

**CARBON TAX:
EXPERTS CONFERENCE OF JULY 2 – 3, 2009
ROUND-TABLE OF JULY 9, 2009**

While a rolling carbon counter in New York constantly shows how fast greenhouse gases are accumulating in the atmosphere, a consensus conference headed by the former French Prime Minister Michel Rocard took place last July 2nd and 3rd in France, bringing together many experts in order to study the implementation of a “Climate-Energy” tax, more generally called the “Carbon tax”, in our country.

The Carbon tax project has been launched by Jean-Louis Borloo, the State Minister at the Ministry for Ecology, Energy, Sustainable and Sea Development, in charge of green Technologies and climate Negotiations. In order to encourage energy savings, the project’s aim is to tax CO² emissions related to sectors that consume a lot of energy, such as transport and housing. Indeed, in the frame of the proposed bill relating to the implementation of the *Grenelle de l’Environnement*, France has committed to divide its greenhouse gas emissions by four by 2050 compared to its emission rate in 1990.

We are for the moment only at the beginning of developing the Carbon tax. Indeed, on the one hand, Jean-Louis Borloo announced on Friday July, 3rd, that the future Carbon tax’s revenue will be redistributed to households in the form of a “green check” (*chèque vert*) in

order to prevent the Carbon tax from affecting the households’ purchasing power. On the other hand, Christine Lagarde, the Minister for Economy, Industry and Employment, announced that “all possibilities and options are on the table” and that the “green check” is “a research possibility, but not an absolute outcome.”

Last July 9th, a round-table discussion headed by Michel Rocard gathering economists, elected representatives and representatives of unions, employers and NGOs, has been in charge of synthesising the debates of the experts conference. At the end of the round-table, the former Prime Minister declared that “an agreement in principle” regarding the creation of a Carbon tax has been reached. He added that there “is a consensus, but [there] are acceptability and efficiency conditions that are not easy to fulfil”. Michel Rocard now has to present the highlights from the July 2-3, 2009 experts conference and the round-table of July 9, 2009 to the French Government.

In addition, the finances commission of the French Senate (*le Sénat*) has adopted last July 8th, its task group’s report on environmental taxation, concerning notably the creation of a carbon tax. Wait and see...

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Ichay & Mullenex Avocats is a French law firm focusing on all legal issues related to the new technologies and sustainable development in France and abroad. They are considered experts in intellectual property and Internet law, e-commerce, online gaming, data protection. Ichay & Mullenex Avocats also assists its clients on all issues related to financing, mergers & acquisitions, restructuring, etc. and advises them on their litigation and arbitration procedures.

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