



## HIGHLIGHTS – INTERNATIONAL POLICY: G20 LEADERS DISCUSS ENVIRONMENTAL ISSUES

At the G20 summit in Osaka from June 28 to 29, the leaders of the world's major powers discussed a series of questions on the fight against climate change and the fight against pollution. During the intense negotiations, 19 of the 20 participants managed to agree on a common position in the fight against climate change. The final communiqué of the summit contains the words of the commitment of the countries in favor of the full implementation of the Paris agreement and its "irreversibility", the will to promote public and private financing of sustainable development and the use of innovation to reduce the emissions to the atmosphere.

The president of the United States, Donald Trump, opposed the inclusion of the ecological issue in the text of the document. The final statement once again underlines the US decision to withdraw from the Paris agreement, as it puts American workers and taxpayers at risk.

In addition, the summit also addressed the problem of ocean pollution by plastics. Experts believe that if the current level of contamination persists, there will be more plastic than fish by 2050. Therefore, the final communiqué contains the "Osaka Blue OCEAN Vision" initiative, launched by Japan, which aims to completely reduce pollution of the seas with plastic for the year 2050, by adopting a global approach to its recycling. Environmentalists estimate that 4 to 12 million tons of plastics fall into the ocean each year in one way or another, which is a major drag on the ecosystem.



## The burning and protection of the environment.

with fire, is an agricultural practice that involves burning something with the vegetation during the summer to enrich the soil with the generated ash. This practice dates back to antiquity. Among other things, the advantage of eliminating the waste of shrubs and dried plants that occupy space and slowed down the start of herbaceous plants in the spring. The generated ash has a fertilizing effect and is an effective method to reduce the biomass available in summer during fires.

However, this practice entails environmental risks. In fact, burning can hinder the protection and repopulation of deer. If it is repeated every year, it can affect the maintenance of the biological balance.

Controlled burning can be contaminated by the emission of dioxins, furans (particularly in a saline, near the sea, or salinated land) and various tars, but can also be contaminated by the emission of fine particles in certain meteorological configurations. Therefore, this activity should be particularly supervised to avoid as much as possible the risks of contamination and to protect the environment.

In addition, during the heat wave and, therefore, the peak of contamination, several regions have formally prohibited the burning of waste and the clearing: any exception is suspended (this prohibition also applies to farmers and green space companies).

Currently, the burning is regulated in France, subject to prefectural decrees that set the authorization periods, the preliminary declaration procedure and the security conditions that must be respected. Financial penalties for the simple practice of burning under certain conditions can be applied, for example, in Lozère: at the beginning, it will be a reminder for the law and a fixed fine of € 135.



## The use of green electricity for the



## ENVIRONMENT : THE COUNCIL OF STATE PARTIALLY CANCELED "THE PESTICIDE DECREE"

At the request of the associations of environmental protection, the Council of State partially canceled the decision of May 4, 2017 on the "commercialization and use of phytosanitary products and their additives"; proposes "stopping pesticides." According to the higher court, these provisions did not sufficiently protect public health and the environment. It is worth remembering that the decision of May 4, 2017 aims to provide measures for the use of pesticides and limit the impact of these products on health and the environment. The environmental protection associations had criticized the decree for not protecting public health and the environment. The Council of State has canceled four (04) measures of this decree.

First, the High Court annulled the decree because it does not provide for any general measure to protect residents of the treated agricultural areas. Secondly, the decree was annulled because, as regards the protection of watercourses or water points, it only aims at the use of phytosanitary products by spraying or dedusting, without regulating the use of other techniques, such as propagation of granules or the injection of products into the soil, but it is also likely to cause a risk of contamination, including sewage, surface waters outside the treated site. The third fault is the period in which it is prohibited to enter areas where pesticides have been used. These "entry deadlines" are limited to the cases in which these products are used in the existing vegetation. Finally, the Council of State considered that the decree "does not contemplate specific measures to prohibit or limit the use of phytosanitary products destined to avoid or reduce the risk of contamination by drains in case of heavy rains.



## RISKS: A DRAFT DECREE ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT (EEE)

A draft decree establishes new exemptions for restrictions on the use of hazardous substances in electrical and electronic equipment (EEE). Directive

## energy transition

The term "green" electricity refers to electricity produced solely from renewable energy sources such as hydroelectric, wind, solar, geothermal, wave and tidal energy, or biomass energy (wood, landfill gas, power plants), wastewater treatment, biogas ...).

The production of electricity from renewable sources is generally, for the time being, more expensive than the production of fossil or nuclear electricity.

Subscribing to a "green" offer is, therefore, a message in favor of the energy transition.

The Internet giant Google is in a process of reducing the energy footprint of its sites whose very powerful servers consume a lot of energy. To do this, the first independent French producer of exclusively renewable energy Neoen has announced its partnership with the US giant Google. The wind power plant in Hedet, Finland, which is 80% owned by Neonen, will deliver all its green electricity to Google.



## JURISPRUDENCE

No. 1802202 MT de Montreuil: justice recognizes a failure of the State with respect to air pollution

The facts go back to February 2017, when a mother and her daughter accused the State. According to them, the authorities had not taken effective enough measures to reduce air pollution. The administrative court of Montreuil, on Tuesday, June 25, announced that "the State has committed a fault due to inadequate measures taken in terms of air quality". Administrative justice considers that the State did not act sufficiently to reduce air pollution in the Paris region between 2012 and 2016. This is the first time that the French justice recognizes a lack of the State in the issue of air quality. However, the judges rejected the claim of the plaintiffs for 160,000 euros for damages, since the causal link between their illnesses and the inadequacy of the measures taken was not established directly on the basis of the documents produced.

This historic court decision comes as France receives a heat wave and registers the peaks of pollution with ozone, a polluting gas favored by the warm climate. It could open the way to more resources and lead the state to review its practices.

2011/65, of June 8, 2011, known as RoHS II (Restriction of the use of certain hazardous substances in electrical and electronic equipment, EEE) aims to reduce the content of hazardous substances in EEA, allowing greater reuse and recycling. The restrictions on the use of dangerous substances apply to the EEA produced in the European Union or to those produced in third countries and imported into the European market. This Directive was amended by Directive 2017/2102 of November 15, 2017, to add exemptions to the prohibition of certain substances in some products for which there is no technical alternative, or for which environmental benefits or sanitary conditions are despicable. This amendment also clarifies the conditions for the exemption of EEE re-used spare parts. The draft decree submitted for public consultation aims to transpose this amendment. It also provides a list of annual amendments to certain annexes of Directive 2011/65 to which the regulatory framework refers.



## SOLUTIONS AGAINST POLLUTION SPIKES.

First, the law on air and the rational use of energy (known as the Lepage Act and the LAURE Act) of December 30, 1996, proposes a definition of atmospheric pollution: "it constitutes atmospheric pollution in the sense of the present, the introduction by humans, directly or indirectly, in the atmosphere and in confined spaces, of substances with harmful consequences that endanger human health, damage biological resources and ecosystems, contribute to climate change, damage property, and causes discomfort of excessive odor. "

In recent times, France has been facing an unprecedented heat wave. It should be noted the correlation that may exist between its contamination and the heat wave.

In fact, heat can increase air pollution in 3 ways: When the weather is nice and warm, primary sources of pollutants tend to produce even more. Sun and heat can convert primary pollutants into secondary pollutants that can be even more toxic. Heat waves are often accompanied by high atmospheric pressure, creating a layer of air stagnation on the ground.

Several measures have been taken to mitigate this contamination. In case of contamination, with respect to the circulation of vehicles, a new organization of differentiated traffic has been implemented. According to this new device, as soon as the contamination warning threshold is reached (with ozone, but also with fine particles and nitrogen dioxide), vehicles classified as Crit'Air 4, 5 and now 3 will be automatically banned from circulation in Paris, which corresponds to diesel cars before 2010 and gasoline prior to 2005.

The transport sector is not the only one affected by restrictive measures. In fact, individual measures were taken for the "big polluters".

All industrial or agricultural facilities that may cause pollution or nuisance are classified by the State and are governed by the legislation of facilities classified for the protection of the environment (ICPE, in French). We are talking about service stations, waste disposal centers, construction sites, industrial farms, factories ...

Therefore, these requirements are specific to each industry and the type of pollution they produce.

Other departments can take special measures. For example, in the Rhone Valley, there is a ban on burning and burning waste, fireworks, maintenance or cleaning with non-electric tools. This is also the case in the department of Drôme.



## PLASTICS: PROSPECTS FOR A BAN ON DISPOSABLE PLASTIC ITEMS IN RUSSIA

Following the global trends, in Russia they think about the prohibition of plastic plates. The Minister of Natural Resources, Dmitry Kobylykin, has proposed to dispose of disposable plastic plates in Russia for environmental protection purposes. In an interview with the Russian television channel RBK, the minister said that it was necessary to do it gradually, for example, 10% per year, gently replacing these utensils with less harmful products. According to him, this can be done in five to ten years.

The Minister of Natural Resources said in early May that a ban on the sale of disposable plastic items is being prepared.

Recall that the European Commission proposed a year ago to prohibit plastic dishes or limit their production due to the contamination of the global ocean by plastic waste. The European Commission has also expressed the need to force employers to recycle such products. At the end of October 2018, the European Parliament approved by majority the ban on disposable plastic products: cocktails, swabs, plates, cutlery, etc.