



Vlaanderen
is omgeving

A more resolute enforcement policy through inspections and sanctions

Leentje Timmerman
Enforcement division of the Flemish
Government

DEPARTEMENT
OMGEVING



What is resolute enforcement?

Resolute enforcement means:

- A quicker deployment of coercive instruments in function of recovery and enabling sanctions
- More reporting and sanctioning
- Paying more attention to the results achieved in the field

The purpose of resolute enforcement

- Ensuring uniformity and legal certainty
- Better compliance behaviour and more compliance with standards to improve the quality of the environment

Resolute enforcement

RESOLUTE ENFORCEMENT

UNIFORMITY – LEGAL CERTAINTY

BASIC PRINCIPLES

- infringement, not draw up a report of determination for every infringement
- crime, consistently followed graduated approach
 - o step 1: warning 1
 - o step 2: official report + warning 2
 - o step 3: administrative measure/penalty + official report
- sanction, appropriately high fine

Grounds for Exception

- immediately official report (= more resolute action in the trail of punishment)
- immediately administrative measure (with penalty) (= more resolute action in the trail of recovery)

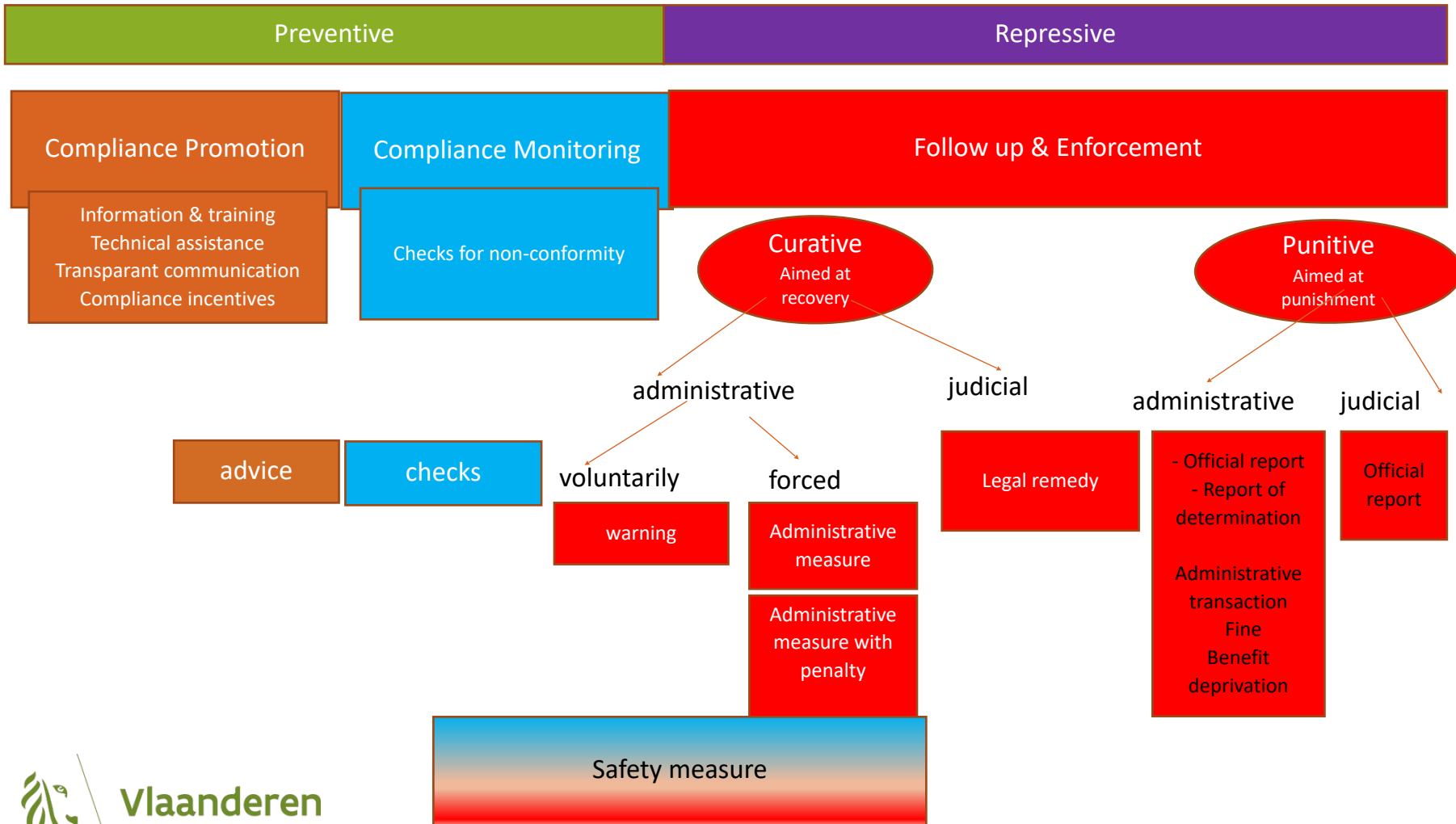
DEVIATION POSSIBLE SUBJECT TO MOTIVATION AND FORMAL INTERNAL RECONCILIATION



Resolute enforcement

- Clear communication of what the next step will entail
- Using an appropriate execution time and strictly following it

Using the right tool in the right place



Priorities

- Prosecutor's office
- Region
- Department
- Urgent social needs
- Changed policy priorities



Sanctioning

- The convergence of curative and punitive enforcement increases the overall enforcement impact
- Enforcement is not a choice between recovery or sanctions, but a combination of both
- The policy that a sanctioning process is initiated for every violation is a clear deterrent signal that reinforces the (enforcement) policy and its credibility
- Administrative transactions and fines are high enough to send an appropriate signal to the offender and society

Principles for completing this framework

- Uniformity and consistency
- Legal certainty within a level playing field
- Honesty and independency

Principles for completing this framework

- A secure and safe enforcement for the enforcer
- A supported framework for enforcement, effectively applied in practice
- A closely monitored process with clarity about everyone's role