

# PRESS'Environnement

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## HEADLINES - TRANSPORT - THE FIRST GREEN OBLIGATION FOR SNCF NETWORK

With the decrease of bank loans, we are now witnessing the development of the global market for green bonds also called green bonds. This market promotes energy transition and sustainable development by financing projects which they finally. It is through this system of funding that the SNCF network, hitherto indebted to the tune of 44 billion euros, was granted 900 million euros to renovate its infrastructure network, while protecting biodiversity and resources natural. Globally, it is the first infrastructure manager to issue green bonds. This "green" loan is taken for 15 years at a rate of 1.104%. It has convinced many including Nordic investors, the crucial importance was the renovation of its infrastructure network. It showed that many years of practice would then be provided to the railway transport, transportation is much less polluting than others in terms of CO2 emissions. She is also certified Oekom Research and Climate Bond Initiative. Finally, it is committed to returning each year on the market, to issue new bonds. The French government has also made this commitment, as of next year it will issue green bonds.



## BIODIVERSITY - THE DISAPPEARANCE OF THE POPULATION OF VERTEBRATES?

The report Living Planet 2016 published Thursday, October 27<sup>th</sup> by the World Wide Fund for Nature (WWF) launched an alarm about the disappearance of the population of vertebrates (that is to say, fish, birds, mammals, amphibians and reptiles). The report reveals an enlightening fact: their population dropped by 58% between 1972-2012.

To assess the evolution of vertebrates, WWF builds two indices: the Living Planet Index and the Ecological Footprint, which once again denounces the impact of man on the environment. Indeed the increase in human population causes a detrimental urbanization on the environment. Specifically, it is our food system that WWF will point the finger. It leads to overexploitation of species. More species will be overexploited and agriculture result in overconsumption of water, but also deforestation, air pollution, and soil. The food system while several key environmental issues.

As stated Marco Lambertini, CEO of WWF, the situation is even more alarming that this is not just the loss of species, but of ecosystem collapse. It is then necessary to implement effective solutions to ensure the sustainability of ecosystems and biodiversity.



## WASTE AND URBANISM - RECYCLED PLASTICS IN HOUSES WHICH IN COLOMBIA



In 2014, Oscar Mendez entrepreneur to head Conceptos Plasticos, had the idea to build houses with bricks made of used plastic. Today, the construction of 600 new homes is on the agenda for the year 2018. This comprehensive project is twofold. The first is to give new life to plastic waste which put more than 500 years to degrade in nature. The second is the construction of dwellings for those who do not. These homes have many advantages, such as their low costs and low environmental impact. The bricks are lightweight and very easy to assemble, which makes them very attractive building time. This project takes into account ecological, social and economic. In words, the company is at present aided by outside agencies for financing and collection of waste plastics, aspires to a circular economy. She would collect them directly at the inhabitant to reduce pollution related to transportation. Increasing the number of tons of waste it processes per month is also one of his ambitions.



## ENVIRONMENT - THE CLASS ACTION WILL FINALLY INTEGRATE THE ENVIRONMENTAL CODE

For the final adoption of the bill to modernize the justice of the XXI century on October 12<sup>th</sup>, the National Assembly held in French law a general legal framework to class action procedure allowing an applicant to exercise on behalf of several people legal action, and that only existed before in terms of consumption and competition. A group action may particularly be implemented on the basis of Article L. 142-3-1 of the Environmental Code.

Under the new provisions, can use those placed in a similar situation undergoing harmed because of damage in the areas mentioned in Article L. 142-2 of the Environmental Code in class action protection of nature and the environment, improving quality of life, protection of water, air, soils, sites and landscapes, urban development, maritime fishing, the fight against pollution and nuisances, safety nuclear and radiation safety, business practices and misleading advertising. This damage must be caused by the same person and have a common cause failure similar to his legal or contractual obligations.



## ENERGY - THE MULTI-YEAR ENERGY PROGRAM IS PUBLISHED

Requested by the law of energy transition, the decree on the multiannual programming of the energy has been published in the Official Journal on October 28<sup>th</sup> 2016. It sets a series of consumption goals and fossil energy production, electricity and gas. It assesses the country's energy needs in the coming years and deduct in production requirements in respect of the major objectives of the law.

The program provides for rather ambitious goals for the development of renewable energy and sets targets in terms of reducing fossil primary energy consumption compared to 2012: -8.4% in 2018 and -15.8% in 2023 to natural gas; respectively -15.6% and -23.4% for oil; -27.6% And -37% for coal.

Finally, all forms of energy, the energy program is a decrease in final consumption -7% in 2018 and -12.6% in 2023 compared to 2012.



**CJEU October 7<sup>th</sup>, 2016, C-584/14 - Waste**

In that judgment the Court of Justice of the European Union condemns the Hellenic Republic to pay a fine of 30,000 euros per day of delay in complying with the judgment of the same court September 10<sup>th</sup>, 2009 (C-286/06 ). Greece had indeed been an infringement action by the Commission by not taking the measures necessary to transpose Directive 2006/12 / EC on waste and 1999/31 / EC on waste dangerous. The Member State was especially held responsible for deficiencies "have neither developed nor adopted within a reasonable time, a hazardous waste management plan (...) and have not established an integrated and adequate network disposal facilities for hazardous waste. "

This judgment underlines the importance the Court of Justice of the result obligation of Member States in transposing European directives. The circumstances that a State is in development plans of waste management and adequate facilities including medical waste materials, animal by-products and polychlorinated biphenyls (PCBs) can not establish that the state member has complied with the directive.

The first stop was thus left a deadline for Greece to overcome the deficiencies found. The situation is unchanged, the Commission comes before the Court to submit to the Greece penalty required that the Member State takes the necessary action in such an important matter as the management of hazardous waste.

**CJEU - October 27<sup>th</sup>, 2016, C-190/15 - Aeolian**

The Court answered in the affirmative to the Belgian Council of State, which had before it a preliminary ruling on whether a regulatory decree laying down framework provisions for the installation of wind turbines should be understood as part of " plans and programs "and therefore be subject to an impact assessment and public participation, in accordance with Directive 2001/42 / EC.

However, the program slices anything on the future of nuclear power. Just it simply recalls the Presidential goal of reducing the nuclear share of 75% to 50% in the electricity mix. For the rest, it refers to EDF.



**AIR POLLUTION - CONCENTRATION OF FINE PARTICLES RECORD IN NEW DELHI**

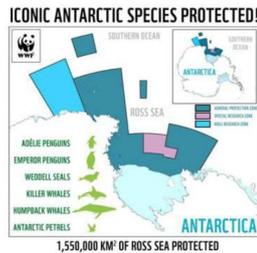
The air pollution in India is unfortunately talking to her for ten years, but it is becoming increasingly worrying: this Monday, October 31<sup>th</sup>, 2016, in New Delhi a pollution record has been achieved. While WHO sets tolerable threshold of 60 micrograms per cubic meter, about the concentration of fine particles, New Delhi showed 2.5.

Air pollution is a real concern and it is especially dangerous in winter, because there is no wind to drive the fine particles that focus during periods of cold. It can cause severe respiratory disease, knowing that in India, the last causing the death of 620 000 people per year and a third of children are affected by these diseases.

The Indian government is however not inactive face the plight of his country, a court has even been created ( "green court"). Although alternating traffic has proved a failure, various initiatives have been taken, such as air purifiers facility in the city center. But these measures be sufficient dealing with pollution of this magnitude?



**MARINE - STRENGTHENING THE ANTARCTICS ANCTUARY**



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Late October was held in Hobart in Australia, the annual meeting of the Commission for the Conservation of wildlife and marine life of Antarctica (CCWMA) which resulted in a historic agreement to sanctuaries 1.55 million square kilometers of Ross sea. The sanctuary of this space implies the prohibition of fishing in 72% of the area and the limitation and scientific purposes seizures in the rest of the area. The Ross Sea is considered the last of the world ocean untouched by pollution and human disturbance as it contains 10,000 unique species. The creation of this marine protected area which will come into force in December 2017 was made possible by Russia which will return in 2017 as a "Year of Ecology" whose veto hitherto prevented for unanimity of the 25 Member CCWMA of this agreement. This agreement although positive to safeguard marine biodiversity contrast at the same time with the difficulties experienced by the International Whaling Commission to enforce fishing bans whaling by Japan in the Antarctic.



**POLLUTION – DERISORY FINE FOR NORILSK NICKEL**

Last September Daldykan the river, near the Arctic Circle in Russia had suddenly taken the red blood several kilometers. The presumed cause of this coloration was alleged discharges of a nickel processing plant (Norilsk Nickel) to Norilsk. This city is considered as one of the most polluted in the world, such as the transformation of nickel by the plant results in the release millions of tons of sulfur dioxide per year. At that air pollution has thus added a solution of water pollution leak of red sludge operating in the river. The Russian company initially denied being the source of the pollution before adding that recognize it as no risk was danger to human



health and aquatic life. The verdict of conviction was made this week and puts the responsibility of the Russian mining group paying a paltry fine of 35,000 rubles (about 500 euros). The polluter could hardly risk a more severe penalty because the offense provided for a penalty of a fine ranging from 30,000 to 40,000 rubles, questioning the very least the level of protection to the environment by Russian law.