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## SUMMARY OF WORKSHOP: ENCOURAGING PUBLIC ROLE IN COMPLIANCE MONITORING AND IMPACT OF PUBLIC ACCESS TO ENVIRONMENTAL INFORMATION (GROUP II)

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### GOALS

- Consider what mechanisms can promote public involvement in environmental compliance monitoring.
- Discuss difficulties of securing access to information, both governmental and corporate, and utilizing that information after it is obtained.
- Decide what initiatives or processes could help overcome identified difficulties.

### 1 INTRODUCTION

The session was designed to consider what mechanisms can be used to promote public involvement in environmental compliance, discuss those difficulties encountered by citizens and groups who attempt to obtain information, both from government agencies and companies with compliance or regulatory obligations. The attendees also considered difficulties in using information after it is obtained, whether from traditional sources or from internet sites, and possible initiatives that could be implemented, whether by INECE members or by INECE itself, to help overcome these difficulties.

### 2 PAPERS

Carl Bruch and Roman Czebiniak, *Regional mandates and national Experiences Promoting Public Involvement in Environmental Compliance and Enforcement* (6th Conference Proceedings, Volume 1)

### 3 DISCUSSION SUMMARY

The discussions began with a

review of existing public information access mechanisms in various countries, their strengths and weaknesses, and their relevance to other regions. Examples from the United States, Canada, and Brazil showed that legislative solutions designed to encourage public access are all limited by exceptions and exclusions that frustrate actual document production. Ironically, the lion's share of the use made of these laws, at least in the United States, is by corporate entities. The laws, in these instances, can actually confuse, rather than clarify, issues for the public at large. For countries without any information to access laws, these mechanisms are of little value.

While the attendees agreed that access to information is essential for improvement of environmental conditions and a powerful agent for achieving compliance, they also agreed that there must be a mechanism to ensure access and controls on the quality, as opposed to quantity of information provided. In some cases, participants said, responses are of either such complexity or such length as to make them unusable by the parties that request them. The less developed and technically sophisticated the public body, the more significant is this issue. Mechanisms allowing "intermediary translation" or requiring a govern-

mental body to write simply could help address this problem. The group also observed the inherent conflict of interest that agencies have that prevent them from meeting the public's information access needs

All there was a sense that agencies, NGOs, and information seekers could use the Internet more effectively alike to insure that information accessed was usable. There was also a strong sentiment that the Internet is for many reasons not a panacea. From the provider standpoint, it was suggested that instead of posting excessive amounts of data on the web, resources could be better utilized by providing access "on demand" or only in response to specific request. From the user standpoint it was suggested that various initiatives by NGOs, or other organizations, perhaps even public, could help organize and prioritize the information sources so that access was more efficient. There was also a consensus that different approaches, perhaps including more grass roots oriented outreach, to educating the public was most effective in many countries and regions.

### **3 CONCLUSION**

The session concluded with a discussion of whether INECE could play a role in solving some of the problems of improving access to valuable compliance information. It was agreed that increased emphasis on the matter, both technically or web-based, and more education and outreach oriented initiatives could be appropriate projects for INECE to pursue to fill the need for better information access, information access systems, and outreach training to better empower public participation in this important component of the environmental enforcement regime.