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PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING AND ENVIRONMENTAL COMPLIANCE INSPECTION COURSE

TRIP REPORT AND COURSE EVALUATIONS
JULY 24-AUGUST 1, 2006, MALI



August 30, 2006

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Photo Credit:: Participants in “Principles of Environmental Compliance and Enforcement Training,” Segou, Mali 2006. Photo by Jamey Watt.

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BACKGROUND

The USEPA and the USAID are cooperating in a program of capacity building for the Malian Ministry of the Environment related to increasing Malian capacity to analyze environmental issues and to improve the development and implementation of environmental compliance and enforcement programs. A primary goal of the capacity building program is to design and deliver a facilitated training program that will build Malian capacity to establish environmental requirements and to monitor and enforce compliance with such requirements. Accordingly, the USEPA team delivered the three-day “Principles of Environmental Compliance and Enforcement Training” in Segou, Mali, from July 24 through 26, 2006.

In addition to the planned training course called “Principles of Environmental Compliance and Enforcement Training,” the Ministry of the Environment had initially requested training on conducting “environmental audits.” In phone conferences in June, 2006, between the Ministry, USEPA, and USAID’s contractor, International Resources Group (IRG), it was clarified that the Ministry was seeking training for Ministry employees on targeting, planning, and conducting environmental compliance inspections. As a result, the USEPA team prepared and delivered a two-day “Environmental Compliance Inspection Course” based on training materials already developed for either a one-day or three-day course. The course was presented from July 31 through August 1, 2006, at the Ministry of the Environment in Bamako, Mali.

Trainers

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PURPOSE

The purpose of the July 2006 trip by EPA personnel was to deliver EPA international training courses as a part of the capacity building program for Mali with USAID. The courses, entitled “Principles of Environmental Compliance and Enforcement Training” and “Environmental Compliance Inspection Course,” are part of a series being delivered by USEPA to the Malian Ministry of Environment and other ministries that have functions requiring the establishment of regulatory environmental protection regimes.

This trip report documents the EPA-related portions of the training and provides some background on the other aspects as noted.

MODULE 1: US EPA COURSE, JULY 24–26, 2006, PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING

This standard US EPA course was delivered by US EPA trainers Amelia Katzen, Tom Olivier, and Jamey Watt. The three day course provided participants with a framework and principles for understanding how regulatory agencies may design and establish environmental requirements (e.g., laws, regulations, and permits), and then implement such requirements through compliance promotion, economic incentives, and enforcement programs. The course was delivered in English with simultaneous French translation.

The target audience was mid-level managers at government agencies having authority to design and enforce environmental regulatory regimes, as well as other persons outside government (such as with NGOs or industrial facilities) with similar skills and responsibilities. See list below of participating agencies.

MODULE 2: US EPA COURSE, JULY 31–AUGUST 1, 2006, ENVIRONMENTAL COMPLIANCE INSPECTION COURSE

This two-day course was delivered by US EPA trainers Amelia Katzen and Jamey Watt. It provided a group of participants from the Ministry of the Environment with training and guiding principles on monitoring compliance with environmental requirements. Background on the underlying principles governing compliance and enforcement of environmental requirements was provided, followed by specific procedures to be followed in collecting evidence, conducting inspections, sampling and analysis, and documenting inspections. The course was delivered in English with simultaneous French translation.

The target audience was supervisory personnel at the Ministry of the Environment who have responsibility for both conducting environmental compliance inspections and planning and supervising the work of other inspectors. Most participants were the heads of the Sanitation Departments of the municipal subdivisions of Bamako, who indicated that they are conducting as many as 3,000 inspections per year.

After arriving in Bamako, the three EPA trainers met with USAID personnel Jean Harmon and Augustin Dembele on July 21, 2006, to discuss logistics and travel plans for the upcoming training programs. The discussion identified the need for translation of materials (slides and handouts) and interpreters for the Environmental Compliance Inspection Course.

On the afternoon of July 21, the EPA trainers met with Moulaye Farota, Ph.D., and Adama Sidibe, at the Ministry of the Environment. The discussion covered issues such as the background and agency affiliation of the training participants, the subjects to be addressed by the training, and other logistics

OUTCOMES

MODULE I: US EPA PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING COURSE DELIVERY

The training course was delivered to 22 participants representing national and regional government agencies, an NGO, and a dairy cooperative. A summary of the major points follows:

The delivery of EPA's training course on the principles of environmental enforcement went extremely well. The logistics for the course were organized by a contractor to the USAID Mali office, including the provision of interpreters and translated materials. Participants received copies of the course text in French, entitled "*Principes de mise en application environnementale*," as well as a full set of course handouts in French. Simultaneous interpretation was by two competent interpreters, communicating via wireless microphones and headsets to the participants and facilitators.

The conference room facilities were comfortable and appropriate for the first two days of the course, providing adequate space for group discussions as well as for break-out groups. However, noise on day three was a problem, causing participants to complain that they couldn't concentrate on the conversation in their break-out groups. This was because two large break-out groups were sharing the same conference room (with a group of 11 huddled at each end), and the noise interference was more pronounced than on previous days.

The 22 participants received course completion certificates signed by USEPA, USAID, and Ministry officials. The participants represented various agencies and organizations:

ABFN	<i>Agences du Bassin du Fleuve Niger</i>
AICHA NONO	<i>A dairy cooperative</i>
DNACPN	<i>Direction Nationale de l'Assainissement Contrôle Pollution et les Nuisances</i>
DNCN	<i>Direction National pour la Conservation de la Nature</i>
DNI	<i>Direction Nationale des Industries</i>
DNUH	<i>Direction Nationale de l'Urbanisme</i>
DRACPN	<i>Direction Régionale de l'Assainissement Contrôle Pollution et les Nuisances</i>
DRCN	<i>Direction Régionale pour la Conservation de la Nature</i>
MA (DNA)	<i>Ministre de l'Agriculture – Direction Nationale de l'Agriculture</i>
MEA	<i>Ministère de l'Environnement et l'Assainissement</i>
ONG SABA : NGO	<i>Solidarite pour l'Auto-promotion a la Base</i>
PC/DR Segou	<i>Protection Civile Segou</i>
STP/CIGQE	<i>Secrétariat Technique Permanent, du Cadre Institutionnelle de Gestion des Questions Environnementales</i>

See attached Annex 1 a list of participants with contact information.

The training followed the outline as set forth in the attached Sample 3-page Agenda, Annex II. (The times presented are only approximate; for example, the break for lunch was taken from 1 to 2 pm to accommodate prayer).

The Day 1 exercises are designed to give the participants a common vocabulary and set of guidelines and tools that can be useful in formulating environmental compliance and enforcement systems. These guidelines and tools are presented as options to be employed, rather than as necessary components of a compliance and enforcement system.

On Day 2, participants are encouraged to work with the concepts, tools, and options outlined on Day 1, by participating in exercises in which they address hypothetical environmental management challenges. The Day 2 exercises were based on the “Saludia” case study, which tasks the participants as members of a task force to address the environmental impacts of existing and/or planned municipal and hazardous waste landfills impacting groundwater and river water quality. This case study was appropriate to the kinds of environmental issues identified by the participants on day 1 as being of paramount importance in Mali (e.g., degradation of water quality in Niger River, improper disposal of household and hazardous waste, agricultural run-off (pesticides and fertilizer) affecting water resources, deforestation and desertification, etc.).

On Day 3, participants were divided into two separate groups of 11; each group participated in a role-play negotiation session in which a hypothetical Ministry of Environment has discovered violations at the Meridian Company’s municipal solid waste landfill. Roles were assigned to the participants such that four represented the Ministry, and four represented the Meridian landfill. There were also a union representative, two members of the community, an environmental activist, and a judicial officer. The groups were asked to negotiate a solution to the violations, and to produce a written agreement that embodied the terms of agreement (such as a compliance schedule, monetary penalties, supplemental environmental projects, and any other agreed-upon terms). Both negotiating groups resolved the conflict and wrote and signed an agreement between the parties.

Finally, at the end of Day 3, the facilitators and participants held an open discussion forum, in which questions and issues concerning the training course were raised, and in which the facilitators responded to questions about the environmental laws and enforcement programs in the United States. This was followed by closing remarks by Jean Harmon of USAID and Adama Sidibe of the Ministry of the Environment, the presentation of certificates, and a request for submission of course evaluation forms the following day.

Evaluations by the participants were very favorable (see attached summary, Annex III). The course was very well received and the participants were very active during the course, particularly enjoying the Day 2 break-out sessions and the Day 3 role-play negotiation session. For the role-play session on Day 3, participants were assigned roles that were as distinct as possible from their usual professional affiliations. This provided participants the opportunity to approach the complex negotiation from the point of view of persons representing a very different set of interests from their own.

After the conclusion of the training, the EPA trainers returned to Bamako, and on Friday, July 28 met with Moulaye Farota, Ph.D., *Conseiller Technique* at the Ministry, to evaluate the training program, and to discuss the upcoming Environmental Compliance Inspection Course. Dr. Farota expressed full satisfaction with the “Principles” course. He indicated that he thought the “Principles” course had been well designed and presented, and that it would prove very useful to the participants in their work. (Note that both Dr. Farota and Adama Sidibe, *Charge de Mission* of the Ministry, had participated in the three-day training program, and so had ample basis on which to evaluate and comment on the training.) With respect to the upcoming inspector training course, Dr. Farota discussed the logistics of the course, identified the probable participants, and took the trainers to see the conference room where the course would be held (this was at a Ministry building in another part of the city).

MODULE 2: US EPA COURSE, ENVIRONMENTAL COMPLIANCE INSPECTION COURSE

The training course was delivered to 18 participants representing various divisions of the Ministry of the Environment, including the sanitation departments of various communes of the City of Bamako, and the pollution control, planning, auditing, urbanization, and communications departments of the Ministry. A summary of the major points follows:

The delivery of EPA’s training course on environmental compliance inspections went very well under the circumstances. The logistics for the course were organized primarily by the Ministry of the Environment, including providing the interpreters and conference room. Simultaneous interpretation was by two competent

interpreters, communicating via wireless microphones and headsets to the participants and facilitators. Unfortunately, course materials were not translated into French, and so participants received copies of the Inspector's Field Manual, International Edition, in English. The trainers were able to translate a small percentage of the approximately 170 slides that accompany the course, although many of the slides are photographs and did not require translation. Key instructional slides and materials for group exercises were translated and handed out to the participants.

The conference room was located at one of the Ministry's buildings and was somewhat small for the number of participants. However, the furniture was carefully arranged to accommodate the trainers' use of Powerpoint, and there was just enough space to break into two smaller groups for a couple of exercises.

The participants did not receive course completion certificates signed by USAID and Ministry officials immediately upon completion of the course but did receive them within a few days, after a small error in the certificate was corrected to the satisfaction of the Ministry official signing them.

The training followed the outline as set forth in the attached Two-Day Agenda, Annex IV. This agenda was adapted from the three and one-day agendas provided to us by EPA after we were told that there would only be translators provided for two days of training. The trainers translated the agenda, as well as several other handouts, and the Ministry duplicated them for each of the participants.

The initial Day 1 sessions are designed to give the participants a common vocabulary and understanding of the principles that underlie effective enforcement of environmental requirements. Sessions later in Day 1 address the specific activities that must be undertaken to conduct effective inspections: planning the inspection and collecting evidence. An exercise based on a newspaper article about a toxic spill into the Niger River brought out various possibilities for evidence collection and sampling.

On Day 2, participants were led through the remaining elements of the inspection, including on-site activities (covering gaining access to the site, what conversations to have with facility representatives, how to handle resistance by the facility), sampling and analysis, field equipment, preventing mistakes in the collection of evidence, and documenting the inspection (emphasizing the need to collect evidence that will be admissible in court).

After the conclusion of the training, the EPA trainers met briefly with Dr. Moulaye Farota, who expressed full satisfaction with the "Inspector Training" course. He indicated that he thought the course had imparted a lot of important information to the participants and that it had great relevance to the work of the participants. The trainers also met with Adama Sidibe, whose comments echoed those of Dr. Farota. (Note that Adama Sidibe, *Charge de Mission* of the Ministry, participated in the Inspector Training course, as well as the three-day "Principles" course.)

SUMMARY OF EVALUATIONS

PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING

Participants in the “Principles of Environmental Compliance and Enforcement Training” were asked to complete course evaluations after Day 3 of the course, and to hand them in the following day. This procedure allowed sufficient time for thoughtful responses, as opposed to giving participants a few minutes at the conclusion of Day 3. Seventeen of the 22 participants submitted evaluation forms.

I. GENERAL COMMENTS

Participants were asked which parts of the course they liked the most, and which parts they liked the least.

The participants provided highly enthusiastic course evaluations. Most replied that their favorite part was the role-play negotiation session on Day 3. Several said that it allowed them to “get inside someone else’s skin” and see different points of view in negotiation, while applying the concepts they had been learning about in the first two days. Other strengths listed were the exercises dealing with promoting compliance, selecting management approaches, and responding to violations.

As to the least favorite part, most replied that there was no weak part of the course they could single out. One participant thought that a case study based specifically on an environmental issue in Mali would have been more useful. Another thought that the “Saludia” case should have been more closely studied and evaluated (see also the comments below on course duration).

II. TEXT AND MATERIALS

Participants were asked to comment on the quality and utility of the written materials.

All the participants reported that the text is very useful, both as a supplement to the training sessions and as a reference tool in their work.

Three participants noted that although the text is an excellent resource, there are typos and/or translation errors to be corrected.

III. TRAINING COURSE

Participants were asked if the course material or content was useful and appropriate for their type of work; and whether they found the role playing useful.

All the participants replied that the course was highly applicable to their work. Several said that course stimulated new ideas and approaches for particular issues being dealt with at work. One commenter wished that the course had focused on a particular environmental issue of concern in Mali, rather than the hypothetical problems of “Saludia”.

As noted above, the participants were unanimous in saying that the role playing was a highlight of the course. One participant, who had been assigned the role of Administrative Officer in the role play, informally told us that she now understood that construction workers who were responsible for releasing sediment into the river were also trying to protect their jobs. She said that in the future she would try to educate such violators while acknowledging the validity of their concerns.

IV. FACILITATED TRAINING MODEL

Participants were asked whether they found the facilitated training style appropriate and helpful.

Both the training style and the presentation by the facilitators received high marks. Most said they were quite comfortable with the facilitated training approach, and that it helped their comprehension. Some participants commented that this approach stimulated active involvement and dialogue. Three participants noted that the slides were helpful.

Some participants wished that the facilitators would present their own points of view on an issue more often.

V. LOGISTICS

Participants were asked to comment on the schedule, the course duration, and the equipment.

Many participants commented that the course was too short: there was a lot of material covered in a short time, and there wasn't always enough time to finish discussion of issues. Some felt the exercises were too busy and rushed. Several suggested having more time for the role play negotiation. One participant suggested increasing the course to five days.

Several participants suggested distributing CDs of course materials and discussions.

One commenter thought that the text and other written materials had contradictions and areas of unnecessary repetition, and that there was sometimes missing information in the exercises.

ENVIRONMENTAL COMPLIANCE INSPECTIONS COURSE

Participants in the "Environmental Compliance Inspections Course" were not given evaluation forms but were asked to comment on the course during the final session. Comments were generally positive regarding the content of the course and the teaching. Participants volunteered that the material was very relevant to their work and that their work would benefit from the newly acquired knowledge.

All the participants noted that the materials should have been translated. They were assured that a French translation of the *Inspector's Field Manual* would be given to them at a future date. Some participants would have liked the trainers to compare and contrast the environmental laws of Mali and the US, and some would have liked us to critique Mali's laws. They all felt that they would benefit from a visit to the US to personally view how the EPA conducts its enforcement activities.

ANNEX I

LIST OF PARTICIPANTS

LISTE ET ADRESSES DES PARTICIPANTS : SESSION LOIS ENVIRONNEMENTALES ET BIOSECURITE SEGOU, DU 24 AU 28 JUILLET 2006

N°	Noms et Prénoms		Structures	Adresses Electroniques	Contacts téléphoniques	
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ANNEX II

AGENDA FOR MODULE I: *PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING*

SAMPLE THREE-DAY AGENDA

DAY I

8:00 – 8:15	Opening remarks
8:15 – 9:15	Introduction to the Course
9:15 – 10:00	Exercise 1.1: Environmental Problems
10:00 – 10:15	Break
10:15 – 10:45	Exercise 1.2: Definitions
10:45 – 11:30	Exercise 1.3: Environmental Requirements
11:30 – 12:00	Exercise 1.4: Compliance Motivation
12:00 – 1:00	Lunch
1:00 – 1:45	Exercise 1.5: Compliance Monitoring/Enforceability
1:45 – 2:30	Exercise 1.6: Enforcement Response
2:30 – 2:45	Break
2:45 – 3:15	Exercise 1.7: Enforcement Priorities
3:15 – 3:40	Exercise 1.8: Components of an Enforcement Program
3:40 – 3:50	Evaluation Day I
3:50 – 4:00	Introduction to Applying the Principles Case Study
4:00	
Adjourn	

DAY 2

8:00- 9:00	Exercise 2.1: Designing Environmental Management Approaches
9:00 – 10:00	Exercise 2.2: Writing and Enforceable Requirement
10:00 – 10:15	Break
10:15 – 10:45	Exercise 2.3: Compliance Promotion
10:45 – 11:15	Exercise 2.4: Balancing Promotion and Enforcement
11:15 -12:15	Lunch
12:15 – 1:15	Exercise 2.5: Monitoring Compliance
1:15 – 2:15	Exercises 2.6: Response to Violations
2:15 – 2:30	Break
2:30 – 3:30	Exercise 2.7: Penalty Policy
3:30 – 4:00	Evaluating Program Success
4:00 – 4:10	Evaluation Day 2
4:10 – 4:20	Introduction to Negotiation Role Play
4:30	
Adjourn	

DAY 3

8:00 – 8:45	Introduction
8:45 – 9:00	Break
9:00 – 10:00	Negotiation Role Play – Session 1
10:00 – 10:15	Break
10:15 – 11:15	Negotiation Role Play – Session 2
11:15 – 11:30	Break
11:30 – 12:45	Negotiation Role Play – Session 3
12:45 – 1:00	Feedback and Discussion
1:00 – 2:00	Lunch
Planning for Future Action	
2:00 – 2:15	Introduction and Choice of Topics for Groups
2:15 – 3:00	Small Groups
3:00 – 4:00	Report-out
4:00 – 4:30	Discussion of Other Network or Capacity Building
4:30 – 4:40	Wrap up
4:40 – 4:50	Course Evaluations
4:50 – 5:15	Closing Remarks

ANNEX III

REPORT FOR DAYS 1 AND 2 OF PRINCIPLES OF ENVIRONMENTAL COMPLIANCE AND ENFORCEMENT TRAINING

RAPPORT DU JOUR I, 24 JUILLET 2006

Le lundi 24 Juillet 2006, s'est tenu dans la salle de conférence de l'hôtel de l'indépendance la session de formation intitulé :

« Législation sur l'Environnement et l'Evaluation Environnementale » et « Biosécurité et Gestion des Risques dans les Cultures Transgéniques »

La session a commencé par les mots de bienvenu du Représentant de l'USAID, Mr Augustin Dembélé , suivi du Discours d'ouverture du Représentant du Ministère de l'Environnement et de l'Assainissement.

Après, la présentation des Participants, ainsi que leurs attentes par rapport a cette Formation

Etaient présent a cet atelier les :

- Cadres des Départements Ministériels et des Services Techniques Gouvernementaux Chargés de l'application de la Législation Environnementale et de la Préservation des Ressources Naturelles
- Praticiens de l'évaluation Environnementale Chargés du Suivi et la mise en œuvre des instruments juridiques et législatifs
- Agences de développement engagées dans les activités et les programmes axés sur les aspects de Biosécurité

ONG, Bureaux d'Etudes et les Consultants chargés de l'appui conseil sur la législation environnementale, la préservation des ressources naturelles, la Biosécurité et la Gestion des Risques

La formation était assurée par

- Monsieur
 - Tom Olivier
 - Jamey WATT
- Et Madame :
 - Amelia KATZEN

Cependant la session a débuté à 9Heures , par :

1. l'introduction sur les Principes de Mise en application des Lois Environnementales, pour cela le formateur Mr Tom Olivier pense que les règles de base existantes pour bien former les participants sont les suivantes :
 - Ecouter tandis que les autres parlent
 - Respecter l'opinion des autres
 - Il n'y a point de mauvaise réponses
 - Faite appel à votre imagination
 - Participer
2. Quels sont les problèmes environnementaux qui vous préoccupent le plus ?

Ce point a été discuté et beaucoup de réponses ont été données par rapport à ces problèmes prioritaires
3. Qu'es ce que la Conformité et l'application des prescriptions et la Dissuasion
Ces deux points ont été animés par Mme Amelia Katzen qui pense que,
 - la conformité est atteinte lorsque les prescriptions sont satisfaites, lorsque les comportements souhaitables sont accomplis
 - la mise en application passe par une série d'actions que les gouvernements ou autres prennent en vue de contraindre ou d'encourager la conformité ;
 - la dissuasion c'est l'instauration d'un climat dans lequel les gens optent pour la conformité plutôt que de transgresser la loi. Et l'instauration de la dissuasion est fondée sur quatre éléments, à savoir :
 1. une probabilité credible qu'une violation sera détectée
 2. une réaction rapide et manifeste du gouvernement
 3. une conséquence : une sanction ou pénalité appropriées
 4. la perception que les trois premières conditions existent .
4. Quels sont les objectifs environnementaux ?

Selon le modérateur Mr Jamey WATT ces objectifs sont les suivant :

 - la qualité de l'environnement
 - l'utilisation durable des ressources naturelles
 - la prévention de la pollution
 - le risque acceptable ou la réduction u risque
 - la participation (compensation)
 - le nettoyage de la contamination antérieure
 -
5. Les exemples d'approche pour la gestion de l'environnement ont été définies par Mr Tom Olivier qui sont :
 - Volontaire

- Réglementation
- Axée sur l'économie / marché
- Responsabilité

Le point suivant est : Quels sont les changements de comportement souhaitables, selon lui l'emploi de trois points essentiels : répondent à cette question

- Qui
- Quoi
- Quand

6. Quel sont les facteurs qui motivent la conformité ? et quels sont les obstacles à la conformité / stimulants à la violation de la loi ?

Cependant les facteurs qui motivent la conformité sont les suivants :

- Les taxes
- Les lois pas trop dures
- La peur de disparition de ressource
- Les sanctions
- L'implication des acteurs dans l'élaboration de la loi.

Les obstacles à la conformité :

1. l'Etat
2. le manque de suivi
3. les normes ne sont pas définies
4. la pauvreté
5. l'éducation

Après cette série de cours les participants ont été repartis en groupe de travail .Le point sur les conditions préférées ainsi que le point sur les exemples de situations environnementales ont été traités

Les travaux de la journée du 24 ont pris fin à 16H30 après l'exercice sur les Types de Pouvoirs en matière de mise en application.

Les rapporteurs: Mme ARBY Aminata DIALLO
Mr Abdoulaye TRAORE

RAPPORT DU JOUR 2, 25 JUILLET 2006

L'an deux mil six et le vingt-cinq juillet, se sont tenus à Ségou les travaux de la 2^e journée de la Formation en "Législation sur l'environnement et Evaluation Environnementale".

Les travaux ont commencé par la lecture et l'adoption du rapport de la journée du 24 juillet 2006.

Après l'adoption de ce rapport, les rapporteurs du jour furent désignés. Il s'agit de Messieurs Idrissa Traoré et Kassé Camara.

Quant aux présentations, elles ont porté sur sept (7) thèmes. Ce sont :

- Typologie des approches de la gestion environnementale ;
- Elaboration des prescriptions ou réglementations ;
- Promotion de la conformité ;
- Contrôle de la conformité ;
- Réactions aux violations ;
- Politique de pénalité ;
- Evaluation du programme.

I. TYPOLOGIE DES APPROCHES DE LA GESTION ENVIRONNEMENTALE :

Ce thème a été présenté par Monsieur Tom OLIVIER. Il a donné des exemples d'approches de gestion environnementale telles que l'approche technologique, l'approche de performance, l'approche économique, l'approche volontaire et autres approches.

Après sa présentation, il a été formé trois groupes de travail. Les travaux de groupe ont permis d'élaborer des approches de gestion environnementale des déchets résidentiels et industriels de Landville.

La restitution en plénière des travaux de groupe a été suivie de débats.

A l'issue de ces débats, il convient de retenir ce qui suit :

- Plusieurs options peuvent être retenues pour une approche donnée si ces options ne sont pas contradictoires ;
- Il faut toujours choisir les options appropriées pour une approche donnée ;
- Plus le problème est complexe, plus il faut d'approches de gestion environnementale.

2. ELABORATION DES PRESCRIPTIONS :

Ce thème a été présenté par Madame Amelia KATZEN.

La facilitatrice dira que pour rédiger une prescription, il faut s'assurer qu'elle est spécifique. Elle doit être claire aussi. Donc, il faut penser aux questions suivantes : Qui ? Quoi ? Où ? Quand ?

Elle dira également qu'au moment de l'élaboration d'une prescription, son applicabilité ne doit pas être ignorée.

Il est à signaler que l'exercice effectué durant la présentation de ce thème a permis d'élaborer la prescription relative à la réduction de 40% des déchets toxiques produits par les industries.

3. PROMOTION DE LA CONFORMITÉ :

Ce thème a été présenté par Monsieur Jamey WATT.

Le facilitateur a beaucoup insisté sur le rôle de la promotion de conformité.

Il a ensuite demandé à quelques participants de lire la liste des sept mesures de promotion de la conformité.

Un exercice individuel sur la promotion de la conformité a été aussi fait sous la supervision de Monsieur WATT.

4. CONTRÔLE DE LA CONFORMITÉ :

Ce thème a été présenté par Monsieur Jamey WATT.

Il a fait connaître aux participants la liste des sept mesures permettant de contrôler la conformité.

Il dira que l'objectif du contrôle est de s'assurer comment les cibles se sont comportées vis-à-vis des prescriptions élaborées.

Le développement d'un calendrier d'inspection a également été présenté aux participants par Monsieur WATT.

Pour le facilitateur, les mesures de contrôle permettent de mieux gérer le temps et les rares ressources tandis que le calendrier d'inspection permet de mieux suivre la conformité.

Les travaux de groupe et leur restitution en plénière ont permis aux participants de comprendre le thème présenté.

5. RÉACTIONS AUX VIOLATIONS :

Ce thème a été présenté par Madame Amelia KATZEN.

Pour Madame Amelia KATZEN, il faudra toujours avoir à l'esprit la réglementation. Elle dira également qu'avant de réagir aux violations, un inspecteur doit chercher à connaître la typologie des violations.

Aussi, les réactions face aux violations peuvent être graduelles et doivent être fonction de la taille des installations.

Quant aux sanctions, elle dira qu'elles doivent être systématiques et cohérentes.

6. POLITIQUE DE PÉNALITÉ :

Ce thème a été présenté par Monsieur Tom OLIVIER.

Au cours de son exposé, il a insisté sur l'esprit d'équité. Ainsi, lorsque les violations sont identiques, les pénalités aussi doivent l'être.

Mais, pour Monsieur Tom, plus les violations sont graves, plus les pénalités seront élevées.

Il a expliqué aux participants le mode de calcul de la pénalité financière avant de leur soumettre un cas pratique.

A la question d'un participant si le fait de tenir compte de la capacité financière des entreprises à pénaliser constitue une injustice ou non, le facilitateur répondra à l'affirmative, sinon beaucoup d'entre elles seront fermées.

7. EVALUATION DU PROGRAMME :

Ce thème a été présenté par Monsieur Jamey WATT.

Pour le facilitateur, l'évaluation du programme permet de vérifier si des améliorations ont été enregistrées ou non au niveau des problèmes environnementaux répertoriés.

Il dira également que tout programme doit être évalué régulièrement pour connaître ce qui a été fait et ce qui reste à faire.

Les travaux de la journée ont pris fin à 17 heures 45 mn par la présentation, par Madame Amelia KATZEN, du programme de la journée du 26 juillet 2006.

Les rapporteurs: Idrissa TRAORE
Kassé CAMARA

ANNEX IV

AGENDA FOR MODULE 2: ENVIRONMENTAL COMPLIANCE INSPECTION COURSE

DAY I

Session number (from full course)	Start Time	Title
-	8:30	Registration
1	9:00	Introductions and Welcome <ul style="list-style-type: none"> • Welcome • Outline agenda and logistics • Introduce speakers and attendees
3	9:45	Environmental Compliance: The Goal <ul style="list-style-type: none"> • Principles of compliance and enforcement • Compliance promotion tools • Relationships in enforcement process
BREAK	10:30	<i>15 MINUTE BREAK</i>
4	10:45	Role(s) of the Inspector <ul style="list-style-type: none"> • Different types of Inspections • Ethical considerations • Responsibilities
5	11:45	Enforceability of Requirements <ul style="list-style-type: none"> • Translating requirement into verifiable item • Different types of requirements • Evaluating requirement and implementation
LUNCH	12:45	<i>1 HOUR LUNCH PLUS 15 MINUTES FOR PRAYERS</i>
5	14:00 1:00	Enforceability of Requirements (EXERCISE) Exercise on evidence needed for different types of requirements (technical, performance, economic)
6	15:00	Planning Inspections
BREAK	15:45	<i>15 MINUTE BREAK</i>
7	16:00	Collecting Evidence <ul style="list-style-type: none"> • Verification and documentation • Different types of evidence • Evidence protection and control
ADJOURN	17:00	<i>DISCUSSION, EVALUATION OF FIRST DAY'S TRAINING</i>

DAY 2

Session number (from full course)	Start Time	Title
--	9:00	Report on Prior Day's Training
8	9:15	On-Site Activities <ul style="list-style-type: none"> • Interaction with the company • Access to site • Site walk-through and visual inspection • Discussion of different participant's experiences
10	10:00	Sampling and Analysis <ul style="list-style-type: none"> • Planning for sampling • Representativeness
BREAK	10:30	<i>15 MINUTE BREAK</i>
10, 11	10:45	Sampling and Analysis (continued) <ul style="list-style-type: none"> • Ensuring quality of results • Equipment • Water sampling • Soil and sediment sampling • Documentation
--	11:30	Discussion of differences between US and Mali in sampling practices and available equipment
LUNCH	12:00	<i>1 HOUR LUNCH PLUS 15 MINUTES FOR PRAYERS</i>
12	13:15	Preventing Mistakes <ul style="list-style-type: none"> • Small group exercise to find errors in sampling
13	14:00	Documenting Inspections <ul style="list-style-type: none"> • Checklist vs. narrative format • Tips for writing inspection report • Report format and content
QUESTIONS	15:00	Any relevant questions for further discussion
ADJOURN	15:45	<i>CLOSING REMARKS AND ADJOURN FOR THE DAY</i>

ANNEX V

LIST OF PARTICIPANTS FOR *ENVIRONMENTAL COMPLIANCE INSPECTION COURSE*

1. Balla Sissoko, DNACPN
2. Mamadou DOUMBIA, DNACPN
3. Demba SIDIBE, DNACPN
4. Abdoulaaye TRAORE, DNACPN
5. Aziz SANOGO, DNACPN
6. Dianguiné CAMARA, DNACPN
7. Oumar OYAYTT, DNACPN
8. Djélli Moussa KOUYATE, DRACPN-BAMAKO
9. Seydou OUOLOGUEM, DRACPN-BAMAKO
10. Oumar CAMARA, DRACPN-BAMAKO
11. Mme GUIDO Noumoudio OUOLOGUEM, DRACPN-BAMAKO
12. Lamine SANGARE, DRACPN-BAMAKO
13. Oumar CAMARA, DRACPN-BAMAKO
14. Amadou TANDIA, DRACPN-BAMAKO
15. Oualamako TRAORE, DRACPN-BAMAKO
16. Adama Salif SIDIBE, MEA