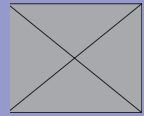


2016-06

DRAFT PLANNING BILL IN FAVOUR OF SUBSTANTIVE EQUALITY OVERSEAS



On 14 June 2016 the Prime Minister referred to the ESEC for an opinion on Title 1 of the planning bill in favour of substantive equality Overseas and on the impact assessment associated with this bill. The introduction of the impact assessment notes that: *"The aim of this policy is to narrow the development gaps within ten to twenty years, with respect for the status of each overseas community"*.

The eleven French overseas communities, across the length and breadth of the globe, harbour extraordinary geographic, historical, institutional, demographic, economic, social, societal, environmental and cultural diversity between them, as well as within them in some cases.

The review reveals disparities within several Overseas communities compared with the mainland in the following areas: access to everyday services, access to education, access to work, impoverishment and precarity among young people, all of which are enough to justify, in the ESEC's view, a planning bill in favour of Overseas communities.

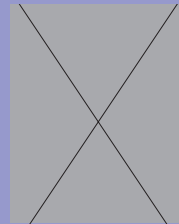
For, the residents of these eleven communities are French citizens coming under Article 72.3 of the French Constitution, which stipulates: *"The Republic recognises the Overseas populations as forming part of the French nation, in a common ideal of liberty, equality and fraternity"*. The ESEC recommends giving the bill the following title: *"planning act in favour of substantive equality in Overseas France"*.

What is more, regarding the sheer diversity of situations in the Overseas communities, the principle of equality as set out in the Constitution cannot, for the ESEC, be understood and applied as having to result in formal equality in all circumstances, on all matters and across the whole of the Republic. It

is the reconciliation of the equality principle with the principle of liberty, administrative freedom for local authorities and managerial independence - increased in some cases - which must lead to an equality objective, with respect for diversity.

Overseas territories are home to an outstanding yet fragile natural (maritime space, biodiversity) and human (linguistic and cultural diversity) wealth of heritage which is both an asset and a challenge in a context of globalisation which is threatening to unsettle global human and ecological balances. With this in mind, France and the EU must reconsider their strategic perception of what these Overseas territories and their populations can contribute to progress for sustainable development worldwide.

France, which is enormously fortunate to be multicultural, must understand that the extreme diversity of its citizens' cultures is a considerable advantage both for generating more wealth and shoring up the quality of community living



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At the ESEC he sits on the Section for Sustainable Management of Territories, the Delegation for the Overseas and the Delegation for Long-Range Planning and Evaluation of Public Policies where he represents the Overseas Group, which he chairs.

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CONSIDER THE PLANNING BILL FROM A SUSTAINABLE DEVELOPMENT PERSPECTIVE

- In the bill, incorporate the economic, social, cultural and environmental dimensions from a sustainable development perspective, by honouring France's international commitments.
- Reinvent development models for the Overseas communities which fully embrace their potential for innovation and excellence by climbing aboard the digital revolution, which is full of promising opportunities for small isolated economies;
- As provided for by the bill, include an objective to reduce external and internal forms of inequality in the policy;
- Set the convergence measures in motion from a long-range planning and sustainable development perspective by aiming, in terms of convergence within ten to twenty years, for a France which meets its economic, social, cultural and environmental commitments;
- However, given the urgent situation in Mayotte, plan immediate measures in this case bearing on national solidarity and State intervention, in addition to the contractual convergence process.

IMPROVE THE TOOLS LEVERAGED TO ACHIEVE CONVERGENCE

- Break down the convergence method provided for by the bill into four stages for each of the 11 communities: perform a shared assessment; develop a strategic sustainable development project specific to each community; negotiate convergence contracts and plans; assess the resulting public policies;
- For each of these four stages, adopt participatory democracy approaches involving the State and all of the local stakeholders concerned (local authorities and organised civil society);
- Call on such resource structures as scientific and university organisations as well as the main public financing organisations operating Overseas;
- Bring all of the Overseas local authorities on board as co-contractors during the contractualisation stage;
- Encourage the use of authorisation and trial possibilities, as well as proposals to amend or adapt the regulations;
- Include undertakings in the convergence contracts that bear both on investment funds and operating means;
- In the Act, specify the arrangements for coordinating convergence contracts with other existing planning tools;
- Factor in the requirement for prior environmental assessment stemming from the "Plans and Programmes Directive".

IMPROVE THE MONITORING INDICATORS

- Recognise that the per capita GDP cannot ascertain the development gaps by itself;
- Rely on the 10 "new indicators of wealth" as the common basis for measuring progress in terms of convergence;
- In addition, adopt several robust common criteria - which are already available if possible - enabling Overseas communities to compare themselves not just to comparably-sized French regions but also to territories in their regional environment;
- In each Overseas community provide indicators for monitoring the policies implemented, chosen in liaison with all of the stakeholders in line with the main objectives of each convergence contract and plan.

SHORE UP THE CONVERGENCE MONITORING AND ASSESSMENT PROCESS

- In each local authority, set up a participatory monitoring committee to keep track of the contract's implementation and to recommend adjustments;
- At least once a year, re-establish an Interministerial Committee for Overseas (CIOM);
- Ensure that the National Committee for Assessing State Policies Overseas (CNEPEOM) works as efficiently as possible;
- Plan for the ESEC to play a part in assessing this policy.