
SUMMARY OF PLENARY SESSION #4: RAISING AWARENESS AND MEASURING RESULTS

Moderator: Lambert Verheijen
Rapporteur: Paul Hagen

1 INTRODUCTION

This Panel explored the difficulties involved with defining the success or failure of environmental enforcement initiatives and discussed environmental enforcement indicators.

2 PRESENTATION

Mr. Stahl provided an overview of EPA's Enforcement and Compliance Assurance program. He noted that EPA has a workforce of over 3,311 employees who are engaged in inspections, bringing enforcement cases, providing compliance assistance and managing data. He explained that State regulators also play a significant role in the enforcement of U.S. federal environmental laws. In the U.S., traditional indicators focused on outputs such as the number of inspections conducted. EPA, in connection with a new law requiring that agencies report to Congress on results and performance, has now developed better performance indicators. These include pounds of pollutants reduced by enforcement actions, number of entities seeking EPA assistance and the development of statistically valid compliance rates for industry. This has required EPA to develop and support new internal teams and, in the area of statistical analysis, retain outside consultants. The benefits of the new performance measures used by EPA include better communication with Congress improved effectiveness of the enforcement and compliance program and demonstrating the value of EPA activities and results to the public.

Mr. May noted that Canada relies on several external indicators in evaluating its effectiveness and measuring results.

North America has several important reporting schemes, including the State of the Great Lakes Basin reporting, Commission on Environmental Cooperation (CEC) reports, Auditor General of Canada reports and periodic environmental NGO reports. All of these provide an opportunity to measure the results of Canada's compliance and enforcement efforts. Many Canadian laws provide a wide-range of sentencing and sanctions, allowing for creative sentencing and court orders. These often allow authorities to impose penalties that go beyond the payment of fines to include community and local capacity building projects. Canada also looks to anecdotal intelligence on the reaction of the regulated community to measure its impact. Communicating enforcement and compliance results to stakeholders and other agencies, for example, through press releases have also proven to be an important element of education and awareness raising. Practical recommendations for governments include:

- measuring enforcement, promotion and partnering accomplishments;
- using key environmental indicators to target future activities; and
- using external assessments to continuously improve operations

3 DISCUSSION

By recognizing the integral role that enforcement plays in upholding the rule of law, and therefore in maintaining good governance, INECE is uniquely positioned to establish a standard set of enforcement indicators that meet universal minimum criteria. For over a decade,

INECE has led efforts to increase awareness of enforcement issues and build capacity through regional and international conferences, training, and published reports highlighting best practices. Over the past eight months, INECE has researched other indicator projects in order to learn from their experiences. With this knowledge base, INECE has drafted a proposed methodology for developing enforcement indicators that has received significant review and comments from its partners and representatives of national, regional, and international organizations.

4 CONCLUSION

There is a clear and urgent need for an internationally agreed upon mechanism to measure progress toward achieving sustainable development goals in a manner that responds to discrepancies in implementing and enforcing environmental laws. In response to this need, INECE will develop a set of indicators dedicated to environmental.