endeavour is economic growth, job creation, etc. Environmental statutes and regulations will be modified to speed up the administrative procedures linked with permits, authorizations and the like, to reduce “red tape” or undue “regulatory burdens”. The debates are now taking place in the legislative branch. The new laws are expected in the early 2013.

*- Cases:* One of the most interesting environmental affair has been that the national Department of Agriculture and Environment has released a negative environmental impact assessment in connection with a major industrial project consisting of an oil refinery. This massive private project was to be build in the central region of Extremadura (close to Portugal), but it involved building a very long oil pipeline to connect the factory with the harbour of Huelva (on the Atlantic Ocean). The project was consistently opposed by environmental NGOs, mainly because of the hazard of accidental or operational oil pollution to the National Park of “el Coto de Doñana”, which enjoys the highest level of protection under national, European (Birds and Habitats directives) and International Law (a Ramsar site, Unesco heritage, etc.) What is more, Portugal also objected to the project, due to the transnational environmental impact.

The environmental evaluation lasted more than four years, and at the end of the process the Department of Agriculture and Environment eventually released (July 2012) a negative assessment for the project, and was receptive and sensitive to all major environmental concerns raised during the process.