



PRESS RELEASE No 59/25

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Judgment of the Court in Case C-318/23 | Commission v Slovenia (Bukovžlak landfill)

Waste management: the Court imposes a financial penalty on Slovenia for having failed to comply with its obligations with regard to the landfilling of waste

The Court previously made an initial ruling, in a 2015 judgment, that Slovenia had failed to fulfil its obligations

By judgment of 16 July 2015, ¹ the Court of Justice, hearing an action brought by the Commission, ruled that Slovenia had infringed EU law on waste management. ² That infringement was linked, in particular, to the existence of an illegal landfill in the municipality of Teharje (Bukovžlak), in so far as Slovenia had authorised the deposit of excavated earth without ascertaining whether other waste had been deposited on that site and without taking any measures to remove the unauthorised waste.

Since Slovenia failed to adopt the measures necessary to comply with that judgment, the Commission, in May 2023, brought a new action for failure to fulfil obligations, seeking an order that Slovenia pay a lump sum. ³

The Court upholds that action and finds that, upon expiry of the period prescribed by the Commission, ⁴ Slovenia had not complied with the judgment of 16 July 2015.

The Court finds that that Member State had sufficient time in which to achieve the rehabilitation of the landfill in question and that the delay cannot be justified, in particular, either by the Covid-19 pandemic or by the disruption caused by that pandemic to administrative activities.

In order to prevent future infringements of EU law, **the Court orders Slovenia to pay the Commission a lump sum of € 1 200 000.**

In order to set that amount, the Court took into consideration the relevant factors in that respect, such as the seriousness and duration of the infringements found as well as Slovenia's ability to pay.

As regards the seriousness, the Court notes that the failure fully to comply with its judgment of 16 July 2015 must be regarded as particularly serious since it gave rise to significant risks to the environment and human health.

As regards the duration of the infringement, the Court finds that the infringement continued from 16 July 2015 until 13 November 2024, that is to say, a period of nine years and four months, which is a considerable period of time.

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 are published on the CURIA website on the day of delivery.

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

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¹ Judgment of the Court of 16 July 2015, *Commission v Slovenia*, [C-140/14](#).

² [Directive 2008/98/EC](#) of the European Parliament and of the Council of 19 November 2008 on waste; Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste; Council [Decision 2003/33/EC](#) of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex II to Directive 1999/31/EC.

³ See also Press Release [IP/23/501](#) of the Commission of 15 February 2023.

⁴ That is to say, 8 August 2018.