

## XIX CZECH-POLISH-SLOVAK CONFERENCE ON ENVIRONMENTAL PROTECTION LAW – REPORT

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For the 19<sup>th</sup> time international conference on environmental law has already taken place. This year's edition, after meeting in the area of Trnava in 2016 and Brno in 2017, has fallen to the Polish side. The organizer of it was the Chamber of Administrative Law and Environmental Protection Law of the Kazimierz Wielki University in Bydgoszcz. The theme of this year's conference was "Control of environmental regulation's compliance" and the proceedings were held on 19-21 September this year.

More than fifty participants from two Slovak<sup>1</sup>, four Czech<sup>2</sup> and sixteen Polish<sup>3</sup> research units engaged in environmental protection law and representatives of environmental protection administration<sup>4</sup> and administrative judiciary authorities<sup>5</sup> held debates in Chełmno in the Kujawsko-Pomorska Province. The Scientific Committee of the Conference<sup>6</sup> was chaired by Dr. hab. Prof. UKW Zbigniew Bukowski, and Dr. Tomasz Bojar-Fijałkowski was chairing the Organizing Committee.<sup>7</sup>

The opening of the conference, in the historic Chełmno town hall, was done by the vice-rector of the University of Kazimierz Wielki in Bydgoszcz, prof. Zbigniew Bukowski and the mayor of Chełmno, Mr. Mariusz Kędzierski. In the same place, panel I of the conference took place. It was entitled "Theory of the control of environmental regulation's compliance" and chaired by prof. Zbigniew Bukowski. As the first one, a lecture entitled "An introduction to control mechanisms in environmental law" was given by doc. JUDr. Vojtěch Stejskal, Ph.D.<sup>8</sup> Next speaker was Dr. hab. Prof. INP PAN Adam Habuda<sup>9</sup> with an address "Poland's compliance to the provisions on environmental protection in reference to the jurisdiction of the Court of Justice of the European Union". JUDr. Mar-

<sup>1</sup> Comenius University in Bratislava, Trnava University in Trnava.

<sup>2</sup> Charles University in Prague, Masaryk University in Brno, Palacký University in Olomouc, Tomas Bata University in Zlín.

<sup>3</sup> Kazimierz Wielki University in Bydgoszcz, Nicolas Copernicus University in Toruń, University of Łódź, University of Silesia in Katowice, University of Szczecin, University of Gdańsk, University of Warmia and Mazury in Olsztyn, University of Białystok, Maria Curie Skłodowska University in Lublin, The John Paul II Catholic University in Lublin, Institute of Law Studies Polish Academy of Science, Academy of Fine Arts in Gdańsk, Jan Długosz University in Częstochowa, European School of Law and Administration in Warsaw, Gdańsk College, Bydgoszcz College.

<sup>4</sup> General Inspectorate of Environmental Protection of Poland, regional directories of environmental protection in Poland.

<sup>5</sup> Supreme Administrative Court of Poland, regional administrative courts in Poland.

<sup>6</sup> List of members: dr hab. Prof. UKW Zbigniew Bukowski (Kazimierz Wielki University in Bydgoszcz), prof. zw. dr hab. Janina Ciechanowicz-McLean (University of Gdańsk), prof. zw. dr hab. Wojciech Radecki (Institute of Law Studies Polish Academy of Science), prof. JUDr. Milan Damohorský, DrSc. (Charles University in Prague), doc. JUDr. Vojtěch Stejskal, Ph.D. (Charles University in Prague), dr Tomasz Bojar-Fijałkowski (Kazimierz Wielki University in Bydgoszcz).

<sup>7</sup> List of members: dr Tomasz Bojar-Fijałkowski, mgr Katarzyna Biskup, mgr Miłosz Chruściel – employees in Chamber of Administrative Law and Environmental Protection Law of the Kazimierz Wielki University in Bydgoszcz.

<sup>8</sup> Charles University in Prague.

<sup>9</sup> Institute of Law Studies Polish Academy of Science.

tina Franková, Ph.D.<sup>10</sup> gave a lecture on “Private law limits of control of environmental regulation”. Another speaker, Dr. hab. Prof. UŚ Grzegorz Dobrowolski,<sup>11</sup> gave a lecture “On the necessity for the reform of institutional environmental protection in Poland”. Prof. JUDr. Soňa Košičiarová, Ph.D.<sup>12</sup> delivered a lecture titled “The legal nature and types of inspection instruments in environmental protection in Slovakia”. The panel ended by a lecture entitled “Control of the compliance in the Czech Nature Conservation Law” by prof. JUDr. Milan Damohorský, DrSc.<sup>13</sup> After the end of the first panel, the participants visited the Chełmno Land Museum, located in the town hall, along with a viewing terrace and a tower.

Continuation of the conference took place at Karczma Chełmińska Hotel. Here was also held the panel II of the conference entitled “Organs and institutions in control of environmental regulation’s compliance part 1”, chaired by prof. Soňa Košičiarová. The first speech, by Dr. Daria Danecka<sup>14</sup>, was dedicated to the “Organization of environmental inspections in Poland, the Czech Republic and Slovakia”. This thread was continued by prof. zw. dr hab. Wojciech Radecki<sup>15</sup> and his speech entitled “The role of the Environmental Inspectorate in prosecuting crimes, administrative offenses and torts in Poland, the Czech Republic and Slovakia”. Mgr. Martin Dufala, Ph.D.<sup>16</sup> gave a lecture entitled “Status and Role of The Slovak Inspection of the Environment”. Dr hab. Prof. UWM Elżbieta Zębek<sup>17</sup> presented the speech “The role and competences of the regional director of environmental protection in the field of nature protection on the example of the Warmia and Mazury Voivodeship”. The panel was completed by Mgr. Katarzyna Zawada<sup>18</sup> with the report “Bodies for controlling compliance with environmental law in the Russian Federation”.

Panel III entitled “Organs and institutions in control of environmental regulation’s compliance part 2” was chaired by prof. Grzegorz Dobrowolski. Prof. zw. dr hab. Bartosz Rakoczy<sup>19</sup> delivered here his speech “State Water Farm “Wody Polskie” as a control body in the field of collective water supply and collective sewage collection”. JUDr. Jiří Pokorný, Ph.D.<sup>20</sup> presented the speech entitled “The Role of the Czech Energy Regulation Office in the Area of the Environmental Protection”. In turn, Dr. Tomasz Bojar-Fijałkowski<sup>21</sup> presented the paper “Environment as a subject of control for the Sanitary Inspection”. JUDr. Tereza Snopková, Ph.D.<sup>22</sup> gave a lecture on “Municipalities and control of environmental regulation’s compliance”. Dr Joanna Sylwia Kierzkowska<sup>23</sup> gave a lecture “Implementation of a control function by communal (municipal) guards in the subject of waste management in the light of statistics of the Municipal Police in Bydgoszcz”. Mgr. Filip Nawrot<sup>24</sup> gave a lecture on “Few remarks about the system position of Lasy Państwowe”. The panel was finished

<sup>10</sup> Charles University in Prague.

<sup>11</sup> University of Silesia in Katowice.

<sup>12</sup> Trnava University in Trnava.

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<sup>14</sup> Institute of Law Studies Polish Academy of Science.

<sup>15</sup> Institute of Law Studies Polish Academy of Science.

<sup>16</sup> Comenius University in Bratislava.

<sup>17</sup> University of Warmia and Mazury in Olsztyn.

<sup>18</sup> University of Silesia in Katowice.

<sup>19</sup> Nicolas Copernicus University in Toruń.

<sup>20</sup> Charles University in Prague.

<sup>21</sup> Kazimierz Wielki University in Bydgoszcz.

<sup>22</sup> Charles University in Prague.

<sup>23</sup> Gdańsk College, Bydgoszcz College.

<sup>24</sup> University of Silesia in Katowice.

by Mgr. Wojciech Iskra<sup>25</sup> with the speech “Wody Polskie – structure and tasks”. The first day of the conference, September 19, ended with visiting the monuments of Chełmno and a gala dinner.

On September 20 two panels were planned. Panel IV “Instruments and procedures of control of environmental regulation’s compliance part 1” was led by prof. Milan Damohorský. During it, prof. zw. dr hab. Marek Górski<sup>26</sup> gave a lecture on “Water law assessment as a preliminary supervision formula”. Dr hab. Prof. KUL Anna Haładyj<sup>27</sup> presented a paper entitled “Control powers in waste transport”. Dr Diana Trzcińska<sup>28</sup> spoke about “Control of the economic exploitation of resources of nature”. Dr Ewa Radecka<sup>29</sup> on “Control of compliance with prohibitions in the national park and nature reserve”. Mgr. Jana Šmelková, Ph.D.<sup>30</sup> presented the paper “Violation of legal obligations in the area of nature and landscape protection in Slovak Republic conditions”. Mgr. Natalia Kubacka-Burakiewicz<sup>31</sup> gave a lecture on the “Control rights of Straż Leśna”. The panel ended JUDr. Jiří Zicha, Ph.D.<sup>32</sup> with a report “Enforcement of Environmental Standards by Criminal Law: Example of Wildlife Crime in Europe”. After the panel IV, the participants of the conference went to Bory Tucholskie forests for a study visit devoted to nature conservation.

When the participants returned to Chełmno, a panel V entitled “Control of environmental regulation’s compliance in administrative and administrative court’s procedures” was held, chaired by doc. JUDr. Vojtěch Stejskal. Prof. zw. dr hab. Jerzy Stelmasiak<sup>33</sup> gave a lecture “Follow-up of post-control order of the voivodship environmental protection inspector in jurisdictions of administrative courts”. Dr. Zygmunt Wiśniewski<sup>34</sup> presented a paper entitled “The role of administrative courts in controlling compliance with environmental protection regulations – selected issues”. Dr. hab. Prof. UwB Ewa Katarzyna Czech<sup>35</sup> spoke about “Control of compliance with environmental protection regulations in the context of defining the date of performance of obligations imposed by the application of art. 362 of the Environmental Protection Law”. Dr Karolina Szuma<sup>36</sup> delivered a paper on “Evidence for the fact of the violation of environmental law”. Mgr. Michał Makuch<sup>37</sup> talked about “Judicial control of the creation and functioning of forms of nature protection in Poland”. The panel was closed by Mgr. Eliza Jurkianiec<sup>38</sup> with the speech “Judicial and administrative control of imposing fees raised in environmental proceedings”.

The last, third day of the conference, falling on September 21, opened panel VI entitled “Instruments and procedures of control of environmental regulation’s compliance part 2”, chaired by prof. Anna Haładyj. The opening speech “Effectiveness of the implementation of the legislation on the Common Agricultural Policy in the assessment of the European Court of Auditors” was given by

<sup>25</sup> University of Silesia in Katowice.

<sup>26</sup> University of Szczecin.

<sup>27</sup> The John Paul II Catholic University in Lublin.

<sup>28</sup> University of Gdańsk.

<sup>29</sup> University of Silesia in Katowice.

<sup>30</sup> Comenius University in Bratislava.

<sup>31</sup> University of Warmia and Mazury in Olsztyn.

<sup>32</sup> Tomas Bata University in Zlín.

<sup>33</sup> Maria Curie Skłodowska University in Lublin.

<sup>34</sup> Supreme Administrative Court of Poland.

<sup>35</sup> University of Białystok.

<sup>36</sup> European School of Law and Administration in Warsaw.

<sup>37</sup> Jan Długosz University in Częstochowa.

<sup>38</sup> Institute of Law Studies Polish Academy of Science.

Dr. hab. Monika A. Król.<sup>39</sup> JUDr. Vojtěch Vomáčka, Ph.D.<sup>40</sup> presented the paper “Waste Control Practices in the Czech Republic”. JUDr. Michal Sobotka, Ph.D.<sup>41</sup> gave a lecture entitled “Control mechanisms of waste management”. Dr. Michał Buliński<sup>42</sup> presented the paper “Natural inventory and the consequences in effective compliance with nature and environmental protection regulations”. The panel was closed by Mgr. Katarzyna Biskup’s<sup>43</sup> speech “Administrative fees in connection with the implementation of the investment in contravention of the conditions set out in the decision on environmental conditions”.

The last, panel VII of the conference, entitled “Instruments and procedures of control of environmental regulation’s compliance part 3”, was led by Dr. hab. Monika Król. In this panel Mgr. Karel Huneš<sup>44</sup> gave a lecture on “Control in the area of artificial snow production”. Mgr. Jan Hak<sup>45</sup> presented a paper entitled “The right to information as a tool of control of environmental regulation’s compliance”. Mgr. Klaudia Cholewa<sup>46</sup> gave a lecture on “Cooperation in issuing decisions on environmental conditions”. Mgr. Miłosz Chruściel<sup>47</sup> spoke about “The role of the Regional Directorate of Environmental Protection in the use of funds from the Natura 2000 program”. Dr. Małgorzata Szalewska<sup>48</sup> gave a lecture “Control of a water and sewage company as the competence of a mayor or city president”. The panel was closed by Dr. hab. Prof. UKW Zbigniew Bukowski<sup>49</sup> with speech “Control of compliance with environmental protection regulations versus circular economy”.

prof. Zbigniew Bukowski also summarized and closed the debates, thanking the participants for coming to Chełmno and active participation. Prof. Milan Damohorský invited the participants of the conference to the XX anniversary Czech-Polish-Slovak conference on environmental law, which is to take place in September 2019 in Prague. Its organizer will be the Charles University in Prague and the team of prof. Damohorský. The intention of organizing the XXI conference, in 2020, was declared by the representatives of the Comenius University in Bratislava.

When the participants submit the written versions of presentations, the organizers of the XIX Czech-Polish-Slovak conference on environmental protection law “Control of environmental regulation’s compliance” plan to publish a monograph. Thanks to the courtesy and commitment of prof. Wojciech Radecki and prof. Milan Damohorský all the speeches during the conference in Chełmno were translated, so participants gave speeches in their first languages without worrying about their understanding by participants from other countries.

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<sup>39</sup> University of Łódź.

<sup>40</sup> Masaryk University in Brno.

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<sup>43</sup> Kazimierz Wielki University in Bydgoszcz.

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