

1. **Proposed Project for Bren School, UCSB, 2004-2005 Cycle**
2. ***Designing Environmental Enforcement Indicators for Developing Countries***
3. **Summary.** This goal of this project is to design a basic set of enforcement indicators for developing countries to measure and improve their performance in implementing and enforcing environmental laws. The failure to implement and enforce environmental law is a significant factor contributing to the decline in environmental quality, particularly in the developing world. The US and Canada are among a growing number of developed countries using (or developing) Environmental Enforcement Indicators to measure and improve their enforcement performance, but many of these indicators may exceed the data collection and other resource capabilities of developing countries, including their capability to collect and manage data. Accordingly, it is necessary to design a set of enforcement indicators tailored to the circumstances of developing countries. In addition to improving enforcement performance, such enforcement indicators would be expected to help direct international development assistance from multilateral development banks or international financial institutions and bilateral donors to strengthen enforcement capacity in developing countries.
4. **Name and Contact Information of Proposing Party.** The International Network for Environmental Compliance and Enforcement (www.inece.org), comprised principally of government enforcement practitioners, founded by the Dutch EPA and US EPA, and now working in partnership with OECD, UNEP, World Bank Institute, and the European Union, as well as individual countries. The INECE Secretariat is located in Washington, DC; Durwood Zaelke serves as the Director (zaelke@inece.org; (202) 338-1300 (office).
5. **Bren Faculty Sponsor.** Durwood Zaelke and Oran Young are the Bren faculty sponsors.
6. **Problem Statement.** The project will address the poor performance of developing countries in implementing and enforcing environmental laws, including their obligations under multilateral environmental treaties (MEAs).
7. **Project Objectives.** The project will design a basic set of Environmental Implementation & Enforcement Indicators to measure the performance of environmental enforcement agencies in developing countries. The project will use Costa Rica and/or the Czech Republic as the test case(s) for developing the initial indicators, which will include both output and outcome measurements calibrated to the country of study's ability to gather and analyze the required data.

- 8. Project Significance.** Despite the development of environmental agencies in virtually all countries in the developing world since 1972 and the enactment of environmental laws within these countries, environmental quality continues to deteriorate across many if not most biophysical and socioeconomic measures. A key reason is the failure to implement and enforce environmental laws.
- 9. Background Information.** Bren students will rely on current efforts of INECE to develop a process for designing enforcement indicators, including a background paper by Canada and the US (www.inece.org/IndBackParer.pdf), and the results of the INECE/OECD Environmental Enforcement Indicators Workshop, www.inece.org/indicators/workshop.html.
- 10. Stakeholders Other Than Client.** In addition to Costa Rica or the Czech Republic, the final set of enforcement indicators will be piloted in several other developing countries, and ultimately promoted for use by all developing countries in the world. Additional stakeholders include the World Bank and other international financial institutions as well as bilateral donors who will benefit from understanding how to direct their financial assistance to capacity building to improve enforcement.
- 11. Possible Approach and Available Data.** The indicators will include measures of key outputs – such as the number of pollution incidents investigated, number of cases prosecuted, number of convictions obtained, amount of fines imposed and collected, and others. They also will include measures of outcomes – such as the amount of pollutants removed, number of drinking water sources meeting health standards, and others. (Relevant intermediate measures also may be included.) Indicators will be favored that assist program managers in identifying high environmental risk/high non-compliance targets. In other words, where they can get the most bang for their enforcement/compliance buck.
- 12. References.** See attached Table from the INECE-OECD Indicators Workshop for substantive examples of different types of indicators (attached as separate file).
- 13. Deliverables.** The project will include a summary of relevant good practices that are used or that may be used in developing countries; a recommended set of core enforcement indicators, including outcome indicators; and a review of training and capacity building needs for at least the test country (Costa Rica). The set of indicators may contain different sub-sets, starting with those most suitable for countries with the most limited capacity. Particular attention will be paid to the least developed countries.

14. Client. INECE will be the client, although the project team also will work closely with the Environmental Ministry in Costa Rica.

15. Anticipated Financial Needs and Sources of Support. Depending on the circumstances, INECE may be able to provide some travel assistance to do limited field research in Costa Rica.