



EU WASTE LEGISLATION AND COMBATING WASTE CRIME

Online workshop for judges and prosecutors
20-21 and 27-28 March 2023
8:45-13:30 (CEST)



EXCELLENCE IN
EUROPEAN LAW¹

Speakers

Luisa Cortat, Training Officer, Course Director, European Public Law, ERA, Trier

Michael Faure, Professor of Comparative and International Environmental Law, Maastricht University

Matthias Keller, Presiding Judge, Administrative Court, Aachen

Klaus Lernhart, Judicial Training Advisor, ERA, Trier; former Presiding Judge, Higher Administrative Court, Mannheim

Vojtěch Vomáčka, Project Lawyer, European Public Law, ERA, Trier

IMPEL/ENPE Representative

Key topics

- Waste Framework Directive
- Environmental Crime Directive
- Waste crimes relating to waste movement and treatment (shipment, landfill)
- Waste crimes relating to waste management of end-of-life products
- Investigation, prosecution and adjudication on waste crime
- CJEU case law
- Preliminary reference procedure
- Various case studies

Language
English

Reference
423DV62

Organiser
ERA (Dr Vojtěch Vomáčka) on behalf of the European Commission (contracting authority)



EU WASTE LEGISLATION AND COMBATING WASTE CRIME

20 March 2023 – 1st Session

- 08:45 Connection to the online platform
- 09:00 **Welcome and opening**
“Ice-breaking” exercise with the participants
Vojtěch Vomáčka

I. SETTING THE SCENE

- 09:30 **Brief overview of the EU legal instruments for waste**
- Key features and main policy developments
 - EU waste law instruments
 - Definition of waste
 - Concept of hazardous waste
- Luisa Cortat*
- 10:00 Discussions
- 10:15 **Protection of the environment through criminal law**
- EU Environmental Crime Directive: concept, main elements and revision process
 - Key obligations and main types of offences
 - Interrelation between criminal and administrative enforcement
- Michael Faure*
- 10:45 Discussions
- 11:00 Break

II. SPECIFIC STREAMS OF WASTE

- 11:15 **Illegal treatment and management of waste**
- ELVs and WEEEs
 - Landfill Directive
 - CJEU case law
- Vojtěch Vomáčka*
- 11:45 Discussions
- 12:00 Break
- 12:15 **Case study on illegal waste disposal with links to the Environmental Liability Directive (ELD)**
- Introduction to the case study
 - Working groups
 - Plenary discussion of the results
- Matthias Keller*
- 13:30 End of the first session

21 March 2023 – 2nd Session

- 08:45 Connection to the online platform
- 09:00 **Introduction and practical information**
Luisa Cortat

III. WASTE-RELATED OFFENCES AND CRIMES)

- 09:05 **Waste crime: key features and main challenges**
- Actors and impacts of waste crime
 - Waste crime as a transnational, organised economic crime
 - Actors, impacts and enforcement challenges
- ENPE representative*
- 09:45 Discussions
- 10:00 Break
- 10:15 **Illegal waste shipment – focus on transboundary movements of waste**
- Waste Shipment Regulation (WSR) 1013/2006 and its revision
 - Basel Convention on the control of Transboundary Movements of Hazardous Wastes and Their Disposal
- Speaker*
- 11:00 Discussions
- 11:15 Break
- 11:30 **Case study on illegal transboundary exporting of hazardous waste**
- Introduction to the case study
 - Working groups
 - Plenary discussion of the results

Objectives

The goal of this four-session online workshop is to provide participants with a comprehensive understanding of waste-related crimes that have raised major concerns in recent years. Emphasis will be given to the EU legislation and case law relating to waste offences and crimes, the relationship between criminal and administrative law provisions for these crimes as well as the main challenges for investigation, prosecution and adjudication in this field. The workshop will shed light on the protection of the environment through criminal law with a special focus on waste. By addressing these issues that might be relevant for prosecutors as well as judges, it will facilitate the handling of future national court procedures in this field.

Who should attend?

Judges and prosecutors interested in environmental law

Your contact persons



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ENPE representative

13:00 End of the second session

27 March 2023 – 3rd Session

08:45 Connection to the online platform

09:00 **Introduction and practical information**
Luisa Cortat

IV. ENFORCEMENT AT NATIONAL LEVEL

09:05 **EU Ship Recycling Regulation (SRR) 1257/2013**

- Short historical background and rationale
- Main objectives, scope and relationship with the Basel/WSR regime (including the Basel Ban Amendment)
- Key obligations under the SRR
- Enforcement provisions (Art. 22) and main challenges for implementation (e.g. 'outflagging')

Vojtěch Vomáčka

09:45 Discussions

10:00 Break

10:15 **Investigation, prosecution and adjudication on waste crime**

- Obstacles and challenges at national level
- Ancillary orders
- International cooperation and coordination
- Case law

ENPE Representative

11:00 Discussions

11:15 Break

11:30 **Combating waste crime in practice: the experience of IMPEL**

Representative of IMPEL

12:15 Discussions

12:30 **Case study with Quiz Session**

Vojtěch Vomáčka

13:30 End of the third session

28 March 2023 – 4th Session

08:45 Connection to the online platform

09:00 **Introduction and practical information**
Vojtěch Vomáčka

IV. THE ROLE OF THE NATIONAL JUDGE

09:05 **What is the role for a national judge in waste law litigation? – preliminary reference**

Matthias Keller

10:15 Discussions

10:30 Break

10:45 **ROUNDTABLE DISCUSSION on national experiences and practices relating to challenges in implementing EU waste legislation**

- Questionnaire results
- Discussion in sub-groups
- Exchange of national viewpoints in plenary

Matthias Keller

12:00 **Evaluation of the workshop**

Luisa Cortat

12:50 End of the workshop

Programme may be subject to amendment.

For programme updates: www.era.int

Interactive Webinar

The online workshop will be hosted on ERA's own online training platform. You will be able to interact immediately and directly with our top-quality speakers and other participants, break out into working groups and work collaboratively on case studies. We will make the most of the technical tools available to deliver an intensive, interactive training experience. As the platform is hosted on our own server, the highest security settings will be applied to ensure that you can participate safely in a high-quality online training environment.



Apply online for

EU Waste Legislation and Combating Waste Crime

Webinar, 20-21 and 27-28 March 2023 / Event Number: 423DV62



With the support of the “Cooperation with National Judges in the field of Environmental Law” programme of the European Union

Terms and conditions of participation

Selection

1. Participation is only open to judges from an EU Member State.
2. The number of places available is limited. Participation will be subject to a selection procedure. Selection will be dependent on:
 - i. the relevance of the seminars to the professional life of the applicant;
 - ii. geographical and linguistic balance among the participants will be sought;
 - iii. In case of exceeding applications, only one person per institution may be accepted.
3. Online applications can be made until **5 March 2023**
4. A response will be given to every applicant of this workshop shortly after this deadline. We advise you not to book any travel or hotel before you receive our confirmation.

Participation

5. Participation to the whole workshop is required and your presence will be monitored.
6. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
7. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
8. A certificate of attendance will be issued at the end of the workshop.

For further details please follow our project website:

www.era.int/environmental_law

Online application:

www.era.int/?132033&en

Language

English

Contact Person

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