

The process and added value of national reporting

Lessons learned under Aarhus Convention reporting process – the case of France

WORKSHOP ON REPORTING

PROTOCOL ON WATER AND HEALTH



Ministère de l'Écologie, de l'Énergie, du Développement durable et de la Mer
En charge des Technologies vertes et des négociations sur le climat

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1 Key features of Aarhus reporting regime (reminder)

2 Genesis of 1st national implementation report (2005)

3 Genesis of 2nd national implementation report (2008)

4 Main lessons learnt...

Key features of the Aarhus reporting regime

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- « Convention on access to Information, public participation in decision-making and access to justice in environmental matters (signed at Aarhus, Denmark, on 25 June 1998)
- Entry into force : 30 October 2001. Approval by France : 8 July 2002
- Article 10, paragraph 2 of the Convention : *“At their meetings, the Parties shall keep under continuous review the implementation of this Convention on the basis of regular reporting by the Parties.”*
- 1st National implementation report (NIR) : 2005 (presented at 2nd Meeting of the parties (MOP) : Almaty, 25-27 May 2005)
- 2nd NIR : 2008 (presented at 3rd MOP : Riga, 11-13 June 2008)

Key features of the Aarhus reporting regime

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■ What Aarhus reporting is about...

- « Each Party should prepare, for each ordinary meeting of the Parties, a report on :
 - a. The necessary legislative, regulatory or other measures that it has taken to implement the provisions of the Convention ;
 - b. Their practical implementation.

- Reports submitted by Parties, Signatories and other States should be prepared through a transparent and consultative process involving the public. The process of preparing reports should therefore start in time for drafts to be made available for public consultation. »

- *NB : online reporting format developped by Convention Secretariat to facilitate submission of finalized NIRs in standard format.*

Preparation of 1st national implementation report (NIR)

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1. **Preparation of the first draft** of the report by the Ministry of environment, after governmental consultations
1. **Governmental and multi-stakeholder consultations**, including NGOs, from april to november 2004 :
 - Analysis of the comments received
 - Synthesis meeting (17 november 2004)
1. **Publication of the new draft report on the Ministry's website**, with an invitation to provide comments (15 december 2004 - 15 january 2005)
1. **Submission of the official report** : 21 january 2005 (submission deadline : 24 january 2005)

Preparation of the 2nd national implementation report

Guidelines for elaboration of 2nd NIRs

- **National Consultation on content of report**
3 months : Mid-May – mid-August 2007
- **First draft**
1 month : Mid-August – mid-September 2007
- **Consultation on first draft**
30–60 days : Mid-September – mid-November 2007
- **Final report preparation** (including translation, where necessary)
30 days : Mid-November – mid-December 2007
- **NIRs submission deadline**
180 days in advance of the meeting of the Parties
Mid-December 2007

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Preparation of the 2nd national implementation report

Application of guidelines

1. Beginning of preparation (may 2007) : **consultations of public authorities** for the updating of the 1st report
1. **Multi-stakeholder consultations**, including NGOs (oct-nov 2007) :
 - Transmission of draft report in « revision mode », to reflect changes and provide new information (october 2007)
 - **Availability of new draft report on Ministry website for one month**, with an invitation to provide comments (nov 2007)
 - Analysis of comments received
- **Synthesis meeting** with public authorities and NGO's (23 november 2007)
- **Submission of report** : 20 december 2007

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Lessons learnt...

On the (predominantly) positive side...

- Reporting provides a good window of opportunity to take stock -- and integrate outside assessments-- of the implementation of the convention and what its positive direct and indirect impacts have been.
- It forces the leading institution to assess/update/coordinate who does what and inform/interact with other administrations, the public, NGOs concerning their rights and obligations. Inventories of information sources --especially online-- and relevant legal or administrative texts are always constructive.
- Useful comparisons with other parties to the Convention can be exploited during reporting (best practices / lessons learnt)

Lessons learnt...

Some shortcomings identified in the interaction process with the public...

- Mobilization of the public through internet not up to expectations (quality interaction but only 20 formal contributions for the 1st report and 3 for the 2nd) => online consultation to be optimised...
- civil society/public comments and contributions sometimes difficult to exploit...
- ... but note-worthy contributions too; useful comments and observations; outside look upon process and reporting...

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Lessons learnt...

Some advice...

- Give early consideration to the preparation of - and consultation process implied by - national implementation reports.
- Take into account the specifics of the country
- Active management of Internet information and consultation tools (no interaction without action) => part of a more general media strategy. Identify best practices in engaging think tanks, NGOs, unions, federations... Time/energy/adaptation skills needed in consulting/involving the public and civil society

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Lessons learnt...

Some advice...

- Capitalise on the official report:
 - take stock of lessons learnt –positive and negative-- with regard to content and interaction process;
 - rationalise media strategy in order to inform on the Convention, its implementation and the stakes behind them;
 - emphasize follow-up and links with other ongoing processes (synergies, parallels... and lessons for future reports) including, in France, the larger process of rationalisation and simplification of internal law (coherence, legibility and access)