

SUMMARY OF PLENARY SESSION #9: REPORTS OF REGIONAL MEETINGS AND WORKSHOPS

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Wout Klein

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1 INTRODUCTION

Each Region presented results from the previous day's Regional Workshop that included:

- What are the critical environmental challenges important to your region?
- What are the institutional challenges that make it difficult to address the environmental problems?
- Identify the different environmental networks that currently exist in the region and challenges those present?
- The region's thoughts on environmental enforcement indicators?
- What projects proposed in the INECE draft strategic plan are most important to the region.

Below is a recap of each regions report with concluding statement from Mr. Klein and other comments.

2 SOUTH AMERICA

Reported by Antonio Benjamin, Brazil

Six countries were represented and two international organizations attended the meeting.

2.1 Critical Environmental Challenges

- Environmental effects of illegal mining.
- Inadequate management of hazardous and non-hazardous wastes.
- Poverty.
- Air pollution in large cities.
- Desertification.

- Deforestation.
- Deterioration of biodiversity.
- Water pollution (groundwater, freshwater, marine / industrial, urban, etc. sources).

2.2 Critical Institutional Challenges

- Poor access to information.
- Lack of citizen participation.
- Low priority of environmental issues in policy and political agenda.
- Lack of institutional coordination among different state institutions (horizontal and vertical).
- Weak institutional capacity.
- Low allocation of public and private financial resources.
- Weak enforcement and compliance systems and lack of indicators.

2.3 Regional Networks and Challenges

2.3.1 Partners (Non-exhaustive List) Immediate viability

- Fundación Ambiente y Recursos Naturales (FARN)
- Planeta Verde
Viability to be explored
- Secretariat Amazonian Cooperation Treaty
- Community of Andean Nations (Environment Committee)
- Common Market of the South (MERCOSUR) (Sub Group 6)
- Forum of Environmental Ministers of Latin America and the Caribbean

- Economic Commission for Latin America and the Caribbean (ECLAC)
- United Nations Environment Programme (UNEP)
- Inter-American Development Bank (IADB)
- The World Conservation Union-South (UICN-Sur)
- CAF

2.3.2 Information Exchange

- UN System websites
- www.medioambiente.gov.ar
- www.farn.org.ar
- www.worldbank.org.ar
- www.cvg.com.ve
- www.minsostenible.gov.bo

2.3.3 Enforcement Indicators Information

- North American Free Trade Agreement-CCA (NAFTA-CCA),
- Economic Commission for Latin America and Caribbean (ECLAC), Forest
- INECE website
- More linkages
- Professional discussion space

2.4 Enforcement Indicators

Note 1: The group is not sure about the definition or scope of indicators

Examples of some indicators experiences (existing/in process):

- Bolivia: Performance indicators with the support of the World Bank.
- Colombia: Institutional performance (efficacy and effectiveness of public policies is being development).

Note 2: We need indicators and they should reflect regional needs and perspectives.

Note 3: Check the NAFTA indicators.

Note 4: INECE could add linkages to existing forest indicators and NAFTA - Commission for Environmental Cooperation (CEC) indicators and ECLAC study (see 3.b).

2.5 Priority Projects for INECE

(See strategic plan for detailed description)

- Goal 1: INECE indicators 1.A.1
- Goal 2: Strategy 2. B to reach 2. D
- Goal 3: Strategy 3.A
- Goal 4: Strategy 4 .C

3 AFRICA

Reported by Jonathan Allotey, Ghana

Only 5 countries were represented out of 53 African countries, therefore this is not necessarily representative of region.

3.1 Critical Environmental Challenges

- Balancing environmental and developmental issues;
- Effective utilization of resources (human & N.R.) or the lack thereof;
- Poverty Reduction;
- Awareness/availability of information/dissemination;
- Lack of capacity;
- Lack of technology to control small & medium enterprises;
- Application of ethics;
- Lack of capacity to comply (especially small & medium enterprises);
- Low political will/priority;
- Political interference.

3.2 Critical Institutional Challenges

- Lack of institutional capacity;
- Clear legal/institutional framework for

environmental compliance and enforcement;

- Inadequate resources (financial, human, technical);
- Lack of co-operation/collaboration;
- Dependence on external resources;
- Language constraints;
- Lack of common objectives/priorities;
- Overlap/duplication of functions;
- Absence of critical mass/stability of technical staff.

3.3 Regional Networks and Challenges

- Partners with existing networks (regional, sub-regional) e.g. Capacity Development and Linkages for EIA in Africa (CLEIAA), Network For Environment And Sustainable Development In Africa (NESDA), Basel Convention Centre, United Nations Environment Programme (UNEP);
- Work through intergovernmental groupings (e.g. Southern African Development Community (SADC), Common Market for Eastern and Southern Africa (COMESA), EAU, Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD), Magreb Union, African Union, Economic Community for Central African States.

3.3.1 Key Contacts

- CLEIAA
- NESDA
- Basel Convention Centres
- UNEP Collaborative Centres
- Intergovernmental Organizations

3.3.2 Advantages of Existing Networks

- Better potential due to existing framework;

- Could be budgeted for by regional groupings.

3.3.3 Information Exchange

- Create regional web page on INECE site;
- Create a portal on INECE site to connect to Environmental Information Systems (EIS) Africa;
- Engage persons to update INECE Africa site;
- INECE Africa site to capture laws; judgments, and other information;
- Utilize INFORTERRA focal points on country database support.

3.3.4 Other Instruments/network Improvements

- Modalities to operationalize the networks;
- Need for Civil Society/NGOs and government structures to compliment each other in selling the INECE Africa idea;
- Need to assist countries without internet service;
- Need to identify contact persons in ministries of Environment/NGOs of member states through UNEP;
- Material production and distribution.

3.4 Enforcement Indicators

- Participate in development of INECE indicators project;
- Application of INECE indicators in African setting.

3.5 Priority Projects for INECE

- Harmonization of legal instruments/frameworks on environmental compliance and enforcement;
- Information exchange/dissemination/awareness;
- Resource sharing;

- Capacity building;
- Regional meeting of environmental compliance and enforcement officials to prepare for Kampala Council of Ministers meeting (To strategize on harmonization of legal framework for environmental compliance and enforcement);
- Review of legal framework for environmental compliance and enforcement using UNEP/OUTCH Law Project as demonstration;
- Creation of INECE Africa Portal in collaboration with Environmental Information Systems (EIS) Africa;
- Develop Africa section of INECE Newsletter and dissemination to African countries distribute environmental compliance and enforcement awareness material for Africa;
- Develop Best Practice Manual for Africa;
- Evaluate available databases on existing resources (Training Needs Assessment) for posting on INECE Africa website;
- Develop framework for resource sharing protocol;
- Capacity Building;
 - Training
 - Development of materials (manuals) for environmental compliance and enforcement
 - Institutional development
 - Provision of equipment and materials

3.6 Comments on INECE Strategic Plan

Strategic plan is acceptable but needs to address Africa's PRIORITY ISSUES, namely:

- Biodiversity related conventions;
- Pollution related conventions (e.g. Basel/Stockholm, Rotterdam conventions).

4 EUROPE

Reported by Neil Emmott, England

4.1 Critical Environmental Challenges GLOBAL:

- Climate Change REGIONAL:
- Availability and Quality of Water;
- Waste including Waste Shipments;
- Resource Consumption Management;
- Environmental Impact of Transport and Agriculture;
- Historic Pollution Legacy;
- Sustainable Economic Rebuilding (e.g. Balkan).

4.2 Critical Institutional Challenges

- Effective Legal Framework and Regulations;
- Effective Institutional Structures;
- Adequate and Efficient Resources;
- Policy Coherence;
- Communication, Co-Ordination and Co-Operation between Authorities and Countries;
- Transparent Procedures and Administrations.

4.3 Regional Networks and Challenges

- IMPEL - (15 EU MEMBER STATES)
- AC-IMPEL - (12 ACCESSION STATES)
- NISECEN - (12 COUNTRIES IN EAST EUROPE & CENTRAL ASIA)
- BERCEN - (8 BALKAN COUNTRIES)

Improved Cooperation Between European Networks

- Merger of Impel and AC-Impel;
- Regular Meetings between the Four (Three) Network Coordinators;

- Joint Meetings on Selected Issues;
- Experts Exchange/ Study Tours;
- Joint Projects;
- Electronic Exchange of Information;
- Pan European Contact List.

4.4 Role of European Networks in INECE

- The needs specified by developing countries should drive the INECE agenda.
- The European networks can support the activities within this agenda by:
 - Technical Support
 - Building Networks
 - Geographic Cooperation (e.g. Mediterranean).

4.5 Priority Projects for INECE

- need to develop criteria for selection/adoption of projects;
- need to focus more on projects with practical outputs;
- need to avoid duplication with ongoing work (MEAs, Rio updates, etc.);
- need to reflect priorities of developing countries;
- need to separate substantive projects from the maintenance of INECE;
- European networks could contribute to e.g. minimum criteria for inspection/inspectors, distance learning, building of other networks, and dissemination of information/publications.

5 CENTRAL AMERICA

Reported by Patricia Madrigal, Costa Rica

Approximately 30 people from the region attended the session.

5.1 Critical Environmental Challenges

- Integrated water management;
- Toxic substances and pesticides;
- Trafficking of environmentally controlled substances and animals;
- Forest protection;
- Transfrontier pollution;

5.2 Critical Institutional Challenges

- Strengthen links between INECE and the Region.
- Strengthen institutions on technical and legal aspects of compliance and enforcement.

5.3 Regional Networks and Challenges

Regional networks:

- CCAD Central American Environmental Commission with 4 areas of focus
- Harmonization of environmental stats
- Increase Capacity for implementation
- Application of International conventions Harmonization of environmental instruments (audits, EIAs, certification)
- Red de fiscales ambientales
- Asociacion Mesoamericana de
- (Coming soon) University Network for Environmental Law Education (w/CCAD)
- E-Law

In-Country Networks

- Guatemala: Red de Informacion y Investigacion Ambiental
- Honduras: Alliance of NGOs for Protected Areas
- Nicaragua: Red de Unidades Ambientales Sector, Red de Desarrollo Sostenible, Foro Nacional de Segunded Quimies
- Costa Rica: FECON, Asociacion Costaricense de Derecho Ambiental

- Panama: Red de Unidades Ambientales Sectoriales

- Belice: none identified

The region discussed not to have one person be the only contact with INECE but to form a committee with representatives from each country, and to prepare an action plan for INECE.

5.4 Priority Projects for INECE

- Harmonization of environmental enforcement mechanisms;
- Training- Enforcement manual in Spanish;
- Common guidelines on inspections;
- Preparation of didactic material;
- Training for police/army on environmental enforcement (smuggling of wildlife, transborder issues);
- Access to justice and public participation for national and trans-border complaints, for issues of human rights;

6 NORTH AMERICA

Reported by Geoff Garver, United States

Mexico was not well represented so this should not be taken as regional agreement.

6.1 Critical Environmental Challenges

- Key sectors: Energy and Agriculture
- Biodiversity Issues:
 - loss of species and overall numbers
 - habitat destruction - forests and other
 - over fishing-managed fisheries and illegal
 - invasive species
 - coral reef destruction
- Water Issues:
- quantity/allocation

- wetland loss
- intensive agriculture
- deposition of pollutants(including air pollutants)
- vessels pollution
- Air Issues:
 - Long-range transport
 - Ozone depletion
 - Climate change
- Hazardous Waste and Toxic Materials:
 - pesticide control and management
 - illegal drug labs
 - terrorism issues
 - Management of GMOs and Biotech
- Border Issues:
 - Transboundary movement of materials
 - Border as a shield

6.2 Critical Institutional Challenges

- Capacity Issues: Lack of resources and intra-regional differences in capacity;
- Language and cultural differences;
- Reacting to shifting policies and political environments;
- Creating links between agencies w/different missions and mandates (e.g. pollution control vs. resource management; resource use vs. resource protection);
- Federal-subnational dynamics;
- Bureaucratic impediments;
- High data management needs, esp. w/technically complex issues;
- Making informal networks last (e.g. through institutionalization);
- Maintain political and public support for enforcement;
- Ensure accountability is assured w/new or alternative approaches;
- Ensuring public participation.

6.3 Regional Networks and Challenges

- General:
 - Commission for Environmental Cooperation (CEC), Environmental Working Group-North American Wildlife Enforcement Group (EWG-NAWEG)
 - AFour Sisters@ (sub-regional)
 - The World Conservation Union (IUCN)
 - International Association of Fish and Wildlife Agencies (IAFWA)
- Specialized:
 - Pesticide Technical Work Group
 - BECC
 - Law Enforcement Coordinating Committee (LECC'S)
 - Association of Natural Resources Enforcement Trainers (ANRET)
- U.S. Networks:
 - The National Association of Attorneys General (NAAG)
 - Environmental Crime Policy Comm.
 - Clean Water Network (NGO)

6.4 Priority Projects for INECE

- Support a sustained regional network linked to existing sub-regional networks, filling any gaps, and facilitation enforcement projects of joint interest (e.g. regional enforcement initiative, e.g. agriculture sector, with INECE facilitating tracking).
- Support creation of contact lists/directory of enforcement/compliance network for North American region including technical experts (with summary of expertise).
- Facilitate training courses within the region (e.g. this need expressed for Vera Cruz, Mexico), and facilitate and track follow through.
- Keep North America region informed of

relevant training and other activities in other regions.

- Enforcement indicators: North America region supports INECE's overall efforts in this regard.

7 ASIA AND PACIFIC

Reported by Tony Oposa, The Philippines

The Asian and Pacific group consisted of 16 representatives spanning the globe from Israel and Jordan to the Peoples Republic of China and Australia. The group did not report out on each of the directed questions, but did list their priority activities for the Region and INECE:

- Create a database of regional members, including biographical sketches;
- Commit to meet next year, possibly in Bali, Indonesia on 17 April 2002, in order to:
 - Establish a regional group with a record of accomplishments.
 - Share case studies with a focus on lessons learned.
 - Focus on key environmental issues in the region.
 - Canvas INECE to support regional networks, as suggested in goal 2D3 of the strategic plan.

7.1 Key Issues Include:

- Public information on Enforcement and Compliance mechanisms;
- Voluntary compliance;
- Effective governance;
- Inclusion of green, blue and brown issues;
- Inclusion of multi-stakeholders, including parliamentarians, judges, and Civil Society, in regional participation efforts;
- Contacting representatives of countries missing from this INECE meeting.

8 SUMMARY FROM CO-CHAIR

Reported by Wout Klein, Netherlands

These are not a summary of the sessions already presented, but do represent some common themes among the regions that may be helpful in focusing INECE's attention and activities.

8.1 Critical Environmental Challenges

- Biodiversity.
- Water, waste, and pollution issues.
- Energy and climate seem more North American and European.
- Agriculture, including forestry.

8.2 Critical Institutional Challenges

- Capacity, capacity, capacity.
- Political priority and public interest.
- Procedures and legal harmonization.
- Indicators.

8.3 Regional Networks and Challenges

There appear to be three levels of networks:

- Well established (North America, Europe).
- Fragile networks (South America, Africa, Central America, Southeast Asia).
- Absent (Mediterranean, Middle East, Central Asia, China).

Should one continue to strengthen existing networks or build where there's nothing?

8.4 Priority Projects for INECE

- Networking, contacts, information access.
- Training, good practices, material distribution.
- Indicators, applicable in developing

countries.

8.5 Questions

The following questions or comments were raised from the floor.

Bill Futrell spoke as a representative from the NGO networks. The group was unanimous about the conference's success, and agreed conferences should continue to be held. It built on the Oaxaca conference and it is doubtful that a Central or Eastern Europe conference would have had the same effect. The groups did wish to communicate to the secretariat on efforts to engage NGOs more actively. 15 NGOs were invited but did not attend, similar to some representatives from developing countries. INECE should devote a newsletter or website to tell members what the network can get for NGOs. NGOs have capabilities for citizen enforcement that government agencies don't always have. INECE should carefully examine the role of citizen enforcement.

Maria DiPaola from Argentina spoke of FARN's program in Latin America that links intentions for regional networks in the region with possibilities. They have established an E-dialogue with people from different Latin American countries with interesting comments about the definitions of enforcement, lack of compliance assistance in Latin America, and sharing experiences of participants. This has been combined with distance learning courses from the World Bank and an upcoming conference in Buenos Aires in May to build knowledge and exchange experience and to help build a network.

Ms. DiPaola stressed that it was a fascinating conference. She charged the group to think globally, but act locally and logically. Efforts should begin with domestic laws, but expand to MEAs and cooperation with neighboring countries to fight crime. Networking is important as shown by European examples where neighbors

are ready to help develop good practices and provide training to implement those practices. But for future conferences, INECE should ensure that people from all parts of the world are represented, from the public, NGOs and governments.

Jose Pablo Gonzalez from Costa Rica announced the formation of the International Network of Environmental Public Prosecutors created at breakfast. It will begin with U.S. and Central America but will work within the framework of INECE and will advertise through INECE and get members.

Michael LeRoy-Dyson from New Zealand stated that he was humbled by experiences he's seen. He stressed that material that is produced by INECE for capacity building should be simple publications for use in front line. He asked for a

show of hands to get an idea of representation from different groups showing:

- Law: about 2%
- Administrative Policy: about 2%
- Federal: 3-4%
- Provincial/state government: 5%
- NGO: 10%
- Front line enforcement, inspection, 35%

Carl Bunch from ELI stressed the role of good governance and how INECE has become a key proponent on the world stage. But civil society and NGOs have an important role with information, involvement and access to justice. INECE can do a lot to highlight good governance at the WSSD, and work with NGOs as they developing indicators of good governance (see www.access.org).