



## HEADLINE - THE REPUBLIC OF SALVADOR, PIONEER IN THE PROHIBITION OF METAL MINES



It is a historic first, in the day of Thursday, May 4, 2017, the Republic of El Salvador enacted in the Official Gazette a law banning metal mines. The smallest country in Central America, located between Guatemala and Honduras, is the first in the world to ban metal mines on its territory. This law passed by Parliament at the end of March aims to combat this activity deemed harmful for the environment and public health. Thus "No institution, norm, administrative act or resolution shall authorize the prospecting, exploration, extraction or processing of metallic mining products in El Salvador". The law follows the arbitration won by El Salvador in October 2016 against an Australian-Canadian mining firm. The latter claimed damages

because its application to operate had been refused by the state for environmental reasons. Indeed, mining causes serious pollution to water sources and the environment, according to Mauricio Sermeno, president of the Salvadorian Ecological Unit (UNES). Moreover, according to a recent study by several NGOs, mining has very little impact on the country's employment and GDP.



## FOOD - REVIEW OF THE "CARNE FRACA" OPERATION IN BRAZIL

On Friday May 5, 2017, in Brasilia, the Brazilian Ministry of Agriculture showed the representatives of Chile, the EU, the United States, Japan and Australia the results of the operations carried out during the federal police operation called "carne fraca" Started on 17 March 2017. At present 18 establishments are prohibited from exporting meat, public officials who have been involved in the investigation have already been suspended from their duties and have been replaced. According to Secretary of Defense Agriculture Luis Pacifici Rangel, Brazil has no health problems, "what happened was misconduct of the minority of public officials."



On March 17, 2017, the federal police started operation "carne fraca", which investigated allegations about the adulteration of meat supplied by the two largest refrigeration groups in the country: JBS and BRF. The companies concerned were accused of marketing damaged meat, changing the expiry date, changing the appearance and using cancer products to resell the damaged meat. This operation also identified the responsible public officials to release this meat to the internal and external markets.



## WASTE - APPROVAL OF A NEW ECO-ORGANISM FOR THE COLLECTION OF PACKAGING WASTES

By order dated 05 May 2017, LEKO was approved as an eco-organism with the aim of taking responsibility for packaging waste for which the final owners are households. LEKO becomes the third eco-organism to receive approval as a household waste collection organization. Eco-organisms set up to fulfill the obligation to collect waste under extended producer responsibility are financed by the waste producers through financial contributions. The newcomer LEKO, who has joined Eco-Emballages and Adelphe as packaging collectors, has already announced that it will be supported by nearly 650 companies, representing € 135 million in contributions. Its authorization, which runs from 1 January 2018, is valid for a period of five years, ie until 31 December 2022.



## BIO WASTE - THE COLLECTION OF FOOD WASTE BEGINS IN PARIS

The 2nd and 12th arrondissements of Paris volunteered to experiment with the collection of biowaste by providing residents with a brown tank next to the existing white and yellow bins for sorting. Remains of meals, plants, vegetable peels, meats, fish ... will be collected thanks to a "p'tit bac" to compost distributed by "sorting ambassadors" during the months of May and June. These ambassadors will also be responsible for explaining to individuals what can and cannot be collected, and will provide them with a sorting guide. The brown bins will be collected by the cleaning services twice a week, and will be converted into biogas or compost.

The objective is then to extend this collection to the whole of the city, knowing that the energy transition law of August 2015 generalizes the obligation of collection of biowaste by 2025; This obligation currently only affects large biowaste producers.



## JURISPRUDENCE

### Court of cassation - Criminal Chamber 19 April 2017

The natural person, who helped to create the situation which allowed the damage to occur and who did not take the measures to avoid it, committed a serious fault exposing another person to a Risk of particular gravity which it could not ignore, within the meaning of Article 121-3, paragraph 4, of the Criminal Code. It is in its terms that the Court of Cassation answers the appeal of an accused whose criminal responsibility had been sought in a case of pollution caused by chronic hydrocarbon discharges and which tried to exonerate itself from criminal responsibility By alleging that a fault of carelessness or negligence which contributed to the creation of the situation which made it possible to bring about the damage but which did not directly create the damage, can not suffice to establish the commission of a serious fault Exposing others to a risk of particular gravity which it could not ignore.

### ENERGY: Order of 9 May 2017 laying down the conditions for the purchase and additional remuneration for electricity generated by installations using mainly biogas produced by the methanisation of materials resulting from the treatment of urban or industrial waste water

On 09 May 2017 a decree was issued setting out the conditions of purchase and additional remuneration for electricity produced by installations using mainly biogas produced by the methanisation of materials resulting from the treatment of urban or industrial wastewater. This text published in the Official Journal of 10 May 2017 lays down the conditions to be fulfilled by producers in order to benefit from the purchase obligation for electricity produced by installations using mainly biogas produced by the methanisation of materials resulting from the treatment of Urban or industrial waste water with an installed capacity strictly less than 500 kilowatts, as well as the conditions of this purchase. The order also specifies the conditions for receiving additional remuneration for the electricity produced by these installations with an installed capacity of between 500 kilowatts and 12 megawatts, as well as the conditions of this supplementary remuneration. The objective of this order, the draft of which had been submitted to the Energy Regulatory Commission for consideration, is to provide producers with fair financial support without, however, such benefits becoming excessive remuneration for producers.



## POLLUTION - LIMITATION OF THE IMPACT OF MERCURY-BASED ACTIVITIES AND PROCESSES

On 25 April 2017, the Council of the European Union adopted a regulation to limit pollution caused by activities related to mercury, a toxic substance representing a significant environmental and health risk. It will enter into force on 1 January 2018. The Regulation provides for control or even a ban on the manufacture, use of trade, import and export of certain products containing mercury, and more framed management Of mercury waste: Temporary storage of liquid mercury waste is limited to five years, permanent storage sites approved to treat hazardous waste will have to permanently dispose of the converted mercury waste. The regulation progressively prohibits the use of mercury in dental amalgams for the treatment of pregnant or lactating women, under-15s and milk teeth. To prevent contamination of wastewater, dentists will need to use pre-dosed encapsulated amalgams and separators to ensure retention of at least 95% of the amalgam particles. Each Member State should specify how it intends to reduce the use of amalgams. Mercury emitted into air or water can spread significantly, international measures must also govern this pollution, which is the subject of the Minamata Convention of 10 October 2013: the regulation of 28 April provides Provisions allowing the EU and the member states to ratify and implement this legally binding convention.



## BIODIVERSITY - THE REPRODUCTION OF ORCAS AND DOLPHINS IS PROHIBITED IN FRANCE



The interministerial decree on "the operating rules of establishments holding cetaceans" published in the official gazette on May 6, 2017 prohibited the reproduction of orcas and dolphins held in France. This means stopping the captivity of these animals in the country. This provision was added in the decree by the Minister of the Environment, Ségolène Royal, who had not notified animal protection associations and professionals in the sector. The text in question imposes on the parks sheltering killer whales and dolphins very stringent standards to guarantee the welfare of these animals. This decision directly affects the Marineland park in Antibes, Parc Astérix, Parc de Planète sauvage and the Moorea Dolphin Center in French Polynesia. According to Rodolphe Delord, president of the French Association of Zoological Parks and director of the zoo of Beauval "the prohibition of reproduction goes against the animal welfare because these animals are made to reproduce".



## CLIMATE - THE CONCRETIZATION OF THE PARIS AGREEMENTS BY THE BONN MEETING



Discussions on the implementation of the 2015 Paris Agreements began on Monday 8 May 2017 in Bonn, Germany, and will end ten days later. The 196-nation meeting aims to develop guidelines for the implementation of the Climate Agreement and the preparation of COP 23, which will also be held in Bonn in November 2017 under the chairmanship of Fiji. Moreover, the manual resulting from the Paris Agreement, which has already entered into force, will have to see its accelerated development and its general provisions specified by the states. Since 2015, the international community has pledged to take action to limit the rise in temperatures below two degrees Celsius and 144 countries have already ratified the Agreement, including India and China. Nevertheless, the climate balance remains fragile. Thoriq Brahim, Minister of the Environment of Maldives, reminds us. In a statement issued on the eve of the summit, he said that "this international agreement is the last hope for survival for the small island states". Thus, this meeting, focused on dialogue and not on decision-making, is essential for the continued success of the fight against global warming.

