

## CASE LAW – LINKY COUNTERS : JUSTICE BETWEEN HESITATIONS AND CONTRADICTIONS

In total, there are about twenty processes underway, with more than 5000 applicants. After contrasting decisions regarding Linky meters, a court that accepted requests from people who opposed the installation of Linky meters while another rejected similar requests, Justice faces a daunting challenge: rule while there is no scientifically proven risk.

In fact, while the Tour Court ordered on Tuesday, July 30, 2019, the withdrawal of the Linky electric meter from the home of thirteen people (and rejected another 108 complaints), on Friday, August 3, the Nanterre Court rejected some 430 claims that opposed the installation of said meter. The vast majority of sentences handed down in France also go in this direction. To justify its decision, the Tour Court held the existence of a "direct causal link" between the placement of Linky and the pathologies that the selected applicants attributed to sensitivity to electromagnetic fields (fatigue, etc.). However, this causal link has not been recognized by ANSES. More generally, health authorities do not recognize the existence of an electrohypersensitivity syndrome (EHS), without denying the suffering of people who say they are affected. The Nanterre Court determined that the plaintiffs did not provide evidence "of a causal link between their pathology and exposure to the electromagnetic fields of Linky meters."

In fact, legal causality and scientific causality are two concepts that sometimes dissociate. Therefore, the question is whether we should wait until we have scientific certainty to make decisions and, in the meantime, reject all complaints at the risk of judicial error. However, the precautionary principle of Article 5 of the Environmental Charter should allow a decision to be taken in the absence of certainty about the state of scientific knowledge of the moment.

Pending a decision decided by the judge, these decisions are only provisional, because they are taken after a summary process: it was not mainly about judging on the merits but having a quick decision to "Freeze the situation" before any Judgment on the merits.

## TOURISM – A PLATFORM TO PROMOTE GREEN TOURISM

Ecology does not take vacations! In fact, 8% of global greenhouse gas emissions come from tourism. This percentage is largely caused by air transport, since a round trip from Paris to New York emits both CO<sub>2</sub> and all the consumption of a Frenchman during the heating year. By way of comparison, taking the train allows 50 times less CO<sub>2</sub> to be rejected.

But specifically, is it possible to schedule ecological vacations for all budgets? In this spirit of ecological vacations and to answer this question, the voyagir.org platform, launched in June 2016, proposes to identify the ecological and sustainable directions of an awareness-raising tourism. Restaurants, accommodations and leisure activities that respect the environment are identified. It seems that this solution is timely because, according to a booking.com study

## FOOD – THE IPCC CALLS FOR CHANGES IN CONSUMPTION PATTEMS

After being approved on Wednesday, August 7 by the 195 delegations of the member countries, the report of the experts from the IPCC (Intergovernmental Panel on Climate Change) was made public on Thursday, August 8. To reduce global warming, the IPCC recommends a diet change. In fact, agriculture, forestry and other land uses, such as livestock, account for 23% of total greenhouse gas emissions, experts say.

In the crosshairs of the report: the world food system, its limits and the evolution of diets. For example, the is questioned, which modification of land have evolved in the last per capita has more 1961, even when 820 the same time, two or obese and "25 to wasted."



increase in meat consumption inevitably affects the use and climate. Eating habits fifty years: the supply of meat than doubled on average since million people are hungry. At billion adults are overweight 30% of total food production is

In the future, several changes in consumption patterns will be needed, which can be guided by policy options, according to the IPCC, such as the promotion of diets based on plant-based foods, cereals, legumes, fruits, vegetables, nuts and seeds. This text also recalls the need, already highlighted in the previous IPCC report, to quickly reduce greenhouse gas emissions to avoid "irreversible losses" in the ecosystems necessary for food, health and nutrition. The habitat of humans.

## PESTICIDES – THE LAW ON THE APPLICATION OF PESTICIDES NEAR HOMES

conducted in 2018, 87% of international travelers want to travel limiting their environmental impact.

## **CLIMATE – MITIGATE GLOBAL WARMING BY « AFFORESTATION » OF URBAN CENTERS**

Meteorologists say: in the near future, with global warming, heat waves will multiply and the climate of Paris will be similar to that of Canberra, the capital of Australia. Hence the decision of the city of Paris to launch this month a study called "trees and climate" to determine the species that in the future will adapt more to the new Parisian climate. The challenge is twofold: it is necessary to find both species that resist high temperatures and also cool the city. Many recent studies show that greening urban centers as much as possible and the most efficient way to reduce temperatures there.



The study of "trees and climate" will be carried out for several years and will observe the behavior of nine different species: the lime, the black acacia, the oak, the fake acacia of Japan, the small-leaved lime, the resistant elm, the Japanese zelkova, the oak and the common banana. The objective is to determine which are the most resistant. That is why thirty-six trees in the city will be equipped with devices that measure hardwood microcontractions according to climate records. These "guinea pigs" are scattered in different places in Paris: parks and gardens, streets, boulevards, forests ... The first conclusions will be released in 2021, but the data will be recorded continuously for three years.

In France, with urban expansion, more and more people live in subdivisions adjacent to the fields, most often treated with pesticides. What is the regulation on the application of pesticides near homes?

Numerous studies have linked pesticides with health risks and widespread pollution of environments (especially aquatic). While the main source of pesticide contamination is still food, more and more homes are adjacent to agricultural areas regularly treated with pesticides. This is a significant risk, especially when the gardens include orchards that may be contaminated and / or children and animals that may be exposed to pesticides without any protection.

Today, in France, there is currently no legislative provision that defines a buffer zone between living areas and pesticide application areas (a buffer zone is an area between two geographical or biogeographic entities, for example, a natural or artificial environment, which unites and / or separates the two entities.) In fact, there was a decree of September 12, 2006 that established the rules on the use of pesticides: "The products cannot be used in spraying or sprinkling only if the wind it has a degree of intensity less than or equal to 3 on the Beaufort scale ", which corresponds to 19 km / h. This so that pesticides do not disperse too much when touching local residents, but also to surrounding environments. But since July 6, 2016, the National Association of Pears and Apples (ANPP, in French) has obtained the repeal of this decree. To date, there is a legal vacuum regarding the issue of pesticide application near homes.

## **ENERGY – BIO KEROSENE : THE SOLUTION FOR AIR TRANSPORT ?**

To limit greenhouse gas emissions caused by air transport, some want to ban domestic links, while others rely on the development of bio kerosene. Can this non-fossil fuel currently used in an experimental state, by itself, allow the sector to develop without heating the planet?

If kerosene is obtained by oil distillation, bio kerosene is produced by fermentation of plants (rape, palm, beet, etc.) or by the treatment of used oils, such as industrial frying oils or resources that cannot be used for food (stalks, stubble or seed films).

The great advantage of bio kerosene is that it emits less greenhouse gases compared to fossil fuels. To be certified, the bio kerosene must emit 60% less GHG than the latter. On the contrary, terrestrial biofuels manage to emit 80% less greenhouse gas emissions. On the contrary, bio kerosene does not allow to obtain kerosene properties that are useful for aviation, and you have to mix it with kerosene if you want to use it.

The objective is to reduce the emissions of the sector by 50% by 2050. This objective could be achieved with bio kerosene, but the problem is mainly economic: it costs twice as much as kerosene. If we wanted to completely replace kerosene with bio kerosene, it would create very strong tensions in the markets. To develop the latter, it would be possible to establish subsidies or a carbon tax system that would increase the price of kerosene.

## **WASTE – ROME : A SUBWAY TICKET IN EXCHANGE FOR 30 RECYCLED BOTTLES**

How to reconcile purchasing power and environmental problems? This is the bet that Rome tries to implement. Since the end of July, the city offers its users to recycle their plastic bottles in exchange for a subway ticket. Specifically, at the rate of 30 plastic bottles deposited in the terminals provided, it is possible to obtain a transport ticket at the cost of 1.50 euros, or 5 cents per bottle. The initiative aims, on the one hand, to stop the contamination of plastics and, on the other hand, to stop fraud in the subway. It is an ecological and economic way of moving around the Italian capital. The operation still in the testing phase began on Wednesday, July 31 for a period of one year.

Therefore, three stations in the city are equipped with these terminals. It should be noted that Rome is the first major European capital to implement a project of this type whose long-term challenge is to ban single-use plastic that leads to waste management difficulties.

Despite the innovation of the project, it should be noted that Turkey was one of the first countries to have started this type of experiment. The principle is the same, users have the opportunity to pay for their subway card by inserting recyclable bottles and cans in dedicated machines. Now it is expected that the French cities will follow suit by demonstrating more innovation and practicality in the fight against plastics.