
SUMMARY OF PLENARY SESSION #2: THE REGIONAL NETWORK EXPERIENCE

Moderator: Carlos Manuel Rodriguez
Rapporteur: Paul Hagen

1 INTRODUCTION

This panel highlighted examples of regional networks that have successfully supported environmental compliance and enforcement and focused on achieving global environmental results through regional and local efforts. Perspectives from Africa, North America, and Europe were highlighted.

2 PRESENTATIONS

Mr. Rodriguez began the program with brief introductory comments. He noted that Costa Rica had long ago disbanded its army and invested in education. He observed that Costa Rica had developed environmental laws but to date has placed little emphasis on Enforcement. Mr. Azuela addressed the enforcement of environmental law in North America. He noted that Canada and the U.S. had moved quickly to develop environmental legal regimes beginning in the early 1960s. In contrast, Mexico did not begin to seriously develop its environmental regimes until the 1980s. The negotiations for a North American Free Trade Agreement (NAFTA) among the three countries highlighted these differences. The increased focus on environmental protection and the use of the U.S. regulatory model in policy discussions regarding Mexico's environmental laws and regulations resulted in a "culture shock" for Mexico. One of the more significant outcomes of the NAFTA process was Mexico's decision to form the Federal Bureau of Environmental Protection ("PROFEPA") that enjoys broad administrative enforcement powers and has proven to be an

effective administrative mechanism for enforcing environmental laws in Mexico. In addition to NAFTA, Mexico also concluded an environmental side agreement with the United States and Canada: the North American Agreement on Environmental Cooperation (NAAEC). Among other things, this agreement provides an important mechanism for the NAFTA countries to coordinate environmental policies and priorities. The NAAEC also provides a citizen submission process that provides an international forum for any citizen in the three countries to challenge the alleged failure of one of the governments to enforce its environmental laws. All three countries have been challenged under the citizen submission process. The result is a regional process that promotes cooperation among the governments and encourages citizen and NGO participation.

Mr. Allotey provided an African perspective on regional networks. He noted that Ghana established an Environmental Council in 1974, shortly after the Stockholm Conference and was therefore viewed as an environmental leader in Africa. The Council had advisory functions within the government initially. In 1994 the Council was converted to the Environmental Protection Agency and given new regulatory powers. Enforcement was initially handled through the Attorney General's office where environmental enforcement cases were not often a priority. In response, Parliament recently gave the EPA new enforcement responsibilities. The Agency is now developing an environmental enforcement and compliance network with the participation of the police and other enforcement authorities. Ghana coordinates close-

ly with several other African states, including Gambia, Tanzania, Namibia, Uganda and Benin. Ghana also serves as the Secretariat for Capacity and Linkages in Environmental Impact Assessment in Africa, which serves as a forum for African governments. He noted that a continent-wide African network could emerge from these and other regional groupings.

Mr. Michalak addressed the topic of regional networking from an Eastern Europe and Central Asia perspective. He noted that Europe had several enforcement and compliance networks aimed at promoting compliance and enforcement and exchanging experiences on best practices. One of these networks, the Newly Independent States (NIS) Environmental Compliance and Enforcement Network (NISECEN) grew out of a meeting of NIS environmental inspectors in 1999. Countries in the region share many common experiences, including the development of new policies and institutions over the past ten years, and the challenges of overcoming economic pressures and a culture of "non-compliance." The long-term objective of the NISECEN is to increase the effectiveness of enforcement agencies in the NIS and promote compliance with environmental requirements. One of the strengths of the network is that it brings together and uses a mixture of Western, Central & Eastern Europe and NIS experience and expertise.

3 DISCUSSION

The discussion focused on the availability of resources to support active and effective networks. Mr. Michalak noted that it was important to retain links to policy makers so as to ensure future political support for the networks. The NISECEN has a small staff supported by the OECD and works to explain to Ministers and institutional funders the importance and value of the network.

In response to a question on obstacles to building effective networks, Mr. Azuela noted that in the case of Mexico, the political dynamic among the NAFTA countries places an emphasis on border-related environmental problems making it difficult for Mexico to divert governmental resources to pressing environmental problems in other parts of the country. Mexico's environmental agenda is thus greatly influenced by the larger political dynamic among the NAFTA countries.

4 CONCLUSION

Regional networks have successfully supported environmental compliance and enforcement and demonstrated how to achieve global environmental results through regional and local efforts. INECE should continue its support of existing regional networks, such as IMPEL, AC-IMPEL, and NISECEN, and help develop new networks in Latin America, Asia, and Africa.