

Intro to IAIA 2021 Session 320 on Enforcement of EsIA requirements

IAIA Governance and Implementation Systems Section Goals and Plan of Action

Themes:

- Reform of EsIA implementation systems for efficiency and effectiveness
- Compliance with and enforcement of EsIA requirements, commitments, permits

Webinars

- Environmental Permit and Review Reforms: El Salvador, March 2018
- Compliance and Enforcement of EsIA –with the International Network for Environmental Compliance and Enforcement (INECE), June 24, 2020
- Cross hosting with INECE and other networks

Compilation of best practices

- Working draft on Compliance and Enforcement of EsIA Best Practices

Host Conference Sessions --- Plans for Seville 2020 to 2021



June 24, 2020

IAIA-INECE Webinar on Enforcement of EsIA requirements, commitments, permits



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Cristian Pérez - Session co-moderator

- Chilean environmental consultant (ECOS) with focus on enforcement and compliance of environmental and social impact assessment; biodiversity and global governance and environmental monitoring.
- Promoted and participated in the creation of the South American Network of Environmental Enforcement and Compliance, currently named REDLAFICA.
- Moderator at the IADB Regional Policy Dialogues (RPD) on Socio-environmental Licensing and Enforcement.
- IAIA participant in Viña del Mar, Montreal, Durban, and Brisbane.





THREE KEY MESSAGES

- Compliance and Enforcement touches on the EsIA process in its entirety!
- Breadth of issues are a challenge for both decision makers as well as follow up monitoring and compliance assurance,
- Compliance, Enforcement, Follow through are perhaps the biggest impediment to achieving positive results from the EsIA process

June 24, 2020

Relating EsIA process to compliance and enforcement framework

EsIA Process

- The requirement: Defining levels of environmental review: Categorization
Permits, licenses, approved Environmental Management Plans for low and moderate impact actions.
- Scoping
- Terms of Reference/Guidelines
- Consultant credentials
- Public Participation
- Decision document
- Legally binding commitments for conditions for approval

Compliance and Enforcement Framework

- Clear identification of regulated community and priorities
- Clear requirements: who, what, where, why, when
- Compliance Promotion
- Compliance Monitoring: inspection, source self-monitoring/reporting, citizen monitoring, areal monitoring
- Enforcement response/consequences
- Clear roles and relationships
- Accountability and performance measures for results

Contribute to the IAIA Best Practices Paper for Compliance with and Enforcement of EsIA

IAIA 2021 is virtual. If you have questions or comments, we encourage you to help us capture the richness of the discussion and your experiences for the best practices paper we have underway.

Please use the CHAT to:

- Provide your contact information, name, email, and desired contribution
- Questions you would like us to address (be specific and concise)
- Examples you would be willing to provide.
- Principles you have learned.
- Specific comments and follow up you would like for any of the IAIA 2021 presenters and/or June 24 IAIA/INECE, INECE, IADB/RedLafica webinars.

We will keep you informed about follow up, including an IAIA/INECE webinar for open discussion.