



PRESS RELEASE No 30/25

Luxembourg, 6 March 2025

Judgment of the Court in Case C-315/23 | Commission v Croatia (Biljane Donje landfill II)

The Court imposes financial penalties on Croatia for failing to manage, in an appropriate manner, waste deposited in a landfill and posing a danger to human health and the environment

In a judgment in 2019, the Court had already found that Croatia had failed to fulfil its obligations under EU law

In May 2019,¹ the Court of Justice held that Croatia had not complied with rules of EU law and, more specifically, with its obligations under the Directive on waste.² That directive is aimed at preventing or reducing the negative effects that waste management may have on the environment and human health.

Since 2010, stone aggregate weighing approximately 140 000 tonnes has been deposited in the village of Biljane Donje, near to homes, without any significant action being taken by the competent Croatian authorities. Those products pose a risk of discharge of harmful substances, contain dangerous substances and are radioactive, all of which are above the permitted levels.

In its judgment of 2019, the Court concluded that the deposited stone aggregate had to be regarded as 'waste' within the meaning of the directive: it therefore had to be managed without endangering human health or harming the environment. Furthermore, Croatia was required to take the necessary measures to ensure that the holder of the waste treated it themselves or had the treatment handled by a professional.

In May 2023, the European Commission took the view that Croatia had still not complied with the judgment of 2019, and brought a new action for failure to fulfil obligations.

In its judgment, **the Court of Justice concludes that Croatia did not find that the deposited stone aggregate constituted waste, and that Croatia has not taken the necessary measures to manage the waste at issue in an appropriate manner and in accordance with EU law. It orders Croatia to pay a lump sum of € 1 000 000 and a penalty payment of € 6 500 per day of delay.**

In setting the amount of the financial penalties, the Court takes into consideration, inter alia, the seriousness of the infringement, its duration and the Member State's capacity to pay.

The Court finds that Croatia has not made significant progress in order ensure full compliance with the judgment of 2019 and that it was only after the Commission brought the second action that the Croatian Government took the decision to clean up the Biljane Donje landfill. **The failure to fulfil obligations has persisted for almost six years**, which is a considerable period of time. The Court takes into account, inter alia, the fact that Croatia estimates that the waste at issue will not be fully disposed of before August 2025, that is, approximately fifteen years after it was deposited at the Biljane Donje site.

NOTE: An action for failure to fulfil obligations directed against a Member State which has failed to comply with its obligations under EU law may be brought by the Commission or by another Member State. If the Court of Justice finds that there has been a failure to fulfil obligations, the Member State concerned must comply with the Court's judgment without delay. Where the Commission considers that the Member State has not complied with the judgment, it may bring a further action seeking financial penalties. However, if measures transposing a directive have not been notified to the Commission, the Court of Justice can, on a proposal from the Commission, impose penalties at the stage of the initial judgment.

Unofficial document for media use, not binding on the Court of Justice.

The [full text and, as the case may be, the abstract](#) of the judgment is published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit ☎ (+352) 4303 3355.

Pictures of the delivery of the judgment are available from "[Europe by Satellite](#)" ☎ (+32) 2 2964106.

Stay Connected!



¹Judgment of the Court of 2 May 2019, Commission v Croatia (Biljane Donje landfill), [C-250/18](#).

² [Directive 2008/98/EC](#) of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.