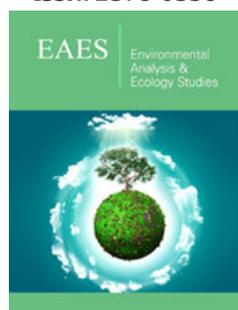


# Digital Pollution, The New Challenge for Environmental Law

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## Opinion

In the '70s, the Third Industrial Revolution began. It appears as a new way of trade and economic activities, exchange of information, and the cheapest way to sell and buy merchandise and services; even manufacturing is digital. At the same time, new activities have a substantial environmental impact. Around 60% of people in the world use the internet, so approximately 3 billion people are unconnected yet. This situation must change shortly, considering the world intends to get universal internet access. What's more, people use to have more than one device; they connect to the internet by mobile or smartphones and by laptops or desktops.

The spread of using the internet, social media, the increase in using electronic devices at home, texting, transferring files, or using streaming has become a growing source of pollution which is necessary to regulate or at least consider a critical issue for the companies. Before this reality, digital or cyber pollution was a new environmental law challenge. Is it possible to control this kind of CO<sub>2</sub> emissions through traditional instruments? At least, is this pollution in the catalog of regulating activities or products?

Mexican researchers consider that data transmission by the internet generates around 35 million CO<sub>2</sub> tons per day. Also, we have to add CO<sub>2</sub> emissions from electricity for servers and air conditioners to maintain the correct temperature and to charge all the individual devices. (Maguey, 2020) The digital carbon print represents 3% of CO<sub>2</sub> global emissions. The 2030 Agenda for Sustainable Development contains at least three goals that involve digital pollution: Climate Action (13), Responsible Consumption and Production (12), and Affordable and Clean Energy (7). Those goals consider the importance of development as the way we get it.

Also, the Paris Agreement (2015) urges countries to limit the average increase in global temperature to 2 degrees Celsius concerning pre-industrial levels, redouble their efforts so as not to exceed the level of 1.5 degrees by the end of this century, and achieve climate neutrality in 2050. In 2022 the Glasgow Climate Pact urges countries to toughen up their climate plans. The governments must promote new policies, introduce instruments and create incentives for all those businesses transforming into digital companies and people who need to be "plugged" into the internet. However, we do not let all the work in the governments.

It means that the pollution control instruments should include some rules about digital pollution; it is crucial to strengthen the environmental responsibility of companies, causing them to incorporate ecological self-regulation measures to limit or reduce digital pollution. The real challenge is that today and now, environmental law must be disruptive to create instruments to control pollution, such as digital, that go beyond the traditional. Only then will it become a fundamental tool to stop climate change.