Parliamentary Assembly
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Transboundary waste and environmental crime: strengthening prevention, traceability and accountability

Motion for a resolution
tabled by Ms Marijana PULJAK and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The transboundary movement of waste is an integral part of Europe's circular economy, but weaknesses in traceability, enforcement and institutional oversight can create opportunities for serious environmental crime. Risks are particularly acute when waste is transported to countries or facilities without adequate capacity for its safe storage, treatment or final disposal.

A recent case under investigation in Gospić, Croatia, where large quantities of waste originating, *inter alia*, from other European countries were allegedly illegally deposited, illustrates these risks. Environmental testing detected persistent PFAS substances in groundwater downstream of the site. The case raises questions about cross-border waste traceability, verification of available treatment and storage capacities, environmental supervision and the ability of competent authorities to detect risks and intervene in a timely manner.

Serious environmental harm may result not only from deliberate criminal conduct but also from inadequate supervision or enforcement. Effective accountability should encompass natural and legal persons responsible for environmental crime, including through remediation obligations, recovery of illicit profits and effective, proportionate and dissuasive sanctions.

Building on Resolution 2398 (2021) "Addressing issues of criminal and civil liability in the context of climate change" and the Council of Europe Convention on the Protection of the Environment through Criminal Law (CETS No. 228), the Parliamentary Assembly should examine whether existing European frameworks provide sufficient safeguards for transboundary waste movements. It should consider measures to strengthen full traceability, prior verification of treatment capacity, cross-border information exchange and enforcement, the polluter-pays principle and remediation obligations. The Assembly should also examine whether existing legal and institutional frameworks ensure effective accountability where serious environmental harm is facilitated by grossly negligent supervision, failure to enforce existing rules or failure by competent authorities to act in a timely manner.

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group