

ENVIRONMENTAL GOVERNANCE & LAW EXPERT QUESTIONNAIRE

The World Justice Project (WJP) and the Inter-American Development Bank (IDB) are honored to count on your expertise for this questionnaire, which will be answered by highly qualified individuals in ten countries in Latin America and the Caribbean.

The questionnaire consists of 43 questions, and will take approximately 60 minutes to complete. Your responses will be aggregated with those of other experts and used to assess the quality of environmental governance in your country. The results will be published in a graphical report co-produced by the IDB and the WJP, alongside those of nine other countries in the region. Your contribution will be acknowledged in the report unless you choose to remain anonymous.

Thank you in advance for your time and attention. With your participation, this joint endeavor will contribute to measuring the strength of environmental governance and the rule of law.

INSTRUCTIONS

Please answer the following 43 questions in this questionnaire according to your perception of how the laws are applied **in practice** in your country. For questions that do not apply to your country, please select “*Don’t Know/Not Applicable*.” Please indicate in the box below which country you are responding to in this survey:

COUNTRY:

When you have completed the survey, please submit your answers by email or fax at:

- **Email:** EnvironmentalIndex@worldjusticeproject.org
- **Fax:** +1 (202) 747-5816

If you have comments or questions, please contact The World Justice Project’s (WJP) research staff, at EnvironmentalIndex@worldjusticeproject.org.

CONFIDENTIALITY

The World Justice Project and Inter-American Development Bank will construct the dataset and any subsequent reports or materials with strict guidelines in regard to the confidentiality of the data gathered and the privacy of the respondents. At the end of the questionnaire, you will be given the choice either to be **Publicly Acknowledged** contributor (meaning your name and organization will be published in the Contributing Experts section of the final report), OR you can select to be an **Anonymous** contributor (your name will not be published in the WJP and IDB report, on their websites, or in any related materials, and your name and particulars will not be made known in any way).

In all cases, your individual responses will remain strictly confidential. Responses are aggregated preceding any statistical analysis or reporting of results to ensure that individual responses cannot be ascertained.

Please answer the following questions according to your perception and experience of how the laws are applied in practice in your country. Please mark your answers with an X in the appropriate box.

SECTION I

The following questions describe **general** laws, regulations, procedures, and institutions responsible for environmental and resource governance. Please select the option that best represents your views. For questions that do not apply to your country, please select “Don’t Know/Not Applicable.”

I-A. ENVIRONMENTAL INFORMATION & PUBLIC PARTICIPATION

1. How frequently would you say that:

	Almost always	In most cases	In some cases	Almost never	Don't Know/ Not Applicable
(a) In practice, the government provides easy-to-understand information on environmental issues.					
(b) In practice, the government provides information on environmental issues in languages spoken by significant segments of the population, even if they are not “official” languages.					
(c) In practice, national regulations on environmental issues are published on a timely basis.					
(d) In practice, local regulations on environmental issues are published on a timely basis.					
(e) In practice, local environmental regulations can be obtained at little cost, such as by mail, on-line, or in-person.					
(f) In practice, national environmental regulations can be obtained at little cost, such as by mail, on-line, or in-person.					
(g) In practice, environmental administrative proceedings at the local level are conducted without unreasonable delay.					
(h) In practice, environmental administrative proceedings at the national level are conducted without unreasonable delay.					
(i) In practice, environmental regulations are sufficiently stable to permit the public to ascertain what conducts are permitted and prohibited.					

2. Please choose the statement that is closest to your views on how accessible the following environmental information is in your country:

	Very accessible [Citizens, journalists, and NGOs can access detailed figures, subject to narrow and well justified exceptions defined by law. This information is easily available and up-to-date]	Slightly accessible [Citizens, journalists, and NGOs can access detailed figures, but this information may be difficult to access, incomplete, or out of date]	Not accessible at all [Citizens, journalists, and NGOs cannot access detailed figures, due to secrecy, prohibitive barriers, or government inefficiency]	Don't Know/ Not Applicable
(a) Real time air quality data for the capital city of your country				
(b) Annual drinking water quality data for the capital city of your country				
(c) Daily air emission and waste water discharge by large-scale industries				
(d) Reports on the state of the environment in your country, including air and water quality measures, pollution hazards, and natural resource pressures (e.g. deforestation and biodiversity)				
(e) Copies of administrative decisions made at the national level on environmental matters that are applicable to the general public				
(f) Copies of administrative decisions made at the local level on environmental matters that are applicable to the general public				
(g) Transcripts of administrative proceedings on environmental matters				
(h) Emergency response and preparedness measures when there is an environmental or toxic threat				
(i) Other (please comment/specify) ¹				

¹ Please specify if there are other relevant ways of obtaining official environmental information that are not considered in this questionnaire.

3. Assume that you submit a request to have access to information held by the national environmental authority² in your country about pollution levels in a particular river. How likely is it that:

	Very likely	Likely	Unlikely	Very unlikely	Don't Know/Not Applicable
(a) The government agency in charge will grant such information, assuming it is properly requested.					
(b) The information provided is complete.					
(c) The government agency will grant such information at a reasonable cost.					
(d) The government agency will grant such information within a reasonable time period.					
(e) The government agency will grant such information to the requestor without having to pay a bribe.					

4. To what extent do you agree with the following statements:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/Not Applicable
(a) By law , a citizen can petition the government to gain access to accurate environmental information in your country.					
(b) In practice , a citizen can easily obtain accurate information on environmental issues in your country from the government.					
(c) By law , if a government agency denies a citizen's request for environmental information, that citizen has the right to challenge this decision before another government agency or a judge.					
(d) In practice , if a government agency denies a citizen's request for environmental information, that citizen can effectively challenge this decision before another government agency or a judge.					
(e) In practice , a citizen can easily obtain accurate information on environmental issues/legislation in your country from non-governmental actors (such as newspapers, NGOs, universities, etc.)?					
(f) In practice , citizens can easily obtain accurate information from the private sector about their sustainable practices.					

² If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

5. How often does your national environmental authority³ consult the following groups in the development of plans, programs, and policies relating to the environment?

	Almost always	In most cases	In some cases	Almost never	Don't Know/ Not Applicable
(a) A citizens' advisory committee					
(b) Civil society organizations					
(c) Local governments					
(d) State/provincial governments					
(e) Industry/large corporations					
(f) Medium and small enterprises					
(g) Universities					
(h) Local or family-owned businesses					
(i) Labor unions					
(j) Farmers/agriculture organizations					
(k) Women's groups or associations					
(l) Indigenous groups					
(m) Other (please comment/specify)					

6. To what extent do you agree with the following statements about the national environmental authority⁴ in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) The national environmental authority gives interested individuals the right to challenge the procedural legality of environmental decisions if they are not given adequate opportunity to participate in environmental decision-making.					
(b) The national environmental authority provides timely and advance notice to the public for open meetings.					
(c) The national environmental authority consults with the public on the impact of proposed projects, plans, and programs through open meetings, hearings, and public comments.					
(d) The national environmental authority organizes open meetings that are accessible to and conducted in the languages of rural populations.					
(e) The national environmental authority makes the transcripts of open meetings and hearings publicly available.					
(f) Transcripts of open meetings and hearings can be easily accessed by both urban and rural populations.					

³ If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

⁴ If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

7. The following question aims to examine the reasons why people and/or civil society organizations in your country do not participate in environmental decision-making. Please tell us how important are the following factors in influencing people's decisions on whether or not to participate in environmental decision-making where you live?

	Very important	Somewhat important	Not very important	Not important at all	Don't Know/ Not Applicable
(a) Lack of knowledge about upcoming actions or meeting schedule					
(b) Lack of knowledge of their right to participation					
(c) Lack of technical expertise or advice to understand the issues at hand and alternatives					
(d) Lack of spokesperson or leadership					
(e) Opportunities for participation are not meaningful					
(f) Comments and feedback are not generally considered by the authorities					
(g) The venue and timing for participation is inconvenient					
(h) Public meetings are not held in the language of the affected communities					
(i) Fear of reprisals by public officers (for example, the police, inspectors, or other government officials)					
(j) Fear of reprisals by representatives of private companies					
(k) Fear of reprisals by gangs or other criminal organizations					
(l) Fear of reprisals by other members of the community affected by the project or program					
(m) Other (please comment/specify)					

I-B. INSTITUTIONAL MANDATES & CAPACITY

8. How often does your national environmental authority⁵ undertake the following measures before carrying out projects or programs?

	Almost always	In most cases	In some cases	Almost never	Don't Know/ Not Applicable
(a) Assess whether and to what extent the project or program will impact livelihoods.					
(b) Assess whether and to what the extent the project or program will displace residents or damage homes.					
(c) Evaluate the impact of the project or program on public health.					
(d) Make the project or program plans available to the public with sufficient advance notice prior to adoption.					
(e) Provide underlying information for and analysis of alternatives to the project or program.					
(f) Provide an opportunity for public comment on the project or program.					
(g) Make the official response to public comments available to the public.					
(h) Take into account comments and concerns made during the consultation process.					
(i) Take effective measures to protect the environment.					

9. Please comment on how effectively the national environmental authority⁶ in your country carries out the following functions:

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/ Not Applicable
(a) Scoping and screening for projects, operations, or other actions with significant environmental impacts					
(b) Carrying out evaluations of the environmental impact of projects or actions, including consideration of trade-offs and alternative actions					
(c) Facilitating public participation in environmental decision-making					
(d) Producing comprehensive explanations of agency decisions, including response to public comment, cost-benefit analysis, and alternative actions not pursued					
(e) Monitoring the environmental performance and compliance by operators of activities potentially affecting the environment					

⁵ If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

⁶ If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/ Not Applicable
(f) Routine inspections of pollution sources by environmental officials					
(g) Citizen tip lines for the public to alert officials to possible violations					
(h) Government litigation or other action against polluters for violations of environmental requirements					
(i) Fines and penalties for violations of environmental requirements					
(j) Clean-up, remediation, and restoration of damaged sites to their earlier condition					
(k) Developing emergency response and preparedness measures for responding to environmental or toxic threats					
(l) Taking action to address the environmental impacts of transboundary pollution					

10. To what extent do you agree with the following statements:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) The government or relevant environmental authority ⁷ in my country identifies, measures, and monitors air and water quality.					
(b) The government or relevant environmental authority makes information about air and water quality available to the public.					
(c) The government or relevant environmental authority has a specialized unit that works to address public health issues resulting from poor air and water quality.					
(d) Environmental information provided by the government or relevant environmental authority is believed to be credible by the general public.					
(e) The government always obeys court rulings on environmental decisions, even when they disagree with these decisions.					
(f) Reports issued by national environmental authorities in my country are taken seriously by other authorities, with negative findings drawing prompt corrective action.					

⁷ If there is no national environmental authority in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

11. Please comment on the extent to which you agree with the following statements regarding **mandates and interagency coordination** of environmental institutions in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) Laws and regulations clearly define the authority and responsibilities across agencies, ministries, and organizations responsible for enforcing environmental regulations.					
(b) Environmental regulations are coherent with regulations for the productive sector (e.g. agriculture and energy sectors).					
(c) Mandates of environmental institutions are straightforward and unambiguous.					
(d) Environmental institutions have appropriate jurisdictional boundaries, clear goals, and sufficient authority to act.					
(e) Environmental institutions do not suffer from regulatory overlap (duplicated mandates) or regulatory underlap (no institution has a mandate to act).					
(f) National environmental institutions coordinate their activities, exchange information, and agree common positions with relevant national agencies, ministries, and organizations on matters of shared interest.					
(g) National environmental institutions coordinate their activities with relevant state or provincial-level institutions on matters of shared interest.					
(h) National environmental institutions coordinate their activities with relevant municipal-level institutions on matters of shared interest.					
(i) National environmental institutions coordinate their activities with customary/indigenous institutions on matters of shared interest.					

12. If you selected “disagree” or “strongly disagree” for any of the questions above, please specify or comment on which laws or issues pose a problem for mandates and interagency coordination in your country:

13. Please provide additional comments on the extent to which national environmental institutions coordinate their activities, exchange information, and agree common positions with relevant **national** agencies, ministries, and organizations on matters of shared interest in your country:

14. Please provide additional comments on the extent to which national environmental institutions coordinate their activities with **customary/indigenous institutions** on matters of shared interest in your country:

15. Please comment on the extent to which you agree with the following statements regarding **financial and human resources** for environmental institutions in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) Environmental institutions have adequate financial resources to accomplish their mandate.					
(b) Environmental institutions have sufficient staff with the appropriate skills to accomplish their mandate.					
(c) Staff of environmental institutions have the necessary training and incentives to effectively implement the institution's mandate.					
(d) Staff of environmental institutions receive adequate compensation.					

16. Please comment on the extent to which you agree with the following statements regarding **evidence-based decision-making** by environmental institutions in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) Environmental institutions use high-quality data to understand and address the most crucial environmental risks and challenges.					
(b) Environmental institutions use high-quality data to determine whether the regulated community is in compliance with environmental laws and policies.					
(c) Environmental institutions use metrics to show progress.					

17. Please comment on the extent to which you agree with the following statements regarding **compliance and enforcement practices** of environmental institutions in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) Environmental institutions enforce environmental laws and investigate violations effectively.					
(b) Environmental institutions enforce environmental laws and investigate violations consistently and evenly.					
(c) Environmental institutions effectively punish noncompliance with environmental laws.					
(d) Environmental institutions publicize clear and focused inspection and enforcement policies.					
(e) Environmental institutions use technology and innovative methods of compliance and enforcement.					
(f) Environmental agencies encourage environmental compliance audits by the regulated community.					

18. Please comment on the extent to which you agree with the following statements regarding **transparency and accountability** of environmental institutions in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) Environmental institutions actively promote a culture of transparency and integrity.					
(b) Environmental institutions publicize, adhere to, and enforce standards for ethical conduct.					
(c) Environmental institutions effectively fight corruption when it appears.					
(d) Whistleblowers reporting environmental violations, misconduct, and corruption are effectively protected.					

I-C. ACCESS TO JUSTICE

19. The following question aims to examine the reasons why people in your country do not use courts to seek redress for issues related to the environment or natural resources. Please tell us how important are the following factors in influencing people's decisions on whether or not to go to court to resolve an environmental dispute in the city where you live?

	Very important	Somewhat important	Not very important	Not important at all	Don't Know/ Not Applicable
(a) Court fees (filing fees) are too high					
(b) Attorney fees are too high, or are not reimbursable					
(c) Lack of pro-bono (free-of-charge) legal aid					
(d) Lack of paralegals or legal clinics					
(e) Language barriers (translators unavailable)					
(f) Physical location of courthouses (courts are too far away)					
(g) Duration of cases (they take too much time)					
(h) Bias against marginalized people (discrimination based on social or economic status)					
(i) Procedures are too cumbersome and complex					
(j) Corruption of judges and judicial officers					
(k) Fear of taking action due to intimidation or violent retaliation					
(l) Lack of public information about court procedures					
(m) Lack of awareness of possible causes of action					
(n) Limited available remedies or lack of awareness of available remedies					
(o) Inefficient enforcement mechanisms (judgments are difficult to enforce in practice)					
(p) Insufficient evidence to prove direct damage/legal standing					

20. In practice, how long would it take on average to obtain a decision, or a judgment – starting from the moment the case is filed to the moment a decision or agreement is reached – if a plaintiff in a case pertaining to the environment or natural resources uses the following mechanisms⁸?

	Between 1 month and 1 year	Between 1 and 3 years	Between 3 and 5 years	Between 5 and 10 years	More than 10 years	Don't Know/ Not Applicable
(a) Civil court lawsuit						
(b) Criminal court lawsuit						
(c) Alternative dispute resolution mechanism (such as mediation, arbitration, or conciliation)						
(d) Administrative body						
(e) Ombudsman focused on environmental issues						
(f) Other (please comment/specify)						

⁸ If these mechanisms do not exist in your country, when answering this question please consider the relevant local level government agency that is most likely to be responsible for carrying out those functions instead.

21. In practice, after a decision or agreement is reached in a case pertaining to the environment or natural resources, how long would it take on average to begin enforcement of the decision, and for the plaintiff to begin to receive compensation or other applicable remedies if the plaintiff uses each of the following mechanisms?

	Less than 1 month	Between 1 month and 1 year	Between 1 and 3 years	between 3 and 5 years	More than 5 years	Don't Know/ Not Applicable
(a) Civil court lawsuit						
(b) Criminal court lawsuit						
(c) Alternative dispute resolution mechanism (such as mediation, arbitration, or conciliation)						
(d) Administrative body						
(e) Ombudsman focused on environmental issues						
(f) Other (please comment/specify)						

22. The following question aims to examine the remedies available to plaintiffs in cases pertaining to the environment. To what extent do you agree that:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/Not Applicable
(a) By law , compensation (monetary payments for losses or damages) is available as a remedy.					
(b) In practice , compensation (monetary payments for losses or damages) is available as a remedy.					
(c) By law , restitution (forfeiting unlawfully obtained profits or gains) is available as a remedy.					
(d) In practice , restitution (forfeiting unlawfully obtained profits or gains) is available as a remedy.					
(e) By law , restoration of the environment is available as a remedy.					
(f) In practice , restoration of the environment is available as a remedy.					
(g) By law , interim relief, such as a court order, injunction, interdict, or other government action to temporarily stop harmful activities, is available as a remedy.					
(h) In practice , interim relief, such as a court order, injunction, interdict, or other government action to temporarily stop harmful activities, is available as a remedy.					
(i) By law , final injunctive relief, a court order, injunction, interdict, or other government action to permanently stop harmful activities, is available as a remedy.					
(j) In practice , final injunctive relief, a court order, injunction, interdict, or other government action to permanently stop harmful activities, is available as a remedy.					
(k) Remedies in cases relating to the environment are provided promptly.					
(l) Available remedies in cases relating to the environment are adequate and effective.					

23. Based on your experience during the past 5 years, for cases pertaining to the environment or natural resources in which the government had an interest (as a litigant or third party), and which were decided by a court, what percentage (%) of cases reflected the following outcomes:

	100%	75%	50%	25%	5%	0%	Don't Know/ Not Applicable
(a) The government exercised undue influence in attempt to affect the outcome of the case.							
(b) The final decision reflected the judge's honest evaluation of the available evidence and applicable law.							
(c) The final decision was influenced by undue pressure from one of the parties, or was influenced by corruption.							

24. Please comment on threats against environmental defenders in your country:

	Very likely	Likely	Unlikely	Very unlikely	Don't Know/ Not Applicable
(a) How likely are environmental defenders to be threatened, attacked, or punished by public officers (for example, the police, inspectors, or other government officials)?					
(b) How likely are environmental defenders to be threatened, attacked, or punished by representatives of private companies ?					
(c) How likely are environmental defenders to be threatened, attacked, or punished by gangs or other criminal organizations ?					
(d) How likely are environmental defenders to be threatened, attacked, or punished by members of the community affected by the project or program?					
(e) How likely is it that public, non-violent demonstrations related to the environment or natural resources will result in violence or retaliation?					
(f) How likely is law enforcement to investigate violence against environmental defenders?					
(g) How likely are the authorities to prosecute and punish perpetrators of violence against environmental defenders?					

SECTION II

The following questions describe laws, regulations, procedures, and institutions pertaining to **specific environmental topics**. Please select the option that best represents your views. For questions that do not apply to your country, please select “*Don’t Know/Not Applicable*.”

II-A. GENERAL

25. On a scale from 1 to 10, please tell us how serious (with 10 meaning very serious, and 1 meaning not serious) the following environmental issues are in your country:

	10 Serious problem	9	8	7	6	5	4	3	2	1 Not a serious problem	Don't Know/ Not Applicable
(a) Air pollution or poor air quality											
(b) Water pollution or poor water quality (surface water)											
(c) Marine nutrient or chemical pollution											
(d) Land/soil pollution											
(e) Climate Change											
(f) Deforestation											
(g) Endangerment of land animals, flora, or fauna											
(h) Endangerment of marine animals, flora, or fauna											

26. The following question aims at gauging the extent to which particular activities or industries impact the environment in your country. On a scale of 1 to 10, please tell us how much the following activities or industries impact the environment (with 10 meaning a serious impact and 1 meaning little impact) in your country:

	10 Serious problem	9	8	7	6	5	4	3	2	1 Not a serious problem	Don't Know/ Not Applicable
(a) Agricultural practices (i.e. use of chemicals and fertilizers)											
(b) Livestock farming											
(c) Electricity production											
(d) Extraction and mining											
(e) Industrial activities											
(f) Overfishing or illegal fishing											
(g) Tourism											
(h) Transportation (by road, railway, water, or air)											
(i) Urbanization											
(j) Other (please comment/specify)											

II-B. AIR QUALITY & CLIMATE

27. Please choose the statement that is closest to your views on how environmental authorities implement the following approaches to mitigate, reduce, or prevent air pollution:

	Very effective [Environmental authorities have a strong mandate to implement this approach. This mandate results in concrete action]	Slightly effective [Environmental authorities have a partial or unclear mandate on implementing this approach. They may take some action, but are limited in their effectiveness. They may be slow or unwilling to take on powerful corporations]	Not effective at all [Environmental authorities have no mandate to implement this approach. No concrete action is taken to implement this measure.]	Don't Know/ Not Applicable
(a) Development of an emissions inventory				
(b) Vehicle inspection programs				
(c) Vehicle anti-idling technologies				
(d) Measures to increase energy efficiency				
(e) Programs to increase the use of renewable energy				
(f) Measures to reduce the sulfur content of fuels				
(g) Programs to phase out the use of lead in gasoline				
(h) Deforestation prevention programs				
(i) Regulations to reduce reliance on fossil fuels for energy generation				
(j) Measures to reduce ozone-depleting substances				
(k) Programs to increase the use of clean cook stoves				
(l) Efforts to reduce greenhouse gas emission or mitigate climate change				
(m) Efforts to adapt to climate change impacts				
(n) Caps on specific pollutants – such as heavy metals, pesticides, volatile organic compounds, etc. – from key sources in order to meet ambient air quality standards				
(o) Economic incentives or disincentives, such as pollution taxes or cap-and-trade programs				
(p) Work or operational practice requirements				
(q) Bans on products or activities that pollute				
(r) Other (please comment/specify)				

II-C. EXTRACTION & MINING

28. Please choose the statement that is closest to your views on how permitting for mining and extraction works in your country ***(please choose only one single answer)***:

(a) There is a competitive and transparent bidding lease program for mining and extraction operations, which mandates comprehensive environmental reviews at several stages of the process.	
(b) There is a formal bidding lease program for mining and extraction operations, but it is flawed. Leases are awarded without competitive and transparent bidding, or through ineffective bidding processes, leaving open the possibility of corruption.	
(c) There is no formal bidding lease program for mining and extraction operations or it is superficial and ineffective. Most leases are awarded to firms which offer bribes; to firms owned by political supporters; or to firms in which a relevant government officer has a financial stake.	
(d) Don't know/Not Applicable.	

29. To what extent do you agree with the following statements:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/Not Applicable
(a) There is a licensing process that all mining and extraction operations must follow before commencing work.					
(b) Mining and extraction companies comply with environmental impact assessment regulations.					
(c) Mining and extraction companies comply with waste disposal regulations.					
(d) Mining and extraction companies comply with water quality regulations.					
(e) Mining and extraction companies comply with air quality regulations.					
(f) Mining and extraction companies adequately restore the damaged surface of abandoned mining areas and, where possible, re-establish near-natural conditions.					
(g) Mining and extraction companies fairly compensate affected communities for losses or damages resulting from mining operations.					
(h) Mining and extraction companies pay fair market value for publicly owned minerals found on publicly owned lands.					

30. Please choose the statement that is closest to your views on how environmental authorities respond to the following violations:

	Very effective [Environmental authorities are effective in investigating violations. Negative findings draw prompt corrective action]	Slightly effective [Environmental authorities might start investigations into violations, but are limited in their effectiveness to implement sanctions or corrective actions. They may be slow or unwilling to take on powerful corporations]	Not effective at all [Environmental authorities do not effectively investigate violations]	Don't Know/ Not Applicable
(a) Mining or extraction that results in degradation of areas of special biological, scientific, historic, aesthetic or wilderness significance.				
(b) Mining, extraction, or prospecting in national parks, burial sites, or land trusts.				
(c) Mining or extraction on prime farmland.				
(d) Mining or extraction in vulnerable areas (such as steep slopes).				
(e) Exporting precious minerals such as gold and diamonds without paying required royalties.				

31. How frequently would you say that:

	Almost always	In most cases	In some cases	Almost never	Don't Know/ Not Applicable
(a) In practice, the government discloses information about operations, revenues, licensing and contracts for mining and extraction operations.					
(b) In practice, the government publishes environmental impact reports prior to consultations and before the award of any mineral rights.					
(c) In practice, officials who manage the extractive sector, or who work for state-owned companies or natural resource funds, disclose their financial interests in the oil, gas or mining sector.					
(d) In practice, state-owned companies disclose audits and data on production and revenues.					

II-D. WATER QUALITY & RESOURCES

32. To what extent do you agree with the following statements regarding water governance – including water supply, water use, and water protection – in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/Not Applicable
(a) In my country, the government has legal structures that define the nation's approach to water governance.					
(b) In my country, there is a governmental agency or entity that develops regulations and technical standards pertaining to water quality for domestic and industrial or agriculture use.					
(c) In my country, there is a governmental agency or entity that enforces regulations and technical standards pertaining to water quality for domestic and industrial or agriculture use.					
(d) In my country, there is a governmental agency or entity to address competing water uses and ensure its availability.					
(e) In my country, there is a governmental agency or entity that develops regulations to address public health concerns and establish standards for determining whether water is safe for human consumption.					
(f) In my country, there is a governmental agency or entity that enforces regulations to address public health concerns and enforces standards to ensure that water is safe for human consumption.					
(g) In my country, the government has water resource and quality laws and regulations for developing water quality standards for the ecosystem health concerns.					
(h) In my country, the government has water resource and quality laws and regulations for enforcing water quality standards for the ecosystem health concerns.					
(i) The government in my country has an agency or bureau that identifies, measures, and monitors the types of pollutants found in the nation's water sources.					
(j) The government's method of water quality regulation is driven by sources of the various types of pollutants found in the nation's water sources.					
(k) In my country, there is a governmental agency or entity that develops regulations to address transboundary water pollution.					
(l) In my country, there is a governmental agency or entity that enforces regulations to address transboundary water pollution.					
(m) Other (please comment/specify).					

33. Please answer:

	Very likely	Likely	Unlikely	Very unlikely	Don't Know/ Not Applicable
(a) In practice, how likely are companies to be held liable for water pollution, toxic spills, and discharges of pollutants to waters?					
(b) In practice, how likely are municipalities to be held liable for water pollution, toxic spills, and discharges of pollutants to waters?					
(c) When holding potentially responsible parties liable for water pollution, toxic spills, and discharges of pollutants to waters, how likely is it that liability and penalties will be assigned based on the severity of the pollution or toxic spill?					

34. On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how serious the following problems are in the agricultural industry in the area where you live:

	10 Serious problem	9	8	7	6	5	4	3	2	1 Not a serious problem	Don't Know/ Not Applicable
(a) Lack of regulations, such as quotas, outlining reasonable and acceptable water usage for agricultural purposes											
(b) Lack of licensing requirements for water use											
(c) Lack of legislation that limits or caps contaminants in fertilizers, pesticides, etc.											
(d) Lack of legislation and policies to reduce the excessive use of fertilizers											
(e) Lack of laws to address storm water runoff from agricultural sources											
(f) Lack of laws to address storm water runoff from non-agricultural sources , such as streets, building roofs, and other impervious surfaces											
(g) Lack of government regulations to address and mitigate negative consequences that nutrient pollution might have on water quality											
(h) Lack of the government enforcement of regulations on nutrient pollution to manage water quality											

35. Please choose the statement that is closest to your views on how accessible the following information is in your country:

	<u>Very accessible</u> [Citizens, journalists, and NGOs can access detailed figures, subject to narrow and well justified exceptions defined by law. This information is easily available and up to date]	<u>Slightly accessible</u> [Citizens, journalists, and NGOs can access detailed figures, but this information may be difficult to access, incomplete, or out of date]	<u>Not accessible at all</u> [Citizens, journalists, and NGOs cannot access detailed figures, due to secrecy, prohibitive barriers, or government inefficiency]	Don't Know/ Not Applicable
(a) National or local laws and regulations outlining permissible surface and groundwater withdrawals				
(b) National or local laws and regulations outlining permissible water usage for domestic, agricultural, and industrial activities				
(c) National or local laws and regulations outlining permissible water impoundments (such as dams or reservoirs)				
(d) Water quality law standards for a body of water that caps the quantity of point source and non-point source contaminants in that area to protect against pollution				

II-E. WASTE MANAGEMENT

36. To what extent do you agree with the following statements regarding the management of waste - both solid and hazardous materials - in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/Not Applicable
(a) My country's laws and regulations clearly define criteria and limits on the presence of contaminant substances in air, soil, and water.					
(b) My country's laws and regulations clearly define the type and degree of contamination that triggers an obligation to return a site to a clean condition.					
(c) My country's laws and regulations clearly delineate liability for harm from waste disposal and dumping.					
(d) Site cleanup in my country is driven by risk assessment, taking into account the future use of the land.					
(e) Environmental authorities charged with overseeing the cleanup of waste sites in my country have access to sufficient financial and technical resources.					
(f) Environmental authorities charged with overseeing the cleanup of waste sites in my country are competent and have sufficient scientific and engineering knowledge.					
(g) Regulation of the handling, treatment, and disposal of hazardous waste is effectively enforced in my country.					
(h) Regulation of the handling, treatment, and disposal of non-hazardous waste is effectively enforced in my country.					

37. Please comment on how effectively the following waste management measures are implemented or enforced in your country:

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/Not Applicable
(a) Procedures for identifying, mapping, and prioritizing contaminated areas					
(b) Procedures for disposing of waste in an environmentally sound manner					
(c) Cleanup or restoration at sites where oil or hazardous waste has been dumped					
(d) Restrictions on the production and use of inorganic and organic hazardous substances (such as metals, dioxins and polychlorinated biphenyls)					
(e) Systems for disposing of products with a high potential to pollute (such as pesticides, batteries, packaging, tires and electronic products)					
(f) Recycling regulation to prevent and reduce waste disposal					
(g) Regulation of waste disposal locations and licensure of waste disposal actions					
(h) Other (please comment/specify)					

38. On a scale from 1 to 10 (with 10 meaning a very serious problem, and 1 meaning not a serious problem), please tell us how serious are the following obstacles to effective waste management and site cleanup in your country:

	10 Serious problem	9	8	7	6	5	4	3	2	1 Not a serious problem	Don't Know/ Not Applicabl e
(a) Lack of national plans for managing the disposal of waste											
(b) Poor enforcement of domestic site cleanup and contamination regulations											
(c) Poor enforcement of transboundary waste contamination regulations											
(d) Corporate veils that limit companies' responsibility for cleanup of contamination, effectively passing cleanup costs on to the public											
(e) Polluters selling contaminated land cheaply to avoid cleanup liability											
(f) Private landowners knowingly permitting contamination by other actors											
(g) Land transactions documents do not disclose prior waste disposal or contamination on the land											
(h) Inadequate systems (infrastructure or laws) for managing the final disposal of urban waste											
(i) Inadequate system (infrastructure or laws) for recycling or reusing urban waste.											
(j) Lack of regulations banning the use of single-use of plastics											
(k) Other (please comment/specify)											

II-F. BIODIVERSITY

39. To what extent do you agree with the following statements pertaining to biodiversity and protected species in your country:

	Strongly agree	Agree	Disagree	Strongly disagree	Don't Know/ Not Applicable
(a) The environmental and/or wildlife authority in my country promulgates guidelines for the sustainable use and harvest of economically valuable species.					
(b) The environmental and/or wildlife authority in my country has identified components of biodiversity warranting conservation and activities that affect them.					
(c) The listing of a species as endangered or potentially endangered triggers measures to protect that species.					
(d) The listing of protected areas or particular habitat types triggers measures to protect that area or habitat.					
(e) There are clear requirements and specifications for issuing permits for the trade of listed species in my country.					
(f) Economic incentives – such as payment for ecosystem services systems and mitigation banking – are used to protect biodiversity in my country.					
(g) National conservation plans and biodiversity considerations are well integrated into other areas of national policy and decision-making in my country.					

40. Please comment on how effectively the environmental and/or wildlife authority in your country performs the following functions:

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/ Not Applicable
(a) Monitoring changes in the components of biodiversity or activities that affect them					
(b) Listing species currently threatened with extinction					
(c) Listing species that will be threatened with extinction if not closely monitored and controlled					
(d) Designating specific protected areas or habitat types					
(e) Enforcing sustainable use and harvest levels of economically valuable species					
(f) Regulating the trade of listed species, or items derived from those species					

II-G. FORESTRY

41. Please comment on how effectively the following forest management measures are implemented or enforced in your country:

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/ Not Applicable
(a) Measures for conserving forests' biological diversity					
(b) Measures for maintaining the productive functions (wood and non-wood) of forest ecosystems					
(c) Measures for maintaining forest ecosystems' health and vitality					
(d) Measures for conserving and maintaining forests' soil and water resources					
(e) Measures to maintain and enhance forests' contribution to global carbon cycles					
(f) Measures to ensure the sustainable use of forests for socio-economic functions (such as employment, recreation and tourism, or other cultural uses)					

42. What percentage (%) of the forests in your country are under a forest certification program – such as PEFC – to ensure responsible and sustainable wood and paper purchasing policies?

100%	
75%	
50%	
25%	
10%	
0%	
Don't know/Not Applicable	

II-H. OCEANS, SEAS & MARINE RESOURCES

43. Please comment on how effectively the following measures for conserving oceans, seas, and marine resources are implemented in your country:

	Very effectively	Somewhat effectively	Not very effectively	Not effectively at all	Don't Know/ Not Applicable
(a) Measures to reduce marine nutrient pollution from land-based activities and runoff					
(b) Measures to prevent marine litter, in particular from plastic					
(c) Measures to protect and strengthen the resilience of coastal ecosystems					
(d) Measures to effectively manage marine protected areas					
(e) Measures to minimize and address the impacts of ocean acidification					
(f) Regulating harvesting overfishing, illegal fishing, and other destructive fishing practices					
(g) Implementing science-based plans for restoring fish stocks					
(h) Eliminating subsidies that contribute to overfishing or illegal, unreported, or unregulated fishing.					
(i) Measures to increase scientific knowledge, develop research capacity, and adopt marine technology that benefits ocean health					
(j) Providing artisanal fishers access to marine resources and markets					
(k) Coordinating with other countries to manage shared protected marine areas					

ALMOST FINISHED!

If you have any feedback or comments regarding the questionnaire, we would be grateful if you would let us know.

Are there any relevant topics, issues, or questions that you think were left out?

TYPE OF CONTRIBUTION

In the space below, **please select one** of the two options indicating if you would like to respond to this questionnaire as an **Anonymous Contributor** or as a **Publicly Acknowledged Contributor**. In both cases, your individual answers to the questionnaire will remain strictly confidential.

PUBLICLY ACKNOWLEDGED Contributor:

I would like to be **Publicly Acknowledged** as a contributor in any reports that might be published presenting data findings and lessons learned from this round of data collection. I understand that my name, organizational affiliation, and country may be listed in the Contributing Experts section of any reports, and on the WJP and IDB's websites, exactly as it is written below:

Name:	
Firm, company, or organization:	

ANONYMOUS Contributor:

I would like to remain an **Anonymous** contributor. WJP and IDB will not reveal my name, organizational affiliation, or any other identifiable information in any reports or any associated materials written about data findings from this survey.

Additional Information: We are grateful for your contribution as an expert respondent to the Environmental Governance & Law questionnaire. If you would like to be added to the WJP database to receive future correspondence and information about the organization, please complete the form below. This information will not be shared with any third parties. Your contact information will be securely stored in our database for further engagement and/or future editions of WJP environmental governance reports.

<i>Please fill out the information below:</i>	
Title (Mr., Ms., Dr., etc.):	
First Name:	
Last Name/Surname:	
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E-mail:	
Web site:	
Gender:	

Do you teach at the university level? Yes [] No [] Which courses? _____

Are you an attorney? Yes [] No []

If yes, how many years have you practiced law? _____

Finally, as an expert in your field, we would welcome referrals or suggestions of colleagues who may be willing to contribute by completing one of the five questionnaires best aligned with their expertise (Environmental Governance & Law; Civil and Commercial Law; Constitutional Law, Civil Liberties, and Criminal Law; Labor Law; and Public Health).

	<i>Name</i>	<i>Email</i>	<i>Area of Expertise</i>
Referral #1			
Referral #2			
Referral #3			

THANK YOU VERY MUCH FOR YOUR COLLABORATION

Thank you for completing the questionnaire; we are honored to include your expertise in the Environmental Governance & Law Expert Questionnaire. We will contact you by email with more information when the results of this study are published. For more information about other research produced by the World Justice Project, please visit:

WWW.WORLDJUSTICEPROJECT.ORG