**Network of Environmental Inspectors: conclusions & establishment**

*Project MK-10-IPA-EN-01-14 (MK-10-IB-EN-01)*

*Activity no: 1.3*

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**List of Acronyms**

|  |  |
| --- | --- |
| AE | MoEPP’s Administration for Environment |
| BATs | Best Available Techniques |
| BREFs  | Best Available Techniques Reference Document |
| DLSGMC | MoEPP’s Department for Local Self Governement and MisdemeanorCommission |
| EC  | European Commission  |
| EIA  | Environmental Impact Assessment  |
| IED | Industrial Emissions Directive 2010/75/EU |
| IMPEL | European Union network for the implementation and enforcement of environmental law |
| IPPC  | Integrated Pollution Prevention and Control  |
| LSGU | Local Self Government Unit |
| MoEPP  | Ministry for Environment and Physical Planning  |
| NEI | Network of Environmental Inspectors |
| NER | Network of Environmental Regulators |
| RMCEI | Recommendation 2001/331/EC of the European Parliament and the Council providing for minimum criteria for environmental inspections in the Member States |
| SEI  | State Environmental Inspectorate  |
| TA | Technical Assistance |
| ZELS | Association of Local Self Government Units |

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# Introduction

This document collects the main conclusions related to the establishment and activity of a Network of Environmental Inspectors (NEI), as discussed during workshops held within mission 1.3.9 in the period 11th – 15th July 2016, and also based on the experience from similar networks, in particular the Network of Macedonian Communal Inspectors ([www.zki.org.mk](http://www.zki.org.mk)) and the Spanish Network of Environmental Inspection REDIA.

NEI is considered as a key tool to ensure the sustainability of the results and outputs of the Twinning MK-10-IPA-EN-01-14, and to continue raising the capacity and coordination of environmental enforcement authorities in the Republic of Macedonia. It was considered by all Macedonian participants in the workshops in in the period 11th – 15th July 2016 as a very good initiative that should be implemented.

# Features of the Network of Environmental Inspectors (NEI)

## Objectives

Potential objectives of NEI are:

* Reinforce and consolidate the figure and dignity of the environmental inspector.
* Play a role in the policy dialogue and in the drafting of new legislation relevant to environmental inspection.
* Promote the transfer and sustainability of knowledge, best practices and tools between inspectors[[1]](#footnote-1).
* Improve the coordination within inspectors, and between inspectors and other stakeholders relevant to environmental enforcement, including permit writers and industrial operators.
* Provide more visibility to the work of environmental inspectors.

## Structure

There is need to create a formal, organised structure, in order to ensure effectiveness and sustainability in the achievement of the abovementioned objectives.

### Network of Environmental Regulators vs NEI

#### Proposal for Network of Environmental Regulators (NER)

A proposal to establish a “Network of Environmental Regulators” (NER) was drafted within the TA project EuropeAid/134079/D/SER/MK “Strengthening Capacities for Implementation of Environmental Legislation at Local Level”.

This network is discussed in more detail in the report from that project entitled “Network Mechanism for Exchanging Experience and Knowledge”, and some of its proposed key features are the following ones:

* **Members**: MoEPP (including Departments within the Administration for Environment (AE) and the Macedonian Environmental Information Centre (MEIC)), SEI, ZELS, LSGUs. Focal points and deputy focal points should be appointed by each of them (including the Head of each Department within the AE, and 1 focal point per LSGU).
* **Establisment of the Network**:
	+ A single organisation should be given responsibility for establishing and maintaining the network. ZELS is proposed.
	+ The network should be established initially by agreeing a list of organisations to be included.
	+ Each focal point should be identified by name and position in the organisation together with contact details including phone number and email address. The TA project team worked with DLSGMC and ZELS to prepare a list of contacts that will form the initial Network.
	+ Having obtained the full list of contacts, ZELS should prepare both a printed and an electronic copy and send both these to all focal points and deputy focal points forming part of the Network.
* **Meetings of the Network:** twice a year. These meetings should have a formal agenda in which the MoEPP (including AE and MEIC), MLSG, SEI, ZELS and the LSGUs can present issues that are of concern
* **Content of Network Uses:**
	+ The Network can be used to exchange information on the full cycle of activities concerning implementation of environmental legislation. The cycle includes:
	+ new legislation and amendments to legislation
	+ support and guidance on how legislation should be implemented
	+ communication and coordination issues
	+ financial problems
	+ issues concerning intermunicipal cooperation
	+ issues of regional significance
	+ issues of inspection
	+ issues of enforcement
	+ training needs and opportunities
	+ international projects of interest to LSGUs
	+ environmental planning
	+ supervision of LSGUs
	+ specific issues as problems arise
	+ The Network can also be used to disseminate information about training events. An annual calendar of training events should be developed by ZELS in consultation with the MoEPP and SEI. The calendar of training events should be based on the long term training programme prepared by the current project. The annual calendar can be distributed via the Network and should be available each December for the following year.
* **Maintenance of Network:** For the Network to remain useful, the list of contacts must be regularly updated to allow for changes in staff. The list of contacts should be updated once a year in December by ZELS, through confirmation of the list of contacts, and a new booklet of contacts published for the next year. An electronic version of the contact list should be sent to every member of the Network.

#### Integration of NER – NEI

While the NER is established, it was proposed during workshops held within mission 1.3.9 in the period 11th – 15th July 2016 that a NER-NEI network could be established, with 2 “branches”, one with a wider range of members and topics (“NER” branch) and another more focussed on environmental inspection issues (“NEI” branch).

The network would involve the following:

* Election of a president
* Creation of:
	+ An assembly
	+ An executive committee (Secretariat)
	+ A steering committee (monitoring the working groups)
* 1 common board (Secretariat and steering committee) monitoring 2 substructures:
	+ “NEI” branch
	+ “NER” branch: MoEPP, inspectors, permit writers, maybe some representatives from Ministries of Agriculture, Forestry, ZELS, and operators

**In the rest of this document attention is focussed on the “NEI” branch, its features and activities**.

### NEI members

Members would include all inspectors and permit writers at central and local level, and also representatives from industrial installations subject to environmental permit.

There is need to have at least 1 contact person per municipality, also in the municipalities which currently have no authorised environmental inspector or permit writer.

* The excel database prepared by the TA project EuropeAid/134079/D/SER/MK “Strengthening Capacities for Implementation of Environmental Legislation at Local Level” may be used as starting point.
* It can be useful to define regional coordinators, for each of the statistical regions (see next subsection), to ensure good coordination and information flow.
* Maybe larger municipalities should assess the situation in the surrounding smaller municipalities, to define contact points.

### Bodies within NEI

The network would involve the following:

* NEI’s Secretariat would be a couple of SEI staff, in principle the logical thing would be that it would be part of the activities of the proposed Knowledge Centre within SEI.
* Steering Committee:
	+ The first one should include 3 SEI inspectors and 1 representative of each of the 8 regions in Macedonia
	+ Members should meet or have contact at least every 2 months to review the progress of the annual work plan and ensure the progress in activities. Their members and deputy members should be selected for at least 2 years, to give a bit of continuity.
* It may be good to nominate as well, for each statistical region, 2 representative of the local inspectors + 1 SEI, who would support the Steering Committee and Secretariat when gathering information or arranging activities.
* Working groups to deal with different topics:
	+ Review, testing, and dissemination of the documents produced within Twinning MK-10-IPA-EN-01-14: Proposals for the improvement of the inspection system, guidelines, factsheets, check lists…
	+ Legislation.
	+ Problems in the field.
	+ Obtention of financial support (to cover NEI’s costs): it would define possible projects/sponsors and find corresponding financing.

## Activities

### Annual Work Plan

An annual work plan should be prepared in the end of each year, based on an assessment of the situation and problems in each statistical region.

The work plan can include among others the following tasks:

* Developing and keeping cooperation with relevant Ministries and entities (MoEPP, ZELS, relevant national/international networks…)
* Participating in the development of legislation relevant to environmental inspection:
	+ Disseminating information about draft legislation among members of the network.
	+ Requesting feedback to the members, through email, and/or through organising 1-day or half-day workshops with legal experts responsible for the drafting of the legislation.
* Promotion of cooperation between inspectors in municipalities and SEI to harmonize views on different issues.
* Elaboration, review and update of inspectors’ tools (check lists, factsheets, manual…) and strategy documents (e.g. Proposals for the improvement of the inspection system delivered within the Twinning MK-10-IPA-EN-01-14, and final recommendations from that project).
* Training programme: for problems common to most inspectors, design and implement trainings to address the problem (e.g. sharing experience from other countries, tips for implementation).
* Development and maintenance of NEI’s website (as a project within SEI’s website): presenting the passed acts and decisions, presenting legislation and amendments thereto, disclosure forms and templates for municipal and SEI inspectors, information on the contacts and meetings, minutes, etc.
* Keeping updated contacts database and communicating through an agreed email address, which will be the email address of the NEI (it can be the email of one of its members).
	+ The database should be updated every year in November, through confirmation of the list of contacts, and a new booklet of contacts published for the next year. An electronic version of the contact list should be sent to every member of the Network.
* Visibility of the network through printed & electronic media.
* Provision of funding sources of the NEI through diverse means (membership fees, grants, donations, sponsorships, etc.) if required.

The work plan can be subdivided in line with the working groups that deal with the corresponding topics.

### Meetings

Meetings will be called by the Steering Committee through the Secretariat every X months (the frequency depends on the situation, topics to be discussed, ongoing projects by NEI, etc).

In any case there should be at least 2 / year:

* One to define the work programme of the next year, in December
* One in June to review progress and discuss any other issues

Then in addition there will be:

* Additional meetings, for all or just part of the members of NEI, in relation to the activities of the different working groups.
* Training sessions, as defined in the annual work plan.

## Communication e-tools

### Facebook group

The already existing Facebook group “grupa inspetori za zivotna sredina” is a closed group including both central and local level inspectors. Members are invited to post questions, info, photos…

This platform is a good way to discuss in real-time some common issues, as a large number of inspectors are already familiar with Facebook. A drawback is that not all inspectors are familiar with Facebook (as opposed to email).

### Email

An updated e-mailing list will be useful at least in order to share with all members the documents and decisions generated within NEI.

### Website (within SEI’s web)

Several aspects of the communication related to NEI cannot be covered by a Facebook group. Part of the information generated by NEI should be shared in the form of a website. The ideal location is to host such web within the website of SEI, [www.sei.gov.mk](http://www.sei.gov.mk) . The following is proposed:

* In SEI’s website the NEI would be a project
* This project would include:
	+ Description of network: goals, members, statutes, contact data of Secretariat
	+ Description of activities of members (brief description of last year activities of members (SEI & municipalities))
	+ Documents produced within the network: minutes of meetings, reports, work programme…
	+ Upload relevant materials
		- Updates or reviewed versions of materials delivered by Twinning MK-10-IPA-EN-01-14
		- Examples of good materials, templates, initiatives by Macedonian inspectors and institutions. In particular examples by good-performing municipalities can be useful for small or bad-performing municipalities.
		- Info about past and coming trainings, activities or projects.
	+ Fora for the different working groups, 1 forum per working group (this may be done outside of the web, through email lists).
* 1 person should be in charge of managing website-related tasks, to keep it alive.

## Critical success factors

Special attention should be paid to the following points in order to ensure the success of the network:

* Gathering of the funds required to establish the legal body and to keep the structure. From experience of the Network of Communal Inspectors:
	+ Fees are difficult to collect (they typically request at least 300 denars/year, but some members give more, and around 50% of the members pay their fee).
	+ They try always to find sponsors. Communal enterprises have provided support by hosting trainings or supporting them.
	+ Typical costs: establishment (500 euro), annual payments (250 euro), website, costs related to meetings (they try to get venue for free in the different towns where they organise them)
* Gathering of all papers and following properly the procedure to register the association
* Involvement of participants, not only in the start but continuously: there should be a plan on how to promote re-involvement.
	+ It is suggested that members should estimate how many hours / month they can allocate to the activities of NEI, in order to have some kind of pre-commitment, and to estimate how much can be done.
	+ The Network of Communal Inspectors tries to organize the different meetings in different locations, to promote transparency and ease access and involvement by all members. Also, all members are informed about all decisions.
* The staff in municipalities (inspectors and permit writers) may have problems to be involved depending on the attitude of the mayor.
* 1 person should be in charge of managing website-related tasks, to keep it alive.

# Steps to establish the Network

## Definition of a core group in charge of NEI’s establishment

A core group should be established to prepare a first draft proposal about NEI. Potential members of this core group can include a couple of SEI inspectors, and 1 coordinator from each statistical region on behalf of the local level.

The core group should be established **by September 2016**.

## Tasks to be implemented or coordinated by the core group

The following tasks are expected to be implemented under the leadership of the core group **by the end of 2016**:

* Establishment of an association, with account, seal, statutes, define the bodies within the network, define the first annual work plan.
	+ The Statutes of NEI can be drafted based on a mixture of the ones of the network for communal inspectors, maybe a simplified version of them (they seem to have too many bodies and figures), and the statutes of REDIA (provided to SEI).
	+ It is suggested that the first annual work plan should be not too ambitious. Members of the working groups should estimate how many hours per month they can devote to the working group, and take that as basis to set realistic targets.
* Have a meeting in each of the 8 statistical regions in the initial phase to define potential members, with the presence of at least 1 SEI representative and the corresponding coordinator/s for the statistical region (to lead the presentation and discussion).
* Once the preparatory work for the establishment of NEI is advanced (with draft estatutes, etc), have a central assembly meeting to present the network and coordinate the members of it.
1. In this sense, for persons with short experience or who are new in the job of environmental inspection it is a very good initiative, as it is a perfect platform to communicate and learn. [↑](#footnote-ref-1)