**1- Título:** The negatory action provided in the Spanish Civil Code as a mechanism for the protection of the environment

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**4- Resumen:**

When we talk about civil protection of the environment, the first thing that comes to mind is the possibility of requesting reparation of the damage through the exercise of the corresponding civil liability action. However, civil law can also be useful for preventive purposes, that is, before the damage occurs. In this respect, the Spanish Civil Code has an action that can help prevent the production of the damage. This is the so-called negatory action, which empowers the owner or holder of a right in rem on a property to prevent any type of disturbance of his right, which also includes environmental damage caused to the property of which he is the holder.

The judge's estimate of the negatory action will have two consequences: first, the injurer must cease or paralyze those activities that threaten the environment; and second, he must refrain from repeating them in the future. Therefore, the negatory action has merely preventive effects and has no compensatory character. However, a negatory action is compatible with the exercise of an action to demand reparation of the damage, in the event that the damage has occurred.

The purpose of my paper is to analyze the requirements that must be met in order to file a negative action as a mechanism for environmental protection, as well as the subjects legitimized to do so. I will also deal with the various types of pollution that this action may be brought against: noise pollution, the dumping of toxic agents, and so on.

In addition, I will look at some of the questions that are most controversial in practice, such as, for example, whether, in order for a subject to be convicted under this action, it is necessary that he has infringed an administrative rule protecting the environment, or, on the contrary, it is sufficient that he has caused any environmental damage, irrespective of whether he has complied with the regulations in force.

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**6- Palabras clave:** Negatory action, environment, pollution Spanish Law