
Measuring What Matters

Proceedings from
the INECE-OECD Workshop
on Environmental Compliance and Enforcement Indicators
3-4 November 2003, OECD Headquarters, Paris, France



Organisation for Economic Co-operation and Development

Measuring What Matters

Proceedings from
the INECE-OECD Workshop
on Environmental Compliance and Enforcement Indicators
3-4 November 2003, OECD Headquarters, Paris, France

International Network for Environmental Compliance and Enforcement (INECE)
Organisation for Economic Co-operation and Development (OECD)

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

Pursuant to Article 1 of the Convention signed in Paris on 14th December 1960, and which came into force on 30th September 1961, the Organisation for Economic Co-operation and Development (OECD) shall promote policies designed:

- to achieve the highest sustainable economic growth and employment and a rising standard of living in Member countries, while maintaining financial stability, and thus to contribute to the development of the world economy;
- to contribute to sound economic expansion in member as well as non-member countries in the process of economic development; and
- to contribute to the expansion of world trade on a multilateral, non-discriminatory basis in accordance with international obligations.

The original Member countries of the OECD are Austria, Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The following countries became Members subsequently through accession at the dates indicated hereafter: Japan (28th April 1964), Finland (28th January 1969), Australia (7th June 1971), New Zealand (29th May 1973), Mexico (18th May 1994), the Czech Republic (21st December 1995), Hungary (7th May 1996), Poland (22nd November 1996), Korea (12th December 1996), and the Slovak Republic (14th December 2000). The Commission of the European Communities takes part in the work of the OECD (Article 13 of the OECD Convention).

INTERNATIONAL NETWORK FOR ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT (INECE)

The International Network for Environmental Compliance and Enforcement is a network of government and non-government enforcement and compliance practitioners from over 100 countries. INECE contributes to a healthy and clean environment, sustainable use of natural resources and the protection of ecosystem integrity through effective compliance with and enforcement of environmental laws. INECE's goals are:

- raising awareness of the importance of compliance and enforcement,
- developing networks for enforcement cooperation, and
- strengthening capacity to implement and enforce environmental requirements.

INECE is comprised of over 3000 participants from governmental agencies, international organizations, and non-governmental organizations. The Dutch and United States environmental agencies, who founded INECE in 1989, remain key funders, with additional support from the United Nations Environment Programme (UNEP), the World Bank, OECD, the European Commission, Environment Canada, the Environment Agency (England and Wales) and other governments. For more information, please visit <http://inece.org/>

© OECD 2004

Permission to reproduce a portion of this work for non-commercial purposes or classroom use should be obtained through the Centre français d'exploitation du droit de copie (CFC), 20, rue des Grands-Augustins, 75006 Paris, France, Tel. (33-1) 44 07 47 70, Fax (33-1) 46 34 67 19, for every country except the United States. In the United States permission should be obtained through the Copyright Clearance Center, Customer Service, (508) 750-8400, 222 Rosewood Drive, Danvers, MA 01923 USA, or CCC Online: www.copyright.com. All other applications for permission to reproduce or translate all or part of this book should be made to OECD Publications, 2, rue André-Pascal, 75775 Paris Cedex 16, France.

FOREWORD

Information about compliance and enforcement activities can be a powerful instrument for promoting compliance with environmental requirements. Compliance assurance programs have evolved considerably over time, in close conjunction with demands for reliable, harmonized and easily understandable information about the environmental performance of polluters. These demands came not only from environmental policy makers but also from other public authorities, businesses, the general public, environmental non-governmental organizations (NGOs) and other stakeholders. The development of meaningful and robust environmental compliance and enforcement (ECE) indicators is one response to these demands.

Indicators of compliance programme activities can help to assess the results of government activities and to adjust approaches to changing conditions. The ultimate aim of these adjustments is the improvement of programme effectiveness and improved environmental performance by polluters. Disclosing performance information and indicators can ensure internal and external accountability which helps to create deterrence. By demonstrating the value of activities and the results, policy-relevant, analytically sound and measurable information can ensure public and political support for compliance assurance programmes.

As experience with using ECE indicators accumulates, there is a need to develop common definitions, to analyze design and implementation issues in different country contexts, and to build capacities of the transition and developing countries to apply these indicators.

These proceedings present the results of an international workshop on Compliance and Enforcement Indicators, which was organized by the International Network for Environmental Compliance and Enforcement (INECE) and the Organisation for Economic Co-operation and Development (OECD) on the 3-4 November 2003 in Paris. The specific objectives were to:

- Review the rationale, purpose and needs for using ECE indicators;
- Advance the development of common definitions and indicators typology, and explore the relationships with other types of environmental indicators;
- Discuss experience from OECD, transition and developing economies with using ECE indicators;
- Foster projects that will assist enforcement agencies in designing ECE indicators and using them for agencies' performance assessment and communication with policy-makers and the public.

The meeting was conducted in the framework of the INECE Project on Compliance and Enforcement Indicators and the OECD Programme of Co-operation with Non-Members.

TABLE OF CONTENTS

| | |
|---|-----------|
| Foreword | 3 |
| Introduction | 7 |
| SECTION 1: WORKSHOP SUMMARY REPORT | 11 |
| SECTION 2. WORKSHOP BACKGROUND PAPER | 25 |
| SECTION 3. COUNTRY REPORTS | 47 |
| <i>Argentina</i> : Environmental Compliance and Enforcement Indicators in Argentina: Primary Concerns, by Di Paola, María Eugenia | 49 |
| <i>Belarus</i> : Analysis of System of Indicators for Inspection Activities in the Republic of Belarus, by Alexei. A. Kovaltchiuk | 53 |
| <i>Belgium</i> (Flanders): Environmental Compliance and Enforcement Indicators, by Paul Bernaert . | 61 |
| <i>Canada</i> : Environmental Compliance and Enforcement Indicators: Environment Canada Pilot Projects – Addressing Challenges, by Frank Barrett and Dave Pascoe..... | 63 |
| <i>China</i> : Environmental Enforcement and Compliance Indicators in China, by Ge, Chazhong, Yang, Jintian, Tong, Yang, Tong, Kai, and Cao, Dong..... | 71 |
| <i>Czech Republic</i> : Indicators in Use and Under Development in the Czech Environmental Inspectorate, by Jiř Fenc, Jana Svobodová and Pavel Šremer | 77 |
| <i>Georgia</i> : Measuring and Improving the Performance of Environmental Enforcement in Georgia, by Lavrentii Morciladze and Angela Bularga..... | 91 |
| <i>Ghana</i> : State of Ghana’s Environment – Challenges of Compliance and Enforcement, by Wilson Tamakloe..... | 99 |
| <i>India</i> : Status of Environmental Compliance and Enforcement of Pollution Control Laws in India, by Babu Sengupta..... | 105 |
| <i>Kazakhstan</i> : Environmental Enforcement and Compliance Indicators in the Republic of Kazakhstan, by Nurlan Yeskendirov..... | 107 |
| <i>Mexico</i> : Strategic Information System of Mexico’s Environmental Agency, by Alejandra Goyenechea | 115 |

| | |
|---|------------|
| <i>Netherlands</i> : Environmental Compliance and Enforcement Indicators in the Netherlands, by Angelique A.A Van Der Schraaf and Jan Van Der Plas | 121 |
| <i>Russia</i> : Analysis of System of Environmental Enforcement and Compliance Indicators in the Russian Federation, by Vladimir Shwarz | 125 |
| <i>Scotland</i> : Development and Use of Compliance and Enforcement Indicators, by Merina Holden | 135 |
| <i>Thailand</i> : Country Report on Environmental Indicators in Thailand, by Thasanee Chantadisai | 143 |
| <i>United States</i> : Performance Indicators for Environmental Compliance and Enforcement Programs: The U.S. EPA Experience, by Michael M. Stahl..... | 147 |
| <i>OECD</i> : Work on Environmental Indicators, by Myriam Linster | 167 |
| <i>Conservation International</i> : Enforcement Economics and Environmental Compliance: Lessons for the Development of ECE Output Indicators, by Anita Sundari Akella..... | 175 |
| <i>World Resources Institute</i> : The Access Initiative Tool-Kit for Assessing the Status of Implementation of Principle 10, Krchnak, Karin | 181 |
| <i>CITES Secretariat</i> : Compliance and Enforcement Indicators in CITES, by Marceil Yeater | 183 |
| <i>European Environment Agency</i> : The Use of Indicators in Reporting by the European Environment Agency and the Potential Usefulness of Policy Implementation and Policy Effectiveness Indicators, by Lars Mortensen | 187 |
| SECTION 4. WORKSHOP AGENDA..... | 189 |
| SECTION 5. WORKSHOP PARTICIPANT LIST..... | 195 |

INTRODUCTION

INTRODUCTION

1. Background

Responding to the needs expressed by several countries the INECE, in cooperation with OECD and other partners, has developed a project to assist enforcement agencies in designing compliance and enforcement indicators and using them for agencies' performance assessment.

The Project aims to:

- Facilitate the establishment of procedures to apply both quantitative and qualitative indicators, with regular feedback to managers, political leaders and legislature;
- Strengthen demand and capacity for performance assessment in individual countries;
- Stimulate co-operation projects to develop and apply in practice enforcement and compliance indicators, and
- Contribute towards international harmonization of indicators in order to facilitate reporting on progress towards sustainable development in the regional and global contexts.

The Project was launched by an expert workshop on 3-4 November, 2003 hosted by OECD in Paris, France. This meeting provided a forum for the officials and experts representing more than 20 developed, transition and developing countries as well as international organizations, multi-lateral environmental agreement secretariats, and NGOs to exchange experiences in the use of enforcement and compliance indicators.

2. Structure of the Proceedings

This document presents the inputs to, and results of, the INECE-OECD workshop. The proceedings consist of five sections.

Section 1: Summary of the Workshop Discussion and Conclusions. A summary of the information contained in the presentations and discussion is included in this part. The workshop participants explored examples and use of indicators and analysed their role and management decision-making. They examined processes for developing ECE indicators and the barriers to such development. They discussed criteria for evaluating the usefulness and effectiveness of the resulting ECE indicators. The workshop participants identified the various stakeholders with interests in ECE indicators and emphasised the advantages of public participation in the development and utilisation of ECE indicators.

Section 2: Background Paper. Leading up to the workshop an international team of experts collaborated on an extensive background paper "Measuring What Matters." The background paper

established common framework for the workshop's discussion and helped to dramatically increase the workshop's productivity.

Section 3: Descriptions of the Use of ECE Indicators in Selected Countries. The workshop featured presentations from developed, transition and developing country experts. These presentations provided experiences with ECE indicators as well as guidance for further development of ECE indicators. Abridged versions of selected presentations are included in these proceedings.

Sections 4 and 5 contain workshops agenda and the list of participants.

All elements of the proceedings are available at the INECE and OECD Web sites at:

<http://inece.org/indicators/workshop.html> and <http://www.oecd.org/env/outreach>.

4. Acknowledgements

The INECE and OECD Secretariats express their sincerest gratitude to those who participated in the development of these proceedings and, in particular, to the workshop participants listed in Section 5, whose contributions made this a truly important international event.

The Secretariats offer special thanks and appreciation to Environment Canada for its support in the development of these proceedings and to Frank Barrett for his leadership in preparing the background paper, which is included in Section 2. The Secretariats also wish to thank the governments of Germany, the Netherlands, United Kingdom and the United States and the World Bank Institute for their in-kind and financial contributions to the organisation of the workshop and the preparations of the substantive inputs.

One major factor to the success of this workshop was the cooperation of the INECE Expert Working Group on ECE Indicators. The Expert Group shaped the agenda for the workshop to ensure that the discussion responded to real needs and regional differences. The Expert Working Group members are **Frank Barrett**, Environment Canada; **Antonio Benjamin**, Law for Green Planet Institute (Brazil); **Adriana Bianchi**, World Bank Institute; **Angela Bularga**, OECD; **María Eugenia Di Paola**, FARN (Argentina); **Nick Franco**, US Environmental Protection Agency (USEPA); **Jo Gerardu**, VROM (the Netherlands); **Davis Jones**, USEPA; **Donald Kaniaru**, formerly of UNEP; **Myriam Linster**, OECD; **Kenneth Markowitz**, INECE Secretariat; **Carolina Mauri**, Costa Rica; **Krzysztof Michalak**, OECD; **Ladislav Miko**, Czech Republic Ministry of Environment; **Dave Pascoe**, Environment Canada; **John Seager**, Environment Agency (England and Wales); **Michael Stahl**, USEPA; and **Durwood Zaelke**, INECE Secretariat.

The views expressed in this document are only those of authors and they do not express the official opinion of the OECD, INECE, or national governments mentioned throughout. The country reports have been reproduced in the proceedings in their original form.