

## HEADLINE – HURRICANES, NEFAST EFFECTS OF CLIMATE CHANGE

Coastal countries and island states have become vulnerable to climate hazards. Over the past ten years, cyclones, storms and hurricanes have become more intensely affected by climate warming, according to climate scientists: global warming is becoming a worsening of climatic extremes (5th report of the IPCC). End of August Hurricane Harvey hit American territory, Texas area by making several material and physical. At the beginning of September, the French Antilles (St. Bartholomew and St. Martin's Islands) suffered following the deluge caused by Hurricane Irma, which devastated everything during its passage. The cost of damages is estimated at approximately 1.2 billion euros according to the Caisse centrale de réassurance (CCR). On Tuesday, September 12, President of the Republic Emmanuel Macron went to the field to comfort the families who lost everything following this natural disaster: relief and survival materials were sent to these territories. These events are likely to multiply in the years to come. There is urgency to act because climate refugees are becoming the majority in the world.

## GLYPHOSATE - FRANCE ISOLATED WITHIN THE EU

The European Commission proposes to renew the authorization of Glyphosate herbicide, marketed by Monsanto, for the next ten years. France intends to vote against this authorization on 4 October by the Committee of Experts. The date of provisional authorization granted by the Commission expires on 31 December 2017.

The "Monsanto papers" revealed that the American firm was paying scientists for research indicating that glyphosate was not carcinogenic. Since then, civil society has mobilized by convincing MEPs to have a common position against glyphosate and to contribute to better health for European citizens. For their part, the Farmers' Union (FNSEA) fears an exorbitant cost to maintain crops without glyphosate. In addition, the price of food products from the grain industry is also likely to fall.

## WASTE - THE CONCRETIZATION OF THE FUSION OF ECO-PACKAGING AND ECOFOLIO: CITEO



After the merger of Eco-Emballages and Ecofolio at least June 2017, the new company decided to change its name and to call itself CITEO this Friday, September 8, 2017. This new name refers to the city, together with the loop of the circular economy imaged by the letter O. The two Eco-Emballages and Ecofolio brands continue to exist on their own. This merger takes a new

form to improve the recycling of packaging and paper, without wasting budget, in a context of opening to competition. CITEO's ambition is to increase recycling in France in order to meet the target set in 2022 of 75% for packaging and 65% for paper (today it is 68% and 55% respectively). As a reminder, this merger was born following the recommendations of the Court of Auditors, with the aim of pooling the resources and experience of both organizations in order to improve the recycling of packaging and paper in France. In order to achieve its objectives, CITEO intends to work on three areas of action. These three fields of action are to advise and seduce market makers, to intensify and modernize sorting centers, and to raise awareness from an early age.

## POLLUTION - THE END OF HYDROCARBON PRODUCTION



On 6 September 2017, the Minister for Ecological and Solidarity Transition, Mr Nicolas HULOT, presented his text in the Council of Ministers on the extinction of hydrocarbon production on French soil by 2040. Questioned by Agence France-Presse, Nicolas Hulot believes that this is a transition that is "not minor". "We

have been infected with fossil energies: we will have to go back into a form of a sobering cell! It is a profound transition from our energy and economic model, so the earlier we engage it, the more we plan it with irreversible goals, the more acceptable this transition will be. That is how it was conceived in the presidential program, which is what we are implementing today," he adds. This is to give a signal to public and private investors that the future will be based on energy efficiency and renewable energies. The goal is to establish a new model so that the one we are currently experiencing is running out of steam. Although this text is strongly symbolic, its scope remains relatively limited. Each year the country produces about 800,000 tons of oil. That is a modest 1% of national consumption. The country imports 99% of its oil.



**CAA Paris, 1st Chamber, 9 February 2017, 15PA01423**

Under Article L.541-2 of the Environmental Code, the producer or holder of waste is responsible for their management until disposal or final recovery. However, in the event of default of the current holder, it is the previous holder who can be held responsible for this charge. The fact of entrusting waste to a third party therefore does not have the consequence of definitively transferring to him his responsibility as holder. Nevertheless, the Paris Administrative Court of Appeal has clarified the contours of this rule by providing conditions: if the principle according to which the prior holder can be requested for the recovery of waste and the burden of their treatment is confirmed, cannot be compelled to do so if he has not been negligent, has deposited his waste in an authorized ICPE, and has not done so knowing that the said ICPE has been the subject of a measure prefecture suspending its activity. In essence, the prior bona fide holder may not be liable in lieu of the current defaulting holder.

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The State Council has just submitted the State to an obligation of result in terms of air protection in accordance with the 1996 Air Act. This jurisprudence ensures respect for the "right to breathe a healthy air" guaranteed by the law and recognized by the CJEU through the ClientEarth case of 2014. Here the administrative judge has directed the Prime Minister and the Minister for the Environment to "take all necessary measures to ensure that for each of the areas listed in point 9 of the grounds of this Decision, an air quality plan to reduce the concentrations of nitrogen dioxide and particulate matter PM10 below the limit values set by the ' Article R. 221-1 of the Environment Code as soon as possible and forward it to the European Commission before 31 March 2018 ".



Coral reefs represent the equivalent of a virgin forest but under water. These reefs contain more than 90% of marine species, but only cover 0.2% of the oceans. For more than a year, the scientific expedition Tara Pacific has been trying to analyze the adaptation capacities of these reefs to climate change and understand their functioning. In places, their deterioration reaches 90%. The Tara expedition makes an alarming observation: almost all corals bleach, which means that they suffer

because of human activity. Romain Troublé, director of Tara Pacific, testified: "You just have to walk along the coral reef to get an idea. And for 80 kilometers to put the head under water every 100-200 meters to find a place where there is coral in good condition ... We did not find. "The schooner Tara and the scientific team aboard the sailboat traveled 50,000 km from east to west (from the Panama Canal to New Zealand, passing through Japan), carried out 2,000 dives at 18 sites and collected about 15,000 samples (coral tissues as well as sediments, fish and water located between coral branches and around coral colonies). The expedition now continues in Southeast Asia.



**POLLUTION – POLLUTION OF RIVER BY LACTALIS KILLS TONS OF FISHES**



The question of the continued exploitation of fossil fuels is a key topic, which can give rise to Cornelian choices between economic and environmental imperatives. The current debate in Norway is a perfect example of this: the 8th largest oil producer in the world, the kingdom is wondering about its dependence on hydrocarbons, and has begun to reduce production

by 50% over the last 15 years, which is expected to continue until 2019. Nevertheless, the government of the country, in agreement with the main opposition party does not intend to give up the exploitation of a deposit of 1.3 billion barrels in the archipelago of the Lofoten Islands. Yet this project, threatening the ecological balance of the area, home to the largest coral reef in the world and the largest seabird colony in Europe, poll shows that more than half of Norwegians prefer to give up. Combined with an approaching elections, and the increasing popularity of the local environmentalist party, it is becoming more and more likely that this project will be abandoned, if not frozen, which would constitute a strong gesture in terms of energy transition.



**POLLUTION - THE NETHERLANDS STATE OF IMPROVING THE QUALITY OF ITS AIR**



The Dutch state must draw up a plan to improve the quality of its air, with a view to achieving the standards imposed by the European Union regulations. This is the decision of the President of the Court of First Instance of the Hague, seized by the environmental protection organization "Milieudefensie". The latter had already called on the Government of the Netherlands to take urgent measures to improve air quality and reduce the risk to the health of

the inhabitants, the concentrations of fine particulate matter and nitrogen dioxide being, in the country, well above the authorized threshold. The court agreed with the organization, pointing to a situation where the limits had been exceeded for a long time, requiring a plan for improvement, and prohibiting any measures that might make the situation worse. The case, which echoes the case brought before the Council of State in France last July, which had ordered the government to put in place all the necessary measures, within the shortest possible time, to reduce concentrations of pollutants in the limits of regulation, is further proof of the constant pressure that civil society has on states, regarding their environmental commitments.