

**QUESTIONNAIRE TO ASSESS IMPLEMENTATION
OF THE RECOMMENDATIONS OF THE MEETING OF THE PARTIES
ON ELECTRONIC INFORMATION TOOLS (DECISION II/3)**

Please fill in and return this questionnaire to the Aarhus Convention secretariat by
20 November 2006

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1. In your country, which categories of environmental information (according to para 9 (c) of the *Recommendations* annexed to decision II/3) are publicly accessible through the Internet:

a) Reports on the state of the environment are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link :

http://www.ifen.fr/presentation/missions/serv_stat.htm

iii. Are reports on the state of the environment legally required to be available?

Yes **X** No ___

iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information?

Yes ___ No ___

v. Comments **_ The provisions implementing the Directive 2003/4/CE into french law (laws and regulations) provide public access to these reports on the state of environment.**

b) Texts of legislation, regulations, rules and other legally binding instruments on or relating to the environment are:

i. Generally available **X** Partly available ___ Not available ___

ii. Please provide internet link: **<http://www.legifrance.gouv.fr/>**

iii. Are texts of legislation, regulations, rules and other legally binding instruments on or relating to the environment legally required to be available? Yes **X** No ___

iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information?

Yes ___ No ___

v. Comments: **Public access to legally binding instruments is provided by the law 78-753 of 1978, and by the code de l'environnement, articles L. 124-1 and followings, for the specific environmental sector. The dispositions implementing directive 2003/4/CE (see above) provide the dissemination of environmental information such as legislation, regulations, rules and other legally binding instruments on or relating to the environment: articles L. 124-8 and R. 124-5 of the Code de l'environnement. These information should be available in an electronic format at the latest at the end of 2008. .**

c) Texts of policies, plans and programmes on or relating to the environment, and environmental agreements are:

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- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link **<http://www.ecologie.gouv.fr/sommaire.php3>**
- iii. Are texts of policies, plans and programmes on or relating to the environment legally required to be available? Yes **X** No ___
- iv. If not generally available, do you have plans to meet requirements (according to article 5, para 3) for progressive improvement in the availability of this information? Yes ___ No ___
- v. Comments
- vi. **The dispositions implementing directive 2003/4/CE (see above) provide the dissemination of environmental information such as policies, plans, programmes relating to the environment : articles L. 124-8 and R. 124-5 of the Code de l'environnement. These informations should be available in an electronic format at the latest at the end of 2008.**

d) Environmental impact assessment and strategic environmental assessment documentation, where it is held in electronic form, is:

- i. Generally available Partly available _x_ Not available ___
- ii. Please provide internet link _____
- iii. Are environmental impact assessment and strategic environmental assessment documentation legally required to be available? Yes **X** No ___
- iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___
- v. Comments **_ The dispositions implementing the directive 2003/4/CE (see above) provide the dissemination of environmental information such as environmental impact studies and risk assessments: articles L. 124-8 and R. 124-5 of the Code de l'environnement. These information should be available in an electronic format at the latest at the end of 2008. This dissemination can consist in a reference to where these assessments can be found.**

e) Reference to where environmental impact assessment and strategic environmental assessment documentation can be accessed is:

- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link _____

f) Data on environmentally significant releases and transfers of pollutants, within the scope of the Protocol on Pollutant Release and Transfer Registers (PRTR), are:

- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link **<http://www.irep.ecologie.gouv.fr/IREP/index.php>**
- iii. Are PRTR data legally required to be available? Yes **X** No ___
- iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___
- v. Comments
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g) Information on mechanisms related to access to justice within the meaning of the Convention is:

- i. Generally available **X** Partly available ___ Not available ___
- ii. Please provide internet link **<http://www.legifrance.gouv.fr/>**

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iii. Is information on mechanisms related to access to justice legally required to be available? Yes ☒ No ☐

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ☐ No ☐

v. Comments

2. In your country, among documentation forming an integral part of any licensing or permitting process subject to the provisions of article 6, and where held in electronic form, which categories of environmental information are publicly accessible through the Internet:

a) Applications for licences or permits are:

i. Generally available ☐ Partly available ☐ Not available ☒

ii. Please provide internet link, if applicable _____

iii. Are applications for licenses or permits legally required to be available? Yes ☐ No ☒

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ☐ No ☒

v. Comments

The applications for permits are available to the public by means of the procedure of public inquiry ("Enquête publique"), which gives the opportunity to the public to participate to the decision-making process in environmental matters. But this procedure does not legally require the dissemination of environmental information through Internet or electronic ways.

b) Draft licences or permits and their attached conditions are:

i. Generally available ☐ Partly available ☒ Not available ☐

ii. Please provide internet link, if applicable _____

iii. Are draft licenses or permits legally required to be available? Yes ☐ No ☒

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ☐ No ☒

v. Comments

The draft permits are available to the public by means of the procedure of "Enquête publique", which gives the opportunity to the public to participate to the decision-making process in environmental matters. But this procedure does not legally require the dissemination of environmental information through Internet or electronic ways.

c) Final licences or permits and their attached conditions are:

i. Generally available ☐ Partly available ☒ Not available ☐

ii. Please provide internet link, if applicable _____

iii. Are final licenses or permits legally required to be available? Yes ☐ No ☒

iv. If not generally available, do you have plans to meet requirements for progressive improvements for this information? Yes ☒ No ☐

v. Comments

Article R. 124-5 of the Code de l'environnement requires that "the authorizations which have a significant impact on the environment are publicly

disseminated". These information should be available in an electronic format at the latest at the end of 2008.

d) Comments of third parties on draft permits and conditions are:

- i. Generally available ☐ Partly available ☐ Not available ☒
- ii. Please provide internet link, if applicable _____
- iii. Are comments of third parties legally required to be available? Yes ☐ No ☒
- iv. If not generally available, do you have plans to meet requirements for progressive improvements for this information? Yes ☐ No ☒
- v. Comments

e) Where it is not available in electronic form, a reference to where documentation forming an integral part of any licensing or permitting process subject to the provisions of article 6 can be accessed is:

- i. Generally available ☐ Partly available ☒ Not available ☐
- ii. Please provide internet link, if applicable _____
- iii. Is such a reference legally required to be available? Yes ☒ No ☐
- iv. If not generally available, do you have plans to progressively improve access to this information? Yes ☐ No ☐
- v. Comments

The environmental impact assessment of each permit submitted to this procedure is available to the public by means of an electronic format at the local administrative level ("Préfecture de Département") : article R. 122-11 of the Code de l'environnement. A file will collect at a national level (IFEN) these local datas on the environmental impact assesement.

3. In your country, which categories of environmental information (according to the paragraph 9 (d) of the *Recommendations* annexed to decision 11/3) are publicly accessible through the Internet:

a) Environmental monitoring data held by or on behalf of public authorities, including spatial attributes are:

- i. Generally available ☒ Partly available ☐ Not available ☐
- ii. Please provide internet link, if applicable: **see web sites listed in the first implementation report to the Aarhus Convention**
- iii. Is such information legally required to be available? Yes ☐ No ☒
- iv. If not generally available, do you have plans to progressively improve access to this information? Yes ☐ No ☐
- v. Comments : **The implementation of the directive 2003/98 (reuse of the informations of the public sector) into French law, particularly by the Ordonnance of the 8 of December 2005, will progressively make this datas accessible to the public through the Internet**

b) Product information that enables consumers to make informed environmental choices is:

- i. Generally available ☐ Partly available ☒ Not available ☐
- ii. Please provide internet link, if applicable
http://www.ecologie.gouv.fr/rubrique.php3?id_rubrique=687

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iii. Are such data legally required to be available? Yes___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No **X**

v. Comments

c) Good practice information and guidelines on better environmental management are:

i. Generally available Partly available **X** Not available ___

ii. Please provide internet link, if applicable **<http://www.ecologie.gouv.fr>**

iii. Is such information legally required to be available? Yes___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? Yes **X** No ___

v. Comments: **Good practice and guidelines can be provided on the web site of the ministry. For the implementation of the directive 2003/4 on access to information, general guidance (Circulaire) will be provided in 2007 to the public authorities concerned by the access to information and the use of informations, on how to improve this access.**

d) Appropriate metadata or background information so that the methods, processes and standards of data collection are transparent to future data users is:

i. Generally available ___ Partly available **X** Not available ___

ii. Please provide internet link, if applicable: **www.eaufrance.fr; www.prim.net**

iii. Is such information legally required to be available? Yes___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? Yes ___ No ___

v. Comments: **The implementation of the directive 2003/98 (reuse of the informations of the public sector) into French law, particularly by the Ordonnance of the 8 of December 2005, will progressively make this datas accessible to the public through the Internet**

e) Meta-information including catalogues of data sources and details of the scope of information held by public authorities and mechanisms for the provision of access to environmental information is:

i. Generally available ___ Partly available **X** Not available ___

ii. Please provide internet link, if applicable : **www.eaufrance.fr; www.prim.net**

iii. Is such meta-information legally required to be available? Yes___ No **X**

iv. If not generally available, do you have plans to progressively improve access to this information? Yes **X** No ___

v. Comments **The web site naturefrance will be created next year**

4. In your country, what proportion of members of the public has electronic access:

a) In their place of residence?

More than 80% ___ 60-79% ___ 40-59% ___ 20-39% ___ Less than 20% ___

b) In their place of work (employment, school etc.)?

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More than 80% ___ 60-79% ___ 40-59% ___ 20-39% ___ Less than 20% ___

c) In a publicly accessible facility (internet café, public library, kiosk etc)?

More than 80% ___ 60-79% ___ 40-59% ___ 20-39% ___ Less than 20% ___

5. In your country, has the scope of environmental information that is electronically accessible since 2005:

Generally increased ___ Partly increased **X** Remained the same ___ Declined ___

6. For the majority of Internet users in your country, what is the most common form of Internet access:

Dial-up (telephony) ___ Wi-Fi (wireless networking) ___ Broadband ___ Don't know: ___

Broadband is a term that encompasses DSL, cable and satellite high-speed Internet connections. DSL stands for "Digital Subscriber Line". Variants include ADSL, HDSL, IDSL, VDSL and SDSL.

7. Please describe any methods or measures that are used to gauge the level of actual use of environmental information accessed electronically in your country (for example, tracking of web traffic statistics on official environmental information sites):

Tracking of web traffic statistics: see the first implementation report to the Aarhus Convention concerning the traffic statistics of the IFEN (Institut français de l'Environnement)

8. Please identify in the table below the
a) main users of environmental information in your country, and
b) methods used to assess their information needs.

You may choose one or more categories.

a) Main User	b) Methods
Government	
Academia / Schools	
General Public	

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Nongovernmental Organizations	
Private sector	
Others (Please identify)	

9. If your Ministry or agency has assessed user needs for environmental information, please briefly describe how successful it has been.

The Ministry has to implement general obligations (law and regulation) which guaranty a public access to the informations to the public at large, without discrimination of the users. The objective is a dissemination at large, and not focused on specific users.

10. In your country, how is progress on improving electronic access to environmental information being communicated to the public?

11. What concrete steps have been undertaken to ensure that information is available electronically? Please include reference to national web portals or other sites of interest.

Creation of national web sites in specific sectors: water, risks, general web site of the ministry, etc. (see above for the link)

12. Is public access to environmental information through the Internet or other electronic means provided as a matter of practice or is there a legally enforceable right to such access?

If possible, please include reference to relevant national policies or provisions of national law referring to this right.

Cf. question 1 on the law concerning access to information

13. Has your country formulated and implemented national "e-government" strategies for the use of electronic tools to facilitate administrative processes and services, to make public administration more transparent and efficient in providing available environmental information and dealing with requests for such information from the public? Please include relevant title(s), name(s), contact information of responsible officer(s) and timeframe for implementation.

The program ADELE is a strategy of development of electronic administration. Links:

www.adele.gouv.fr ; www.modernisation.gouv.fr; www.service-public.fr

14. In which types of environmental decision-making process (in the sense of articles 6, 7 and 8 of the Convention) may public participation take place electronically? What are the main steps in the process? If possible, please give concrete examples.

_The procedures of public debate and public inquiry use or could use in the future electronic ways: web sites especially created for public debates; for the procedure of public inquiry, the Gouvernement decided at the latest decision of the CISI (Comité interministériel de la Société de l'information) in July 2006 to experiment the use of new technologies of information and communication in the procedure of public inquiry ("enquêtes publiques"): publication on a web site of the decision of opening an inquiry, of the report at the end of the procedure and of parts of the information submitted to the public, with an indication where the whole information can be found.

15. Have comprehensive environment-related programmes, including specific training programmes linking the use of information technology applications to the promotion of good environmental governance, been developed and implemented in your country?

a) Yes ___ No ___

b) Is the training programme:

i. Ongoing ___ Periodic ___ One-time ___

ii. Financed through international assistance ___
State-financed (National or local government) ___
Privately-financed (philanthropy, NGO, private sector) ___
Other (please describe) ___

c) Please provide the date(s) of initiation and target audience of environment-related training programmes:

16. Please describe any measures taken to promote the involvement of different stakeholders representing both providers and users of information, including civil society and private sector institutions, in the development and use of electronic tools to provide environmental information to the public?

17. What are the most important challenges and obstacles in your country to the use of electronic tools to implement the *Recommendations* contained in decision II/3?

You can use the enclosed list of possible challenges on page 10 as reference.

18. Does your country have an Aarhus Clearinghouse National Node web portal? If yes, please identify the website address (url):

This CHM web portal does not for the moment, but is scheduled for 2007

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19. Does your country have a designated Aarhus Clearinghouse National Node Administrator or contact point responsible for collecting, managing and updating the information contained in the national node? Yes ☐ No ☒

Responsible for content management:

Name: _____

Title: _____

Organization: _____

Postal address: _____

Telephone: _____

Fax: _____

Email: _____

Technical contact:

Name: _____

Telephone: _____

Email: _____

20. Date of launch of national node of the Clearinghouse: (Month/Year) _____

21. How often does your national node administration update the National Clearinghouse web portal? Monthly ☐ Quarterly ☐ Annually ☐ Never ☐

22. Approximately how many resource entries in the Aarhus Clearinghouse for Environmental Democracy (<http://aarhusclearinghouse.unece.org>) reflect national content?

More than 10 ☐ 5 to 10 ☐ Less than 5 ☐ None ☐

23. What method of communicating resource entries to the Aarhus Clearinghouse for Environmental Democracy does your organization or agency prefer to use? Does it submit information:

By email to aarhus.clearinghouse@unece.org ☐

By email to staff of the Aarhus secretariat ☐

By email to national experts serving on Task Force ☐

By email to Clearinghouse National Node Administrator ☐

Using Clearinghouse's online form accessible to registered content managers ☐

Other (please specify) _____

24. Please describe any measures undertaken to promote the involvement of different stakeholders representing both providers and users of information, including civil society and private sector institutions, in the national node of the Clearinghouse.

25. Please provide any additional comments below.

Thank you for completing this questionnaire!

Information Tools	Relevant provisions of the Aarhus Convention	Challenges & obstacles to ICT Implementation
<p>ELECTRONIC</p> <ul style="list-style-type: none"> • Internet • E-mail • Electronic Community Notice Boards/ Billboards • CD-Rom • Electronic data accessible through bar-code scanning • Electronic data accessible through touch-tone dialling • SMS – Short Messaging System • Public electronic information kiosks • Telephone Hotlines/Fax TV Teletext • Other (to be specified) <p>NON-ELECTRONIC</p> <ul style="list-style-type: none"> • Brochures • Exhibitions • Green community reps • Info-shops (walk in) • Libraries • Newspapers • Open days • Posters • TV, Cinema, Radio • Other (to be specified) 	<p>ARTICLE 4, PARA. 1</p> <p>Response to requests for environmental information in the form requested</p> <p>ARTICLE 5, PARA. 3</p> <p>a) Reports on the state of the environment b) Texts of legislation on or relating to the environment c) Policies, plans and programmes on or relating to the environment, and environmental agreements d) Other information, to the extent that the availability of such information in this form would facilitate the application of national law implementing the Convention.</p> <p>ARTICLE 6</p> <p>Public participation in decisions on specific activities which may have a significant effect on the environment</p> <p>ARTICLE 7</p> <p>Public participation concerning plans, programmes and policies relating to the environment</p> <p>ARTICLE 8</p> <p>Public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments</p>	<p>INSTITUTIONAL</p> <ul style="list-style-type: none"> • Limited scope or extent of environmental data collected in your country • Limited standardization of data sets • Poor cooperation with other agencies collecting environmental data • Limited interest in utilizing ICT among: <ul style="list-style-type: none"> -Data providers (you) -Data users (pls. Quantify) • Other priorities (pls. Detail) • Lack of time to explore/implement <p>ECONOMIC</p> <ul style="list-style-type: none"> • Limited market availability of equipment • Lack of IT service providers • Lack of technical support • High cost of online access • High cost of equipment • Poor state of telecommunication networks <p>CULTURAL</p> <ul style="list-style-type: none"> • Limited expertise/know-how <p>LEGAL</p> <ul style="list-style-type: none"> • Unclear rules, legislation on environment and informational responsibility <p>OTHER (to be specified)</p>