

SUMMARY OF WORKSHOP 2A2: ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT INDICATORS: GETTING STARTED

Facilitators: Michael Stahl, Environmental Protection Agency, United States
Waltraud Petek, Federal Ministry of Environment, Austria

Rapporteur: Wout Klein, Ministry of Housing, Spatial Planning and the Environment (VROM), The Netherlands

GOALS

The facilitators presented as goals for the workshop:

1. Hearing about issues that participants are faced with when defining, developing, and/or implementing environmental compliance and enforcement (ECE) indicators
2. Defining ways in which INECE could help with these issues.

1 INTRODUCTION

Several countries have a history of “state of the environment” indicators. The challenge is to develop a whole spectrum of indicators from input to outcome and at several intermediate stages. One should not try to make this link by one big leap. An incremental approach is the only way to do so, and focus should be given to intermediate outcome indicators.

There is not one ideal set of indicators that can be used by every country. There only seems to be a general approach or process of identifying, developing, and implementing environmental compliance and enforcement (ECE) indicators.

- Austria
- Australia
- Poland
- Romania
- Ghana
- England & Wales
- IMPEL

Some of these countries are really at the beginning of an ECE Indicators scheme. Other countries have experience with “state of the environment” indicators, but not with performance indicators focused on environmental compliance and enforcement. Several countries are in the burdensome process of linking their enforcement output indicators to the state of the environment.

2 DISCUSSION SUMMARY

2.1 Experience

Experience with ECE Indicators among workshop participants ranged from practically none to fairly sophisticated. Specific situations were mentioned by members from:

- Bahrain
- USA
- New Zealand

2.2 Observations

From these various experiences and from the work on ECE Indicators by INECE and the Organisation for Economic Co-operation and Development, several observations emerge that are stipulated by the participants and moderators.

- Several countries have a history of “state of the environment” indicators. The INECE group focused on perform-

ance indicators for compliance and enforcement that are, so far, in most countries described in terms of input or output.

- The challenge is to develop a whole spectrum of indicators from input to outcome and at several intermediate stages, like, for instance, what was done in the Chesapeake Bay water quality program.
- One should not try to make this link by one big leap. An incremental approach is the only way to do it.
- Focus should be given to the intermediate outcome indicators, because
 - they are more directly related to the enforcement activities than are outcome indicators,
 - they are more directly related to the efforts of the regulated community and are more readily accepted, and
 - they are sooner to be obtained and attributed to the actions.
- There is no one ideal set of indicators that can be used by every country. There only seems to be a general approach or process of identifying, developing, and implementing ECE Indicators. (See: M. Stahl, "Performance Measurement Guidance for Compliance and Enforcement Practitioners, available at <http://inece.org/forumsindicators.html>").
- In this process, one should try to focus on only a few indicators, especially those that will be really and sensibly used by the management or by the national government; indicators that pose a burden on employees or local authorities of collecting data that will never be used will soon discourage the whole process.
- There is always a risk of perverse incentives originating from a specific indicator, so that inspectors might make the wrong

choices just to get good indicator results.

- There is also a risk of misuse and misinterpretation of indicators; a decrease in incoming fines can either indicate a lower performance of the inspectors or a higher performance of the regulated community.
- Communication and education about the sense and meaning of the indicators is essential at all stages, both inside the agency and to the outside (politics, community, industries). Several of these audiences can very well be co-designers in the development stage.

3 RECOMMENDATIONS FOR INECE:

INECE could assist countries in the process of identifying, developing, and implementing performance indicators on environmental compliance and enforcement in several ways:

- By building capacity, e.g. by incorporating these notions on the ECE Indicators process into a training course or by mentoring actual processes in developing countries.
- By presenting a library of examples of basic indicators, used by different countries, preferably categorized by their type or use, in order to give direction to new schemes and a possibility of benchmarking for existing schemes.
- By exchanging information through INECE's website, not only about successes, but also about burdens and failures.
- By investigating the use of ECE Indicators in situations of cross-compliance, e.g. where the granting of agricultural subsidies is dependent on the compliance with environmental regulations.
- By continuing the E-dialogue on ECE Indicators with an exchange of experiences with intermediate outcome indicators.