

## INTRODUCTION

- *Muchas gracias Carlos, buenos días a todos. Hablaré en inglés para hacer mi presentación.*

- So, I am Thomas Legoupil, I am policy advisor in the French Ministry of Environment and I am the national focal point for the Aarhus Convention. It is a great honour for me to have been invited by ECLAC to intervene during this regional forum on sustainable development.

- I would especially like to thank Carlos de Miguel for his invitation to come and talk about the benefits of the Aarhus Convention for France. I hope it will help countries that are present here today to sign or to ratify the Escazu agreement.

- The aim of my intervention is to present concrete benefits for France related to the Aarhus Convention. I must say that to prepare this intervention, I spoke with many people: several colleagues in the ministry of environment but also colleagues in other ministries (foreign affairs and justice), I talked also to academics, researchers and even an administrative judge.

- And I must say that the list of benefits we were able to identify together was quite long. Therefore I had to make choices. So today I will showcase only a few concrete benefits to meet Carlos' request. I hope that they will be convincing enough so that they will encourage countries from ECLAC region to implement the Escazu Agreement.

- So I will first quickly present the involvement of France in the Aarhus Convention. Then I will talk about the concrete benefits of the Aarhus Convention and, finally, I will finish with more general considerations.

### **I - PRESENTATION OF FRANCE'S IMPLICATION IN THE AARHUS CONVENTION:**

- I will begin quickly with few words on France's involvement in the Aarhus Convention.

- France signed the Aarhus Convention in 1998. The Convention entered into force 3 years later in 2001. And France ratified it on July 2002.

- From the very beginning France has been trying to be a strong support of the Aarhus Convention. Indeed, France was represented in the Aarhus Bureau from 2008 to 2017. And France is one of the first contributors to the Convention's budget.

- Moreover France has been leading the work on the promotion of the principles of the Convention in international forums : Public Participation in International Forums. This work corresponds to the implementation of Article 3§7 of the Convention. I will have the opportunity to come back to this point and present it later in a more detail way.

- With regard to the implementation of the Convention, as you know, France is a member of the European Union, which is a Party to the Aarhus Convention. And it is through the transposition of several directives and a regulation adopted at EU level between 2003 and 2006 that France implemented the Convention.

## **II - BENEFITS OF THE AARHUS CONVENTION FOR FRANCE:**

- I will now present some concrete benefits related to the implementation of the Aarhus Convention. First of all, I will start with the first pillar of the Convention: access to information.

- The French Ministry of Environment makes environmental information available through a website entitled "All about the environment – tout sur l'environnement – in French, *todo sobre el medio ambiente* in spanish". It is a portal on environmental information. Created in 2009 to meet the requirements of the first pillar of the Aarhus Convention, this portal is a single entry point to many sources of environmental information. All this environmental information is available free of charge on existing public websites.

- Since March 2018, another website especially dedicated to projects related to environment has been launched. This website has reinforced the objective of improving the information available, by providing information on all projects likely to have a significant impact on the environment. It means projects which imply to prepare an environmental impact assessment report.

- This platform facilitates the uploading of public participation files for the benefit of citizens and services which organize public participation. It provides access to a single national point for all public consultation files organized by State services.

- It also provides free access to environmental impact assessments of projects by capitalizing the data they contain for the benefit of the public and project manager (because this is a source of inspiration to improve the quality of the project). This access to relevant documents and information is therefore part of a virtuous circle for the protection of the environment and environmental education.

- I will now switch to the second pillar of the Convention, the one on public participation in decision-making. Here too, I will present some concrete benefits related to the Aarhus Convention.

- First of all, I would like to stress that Article 7 of the Environmental Charter, which is part of the French Constitution, is directly inspired by the Aarhus Convention. This article defines the scope of the environmental dialogue:

*"Everyone has the right, under the conditions and within the limits defined by law, to access environmental information held by public authorities and to participate in the preparation of public decisions affecting the environment".*

- Now I will say some few words about a recent reform (that took place in 2016) to meet the requirements of the second pillar of the Aarhus Convention: it is the reform of the environmental dialogue.

- It was a reform of procedures for public information and participation in the preparation of certain decisions likely to have an impact on the environment.

The objectives of this reform were several:

- to improve the quality of public decision-making;
- to raise public awareness about environment;
- to enhance and diversify the environmental information;
- to provide sufficient time to formulate observations or proposals;
- and to be informed on the way those observations and proposals are taken into account...

- The main achievements of this reform was the recognition of a right of citizen's initiative and the right to ask for an early public participation.

- Another concrete benefit of the Aarhus Convention is related to the production of the Convention' implementation report. This report is produced 6 months before each Meeting of the Parties. This is a key time when environmental NGOs are invited to comment on France's compliance with its obligations under the three pillars of the Aarhus Convention.

- All the provisions of the Convention are reviewed and the public can make any comments they wish to draw attention to what could be improved.

- The production of this report underlines the fact that the subject of the Aarhus Convention is not only about environment. The Aarhus Convention is also an agreement about government accountability, transparency and responsiveness.

### III - FRANCE'S COMMITMENT IN THE PUBLIC PARTICIPATION IN INTERNATIONAL FORUMS

- Now I would like to briefly present France's involvement in the implementation of Article 3 section 7 of the Aarhus Convention. This article is about public participation in international forums. I said in the introduction that France has been very committed to the implementation of this article.

*- This article provides that each Party shall promote the application of the principles set out in the Aarhus Convention in international environmental decision-making processes and in the framework of international organizations when dealing with the environment.*

- This article therefore provides that the application of the principles of the Convention is not limited to the national level alone but that these principles also apply in decision-making processes at the international level and in the framework of international organisations.

- France has been leading the work on public participation in international forums for a long time. To give you a concrete example of the achievements related to this field of work, I would mention the example of climate COPs.

- After COP-15 in Copenhagen the PPIF task force heard the frustrations from civil society organizations and decided to establish an area for debate on what went wrong during the negotiations in Copenhagen.

- UNFCCC became a regular and important area of work during PPIF sessions of the working Group of the Parties to the Aarhus Convention.

- Lessons learnt from UNFCCC were useful for addressing other areas of work such as financial institutions.

- And, on a national basis, regarding the example of France it was decided to establish a National Committee for ecological transition gathering representatives of civil society and representatives of the Government.

- And in 2015 France prepared itself for hosting COP21 in a more open way to civil society organisations. Of course many challenges still remain for a broader public participation extended to citizens.

#### **IV – CONCLUSION:**

- Now I will conclude saying that the Aarhus Convention provides a shared framework in the UNECE region for environmental democracy issues. In a context where pressures on the environment are increasing, it is crucial to have this common framework to bring all stakeholders together.
- We heard yesterday during the Escazu Side-event some speakers raising the importance to have a platform for peace and justice where public play an essential role.
- We consider in France that Aarhus Convention is instrumental because improving access to information and public participation in decision-making enhance the quality and the implementation of decisions.
- It contributes to public awareness of environmental issues and give the public the opportunity to express its concerns and enable public authorities to take due account of such concerns.
- That's the reason why we do hope that many countries from the ECLAC region will ratify the Escazu agreement and that this agreement will entry into force in a near future.
- I would be more than happy to try with the help of my colleagues from the Ministry of foreign Affairs and from the ministry of Environment to explore ways to help countries from ECLAC region to sign and ratify the Escazu agreement.
- Thank you for your attention. If you have any question or if you want more details about some parts of this presentation please feel free to come and ask me. You can aslo ask my email adress to Carlos de Miguel.
- *Muchas gracias.*