



Pesticide newsletter

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Jurisdictional news



France: Legal action against the State in the face of biodiversity collapse

During the Congress of the International Union for Conservation of Nature (IUCN) which took place in Marseille from 3 to 11 September 2021, the two French NGOs *Notre Affaire à Tous* and Pollinis [announced](#) the first step of a [legal action](#) against the French State for failure to meet its obligations to protect biodiversity. This action targets the failures of the process of authorization and marketing of pesticides, which are a major cause of the collapse of biodiversity.

The numerous scientific studies that warn of the massive degradation of biodiversity have led the State to pronounce many ambitious speeches on environmental protection, but the lack of ambition of the French legal instruments (National Health and Environment Plans, Ecophyto plans, etc.) and commitments at the international level lead to the conclusion that France does not reach the objectives it has set and remains one of the biggest consumers of pesticides in Europe.

Through the launch of the first stage of the action for wrongful failure to act, aiming at the recognition of the ecological damage, the two groups ask the State to take all necessary measures to protect living beings, in particular: to take all necessary measures to stop the use of phytosanitary products that threaten the preservation of biodiversity; to suspend the authorizations of products already identified as harmful to biodiversity (in particular any product of the neonicotinoid and SDHI families or any product containing glyphosate); to reform the process of pesticide marketing authorizations, including their assessment, in order to identify and eventually ban products responsible for the decline of biodiversity; to re-examine, therefore, all marketing authorizations for plant protection products, taking into account the proven shortcomings and thus integrating corrections to the process...

If the government's response is not satisfactory or if it does not act within two months, the groups will proceed to the filing of a formal appeal before the Administrative Court of Paris.

Cécilia Rinaudo, coordinator of *Notre Affaire à Tous*, the group of lawyers that undertook the legal action for the climate called *L’Affaire du Siècle*, said: "By its scope and its aim, this appeal is a world's first. As recent climate actions have led to numerous successes, we have decided this time to go to court to launch the world's first citizen's legal action for biodiversity. It is time for the French government to be held accountable for the collapse of life and to respect its commitments."

This legal action, together with a [mobilization campaign](#) to question the government, complements numerous lawsuits related to pesticides in France, such as [LPO v. Bayer et al](#) for the compensation of ecological damage and compensation measures to be charged to the companies producing and importing the neonicotinoid imidacloprid and [CRIIGEN v. the Minister of Agriculture](#) that is challenging the marketing authorization of glyphosate-based herbicides.

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