



# CDE Programme

Research project financed by the call for proposal 2009

## **SEMIPAR - Secret military participation: the case of basic nuclear installations and facilities classified for environmental protection**

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**Abstract:** Can the participative democracy and its instruments be combined with the military secret and, reciprocally, can the military secret be legitimately invoked in a democratic society, while it deals with activities using radioactive materials (basic nuclear installations) or developing industrial activities (classified installations for environmental protection) likely to threaten the protection of the people and the environment? Concerns which were born from uncertainties related to the secret re-interrogate the principle of participation. The precaution principle and the vacuum left by the confidentiality in terms of transparency of information results in inventing new forms of participation. The study of the conflicts generated by the secret makes it possible to determine the interactions between actors of a territory (to be identified) and the interactions between man and environment and to better understand the successes and the failures of projects of management. The sociological approach makes it possible to analyze on the one hand the change operated in the management of the installations military concerned with the secret and, on the other hand, the emergence of new forms of counter-evaluation or mobilization (employees, residents...) and logics which lead to the production of new legal frameworks. In the fields of law, sociology and geography, military spaces constitute a new challenge of the participative democracy for the protection of the environment and the populations.

**Method:** Three sites were retained to lead the project, because of their characteristics in terms of participation, oscillating between the temptation of transparency [CEA - French Atomic Energy Commission of Valduc (study of nuclear materials for the manufacture of nuclear weapons), with the constitution of an associative structure (SEIVA)] and silence [DCNS Arsenal of Cherbourg (realization of nuclear submarines propulsion) - DCN and DCNS d'Indret (Nantes) (design and construction of nuclear powered submarines)]. Investigations will be led on the basis of a common questionnaire for the populations, associations, residents, local councillors, employees, subcontractors, managers of the sites, local and central governments; representation and practices of the dialogue; zones of contact and friction in the conciliation procedures... The lawyers will follow their traditional methodology of analysis of the texts, of their construction and of their application. They will also interview those who elaborate them and apply them. On the basis of these various investigations, a

theoretical reflexion will be carried out by each team within the framework of their own questionings and of the common problems, with a collective rewriting to harmonize the reflexion in an interdisciplinary perspective. The final report aims to a better understanding of the strategies of actors, the importance of the territory and the legal and practical methods of the dialogue within a framework from where it is excluded a priori. This project will make it possible to re-interrogate respective legitimacies of the secret and the participation, their territorial, social and legal implications, as well on the populations as on the environment and to propose the construction of new places or methods of participation and exchanges of information.

**Calendar:** The project will mainly consist in a field study during the first two years: the team of project will meet to refine the various problems, to define the strategy of field research (elaboration of questionnaires), including legal, sociological and geographical problems. The investigations into the sites selected will be coupled with interviews at the national level with the public authorities concerned (Ministry of defence, industry, environment, health) and analysis of the daily regional newspaper. The teams of lawyers will focus with their own instruments (texts and doctrines, jurisprudence...) on the questions of secret and participative democracy in terms of environmental protection and protection of the populations (French law and comparative law). At the end of the 2nd year: gathering and analyze of results, analyze of their relevance, ultimate field research, if necessary. 3rd year: drafting of a pre-report, subjected for opinion and complement to the whole of the members of the team, before drafting of the final report by the scientific leaders and the coordinator of the project.