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## **The Performance of Negotiated Agreements in the Netherlands: A Case Study**

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### **Introduction**

The Dutch are considered to be the frontrunners in using the negotiated agreement in their environmental policy. Ever since the 1980s negotiated agreements have been concluded in the Netherlands. Since then about hundred agreements have been signed. The negotiated agreements - or covenants as they are called in the Netherlands - are the result of the target group policy. This policy was introduced in 1989 in the first National Environmental Policy Plan (NEPP). The idea behind is that the responsibility for reaching the environmental targets as formulated in the NEPP (and later the NEPP plus) lies primarily with the target group: this way the support for the policy should increase and the implementation of the policy should improve.

### **The agreements all have some common elements:**

Much is expected from this new policy instrument. But is it living up to its expectations? This paper will closely look at two cases and evaluate the performance: the first one is the case of the negotiated agreement on the reduction of SO<sub>2</sub> and NO<sub>x</sub> by the collaborative electricity producing companies (SEP). This covenant has been concluded in 1990 by the Minister of Housing, Spatial Planning and Environment SEP (under authorisation of the individual electricity producing companies), and the collaborative Provinces of the Netherlands. The second is the case of the disposal of household appliances. Here the government tried for two years to close an agreement with the producers and importers of household appliances but failed to do so. In the end, a judicial order was prepared. Two cases, one in which the negotiations led to an agreement and one in which the process did not result in an agreement and regulation was applied. Both cases will be described and analyzed in order to explain the performance of the N.A.s.

### **Focus of the paper**

This paper will focus on the use of negotiated agreements as a policy instrument to deal with environmental problems. A negotiated agreement can be defined as: "An agreement between the public (national, federal or regional) authorities and industry, wherein both parties commit themselves to realise the environmental goals stated in the negotiated

agreement".

### **Basis of the paper**

The research that forms the basis for this paper, is part of a larger European Project entitled: NEAPOL: negotiated Environmental Agreements: Policy Lessons to be Learned from a Comparative Case Study. In this project, research teams from France, Belgium, England, Germany, Italy and the Netherlands all perform case studies. The central research question of the project is: Which specific characteristics of negotiated agreements and which factors within the institutional - economic context wherein a negotiated agreement is used, influence the performance of negotiated agreements? Goal of the project is to push the analysis on negotiated agreements further on the one hand through the enhancement of the theoretical framework and on the other hand through the evaluation of existing negotiated agreements. The outcome should be concrete recommendations regarding the settings in which negotiated agreements work best (or not) which the EC can use in their communications to the member states.