



HIGHLIGHTS – CARBON TAX: BETTER "WEAPON" TO FIGHT POLLUTION ACCORDING TO THE INTERNATIONAL MONETARY

Fund (IMF) in a report, the carbon tax is the best "weapon" in the fight against pollution. This is what the report of the institution of Christine LAGARDE reveals this Friday, May 3, 2019.

According to the report published on Friday by the IMF, the carbon tax would be the most effective instrument to reduce greenhouse gas emissions, set at around € 62 per tone of CO₂.

"The goal of 2 ° C", as defined in the Paris agreement (heating limit at + 2 ° C, or + 1.5 ° C, compared to the pre-industrial era), "would require reducing carbon emissions in approximately one third by 2030 and a global carbon tax of around USD 70 per ton," said Christine Lagarde, Executive Director, and Vitor Gaspar, responsible for the budgetary affairs of the fund, in a joint publication on the blog. There would be a "growing consensus" that the carbon tax is "the most effective mitigation instrument"; better, "it also provides more necessary income", which could be used to reorient public finances in order to support sustainable growth shared by the greatest number. According to the same report, the implementation of the carbon tax could serve as a lever of action in countries like China, India and South Africa that emit the highest rates of greenhouse gases worldwide. Already very unpopular, the announcement of its increase in 2019 in France has met with strong resistance and has caused the movement of yellow vests.



JUDGMENT AGAINST GLYPHOSATE – TOWARDS A CHALLENGE TO ROUNDUP'S DEMANDS?

The EPA review comes as the legal challenges in the United States multiply against Monsanto, the manufacturer of Roundup whose active ingredient is glyphosate. Two juries from California spoke in favor of Dewayne Johnson and Edwin Hardeman, who had a lymphoma and attributed the herbicide to their disease. Bayer, of Germany, which bought Monsanto last year, announced that it will appeal these decisions. "EPA does not comment on the issues ... but our available scientific data does not support a causal relationship between exposure to glyphosate and Parkinson's disease or non-Hodgkin's lymphoma," said Alexandra Dunn. The opinion of the EPA thus contradicts the decisions of the juries. The summary is currently the subject of 11,200 lawsuits in the United States.

In his opinion, however, the EPA recommended new measures to reduce the environmental risk of glyphosate. The Agency proposes changes in use to protect nearby plants and limit the impact of the herbicide on pollinators and birds.



URBANISM - DEMOLITION OF A BUILDING WITHOUT AUTHORIZATION

In the year 2000, an individual had a terrace attached to his house of residence erected without authorization. Before being sentenced in 2004 by the Criminal Court to demolish this extension, the owner sold the house in 2003. MS, a neighbor of the construction located on his house, asked in



ANIMAL TRAFFICKING – A WHITE TIGER CUB AND SEVERAL OTHER ANIMALS FOUND IN A PRIVATE HOUSE IN THE VAR

A baby tiger and snakes, marsupials and tortures were found in a house after a raid by the gendarmerie on Wednesday, May 1. The trafficker was investigated for several months suspected of trafficking in rare species such as the white tiger, Australian marsupials and royal pythons. The animals were found in the home of the suspect's mother thanks to a simultaneous search in the Moselle. It should be remembered that the law punishes with a penalty of one year in prison and a fine of 15,000 euros to any person who illegally has wild animals. According to gendarmerie sources, the animals found were placed in the Barben zoo in Bouches-du-Rhône.



EUROPEAN UNION - REGISTRATION OF TWO CITIZEN INITIATIVES REGARDING CARBON TAXES

The European Commission has registered four new citizen initiatives on Tuesday, April 30. These initiatives are considered legally admissible. Two are about the weather. "If one of [these initiatives] receives a million statements of support, within a year, from at least seven different member states, the Commission will analyze them and react within three months," recalls the European executive. However, the Commission

vain the mayor of the city and the prefect that the administration proceed to the demolition of the irregular extension, in accordance with Article L. 480-9 of the urban planning code. Faced with the inaction of the administration, this neighbor asked the administrative court, both in regard to undue responsibility and misconduct, to condemn the State to compensate for its loss. This request was rejected in the first instance and on appeal...



PROCEDURE - THERE IS NO ACCESS TO THE MAILBOXES FOR THE USHERS

Bis repeated. For the second time in four months, the Constitutional Council invalidates the provision modifying the second paragraph of Article L. 111-6-6 of the Construction and Housing Code to allow sheriffs access to private mailboxes in the same way as agents of home delivery that act on behalf of postal operators.

Regarding the first paragraph of the same text, also modified by the parliamentarians and similarly "retouch", he referred to a decree in the Council of State the determination of the conditions of access of the ushers to the common parts beyond the mailboxes (To know the merits of the reform, consult the interview with Mr. Patrick Sannino, President of the National Chamber of Judicial Officers, Dalloz actualité, October 16, 2018 and AJDI 2,018. 655).

JURISPRUDENCE

Two decisions allow specifying the conditions for the implementation of Law No. 85-677 of July 5, 1985, which introduced a special liability regime to improve the compensation of victims of traffic accidents. In the first sentence (numbers 18-14.125 and 18-15,855), two minors, aged 16 and 17, were riding a bicycle on a county road when they were hit by a vehicle coming in the opposite direction and it was a maneuver of overtaking. One of the cyclists died, the other was injured. The insurer of the driver has sued the parents of the minors and the rescued minor to demand the exclusion of any compensation for a lack of inexcusable conduct, the exclusive cause of the accident, by the victims.

may decide not to take action, as it will motivate its decision.

The first citizen initiative is entitled "a quick, equitable and effective solution to climate change". He proposes to "introduce" a higher price for fossil fuels "to reduce pollution and that would be" returned to citizens fairly every month in the form of a dividend, "the Commission explains.

The second one is entitled "Completion of the tax exemption on fuel in the aviation sector in Europe". Its promoters "urge the Commission to" propose to the Member States to introduce a tax on aviation fuel (kerosene), "stating that" the aviation sector enjoys tax benefits while it is one of the sources of emissions of greenhouse gases that are growing faster. "



HEALTH – THE US ENVIRONMENTAL PROTECTION AGENCY REAFFIRMS THAT GLYPHOSATE "IS NOT A CARCINOGEN"

In a statement, the United States Environmental Protection Agency (EPA) said on April 30 that it "continues to find that there is no risk to public health when glyphosate is used" in compliance with the rules and regulations. that glyphosate is not carcinogenic. "

"There is no evidence that glyphosate causes cancer," said Alexandra Dunn, EPA's Assistant Administrator for Chemical Safety and Pollution Prevention. The herbicide, "the most popular in the world" does not present "cancer risk for users". It confirms its conclusions from a previous report, published in September 2,017 after decades of study, Reuters recalls. In November 2,017, a study conducted in the United States in collaboration with the USEPA, published in the Journal of the National Cancer Institute, also found no significant link between the use of herbicides and the occurrence of cancer. This study was published in a new glyphosate registry for another five years in the European Union. The EPA reiterates that its scientific conclusions about the risks to human health "coincided with the reviews of other countries and federal agencies."

In Paris, the Iron Lady and more than 240 monuments have been extinguished, among which are the Pantheon, the Petit Palais, the Garnier Opera, the Arc de Triomphe du Carrousel, the Senate or the Notre-Dame de Paris Cathedral. WWF France organized for the first time a program of live interviews of Champ-de-Mars. In all parts of France, emblematic buildings of the world of sports, such as the Parc des Princes, the Orange Vélodrome in Marseille, the MMA Arena in Le Mans and the Riviera Allianz in Nice turned off the lights of their concerts at 8:30 p.m.



PROCEDURE – ATTORNEY TO THE COURT AND NON-COMPLIANCE OF APPEAL TERM

Through his lawyer, a wine company has consulted with another lawyer to appeal a ruling of the Court of Appeal of Bordeaux on May 31, 2,013. July 29, 2,013, after issuing a positive opinion in the course of its consultation prior to the appeal, the lawyer of the company informed the lawyer so that the latter would consent to the exercise of the appeal. Invited to deal directly with the client, the lawyer wrote to him on July 31: "Unless you indicate otherwise, I hope you will inform me about the meaning of the sentence to file the appeal." Affirming that he received this email late, the client went to the Court's attorney to inform him, in an email of August 9, of his concerns about the time limit to exercise the appeal attached to the act of service on October 10. June, which was not transferred to the lawyer until August 27.

This succession of unfortunate events, which occurred in a summer context, marked by a slowdown in professional activity, prompted the client to present before the Council of the Bar Association of the Council of State and the Court of Cassation an action for liability on the basis of article 13, paragraph 2, of the order of September 10, 1,817. The disciplinary body issued a notice rejecting the action of the company and a request for compensation to the First Civil Chamber.