

Creation of the South American Network for Environmental Enforcement and Compliance: International Cooperative Efforts for a Better Environment

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SUMMARY

The South American Network for Environmental Enforcement and Compliance was created on November 2013, thanks to the efforts carried out by its four founding members Ecuador, Chile, Colombia and Peru with the support given by the US environmental Protection Agency (USEPA), and the collaboration of the Economic Commission for Latin America and the Caribbean (ECLAC), the Organization of American States (OAS) and the International Network for Environmental Compliance and Enforcement (INECE).

The ultimate goal of the South American Network is “to improve environmental enforcement and compliance in the region by *inter pares* dialogue and cooperative commitment” with the purpose of “attaining sustainable development and welfare for the countries”.

Such a goal will be achieved by strengthening professional capacities through training in key concepts and approaches; exchanging experiences on best practices; information and innovative strategies; sharing information and approaches on common environmental problems and emerging issues; developing procedures for the control of trans-boundary environmental problems and effects; standardizing criteria and audit procedures and the development of a common language at the regional level; and creating synergies to account for the environmental problems identified in the region.

This paper outlines the efforts carried out to create the South American Network for Environmental Enforcement and Compliance, with an emphasis on the reasons behind its creation, ultimate goals and specific objectives and activities; all to highlight international cooperative efforts to promote sustainable development and welfare among its member countries.

Keywords: Enforcement, Compliance, Environmental Networking, South America

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BACKGROUND INFORMATION

In the frame of the cooperation activities carried out between the Superintendence of the Environment (SMA, hereinafter) and the United States Environmental Protection Agency (USEPA, hereinafter), under the frame of the Free Trade Agreement between the two countries, was developed the idea of creating a network of environmental enforcement and compliance for the South American Region.

This as a way “to improve environmental enforcement and compliance in the region by *inter pares* dialogue and cooperative commitment” with the purpose of “attaining sustainable development and welfare for the countries”. The idea was to replicate in the region efforts already in place around the world, related to the creation of Networks for Environmental Enforcement and Compliance under the umbrella of INECE.

Governmental agencies from Chile (SMA) and Peru (Agency for Environmental Evaluation and Enforcement –OEFA hereinafter) and other environmental authorities in South America had previously acknowledged the benefits of international cooperation on environmental matters and therefore were very interested in looking for ways to engage in this kind of endeavor integrating other countries of the South American Region.

With this idea in mind the SMA started a consultation process with different countries in the Region including Argentina, Brazil, Colombia, Ecuador, Paraguay and Peru to explore their interest in creating a Regional Network of Environmental Enforcement and Compliance. In that context, during September 2013 the SMA hosted the first preparatory meeting with the participation of representatives of the OEFA from Peru, the USEPA and environmental experts from the US Embassy in Chile. In that meeting there were agreed the steps to materialize this important endeavor.

LAUNCHING THE NETWORK

During November 5 and 6, 2013, it was carried out the launching event in Santiago, Chile in the headquarter of the Economic Commission for Latin America and the Caribbean (ECLAC). It was attended by officers from different agencies for environmental enforcement from Chile, Colombia, Ecuador and Peru; representatives from Inter-governmental Agencies such as the Organization of American States (OAS); Economic Commission for Latin America and the Caribbean (ECLAC) and other organizations such as the International Network for Environmental Compliance and Enforcement (INECE); officers from the USEPA; officers from the US embassies from Chile and Peru; officers from the Canadian embassy in Chile, among others.

There were two days of deliberations that ended with the creation of the South American Network, which was made through the Santiago Declaration.

NETWORK OBJECTIVES

The ultimate objective goal of the South American Network is “to improve environmental enforcement and compliance in the region by *inter pares* dialogue and cooperative commitment” with the purpose of “attaining sustainable development and welfare for the countries”.

This objective will be achieved, among others, through some of the associated activities:

- a. Strengthening professional capabilities of the countries’ enforcement agencies through the development of skills on concepts, proceedings and key focuses;
- b. Sharing best practices from the regional and international level, information on innovative strategies and tools for enforcement and compliance; and
- c. Sharing information and focuses on common environmental problems and emerging environmental problems.

CHALLENGES AHEAD

Cooperation with agencies from different countries and with other international organizations is not a binding obligation but rather based on a *bona fide* spirit; with the main objective of learning from others’ colleagues experiences; and sharing experience on both enforcement practices and procedures.

Regarding to the latter point, it is understood by the SMA that the creation of the South American Network of Enforcement and Compliance is only the first step towards improving enforcement of and compliance with environmental laws from a regional point of view. Other steps should be taken in order to build trust and political will between the members. As it is reflected by the international experience the engagement of network members is critical for all activities of the network, both operational and projects (Pink & Lehane2011)

At the practical level, *sine qua non* requisites for networks’ successes include, among others, well-defined organizational structure, planning and implementing meeting of the Parties, research activities and conducting training for officers and workshops (Bromm, 2011).

All of the above could be achieved not by reinventing the wheel but through learning from the experience with the creation of other networks around the world; and making all regional adaptations as required.

REFERENCES

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