Netherlands

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1 Environmental Policy and its Enforcement

1.1 What is the basis of environmental policy in your jurisdiction and which agencies/bodies administer and enforce environmental law?

Environmental policy in Dutch law is based on several sources. Article 21 of the Dutch Constitution lays down a duty of care for the government to take care of the habitability of the land and the protection and improvement of the environment. The Environmental Permitting (General Provisions) Act, the Environmental Management Act and the relevant European treaties, regulations and directives comprise the specific environmental regulations and policies.

Several bodies administer and enforce environmental law. In most instances the municipal executive is the competent authority, but some complex plants are still regulated by the provincial executive. In practice, the environmental competences of the municipal and provincial executives are carried out by several environmental agencies that carry out environmental tasks in name of the municipal and provincial executives.

1.2 What approach do such agencies/bodies take to the enforcement of environmental law?

Enforcement of environmental law has a prominent position in Dutch environmental policy. The Dutch government takes an active approach to enforcement based on policies which describe priorities in enforcement, active monitoring and enforcement tools. Enforcement also takes place on request of interested parties.

1.3 To what extent are public authorities required to provide environment-related information to interested persons (including members of the public)?

Publication of governmental information is governed by the Government Information (Public Access) Act. Public authorities are required to provide environmental information on request. Anyone can request information and does not have to have a specific objective for requesting that information. The request for environmental information can only be denied on certain restricted grounds relating to public and private interests.

2 Environmental Permits

2.1 When is an environmental permit required, and may environmental permits be transferred from one person to another?

An environmental permit is required prior to the establishment (or changing) of an industrial plant set out in more detail in a regulation.

In the Netherlands we have three different types of industrial plants: type A; B; and C. Only type C require an environmental permit and involves heavier industries including IPPC plants. IPPC plants are appointed according to annex I of the EU directive on industrial emission (integrated pollution prevention control) 2010/75.

Type A and B plants do not require an environmental permit. However, the operator of such plants do need to comply with the applicable rules and regulations set forth in the Activities Decree and underlying Activities Regulation (kind of standardised permit provisions). In specific circumstances it is possible for the operator to ask for other "tailor-made" provisions, which the authorities will lay down in a decision which is subject to appeal (in court) for the applicant and interested third parties.

Environmental permits for type C plants are linked to the business and are not personal licences. Another operator is allowed to use the environmental permit. He and the original permit holder need to (jointly) notify the authorities at least one month before the new operator wants to make use of the permit involved. Not doing this in a timely manner is not a constitutive requirement in order to use the permit. However, not acting within this timeframe or not acting at all does constitute a criminal offence which is punishable according to our Economic Offences Act (EOA).

Only a permit under our Nuclear Energy Act is a personal licence.

2.2 What rights are there to appeal against the decision of an environmental regulator not to grant an environmental permit or in respect of the conditions contained in an environmental permit?

An environmental permit can be acquired according to the following procedure. The applicant files his application to the authorities. The authorities supply a draft permit. The draft will be published by the authorities for six weeks and is subject to opinions ("*zienswijzen*") from the applicant and third parties. The authorities have to make a final decision, taking into account the submitted opinions. The final decision (the acquiring or refusal of the permit) will also be published by the authorities for (again) six weeks. When the

authorities do not agree on the submitted opinion, the party (the applicant or third parties) that submitted the opinion is allowed to appeal in court. Third parties also need to qualify as an "interested party" in order to be submitted into court. An interested third party is a person who suffers serious adverse effects from the plant involved (like noise, odour, etc.). Interest groups are submitted into court when its objects clause contained in the articles of association are at stake and the (daily) activities of interest group itself is not limited to (only) litigation in court.

Parties appeal to the district court involved and are allowed to appellate to our Administrative Jurisdiction Division of our Council of State (highest court for administrative matters) situated in the Hague.

2.3 Is it necessary to conduct environmental audits or environmental impact assessments for particularly polluting industries or other installations/projects?

There is no general obligation under Dutch law for the performance of an audit. It is, however, possible that the environmental permit provisions or the provisions attached to the Activities decree and/or Activities regulation do require the operator of a plant to perform investigations, report the outcome to the authorities in order to achieve a specific goal (like for example to meet specific requirement with regard to energy conservation) and obtain explicit approval from the authorities.

Some plants that are allowed to storage or process specific dangerous substances (according to the Seveso III directive) need to put up and comply with its safety reports in order to control dangers internally and externally. The safety report will be reviewed by the supervisors appointed by the authorities on a regular basis.

Furthermore some environmental permits cannot be granted, unless Environmental Impact Assessment (EIA) is included in the application. It concerns industrial activities which can cause serious adverse effects to the environment and listed in our AIE Decree (based on the EU directive as amended by EU directive 2014/52). The applicant needs to supply information in the EIA like the industrial activities he wants to perform and its impact on the environment; he also needs to consider reasonable alternatives as set forth in our environmental Management Act (EMA). The EIA is linked to the permitting process and is open for public inspection and submitting opinions (see also question 2.1). When no EIA is performed there were our regulations do require to do so, the permit is subject to annulment.

2.4 What enforcement powers do environmental regulators have in connection with the violation of permits?

The Environmental Permitting (General Provisions) Act and the General Administrative Law Act grant the competent authorities the power to impose remedial sanctions in order to end the infringement. In that respect the authorities are allowed to enforce permit violations through either (1) an order subject to a penalty for noncompliance ("*last onder dwangsom*"), or (2) an administrative enforcement order in which the government corrects the violation itself at the violators expense ("*last onder bestuursdwang*").

Aside from that, the competent authorities are also allowed to impose (3) an administrative penalty ("*bestuurlijke boete*"). When the infringement is serious, criminal prosecution will follow instead of the imposition of an administrative penalty. Non-compliance with permit regulations may also result in permit withdrawal.

3 Waste

3.1 How is waste defined and do certain categories of waste involve additional duties or controls?

In line with the Waste framework directive (2008/98/EC) waste is defined as any substance or object which the holder discards or intends or is required to discard. Waste is regulated by the Environmental Management Act in accordance with the Waste framework directive. The specific waste streams are regulated by the national waste management plan which describes national policy on waste prevention, waste management, recycling and best practices. This programme is used for permitting, monitoring and enforcement.

3.2 To what extent is a producer of waste allowed to store and/or dispose of it on the site where it was produced?

Storage before removal is allowed on the site of production for a maximum period of one year. In case of useful application/recovery storage on the site of production is allowed for a maximum period of three years.

3.3 Do producers of waste retain any residual liability in respect of the waste where they have transferred it to another person for disposal/treatment off-site (e.g. if the transferee/ultimate disposer goes bankrupt/ disappears)?

Article 10.37 of the Environmental Management Act contains the obligation for producers of waste to hand over its waste to a licensed waste processing company or at least to a licensed collector. For landfill of waste, Book 6 Article 176 of the Dutch Civil Code determines that producers of waste that hand over its waste to a licensed landfill operator, do not retain any residual liability.

When a waste processing company goes bankrupt, the insolvency practitioner is in principle liable for the processing of the waste involved. However, the liquidation assets will not be sufficient to recover the costs involved. From there the authorities under the environmental permit (mostly provincial authorities and sometimes municipal authorities) are in fact responsible for the processing of the remaining waste present at the plant.

From 2003 until 2009 the Financial Security Decree applied, which contained an obligation for waste operators to set financial security, before an environmental permit was issued. The financial amount depended on the amount of waste the operator was allowed to accept under its environmental permit. This provided the authorities financial back-up when the operator went bankrupt. As from 2009, this Decree is no longer in force.

We had several bankruptcy cases of "high risk plants". It concerned Seveso III plants that are allowed to store or process specific dangerous substances. It led to discussions to reintroduce a kind of financial security for such high risk plants in order to be able to recover costs for actions needed to comply with the environmental permit and/or to recover costs needed to restore damage caused to the environment. This piece of legislation will probably enter into force as from 2012 (see also under question 12.1).

Our Environmental Management Act moreover provides rules for closed down landfill sites. Landfill sites that are closed down, are handed over to the provincial authorities, after appropriate measures have been taken in order to assure that the landfill will not cause damage to the environment. From that moment the provincial

authorities have the legal obligation for aftercare. To finance this obligation, taxes are imposed on the operator of the landfill site during the operation of the landfill site involved.

3.4 To what extent do waste producers have obligations regarding the take-back and recovery of their waste?

Extended producer responsibility to take back and recover waste has been established for several product sectors. Examples are electronic devices, batteries, car wrecks and packaging.

4 Liabilities

4.1 What types of liabilities can arise where there is a breach of environmental laws and/or permits, and what defences are typically available?

In case of a breach of environmental laws and/or permits, administrative, criminal and private liabilities can arise. Administrative liabilities include the possibility of a penalty for noncompliance, an administrative enforcement order in which the government corrects the violation itself at the violator's expense and/or (in some cases) a fine. The available defences against these types of liabilities are to make an administrative objection and subsequently appeal at the district court and subsequently to the Administrative Jurisdiction Division of the Council of State. Criminal prosecution can be defended at the district court, appealed at the court of appeal and after that at the Dutch Supreme Court. The same goes for private liabilities.

4.2 Can an operator be liable for environmental damage notwithstanding that the polluting activity is operated within permit limits?

In accordance with the EU directive 2004/35/CE on environmental liability operators can be liable for environmental damage when the polluting activity is operated within permit limits. However, the competent authority has the power (but is not obligated) to waive damages when the operator proves that he was not negligent and the damage was caused by an activity that was explicitly permitted in an environmental permit or was not deemed damaging based on the latest scientific and technical knowledge.

4.3 Can directors and officers of corporations attract personal liabilities for environmental wrongdoing, and to what extent may they get insurance or rely on other indemnity protection in respect of such liabilities?

Directors and officers can attract personal liabilities for environmental wrongdoing when they fit the criteria for author in an organisation context. This means the person must have assigned the act that led to the wrongdoing or the act must have taken place under his command. The monetary damages or the monetary consequences of the damages can be insured. However, the person cannot rely on insurance or indemnities for protection from the competent authorities.

4.4 What are the different implications from an environmental liability perspective of a share sale on the one hand and an asset purchase on the other?

With share sale the target remains liable from an environmental liability perspective. However, with a share purchase, it is sometimes harder to know all possible liabilities that can arise after the purchase. With asset purchase, the purchaser becomes liable for the targets' environmental liabilities *vis-à-vis* the specific asset that has been acquired. However, with an asset purchase the seller has a more specific obligation to disclose possible liabilities regarding the specific assets, which makes it "easier" for the purchaser to get a complete picture of environmental liabilities.

4.5 To what extent may lenders be liable for environmental wrongdoing and/or remediation costs?

Lender-liability does not exist under Dutch law, unless the lender provides a contractual warranty or indemnity.

5 Contaminated Land

5.1 What is the approach to liability for contamination (including historic contamination) of soil or groundwater?

Under the Soil Protection Act, a distinction is made between historic and new cases of soil/groundwater contamination. With historic contaminations (caused before 1987) the current owner (even the innocent owner) can be held liable and forced to decontaminate the historic contamination. With new cases (caused after 1987) only the person responsible can be forced to decontaminate.

5.2 How is liability allocated where more than one person is responsible for the contamination?

In case more than one person is responsible for the contamination, liability is allocated through joint liability: all persons are liable for the whole contamination. The competent authority can decide who it wants to charge.

5.3 If a programme of environmental remediation is 'agreed' with an environmental regulator, can the regulator come back and require additional works or can a third party challenge the agreement?

Generally remediation is imposed through an administrative decision which generally can be challenged through administrative objections and appeals to the administrative courts and subsequently appeal to the Administrative Jurisdiction Division of the Council of State. The regulator cannot come back to an earlier decision to the detriment of the addressee.

5.4 Does a person have a private right of action to seek contribution from a previous owner or occupier of contaminated land when that owner caused, in whole or in part, contamination; and to what extent is it possible for a polluter to transfer the risk of contaminated land liability to a purchaser?

When a previous owner/occupier explicitly discloses the contamination, the purchaser generally has no right to seek contribution from the previous owner/occupier. When the contamination was not explicitly disclosed it depends on the wording of the purchase agreement whether contribution can be obtained. The Dutch Civil Code contains a private right to seek contribution for hidden defects that become known after the purchase.

5.5 Does the government have authority to obtain from a polluter, monetary damages for aesthetic harms to public assets, e.g. rivers?

The Environmental Management Act (Article 17.16) provides the competent authority the power to recover monetary damages from the polluter for preventative and remedial actions resulting from environmental damage caused by the polluter. As far as we know, this article has not been used to date.

6 Powers of Regulators

6.1 What powers do environmental regulators have to require production of documents, take samples, conduct site inspections, interview employees, etc.?

The General Administrative Law Act grants broad powers to supervisors who are appointed by the competent authorities to inspect compliance with environmental rules and regulations. They can enter places for inspections (if needed even effect entry with police assistance), demand verbal and written information, conduct research, take samples, interview employees, etc. all if required to carry out their supervisory tasks. Moreover the request should be reasonable and proportional.

7 Reporting / Disclosure Obligations

7.1 If pollution is found on a site, or discovered to be migrating off-site, must it be disclosed to an environmental regulator or potentially affected third parties?

The Soil Protection Act requires anyone who finds pollution on a site to notify the environmental regulator. In some circumstances, the Dutch Civil Code requires the owner of a contaminated site to inform neighbours and prevent further spreading. This is especially the case when neighbouring land is affected by the contamination.

7.2 When and under what circumstances does a person have an affirmative obligation to investigate land for contamination?

Most of the historic cases of soil contamination have been identified. However, when carrying out industrial activities that may affect the environment and which require a notification to the environmental regulator or a permit, a baseline survey is required. Moreover, soil surveys are not required by law in case of land sale/purchase, but are usually conducted in those cases as a way to comply with seller/purchaser investigation obligations.

7.3 To what extent is it necessary to disclose environmental problems, e.g. by a seller to a prospective purchaser in the context of merger and/or takeover transactions?

See question 5.4.

8 General

8.1 Is it possible to use an environmental indemnity to limit exposure for actual or potential environment-related liabilities, and does making a payment to another person under an indemnity in respect of a matter (e.g. remediation) discharge the indemnifier's potential liability for that matter?

As a rule, liability between private parties can be limited through indemnities. This does not shield the actual perpetrator from any government action for breaches of environmental law. The only case known in The Netherlands where a contribution to the government indemnifies the perpetrator from further action is in case of complex groundwater pollutions where the government uses an area-based approach in which all owners contribute to decontamination.

8.2 Is it possible to shelter environmental liabilities off balance sheet, and can a company be dissolved in order to escape environmental liabilities?

In general, known liabilities which include environmental liabilities cannot be sheltered off balance sheet. If a company is dissolved in order to escape environmental liability, this is not allowed and might constitute fraud. Dissolution also does not mean that the officers and directors escape liability when they fit the criteria for author in an organisation context (see question 4.3).

8.3 Can a person who holds shares in a company be held liable for breaches of environmental law and/or pollution caused by the company, and can a parent company be sued in its national court for pollution caused by a foreign subsidiary/affiliate?

Only persons who fit the criteria for author in an organisation context (see question 4.3) can be held liable for breaches of environment law and/or pollution caused by the company. A Dutch parent company cannot be successfully sued in Dutch court for pollution caused by a foreign subsidiary/affiliate.

8.4 Are there any laws to protect "whistle-blowers" who report environmental violations/matters?

The House for Whistleblowers Act protects any employee that wants to report a wrongdoing. The House for Whistleblowers Act requires any organisation with 50 or more employees to have a whistleblowers' scheme in which the procedure for whistleblowing is described. Organisations are prohibited from treating a whistleblower unfairly. The House for Whistleblowers can assist whistleblowers and oversees compliance with the House for Whistleblowers Act.

8.5 Are group or "class" actions available for pursuing environmental claims, and are penal or exemplary damages available?

Article 3:350a of the Dutch Civil Code allows foundations or association with full legal capacity to launch class actions.

8.6 Do individuals or public interest groups benefit from any exemption from liability to pay costs when pursuing environmental litigation?

With regard to administrative proceedings, there is no exemption from liability for individuals or public interest groups. However, for individuals the court register fees are a little lower and any party contesting governmental decisions in administrative court are exempted from covering the legal fees of the opposing party (being a governmental body) in case they lose the procedure (except in case of abuse of law).

In civil legal proceedings the court register fees for individuals are also lower, but any party that lost the proceedings, including individuals or public interest groups, should bear the costs of the legal proceedings.

In both private as well as in administrative proceedings, costs of the legal proceedings are submitted to rules which fix the amount of the costs to be paid (and never cover the actual costs incurred).

9 Emissions Trading and Climate Change

9.1 What emissions trading schemes are in operation in your jurisdiction and how is the emissions trading market developing there?

As from 2005, the Netherlands participates in het EU Emission Trading Scheme (EU ETS). For the present third trading period (2013–2020), national allocation plans were replaced by EU-wide cap on emissions. This cap will be reduced yearly by 1.74% in order to reduce the CO2 emissions in 2020 by 21% compared to 2005. Further reduction is envisaged up to 40% in 2030, leading to a yearly reduction of 2.2% (instead of 1.74%).

EU ETS plants emit more than 50% of the CO2 within the Netherlands. 85% of the CO2 emissions from EU ETS plants are derived from 10% of the industry that participates in this system (being mainly the electricity and chemical sector). The auction price of an emission allowance differs from time to time due to several circumstances, like the 2008 financial crisis and the large surplus of such emission allowance on the market. Prices started to go up again due to the EU decision on backloading and market stability reserve. In June 2016, there appeared a second fall in price due to the announced Brexit. In general, the Dutch government is of the opinion that the system works well but needs to be supported by renewable/green energy and other measures in order to achieve an (energy) transition (see also under question 9.3).

In the Netherlands we also used to have a national NOx trading system as from 2005. This system did not function right and was abolished in 2014

9.2 Aside from the emissions trading schemes mentioned in question 9.1 above, is there any other requirement to monitor and report greenhouse gas emissions?

Under the United Nations Convention on Climate Change (UNFCCC) and under the Kyoto Protocol, the Netherlands is obliged to prepare an annual inventory report of Greenhouse Gas Emissions. The estimates that must be provided in this annual report (National Inventory Report) must be consistent with the Intergovernmental Panel on Climate Change (IPCC) 2006 Guidelines for National Greenhouse Gas Inventories (IPCC, 2006). The annual report must also be consistent with the guidelines under the Kyoto Protocol and the European Union's Greenhouse Gas Monitoring Mechanism.

In addition, the Netherlands also reports Greenhouse Gas Emissions under other international agreements, such as the United Nations Economic Commission for Europe (UNECE), the Convention on Long Range Transboundary Air Pollutants (CLRTAP) and the EU's National Emission Ceilings (NEC) Directive.

9.3 What is the overall policy approach to climate change regulation in your jurisdiction?

Our present government (Rutte III formalised in October 2017) is planning to implement a strict climate policy in order to reduce greenhouse gas emissions and to achieve the goals agreed to in "Paris" in 2015. A Climate bill will be put up. The government expects that the goals can be achieved by closing down five coal-fired power stations and by realising (underground) Carbon Capture Storage (CCS). In the Netherlands we also want to realise (additional) windfarms on land as well as in sea.

In court an interest organisation filed a claim against the Dutch State, stating the State committed a tort since the State does not comply with her obligations under UN climate treaty, Kyoto protocol and the "no-harm principle". It concerns the "Urgenda-case". The district court of The Hague convicted the State and ordered the State to achieve greenhouse gas emission in 2020 at least 25% lower than in 1990. The State lodged appeal, which is still pending.

10 Asbestos

10.1 What is the experience of asbestos litigation in your jurisdiction?

There is much litigation especially started by former employees who – in former days – worked with asbestos or asbestos-related products. The employer has a duty of care to protect its employees against damages incurred when performing labour activities for his employer. The employer is only exempted from his duty of care when he is able to prove that he took sufficient measures in order to prevent the negative effects (causing in the case of working with asbestos: mesothelioma). The employer is also exempted from liability when he could not be aware of the risks involved (approximate as from the sixties in the twentieth century).

However, the party against whom an action is brought might invoke the statute of limitation. The period of limitation is 30 years after the claimant has been exposed to asbestos. The incubation of mesothelioma is 10 to 60 years; so many times the 30-year period has already lapsed. Our highest civil court has ruled that it might be reasonable to extend this 30-year period under several exceptional conditions and taking into account all kind of circumstances like whether the defendant should have been aware of possible future claims and whether the claim is filed in due time after the damages occurred.

10.2 What are the duties of owners/occupiers of premises in relation to asbestos on site?

In the Netherlands using or producing an asbestos containing product is not permitted. If one wants to tear down an older building (built before 1993), an asbestos inventory needs to take place and should be handed over to the authorities before starting the actual demolition activities. When the building or works contain asbestos, the asbestos need to be removed first by a designated party.

Right now a bill is pending in order to introduce an obligation for owners of buildings which have roofs that contain asbestos in the outer layers. The legislator has plans to prohibit such roofs as from

1 January 2024. In other words, when the bill enters into force, owners have to remove their roofs which contain asbestos and have to do so before January 1, 2024. Reason behind this, is that older roofs, which are not properly taken care of are able to expose mankind to asbestos fibres. This needs to be prevented.

11 Environmental Insurance Liabilities

11.1 What types of environmental insurance are available in the market, and how big a role does environmental risks insurance play in your jurisdiction?

Environmental insurance is widely available in The Netherlands. Environmental insurance generally covers environmental damages including gradually caused damages. Insurance can only cover monetary damages and does not protect against governmental orders to prevent or reverse environmental damage.

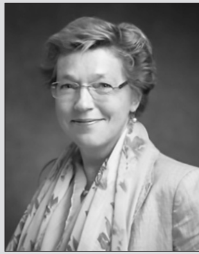
11.2 What is the environmental insurance claims experience in your jurisdiction?

Proceedings about insurance claims are common in The Netherlands. The normal civil court procedures are applicable.

12 Updates

12.1 Please provide, in no more than 300 words, a summary of any new cases, trends and developments in Environment Law in your jurisdiction.

Currently the entire field of environmental and planning law is under revision. The aim of this revision is to bring all sectoral laws and regulations within the scope of one Environmental and Planning Act. All the current permits (environmental, water, etc.) will be integrated into one environmental permit. Moreover, all environmentally relevant regulations will be integrated into one governmental decree. It is expected that less activities will require a permit and more will be required to comply with general regulations and be notified to the environmental regulator. It is not clear when the new Environmental and Planning Act will enter into force as it has been postponed several times. The current planning points to 2021.



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Eveline Sillevis Smitt has been a partner since 2002: with AKD since 2009 and prior to that with Simmons & Simmons. Eveline is a leading expert in the field of environmental law (including spatial planning) and she has been recognised in both 'Chambers' and 'The Legal 500'. One client said of her, 'Eveline is very engaged, helpful and bright, with outstanding knowledge.'

In the field of environmental law, Eveline has considerable experience with permitting and enforcement matters that play a role in heavier industries, the energy industry, waste management and the foodstuffs sector. Examples of these are best practices, air quality, noise zoning, emissions and emissions trading, soil contamination, odour issues, (external) safety, waste spillages , environmental protection (including flora and fauna), the use of secondary building materials and the preparation of environmental impact assessments. Eveline also advises and litigates in specialist environmental disputes involving asbestos liability and the law on waste substances, including the import and export of waste (EWSR) and other waste-related matters.

Eveline has worked on projects involving various kinds of power generation, including wind and nuclear energy. She also advises on issues related to coordinating and expediting procedures for acquiring any government permits that may be required.

She has considerable experience with large enforcement cases, such as ChemiePack and Edelchemie, a former waste processing company in the province of Limburg.

Alongside her legal practice, Eveline frequently publishes articles and lectures for various programmes as well as at client seminars.

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Prof. Mr. G.A. (Gerrit) van der Veen (1967) is a partner at AKD. He heads the Regulatory and Governmental Affairs practice group in Rotterdam.

Gerrit van der Veen is also professor of Environmental Law at the Law Faculty of the University of Groningen.

Gerrit works for many municipalities, provinces and public authorities, water boards, cooperative bodies and independent administrative bodies, as well as for companies (including real estate developers) and organisations (such as hospitals and educational institutions). Gerrit specialises in administrative law and environmental law. His practice focuses chiefly on general administrative law and procedure, public administration and government acts that are subject to private law, environmental law/liability, the law on subsidies and administrative compensation, mining legislation and associated liabilities.

Gerrit is increasingly being asked to deal with 'high spec' cases that also draw media attention. He also acts as an in-house lawyer for medium-sized and larger municipalities. Although a perfectionist, Gerrit is acutely aware of events around him and looks for practicable solutions. His rapport with the various government bodies he is involved with is excellent. His thorough professional knowledge and affinity for administrative aspects means that he gives solidly reliable advice and litigates with a keen focus. An example of his practical approach was shown by an evaluation of him at a conference: "Quite an experience to hear the most practical work from a professor."

Gerrit is able to draw on his own highly experienced team and fellow practice group members for specialised administrative issues. And for support in other areas of the law Gerrit has access to AKD's numerous specialists as well as its international network.

In his capacity as professor at the University of Groningen he examines the interaction between environmental law and general administrative law, for example with regard to enforcement in the area of environmental law. His inaugural lecture, given in 2014, dealt with duties of care and liabilities under the new Environmental and Planning Act (Omgevingswet), with a particular focus on major enforcement cases.

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AKD is one of the largest law firms in the Netherlands. With a team of 250 committed lawyers, civil-law notaries and tax lawyers, AKD delivers high quality legal services and tax matters in nearly all legal fields, based on a full-service approach. Our client base varies from very large multinational companies to stock-listed Dutch entities, from large corporates to family owned businesses, from financial institutions to municipalities and hospitals.

Given the extensive expertise of our administrative and environmental law department we are able to take on complex and labyrinthine cases and provide top-quality service. AKD is amongst others involved in several energy-related projects and has specialist knowledge regarding nuclear energy. Continually maintaining and expanding our specialist knowledge, we regularly publish in and also serve on the editorial boards of various academic journals and other publications. In addition, we are regularly invited to speak and give lectures at seminars and conferences. Moreover, a number of our lawyers hold professorships and other positions at various universities.

Our specialists receive recognition from independent parties both at home and abroad. For instance, the European Legal 500 and Chambers (leading independent guides to commercial law firms in Europe) have for many years described our practice group as one of the best law firms in this field with many of our specialists receiving individual recommendations.