

COOPERATION WITH NATIONAL JUDGES IN THE FIELD OF EU ENVIRONMENTAL LAW



Trainer's Manual

EU and national waste legislation and protection of the environment
through criminal law – Focus on combating waste crime
Workshop for national judges and prosecutors



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I. Introduction

This trainer's manual on the training module about **EU and national waste legislation and protection of the environment through criminal law – Focus on combating waste crime**, developed by ERA on behalf of the European Commission, addresses judicial training institutes, networks of judges, national judges, experts from NGOs, academic experts, trainers, prosecutors, and any other relevant actors and end-users of European Union Member States wishing to organise training sessions in the area of EU environmental law and waste legislation, with particular focus on combating waste crimes.

Objectives

The training module addresses judges and prosecutors dealing with environmental issues with previous general, and in certain cases specific, knowledge regarding the subject. The module will provide judges and prosecutors with relevant information on the latest developments of the EU environmental law *acquis*, relevant jurisprudence of the Court of Justice of the EU and an in-depth analysis of the topic with a special focus on EU waste legislation. This training module will also assist national judges as well as prosecutors to apply the relevant EU instruments in detail.

The training module will gather materials to conceive a face-to-face workshop of 2.5 days or an online workshop, divided in four half-day sessions, with the goal to develop and raise understanding on the key legal aspects of EU waste legislation. The key topics to be covered are:

- 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

After this training on EU and national waste legislation and protection of the environment through criminal law – Focus on combating waste crime, participants will have greater knowledge of international and EU actors and instruments presented. They will have gained a better understanding of the legal aspects related to EU Waste Legislation, and implementing EU instruments, and they will be in a better position to actively apply EU rules transposed into their respective national legislation. They will also have an excellent opportunity to exchange views regarding implementation practices in their respective Member States with colleagues from other jurisdictions.

Structure

The module on “EU and national waste legislation and protection of the environment through criminal law – Focus on combating waste crime” consists of 13 interrelated but self-standing units. These units can be combined into an implementing workshop depending on the prior knowledge of participants, the time available and the specific training approach.

Setting the scene – EU Waste Legislation and Waste Crime

- Unit 1: Brief overview of the EU legal instruments for waste
- Unit 2: Illegal treatment and management of waste
- Unit 3: Illegal waste shipment – focus on transboundary movements of waste

Waste-related offences and crimes

- Unit 4: Protection of the environment through criminal law
- Unit 5: Investigation, prosecution and adjudication on waste crime (ENPE experience)
- Unit 6: Case study on illegal waste disposal with links to the Environmental Liability Directive (ELD)

The national law landscape

- Unit 7: Waste Legislation in the Member State
- Unit 8: Implementing Waste Legislation: national case-law on waste management
- Unit 9: Investigation, prosecution and adjudication on waste crime in the Member State: case-law and practical experience
- Unit 10: Case study on waste crime in the Member State

Enforcement at national level

- Unit 11: Problems and challenges of waste management in practice
- Unit 12: The role of the national judge and prosecutor in enforcing waste legislation and combating waste crimes – focus on preliminary references
- Unit 13: Closing session – evaluation of the workshop

The various training methods that can be used in future workshops based on this material will also be presented in the module, together with recommendations on how and in which part of the training they may be best employed. Face-to-face presentations can also be combined with practical exercises requiring active contribution of participants, IT-supported learning, allowing participants to familiarise themselves with available tools and interactive sessions promoting the exchange of good practice and experience.

II. Methodology

Time frame

The workshop lasts 2.5 days in its face-to-face setting or could be divided in four sessions of half a day if an online format is preferred. The exact structure and length will, of course, be decided by the training providers.

Elements that should be considered in each instance when finalising the workshop programme and deciding on the allocation of time between the different sub-sessions include the need to effectively cover all the main features of the subject matter and provide sufficient time for participants to ask questions and interact with the trainers and with each other. The fact that long sessions have proven to be less effective in adult training should be borne in mind. Frequent breaks or changes in teaching style should therefore be introduced in the workshop.

- An indicative time allocation for each unit will be provided in Part IV of this trainer's manual.

Trainer's profile

Crucial for the success of the training workshop is the selection of trainers. It has been proven that trainers with a professional background common to that of the participants tend to have a better understanding of their training needs and be more effective when addressing them. For this reason, the composition of the target group is a factor to be considered when selecting the trainers of an implementing workshop.

It is also important to identify the right trainer for each unit. In the units where the emphasis is on practical issues, the involvement of a practitioner, lawyer, or judge with personal experience in the issue would be ideal. If the focus of a presentation is the transmission of information or the introduction to concepts or a broader area of law, an academic or a suitable policy officer even with a scientific background could also constitute a good option.

- More concrete input on the trainer's profile seemingly best fitting to each unit will be provided in Part IV of this trainer's manual.

In addition to professional qualifications, the quality of an implementing workshop will also depend on the individual trainer's didactic competences and pedagogical skills. Trainers should not only be knowledgeable, but also be able to effectively transmit information, assist end users in developing new skills and motivate them to actively follow the training. They would have to provide the necessary information in a clear and structured manner, highlight the links between participants' daily work and issues being discussed, retain some flexibility to adapt to the specific needs and interests of the end users attending the workshop as they become apparent, and be open and encouraging in discussing and exchanging views with them during the session.

Other skills that potential trainers should ideally possess, and which should be considered are the trainer's linguistic skills (when workshops are international), and their familiarity with IT products; the use of technology would be required in at least some parts of the training, even if conducted face-to-face (IT-training sessions, use of PowerPoint or other audio-visual material, e-learning course, etc.).

For the successful implementation of the workshop and to better address participants' training needs, some diversity among the trainers should be sought. Variety between speakers' professional background, gender and (in the context of cross-border training) nationality would enrich the event, offering different perspectives on the issues, employing different teaching methods, and ensuring a more comprehensive analysis of waste law.

Finally, although not always easy to assess, the potential trainer's personal motivation could be a factor worth considering. For the implementation of a workshop based on the training module, significant flexibility and commitment, as well as the willingness to interact with end users is expected from the trainers. Engaging experts, who have an interest in the project and are prepared to make the necessary effort for a successful outcome would bring added value to the workshop, while further motivating the participants.

Criteria for selecting the workshop trainers:

- Good knowledge and expertise in the subject and objectives of each sub-session
- Didactic competences and pedagogical skills
- Linguistic and IT skills
- Professional background similar to that of the workshop's participants
- Diversity in the group of trainers
- Motivation

Teaching methods

Lecture-style presentation

The optimal method for the provision of a large amount of information in a limited period of time is lecture-style presentations, conducted in plenary. This method provides the trainer with the necessary time and flexibility to structure and present the content of the sub-session as s/he sees fit.

Supporting material such as outlines, and PowerPoint or other presentation tools should be employed during the lecture. This would not only enable participants to follow the presentation better, but also constitute a reference document for the future, should end users wish to review the main issues of the sub-session.

One of the objectives of the workshop is to familiarise participants with existing legislation. In this context, reference to the material included in the user's pack should be made throughout the lecture and participants should be encouraged to go through the legal texts, identify the provisions and acquire a better understanding of their structure and applicability.

Enriching the lecture with practical examples could also be a means of emphasising the link between theory and practice and better illustrating the application of various legal instruments. Brief exercises or questions could also be formulated by the trainers, requiring participants to reflect and discuss them before presenting the answer. Trainers would, thus, not only create an atmosphere of dialogue within the group, but also assess whether the concepts have been properly explained.

Time for discussion or Q&A sessions should in all cases be ensured for end users wishing to ask for clarification or further information. Depending on the content and structure of each lecture, questions may be raised during the presentation or in a subsequent discussion session moderated by the trainer or the workshop leader.

Although the key role in face-to-face presentations is played by the trainer, end users should also be encouraged to actively contribute to different sub-sessions. Participants learn not only from the provision of the training per se, but also from hearing questions and problems they have not yet found themselves confronted with. For this reason, it is important that all end users attending the workshop are encouraged and feel comfortable enough to share thoughts and ideas and contribute with their own experiences.

Workshop case studies

In addition to information on the EU general aspects and frameworks on environmental law, the training also aims at providing participants with some practical experience in the particularities of related cases.

In order to further highlight issues requiring special attention and allow participants to develop specific skills, it is important to ensure their involvement in this part of the training. For this reason, specially designed workshop case studies will complement each thematic unit. Another advantage of this method is that the preparation of a case study constitutes an interactive way of learning. After having listened to face-to-face presentations or read background material, participants would appreciate a change of presentation technique.

- Case studies prepared in working groups

During the workshop exercises, participants will be given the opportunity to use their skills and knowledge to solve case studies related to i. illegal waste disposal with links to the Environmental Liability Directive, and ii. waste crime in the Member State.

A short introduction on the organisational aspects of the task shall be provided to participants by the trainer with the questions and answers session to be followed during the plenary session: which issues shall be discussed in the groups, what results shall be aimed for, and which deliverables shall be presented during the plenary session to follow the discussions.

Participants should subsequently be divided into smaller working groups and working spaces should be provided for each of them. Working in smaller groups has significant advantages for participants: the possibility to focus on case studies will enable them to deepen their recently acquired knowledge by applying it to concrete cases. This approximates a real-life scenario and can constitute valuable experience for the future. The working group format

would allow each participant to be actively involved in the debate and improve their communication skills.

As one of the key objectives of the exercise is the exchange of opinions among end users, it is important that the workshop leader allocates participants to the working groups to support this interaction: if a workshop is organised as a national judicial training, judges from different courts could be asked to work together, and a balance between the number of judges and prosecutors in each group is also welcome. Further to solving the case, this diversity would allow participants to obtain better insights into how the questions would be dealt with and how the EU legislation involved is applied in another country, by a different legal profession, in a different city or court.

➤ As two case studies are recommended for the workshops implementing this training module, altering the composition of the working groups in each exercise would be a way to further increase participant interactivity.

The trainer shall set exact timing for each part of the task during the introductory part of the case study. Depending on the time available, the trainer, coordinating each exercise, will have to decide whether all working groups should deal with all case studies or if specific case studies should be allocated to different groups to ensure that end users are able to thoroughly examine all issues.

Once the working groups have been set up, they should organise themselves, develop a working method and identify which member(s) of the group will be responsible for reporting the conclusions of their discussion to other end users. The trainer leading the exercise should be present and following the interaction in each group to a certain extent, offering advice on time management, being available to provide clarification and answering questions, and being prepared to assist participants if they face major difficulties or if their discussion becomes derailed. If trainers of other subjects of the workshop are present, they may also get involved in discussions of the chosen smaller group for monitoring the discussion and helping on the subject matter.

When all the groups complete their work, participants should return to the plenary session room to discuss their conclusions. This will allow them to compare their solutions to the features of the case studies, get further ideas from their colleagues in the other groups and broaden their understanding of the subject matter.

To achieve the objectives of this closing discussion, it is important to ensure that all groups take the floor and present the results of their work. It would be most effective to discuss one case at a time, invite the rapporteur of one of the groups to present their conclusions and the main elements of their discussion and then ask the end users of the other groups for additional comments, different opinions etc. In conclusion, the trainer should summarise the main points raised in the discussion and give his/her own feedback, so that participants can confirm whether they successfully dealt with the case or whether there could be further improvement.

- IT-supported learning

IT-supported learning can enhance the efficiency of training and give end users the opportunity to gain practical experience by making use of the possibilities the internet offers on issues related to environmental law in general. In this way end users will have the opportunity to become familiar with the various EU websites in the area (such as the E-Justice Portal, Eur-Lex, the Curia website, ECLI etc.), where they can acquire further information and advice on how to apply EU instruments covered by the workshop. By efficiently using these websites, participants will actively learn how to find the relevant legal texts and cases and receive assistance on practical problems they may face when applying EU law in this area.

Documents

The documents to be made available at the training workshop consist of the contents of the user's pack. The user's pack will include:

- blended e-learning material;
- background documentation set;
- workshop programme;
- list of participants;
- list of trainers/ speakers;
- CVs of the trainers;
- speakers' contributions;
- evaluation form.

III. User's pack: the function of different elements of the training module

Introduction

The term 'user's pack' means the entire wealth of material that will be made available to participants of an implementing workshop. This will consist mostly of the blended e-learning material, training material (related legal documents, links to online sources of bibliography of legal instruments on the topic on an online link, trainers' contributions and case studies) as well as supporting documents, such as the workshop programme, the list of participants, workshop evaluation forms etc.

It is, of course, at the discretion of the workshop organisers and trainers to use the materials provided in the manner they deem most fitting and to also include additional documents where necessary. All key EU legal instruments required for the provision of the training on EU and national waste legislation and protection of the environment through criminal law – Focus on combating waste crime are already part of the user's pack, but as implementing workshops may be structured with a specific focus, further material could be of use.

The materials for inclusion in the user's pack can and should be provided mainly in electronic format, for instance by making the content available online and granting all workshop participants access to it. If the workshop is implemented face-to-face, material that needs to be regularly referred to during the workshop or that would make it easier to follow proceedings could be provided in a hardcopy for ease of reference during the event:

- workshop programme;
- list of participants;
- list of trainers/ speakers;
- case studies;
- evaluation forms.

- When presenting the material that should accompany each unit, distinction should be made between 'necessary material' and 'additional material', all to be included in the electronic documentation.

Blended e-learning

The training module has been structured to include 'blended learning' as a methodological approach, given that it combines the interactivity of face-to-face training during the implementing workshops with the flexibility provided by e-learning material. As the e-learning material has different functions and can be used by the workshop participants at several stages of their learning process, it is important that they have access to it on different occasions: before the implementation of the workshop, in order to prepare for the meeting, while it is taking place, in order to make best use of the available material with the help of the trainers, and after the workshop, as a point of reference for finding information on EU Waste Legislation.

The key function of this e-learning material is to introduce end users to several legal topics regarding various aspects of EU Waste Legislation. Waste Framework Directive and

Environmental Crime Directive, Waste crimes relating to waste movement, treatment and management of end-of-life products, investigation, prosecution and adjudication on waste crime, preliminary reference procedure and finally various case studies.

It will include:

- The main international and EU legal instruments as well as case law that will be analysed during the workshop which participants should go through before they attend the course, as well as the corresponding quiz to test their knowledge. The aim is not to replace the workshop sessions on these subjects but to complement them by ensuring that all participants have a common basic level of knowledge before they start and can make the most of the discussion to clarify issues in the workshops.
- Access to the bibliography of legal instruments and other relevant source material which participants can refer to at any time.
- Access to the remainder of the e-learning version of the training module to be provided after the workshop for participants to use as a refresher and to re-use with their colleagues alongside the training materials.

Once participants have been selected, they should receive information on how to access the e-learning materials and be encouraged to go through its contents 7-10 days before the implementation of the workshop. In this way, they will have the possibility to refresh or acquire some basic knowledge and be better prepared for the workshop programme.

Background documentation

Legal texts will make up most of the content of the training materials: international conventions, treaty articles, regulations, directives, case law of the Court of Justice of the European Union etc. will constitute the background to analysis in the workshop. A comprehensive collection of all background documents, which can be referred to after the conclusion of the workshop, should be included in the electronic documentation. Participants are likely to come back to these texts to refresh their memory, find a specific provision or judgment, and seek guidance or inspiration if confronted with a case on the subject at a later stage. This format could also support easy further dissemination of this material, which workshop participants could forward to their colleagues if requested.

Further to legal texts, links to online databases, tools and sources, such as the e-justice portal, Eur-Lex, Curia, ECLI and other similar websites should also be included as background material in the electronic documentation.

➤ **Proposals on which specific material to include in this part of the user's pack are included in Part d) on the analysis of each sub-session of the workshop.**

The material should be provided in the language of the workshop. When international workshops are organised, links to EU databases (such as <http://eur-lex.europa.eu/> or <http://curia.europa.eu/>) could be included, so that end users can access EU legal texts in the language of their choice. Further to their inclusion in the electronic documentation, providing the few documents in hard copy that are essential during the workshop is recommended. Being able to quickly find a provision, see the structure of a legal instrument, make notes etc.

could help end users to better follow the training and further familiarise themselves with the legal instruments being discussed.

Workshop exercise material

Two workshop exercises are proposed for the workshops implementing the training module on 'National Judges and EU Waste Legislation'. They are structured based on case studies. Preparatory material supporting the workshops' case studies, such as the tasks of the different cases that are to be discussed or additional legal texts that will be needed for solving the cases must be provided for the participants in hardcopy during the workshop.

Trainer's contributions

In addition to the background documents, every time an implementing workshop on 'National Judges and EU Waste Legislation – Focus on combating waste crime' is organised, the trainers involved should be asked to prepare their own supporting material, in the form of PowerPoint presentations, outlines, notes or full texts of their lectures. Trainers should be free to structure the material supporting their presentations as they prefer. The main objective would be to help end users attending the workshop to better follow the presentation, and for this reason particular emphasis should be given to the provision of a clear structure.

Trainers may also be advised to prepare a well-judged number of slides, leaving some time for questions and answers session during the presentation or if an unplanned discussion evolves.

The trainers' contributions could also be used as a reference document for identifying the main points of the subject matter.

Speakers' contributions should additionally be included in the user's pack. They should also be included in hardcopy in the documentation pack.

➤ Providing some kind of written support of the lectures is always recommended and for this reason always mentioned under 'necessary documents'. Especially an outline of the PowerPoint presentation reflecting the structure of the sub-session allows participants to better understand the structure and follow the lecture.

Additional documents

Further to the training material, several documents supporting the organisation of the workshop must be made available to participants. These would be of immediate and continuous use during the workshop and should therefore be provided in hardcopy.

The finalised workshop programme must be provided at the beginning of the training, allowing participants to plan accordingly and better understand the training flow. A list of all workshop participants should be provided, facilitating the interaction between end users attending the workshop. Moreover, by including certain contact details (professional position and postal address) participants are given the opportunity to maintain contact even after the conclusion of the workshop. Finally, to achieve an immediate evaluation of the workshop, a questionnaire seeking participants feedback on the workshop content, organisational features and overall effectiveness shall be distributed.

IV. Organising and implementing workshop: structure, content and methodology

For the training module on ‘EU and national waste legislation and protection of the environment through criminal law – Focus on combating waste crime’ and its implementing workshops, a structure based on thematic units is proposed. Each thematic unit will focus on a specific topic of EU law in this area. Each implementing workshop will thus consist of several units, ensuring the alternation of theoretical and practical elements. The final structure, however, must be decided by taking into consideration end users’ prior knowledge and training priorities.

Setting the scene – EU Waste Legislation and Waste Crime

- Unit 1: Brief overview of the EU legal instruments for waste
- Unit 2: Illegal treatment and management of waste
- Unit 3: Illegal waste shipment – focus on transboundary movements of waste

Waste-related offences and crimes

- Unit 4: Protection of the environment through criminal law
- Unit 5: Investigation, prosecution and adjudication on waste crime (ENPE experience)
- Unit 6: Case study on illegal waste disposal with links to the Environmental Liability Directive (ELD)

The national law landscape

- Unit 7: Waste Legislation in the Member State
- Unit 8: Implementing Waste Legislation: national case-law on waste management
- Unit 9: Investigation, prosecution and adjudication on waste crime in the Member State: case-law and practical experience
- Unit 10: Case study on waste crime in the Member State

Enforcement at national level

- Unit 11: Problems and challenges of waste management in practice
- Unit 12: The role of the national judge and prosecutor in enforcing waste legislation and combating waste crimes – focus on preliminary references
- Unit 13: Closing session – evaluation of the workshop

Setting the scene

Short description of the contents

The workshop should always start by welcoming the participants and providing a brief introduction and explanation of the content of the programme, organisation and implementation of the workshop.

General objectives

The main objective of this first session is to welcome trainers and participants to the workshop, to set the scene by reminding them of the framework of the training course and to encourage their interaction and active participation in the course.

Specific learning points

Introduction of organisers of the workshop

The welcoming session shall be used to introduce the training manager of the workshop, who is responsible for the successful implementation of the content of the programme, chairing of presentations, managing of the questions and answers sessions, arranging and implementing of the practical exercises, and dealing with *ad hoc* issues during the whole workshop. The training manager may be assisted by a judicial training advisor of the workshop, who, ideally, shall be an expert on the topic (a judge, a legal practitioner or an academic) and who is usually involved in preparation of the workshop material from the very beginning (setting the structure of the programme, arranging the content of each presentation as well as of practical exercise to be covered, checking all the prepared presentations to make sure that the material is not duplicating each other and also helping in implementing a workshop, if needed).

Introduction of participants and trainers

The opening session should also be used to allow participants to introduce themselves, present their national and professional background, and illustrate their expectations for the workshop. In this way, end users will be familiar with addressing the group, which should facilitate their active participation in the following sessions, and they will also get to know their colleagues' background a little better. Making trainers and participants aware of which nationalities and professional groups are represented in the workshop can be of great relevance in the discussion and an asset in ensuring effective exchange of information and experience. The possibility to discover from participants the experience which they bring with them to the training course and what they are primarily seeking to achieve by their participation could help the workshop leader to better adapt the programme to meet participants' specific needs, by emphasising certain aspects, adjusting the time allocated in the different sub-sessions, etc.

- This may be achieved by inviting participants to ask a key question they expect to see addressed during the workshop or to indicate which element made them apply for the workshop.

Presentation of the workshop's programme

The workshop should include, at the beginning, a presentation of the programme, scope, and objectives. The focus of each unit will be indicated and the expected contribution of the participants in each part of the programme emphasised. It is important that end users realise the goal of each unit and the flow of the workshop programme to be better equipped to follow the discussions and make sure they do not miss the opportunity to raise questions or clarify any ambiguity.

Presentation of the training material

The opening session is also the opportunity to present the material included in the user's pack and explain its function, so that end users may use it throughout the workshop. The content of the electronic documentation should be outlined (all related legal texts, links to online sources, suggested solutions to the case studies, etc.) and explanations provided on the documents that will have been made available to the participants in hardcopy for reference during the workshop (e.g. trainers presentations and outlines, key legal texts, the case studies for the workshop exercises, documents such as the list of participants, the workshop assessment tools etc.).

Presentation of the workshop's organisational aspects

Further to this, all logistical aspects of the workshop will be presented. The locations that will be used during the workshop for the different sessions, the exercises and the lunch and coffee breaks will be indicated, the possibility to use computers, Wi-Fi, a library, a business station etc. laid out and information on the lunches organised and dinners provided. It is important here to ensure that end users are reminded of and able to profit from all measures taken to facilitate their participation in the workshop, as well as of the importance of the joint activities in allowing a less formal interaction among trainers and fellow participants.

Methodology

While participants are in plenary; everyone is invited to introduce themselves. The programme of the workshop will be presented by the training manager of the workshop.

After welcoming participants and trainers to the workshop, they will be given the opportunity to introduce themselves and express their expectations regarding the workshop. This will improve the atmosphere of the workshop from the very beginning, which is a key element for its success. Participants are more likely to be active during the event if they know their colleagues' backgrounds.

Furthermore, the outline and main objectives of the workshop will be presented. This introduction will contain information on both the programme and the logistics (e.g. which rooms will be available for the participants during the workshop, library, availability of computers and Wi-Fi, coffee breaks and meals, evening programme). An 'ice-breaking' exercise may also be proposed by the manager of the workshop.

Duration

The time allocated to the opening session will depend on the number of participants attending the workshop. Considering that the workshop should ideally have 20 to 30 participants, the opening session should last approximately 30 minutes, to ensure sufficient time for all trainers and participants to present themselves, and for the provision of all necessary information on the event.

Documentation

Necessary material (to be made available in hardcopy during the sub-session):

01	Final version of the workshop programme
02	List of trainers
03	Trainers' CVs
04	List of participants

The training manager should demonstrate the entire user pack in this unit, including the electronic documentation, to inform participants of all the different features of the pack.

Trainer's profile

The opening session will be held in plenary and coordinated by the training manager, the person responsible for ensuring the coherent management of the workshop, or the judicial training advisor. There would be an added value in assigning the role of the 'workshop manager' to the person responsible for the organisation of the workshop. He or she would be most suitable to present the programme's structure and main objectives, having made all related decisions and given priority to specific features of the training over others.

Unit 1: Brief overview of the EU legal instruments for waste

Short description of content and general objectives

The aim of this unit is to briefly introduce the EU legal instruments for waste. The presentation starts with a general overview regarding the EU legislation and policy in the field and in related fields. It provides information concerning thematic strategy on waste prevention and recycling, circular economy action plan, hazardous waste, etc. Additionally, the presentation provides a better understanding of the Waste Framework Directive, discussing aspects such as the definition of waste, and the directive's key points. With such an overview, participants will have keys to understand why waste need to be regulated and what are the major issues that need to be dealt with in European waste legislation.

Specific learning points

- Key features and main policy developments
- EU waste law instruments
- Definition of waste
- Concept of hazardous waste

Methodology

This unit should be conducted as a frontal presentation in plenary session, either in person or online. There will be sufficient time for participants to raise questions or discuss any unclear points and to contribute with their own experience, especially related to the legal applications of such technical aspects.

Time frame

The time allocated to this unit should be approximately 45 minutes for presentation and 15 minutes more for comments and discussions.

Documentation

Necessary material (to be made available in hardcopy during the sub-session):

01	PowerPoint Presentation: "Brief overview of the EU legal instrument for waste"
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Additional material (to be included in the electronic documentation):

	EU legislation
01	Waste Framework Directive (2008/98/EC), 19 November 2008

Trainer's profile

The ideal speaker has legal knowledge and expertise in the field of waste law and main policy of waste. Legal knowledge is essential, as the focus is on all legal instruments relating to waste law.

Unit 2: Illegal treatment and management of waste

Short description of content and general objectives

The general objective of this presentation is to provide an in-depth understanding of the European provisions regarding waste treatment and management. Thus, the presentation provides information on the related requirements and core principles, how to adequately apply them and interpret the national law in face of the European legal framework. The unit also touches some aspects about how to identify certain material, also cross-cutting with unit 1.

Specific learning points

- Directive on End-of-Life Vehicles (ELV)
- Waste from Electrical and Electronic Equipment (WEEE) Directive
- Landfill Directive
- CJEU case law

Methodology

This unit should be conducted as a frontal presentation in plenary session, either online or in person. The scope of this unit is not large but can be rather confusing for judges with no experience in the field, especially given the short duration of the unit. Therefore, the speaker should focus more on the principles and relationship between various provisions instead of reading the parts of the EU provisions word by word. It is recommended to ask the audience whether the slides are understood correctly and leave some time even during the presentation for questions and remarks from the audience. Also, it is recommended that the case law is presented clearly so the audience understands how to apply the key features, especially the relevant problems.

Time frame

The time allocated to this unit should be around 45 minutes for the presentation, with additional 15 minutes for questions and discussion.

Documentation

Necessary material (to be made available in hardcopy during the sub-session):

01	PowerPoint Presentation: "Illegal treatment and management of waste"
03	Waste Framework Directive (2008/98/EC), 19 November 2008
04	Directive 1999/31/EC on the landfill of waste, 26 April 1999
05	Directive 2012/19/EU on waste electrical and electronic equipment (WEEE), 4 July 2012

Additional material (to be included in the electronic documentation):

	European legislation and documents
01	Directive 2010/75/EU on industrial emissions, 24 November 2010
02	Regulation (EC) 1013/2006 on Shipments of Waste (WSR), 14 June 2006
03	Regulation (EU) 1257/2013 on Ship Recycling, 20 November 2013
04	Directive 2019/904/EU on the reduction of the impact of certain plastic products on the environment, 5 June 2019
05	Directive 2006/66/EC on batteries and accumulators, 6 September 2006
06	Directive 2000/53/EC on end-of-life vehicles (ELV), 18 September 2000
07	Directive 94/62/EC on packaging and packaging waste, 20 December 1994
	Case Law
08	C-254/19, Opinion, EU:C:2020:320, Friends of the Irish Environment, 9 September 2020
09	C-15/19, EU:C:2020:371, Azienda Municipale Ambiente, 14 May 2020
10	C-624/17, EU:C:2019:564, Tronex, 4 July 2019
11	C-498/17, EU:C:2019:243, Commission v Italy, 21 March 2019
12	C-506/17, EU:C:2018:959, Commission v Slovenia, 28 November 2018
13	C-574/15, EU:C:2018:295, Scialdone, 2 May 2018
14	C-129/16, EU:C:2017:547, Túrkevei Tejtermelő Kft, 13 July 2017
15	C-682/15, EU:C:2017:373, Berlioz Investment Fund, 16 May 2017
16	C-202/16, EU:C:2017:318, Commission v Greece, 27 April 2017
17	C-147/15, EU:C:2016:606, Edilizia Mastrodonato, 28 July 2016
18	C-69/15, EU:C:2016:425, Nutrivet, 9 June 2016
19	C-454/14, EU:C:2016:117, Commission v Spain, 25 February 2016
20	C-487/14, EU:C:2015:780, Total Waste Recycling, 26 November 2015
21	C-140/14, EU:C:2015:501, Commission v Slovenia, 16 July 2015
22	C-369/14, EU:C:2015:491, Sommer Antriebs- und Funktechnik, 16 July 2015

23	C-196/13, EU:C:2014:2407, Commission v Italy, 2 December 2014
24	C-378/13, EU:C:2014:2405, Commission v Greece, 2 December 2014
25	C-323/13, EU:C:2014:2290, Commission v Italy, 15 October 2014
26	C-617/10, EU:C:2013:105, Åkerberg Fransson, 7 May 2013
27	C-326/88, EU:C:1990:291, Hansen, 10 July 1990

Trainer's profile

The ideal speaker is someone with knowledge of the practical application of the legal texts in question and the corresponding case law of the CJEU, whether from the judicial or academic world.

Unit 3: Illegal waste shipment – focus on transboundary movements of waste

Short description of content and general objectives

The general objective of this presentation is to provide an understanding of the legal provision for waste shipment, with a focus on transboundary movements of waste. This presentation will cover topics such as waste shipment and waste trafficking. Additionally, the presentation will provide information on regulation in alignment with the Basel Convention and the Waste Shipment Regulation. All these elements will be illustrated by recent CJEU case law.

Specific learning points

- Waste Shipment Regulation (WSR) 1013/2006 and its revision
- Basel Convention on the control of Transboundary Movements of Hazardous Wastes and Their Disposal

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person, encouraging questions and discussion.

Time frame

The time allocated to this unit will be approximately 60 minutes, including time for discussions (ca. 15 minutes).

Documentation

Necessary material:

01	PowerPoint Presentation: “Illegal waste shipment – focus on transboundary movements of waste”
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Additional material:

	European legislation and documents
01	Regulation (EU) 1257/2013 on Ship Recycling, 20 November 2013
02	Directive 2012/19/EU on waste electrical and electronic equipment (WEEE), 4 July 2012
03	EU Environmental Crime Directive (2008/99/EC) on the protection of the environment through criminal law, 19 November 2008

04	Regulation (EC) 1013/2006 on Shipments of Waste (WSR), 14 June 2006
	International agreement
05	The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 22 March 1989
	Case Law
06	C-315/20, EU:C:2021:912, Regione Veneto, 11 November 2021
07	C-654/18, EU:C:2020:398, Interseroh, 28 May 2020
08	C-624/17, EU:C:2019:564, Tronex, 4 July 2019
09	C-634/17, EU:C:2019:443, ReFood, 23 May 2019
10	C-689/17, EU:C:2019:420, Conti 11. Container Schifffahrts, 16 May 2019
11	C-399/17, EU:C:2019:200, European Commission v Czech Republic, 14 March 2019
12	C-69/15, EU:C:2016:425, Nutrivet, 9 June 2016
13	C-487/14, EU:C:2015:780, Total Waste Recycling, 26 November 2015
14	C-241/12, EU:C:2013:821, Shell Nederland and Belgian Shell, 12 December 2013

Trainer's profile

The ideal speaker is a professional or academic with expertise in waste shipment.

Unit 4: Protection of the environment through criminal law

Short description of content and general objectives

The general objective of this presentation is to introduce the participants to the protection of the environment through criminal law. The presentation starts with an overview of the environmental criminal law in Europe, introducing aspects such as its roots and path. Then, the main aspects of the EU Environmental Crime Directive are presented: rationale, main elements, key obligations, main types of offences, problematic issues, and, while applicable, its revision process. This unit also explores the distinctions between criminal and administrative enforcement of environmental law.

Specific learning points

- EU Environmental Crime Directive :
 - Concept
 - Main elements
 - Revision process
- Key obligations and main types of offences
- Interrelation between criminal and administrative enforcement

Methodology

This unit should be conducted as a frontal presentation in plenary session, online or in person, encouraging questions and discussion.

Time frame

The recommended presentation time is 30 to 45 minutes, followed by 15 minutes for questions and discussion.

Documentation

Necessary material:

01	PowerPoint Presentation: "Protection of the environment through criminal law"
02	EU Environmental Crime Directive (2008/99/EC) on the protection of the environment through criminal law, 19 November 2008

Trainer's profile

An ideal speaker is a prosecutor with experience in environmental cases. An experienced professor or a practitioner in environmental criminal law can also be a good option.

Unit 5: Investigation, prosecution and adjudication on waste crime (ENPE experience)

Short description of content and general objectives

The general objective of this presentation is to provide an understanding of the practical aspects involved in investigating, prosecuting and adjudicating waste crimes. This presentation will focus on the main obstacles and challenges of doing so at the national level. It will include related aspects concerning ancillary orders, international cooperation, and real-life examples from case law and ENPE – and other organisations – experiences.

Specific learning points

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

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person, encouraging questions and discussion.

Time frame

The time allocated to this unit will be approximately 75 minutes, including time for discussion (ca. 15 minutes).

Documentation

Necessary material:

01	PowerPoint Presentation: "Investigation, prosecution and adjudication on waste crime"
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Additional material:

	EU legislation and documents
01	Regulation (EU) 2018/1805 on the mutual recognition of freezing orders and confiscation orders, 14 November 2018
02	Directive 2014/41/EU regarding the European Investigation Order in criminal matters, 3 April 2014

03	Council Framework Decision 2002/465/JHA on joint investigation teams, 13 June 2002
	International legislation
01	EU Mutual Legal Assistance Convention, 29 May 2000
02	European Convention on Mutual Assistance in Criminal Matters, 20 April 1959

Trainer's profile

The indicated speaker is someone with specific knowledge of investigation, prosecution and adjudication on waste crime, and ideally a prosecutor working in the field of environmental criminal law.

Unit 6: Case study on illegal waste disposal with links to the Environmental Liability Directive (ELD)

Short description of the contents and general objectives

In this unit a case study will be presented. It is a fictional case, which will help the participants to deepen their knowledge regarding the implementation of the Environmental Liability Directive. Different approaches and constructions can be used, and in the example shown here, a building company decided to sell the soil removed by excavation during any worksites. A competitor then filed a complaint with the State Inspection Authority for an "ongoing environmental crime". After a visit by an officer and a prosecutor at the State Inspection Authority, a fine was imposed in view of the violation of European and national waste law. The participants are asked to analyse the case, and then discuss and debate the reasons given in the decision of the Authority, as well as the arguments against, drawn up by the company's lawyer.

Specific learning points / questions raised for the case study

- Legal aspects regarding waste disposal
- Application of the Environmental Liability Directive to the waste legislation provisions

Methodology

The trainer will present the case by raising the main factual features. After the introductory presentation, participants will be divided into groups of 6-8 people. The groups will discuss the case based on EU law and national (procedural) law. After the group discussion, participants will return to the plenary. Each group will have a rapporteur to explain the results of their discussion, trainer will comment on their findings, and the group has an opportunity for further discussions.

Duration

The introduction of the case study should take 15 minutes; afterwards participants will divide into groups. The discussion on the case will take around 45 minutes, and the following discussion in plenary including the debriefing will take another 30 minutes.

Documentation

Necessary material (to be made available in hardcopy during the sub-session):

01	Case study
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Additional material:

01	EU Waste Framework Directive (2008/98/EC), 19 November 2008
02	Environmental Liability Directive (2004/35/CE), 21 April 2004

Trainer profile

Continuous training of judges on the subject can be more successful when done by a colleague who has the same professional background (“speaking the same language”). An ideal speaker could therefore be a judge experienced in environmental liability or an experienced professor of environmental law.

Unit 7: Waste Legislation in the Member State

Short description of content and general objectives

The general aim of this unit is to give a practical presentation of the application of European law concerning waste legislation in the particular member state to which the training is being tailor-made. S/he will, thus, explain how the European provisions were transposed and/or incorporated into the national law.

Specific learning points

- Relevant waste national legislation and how it aligns with the European provisions explained in the previous units

Methodology

This unit should be conducted as a frontal presentation in plenary session, either online or in person, encouraging questions and discussion.

Time frame

The time allocated to this unit will be approximately 75 minutes, followed by 15/20 minutes for questions, discussion, and exchange of experiences.

Documentation

Necessary material:

01	PowerPoint Presentation: "Waste Legislation in the Member State"
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Trainer's profile

The ideal speaker is someone with a precise knowledge of the national legislation on waste as well as of the relevant European legislation.

Unit 8: Implementing Waste Legislation: national case-law on waste management

Short description of content and general objectives

The general aim of this unit is to give a practical presentation of the national implementation of the Waste Legislation by analysing the national case-law on waste management.

Specific learning points

- Understanding the national implementation of waste-related legislation
- Analysing the national case-law on waste management

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person. Discussion and questions should be stimulated at the maximum.

Time frame

The time allocated to this unit should be approximately 60 minutes for the presentation, followed by 15/20 minutes for discussion and exchange of experiences.

Documentation

Necessary material:

01	PowerPoint Presentation: "Implementing Waste Legislation: national case-law on waste management".
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Additional material (to be included in the electronic documentation):

	Case law
01	National case-law on waste management

Trainer's profile

The ideal speaker is a teacher or practitioner with knowledge of national implementation of European waste management legislation. Above all, the speaker should be familiar with case law relating to the application of European texts in the domestic law of the Member State in question.

Unit 9: Investigation, prosecution and adjudication on waste crime in the Member State: case-law and practical experience

Short description of content and general objectives

The general objective of this presentation is to provide a practical and specific understanding of investigation, prosecution and adjudication on waste crime in the Member State. This presentation will focus on national case-law and related experiences.

Specific learning points

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

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person, encouraging questions and discussion.

Time frame

The time allocated to this unit will be approximately 70 minutes for the presentation, followed by 20 minutes for discussion and exchange of experiences.

Documentation

Necessary material:

01	PowerPoint Presentation: "Investigation, prosecution and adjudication on waste crime"
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Additional material:

	EU legislation and documents
01	Regulation (EU) 2018/1805 on the mutual recognition of freezing orders and confiscation orders, 14 November 2018
02	Directive 2014/41/EU regarding the European Investigation Order in criminal matters, 3 April 2014
03	Council Framework Decision 2002/465/JHA on joint investigation teams, 13 June 2002

	International legislation
04	EU Mutual Legal Assistance Convention, 29 May 2000
05	European Convention on Mutual Assistance in Criminal Matters, 20 April 1959
	Case law
06	National case-law

Trainer's profile

The indicated speaker is someone with specific knowledge of investigation, prosecution and adjudication on waste crime, ideally a prosecutor from the Member State working in the field of environmental criminal law.

Unit 10: Case study on waste crime in the Member State

Short description of the contents and general objectives

In this unit, a case study will be presented. This is a fictitious case which will help participants to deepen their knowledge of the implementation of European waste law in their national law. The case will raise awareness of current issues and problems, with a view to resolving legal issues through the application of domestic law in the Member State concerned, in alignment with the European legislation.

Specific learning points

- Transposition and incorporation of EU waste legislation into the national legislation
- Main challenges and obstacles

Methodology

The trainer will present the case by raising the main factual features. After the introductory presentation, participants will be divided into groups of 6-8 people. The groups will discuss the case based on EU law and national (procedural) law. After the group discussion, participants will return to the plenary. Each group will have a rapporteur to explain the results of their discussion, trainer will comment on their findings, and the group has an opportunity for further discussion.

Duration

The introduction of the case study should take 15 minutes; afterwards participants will divide into groups. The discussion on the case will take around 45 minutes, and the following discussion in plenary including the debriefing will take another 30 minutes.

Documentation

Necessary material:

01	Case study
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Additional material:

01	Relevant European legislation
02	Relevant legislation of the Member State concerned

Trainer profile

Ongoing training for judges on the subject can be most fruitful when provided by a colleague with the same professional experience ("speaking the same language"). The ideal speaker

would therefore be a judge experienced in waste legislation, both in terms of European law and the national law of the Member State concerned.

Unit 11: Problems and challenges of waste management in practice

Short description of content and general objectives

The general aim of this unit is to provide a comprehensive and up-to-date overview of the problems and challenges of waste management in practice, in the specific context of the concerned Member State. This presentation will have a practical approach and cover topics such as: waste traffic, landfills and landfill sites, waste treatment and recycling facilities.

Specific learning points

- Waste Trafficking
- Landfills and landfill sites
- Waste treatment and recycling facilities

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person. Discussions and questions should be stimulated at the maximum.

Time frame

The time allocated to this unit will be approximately 60 minutes for the presentation, followed by 15 minutes for questions and discussion.

Documentation

Necessary material:

01	PowerPoint Presentation: "Problems and challenges of waste management in practice"
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Trainer's profile

The ideal speaker is someone with in-depth knowledge of practical waste management, enabling them to grasp current issues and challenges.

Unit 12: The role of the national judge and prosecutor in enforcing waste legislation and combatting waste crimes – focus on preliminary references

Short description of content and general objectives

In this unit, the general objective is to understand the key aspects related to the role of the national judge in the implementation of European Environmental Law, as well as to explain the importance of preliminary reference as tool for such a purpose. To this end, emphasis should be placed on analysing how the national judges and prosecutors will properly interpret and implement the main provisions of EU Waste Legislation at national level. A significant part of this unit is devoted to the preliminary reference procedure which has an essential place in the national judges' EU legal toolbox. The presentation is meant to initiate an exchange of thoughts and experiences about EU waste law and combating waste crime among legal practitioners with different professional backgrounds.

Specific learning points

- Role of the National Judge
- Role of National Prosecutor
- Judicial Control
- Preliminary Reference

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, either online or in person. Discussions and questions should be stimulated at the maximum.

Time frame

The time allocated to this unit will be approximately 90 minutes, including time for discussion and experience exchange with the participants (around 30 minutes).

Documentation

Necessary material:

01	PowerPoint Presentation: "The role of the national judge and prosecutor in enforcing waste legislation and combating waste crime – focus on preliminary references"
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Additional material (to be included in the electronic documentation):

	EU legislation and documents
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01	Recommendations to national courts and tribunals in relation to the initiation of preliminary ruling proceedings (2019/C 380/01), 8 November 2019
02	Consolidated version of the Treaty on European Union, 07 June 2016
03	Consolidated version of the Treaty on the Functioning of the European Union, 07 June 2016
04	EU Waste Framework Directive (2008/98/EC), 19 November 2008
05	Charter of Fundamental Rights of the European Union, 18 December 2000
	Case law
06	C-683/19, EU:C:2021:847, Viesgo Infraestructuras Energéticas, 14 October 2021
07	C-561/19, EU:C:2021:799, Consorzio Italian Management e Catania Multiservizi, 6 October 2021
08	C-210/06, EU:C:2008:723, Cartesio, 16 December 2008
09	C-188/07, EU:C:2008:359, Commune de Mesquer, 24 June 2008
10	C-263/05, EU:C:2007:808, Commission v Italy, 18 December 2007
11	C-1/03, EU:C:2004:490, Van de Walle and Others, 7 September 2004
12	C-337/95, EU:C:1997:517, Parfums Christian Dior v Evora, 4 November 1997
13	C-314/85, EU:C:1987:452, Foto-Frost v Hauptzollamt Lübeck-Ost, 22 October 1987
14	C-283/81, EU:C:1982:335, CILFIT v Ministero della Sanità, 6 October 1982

Trainer's profile

An ideal speaker is an experienced judge, or a professor with expertise in preliminary reference.

Unit 13: Closing session – evaluation of the workshop

Short description of content

In the final session of the workshop, conclusions will be drawn, and participants will be invited to evaluate the event.

General objectives

Participants will provide feedback on the whole event, the preliminary information, the workshop documentation, the e-learning module and the usefulness of the workshop for their daily work.

Specific learning points

- Summing up the event
- Obtaining feedback
- Use the feedback and the evaluations to improve the training module (for organisers)

Methodology

Participants will be in plenary, either online or in person. Before the final discussion and evaluation of the event is opened, each participant should have already filled in the anonymous evaluation form. If possible, all participants, i.e., including the speakers and the training manager and/or judicial training advisor of the workshop, shall participate in this final evaluation session. The training manager of the workshop should encourage the participants to speak openly about their impressions of the workshop.

Time frame

The closing session should take between 15 and 30 minutes.

Documentation

Necessary material (to be made available in hardcopy during the sub-session):

01	Evaluation form
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Trainer profile

The closing session will be chaired by the training manager and/or the judicial training advisor of the workshop.

Annex I: Template indicative workshop programme





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 LAW⁷**

Speakers

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

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

Nancy Isarlin, Environmental Expert, Senior Communications and Networking Officer, The LIFE SWEAP Project led by IMPEL Network

Matthias Keller, Presiding Judge, Administrative Court, Aachen

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

Piotr Nowak, Prosecutor, Member of the European Network of Prosecutors for the Environment (ENPE), Szczecin, Poland

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

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 Vornáčka) on behalf of the European Commission (contracting authority)





With the support of the "Cooperation with National Judges in the field of Environmental Law" programme of the European Union.

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 Vomačka

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 Cortal
 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 Vomačka
 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
 Vojtěch Vomačka

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
 Piotr Nowak
 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
 Vojtěch Vomačka
 11:00 Discussions
 11:15 Break
 11:30 Case study on illegal transboundary exporting of hazardous waste
 • Introduction to the case study
 • Working groups

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



Dr Vojtěch Vomačka
 Project Lawyer
 European Public Law
 E-mail: vvomacka@era.int



Uta Ellerhorst
 Assistant
 E-mail: uellerhorst@era.int



- Plenary discussion of the results
Piotr Nowak

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
Vojtěch Vornáčka

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/WOR regime (including the Basel Ban Amendment)
 - Key obligations under the SRR
 - Enforcement provisions (Art. 22) and main challenges for implementation (e.g. 'outflagging')
- Vojtěch Vornáčka*

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

Piotr Nowak

11:00 Discussions

11:15 Break

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

Nancy Isarín

12:15 Discussions

12:30 Case study with Quiz Session

Vojtěch Vornáčka

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 Vornáčka

IV. THE ROLE OF THE NATIONAL JUDGE

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

Mathias Keller

12:00 Evaluation of the workshop

Vojtěch Vornáčka

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.

Annex II: Background material to be contained in the user's pack

EU WASTE LEGISLATION AND COMBATING WASTE CRIME

Workshop for judges and prosecutors

Lisbon, 18-20 January 2023

With the support of the "Cooperation with National Judges in the field of Environmental Law"
the European Union

programme of



I. General Information

- List of Speakers
- List of Participants
- Travel reimbursement form

I. Speakers

III. Background Documentation

I. European Waste Law

a.) EU Policy Documents

1	<u>Report from the Commission to the European Parliament, the Council, the European Economic and social Committee and the Committee of the Regions on the implementation and the impact on the environment and the functioning of the internal market of Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC, Brussels, 9.4.2019, COM(2019) 166 final</u>	ONLINE
2	<u>Commission Staff Working Document on the evaluation of the Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC, Brussels, 9.4.2019, COM(2019) 1300 final</u>	ONLINE
3	<u>Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of the Circular Economy Action Plan, Brussels, 4.3.2019, COM(2019) 190 final</u>	ONLINE
4	<u>Commission notice on technical guidance on the classification of waste (2018/C 124/01), 9 April 2018</u>	ONLINE
5	<u>Notice to stakeholders withdrawal of the United Kingdom an EU waste law, 8 February 2018</u>	ONLINE
6	<u>COM(2018) 32 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of the circular economy package: options to address the interface between chemical, product and waste legislation, 16 January 2018</u>	ONLINE
7	<u>COM(2018) 29 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a monitoring framework for the circular economy, 16 January 2018</u>	ONLINE
8	<u>COM(2018) 28 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - A European Strategy for Plastics in a Circular Economy, 16 January 2018</u>	ONLINE
9	<u>COM(2018) 35 final, Report from the Commission to the European Parliament and the Council, on the impact of the use of oxo-degradable plastic, including oxo-degradable plastic carrier bags, on the environment, 16 January 2018</u>	ONLINE
10	<u>COM(2017) 34 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The role of waste-to-energy in the circular economy, 26 January 2017</u>	ONLINE

11	<u>COM(2017) 33 final, Report from the Commission on the to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of the Circular Economy Action Plan, 26 January 2017</u>	ONLINE
12	<u>Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Closing the loop - An EU action plan for the Circular Economy, COM/2015/614 final 02.12.2015, Circular Economy Package (2015)</u>	ONLINE

b.) EU Legislation

13	<u>Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment (Text with EEA relevance)</u>	ONLINE
14	<u>Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018 amending Directive 94/62/EC on packaging and packaging waste (Text with EEA relevance)</u>	ONLINE
15	<u>Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste (Text with EEA relevance)</u>	ONLINE
16	<u>Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste (Text with EEA relevance)</u>	ONLINE
17	<u>Directive (EU) 2018/849 of the European Parliament and of the Council of 30 May 2018 amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment (Text with EEA relevance)</u>	ONLINE
18	<u>COM(2018) 340 final, Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the reduction of the impact of certain plastic products on the environment, 28 May 2018 (Proposal single-use plastics Directive)</u>	ONLINE
19	<u>COM(2018) 33 final, Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on port reception facilities for the delivery of waste from ships, repealing Directive 2000/59/EC and amending Directive 2009/16/EC and Directive 2010/65/EU, 16 January 2018</u>	ONLINE
20	<u>Commission Directive (EU) 2015/1127 of 10 July 2015 amending Annex II to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives</u>	ONLINE
21	<u>Commission Decision of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council, 2014/955/EU</u>	ONLINE

22	<u>REGULATION (EU) No 1257/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC</u>	ONLINE
23	<u>COMMISSION REGULATION (EU) No 1179/2012 of 10 December 2012 establishing criteria determining when glass cullet ceases to be waste under Directive 2008/98/EC of the European Parliament and of the Council</u>	ONLINE
24	<u>COUNCIL REGULATION (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap metal cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council</u>	ONLINE
25	<u>DIRECTIVE 2012/19/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 4 July 2012 on waste electrical and electronic equipment (WEEE)</u>	ONLINE
26	<u>Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment</u>	ONLINE
27	<u>Directive 2010/75 of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Text with EEA relevance), IED Directive</u>	ONLINE
28	<u>DIRECTIVE 2008/98/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 November 2008 on waste and repealing certain Directives (repealed: Directive 2006/12/EC, 91/689/EEC and 75/439/EEC) (Waste Framework Directive)</u>	ONLINE
29	<u>Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC - Statement by the European Parliament, the Council and the Commission</u>	ONLINE
30	<u>DIRECTIVE 2006/66/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC</u>	ONLINE
31	<u>REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 June 2006 on shipments of waste</u>	ONLINE
32	<u>DIRECTIVE 2000/53/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 September 2000 on end-of life vehicles</u>	ONLINE
33	<u>COUNCIL DIRECTIVE 1999/31/EC of 26 April 1999 on the landfill of waste</u>	ONLINE
34	<u>European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste</u>	ONLINE
35	<u>Council Directive 86/278/EEC (consolidated version) of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture</u>	ONLINE
36	<u>Directive 75/442/EEC of July 1975 on waste</u>	ONLINE

c.) EU Case law

37	<u>C-842/18, Judgment of the Court (Eighth Chamber) of 5 December 2019, Comission v. Spain</u>	ONLINE
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38	<u>C-634/17 Judgement of the Court (Fifth Chamber) of 23 May 2019, Re-Food GmbH & Co. KG v Landwirtschaftskammer Niedersachsen</u>	ONLINE
39	<u>C-689/17 Judgement of the Court (Fifth Chamber) of 16 May 2019, Conti 11. Container Schiffahrts-GmbH & Co. KG Ms 'MSC Flaminia' v Land Niedersachsen</u>	ONLINE
40	<u>C-60/18 Judgment of the Court (Second Chamber) of 28 March 2019, Tallinna Vesi AS v Keskkonnaamet</u>	ONLINE
41	<u>Joined Cases C-487/17 to C-489/17 Judgement of the Court (Tenth Chamber) of 28 March 2019, Alfonso Verlezza</u>	ONLINE
42	<u>C-498/17 Judgement of the Court (Fifth Chamber) of 21 March 2019, European Commission v Italian Republic</u>	ONLINE
43	<u>C-399/17 Judgement of the Court (First Chamber) of 14 March 2019, European Commission v Czech Republic</u>	ONLINE
44	<u>C-626/16 Judgement of the Court (Fourth Chamber) of 4 July 2018, European Commission v Slovak Republic</u>	ONLINE
45	<u>C-104/17, Judgement of the Court (Ninth Chamber) of 15 March 2018, SC Cali Esprou SRL v Administrația Fondului pentru Mediu</u>	ONLINE
46	<u>C-335/16 Judgement of the Court (Sixth Chamber) of 30 March 2017, VG Čistoća d.o.o. v Đuro Vladika and Ljubica Vladika</u>	ONLINE
47	<u>C-313/15 Judgment of the Court (Third Chamber) of 10 November 2016, Eco-Emballages SA and Others v Sphère France SAS and Others and Melitta France SAS and Others v Ministre de l'Écologie, du Développement durable et de l'Énergie</u>	ONLINE
48	<u>C-147/15 Judgment of the Court (Fourth Chamber) of 28 July 2016, Città Metropolitana di Bari, formerly Provincia di Bari v Edilizia Mastrodonato Srl</u>	ONLINE
49	<u>C-69/15 Judgment of the Court (Fourth Chamber) of 9 June 2016, Nutrivet D.O.O.E.L. v Országos Környezetvédelmi és Természetvédelmi Főfelügyelőség</u>	ONLINE
50	<u>C-487/14 Judgment of the Court (Seventh Chamber) of 26 November 2015, SC Total Waste Recycling SRL v Országos Környezetvédelmi és Természetvédelmi Főfelügyelőség</u>	ONLINE
51	<u>C-198/14 Judgment of the Court (Fifth Chamber) of 12 November 2015, Valev Visnapuu v Kihlakunnansyyttäjä and Suomen valtio - Tullihallitus</u>	ONLINE
52	<u>C-369/14 Judgment of the Court (Third Chamber) of 16 July 2015, Sommer Antriebs- und Funktechnik GmbH v Rademacher Geräte-Elektronik GmbH & Co. KG</u>	ONLINE
53	<u>C- 551/13 Judgment of the Court (Sixth Chamber) of 18 December 2014, SETAR v Comune di Quartu S. Elena.</u>	ONLINE
54	<u>C-225/13, Judgment of the Court (Second Chamber) of 9 April 2014, Ville d'Ottignies-Louvain-la-Neuve</u>	ONLINE
55	<u>C-292/12 Judgment of the Court (Fifth Chamber) of 19 December 2013, Ragn-Sells AS v Sillamäe Linnavalitsus.</u>	ONLINE
56	<u>Joined cases C-241/12 and C-242/12 Judgment of the Court (First Chamber) of 12 December 2013. Shell Nederland Verkoopmaatschappij BV et Belgian Shell NV.</u>	ONLINE
57	<u>C-113/12 Judgment of the Court (Fourth Chamber) of 3 October 2013. Donal Brady v Environmental Protection Agency.</u>	ONLINE

58	<u>C-358/11 Judgment of the Court (Second Chamber) of 7 March 2013. Lapin elinkeino-, liikenne- ja ympäristökeskuksen liikenne ja infrastruktuuri -vastuualue v Lapin luonnonsuojelupiiri ry.</u>	ONLINE
59	<u>C-209/09 Judgment of the Court (Eighth Chamber) of 25 February 2010. Lahti Energia</u>	ONLINE
60	<u>C-297/08, Judgment of the Court (Fourth Chamber) of 4 March 2010. Commission v. Italy</u>	ONLINE
61	<u>C-286/08 Judgment of the Court (Fifth Chamber) of 10 September 2009. Commission v Grèce. (FR)</u>	ONLINE
62	<u>C-254/08 Judgment of the Court (Second Chamber) of 16 July 2008. Hotel Futura et al. v Comune di Casoria.</u>	ONLINE
63	<u>C-188/07 Judgment of the Court (Grand Chamber) of 24 June 2008. Commune de Mesquer v Total France SA, Total International Ltd.</u>	ONLINE
64	<u>C-252/05 Judgment of the Court (Second Chamber) of 10 May 2007. Thames Water Utilities.</u>	ONLINE
65	<u>C-215/04 Judgment of the Court (First Chamber) of 16 February 2006. Marius Pedersen A/S v Miljøstyrelsen.</u>	ONLINE
66	<u>C-208/04 Order of the Court (Fifth Chamber) of 28 January 2005. Inter-environnement Wallonie v Région wallonne. (FR)</u>	ONLINE
67	<u>C-449/03, Judgment of the Court (Fifth Chamber) of 10 March 2005, Commission v. France (only in French)</u>	ONLINE
68	<u>C-6/03 Judgment of the Court (First Chamber) of 14 April 2005. Deponiezweckverband Eiterköpfe v Land Rheinland-Pfalz.</u>	ONLINE
69	<u>C-309/02 Judgment of the Court (Grand Chamber) of 14 December 2004. Radlberger v Land Baden-Württemberg.</u>	ONLINE
70	<u>C-463/01 Judgment of the Court (Grand Chamber) of 14 December 2004. Commission v Allemagne.</u>	ONLINE
71	<u>C-457/02 Judgment of the Court (Second Chamber) of 11 November 2004. Antonio Niselli.</u>	ONLINE
72	<u>C-1/03 Judgment of the Court (Second Chamber) of 7 September 2004. Van de Walle et autres v Texaco Belgique.</u>	ONLINE
73	<u>C-494/01, Judgment of the Court (Grand Chamber) of 26 April 2005, Commission v. Ireland</u>	ONLINE
74	<u>C-114/01 Judgment of the Court (Sixth Chamber) of 11 September 2003. AvestaPolarit Chrome Oy.</u>	ONLINE
75	<u>C-177/01 Judgment of the Court (Fourth Chamber) of 6 June 2002. Commission v France.</u>	ONLINE
76	<u>C- 9/00 Judgment of the Court (Sixth Chamber) of 18 April 2002. Palin Granit.</u>	ONLINE
77	<u>C-203/96 Judgment of the Court (Sixth Chamber) of 25 June 1998. Chemische Afvalstoffen Dusseldorp BV e.a.</u>	ONLINE
78	<u>Joined cases C-304/94, C-330/94, C-342/94 and C-224/95 Judgment of the Court (Sixth Chamber) of 25 June 1997. Euro Tombesi e.a.</u>	ONLINE
79	<u>C-187/93 Judgment of the Court of 28 June 1994. Parlement v Conseil.</u>	ONLINE
80	<u>C-118/86 Judgment of the Court (Fifth Chamber) of 6 October 1987. Nertsvoederfabriek Netherland BV.</u>	ONLINE

81	<u>C-240/83 Judgment of the Court of 7 February 1985. Association des brûleurs d'huiles usagées.</u>	ONLINE
82	<u>C-295/82 Judgment of the Court (Third Chamber) of 9 February 1984. - Groupement d'Intérêt Economique "Rhône-Alpes Huiles"</u>	ONLINE
83	<u>C-172/82 Judgment of the Court (Third Chamber) Syndicat national des fabricants raffineurs d'huile</u>	ONLINE

d.) Studies, reports, documents

84	<u>EEA Report No 2/2019, Report reviewing waste prevention policies in Europe with a focus on how these policies approach the issue of plastics and plastic waste, 2019</u>	ONLINE
85	<u>European Commission: A European strategy for plastics in a circular economy, brochure, 2018</u>	ONLINE
86	<u>United Nations Environment Programme (UNEP), Marine Plastic Debris and Microplastics – Global lessons and research to inspire action and guide policy change, Nairobi, 2016</u>	ONLINE
87	<u>European Commission: Being wise with waste: the EU's approach to waste management, 2010</u>	ONLINE

II. Environmental Criminal Law

a.) Legislation, Documents, Studies, Reports

88	<u>Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (Environmental Crime Directive)</u>	ONLINE
89	<u>WasteForce Crime Alert Report, 2019</u>	ONLINE
90	<u>ENPE: Santioning Environmental Crime (WG4), Second-stage intermin Report: international cooperation and specialisation of the judiciary, March 2019</u>	ONLINE
91	ENPE/EUFJE Life + project, WG4 <u>App 1.0</u> <u>App 2.0</u> <u>App 3.0</u>	ONLINE
92	<u>The State of Knowledge of Crimes that have Serious Impacts on the Environment, UN environment publication, 2018</u>	ONLINE
93	<u>Crime from three criminological perspectives. Implications for crime control and harm prevention, L. Bisschop and W. Huisman, Waste, 2018</u>	ONLINE
94	<u>ENPE newsletter, 8th edition, December 2018</u>	ONLINE
95	<u>ENPE: Sanctioning Environmental Crime (WG4), Prosecution and judicial practices, March 2018</u>	ONLINE
96	<u>ENPE's contribution to Environmental Compliance Assurance Action Plan Update & Forward Look, Annex 2 to DOC6</u>	ONLINE
97	<u>Study on the implementation of Directive 2008/99/EC on the Protection of the Environment through Criminal Law</u>	ONLINE
98	<u>Interpol report on pollution crime</u>	ONLINE
99	<u>The role of EU Agencies in fighting transnational environmental crime: new challenges for EUjust and Europol, Transnational Crime; V. Mitsilegas & F. Giuffrida, 2017</u>	ONLINE
100	<u>UNEP, Interpol: The rise of environmental crime, a growing threat to natural resources, peace, development and security, 2016</u>	ONLINE
101	<u>EnviCrimeNet, Report on Environmental Crime, the Hague, 2016</u>	ONLINE
102	<u>EU Agenda on Security, 2015</u>	ONLINE
103	<u>EUROJUST, Strategic Project on Environmental Crime, Report, 2014</u>	ONLINE
104	<u>IMPEL, Enforcement Actions I-III</u>	ONLINE
105	<u>IMPEL, Transfrontier shipment of electronic waste, 2009</u>	ONLINE
106	<u>European Commission, End-of-life vehicles (ELV) directive: an assessment of the current state of implementation by Member States, March 2007</u>	ONLINE
107	<u>UN Convention on Transnational Organized Crime (Palermo Convention), 2000</u>	ONLINE

b.) Additional Case Law

108	<u>C-23/19, Case information, P.F. Kamstra Recycling</u>	ONLINE
109	<u>C-654/18, Case information, Interseroh</u>	ONLINE
110	<u>C-689/17, Judgment of the Court (Fifth Chamber) of 16 May 2019, Conti 11. Container Schifffahrt</u>	ONLINE
111	<u>C-634/17, Judgment of the Court (Fifth Chamber) of 23 May 2019, ReFood GmbH</u>	ONLINE
112	<u>C-624/17, Judgment of the Court (Second Chamber) of 4 July 2019, Tronex BV</u>	ONLINE
113	<u>C-506/17, Judgment of the Court (Sixth Chamber) of 28 November 2018, Commission v Slovenia (in French)</u>	ONLINE
114	<u>C-498/17, Judgment of the Court (Fifth Chamber) of 21 March 2019, Commission v Italy</u>	ONLINE
115	<u>C-399/17, Judgment of the Court (First Chamber) of 14 March 2019, Commission v Czech Republic</u>	ONLINE
116	<u>C-202/16, Judgment of the Court (Tenth Chamber) of 27 April 2017, Commission v Hellenic Republic (in French)</u>	ONLINE
117	<u>C-147/15, Judgment of the Court (Fourth Chamber) of 28 July 2016, Città Metropolitana di Bari v Ediliza Mastrodonato srl</u>	ONLINE
118	<u>C-454/14, Judgment of the Court (Eighth Chamber) of 25 February 2016, Commission v Spain (in French)</u>	ONLINE
119	<u>C-369/14, Judgment of the Court (Third Chamber) of 16 July 2015, Sommer Antriebs- und Funktechnik</u>	ONLINE
120	<u>C-140/14, Judgment of the Court (Third Chamber) of 16 July 2015, Commission v Slovenia (in French)</u>	ONLINE
121	<u>C-378/13, Judgment of the Court (Grand Chamber) of 2 December 2014, Commission v Hellenic Republic</u>	ONLINE
122	<u>C-323/13, Judgment of the Court (Sixth Chamber) of 15 October 2014, Commission v Italy</u>	ONLINE
123	<u>C-196/13, Judgment of the Court (Grand Chamber) of 2 December 2014, Commission v Italy</u>	ONLINE
124	<u>C-292/12, Judgment of the Court (Fifth Chamber) of 12 December 2013, Ragn-Sells</u>	ONLINE
125	<u>C-241/12 and C-242/12, Judgment of the Court (First Chamber) of 12 December 2013, Shell Nederland Verkoopmaatschappij</u>	ONLINE
126	<u>C-418/11, Judgment of the Court (Fourth Chamber) of 26 September 2013, Texdata Software GmbH</u>	ONLINE
127	<u>C-358/11, Judgment of the Court (Second Chamber) of 7 March 2013, Lapin luonnonsuojelupiiri ry</u>	ONLINE
128	<u>C-1/11, Judgment of the Court (Fourth Chamber) of 29 March 2012, Interseroh</u>	ONLINE

129	<u>C-210/10, Judgment of the Court (First Chamber) of 9 February 2012, Márton Urbán</u>	ONLINE
130	<u>C-64/09, Judgment of the Court (First Chamber) of 15 April 2010, Commission v France)</u>	ONLINE
131	<u>C-440/05, Judgment of the Court (Grand Chamber) of 23 October 2007, Commission v Council</u>	ONLINE
132	<u>C-176/03, Judgment of the Court (Grand Chamber) of 13 September 2005, Commission v Council</u>	ONLINE

III. Relationship between criminal and administrative enforcement and sanctioning for environmental crimes

133	<u>C-624/17, Judgment of the Court (Second Chamber) of 4 July 2019, Tronex BV</u>	ONLINE
134	<u>C-596/16 and C-597/16, Judgment of the Court (Grand Chamber) of 20 March 2018, Enzo Di Puma</u>	ONLINE
135	<u>C-537/16, Judgment of the Court (Grand Chamber) of 20 March 2018, Garlsson Real Estate</u>	ONLINE
136	<u>C-535/15, Judgment of the Court (Third Chamber) of 27 April 2017, Hamburg v Pinckernelle</u>	ONLINE
137	<u>C-524/15, Judgment of the Court (Grand Chamber) of 20 March 2018, Luca Menci</u>	ONLINE
138	<u>C-304/15, Judgment of the Court (Seventh Chamber) of 21 September 2016, Commission v. United Kingdom</u>	ONLINE
139	<u>C-69/15, Judgment of the Court (Fourth Chamber) of 9 June 2016, Nutrivet</u>	ONLINE
140	<u>C-487/14, Judgment of the Court (Seventh Chamber) of 26 November 2015, SC Total Waste Recycling SRL</u>	ONLINE
141	<u>C-184/14, Judgment of the Court (Third Chamber) of 16 July 2015, A v B</u>	ONLINE
142	<u>C-60/12, Judgment of the Court (Grand Chamber) of 14 November 2013, Marián Baláž</u>	ONLINE
143	<u>C-617/10, Judgment of the Court (Grand Chamber) of 26 February 2013, Åklagaren v Hans Åkerberg Fransson</u>	ONLINE
144	<u>C-585/10, Judgment of the Court (Eighth Chamber) of 15 December 2011, Niels Møller v Haderslev Kommune</u>	ONLINE
145	<u>C-549/09, Judgment of the Court (Sixth Chamber) of 20 October 2011, Comission v France</u>	ONLINE
146	<u>C-45/08, Judgment of the Court (Third Chamber) of 23 December 2019, Spector Photo Group</u>	ONLINE

147	<u>C-304/02, Judgment of the Court (Grand Chamber) of 12 July 2005, Commission v France</u>	ONLINE
148	<u>C-494/01, Judgment of the Court (Grand Chamber) of 26 April 2005, Commission v Ireland</u>	ONLINE
149	<u>C-210/00, Judgment of the Court (Fifth Chamber) of 11 July 2011, Käserei Champignon Hofmeister</u>	ONLINE