

LEGAL RELEVANCE OF IDENTIFYING ECOSYSTEM SERVICES FOR A SUSTAINABLE URBAN DEVELOPMENT

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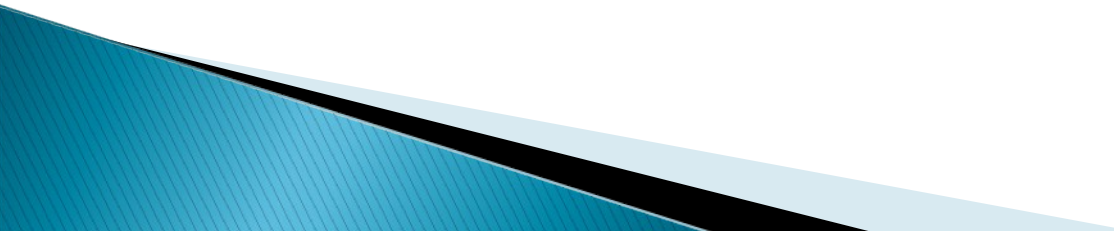
- ▶ I/The undeniable relevance of identifying ecosystem services for a viable urban development
 - ▶ A) The improved environmental impact assessments
 - ▶ B) Towards easier procedures
- ▶ II/The low relevance of identifying ecosystem services for a bearable urban development
 - ▶ A) Unpopular procedures
 - ▶ B) An ineffective tool in court



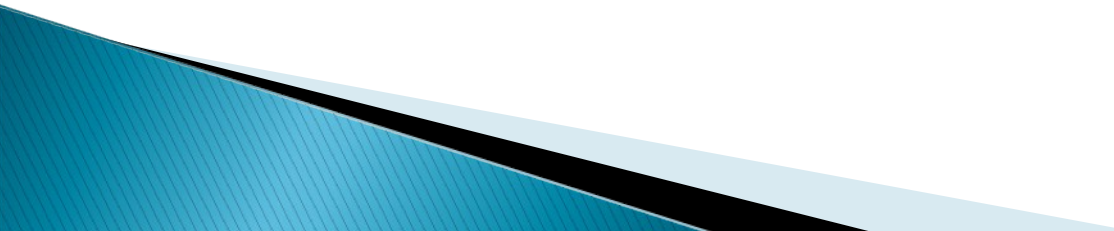
I/The undeniable relevance of identifying ecosystem services for a viable urban development
A) The improved environmental impact assessments

- ▶ Pros :
- ▶ – Ecosystem services are not yet part of environmental impact assessments
- ▶ – But their integration would improve the quality of assessments and so enhance the environmental protection
- ▶ Cons :
- ▶ – Their integration would make the procedures more complicated and increase the risks

I/The undeniable relevance of identifying ecosystem services for a viable urban development
B) Towards easier procedures

- ▶ Directive 2014/52/UE : coordinated and/or joint procedures shall be organised in case of projects submitted to several assessments of the effects on the environment
 - ▶ Knowing ecosystem services would contribute to reach this new level of quality
 - ▶ French experience on unique authorization should help
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II / The low relevance of identifying ecosystem services for a bearable urban development
A) Unpopular procedures

- ▶ Public participation principle
 - ▶ Many procedures available
 - ▶ But low use
 - ▶ Except for dilatory purposes by opponents
 - ▶ Ecosystem services would help people understand and get involved in these procedures
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II/ The low relevance of identifying ecosystem services for a bearable urban development
B) An ineffective tool in court

- ▶ In case of expropriation, the project must be of public utility (« d'utilité publique »)
- ▶ In court, the judge controls the satisfaction of this criterion by balancing benefits against disadvantages (including environmental ones)
- ▶ But projects are rarely punished
- ▶ So ecosystem services would not be a very effective tool against the projects
- ▶ Nonetheless, they could be seen as pros for the project if they were preserved by it

Conclusion

- ▶ Even if ecosystem services might not be an effective tool for a bearable development
 - ▶ They represent a huge progress for a viable development
 - ▶ Thus, they are totally useful for law research
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- ▶ Thank you.