

## EU Waste Legislation and Protection of the Environment Through Criminal Law Focus on combating waste crime

Online workshop for prosecutors and judges

6 October 2020 - 08:45-13.30 (CEST)  
13 October 2020 - 08:45-13.30 (CEST)  
20 October 2020 - 08:45-13.30 (CEST)  
27 October 2020 - 08:45-13.30 (CEST)

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE

**Environmental  
Law**



### Speakers & training managers

**Teresa Fajardo del Castillo**, Associate Professor of Law, University of Granada

**Matthias Keller**, Presiding Judge, Administrative Court, Aachen

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

**Katie Olley**, Scottish Environment Protection Agency (SEPA), IMPEL's LIFE SWEAP Project Expert

**Kristina Persson**, Senior Public Prosecutor, National Unit for Environment and Working Environment Cases, National Public Prosecution Department, Gothenburg

**Kleoniki Pouikli**, Training Coordinator, Course Director, European Public Law, ERA, Trier

**Christoph Sobotta**, Legal Secretary (AG Kokott), CJEU, Luxembourg

**Vojtěch Vomáčka**, Advisor in Environmental Law and EU Law Matters, Supreme Administrative Court of the Czech Republic

### 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 on waste crime
- Various case studies

**Language**  
English

**Event number**  
420DV146

**Organiser**  
ERA (Dr. Kleoniki Pouikli) 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 PROTECTION OF THE ENVIRONMENT THROUGH CRIMINAL LAW – FOCUS ON COMBATING WASTE CRIME

## Tuesday, 6 October 2020 – 1<sup>st</sup> Session

- 08:45 Join the platform
- 09:00 **Welcome and introduction**  
*Kleoniki Pouikli, Course Director, ERA*
- 09:15 **Brief overview of EU waste law and policy**
- Key features and main policy developments
  - EU waste legal instruments
  - Definition of waste
  - Concept of hazardous waste
- European Commission Representative*
- 10:15 Break
- 10:30 **Waste crime: key features and main challenges (PART: I)**
- 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, organised and economic crime
  - Actors and impacts of waste crime
- Teresa Fajardo del Castillo*
- 11:15 Quiz session
- 11:30 **Waste crime: key features and main challenges (PART: II)**  
*Teresa Fajardo del Castillo*
- 12:15 Break
- 12:30 **Illegal treatment and management of waste**
- ELVs and WEEEs
  - Landfill Directive
  - CJEU case law
- Christoph Sobotta*
- 13:30 End of the first session

## Tuesday, 13 October 2020 – 2<sup>nd</sup> Session

- 08:45 Join the platform
- 09:00 **Welcome and practical information**  
*Kleoniki Pouikli, Course Director, ERA*
- 09:15 **Case study on illegal waste disposal with links to illegal waste shipment**
- Introduction to the case study
  - Working groups
  - Plenary discussion of the results
- Matthias Keller*
- 10:45 Break
- 11:00 **Illegal waste trafficking – focus on transboundary movements of waste (PART: I)**
- 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 (e.g. the Netherlands)
- Teresa Fajardo del Castillo*
- 11:45 Quiz session
- 12:00 Break
- 12:15 **Illegal waste trafficking – focus on transboundary movements of waste (PART: II)**  
*Teresa Fajardo del Castillo*
- 13:30 End of the second session

## Objective

The aim of this 4-session online workshop is to provide participants with a comprehensive overview of 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. The workshop will shed light on the protection of the environment through criminal law. It will facilitate the handling of future national court procedures in this field by prosecutors as well as judges.

## Who should attend?

Judges and prosecutors interested in environmental law

## 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



**Times indicated are  
CEST  
(Central European  
Summer Time)**

## Your contact persons



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## Monday, 20 October 2020 – 3<sup>rd</sup> Session

- 08:45 Join the platform
- 09:00 **Welcome and practical information**  
*Kleoniki Pouikli, Course Director, ERA*
- 09:15 **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').
- Vojtěch Vomáčka*
- 10:15 Break
- 10:30 **Investigation, prosecution and adjudication on waste crime (PART: I)**
- Obstacles and challenges at national level
  - International cooperation and coordination
  - Case law
- Kristina Persson*
- 11:15 Break
- 11:30 **Investigation, prosecution and adjudication on waste crime (PART: II)**  
*Kristina Persson*
- 12:15 Quiz Session
- 12:30 **Combatting waste crime in practice: the experience of the IMPEL SWEAP Project**  
*Katie Olley*
- 13:30 End of the third session

## Tuesday, 27 October 2020 – 4<sup>th</sup> Session

- 08:45 Join the platform
- 09:00 **Welcome and practical information**  
*Kleoniki Pouikli, Course Director, ERA*
- 09:15 **Case study on illegal transboundary exporting of hazardous waste**
- Introduction to the case study
  - Working groups
  - Plenary discussion of the results
- Kristina Persson*
- 11:00 Break
- 11:15 **Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime (PART: I)**  
*Matthias Keller*
- 12:00 Quiz session
- 12:15 **Emphasis on preliminary ruling procedure when enforcing EU instruments for combatting waste crime (PART: II)**  
*Matthias Keller*
- 13:00 **Evaluation of the workshop**  
*Kleoniki Pouikli*
- 13:30 End of the online workshop

# Apply online for

EU Waste Legislation and Protection of the Environment through Criminal Law – Focus on Combating Waste Crime

Webinar 6, 13, 20 and 27 October 2020 / Event Number: 420DV146



Online application:  
[www.era.int/?130038&en](http://www.era.int/?130038&en)

Language

English

Contact Person

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## Terms and conditions of participation

### Selection

1. Participation is only open to judges from an EU Member State.
2. The number of places available is limited. Participation will be subject to a selection procedure. Selection will be dependent on:
  - i. the relevance of the seminars to the professional life of the applicant;
  - ii. geographical and linguistic balance among the participants will be sought;
  - iii. In case of exceeding applications, only one person per institution may be accepted.
3. Online applications can be made until **7 September 2020**
4. A response will be given to every applicant of this workshop shortly after this deadline. We advise you not to book any travel or hotel before you receive our confirmation.

### Registration Fee

5. There is no registration fee.

### Participation

6. Participation to the whole workshop is required and your presence will be monitored.
7. A list of participants including each participant's address will be made available to all participants unless the ERA receives written objection from the participant no later than one week prior to the beginning of the event.
8. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.
9. A certificate of attendance will be issued at the end of the workshop.
10. For further details please follow our project website: [www.era.int/environmental\\_law](http://www.era.int/environmental_law)