

Summary

One of the key challenges facing 21st century generations is to prevent further degradation of the environment and try to restore its balance. Undoubtedly, a set of actions of particular importance for the achievement of this objective is the proper management of waste. In view of the enormous rate of implementation of economic activities, resulting in the creation of successive masses and categories of waste and the creation of technological solutions enabling their use in the processes of waste generation and management, it turns out to be indispensable to create and apply successive legal regulations. At the same time, the recognition of a clean, healthy environment in proper balance as a human right is increasingly being emphasised internationally and nationally. This intertwining of the institutions in question has determined the need to analyse the constitutional aspects of waste management.

The author formulates the thesis that in a democratic state of law, it is necessary to constitutionally determine waste management. Legal regulations devoted to this matter must reflect a specific axiological system stemming from the Basic Law, as well as from international and EU law. At the same time, in a dynamically developing society and economy, the issue of environmental protection, and in particular waste management, its processing and recycling, is a value subject to constitutional protection. The above allows us to assume that the Basic Law is a real and normative act - reflecting and determining the entirety of legal, social and economic relations in the state. Through its system of principles and values, the Constitution fundamentally influences the shape of the law and its application.

The paper consists of five chapters, an introduction and a conclusion. Chapter I deals with the relationship of the Constitution with environmental protection and waste management. In this respect, historical aspects relating to previous basic laws have been indicated. An excellent part of the chapter, however, is devoted to the current constitutional rules generating environmental rights and obligations and constituting tools relevant for this protection. It also discusses the influence of the Constitution on further legal and extra-legal activities in the field of waste management and the admissibility of limiting the constitutional rights and freedoms of the individual in connection with waste management.

Chapter II deals with waste management law from the perspective of international law and European Union law. An attempt is made here to compile the most relevant acts regulating cooperation in waste management, between states, international organisations and other subjects of international law. The second part of the chapter outlines the current of waste management law within the EU and the resulting obligations of the Republic of Poland.

It also discusses the contextual treaty basis and the most relevant secondary legislation. The relationship of domestic *lex fundamentalis* to international and EU law is also presented. A catalogue of selected legal principles determining waste management is presented in Chapter III. The selection of principles is conducted here in such a way as to present the implementation of the previously discussed constitutional rules in waste management law and in environmental law. At the same time, their pedigree was indicated, especially when derived from the *acquis* of international and EU law, which allowed for an examination of the coherence of the system of values between the Constitution, the Treaties and acts of international law. The next chapter discusses the legal regime of national waste management. The content of Chapter IV is essentially divided into a discussion of the normative basis of national waste management and an analysis of the tasks and competences of public authorities in the sphere of waste management. Complementarily, the chapter pages also discuss the influence of the judiciary on the environmental law system, including waste management legislation.

Particular attention is paid to the recycling process, as a particularly developing and extremely popularised way of dealing with waste in recent decades. The last chapter of the work, deals with this very institution. It discusses the concept and essence of recycling, the legal rules for its implementation with a breakdown into individual categories of waste, and finally the tasks and competences of public authorities in this area. By analysing the recycling legislation, an attempt was finally made to determine the veracity of the thesis.

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