

Concluding and comparative remarks

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Concluding and comparative remarks

Michael Faure, An Stas and Peter De Smedt

1. A DIVERSIFIED LANDSCAPE

The 26 chapters in this volume present a wonderful overview of the large variety of environmental enforcement networks that exist on a worldwide basis. The chapters describing and analysing the environmental enforcement networks in this book represent almost all continents. One important and interesting conclusion, therefore, is that apparently in Europe, North and South America, Africa, Australia and Asia, those engaged in the enforcement of environmental law have recognised that creating environmental enforcement networks is of importance. This as such is already an important finding. The mere fact that many different environmental enforcement networks exist shows that those networks apparently respond to a particular demand in practice and that hence enforcers feel that the creation of those networks can add to the effectiveness of enforcement efforts. Of course, between all of the networks that have been described and analysed in this volume, there are to some extent similarities at a general level (in the sense that all networks at an overall level aim at improving environmental enforcement through networking), but the nature and intensity of the different networks can show a lot of variety.

As already the different parts of this volume made clear, there are many differences. One can, for example, distinguish between more general networks (focusing on any type of environmental enforcement) versus thematic networks (focusing, for instance, on specific topics such as wildlife crime¹ or the transboundary shipment of waste).² Some networks are rather *ad hoc* and created to solve a particular problem on the spot, whereas other networks have a more structural nature. Many networks are horizontal, including a cooperation between enforcement agencies at the same level, whereas other networks are rather vertical and equally include a collaboration between different hierarchical layers in the enforcement

¹ Described in Chapters 9 and 11.

² Described *inter alia* in Chapters 14 and 25.

chain.³ Moreover, also as far as the regional scope is concerned, a lot of variety could be discovered. Some networks are merely local,⁴ whereas other networks are national.⁵ Other networks have a rather regional character, for example within a particular nation⁶ or combining efforts between different countries.⁷ The latter type of networks, bringing together the environmental enforcement efforts of different states in a particular region, makes clear that those networks often are international. The ultimate international network, bringing together all environmental enforcement networks at a worldwide scale is obviously the 'mother of all environmental enforcement networks', the International Network for Environmental Compliance and Enforcement (INECE).⁸

Precisely because the networks described and analysed in this volume show that many different forms and characteristics exist, it is almost impossible to come to general conclusions concerning the functioning of networks that would have validity for all the networks described. Notwithstanding this limitation, it does seem possible to draw a few conclusions based on the rich description and analysis of the various environmental enforcement networks in this volume. That is precisely the goal of these comparative and concluding remarks.

2. THE IMPORTANCE OF NETWORKING RESEARCH

It may perhaps seem strange to some in the first instance to organise an academic conference on a topic which may seem more practically or policy oriented, like networking between environmental enforcement agencies. However, the different studies of Pink⁹ show that it is quite possible to

³ An example of the latter is, for example, the Flemish High Council of Environmental Enforcement, described in Chapter 26.

⁴ Such as, for example, the network aiming at enforcement collaboration in the Port of Huntington, described in Chapter 12.

⁵ See, for example, the efforts towards networking in Ghana described in Chapter 21 and the comparable efforts in Italy described in Chapter 22 as well as in China, described in Chapter 23, and in Chile in Chapter 24.

⁶ See, for example, the description of the various regional environmental enforcement networks within the US in Chapter 20.

⁷ Such as, for example, the East African Network for Environmental Compliance and Enforcement described in Chapter 19.

⁸ Described and analysed in Chapter 17.

⁹ His most recent work is *inter alia* to be found in Chapters 1 and 7 and in his joint chapter with Lehane in Chapter 5.

address environmental enforcement networks in an academic manner. The benefits of analysing environmental enforcement networks via an academic conference and a subsequent book are obviously not merely academic. One important feature of this exercise was that the conference preceding this volume provided an opportunity for representatives of environmental enforcement networks from all over the world to come together and exchange experiences on the strengths and weaknesses of their own networks. It is this type of mutual learning which on the one hand can provide academic insights on best practices or good practices as far as environmental enforcement networking is concerned, but at the same time it can equally provide a practitioner's insights on ways to improve the functioning of their own network. These are, therefore, the two goals that this volume hoped to reach: on the one hand trying to analyse the effectiveness of environmental enforcement networking in an academic manner on the basis of particular benchmarks, while on the other hand providing information to practitioners from those networks which may allow them to increase the effectiveness of their networking, and with that hopefully also of environmental enforcement generally.

3. THE NEED FOR NETWORKING

Many of the chapters have addressed the very basic question of why there is a particular need for environmental enforcement networking. Obviously, this is closely related to the subsequent point of what the potential benefits of environmental enforcement networking may be. Many have stressed in the various chapters in this volume that one could make a very basic argument defending the need for networking based on economies of scale. It can be relatively easily explained that networking between environmental enforcement agencies can lead to a cost reduction. The need for such a networking will especially be clear when, for example, research is done in particular countries on best practices. It would make no sense that every country makes those efforts separately, thus reinventing the symbolic wheel.¹⁰ Moreover, even at a less abstract level, networking may be an absolute need in specific cases, for example in transboundary waste or wildlife crime. For those cases, one can even argue that networking is an absolute necessity in order to confront the transboundary nature of those

¹⁰ In the words of Pink, Chapter 1, in his concluding thoughts 'a core idea of networking is bringing like-minded people together who share common or similar challenges and attempt to capture and leverage the learnings and benefits'.

types of environmental crime. Without effective networking between agencies, the organised crime organisations, often key players behind the transboundary shipment of waste or wildlife crime, could benefit from the lack of networking between agencies and differences in the approaches of various legal systems. Thus it could easily be argued that networking leads, generally, but especially in specific cases, to economies of scale and therefore to cost saving.

However, many authors in the various chapters have also stressed that reality is often more complex. The cost savings of networking may be apparent in particular concrete cases dealing with transboundary environmental crime. However, even though there may be great benefits in environmental networking also at a more general level, those benefits (equally leading to cost savings), for example resulting from increased capacity building and mutual learning, may be less directly visible. A problem in that respect is that notwithstanding networking's potential for cost saving, networking activities themselves are not cost free.¹¹ Especially in the current unfortunate times of budget cuts and austerity, there is always a danger of short-termism whereby budget holders could wrongly think that investments in networking only create visible costs in the short-term, whereas the potentially long-term benefits are less visible. There is, hence, especially in times of budget cuts, always a danger that environmental enforcement networks may not be sufficiently supported in the future.¹² Precisely because of that danger, it is quite important to point to the short- and long-term benefits of environmental enforcement networking, since only the generation of those benefits may provide the necessary political justification to finance those networks in the future.

4. THE BENEFITS OF NETWORKING

Obviously, the potential benefits of networking are various, and to a large extent also depend upon the nature of the particular network. On a more general level, mutual learning may be of importance; at a more concrete, case-specific level, bringing perpetrators to justice through mutual cooperation may be the tangible benefit. The benefits of environmental enforcement networking are described in many different ways in the various chapters. Gemmell and Circelli in Chapter 8 stress at a general level the importance of networking in providing knowledge

¹¹ See Pink in Chapter 7.

¹² See the conclusion in Chapter 7 by Pink.

exchange, sharing experiences and training.¹³ The importance of providing basic capacity building efforts is also stressed in the chapter on the seaport network dealing with illegal hazardous waste shipments.¹⁴ Gemmell and Circelli also stress that especially when resources are getting scarce, the major benefit of networking is that it can provide a cost-effective mechanism to allow agencies to use the best and most effective tools in order to deliver best outcomes for the environment and for society.¹⁵

As already mentioned, in some cases the benefits of networking are rather abstract (like mutual learning and capacity building) and may only lead to longer-term benefits. However, many chapters also stress much more concrete and direct short-term benefits, more particularly where grassroots level agencies collaborate in the fight against transboundary crime in specific cases. Therefore, especially the chapters dealing with wildlife crime stress the importance of transboundary enforcement networking as a remedy against the sophisticated criminal groups operating in the illegal wildlife trade.¹⁶ The same argument of course applies to the area of transboundary shipment of waste.¹⁷

However, there can equally be different benefits of networks. For example, Chapter 22 dealing with various (*inter alia* anti-mafia) networks in Italy indicates the benefits of the *coamando* network in terms of increased effectiveness in the detection and investigation of transnational environmental crime, but also the benefits in increasing the awareness of the citizens on the importance of environmental compliance, thus equally contributing to deterrence of environmental crime.¹⁸ The crucial point is, as already mentioned, that the benefits of the networks may of course equally vary with the types of networks and the types of activities that have been developed by the different networks.

¹³ See the introduction in Chapter 8.

¹⁴ See Chapter 14, section 4.

¹⁵ See Chapter 8, more particularly the conclusion, section 5, *in fine*.

¹⁶ See more particularly Chapter 9 by Van Asch in section 5 (conclusion) and Chapter 11 by Kasimbazi.

¹⁷ See Chapters 14 by Grabiell, Heiss, Koparova, Kopsick and Ruessink and 25 by Geysels.

¹⁸ See in this respect more particularly the discussion of the anti-mafia networks and the networks combating the so-called Ecomafia in Chapter 22 by Vagliasindi.

5. VARIOUS FORMS AND ACTIVITIES

As already mentioned in the introduction to these comparative and concluding remarks, environmental enforcement networks show a large variety of forms and structures. That necessarily implies that also the activities that those networks develop can largely differ and as a result the benefits generated through these networks may differ as well. Some networks are formal and have even a statutory basis,¹⁹ whereas others have a rather informal character. However, as the example of the European Environmental Protection Agency Network shows, this informal networking should not necessarily be less effective and can equally create benefits, for example in terms of exchanging information, views and good practice, although the informal character of a network undoubtedly creates particular challenges and limits, more particularly as far as the sustainability of the network may be concerned.²⁰ An important difference between the type of activities that can be employed by particular networks of course concerns the difference between capacity building on the one hand and operational collaboration on the other. Many networks apparently do collaborate as far as capacity building is concerned and many chapters provide examples of networking, training,²¹ capacity building²² or information exchange.²³ The global network INECE, moreover, plays an important role in sustaining the creation of regional networks as well.²⁴ Interestingly, however, in some cases the collaboration goes beyond the mere training and capacity building and moves towards collaboration at the operational level. This is apparently more particularly the case in the North American working group on environmental enforcement and compliance cooperation, dealing with enforcement cooperation between Canada, Mexico and the United States.²⁵ Operational cooperation also takes place in the networks discussed earlier dealing with wildlife crime and the transboundary shipment of waste. It may be clear that this type of operational cooperation is especially important in the concrete actions

¹⁹ Like, for example, the Flemish High Council of Environmental Enforcement, discussed in Chapter 26.

²⁰ See the discussion on informal environmental networking by Fawcett in Chapter 16.

²¹ See, for example, the practice of the regional enforcement networks in the US described by Paddock in Chapter 20.

²² See Chapter 14 on the Seaport network.

²³ Chapter 16 by Fawcett on the European Environmental Protection Agency Network.

²⁴ See Chapter 17 on INECE.

²⁵ Described in Chapter 15 by Kopsick and Bromm.

aimed at combating transboundary environmental crime. Moreover, as the chapter on the Belgian police force shows, this type of operational collaboration often necessitates the creation of multi-disciplinary investigation teams.²⁶

6. TESTING NETWORK QUALITY

The fact that so many environmental enforcement networks have been created at a worldwide level may already provide proof of the need for networking and of the fact that apparently stakeholders feel that those networks create important benefits. However, as already repeatedly mentioned, there is wide variety between the different types of networks, both in form as well as in contents. Interestingly, Pink and Lehane can claim the important achievement of having developed instruments to test the quality and maturity of particular environmental enforcement networks. These types of instrument are extremely important since they will allow particular networks to do a critical evaluation of their strength, which obviously also provides the possibility of identifying weak spots and subsequently moving towards improvements. In the first chapter of this volume, Pink already shows the theoretical basis for research on environmental networking, which provides the basis for a further evaluation and testing of the strength of networks. This is further developed in Chapter 5 by Pink and Lehane in which they present the Network Evaluation Matrix (NEM). They apply this matrix to the networks connected to INECE and show how this particular instrument can be used by environmental enforcement networks to enable them to better and more effectively carry out their environmental compliance and enforcement obligations. This point is further developed in Chapter 6 by Lehane where he equally introduces a methodology allowing a critical analysis of environmental enforcement networks. These chapters are of great importance, both academically as well as practically. The evaluation methods developed by Pink and Lehane allow us to critically assess the strengths and weaknesses of particular environmental enforcement networks on the basis of specific predefined benchmarks and parameters. This allows a critical comparison of various networks, but equally the development of best practices and shows the practical value of this type of research. Through this type of academic assessment of the strengths of an environmental enforcement network it can be directly shown (also to policy makers) to what extent a

²⁶ Chapter 25 by Geysels.

particular network creates (short- or long-term) benefits that would hence justify the investments in and support of the particular network.

7. NETWORKING AS SMART REGULATION

Closely connected to the point just mentioned about the necessity of critically evaluating and measuring the benefits of networks, is the issue that environmental enforcement networks, as many contributors show, can to some extent be considered as a form of so-called 'smart' regulation. The entire idea of smart environmental regulation has been developed by Australian socio-legal scholars, showing how through a smart combination of (more particularly command and control and market-based) instruments, the comparative benefits of particular instruments could be used in an optimal way by looking for so-called 'smart mixes' of instruments.²⁷ This idea of 'smart regulation' has equally been translated into the need to develop 'smart enforcement', probably best represented in the well-known enforcement pyramid of Ayres and Braithwaite.²⁸ It was especially Australian socio-legal scholars and criminologists that developed the idea that both regulation and enforcement should be 'responsive', roughly meaning that enforcement efforts should, especially given limited budgets, be used in a 'smart' way, by targeting those efforts especially on those cases where the most benefits of enforcement efforts could be expected. It is therefore no surprise that environmental enforcement networks have to a large extent also flourished in Australia, where the Australasian Environmental Law Enforcement and Regulators neTwork (AELERT) has been very active in improving the effectiveness of environmental enforcement.²⁹ An important lesson from this literature is that a smart enforcement of environmental crime could be the result of so-called efficient 'targeting'. Given the high costs of criminal prosecution in some jurisdictions, it should not come as a surprise that systems have been developed whereby environmental agencies and prosecutors focus their efforts on specific categories of polluters or violations to achieve better results.³⁰ This is based on the idea that it may be effective to divide firms

²⁷ See more particularly Neil Gunningham and Peter Grabosky, *Smart Regulation. Designing Environmental Policy* (Oxford: Clarendon Press, 1998).

²⁸ I. Ayres and J. Braithwaite, *Responsive Regulation: Transcending the Deregulation Debate* (Oxford: Oxford University Press, 1992).

²⁹ See Chapter 8 by Gemmell and Circelli.

³⁰ See, for example, Michael M. Stahl, 'Doing What's Important: Setting Priorities for Environmental Compliance and Enforcement Programmes', in

into different classes on the basis of their compliance behaviour and focus enforcement efforts accordingly.³¹

Many contributors in the various chapters to this volume stress that environmental enforcement networking fits into this smart regulation and targeting enforcement efforts agenda.³² Targeting of environmental enforcement efforts³³ and intelligence-led enforcement methods³⁴ can all be seen as mechanisms whereby environmental enforcement networks contribute to smart enforcement strategies.

Many contributors, however, also show that there is obviously a clear link between 'smart' regulation and 'smart' enforcement. An effective enforcement is only possible in a better regulation framework.³⁵ In order to ensure further compliance it is of crucial importance that legislators also pay attention to the quality of environmental regulation.³⁶ Improving regulation equally necessitates the courage to think about possibilities of self-regulation and compliance management in order to avoid the natural risk regulation reflex of politicians.³⁷ Moreover, given the fact that an effective compliance is only possible on the basis of a high quality of regulation, it may equally be necessary not only to think about networks of enforcers, but also about networks of regulators. Information exchange and mutual learning between public regulators could equally lead to better regulation and in that way also improve compliance.³⁸ As far as transboundary environmental crime is concerned (more particularly the transboundary shipment of waste and wildlife crime), harmonisation of regulation may, moreover, be indicated. With regard to the transboundary shipment of waste, this is largely realised through the Basel agreement. CITES aims at doing the same as far as wildlife crime is concerned. However, Kasimbazi

LeRoy Paddock et al. (eds), *Compliance and Enforcement in Environmental Law: Towards More Effective Implementation* (Cheltenham: Edward Elgar, 2011), 159ff.

³¹ See Jennifer Arlen and Reinier Kraakman, 'Controlling Corporate Misconduct: An Analysis of Corporate Liability Regimes', *New York University Law Review*, 1997, vol. 72, 687ff. and Winston Harrington and Anthony Heyes, 'Theories of Penalties: "Leverage" and "Dealing"', in Anthony Heyes (ed.), *The Law and Economics of the Environment* (Cheltenham: Edward Elgar, 2001), 185ff.

³² See more particularly Chapter 2 by Gemmell.

³³ For example, stressed in the Seaport initiative with respect to the prevention of illegal hazardous waste shipment; see Chapter 14, section 3.3.

³⁴ Stressed as methods used in the collaboration between Canada, Mexico and the United States by Kopsick and Bromm in Chapter 15.

³⁵ See more particularly Chapter 2 by Gemmell, section 3.

³⁶ This is stressed, for example, by Savaşan in Chapter 4.

³⁷ So is rightly stressed by De Bree, De Haas and Meerman in Chapter 10.

³⁸ See De Bree, De Haas and Meerman in Chapter 10, section 5 (conclusions).

stresses that as far as the specific implementing of national laws is concerned, there still is an important need to harmonise laws.³⁹ Finally, it should equally be stressed that an important stakeholder in the better regulation and better enforcement agenda obviously is the judiciary. It is therefore important and interesting to notice that also the judiciary is moving towards networking with a variety of goals (including mutual learning and information exchange). It is quite important, as stressed in Chapter 13 regarding this final end of the enforcement chain, that attention is paid to the importance of networking in order to also allow the judiciary to play their important role in the environmental law enforcement chain.⁴⁰

8. CHALLENGES

Notwithstanding the fact that many chapters in this volume stress the importance, values and benefits of environmental enforcement networking, there are quite a few who equally mention that networking entails quite a number of challenges. Some of those challenges generally relate to environmental enforcement; other challenges relate more particularly to networking. Pink and Lehane, for example, stress that an important challenge for a network is to create sufficient opportunities for members in order to remain attractive for them.⁴¹ Moreover, as already mentioned, networking is not cost-free.⁴² This hence necessitates the need for networks to show their added value given that specific budgets will have to be allocated to networking. An important challenge, not so much for networking itself but more particularly for environmental enforcement, especially in developing countries, is the problem of the independence of enforcement agencies and the danger of corruption which might jeopardise this independence. As Kasimbazi mentions, more particularly in developing countries, this may pose a great problem, for example in the fight against wildlife crime.⁴³

Specific challenges were also mentioned in detail in Chapter 12 dealing with the Huntington Port.⁴⁴ Among many others factors, different cultures are mentioned as a challenge that should be overcome.⁴⁵ Also when

³⁹ See Chapter 11 by Kasimbazi.

⁴⁰ See more particularly Chapter 13 by Lavrysen.

⁴¹ See Chapter 5 by Pink and Lehane in section 6 (conclusion).

⁴² See Pink in Chapter 7 in section 1 (introduction).

⁴³ See Kasimbazi in Chapter 11, section 8 (conclusions and recommendations).

⁴⁴ See Chapter 12 by Lubieniecki, section 2 (challenges).

⁴⁵ This is more specifically addressed in further detail in Chapter 3 by Janssen.

different organisations have differing priorities, and if there are problems concerning confidentiality, technology or funding, those may constitute challenges to networking as well.⁴⁶ Many contributors mention a lack of resources as a potential challenge, or at least the need to have a constant stream of stable funding which would otherwise jeopardise the sustainability of the network. This is mentioned specifically as a challenge for the informal environmental networking through the European Environmental Protection Agencies, for example.⁴⁷ Funding is not only mentioned as an important issue and challenge in developing countries like Ghana⁴⁸ and China,⁴⁹ but even in a developed country like the US.⁵⁰

Some of the mentioned challenges for successful networking could then also be translated into conditions for a successful environmental enforcement networking or, carefully formulated, best or good practices.

9. CONDITIONS FOR SUCCESSFUL NETWORKING

Many contributors stress, either theoretically at a general level or specifically based on experience, which particular conditions would according to them have to be fulfilled for guaranteed success and the sustainability of environmental enforcement networks. Many of the general elements are mentioned in several chapters. There thus seems to be a high degree of convergence with respect to the question of which conditions would have to be fulfilled for environmental enforcement networks to be successful.

The starting point will always be, as mentioned above, that there may be an important need for networking for the simple reason that it can be a cost-effective means of enforcement and hence a way of 'smart' enforcement. That, however, supposes that the network can also show its added value, which is also necessary because networks are not cost-free. Some networks, like the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL), have apparently received quite a bit of criticism in the literature,⁵¹ although Angelov and Cashman argue in Chapter 18 that this criticism is not fully justified. The criticism, however, shows that networks, given the fact that they require extra

⁴⁶ Chapter 12 by Lubieniecki.

⁴⁷ See Chapter 16 by Fawcett, section 4 (conclusions).

⁴⁸ See, for example, Chapter 21 by Araba Adjei and Mensah, section 4 (challenges to ECEN).

⁴⁹ See Chapter 23 by Lu, Qin and Yang, section 4.2.

⁵⁰ See Chapter 20 by Paddock, section 6.1.

⁵¹ More particularly by Hedemann-Robinson.

funding, will always have to show their added value in order to avoid the wrong image of civil servants just meeting and greeting at the expenses of the taxpayer without adding value in terms of the quality of environmental enforcement and compliance.

One important starting point to generate this added value is that networks should either share a common culture or at least recognise and respect differences between the cultures of different organisations.⁵² To some extent, attempts have to be undertaken to reconcile possible cultural differences.⁵³ The importance of culture in networking is also recognised in specific case studies, for example with respect to the Huntington Port.⁵⁴

Lehane presents in Chapter 6 several criteria for successful networking which are also mentioned in many other chapters as well.⁵⁵ He notes *inter alia* the already-mentioned point that the network should have an added value to the members, that the network should be effective (in its communication), and that it should have a sustainable source of funding.⁵⁶ The point of a sustainable funding is mentioned by many others, for example in Chapter 14 on the Seaport project.⁵⁷ An important point for networking is that the benefits, hence the point of creating an added value, should preferably be tangible.⁵⁸ Tangible results are of course more easily generated when there is collaboration at the operational level than when the collaboration merely consists of capacity building and mutual learning.

In the analysis of the Huntington Port network, various elements are mentioned as key tools for success, such as the development of a core team, the recognition of and respect for differences and the development and implementation of a clear communication strategy for the team.⁵⁹ Similar messages come from the other side of the Atlantic Ocean, more particularly from Africa where it is mentioned that the success of the East African Network for Environmental Compliance and Enforcement (EANECE) was *inter alia* due to strategic partnerships, effective strategic and action planning, clear governance structures and a clear added value.⁶⁰ Failure factors hence constitute the mirror image of the indicators for success. Further, in Chapter 19 concerning EANECE, the focus is on

⁵² This is strongly stressed in Chapter 3 by Janssen.

⁵³ See Chapter 3 by Janssen, section 5 (conclusion: reconciling cultures).

⁵⁴ Chapter 12 by Lubieniecki, section 2 (challenges).

⁵⁵ Chapter 6 by Lehane, section 2.3 (critical issues for networks).

⁵⁶ *Ibid.*

⁵⁷ More particularly in Chapter 14, section 6 (conclusions).

⁵⁸ See Chapter 7 by Pink, section 7 (conclusion).

⁵⁹ See Chapter 12 by Lubieniecki, section 3 (tools for success).

⁶⁰ See Chapter 19 by Opondo, section 2 (on success factors).

inter alia inadequate budgets and unsupported financial sustainability as well as on changing national priorities and political differences as important failure factors.

Interestingly, in Chapter 20 dealing with the regional environmental enforcement networks in the US, Paddock indicates the importance of having full-time staff at a network, having a consistent source of funding, but also having in-person contacts. He therefore clearly highlights the limitations of distance learning, which may insufficiently support networking opportunities that one would otherwise have through in-person contacts.⁶¹ Interestingly, the young multicore network in China also indicates particular elements for effective networking, pointing *inter alia* at a clear identification of priorities, at the creation of a clear profile, but also at the establishment of clear communication channels.⁶²

It is therefore interesting to notice that notwithstanding the large differences between the various networks described and analysed in this volume,⁶³ when it comes to identifying conditions for successful environmental enforcement networking, there seems to be a common denominator among the various chapters in the sense that all stress *inter alia* the importance of clear communication channels, the clear identification of added value, sustainable funding, the importance of a core team, and mutual respect for differing cultures as the key elements which may determine the success or failure of a network. It is quite interesting to notice that those elements do not only come from the theoretical literature,⁶⁴ but also from the many chapters describing practical experiences with either thematic or horizontal networks. In that sense, the conclusions on the conditions for successful networking as presented here seem to be based on a rather broad foundation.

10. THE FUTURE OF NETWORKING

This book had the ambition of identifying the possibilities and challenges of networking and also trying to identify good and best practices of environmental enforcement networking. However, it may be clear that this book is obviously not the end of the research into the effectiveness

⁶¹ See Chapter 20 by Paddock, section 8 (conclusion).

⁶² See Chapter 23 by Lu, Qin and Yang, section 4.1 (elements for effective networking).

⁶³ And also stressed above in sections 1 and 5.

⁶⁴ As, for example, developed in the chapters by Pink (1 and 7), by Lehane (6) and by Pink and Lehane (5).

of environmental enforcement networking. There are many interesting points still to develop in future research with respect to the conditions under which effective networking can take place. For example, Pink and Lehane clearly indicate the road ahead for environmental enforcement networks in Chapter 5, while also highlighting the fact that reduced public expenditures tend to require innovative approaches.⁶⁵

Also, many of the specific chapters dealing with either thematic or horizontal networks point at particular challenges for the future. For example, Chapter 15 dealing with the North American working group on environmental enforcement and compliance cooperation mentions many important future activities that will still have to be developed by the enforcement working group.⁶⁶ The same is true for INECE itself which, in Chapter 17, was looking ahead at ways to better implement its strategic five-year plan (2012–2017). In addition, Chapter 18, dealing with environmental inspections at EU level, also identified a variety of future challenges for network cooperation.

This book had the ambition of providing some insights on the type of environmental enforcement networks that have been developed, comparing these and providing some insights on the challenges of networks, and the benefits and conditions for successful environmental enforcement networking. The claim of this book is that environmental enforcement networks fulfil an important function in the attempt to come to a ‘smart’, that is, a cost-effective environmental enforcement. However, in order that such a smart enforcement via effective environmental networking will be accomplished, there are still important challenges ahead, not only in developing, but also in developed countries. Both the increasing importance of transboundary environmental crime (and the increased involvement of organised criminal networks in this domain) as well as reduced public expenditures makes networking in the area of environmental enforcement ever more needed and important. The question of how this can be promoted in an effective manner will hence also in the near future remain high on the academic and policy agenda.

⁶⁵ See Pink and Lehane, Chapter 5, section 2.3 (the future – where next for networks?).

⁶⁶ See Chapter 15 by Kopsick and Bromm, section 4 (future activities).

