

# ENVIRONMENTAL JUSTICE AND ECOLOGICAL TRANSITION PROGRAMME (JETE)

## Pedagogical team 2022-2023

- **Aurélien Bouayad**, course lecturer and coordinator of the JETE clinic programme for the first semester
- **Pierre Bourdon**, course co-lecturer for the second semester
- **Sonia Fodil Cherif**, course co-lecturer for the second semester and tutor
- **Camille Fromentin**, course lecturer for the first semester, co-coordinator of the JETE clinic programme for the second semester and tutor
- **Anaïs Guerry**, co-coordinator of the JETE clinic programme for the second semester and tutor
- **Alain Pottage**, lecturer of the required JETE clinic course
- **Inès Bouchema**, tutor
- **Dylan Chiasson**, tutor
- **Sara Dahmane**, tutor
- **Luca D'Ambrosio**, tutor
- **Marine Denis**, tutor
- **Philippine Garrigue**, tutor
- **Coline Grimée**, tutor
- **Jémilie Jaffart**, tutor
- **David Kanter**, tutor
- **Jeremy Lagelee**, tutor

## Projects 2022-2023

### Project 1 – Using the French duty of vigilance law to end destructive fishing practices

The ocean and the biodiversity it supports are under unprecedented pressure, caused in particular by the rapid growth of the human population, the acceleration of climate change and the intensification of industrial fishing activities.

Among industrial fisheries, tuna fisheries are among the most intensive in the world, supporting a vast international trade, and accounting for around 7.5 million tons of fish caught per year (nearly 10% of total fishing catches). In particular, tuna fishing is carried out in the Indian Ocean using thousands of "fishing aggregation devices" (FADs), i.e. floating rafts that attract unsustainable quantities of tuna, but also "bycatch" and juveniles. The abandonment of FADs at sea is also a major source of pollution.

The project aims to examine the possible legal actions to limit the use of this fishing practice, based on the French law of 2017 on the duty of vigilance of parent and contracting companies.

- Partner : **the association BLOOM**
- Tutor : **Camille Fromentin**

This clinic project is a joint project with the RISE clinic programme.

### Project 2 – Company rankings and animal welfare

The animal production industry in Europe has been considerably concentrated over the decades, and it is today dominated by a limited number of players who control the entire value chain (genetic selection, ownership, supply of feeding, transport and slaughter of animals). However, these companies outsource the breeding of animals to contract breeders, who are economically dependent and lack autonomy with regard to their production methods in general, and the treatment of animals in particular.

Very little information is available on the legal infrastructure of the animal production industry. The purpose of the work entrusted to the students is to remedy this lack of knowledge by producing a study on the legal factors underlying the development of the model of industrial farming in France. The project will result in the publication of a report. Students will participate in several conferences in France and abroad, including as speakers.

- Partner : **the association Infotrack**
- Tutors : **Alice Di Concetto** and **Aude Solveig Epstein**

This clinic project is a joint project with the RISE clinic programme.

### **Project 3 – Promoting the right to city cycling through the identification of existing democratic levers**

This project, conducted in partnership with the Federation of Bicycle Users (“FUB”), aims to estimate the effectiveness of consultation and participation procedures mobilized by actors of “sustainable” mobility policies at the various local levels. This work is a continuation of the two-year project already devoted to bicycle rights.

In partnership with the "Paris en Selle" association, the first year reviewed the legal regime of cycling in order to estimate how much the law can be used as a lever for promoting the use of bicycles on public roads belonging to all. [To view the report.](#)

On the strength of this initial work, the following team carried out a global benchmark of the legal regime governing bicycles. To make it evolve towards more demanding legislative and regulatory standards, the team proposed the discovery of a right "to the cycling city for all".

The current team is looking into the mobilization of consultation procedures that cyclist and other road user associations can use to make it happen and thus participate in the collective achievement of territorial air-energy-climate objectives.

This project is a continuation of the research work of Anaïs Morin Guerry, who supervises the work, and is tutored by Coline Grimée, a 2nd year Masters student in “Environmental Policy.”

- 2022-2023 team : **Morgane Brière** et **Jade Romney**
- Partner : **the association French federation of bicycle users (FUB)**
- Tutors : **Anaïs Guerry** and **Coline Grimée**

## **Project 4 – Tracking and reducing environmental and associated impacts from the extractives industry**

In 2021, the IEA released its Net Zero by 2050 Roadmap for the Global Energy Sector. Achieving net zero emissions by 2050 will require immediate and massive deployment of all available clean and efficient energy technologies. This includes immediate and concerted action to drastically reduce methane emissions from the energy sector alongside efforts to scale up deployment of clean energy technologies including renewable electricity, electric vehicles, and hydrogen. Scaling up these technologies will also require a corresponding increase in production and processing of minerals needed to deploy these technologies.

Action by governments to strengthen and implement energy and climate policies lies at the centre of the roadmap. To support implementation of the Roadmap, the IEA has established a workstream aiming to assist policy makers in developing new laws and regulations to facilitate clean energy transitions. In the area of critical minerals, the IEA launched a comprehensive report on critical minerals for energy transitions in May 2021 and is developing a new database of policies and regulations aimed at ensuring the reliability and security of supply of minerals for energy transitions while also minimizing environmental and social harms stemming from mining activities.

The clinic project “Tracking and Reducing Environmental and Associated Impacts from the Extractives Industry” expands this work on policy and regulatory tools by continuing to expand the IEA’s minerals policy database. The clinical team analyses legal and regulatory measures to support emissions abatement and limit other types of environmental or social harms from the extractives industry and support deployment of clean energy technologies (e.g., electric vehicle batteries, hydrogen, etc.). The team also assists in preparing related legal and regulatory analysis

of specific policy measures. Starting in January 2023, the team has also been researching existing ESG standards in the extractives industry, looking to identify best practices and to establish ambitious toolkits for regulatory authorities and industry actors.

- Partner : **International Energy Agency**
- Tutor : **Jeremy Lagelee**

## **Project 5 – Air quality governance in the Lyon metropolitan area**

On the strength of a first experience in both litigation (with the filing of two environmental referrals before the criminal judge) and advocacy work over the past two years, the clinic project focuses this year on air quality and the tools for its planning in the Lyon urban area, which is particularly polluted. Still in collaboration with « Notre Affaire à Tous Lyon », the project is again based on this dual approach:

- Legal : in conjunction with a lawyer from Lyon and in order to highlight the absence of sufficient planning tools in terms of air quality. Students co-construct a contentious legal strategy through legal research as well as through their contribution in the drafting of legal writings.
- Advocacy : directly with the teams of « Notre Affaire à Tous » and the associations involved in the project. Students participate in strategic reflections on the mobilization and awareness-raising tools that govern the legal procedure, by producing the content necessary for understanding the issues relating to air quality in the Lyon area.

The project takes place locally, and aims to mobilize students on specific issues, sometimes technical, but always related to the protection of the environment and health. It also aims to inspire other projects, and other similar disputes in France, regarding the systemic insufficiency of local plans on air quality.

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- Partner : **the association Notre Affaire à Tous**
- Tutors : **Marine Denis, Philippine Garrigue** and **Jean-Eudes Mesland-Althoffer**

## **Project 6 – Governing nutrient pollution beyond farmers**

For a second year, the “Governing Nutrient Pollution Beyond Farmers” project is based on an observation made in the report published by students of the clinic in 2021-2022: the agri-food sectors are too little involved in the prevention of nitrogen pollution. Still using a systemic approach and multi-actor governance, the ambition displayed by the project is to overcome this pitfall by initiating at least two tracks:

- contact with large groups to co-construct a strategy including nitrogen pollution (for example, it is planned to rethink the vigilance plan of these companies so that they mention these issues);
- publication of a forum to raise citizens' awareness of the issue of nitrogen pollution.

The clinical project not only wishes to raise awareness of pollution of this type but also to come up with general recommendations for all the contexts in which it materializes (green algae in Brittany is one illustration among many others).

[More information on the project “For a new governance of green algae” for the year 2021-2022.](#)

- Partners: **New York University** and **International Nitrogen Initiative**
- Tutors : **David Kanter, Jémilie Jaffart** and **Dylan Chiasson**

## **Project 7 – Redefining the law of species preservation – adaptive management**

Biodiversity preservation is at the crossroads of many concerns related to ecological transition. The OFB, a public state institution, created by law 1st January 2020, is now a leading player in support of this objective. To mobilize society and bring about the necessary transformations, it nevertheless appears essential to develop operational tools – notably legal – to transpose the contributions of science into concrete achievements.

This project focuses on adaptive management, a new scientific concept that irrigates species management species and law. In connection with the issue of species preservation, the promising concept of adaptive management is emerging. Introduced into law in 2019, adaptive management should allow science to learn from experience and thus feed into decision-making.

The project aims to draw up an inventory of the perception of these issues by the actors concerned, to outline concrete ways of redefining the law and the implementation of adaptive management.

- Partner: **French office for biodiversity (OFB)**
- Tutors : **Inès Bouchema** and **Alice Messin-Roizard**

## **Project 8 – Collective actions and environmental law**

Pogust Goodhead is an international law firm based in London specializing in collective actions. An entire department of the firm is devoted to international environmental damage. In this context, the firm seeks to better understand collective action regimes in the European Union, in France, Italy, Portugal, Spain and Germany, and in the light of Directive 2020/1828 on representative actions. The firm is also interested in three common law countries: Australia, Canada, and New Zealand. This interest is part of the firm's desire to expand its practice to potentially relocate environmental law cases to the aforementioned jurisdictions.

Students are initially tasked with helping Pogust Goodhead better understand the system of collective actions in these countries, through in-depth research. The objective is to assess the

effectiveness of the regimes so that the firm can initiate proceedings in environmental law. The comparative analysis thus carried out is presented in the form of a memorandum.

In light of the research carried out, students will then be able to study potential cases in environmental law. This will include conducting factual and legal research, following the news and articulating a strategy for early assessment of potential cases. Students' findings could lead to a case that Pogust Goodhead could pursue in the future. Finally, students may be invited to carry out ad hoc work on cases currently handled by the firm in the field of environmental law.

The various missions carried out will allow students to acquire knowledge of the collective action regime of the European Union and of common law countries, as well as to discover how an international law firm investigates and conducts cases of international and environmental law, business law and human rights.

- Partner : **Law firm Pogust Goodhead**
- Tutors : **Luca D'Amrosio** and **Sara Dahmane**