Avosetta Meeting 23/24 November 2012

NATIONAL REPORTS - RECENT DEVELOPMENTS IN PORTUGUESE ENVIRONMENTAL LAW

The change in the Ministry's name reflects the dramatic changes occurring in environmental law. The new Ministry of Agriculture, Sea, Environment and Territorial Planning (MAMAOT), clearly gives priority to the first two activities then to the latter. Furthermore, due to the 11 cuts and reductions agreed with the Troika, numerous organisms and services have been suppressed in different Ministries, but from all Ministries, it was the MAMAOT who suffered the most with over 40 entities (national, regional or local) being merged or suppressed. With a lower budget and less human resources it is difficult to perform the ordinary statuary functions, namely supervision and control.

In the name of simplification and support of economic activities, several legal requirements have already been removed and more are yet to come. A good example is a much contested legal project to authorize planting eucalyptus and other speed growing forest, even in protected areas. This new law, if/ when approved will aim at revitalizing the national pulp and paper industry. Playing an important role in the national economy, this industry is obliged to import raw materials because there is not enough internal supply. The project was opened for public discussion until the summer and the main cause of protest was the fact that not only the law will allow for reforestation activities with eucalyptus (which used to be forbidden or at least very conditioned in the past) but also the authorization of the reforestation activities will be tacit, taking the responsibility away from the administration. In fact, no one has to sign anything, even public participation can be missing, and the eucalyptus plantation will appear.