

---

MR. HANS ALDERS

Minister for Housing, Physical Planning and Environment, the Netherlands

Ladies and Gentlemen,

First of all, I want to thank the Hungarian minister for the Environment for hosting this Conference. He and his staff did a great job in making it possible to organize this important event.

It is a great pleasure and honor for me, as the Netherlands Minister for the Environment and one of the three co-organizers, to welcome all of you to this Second International Enforcement Conference. The first one took place in May 1990 in the Netherlands, and it is my belief that it was a great success. I hope and believe that Budapest 1992 will be even more successful.

Environmental policy in the nineteen-eighties got a higher priority in most countries. Especially in the United States and the Netherlands, and now also within the European Community. Last weekend the EEC-ministers for the Environment met in Glasgow, Scotland, and Enforcement was one of the themes that were dealt with. In the Netherlands enforcement became a real theme with the implementation of the National Environmental Policy Plan in 1989/1990.

We are all together here because we think enforcement is important, it even is indispensable for a good environmental policy. But why is enforcement that important? Because the quality of the environment as a whole depends substantially upon an effective enforcement policy. Uneven implementation of the environmental policy undermines the credibility of legislation and of government, and adversely affects the environmental situation. Compliance and enforcement need to be taken into account in the earliest possible stage of the development of environmental legislation. That is what we are working for in the Netherlands and, as I hope, soon also in the EEC.

Let me tell you something about the enforcement policy in the Netherlands. You will get more detailed information from Mrs. Bierman tomorrow, but let me show you the headlines.

Enforcement in the Netherlands is not only implemented by the central government, but also by provincial and local governments. We have various instruments to implement and carry out the policy plans. Information, taxes and levies, subsidies, legislation and other regulations.

But regulation by itself is not enough. If they are not complied with, all the government's conservation efforts are in vain. Environmental policy and regulations would be paper tigers, the governments environmental policy will lose its credibility and, worst of all, the environmental pollution will absolutely not diminish. It is therefore essential that the government, at all levels, will monitor compliance and, where necessary, take timely and appropriate steps to enforce environmental regulations.

Who in the Netherlands have enforcement jobs? In the first place, the police (local forces and general police branches) do a competent job of detecting environmental violations. The public

Prosecutor is the exclusive authority to bring these cases to court. On the other hand, the administrative authorities are responsible for compliance monitoring and administrative and civil enforcement. In the Netherlands, this authority is not only responsible

for monitoring, but is also entitled to enforce that law. The municipalities are responsible for the enforcement of nearly all of the 400.000 business in the country. The provinces deal with about 3.000 big plants, including landfills.

We stimulate close and structural cooperation among the municipalities and the provinces. To realize this, we are building an enforcement structure with all participants, that has been laid down in a letter to Parliament. Main features are:

- all participants marching together;
- realizing an integrated, multi-media approach;
- administration and police/Public Prosecutors marching together, not two separate circuits;
- municipal cooperatives.

Information and sharing the know-how play an important role in the enforcement area in the Netherlands. They have proven to produce results, it really works! If you want to be convinced of that, please have a look at our stands in these conference rooms.

Enforcement not only is a matter of national interest. On the contrary, most enforcement problems we have in the Netherlands are caused by the fact that there are so many differences between the environmental policies in the European countries. Enforcement of waste transports for example is only possible if we have one definition of waste. At this moment, real waste still can be defined as "Wirtschaftsgut".

For this reason, we in the Netherlands, not only the Environmental Inspectorate of my Ministry, but also other enforcement agencies, have a lot of contacts with similar organizations in other countries. In this way we want to stimulate an international cooperation in the field of enforcement. These contacts are growing now that more and more statutes are adopted about internationally marketing substances, the international transports of waste etc. All these statutes have to be enforced! Contacts are increasing between neighboring countries, but also within the EEC and with some Central- and Eastern European countries, the United States, Interpol etc.

Within the framework of the European Community, the Netherlands' government stimulates the attention of the European Community members for giving higher priority to compliance monitoring and enforcement. In the EEC-Environmental Council Meeting of last December, the need for further development of compliance and enforcement was stressed. The Council acknowledged the need for enforceability of environmental legislation. It agreed that it would be desirable as a first step to establish a network of representatives of national authorities and the EEC commission in the field of enforcement. In 1992 the establishment of such a network has been started.

Enforcement is also one of the themes in the Memorandum of Understanding, we have with different Central and eastern European countries. The development of integrated environmental control has priority for most of these countries and support from the Netherlands is often requested. We therefore decided that one of the criteria for environmental cooperation with these countries is the strengthening of the environmental management activities, including enforcement.

International enforcement is important for the Netherlands, not only because we have so many contacts and our country is so vulnerable for global environmental pollution. It is also important because the acceptance of environmental regulations for both the citizens and the companies will be higher when they know they will be in every country regulated and enforced in the same way. And it will also mean that trade distortions between countries

---

can be prevented, for every plant or business the same rules are applying. Many kinds of pollution can only be dealt with if we have international cooperation in the field of environment, I already mentioned the waste transports.

And last but not least, international cooperation is very useful because we can all learn from each other. We can exchange experiences and knowledge. This conference's goal is not to produce an enforcement blue print for all countries involved. It's goal to identify some principles every participating country or organization agrees with.

We had a good conference in Rio de Janeiro about the relation between environment and development, about sustainable development. But now, we have to put these results in practice. In my view, this cannot only mean new ideas, it will also mean good enforcement of everything we have to do. We need a good and strong enforcement structure if we want to make the UNCED conference a real success. Therefore, we need good agreements, identical principles.

Ladies and gentlemen,

I hope this Conference will have that result. We paved the way two years ago in the Netherlands. Budapest will give us the possibility to further that work. Undoubtedly, many ideas will be presented these days. It is my hope that the good ones will be really put into practice. The Netherlands will go on, by taking initiatives. But we do not want to lose the contacts with all of you. We will give you the support you need, and help you where ever it is possible. I wish you a very successful Conference and a good time in this beautiful city of Budapest.