



Tulips in Brussels



A perfect match for EU policy and regulation and Dutch habits in policy and regulation in the fields of environment, spatial planning and housing

Presentation for the EEAC of Work in Progress

Ivette Meijerink, 11 October 2007



The EU Air Quality Directive and the Habitat Directive: a wake up call!



Delay and cancellation several hundred projects
in infrastructure and building
Typically Dutch?



Typically Dutch?

Not meeting air quality standards
= the issue in several EU regions

- The Netherlands
- Flanders
- Ruhr area
- Rhein-Main area
- North of Italy



Germany



Typically Dutch!

- Air quality standards critical factor for permission in infrastructure and building (also in Sweden)
- Also new housing building projects need permission
- Preciseness
 - Choice of locations
 - Methods
 - Scale of measuring
- More procedures in court

Air quality data



Typically Dutch!(2)

More procedures in court:

Air quality & building/infrastructure projects		
	Untill 2004	Untill 2006
Sweden	0	0
Austria	1	3
Flanders	0	0
Germany	1	3
Great Britain	0	
France	0	
The Netherlands	40	100



Characteristics of the Netherlands as one of the 27 EU member states

Well known characteristics:

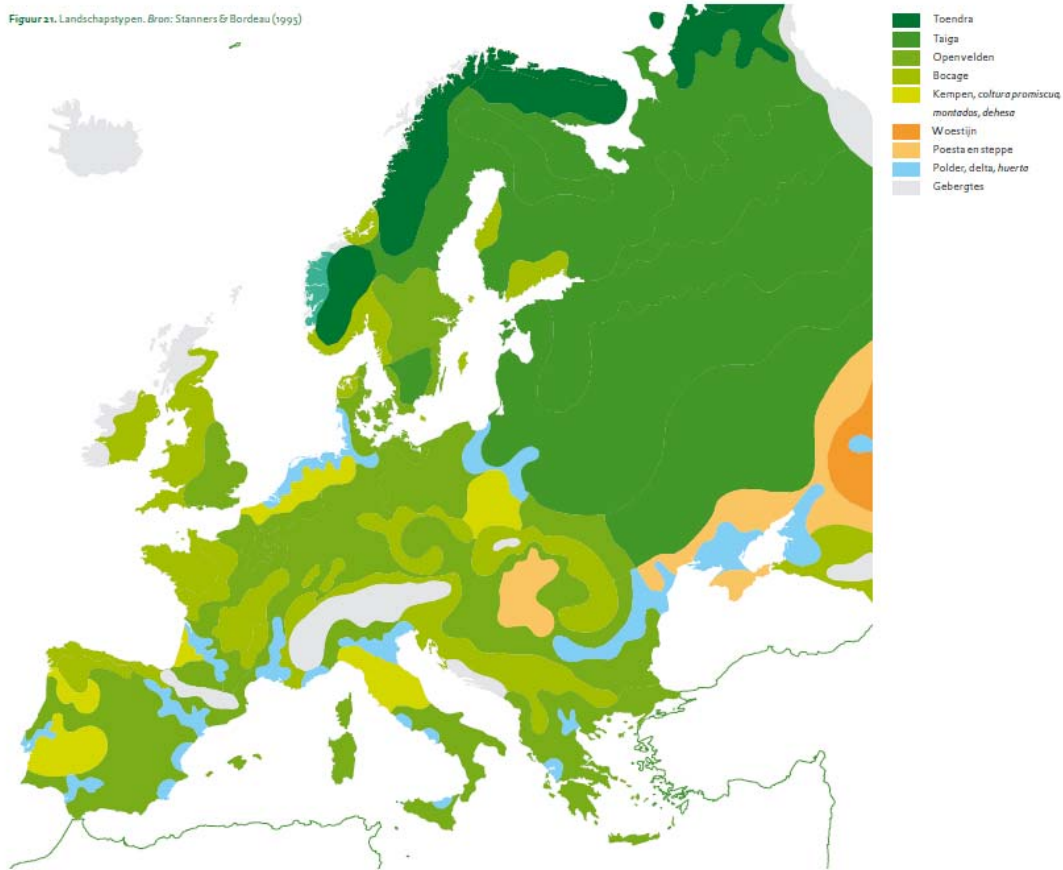
- Low lands near the sea
- Densely populated
- High pressure on the environment
- Downstream 4 main rivers in the EU
- High income



- Low lands near the sea -

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Figuur 1. Landschapstypen. Bron: Stanners & Bordeau (1993)



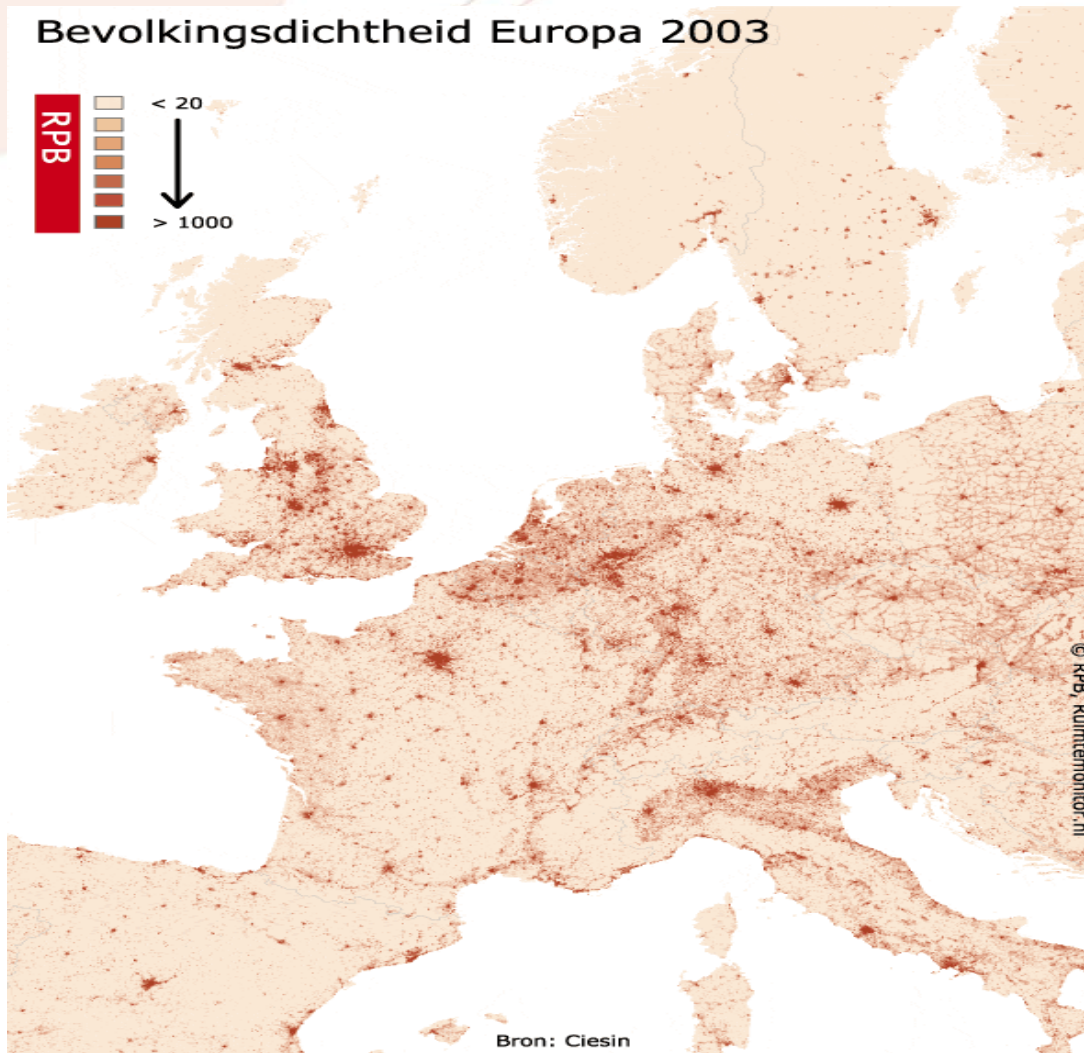
Planet/Natuur en landschap

40 - 41



- Densely populated -

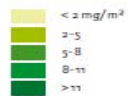
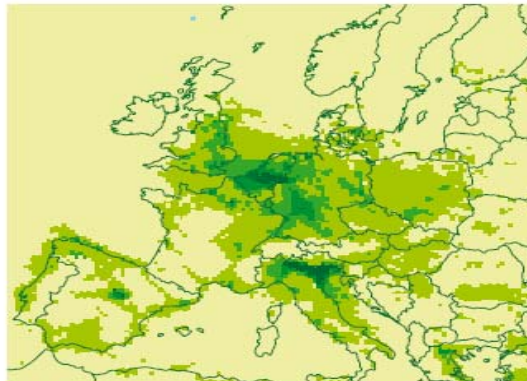
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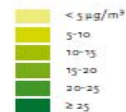
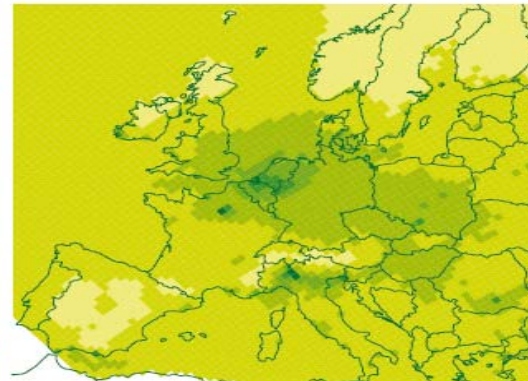


- High pressure on the environment -

Figuur 24. Gemiddelde NO_2 concentratie in de periode mei tot en met september 2005. Bron: MNP (2005)



Figuur 25. Gemiddelde fijnstofconcentratie. Bron: MNP (2005)

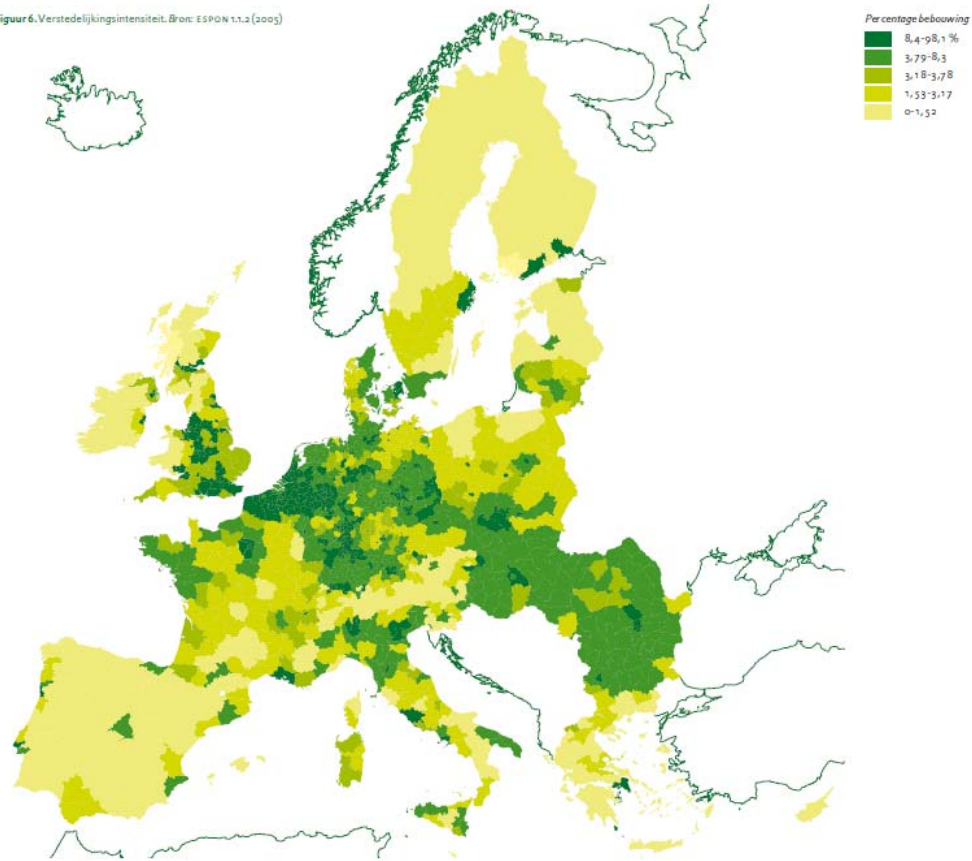




- Urbanization -

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Figuur 6. Verstedelijingsintensiteit. Bron: ESPON 1.1.2 (2003)



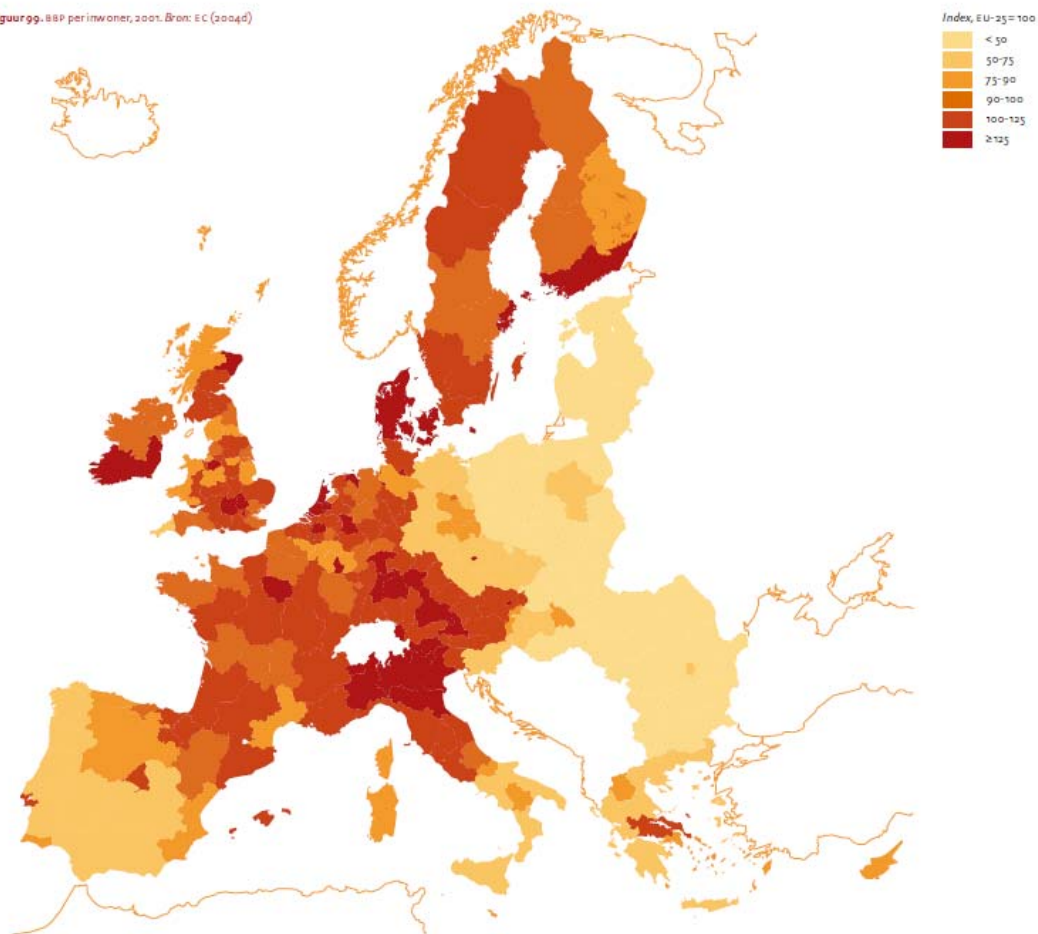
ATLAS EUROPA



- High income -

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Figuur 99. BBP per inwoner, 2001. Bron: EC (2004d)



ATLAS EUROPA



Characteristics of the Netherlands as one of the 27 EU member states

Background characteristics/unknown characteristics

- Access to justice
- Short procedures in court
- Integrated regulation in environment and spatial planning
- Implementation, law enforcement and measurement are important



Access to justice: example

NGO's taking initiative in environmental issues 1996-2001		
		Success for the NGO
The Netherlands	± 3000	50%
Germany	± 110	25%
Flanders	± 101	35%

The Netherlands: decisions in court → < 1 year

Germany: decisions in court → ± 5 years

Flanders: decisions in court → > 5 years



Conclusions

- It's not unique to be unique
- National application and enforcement of EU (environmental) law seem to be much more decisive than the exact wording of the respective directive
- Friction between environmental goals and level playing field issues
- Frictions in spatial planning on regional and local level



WANTED

Comparative studies on how European policy and law is applied and works out on national level



To perform well in the EU arena and within borders:

- Know your crucial characteristics
- Take them into account
 - in taking an initiative
 - during negotiations
 - in preparing implementation



In our case ‘Tulips in Brussels’
we discuss several recommendations

for
the Netherlands
to realize

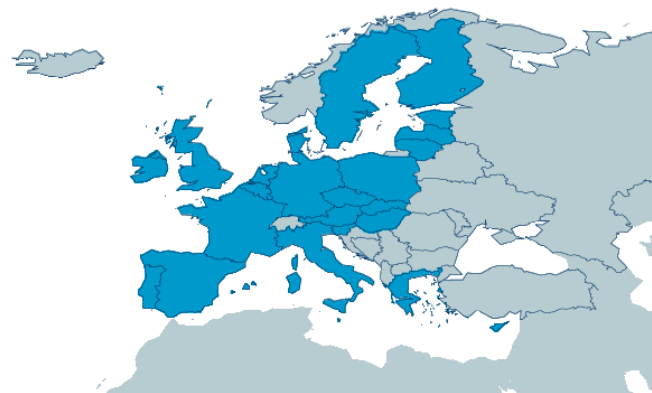


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Recommendations (1)

- Put more effort in the European policy making process
- Realize the impact of combinations of characteristics for national practice and law
- Don't claim special positions as 1 out of 27
- Don't forget the option of coalitions between regions
- Involve people from the relevant national government levels from the start





Recommendations (2)

- Compare the choices in implementation between member states and relate it to the impact
- Involve expertise in law early in the policy making process
- Improve the problem solving ability of the (Dutch) courts ('bestuurlijke lus')
- A combination of strict goals in environmental quality and measures regarding producers on the EU level is necessary for success in achieving goals in the Netherlands



Please share your ideas and experience



Thank you for your attention

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