

# Foreword

Regulations are indispensable for the proper functioning of the economy and society. They create the “rules of the game” for citizens, business, government and civil society. They underpin markets, protect the rights and safety of citizens and ensure the delivery of public goods and services, such as the protection of the environment. The way in which regulations are designed is a major factor in both the quality of the regulatory framework and the outcomes achieved. But how regulations are implemented and enforced, and how compliance with regulatory requirements is assured and promoted, are also critical determinants of whether the regulatory system is working as intended.

The objective of regulatory policy – or “better regulation”, as it is also known in many countries and jurisdictions – is to ensure that regulations and regulatory frameworks work effectively in the public interest. Therefore, better regulation programmes should consider and appraise regulatory enforcement and inspection activities.

The Environmental Evaluation and Enforcement Agency of Peru (*Organismo de Evaluación y Fiscalización Ambiental*, OEFA) asked the OECD to assess regulatory enforcement and inspections in the environmental sector in Peru. This report provides an in-depth assessment of the institutional framework and current practices carried out in OEFA. It also offers recommendations to enhance the capacity to carry out inspection and enforcement activities that effectively contribute to the achievement of policy objectives in the environmental sector of Peru. The assessment was carried out by comparing OEFA practices with good international practices and best practice principles identified by the OECD, and, in particular, with the *OECD Regulatory Enforcement and Inspections Toolkit*.

For instance, the Toolkit recommends that regulatory enforcement and inspections should be based on evidence: deciding what to inspect and how should be grounded in data and evidence, and results should be evaluated regularly. In order to boost performance, OEFA should increase the collection, analysis and use of hard data in enforcement and inspections policy in the environmental sector in Peru.

This report recognises the achievements by OEFA in ensuring that the regulatory provisions on environmental protection are enforced effectively. It also offers a roadmap for OEFA to align with international practice and OECD recommendations in regulatory enforcement and inspections.

A draft version of this report was discussed and approved at the 21st session of the Regulatory Policy Committee on 7 November 2019.



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