OECD COMPENDIUM OF GOOD PRACTICES

in promoting, monitoring and enforcing environmental compliance

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A bit of history: OECD work on compliance assurance

- Projects and publications on compliance assurance in OECD member countries in 2007-14
 - "Ensuring Environmental Compliance: Trends and Good Practices"
 - Performance measurement of compliance assurance
 - Strategies and instruments for promoting consistency in implementation of national environmental law in decentralised governance systems
 - Setting, and promoting compliance with, environmental requirements for SMEs with low environmental risk
- Extensive guidance to non-members under Green Action Task Force
 - inspection planning, setting non-compliance penalties, environmental liability, and funding aspects of compliance assurance
- Compliance assurance is a prominent element of 3rd-cycle Environmental Performance Reviews (2010-21)



- An overview of good practices in compliance assurance across OECD member countries
- Not an analysis of gaps and weaknesses in countries' compliance assurance systems
- Not a benchmarking exercise
- Background for the development of an OECD legal instrument on compliance assurance



Sectoral approach to compliance promotion	UK
Compliance assistance collaboration with non-government partners	USA
Compliance assistance through direct contact with businesses	Australia, Finland, UK
Outreach to the regulated community	Canada, Estonia, France
Web-based tools to disseminate information on good compliance practices	United Kingdom, USA
Public disclosure of compliance records	Canada, Finland, France, Japan, Netherlands, UK, USA



Risk-based inspection planning by facility category

Risk-based inspection planning by scoring individual facilities

Adequate procedures to respond to citizens' complaints

In-depth compliance assessments

Thematic inspection campaigns

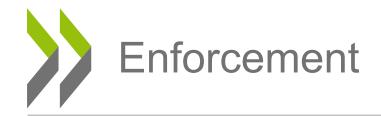
Canada, France, USA

Denmark, Latvia, Spain, UK

Ireland, Korea, Latvia, Slovenia

Netherlands, Norway, UK

Belgium, Iceland, Latvia, Portugal, Slovenia, Sweden



- Non-coercive enforcement instruments
- Conditional administrative fines
- Legally set minimum fines
- Enforcement undertakings
- Decriminalising lesser offences in favour of administrative enforcement
- Providing alternatives to prosecution
- Civil judicial enforcement (beyond remediation/corrective action) USA
- Formal non-compliance response policies

Recovery of economic benefit of non-compliance Formal guidance on accounting for gravity of the offence Working with fiscal authorities to enforce payment of fines Belgium, Finland, Netherlands

France, Poland, Sweden

Austria, Portugal, Sweden

Australia, UK, USA

Canada, Ireland, UK

Canada, Israel, Netherlands, UK

Canada, France, Netherlands, New Zealand, UK, USA Australia, Israel, UK, USA United Kingdom, USA Belgium, Greece, Slovenia



Co-ordination bodies between national and subnational enforcement agencies

Performance oversight of subnational authorities by national ones Ireland, Norway, USA

Co-ordination of compliance monitoring across national regulatory agencies

Collaboration with the police, customs and prosecutors

Specialised environmental police and prosecutors

Dedicated environmental courts

Guidance and training for lower-level enforcement authorities

Networks for peer learning

Outcome performance measurement

Canada, Spain, Sweden, Switzerland, USA

Canada, Denmark, Finland, Switzerland

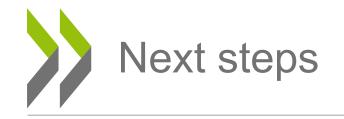
Belgium, France, Greece, Luxembourg, Netherlands, UK Colombia, Italy, Norway, Spain

Canada, Australia, New Zealand, Sweden

France, Netherlands, Sweden, Turkey, USA

Australia, Belgium, Chile, Ireland, New Zealand, Spain, Sweden, USA

Canada, Denmark, Ireland, United Kingdom, USA



- Contributions from member countries to enrich the compendium (December 2021)
- Finalisation of the compendium (March 2022)
- Preparation and adoption of an OECD Council Recommendation on environmental compliance assurance (2022-24)

