



**IF** we look at the history of how major environmental problems have been solved, it becomes clear that without the intervention of public authorities, or the existence of laws and regulations, no guaranteed level of environmental protection would have been achieved.

This well known "command and control" approach is still necessary and does have its advantages: the polluter has to face up to his limitations, is inspected and controlled, has to pay the costs of pollution and is punished when he fails to comply with environmental laws.

Twenty years ago, industry began to discuss complementary routes towards environmental protection as it became clear that considerable resources were required "on both sides of the fence" – on the industry and governmental sides – to develop, enforce and comply with command and control legislation.

Industry has, in effect, put the time of confrontation over environmental matters behind it and today recognizes that all parties share a common responsibility for protecting the environment. There is now agreement that environmental management should be an integral part of economic development.

#### New definition

This movement towards a new definition of environmental responsibility within industry led, on one hand, to a recognition of the need for a regulatory framework in the environmental area and, on the other, to the opinion that – if properly applied – self-regulation can frequently be more effective than reliance on legislation and official regulations.

## Applauding the success of ISO 14001 should not deafen us to the challenges

BY REINHARD PEGLAU

Image Bank



Therefore, an effective protection of the environment can best be achieved by an appropriate combination of legislation/regulation and of voluntary policies and programmes emanating from industry.

In 1996, a new worldwide approach to this issue of voluntary environmental commitment was born: the international environmental management system standard ISO 14001. Since then, ISO 14001 has had a major impact with already more than 35 000 organizations around the world implementing the standard. Today, ISO 14001 is the "driving licence" for the international highway towards good, voluntary, environmental performance. It is also the "Esperanto language" for implementing environmental management systems which everyone from Argentina to Zambia understands.

The rapid spread of ISO 14001 all over the world is mainly due to the fact that not only organizations in the developed countries are being certified to this standard but also because companies in the developing countries devote a lot of commitment and work to ISO 14001 implementation.

#### Concerns

The ISO Committee on developing country matters (DEVCO) has been one of the most important drivers in this area of standardization and in establishing the related infrastructures in developing countries. But the global proliferation of ISO 14001 raises concerns – especially among developing countries and small and medium enterprises – about the potential of this standard to become another trade barrier.

Another widely held concern centers on the relationship between obligatory compliance to environmental legislation and voluntary ISO 14001 certification. ISO 14001 requires the user of the standard to "comply with relevant

environmental legislation and regulations", but does not specify how rigorous must be the pursuit of this objective. There are repercussions both for developing and developed countries.

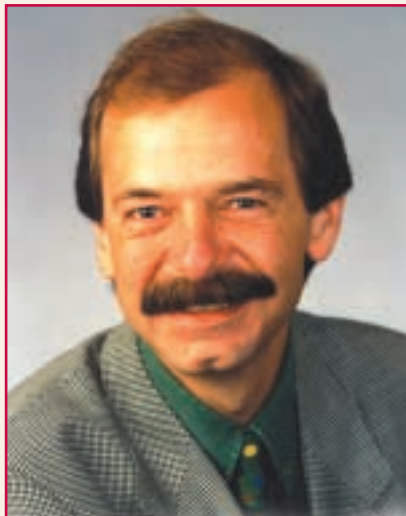


**ISO 14001 is the 'Esperanto language' for implementing environmental management systems which everyone from Argentina to Zambia understands**

In developing countries, which may lack a framework of environmental regulations and agencies responsible for ensuring compliance, companies may look to ISO 14001 certification as providing a "substitute proof" of effective environmental management. This can be critical for companies from developing countries seeking to export to developed countries. There is a danger: if the trust which governments place in the regulatory compliance of ISO 14001-certified companies turns out to be misplaced, then the reputation of the standard will suffer and this, in turn, will damage its acceptance as an instrument facilitating trade.

#### Deregulation

As far as developed countries are concerned, ISO 14001 certification is being accepted by a number of governmental agencies responsible for verifying compliance with environmental legisla-



Reinhard Peglau is Senior Scientific Officer on Environmental Management with the German Federal Environmental Agency (Umweltbundesamt). He is a member of the German delegation to ISO technical committee ISO/TC 207, *Environmental management*.

Reinhard Peglau, Federal Environmental Agency, Environmental Economic Section I 2.2, Bismarckplatz 1, D-14191 Berlin, Germany.

Tel. + 49 30 89 03 27 32.  
Fax + 49 30 89 03 29 06.  
E-mail reinhard.peglau@uba.de  
Web www.umweltbundesamt.de

tion in the context of the trend towards deregulation – an example is the German State of Bavaria (see [www.umweltpakt.bayern.de](http://www.umweltpakt.bayern.de)). Public interest groups are often hostile to such developments and, therefore, any environmental failure on the part of an ISO 14001-certified company can have highly negative consequences for the status of the standard.

These serious concerns cannot be wiped out with the well known and often used argument that this standard is voluntary and not a legal enforcement instrument. The situation is quite clear: where there is a "tape measure", things will be measured. Even if ISO 14001 is not intended for use in this way, a good weight will always

be thrown onto the scale – and ISO 14001 is a good and heavy weight.

Therefore, we need not only a review of the achievements of ISO 14001 – for which we can applaud this rising star – but also a clear identification of any problems that might prevent realization of ISO/TC 207's vision of a worldwide acceptance of the ISO 14000 series leading to the improvement of environmental performance, the facilitation of world trade and a contribution to sustainable development. One needs to bear



**The global proliferation of ISO 14001 raises concerns...about the potential of this standard to become another trade barrier**

in mind that the ongoing revision of ISO 14001 is being carried out not only for the benefit of the direct users, but also needs to take into account the interests of government agencies, nongovernmental organizations and the general public.

A clarification and an improved capacity of ISO 14001 to deal with the regulatory compliance issue would therefore strengthen the perceived value of ISO standards as tools facilitating good communication amongst all partners in the global economy.

ISO 14001 is the cornerstone of the ISO 14000 series and any failures attributed to this standard or obstacles encountered will have an effect on the entire family. ■