



SUMMARY OF CASE LAW ON WASTE PRODUCER LIABILITY

RUSSIA

We did not find any relevant reported judicial decisions from Russian courts, although there are cases against entities that mismanaged wastes.

The law in Russia follows an older pattern often used in Europe before the EU Waste Framework Directive.

“Ownership of the waste belongs to a legal or natural person whose production or other economic activities leads to waste and that in the exercise of its right of ownership is required to take measures to prevent harm to the environment and public health, to strive for a more complete and efficient use of the original materials. The waste producer acquires ownership of the waste from the moment of their formation, unless otherwise provided by the laws of the state and (or) agreement on the use of the property, which was the source of the formation of these wastes.

3. The owner of the waste may transfer ownership of the waste, the very property and the risk associated with such a transfer to others on the basis of the contract of sale, exchange, gift, or any other transaction on the alienation of waste or by performing other actions proving the acquisition of waste their property.”

“[On Production and Consumption Wastes](#)” (new edition) (adopted by resolution at the twenty-ninth plenary meeting of the Interparliamentary Assembly of the CIS Member States of October 31, 2007 N 29-15).

The European courts have construed such a provision to require that the third party be licensed to handle the waste and manage it within the requirements of the license. There is no Russian law on this issue.

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