









He stated that the regulatory basis on soils directly depends on the views on ownership. In Argentina, the view is that land is a private resource. Particularly since the return of democracy, numerous Provinces have developed legislation on soil conservation.

Law 22428 is an adhesive law based on subsidizing and encouraging individual producers or groups of producers in need of conservation programs. It also included the creation of experimental areas. The bases of the law are productive associations. This law sought to protect productive areas in Argentina. It only benefited a little more than 2,500,000 hectares, 1,000 producers, 200 conservation associations, 82 conservation districts, 19 provinces (particularly Patagonia, Cuyo and Entre Rios). The results were insufficient, and thus require an improvement in the Argentinean national policy for soil conservation.

## **9. Justice's Role in Environmental Processes—Ricardo Lorenzetti**

Supreme Court Justice Ricardo Lorenzetti spoke about how soil degradation and desertification create such a conflict that it has reached the Judiciary. He provided the example of induced forest fires, which have created conflicts among neighbours and have reached the Judiciary.

He also spoke about soil degradation caused by public policies, and the use of genetically modified organisms and the expansion of the agricultural frontier (particularly related to soy production) that have also reached the Judiciary. Thus, soil conservation is a crucial topic for the Judiciary.

Justice Lorenzetti also said that the topic of soils has evolved from being a passive principle to being an active principle. Soil generates its own regulations: as is the case of soil security. This has been observed with other environmental resources. Soil security is an important value added to soils, since it not only entails its present conservation, but it also aims for its protection against future impacts. This implies finding equilibrium between processes that improve and worsen the state of soils, an exercise commonly carried out when developing policies and legislation. Justice Lorenzetti highlighted on the fact of considering long-term effects when analyzing soil.

He said that it was important for the Judiciary to take the international legal framework into consideration as guidelines on how to proceed. This is only one of a plurality of sources available.

He highlighted the transboundary factor when dealing with the topic of soils, as was mentioned by the previous speakers. He also said that it was important to internalize the negative costs of production in order to develop appropriate legislation.

## **10. Meeting Closure**

The CEL Chair thanked all those present for attending this meeting and for their support. She announced the signing of a Memorandum of Understanding between the IUCN Academy of Environmental Law and the University of Buenos Aires. The MoU will open the door to more than 100 universities around the world and an important opportunity to continue to develop capacity and knowledge.

