

COOPERATION WITH NATIONAL JUDGES IN THE FIELD OF EU ENVIRONMENTAL LAW



Trainer's Manual Module on Waste Crime



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I. Introduction

This training module on **EU 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, any other relevant actors (for example, prosecutors) and end-users of European Union Member States wishing to organise training sessions in the area of EU environmental law with particular focus on the waste legal framework.

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 combatting waste crime. This training module will also assist national judges as well as national prosecutors to apply the relevant EU instruments in detail.

The training module will gather materials in order to conceive a workshop of 2.5-day duration with the goal to develop and raise understanding on the main legal aspects of EU waste crimes. The key topics to be covered are:

- Waste Framework Directive
- Environment 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 on waste crime
- Various case studies

After this training on EU 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 Framework Directive and related regulation, and implementing EU instruments. Also, 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 workshop implementing the training module is designed to last 2.5 days (18h).

The workshop programme “EU Waste Legislation and Protection of the Environment Through Criminal Law: Focus on combating waste crime” consists of 11 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.

- Unit 1: Brief overview of EU waste law and policy
- Unit 2: Waste crime: key features and main challenges
- Unit 3: Illegal treatment and management of waste
- Unit 4: Illegal waste trafficking – focus on transboundary movements of waste
- Unit 5: Case study on illegal waste disposal with links to illegal waste shipment
- Unit 6: EU Ship Recycling Regulation (SRR) 1257/2013
- Unit 7: Investigation, prosecution and adjudication on waste crime
- Unit 8: Combatting waste crime in practice: the experience of the IMPEL SWEAP Project
- Unit 9: Case study on illegal transboundary exporting of hazardous waste
- Unit 10: Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime
- Unit 11: 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 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 is designed to last approximately 2.5 days (18h). 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.

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 in order 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 in the course of 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 (IT-training sessions, use of PowerPoint or other audio-visual material, e-learning course, etc.).

Teaching methods

Frontal (face-to-face) presentation

The optimal method for the provision of a large amount of information in a limited period of time is face-to-face 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 constitute a reference document for the future as well, 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 their own

experiences. This element is of particular importance in international workshops, where participants have the possibility to expand their knowledge with information on the application of EU environmental law in other Member States, learning from each other.

Workshop case studies

In addition to information on the EU regulation related to waste, the training also aims at providing participants with some practical experience in the particularities of the cases on the subject.

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. the legal issues with regard to the implementation of the regulation related to waste crimes ii. the participation in environmental matters with a focus on waste crimes and, iii. the role of a judge when dealing with files on waste crimes – preliminary ruling

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 be followed after the discussions.

Participants should subsequently be divided into smaller working groups and working space 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: in international implementing workshops and as long as participants working languages allow it, end users from different Member States or from jurisdictions with different legal traditions should be brought together in the working groups. If a workshop is organised as a national judicial training, judges from different courts could be asked to work together. 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 are 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 in order 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 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 out 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, the EJTN website, 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, in particular, include:

- blended e-learning material;
- workshop reader;
- 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 printed legal documents, links to online sources of bibliography of legal instruments on the topic on a USB stick, 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 Industrial Emissions Directive 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, either using a USB stick or by making the content available online and granting all workshop participants access to it. Material that needs to be regularly referred to during the workshop or that would make it easier to follow proceedings should be provided in a hardcopy for ease of reference during the event:

- workshop programme;
- list of participants;
- list of trainers/ speakers;
- trainers' contributions;
- printed texts of the legal acts to be analysed;
- case studies;
- evaluation forms.

➤ When presenting the material that should accompany each unit, distinction should be made between 'necessary material' to be provided in hardcopy and 'additional material' that should 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 crime regulation.

The key function of this e-learning material is to introduce end users to a number of legal topics with regard to various aspects of waste-related crimes. Namely, the Waste Framework Directive (policy context, objectives, scope of application and structure) focus in particular on definitions, key features, main challenges, illegal treatment and management of waste, illegal waste trafficking with a focus on transboundary movements of waste, waste shipment and the EU Ship Recycling Regulation (SRR) 1257/2013, investigation, prosecution and adjudication on waste crime, combatting waste crime in practice, hazardous waste, and enforcing EU instruments for combatting waste crime.

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 face-to-face 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 face-to-face 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 face-to-face workshop for participants to use as a refresher and to re-use with their colleagues alongside the face-to-face 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 the large majority 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 in order 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 as 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 absolutely 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 'EU Waste Legislation and Protection of the Environment Through Criminal Law - Focus on combating waste crime'. Both of them are structured on the basis of 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 "EU Waste Legislation and Protection of the Environment through Criminal Law – Focus on combatting 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, a number of 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, in order to achieve an immediate evaluation of the workshop, a questionnaire seeking participant 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 the 'EU Waste Legislation and Protection of the Environment Through Criminal Law - Focus on combating waste crime' and its implementing workshops, a structure on the basis of 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 will, however, have to be decided by taking into consideration end users' prior knowledge and training priorities. With the addition of opening and closing units, serving both pedagogical and organisational purposes, an implementing workshop of 2.5 days could be designed as detailed below:

- Unit 1: Brief overview of EU waste law and policy
- Unit 2: Waste crime: key features and main challenges
- Unit 3: Illegal treatment and management of waste
- Unit 4: Illegal waste trafficking – focus on transboundary movements of waste
- Unit 5: Case study on illegal waste disposal with links to illegal waste shipment
- Unit 6: EU Ship Recycling Regulation (SRR) 1257/2013
- Unit 7: Investigation, prosecution and adjudication on waste crime
- Unit 8: Combatting waste crime in practice: the experience of the IMPEL SWEAP Project
- Unit 9: Case study on illegal transboundary exporting of hazardous waste
- Unit 10: Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime
- Unit 11: 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 in order 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, making adjustments on 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 in order 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 are 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).

Duration

The time allocated to the opening session will depend on the number of participants attending the workshop. Taking into account that the workshop should ideally have 20 to 30 participants, the opening session should last approximately 30 minutes, in order 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, in order 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 EU waste law and policy

Short description of content and general objectives

The aim of this presentation is to set the scene of the topic. Namely, emphasis is given to the waste policy as a part of environmental policy and the complexity of definitions that need to be considered by regulation. Given that waste framework directive 2008/98/EC is the main EU instrument regulating the aspects related to waste, the spotlight will be, firstly, on its format and priorities. Secondly, on the definitions adopted by the directive (e.g. residues, by products, non-waste, etc.) as well as the main features and distinctions between the linear and circular patterns. Thirdly, this links the presentation to the Circular Economy Action Plan (2015), the European Strategy for Plastics in a Circular Economy (2018), the European Green Deal, and the Circular Economy Action Plan 2.0, which are all presented with a similar approach to the one used to present the waste framework directive.

Specific learning points

- Legal framework related to waste and products
- EU priorities
- Definitions adopted
- Goals established as next steps

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session, even though online. The scope of this unit is large, but attempts to not go beyond what is necessary for national judges. There will be sufficient time for participants to raise questions or discuss any unclear points and to contribute with their own experience after other presentations. Therefore, this introductory part should be as clear as possible and not skip any key points which will be elaborated later on.

Time frame

The time allocated to this unit should be approximately 60 minutes.

Documentation

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

01	PowerPoint Presentation: "Brief overview of the EU Waste Law and Policy"
02	A full text of the Waste Framework Directive
03	A full text of the Circular Economy Action Plan (2015)

04	A full text of the European Strategy for Plastics in a Circular Economy (2018)
05	Annex to the Communication on the European Green Deal
06	Full text of the New Circular Economy Action Plan

Trainer's profile

An ideal speaker is a representative of the European Commission with expertise in this field.

Unit 2: Waste crime: key features and main challenges

Short description of content and general objectives

This presentation is intrinsically linked to the previous unit, as it zooms in on the fundamental elements of the European regulations related to waste crimes, as well as the main aspects and challenges involved. This includes an analysis of the adoption processes and of the provisions of the EU Environmental Crimes Directive (ECD), a detailed discussion about the new strategies and approaches on implementation and compliance of environmental law, the key obligations involved, and the main challenges related with: (i) the drafting of the Administrative and Criminal Legislation transposing the ECD; (ii) the lack of resources and technical training to implement the legislation adopted to transpose the ECD; (iii) the economically subordinate role of environmental criminal policy for the economy of the Member States. Specific case studies arise as a tool for supporting practical understanding of the aspects studied in this unit.

Specific learning points

- ECD adoption process
- ECD key elements
- Strategies and approaches for implementation and compliance of environmental law
- Key obligations related to combatting waste crimes
- Main challenges related to the ECD and other aspects for combatting waste crimes

Methodology

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

Time frame

Given the complicated and highly technical nature of the topic, the time allocated to this unit should not be less than 90min.

Documentation

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

01	PowerPoint Presentation: 'Waste crime: key features and main challenges'
02	A full text of the EU Environmental Crimes Directive

03	Links to the case law to be analysed
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Trainer's profile

An ideal speaker would be a professor of European environmental law or a practitioner with relevant knowledge and/or experience of the European setting regarding environmental crimes.

Unit 3: Illegal treatment and management of waste (ELV, WEEE & Landfill Directive, and Sanctions)

Short description of content and general objectives

The objective of this presentation is to provide an introduction into three specific Waste Directives and into the general regime of sanctions attached to these directives and EU law obligations in general. Directive 2000/53/EC on end-of life vehicles (ELV) and Directive 2012/19/EU on waste electrical and electronic equipment (WEEE) cover specific waste streams and Directive 1999/31/EC on the landfill of waste regulates a specific method of waste disposal. All three Directives come with the general obligation that Member States need to provide for effective sanctions for infringements, but also that in applying these sanctions they must respect the relevant fundamental rights enshrined in the EU Charter of Fundamental Rights.

Specific learning points

- Effective Sanctions
 - General EU law and EU Waste Law in particular require effective sanctions for infringements to ensure effective enforcement
 - However, fundamental rights also need to be respected, in particular
 - Proportionality
 - *Ne bis in idem*
 - Rights of the Defence
 - Legality of sanctions (*Nulla poena sine lege*)
- WEEE Directive
 - Scope, in particular concept of electric and electronic equipment
 - Specification of the Waste hierarchy to this wastestream
 - Specific Obligations
 - Linkage to the concept of waste (discarding)
- ELV Directive
 - Scope, concept of vehicle
 - Specification of the Waste hierarchy to this wastestream
 - Specific Obligations
- Landfill Directive
 - Application in time (*ratione tempore*)
 - Legal certainty vs. polluter pays
 - Overview of the provisions

This unit should be conducted as a face-to-face frontal presentation in plenary session. It includes two mini-case studies to engage participants, either by way of polls or – preferably in the form of discussions. The order in which the different points of the unit are presented should be defined by the trainer. The subsequent discussion should be moderated either by the trainer or the chair of the event.

Time frame

The time allocated to this unit should be approximately 60 minutes, including the time for questions and answers.

Documentation

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

01	PowerPoint Presentation: "Illegal treatment and management of waste, ELV, WEEE & Landfill Directive, CJEU case law & Sanctions"
02	Directive 2008/98/EC (Waste), Art. 4, 36
03	Directive 2000/53/EC on end-of life vehicles (ELV)
04	Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)
05	Directive 1999/31/EC on the landfill of waste

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

	EU Legislation and Case Law
01	EU Charter of Fundamental Rights
02	Åkerberg Fransson (C-617/10, EU:C:2013:105)
03	Berlioz Investment Fund (C-682/15, EU:C:2017:373)
04	Sommer Antriebs- und Funktechnik (C-369/14, EU:C:2015:491)
05	Tronex (C-624/17, EU:C:2019:564)
06	Opinion in Tronex (C-624/17, EU:C:2019:150)
07	Azienda Municipale Ambiente (C-15/19, EU:C:2020:371)
08	Opinion in Azienda Municipale Ambiente (C-15/19, EU:C:2020:10)

Trainer's profile

The ideal speaker would be a practitioner or a professor with relevant knowledge and experience on public participation requirements.

Unit 4: Case study on illegal waste disposal with links to illegal waste shipment

Short description of content and general objectives

In this unit a case study will be presented. It is about a case where a domestic sanction is challenged. The national judge is called upon to decide whether there is actually a violation of EU law that justifies the sanction. May “changing the point of entry” be a sufficient ground for treating a transnational shipment of waste as illegal? This raises the problem of interpreting the EU Regulation on the shipment of waste. The interpretation exercise by the CJEU is shown. The fact that all language versions have the same value is highlighted. Then the context is changed to a criminal law context. The participants have to recall that under the rule of law the general principle “nulla poena sine lege” applies when EU law is enforced by domestic criminal law. This leads to another interpretation exercise by the domestic (criminal) judge with a focus on the language version that corresponds to the language in the respective Member State.

Specific learning points/ questions raised for the case study

- multi level system
- interpretation
- nulla poena sine lege
- preliminary reference

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 persons. The groups will discuss the case on the basis of the features of direct effect. After the group discussion, participants will return to the plenary. Each group will have a rapporteur to explain the results of their discussion and the trainer will comment on their findings.

Time frame

The introduction of the case study should take 15 minutes; afterwards participants will divide into groups. The discussion on the case will take 45 minutes, the following discussion in the 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: "fordítás ferdítés"
02	PowerPoint: Solution of the case ("fordítás ferdítés")

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

	EU and Member States` Case Law
01	CJEU, C-487/14, "Total Waste Recycling"

Trainer's 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 criminal/administrative judge.

Unit 5: Illegal waste trafficking – Focus on transboundary movements of waste

Short description of content and general objectives

The objective of this unit is to explain the theoretical and practical aspects of crimes related to transboundary waste trafficking. For the theoretical approach, the main relevant legislation is presented: Waste Shipment Regulation (WSR) 1013/2006 and Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. For the practical approach recent examples of CJEU and national – of a Member State – case law is analysed together with the participants.

Specific learning points

- Priorities of European and International legislation to control transboundary movements of wastes
- National implications of the measures
- Different waste classification and hierarchy when dealing with waste
- Consequences of waste transboundary movements

This unit should be conducted as a face-to-face frontal presentation in plenary session, even if online. The order in which the different points of the unit are presented should be defined by the trainer.

Time frame

The time allocated to this unit should be approximately 90 minutes.

Documentation

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

01	PowerPoint Presentation: Illegal waste trafficking – Focus on transboundary movements of waste
02	Full text of the Waste Shipment Regulation (WSR) 1013/2006
03	Full text (including annexes and amendments of the Basel Convention
04	Relevant decisions of the CJEU
05	Relevant decisions of national case law

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

	Relevant Case Law
01	Tronex (C-624/17, EU:C:2019:564)
02	Case C-241/12 Shell
03	Case C-242/12 Shell
04	Case C-259/05 (Criminal proceedings against Omni Metal Service)
05	Case and opinion C-624/17 Tronex
06	Case C-277/02 (EU-Wood-Trading GmbH v. Sonderabfall-Management-Gesellschaft Rheinland-Pfalz mbH)
07	Case C-235/02 (Criminal proceedings against Marco Antonio Saetti and Andrea Frediani)
08	Case C-114/01 (Proceedings against AvestaPolarit Chrome Oy)
09	Case C-116/01 (SITA EcoService Nederland BV Formerly Verol Recycling Limburg BV v. Minister van Volkshuisvesting)
10	Case C-228/00 (Commission of the European Communities v. Federal Republic of Germany)
11	Case C-6/00 (Abfall Service AG(ASA) v. Bundesminister für Umwelt, Jugend und Familie)

Trainer's profile

The ideal speaker would be a professor of European and/or international environmental law or a practitioner with relevant knowledge and/or experience of transboundary waste movements.

Unit 6: EU Ship Recycling Regulation (SRR) 1257/2013

Short description of content and general objectives

The objective of this presentation is to provide a brief introduction to the EU Ship Recycling Regulation (1257/2013), its development, scope and relation to the Waste Framework Directive and the Waste Shipment Regulation. The key obligation stemming from the Regulation are provided more attention since the Regulation becomes fully effective at the end of 2020. Furthermore, some national case law is analysed as it illustrates various illegal practices the shipowners try to employ to escape their obligations.

Specific learning points

- General information
 - Ship recycling (facts and statistics), introduction to the problems the Regulations attempts to solve
 - The Regulation as a part of global movement against beaching ships in South Asia
- Historical Background and Rationale
 - The IMO Hong Kong International Convention, the scope, the main obligations
 - The lengthy ratification of the Hong Kong Convention
 - The Hong Kong International Convention (2009) guidelines
 - Development at the EU level, support of the Hong Kong Convention
- The objectives, the scope, relationship with the Basel/WSR regime
 - The main objectives, protection of environment and enhanced safety
 - The scope: Ships under the SRR, other ships (WSR regime), exceptions
- National case law
 - The Seatrade case – role of the cash buyer, gathering evidence, identification of the ship as dangerous waste
 - The Holland Maas case – reasons for settlement on sanction, liability of the captain
 - Other cases – introduction of sustainable recycling policies
- Key obligations under the SRR
 - The inventory of Hazardous Materials (IHM)
 - Ship Recycling Facilities (the European List)
 - The ship owners' obligations for ship recycling - Articles 6 to 10 of the SRR
- Enforcement provisions (Art. 22) and Main Challenges for Implementation
 - Inspections
 - Bringing administrative or judicial proceedings
 - Disparities in the sanctioning regimes
 - Re-flagging

This unit should be conducted as a face-to-face frontal presentation in either plenary session or in distance learning. In order to explain technical facts, the trainer is advised to use illustrations, graphs and pictures. The subsequent discussion should be moderated either by the trainer or the chair of the event.

Time frame

The time allocated to this unit should be approximately 60 minutes, including the time for questions and answers.

Documentation

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

01	PowerPoint Presentation: "EU Ship Recycling Regulation (SRR) 1257/2013"
02	Ship Recycling Regulation (SRR) 1257/2013

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

	Other legal documents
01	The European List of ship recycling facilities (Commission Implementing Decision 2020/95)

Trainer's profile

The ideal speaker would be a public prosecutor or academic with relevant knowledge and experience on waste shipment.

Unit 7: Investigation, prosecution and adjudication on waste crime

Short description of content and general objectives

The objective of this presentation is to provide an in-depth understanding of the meanders involved in the path from identifying to sanctioning a waste crime. In order to do so, the authorities and institutions involved in the process are presented, preferably from an example and/or case study. It also demonstrates the most common challenges and hurdles along the way, presenting potential solutions.

Specific learning points

- Local and regional authorities involved in the processes of investigation, prosecution, and adjudication
- Steps and processes for investigating, prosecuting, and adjudicating waste crimes, mainly related to transboundary waste movements
- Aspects that need to be improved

This unit should be conducted as a face-to-face frontal presentation in plenary session, even if online, but with a bigger incentive of the audience's participation, considering their own backgrounds and experience with investigation, prosecution and adjudication in this or other legal fields..

Time frame

The time allocated to this unit should be approximately 90 minutes.

Documentation

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

01	PowerPoint Presentation: Investigation, prosecution and adjudication on waste crime
02	Council conclusions on countering environmental crimes
03	Final Report of the Eight Round of Mutual Evaluations on Environmental Crime
04	Relevant European and national legislation and case law selected by the trainer

Trainer's profile

The ideal speaker would be a prosecutor with experience in cases involving waste crimes.

Unit 8: Case study on illegal transboundary exporting of hazardous waste

Short description of content and general objectives

The objective of the case study is to provide the participants with a possibility to use the information obtained during the previous units in practice and to consolidate their knowledge on the main legal issues relating to the implementation of the regulation related to transboundary waste crimes. Participants will examine a real case of an illegal transboundary export of hazardous waste.

Specific learning points

- Role of the national judge
- Features of transboundary movements of waste and hazardous waste legislation
- Dealing with practical aspects and identifying crimes

The participants should be divided into small (5-8 people) groups, each group discussing the case. Subsequently all the participants will meet in the plenary session where each group will report their conclusions. The conclusions will be commented by the trainer and discussed in the plenary.

Time frame

The time allocated to this unit will be approximately 90 minutes.

Documentation

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

01	Text of the case study
02	Presentation on the results of the case study

Trainer's profile

An ideal speaker may be a prosecutor or a professor with experience in the field of transboundary waste crimes. Emphasis should be placed on how the international and European frameworks may be relevant when dealing with waste-related national cases.

Unit 9: Combatting waste crime in practice: the experience of the IMPEL SWEAP Project

Short description of content and general objectives

The objective of the case study is to provide the participants with the possibility to use the information obtained during the course to observe a practical attempt to combat waste crime. It also objectives to explain in detail the work and outcomes of the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL).

Specific learning points

- Scope and action of the IMPEL SWEAP Project
 - Team and partners
 - Enforcement actions
 - SWEAP approaches and tools
 - Co-operation between authorities
 - Results
 - Examples of crimes and *modus operandi*
 - Online support tools
- Stimulate reflection about the COVID implications for waste crime and how to improve action during and post-pandemic scenario

This unit should be conducted as a face-to-face frontal presentation in plenary session, even if online, but always instigating reflection in the participants.

Time frame

The time allocated to this unit should be approximately 60 minutes.

Documentation

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

01	PowerPoint Presentation: Shipment of Waste Enforcement Actions Project
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Trainer's profile

The ideal speaker would be a member of the project's expert team.

Unit 10: Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime

Short description of content and general objectives

The general objective of this presentation is to raise the awareness of EU Waste Law and its enforcement through criminal sanctions. In this context the national judge is nothing else but an EU judge. Having this in mind the slides give an overview of the main features that are important for deciding cases under the EU Waste Law. A special focus is put on the interplay between an EU Legislation and national law. This is done in a way that is very easy to understand. The aim is to encourage the national judges to apply the EU Waste Law by using legal devices like the preliminary reference.

Specific learning points

- EU Judicial Order
 - role of the national judge
 - toolbox for the national judge
- Judicial Control
 - end of live vehicle
 - waste as a legal concept
 - determining waste by the judge
 - legal definition of waste
 - “unexcavated contaminated soil”
- Preliminary Reference
 - Article 267
 - Recommendations by CJEU
 - Annex of the Recommendations by CJEU
 - e-Curia

Methodology

This unit should be conducted as a face-to-face frontal presentation in plenary session or a webinar. The order in which the different points of the unit are presented should be defined by the trainer. The subsequent discussion should be moderated either by the trainer or the chair of the event.

Time frame

The time allocated to this unit will be approximately 90 minutes and should include some time for discussion with the participants.

Documentation

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

01	PowerPoint Presentation: Emphasis on preliminary ruling procedure - when enforcing EU instruments for combatting waste crime
02	Art 19 TEU
03	Art. 267 TFEU
04	Art. 174 TFEU
05	Waste Framework Directive
06	Recommendations by the CJEU 2019/C 380/01

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

	EU and Member States` Case Law
01	CJEU, C-188/07, (Commune des Mesquer)
02	CJEU, C-263/05, (Commission/Italy)

Trainer's profile

An ideal speaker may be a professor or a practitioner. However, it is important the he or she is able to show the audience how the EU Waste Law may be relevant when deciding national cases on criminal sanctions.

Unit 11: 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 the feedback
- Use the feedback and the evaluations to improve the training module (for organisers)

Methodology

Participants will be in plenary. Before the final discussion and evaluation of the event is actually opened, each participant should have already filled in the 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 approx. 20-30 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 PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW

Focus on combating waste crime

Workshop for judges and prosecutors

Place & Date

Speakers & training managers

Key topics

- Waste Framework Directive
- Environment 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
- CJEU case law on waste crime
- Various case studies

Language

Organiser

Day 1

8:45 Arrival and registration of participants

9:15 **Welcome and introduction**

I. SETTING THE SCENE

09:30 **Brief overview of the EU Waste Law and Policy**

- Key features and main policy developments
- EU waste legal instruments
- Definition of waste

- Concept of hazardous waste

Speaker

10:30 Coffee break

11:00 **Waste Crime: key features and main challenges**

- EU Environmental Crime Directive : concept and main elements
- Key obligations and main types of offences/modus operandi
- Interrelation between criminal and administrative enforcement and sanctioning for waste crimes
- Waste crime as a transnational, organized and economic crime
- Actors and impacts of waste crime

Speaker

13:00 Lunch break

II. WASTE-RELATED CRIMES AND OFFENCES UNDER SCRUTINY

14:00 **Illegal treatment and management of waste**

- ELVs and WEEEs
- Landfill Directive
- CJEU case law

Speaker

15:30 Coffee break

16:00 **Case study on illegal waste disposal with links to illegal waste shipment**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

Speaker

17:30 End of the first workshop day

Day 2

III. WASTE-RELATED CRIMES AND OFFENCES UNDER SCRUTINY (cont.)

09:30 **Illegal waste trafficking – Focus on transboundary movements of waste**

- Waste Shipment Regulation (WSR) 1013/2006
- Basel Convention on the control of Transboundary Movements of hazardous wastes and their disposal
- Recent CJEU case law (C-624/17 Tronex and C-241 and 242/12 Shell)
- Relevant national cases (i.e. the Netherlands)

Objective

The aim of this two-and-a half day workshop is to provide participants with a comprehensive overview of the waste-related crimes which 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. Hence, workshop will shed light on the protection of the environment through criminal law with 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.

Venue

Who should attend?

Prosecutors and judges interested in environmental law

Your contact persons

Speaker

11:00 Coffee break

11:30 **EU Ship Recycling Regulation (SRR) 1257/2013**

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

Speaker

12:30 Lunch break

13:30 **Investigation, prosecution and adjudication on waste crime**

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

Speaker

15:00 Coffee break

15:30 **Case study on illegal transboundary exporting of hazardous waste**

- Introduction to the case study
- Working groups
- Plenary discussion of the results

Speaker

17:00 End of the second workshop day

Day 3

IV. ENFORCEMENT AT NATIONAL LEVEL

09:00 **Combatting waste crime in practice: The experience of the IMPEL SWEAP**

Project
Speaker

10:30 Coffee break

11:00 **Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime**

Speaker

12:30 **Evaluation of the workshop**

Training Manager

13:30 End of the workshop

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

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-</u>	ONLINE

	<u>degradable plastic, including oxo-degradable plastic carrier bags, on the environment, 16 January 2018</u>	
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</u>	ONLINE

	<u>2018</u>	
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
38	<u>C-634/17 Judgement of the Court (Fifth Chamber) of 23 May 2019, ReFood 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>	
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

1		ONLINE
2	<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
3	<u>European Commission: A European strategy for plastics in a circular economy, brochure, 2018</u>	ONLINE
4	<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
5	<u>European Commission: Being wise with waste: the EU's approach to waste management, 2010</u>	ONLINE

II. Environmental Criminar Law

a.) Legislation, Documents, Studies, Reports

84	<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
85	<u>WasteForce Crime Alert Report, 2019</u>	ONLINE
86	<u>ENPE: Sanctioning Environmental Crime (WG4), Second-stage interim Report: international cooperation and specialisation of the judiciary, March 2019</u>	ONLINE
87	ENPE/EUFJE Life + project, WG4 <u>App 1.0</u> <u>App 2.0</u> <u>App 3.0</u>	ONLINE
88	<u>The State of Knowledge of Crimes that have Serious Impacts on the Environment, UN environment publication, 2018</u>	ONLINE
89	<u>Crime from three criminological perspectives. Implications for crime control and harm prevention, L. Bisschop and W. Huisman, Waste, 2018</u>	ONLINE
90	<u>ENPE newsletter, 8th edition, December 2018</u>	ONLINE
91	<u>ENPE: Sanctioning Environmental Crime (WG4), Prosecution and judicial practices, March 2018</u>	ONLINE
92	<u>ENPE's contribution to Environmental Compliance Assurance Action Plan Update & Forward Look, Annex 2 to DOC6</u>	ONLINE
93	<u>Study on the implementation of Directive 2008/99/EC on the Protection of the Environment through Criminal Law</u>	ONLINE
94	<u>Interpol report on pollution crime</u>	ONLINE
95	<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
96	<u>UNEP, Interpol: The rise of environmental crime, a growing threat to natural resources, peace, development and security, 2016</u>	ONLINE
97	<u>EnviCrimeNet, Report on Environmental Crime, the Hague, 2016</u>	ONLINE
98	<u>EU Agenda on Security, 2015</u>	ONLINE
99	<u>EUROJUST, Strategic Project on Environmental Crime, Report, 2014</u>	ONLINE
100	<u>IMPEL, Enforcement Actions I-III</u>	
101	<u>IMPEL, Transfrontier shipment of electronic waste, 2009</u>	
102	<u>European Commission, End-of-life vehicles (ELV) directive: an assessment of the current state of implementation by Member States, March 2007</u>	ONLINE
103	<u>UN Convention on Transnational Organized Crime (Palermo Convention), 2000</u>	ONLINE

b.) Additional Case Law

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

125	<u>C-210/10, Judgment of the Court (First Chamber) of 9 February 2012, Márton Urbán</u>	ONLINE
126	<u>C-64/09, Judgment of the Court (First Chamber) of 15 April 2010, Commission v France)</u>	ONLINE
127	<u>C-440/05, Judgment of the Court (Grand Chamber) of 23 October 2007, Commission v Council</u>	ONLINE
128	<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

129	<u>C-624/17, Judgment of the Court (Second Chamber) of 4 July 2019, Tronex BV</u>	ONLINE
130	<u>C-596/16 and C-597/16, Judgment of the Court (Grand Chamber) of 20 March 2018, Enzo Di Puma</u>	ONLINE
131	<u>C-537/16, Judgment of the Court (Grand Chamber) of 20 March 2018, Garlsson Real Estate</u>	ONLINE
132	<u>C-535/15, Judgment of the Court (Third Chamber) of 27 April 2017, Hamburg v Pinckernelle</u>	ONLINE
133	<u>C-524/15, Judgment of the Court (Grand Chamber) of 20 March 2018, Luca Menci</u>	ONLINE
134	<u>C-304/15, Judgment of the Court (Seventh Chamber) of 21 September 2016, Commission v. United Kingdom</u>	ONLINE
135	<u>C-69/15, Judgment of the Court (Fourth Chamber) of 9 June 2016, Nutrivet</u>	ONLINE
136	<u>C-487/14, Judgment of the Court (Seventh Chamber) of 26 November 2015, SC Total Waste Recycling SRL</u>	ONLINE
137	<u>C-184/14, Judgment of the Court (Third Chamber) of 16 July 2015, A v B</u>	ONLINE
138	<u>C-60/12, Judgment of the Court (Grand Chamber) of 14 November 2013, Marián Baláž</u>	ONLINE
139	<u>C-617/10, Judgment of the Court (Grand Chamber) of 26 February 2013, Åklagaren v Hans Åkerberg Fransson</u>	ONLINE
140	<u>C-585/10, Judgment of the Court (Eighth Chamber) of 15 December 2011, Niels Møller v Haderslev Kommune</u>	ONLINE
141	<u>C-549/09, Judgment of the Court (Sixth Chamber) of 20 October 2011, Comission v France</u>	ONLINE
142	<u>C-45/08, Judgment of the Court (Third Chamber) of 23 December 2019, Spector Photo Group</u>	ONLINE
143	<u>C-304/02, Judgment of the Court (Grand Chamber) of 12 July 2005, Commission v France</u>	ONLINE
144	<u>C-494/01, Judgment of the Court (Grand Chamber) of 26 April 2005, Commission v Ireland</u>	ONLINE

145	<u>C-210/00, Judgment of the Court (Fifth Chamber) of 11 July 2011,</u> <u>Käserei Champignon Hofmeister</u>	ONLINE
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