



## Information

# Dutch environmental monitoring and enforcement in a nutshell

Licensing authorities are primarily responsible for monitoring compliance with environmental legislation. These are usually local authorities (provinces and municipalities) that have outsourced this duty to environment agencies, often on a joint basis. These agencies also employ special investigating officers who can take action if the rules are violated.

The most important national environmental supervisory authorities are the Human Environment and Transport Inspectorate (Inspectie Leefomgeving en Transport, ILT) and the Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Waren Autoriteit, NVWA). There is also the Social Affairs and Employment Inspectorate (Inspectie Sociale Zaken en Werkgelegenheid, ISZW), which is important when compliance with environmental rules relates to working conditions in companies.

In case of an overlap between compliance with environmental rules and taxes, the Tax and Customs Administration may also be an important supervisory authority.

All national supervisory authorities have their own investigative service. The ILT, NVWA and the Tax and Customs Administration refer to these services as Intelligence and Investigative Service (Inlichtingen- en Opsporingsdienst, IOD), hence ILT/IOD, NVWA/IOD, ISZW/IOD and FIOD (Fiscal Intelligence and Investigative Service). These four services combined are called the Special Investigative Services.

In addition to the Special Investigative Services, the environmental teams of the 10 Regional Units and the Central Unit of the National Police of the Netherlands deal with environmental crime. Moreover, certain police officers within the basic teams of the National Police

of the Netherlands are responsible for the theme of environment.

All criminal investigations are conducted under the direction of the Public Prosecution Service and, in case of environmental crime, by Public Prosecutors of the National Public Prosecutor's Office for Financial, Economic and Environmental Offences.

### **ILT/Intelligence and Investigative Service in a nutshell**

For criminal investigations, the Human Environment and Transport Inspectorate (ILT) has its own Intelligence and Investigative Service (ILT/IOD). This service focuses on organised crime, often with international (financial) structures and trade flows.

The investigations conducted by the ILT/IOD focus on persons and companies that systematically and seriously violate regulations in the area of the environment and housing associations. The service employs detectives, analysts, technical and legal experts, forensic accountants, computer forensic examiners, strategic advisers and experts in the area of obtaining and processing data and information.

Priorities in criminal investigations cover the themes of waste, soil, hazardous substances, housing associations and transport. The ILT/IOD focuses on organised crime of a subversive nature and often with international (financial) structures and trade flows. Here, the focus is on intermediaries, facilitators and certifying institutions.

The ILT/IOD has a dual management structure: the Ministry of Infrastructure and the Environment for priorities in substantive



policy areas and, as an authority relationship, the Public Prosecution Service for specific investigations and priorities in this area.

## **Environmental Chambers**

The criminal-law approach to environmental crime takes place under the direction of the specialised National Public Prosecutor's Office for Financial, Economic and Environmental Offences, which, apart from environmental crime, also deals with fraud. Due to the complex institutional context with the involvement of various ministries, inspection services and investigative services, a coordinating body has been set up: the Strategic Environmental Chamber (Strategische Milieukamer, SMK), which is chaired by the Chief Public Prosecutor of the National Public Prosecutor's Office for Financial, Economic and Environmental Offences. The SMK, which meets around three times a year, sets policy and priorities in the criminal-law approach to environmental crime.

The SMK is comprised of the Chief Public Prosecutor of the National Public Prosecutor's Office for Financial, Economic and Environmental Offences (chair), the Inspector General of the Human Environment and Transport Inspectorate (ILT), the Inspector General of the Netherlands Food and Consumer Product Safety Authority (NVWA), the Environmental Crime Portfolio Holder on behalf of the Force Command of the National Police of the Netherlands, and the Member of the South Holland Provincial Executive responsible for the Environment on behalf of the local authorities.

The National Environmental Chamber is responsible for the day-to-day management, including the weighting of individual cases (this chamber is therefore sometimes also referred to as the 'Tactical Environmental Chamber'). The National Environmental Chamber is managed by the coordinating Public Prosecutor for environmental crime of the National Public Prosecutor's Office for Financial, Economic and Environmental Offences.

Publication

### **Human Environment and Transport Inspectorate**

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