



FROM NCA Working Group Environmental Auditing
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SUBJECT Summary Marine Pollution from Ships; Impact Assessment 2010

In this Impact Assessment we investigated the follow-up to the recommendations we had made in our audit report Marine Pollution from Ships published in 2001. We looked at the undertakings given at the time by the Minister of Transport, Public Works and Water Management (V&W) and the Minister of Justice. Our recommendations had related to the problems we had detected in the efforts to prevent pollution from sea-going ships, to clean up pollution at sea and to prosecute polluters.

1 Recommendations made in 2001

In 2001 we had found that the Netherlands complied with international agreements on the number of ships it had to inspect but the inspections were not targeted specifically at the vessels that represented the greatest environmental risks. We had recommended that the Minister of V&W deploy the Shipping Inspectorate's capacity on the basis of risk analysis. We had also concluded in 2001 that the Minister of V&W had failed in her duty to provide adequate facilities for ships to dispose of their waste in port. We had recommended that she provide an easily accessible system for the reception of ships' waste. We had also found problems at the North Sea Directorate of Rijkswaterstaat (the Directorate-General for Public Works and Water Management) regarding the planning and performance of aerial surveillance and the cleaning up of oil spills. We had concluded that the North Sea Directorate should give greater priority to recording clean-up measures and exercises and to tackling implementation problems. The final conclusion to be considered in the Impact Assessment was that the effective investigation and prosecution of environmental offences at sea were frustrated by many obstacles. The Netherlands, for example, was behind schedule in incorporating changes in international treaties on marine pollution into national regulations. The availability of manpower and resources at the Public Prosecution Service was also a problem, as was the poor coordination between the administrative and criminal enforcement



bodies. We had advised the Minister of V&W to resolve these problems in cooperation with the Minister of Justice as quickly as possible.

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2 Conclusions

The ministers have followed up virtually all the recommendations we had made in 2001. They have also taken the measures they had announced in response to our audit. Most of the problems we had highlighted have been addressed:

- Environmental supervision of sea-going vessels by the V&W Inspectorate (IVW) is now based on risk analysis: the available inspection capacity is targeted at the ships representing the greatest risks.
- The Minister of V&W (now: Infrastructure and the Environment) has taken measures to improve access to waste disposal facilities in ports. The minister has also set additional requirements on the port authorities to which she has delegated management responsibility for such facilities.
- The problems in prevention policy have been addressed. The North Sea Directorate, for example, has renewed and enlarged its equipment fleet and is now better equipped to tackle oil spills and other forms of pollution.
- It is easier to detect and prosecute polluters. Shortcomings in legislation and regulations have been largely overcome, structural arrangements are in place regarding the availability of manpower and resources for North Sea cases at the Public Prosecution Service, and enforcement bodies on the North Sea and in the ports work together more frequently.

But not all the problems have been solved. There has been no significant decline in the amount of waste – originating in part from ships – in the North Sea and on beaches. Oil spills are still reported in the North Sea although their number and size have fallen sharply since 2001. The disposal of ships' waste is not yet optimal, chiefly because the regulations differ from one port to another. There are also concerns about the declining level of expertise at the IVW owing to its outsourcing of tasks to private contractors. As a result, the IVW does not board ships as frequently as it did in the past. At the North Sea Directorate, too, knowledge management is a matter of concern. The number of real incidents at sea in which staff can gain experience operating the equipment is limited.

3 Response of the Minister of Infrastructure and the Environment

The Minister of Infrastructure and the Environment responded to our conclusions on behalf of herself and the Minister of Security and Justice. She gave new undertakings to improve the situation in a number of areas.