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Understanding and Evaluating the Effectiveness of Water Pollution Laws in Argentina

SEÑOR CARLOS BEN

Carlos Ben is the Manager of Institutional Relations for Aguas Argentinas, a private corporation that provides potable water services to seven million people and sewer service to another six million in the Greater Buenos Aires region.

Aguas Argentinas is responsible for transporting all types of wastewater, including industrial, hospital and chemical waste. Its experience is highly relevant to understanding and evaluating the effectiveness of water pollution laws in Argentina. Although the company manages wastes discharged into the interconnected water systems of the region, its activities are regulated by several different agencies and are governed by laws adopted by a variety of jurisdictions. These laws and regulations are not coordinated. Unfortunately, a great deal of this legislation overlaps, conflicts and is unevenly applied. One reason for this is that there has been little coordinated planning of urban development in Argentina. This is why many private companies in Argentina do not know what regulations apply to their activities and what standards to follow, despite the existence of a considerable body of law and regulation. This is particularly problematic since water systems are affected by so many different sources of pollution and types of polluters. As a consequence, serious public health problems have occurred in recent years.

Señor Ben asserts that this serious problem can only be dealt with by the elimination of the current regulatory system and the adoption of a comprehensive system of law that plans for and integrates the different zones, regions, provinces and parties affected. This is set forth under the re-

cently reformed national Constitution and must be accomplished with the full participation of those involved.

The text of this legislation should be clearer and more technical than the current laws. It should also establish what agencies are responsible for what activities, what their powers are to enforce legislative standards, and how the activities of these various agencies are to be coordinated. In Argentina, this new legislative scheme should establish a system for collecting and evaluating data on pollution and its impacts, and for monitoring the effect of the regulatory systems employed. This information system should also organize and help coordinate the various regulations that affect common natural systems such as watersheds and rivers. If this information is shared among all regulatory agencies and private regulated companies, the establishment of, and compliance with, clear and precise standards can be facilitated greatly.

New environmental compliance regulations in Argentina should also contain reasonable and achievable, but firm, deadlines for compliance. Monetary penalties for noncompliance could be used to help fund the critically needed information, collection and evaluation system that the country must establish.