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**ANCLI: WHITE PAPERS**  
**Major contribution to public debate in France on nuclear waste  
policy**

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## 1 INTRODUCTION

Local Information Commissions (CLI) were first set up in autumn 1981 following the "Mauroy circular" sent out by then Prime Minister, Pierre Mauroy. To date (2006), 30 CLIs have been set up. The status and funding for these CLIs have lacked consistency, subject to the good will of the political authorities. However, since being set up, the value of these commissions has become more and more apparent: the French now have somewhere where they can express their opinions. It is for this reason that, for almost ten years, the CLIs have called for a legislative framework in recognition of their existence: this has now been achieved, under the provisions of the Nuclear Transparency and Safety Act passed on 13 June 2006.

It is a shame, however, that this Act does not explicitly recognise the existence of the National Association of Local Information Commissions (ANCLI), set up in 2000 and grouping together 20 CLIs (2006).

When two public debates were announced, one on waste management and the other on the European Pressurized Reactor (EPR), ANCLI set up a working group to investigate the subject of "*Local Governance of nuclear sites*" and which published its findings in May 2005. Thanks to the extremely positive reaction this Paper received, both on the part of the CLIs and within political circles, ANCLI initiated a study focused more directly on nuclear waste management. This working group's research has resulted in the publication of the "*Livre Blanc de l'ANCLI - Matières et déchets radioactifs/territoires*" – ANCLI's White Paper on radioactive materials and waste and local communities (June 2006). This Paper was published after the Act of 28 June 2006 relative to "*National policy on sustainable management of radioactive materials and waste*" was passed.

Members of the French parliament were informed of the key ideas it contains. This "White Book" is a contribution to public debate on nuclear waste and on EPR. In a first approach, the ANCLI is not considered as a partner. The ANCLI however managed a mediator's position to obtain :

- more time to public debate;
- a working group on access information when they are restricted for "Defence" purposes;
- a watchdog on information between two debates on subjects like nuclear wastes or reactors.

It should be mentioned that ANCLI was very disappointed that it was not given the opportunity to make its views on several points known, primarily on the setting up of a national standing committee made up of external experts, the CNPP (*Commission Nationale Pluraliste et Permanente*), intended to encourage greater public awareness and monitoring of projects concerning nuclear energy.

## 2 PRESENTATION OF THE „WHITE PAPER“

The CLIs and, therefore, ANCLI, have a "broad mission of communication, monitoring and expertise concerning the operation of nuclear sites and their impact on public health, the environment and the economy, throughout their operational lifetime and beyond." The CLIs act at local level but share their experience and carry out joint actions under the umbrella of the national association, ANCLI. The aims of this association are:

- to represent the CLIs within the various bodies in which they participate (elected representatives, union representatives, environmental protection associations and scientists);
- to provide technical and human resources to help the CLIs fulfil their work more effectively;
- to ensure that the CLIs' voices are heard, nationally and internationally, on any subject which may concern them.

Although largely ignored to begin with, ANCLI has managed to consolidate a strong position in the public debate on nuclear waste. It has therefore decided to publish the findings of the various CLIs in a White Paper. In particular, ANCLI intends to be actively involved, referring to Article 7 of the Constitutional Act relative to the Environment Charter: "Everyone has the right, in the conditions and to the extent provided for by law, to have access to information pertaining to the environment in the possession of public bodies and to participate in the public decision-taking process likely to affect the environment." It aims to make a major contribution "to improving radioactive materials and waste management in France by fairly and justly taking the concerns and the roles of local players into account."

The main points covered in "*Matières et déchets radioactifs - territoires*", the White Paper on radioactive materials and waste and local communities, are as follows:

### Participatory democracy at local level

\*The CLIs and ANCLI have a direct concern in any issues related to radioactive materials and waste. (...). They aim to take up these issues within the framework of their remit.

\*The CLIs aim is to contribute to making information available to all citizens. To this end and with the support of ANCLI, they will deploy all the regulatory and legal resources available, notably within the framework of agreements with local players under the 2006 Act, to secure guarantees on accessing and monitoring information. (White Paper, page 11)

\*As part of their monitoring remit, the CLIs aim to act as a public watchdog and foster greater public awareness.

\*Without playing a managerial role, nor releasing the authorities from their duty to exercise regulatory control, the CLIs' and ANCLI's aim is to act as a public watchdog and foster greater public awareness, which would support the control carried out by the authorities "by remaining informed of new issues that may arise, in response to the concerns of local players." (White Paper, page 11).

### Involvement of the local stakeholders in the decision-making process and monitoring

\*CNPP (Commission Nationale Pluraliste et Permanente - standing committee made up of external experts): ANCLI recommended that the Act of 28 June 2006 should include the setting up of this committee, which:

\*\*Membership is pluralistic: diverse experts (public or not), local and national elected representatives, local stakeholders, unions and associations, regulators (ASN), operating managers, etc...

- \*\*Members are appointed by the government;
- \*\*The public authorities and experts are involved in the Committee's studies;
- \*\*The Committee organises regular meetings between representatives of the authorities and the community and the public;
- \*\*The Committee develops a general and independent viewpoint based on existing information;
- \*\*The Committee can be called upon or can itself decide to take up any issue relating to the management of radioactive materials and waste;
- \*\*The Committee has a budget allocated by the State.

\* ANCLI needs to have a statutory role in the process of monitoring the management of radioactive materials and waste. Members of its Scientific Committee should be stakeholders in the National Review Board (CNE).

\* ANCLI is to pursue its initiative at European level with the set up of EUROCLI.

## Expertise

### \*Facilitating access to information

- \*\*Work in conjunction with the CNE;
- \*\*Agreement with the regulatory authorities, public experts and operators to make access to information easier and to make restricting information for "Defence" purposes the exception rather than the rule.

### \*Developing non-institutional expert studies, in particular drawing on a broad range of external expert sources

- \*\*Draw on more diverse sources of expertise;
- \*\*Increase the authority of ANCLI's Scientific Committee;
- \*\*Consolidate the partnership with IRSN.

### \*Fostering cooperation with public experts

- \*\*To have the principle of IRSN support for work undertaken by the CLIs and ANCLI recognised under the Law.

### \*Providing the CNPP with the means to become actively involved in expert studies

- \*\*Budget for carrying out further expert studies.

## Long-term aspect

\*The 2006 Act does not take this aspect into account.

\*The technical options implemented *must "consistently be integrated into a long-term governance strategy. This, moreover, is what is at stake in reversible waste management strategies, for example, which make no sense unless they leave open options for the future that are acceptable to society and safeguard the ability of future generations to take action and participate in the debate."* (White Paper, page 27).

\* Keeping records, monitoring and fostering local awareness.

\*National meetings.

*"In the long term, as in the present, waste management strategy must take account of the necessity for the production of new waste to be debated and decided upon democratically, according to the principles laid down in the Environment Charter."* (White Paper, page 27).

### 3 CONCLUSION

1 - *The CLIs and ANCLI are directly concerned by any issue related to radioactive materials and waste.*

2 - The CLIs and ANCLI want to help improve the objectivity, quality and diversity of the information made available to the public.

3 - ANCLI has called for a standing and pluralistic committee (CNPP) to be set up to act as a watchdog and encourage greater public awareness.

4 - ANCLI aims to foster the development of more diverse, external sources of expertise. The law on nuclear waste and that on transparency have not enabled all the solutions recommended by ANCLI to be implemented. This is why the CLIs and ANCLI want to encourage greater public awareness with a view to facilitating debate and allowing the public to express their views on issues such as radioactive waste management.