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## **SUMMARY OF REGIONAL MEETING: AMERICAS - BUILDING REGIONAL AND GLOBAL NETWORKS**

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### **GOALS**

The regional meeting addressed the following issues:

- The genesis of the network and how it was established.
- What was/is involved in developing and maintaining the network.
- Who is asked to participate and at what levels in the organizations.
- Subjects the network covers.
- Vehicles used for exchange and means of communication used.
- Topics on which exchange is taking place.
- How the network overcomes differences in language and legal or other definitions of terms such as what constitutes a hazardous waste.
- Future directions and changes anticipated for the network.

### **1 INTRODUCTION**

Representatives of government, non-governmental, and international organizations from throughout Latin America and the Caribbean met to analyze existing networks and relevant initiatives to carry out the work of International Network of Environmental Compliance and Enforcement (INECE) at a regional level.

### **2 DISCUSSION SUMMARY**

As a preliminary matter, the Organization of American States draft plan for a hemispheric network on environmental law and its enforcement and compliance, called Foro Inter-Americano de Derecho Ambiental, was reviewed, and a great deal of discussion ensued. The Foro Inter-Americano de Derecho Ambiental proposal is designed to fulfill a Summit of the Americas mandate, and outlines a broad-based regional network that will address substantive issues of concern in the development and application of environmental law in the hemisphere, including issues relating to compliance and enforcement.

Most participants agreed that the Organization of American States effort to establish Foro Inter-Americano de Derecho Ambiental can complement and support enforcement and compliance networking efforts, and many participants completed surveys and offered opinions and advice about the structure and work of the new regional network. The draft report on the formation of Foro Inter-Americano de Derecho Ambiental at the hemispheric level was distributed to participants, and has been revised based on their input. A copy may be annexed to this report as appropriate.

At the same time, participants desired to continue working to build sub-regional enforcement and compliance networks that can continue the work of INECE at a local level. These sub-regional networks would carry on the themes of INECE and interact with Foro Inter-Americano de Derecho Ambiental in a complementary and mutually-strengthening fashion.

In order to develop further the plans for work at a sub-regional level, the Americas Group divided by sub-regions, and prepared reports on progress, priorities and next steps. The following reports were filed by those working at the sub-regional level.

## **2 REPORT OF THE CARIBBEAN SUB-COMMITTEE**

Discussions centered around “the way forward”, with the understanding that there are implied benefits from becoming part of a network. The participants decided on the name CARIB-INECE for the Caribbean proposed network.

Recommendations:

- Issue communiqué at the end of Monterrey meeting informing Caribbean countries not present of the outcomes and soliciting their views on the relevancy of the network. This input will feed into a Task Force meeting.
- Task Force/Preparatory Committee (TF/PC) to meet January or February 1999, consisting of United Nations Environment Programme/Regional Caribbean Unit (UNEP/RCU), Caribbean Environmental Health Institute (CEHI) and the Government of Jamaica (for purposes of logistics, costs and institutional memory). Informal meeting will discuss the next steps in order to build constituency. Based on country feedback the Draft Agenda for a CARIB-INECE meeting can be prepared.
- Outcomes from the Task Force/Preparatory Committee meeting will allow for “peddling” to potential supporters (e.g. Canadian International Development Agency/Government of the Netherlands/World Bank/Organization of American States).
- Depending on resource availability, the regional meeting might also piggy-back on existing consultations such as the ACS Environmental Committee meeting or the UNEP/RCU LBS protocol meetings.
- Regional meeting will involve country representatives as well as regional and other organizations and agencies (Caribbean Environmental Health Institute, Central American Commission for Environment and Development, UNEP, World Bank, USEPA (Puerto Rico and Washington, DC); Canadian International Development Agency/Environment Canada, Dutch Government, among others).
- Expected results of regional meeting include participants informed of INECE, participants informed of positive examples of networks working in other parts of the world, regional plan for action, regional proposals for submission to donors to catalyze functioning of network, resolution for presentation to regional (political) forum.
- Through mechanisms such as the Caribbean Community or the Association of Caribbean States Councils, outputs of regional meeting can be presented for regional government endorsement or support.

NOTE: Washington EPA indicated their firm support for such an initiative. The World Bank also expressed support, once their conditionalities were observed. The benefit of countries committed some resources to the network was highlighted. Suggestions were made to source trust funds (e.g. from the Dutch) and to approach the Inter-American Development Bank and CIDA to support this work.

### **3 REPORT OF THE NORTH AMERICA SUB-COMMITTEE**

Participants in the North America Sub-Committee made the following statement: Given the fact that we have shared resources:

- We see trade and investment as a driving force in the region, but including environmental issues.
- Illegal trade in environmental and natural resources should be tackled.
- We are confident in our sub-region and we would like to be as confident for the whole region of the Americas.
- We have to link and combine the work of the sub-regions at a regional level.
- Enforcement needs to be part of environmental policy (including public participation).
- Within the next two years we recommend a multi-sponsored regional meeting.

### **4 REPORT OF THE SOUTH-AMERICAN SUB-COMMITTEE**

Discussions centered around priorities for joint action, and included:

#### 4.1 Important Themes

- Enforcement (principal polluters, pollution standards, how to regulate the "regulated community", natural resources need protection)
- Compliance and enforcement (Weaknesses and strengths of the law for enforcement)
- Capacity-Building perfection, make current and training
- Communication and information (exchange information on transboundary activities)

#### 4.2 Types of information and communication

- Formal and informal character
- Government representatives

#### 4.3 Proposed next meeting

- Time and place not decided, but all in favor of “jump-starting” the network by scheduling a meeting (participants noted that there was great interest in creating a network).
- Decision to take measures to create the network in a meeting and those are the activities that will be conducted. The next meeting will consist of members of the commission, this executive commission will be formed by the following countries: Venezuela, Bolivia, Brazil and Chile. These countries will also seek to identify members from countries not represented at this INECE meeting.

#### 4.4 Possible locations for an office

Quito or Sao Paulo (the host country will seek financing to achieve the objectives mentioned above.)

#### 4.5 Composition per country

- One government representative.
- One NGO representative.
- One representative from the enforcement sector (this was not agreed upon).

### 5 REPORT OF THE CENTRAL AMERICAN SUB-COMMITTEE

Discussions centered around the priority or important themes for the countries of the region.

#### 5.1 Important Themes

- Illegal traffic of pesticides and toxic substances
- List of “Dirty Dozen”
- Uniform or harmonize concepts dealing with environmental management
- Training and capacity-building for government officials and experts, judges, prosecutors, and controllers. Emphasis on strengthening the office of the prosecutors (Ministerio Publico)
- Enforcement of international environmental agreements, declarations, and summits
- Horizontal exchange of information and experiences
- Create a sub-regional bulletin

#### 5.2 Purpose of the network

The network will constitute a fora for dialogue that enables “face-to-face” interaction.

### 5.3 Types of information

The network will seek to exchange information and experiences on legislation and the exchange of human resources (technical experts).

### 5.4 Guaranteeing an adequate flow of information

The multiplier effect of the information and look for the focal point or multiplier effect point in each country. This contact person/office must be a liaison for external communications as well as for in-country communications.

The focal point must be an individual that assumes a personal responsibility, and should not be tied to their official positions (this seeks to mitigate the great mobility of public authorities in the sub-region).

The focal point will be designated by the Organization of American States at the hemispheric level and the Central American Commission for Environment and Development (CCAD) at the sub-regional level.

### 5.5 Mechanisms to operate the network

There must be a selection of a focal point per country. The Organization of American States (OAS) can serve as a facilitator and can serve as the Technical Secretariat along with the Central American Commission on Environment and Development (CCAD).

The Red de Organizaciones de Derecho Ambiental (based in Guatemala), can use small resources available to fund the network, it can also write a bulletin on the network and describe who comprises the network). The network will also use existing national fora, both from the government as well as from NGOs.

## 6 CONCLUSION

In conclusion, networking in the Americas has taken important steps forward at a regional and subregional level. There appears to be a commitment to building and strengthening networks on a range of environmental law issues, including enforcement and compliance, and it appears that these efforts are mutually supporting and complementary.

