

## HUNGARIAN MINISTRY FOR ENVIRONMENT AND REGIONAL POLICY



RAMSAR CONVENTION



BONN CONVENTION



BERN CONVENTION



BASEL CONVENTION



WASHINGTON CONVENTION



BIODIVERSITY CONVENTION



## APPROVAL AND IMPLEMENTATION OF INTERNATIONAL CONVENTIONS ON ENVIRONMENTAL PROTECTION AND NATURE CONSERVATION IN HUNGARY

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**Adoption and entry into force  
of the conventions**

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**Review of  
objectives and obligations**

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**Ratification  
of the conventions**

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**National tasks  
arising from the conventions**

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**Status of implementation  
of the commitments**

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APPROVAL AND IMPLEMENTATION OF  
INTERNATIONAL CONVENTIONS  
ON ENVIRONMENTAL PROTECTION  
AND NATURE CONSERVATION  
IN HUNGARY

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## CONTENTS

### FOREWORD 7

### NATIONAL TASKS RELATED TO THE INTERNATIONAL CONVENTIONS..... 9

#### I. *PROTECTION OF ELEMENTS OR PROPERTIES OF THE ENVIRONMENT*

I.1.	Convention on long-range transboundary air pollution.....	11
I.1.a.	Monitoring and analysis of transboundary air pollutants .....	15
I.1.b.	Reducing sulphur emissions.....	19
I.1.c.	Controlling the nitrogen-oxide emissions.....	23
I.1.d.	Controlling the emission of volatile organic compounds .....	27
I.1.e.	Further reduction of sulphur emissions .....	31
I.1.f.	Reduction of nitrogen-oxide emission*.....	35
I.1.g.	Controlling the emission of persistent organic pollutants*.....	37
I.1.h.	Controlling the emissions of heavy metals* .....	39
I.2.	Convention on the protection of the ozone layer.....	41
I.2.a.	Reducing the emission of ozone depleting substances .....	45
I.2.b.	The first enhancement of emission control of the ozone depleting substances .....	49
I.2.c.	The second enhancement of emission control of the ozone depleting substances .....	53
I.3.	Stabilisation of greenhouse gas emissions.....	57
I.3.a.	Reduction of greenhouse gas emissions* .....	61
I.4.	Protection of transboundary watercourses and international lakes.....	63
I.4.a.	Protection and sustainable use of the Danube river.....	67
I.5.	Convention on combating desertification and droughts .....	71

#### II. *CONSERVATION OF THE NATURAL ENVIRONMENT*

II.1.	Conservation of wetlands: protecting the habitats of waterfowls .....	75
II.2.	Protecting the world's cultural and natural heritage .....	79
II.3.	Conservation of migratory wild animal species.....	83
II.3.a.	Agreement on protection of European bats .....	87
II.3.b.	Agreement on the African-Eurasian migratory waterbirds .....	91
II.4.	Conserving the European wild plants, animals and their natural habitats.....	95
II.5.	Conservation of biodiversity and biological resources.....	99
II.5.a.	Protocol on biosafety* .....	103

#### III. *CONTROL OF ACTIVITIES THAT INFLUENCE THE STATE OF ENVIRONMENT*

III.1.	Regulating the international trade in endangered wild animal and plant species.....	105
III.2.	Controlling transboundary transport and disposal of hazardous wastes .....	109
III.3.	Assessment of the transboundary environmental impacts .....	113
III.4.	Convention on transboundary effects of industrial accidents .....	117
III.5.	Reducing the environmental impacts of energy production and consumption .....	121

### ANNEXES ..... 125

A.	REFERENCES.....	127
B.	LIST OF INSTRUMENTS OF NATIONAL LEGISLATION IN CONNECTION WITH THE CONVENTIONS .....	129
C.	LIST OF THE CONVENTIONS .....	133
D.	CO-ORDINATORS OF NATIONAL TASKS OF IMPLEMENTATION OF THE CONVENTIONS .....	137
E.	ACRONYMS .....	139

\*under preparation



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## FOREWORD

For the past decades, parallel with economic development taking place in numerous countries of the world, utilisation of natural resources and loads on the environment resulting from the economic activities as well as the damage to its quality and the risk of global environmental changes have increased extremely. At the same time, with the development of environment monitoring systems and research methods a more comprehensive picture could be formed on the state of the Earth's environment, its processes and various environmental impacts of human activities. Just recently three scientists - Paul Crutzen, Mario Molina and F. Sherwood Rowland - were awarded with the Nobel Prize for discovering and proving that certain substances (the CFCs) produced for a long time and deemed to be non-hazardous were depleting the stratospheric ozone layer, which is essential in the evolution and maintaining of life on Earth. Much time was also needed to understand the various effects causing atmospheric acidification, increase of the atmospheric concentration of the greenhouse gases, loss of biodiversity, gradual increase of pollutants in environment and other processes adversely affecting the state of environment.

After recognising the harmful environmental impacts, their triggering causes and relationships, especially in the case of transboundary, large scale or global processes it became clear that co-ordinated international actions to mitigate these harmful impacts and to prevent further ones were necessary and could take place only on the basis of negotiations and agreements among the concerned countries. That objective is served by the international conventions of environment protection and nature conservation.

The new Hungarian act on environmental protection (Tv-LIII, 1995) gives particular attention to participation in international co-operation (§.1/2e) and to carrying out tasks resulting from international commitments (§.3/3, §.11/1). According to the Act: "The government shall ensure the effectiveness of both the civil rights and the agreements and treaties concluded with other countries or international organisations in the field of environmental protection" (§.37/2) and "The Government's environmental protection tasks include especially: (a) fulfilling the environmental protection obligations and ensuring the enforcement of rights derived from international treaties" (§.41/5). A similarly important task is to provide adequate information on environmental protection knowledge, relationships, environmental impacts and obligations (§.12).

By taking the above points into consideration, in this booklet we publish the basic information on all those international conventions in the implementation of which Hungary has direct interest and significant tasks. In addition, some planned international legal instruments whose elaboration is now in progress will also be briefly mentioned. It was our intention with this compilation to give a comprehensive picture of these conventions with particular emphasis on the national tasks and their implementation. Preparing for the Hungarian edition, instead of providing a detailed description of the relevant conventions, we strived to emphasise their essential objectives, features and provisions to give a background for better understanding of the national commitments and the status of their fulfillment. We were of the view that awareness of these international conventions was important for many people in Hungary working in the field of environmental protection and/or concerned because of the risks to and actual changes in the environment. Besides, knowledge concerning the evolution, basic provisions, implementation of these conventions might be important for participants of further bilateral and multilateral negotiations, those involved or interested in environment related international disputes and collaboration in order to better understand the underlying environmental hazards, impacts, triggering causes, the solutions (i.e., legal precedents, policies and measures).

In each part of this compilation, the general features of the legal instruments are first presented, followed by the description of the most essential provisions and the characterisation of

national progress in implementation of the convention. Finally, a list of relevant Hungarian statutes and publications is given. All literature references are summarised in Annex A, whilst the list of referred Hungarian statutes arranged by year of promulgation is reproduced in Annex B. Those conventions are listed in a separate annex (Annex C) which directly or indirectly contain provisions on environmental protection and which are relevant for Hungary. As regards the co-ordination of the national tasks, the basic information is provided in Annex D. Of course, preparing this compilation could not resolve problems of proper division of labour and responsibility that take place in case of some international conventions: when describing the co-ordination of tasks, the participation in international negotiations and interministerial co-operation, we could derive information primarily from the provisions laid down in the related statutes.

As far as we know, only a few Hungarian compilations dealt with detailed review and/or included formal texts of one or more of these conventions. The book by P. Dunai, G. Kardos, T. Kende and B. Nagy "International Legal Treaties and Documents" (1991), among others, publishes the Hungarian texts of several international environmental conventions. The four volume series published by the Ministry for Environment and Regional Policy (MERP) Department for International Co-operation (editors: H. A. Lakos, A. Mihályfi, respectively) presented the Hungarian texts of the the most important international conventions and declarations on the subjects of environment protection and nature conservation. A former MERP publication (Gy. Bándi, T. Faragó and H. A. Lakos, 1994) presented the background aspects, elements of historical development and most essential features of these international conventions. Finally, the compilation by the Ecological Institute, Miskolc for training purposes (ÖIFF, 1994) contains the detailed analysis of six nature conservation conventions. The Hungarian version of the present booklet was published at the end of 1995; the contents of this English edition is identical except some updated information reflecting the progress for the relevant conventions that took place during the last several months.

For recent years we have been in a particular position, being able to study "at close range" the issues, international and domestic developments of two specific conventions - the Ramsar Convention on wetlands, the UN Framework Convention on Climate Change adopted in New York, respectively, - as elected officers of the international organisations of those conventions. In 1994 in co-operation with dr. Gyula Bándi, expert on legal aspects of the conventions, we deemed important to present the international conventions in Hungary in a comprehensive way, and afterwards we accepted with pleasure the request to prepare a followup review on implementation of these conventions in Hungary. We owe special thanks to those Hungarian experts who contributed to this compilation.

Budapest, June 1996

The Editors



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**NATIONAL TASKS  
RELATED  
TO THE INTERNATIONAL CONVENTIONS**

- I. Protection of elements or properties  
of the environment
- II. Conservation  
of the natural environment
- III. Control of activities that influence  
the state of environment



## I.1. Convention on long-range transboundary air pollution

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on Long-range Transboundary Air Pollution	
INTERNATIONAL	
* adoption:	13 November 1979
* venue:	Geneva (Switzerland)
* entry into force:	16 March 1983
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	13 November 1979
* ratification/approval:	22 September 1980
* entry into force:	16 March 1983

#### ★ *General objectives*

Beginning with the 1960s, more and more scientific results were published detailing the harmful environmental impacts of atmospheric sulphur and other pollutant emissions. These emissions have been linked to acidification (acid rain), increase of surface-level ozone concentration and other problems. Furthermore, such polluting substances might travel in the air distances of even several thousand kilometres from the place of their sources.

Concerned by these results, the Geneva Convention was adopted in 1979; its fundamental objective is to reduce long-range transboundary air pollution:

- "The Contracting Parties taking into due account of the facts and problems involved, are determined to protect man and his environment against air pollution and shall endeavour to limit and, as far as possible, gradually reduce and prevent air pollution including long-range transboundary air pollution." [§.2]
- "The Contracting Parties within the framework of the present Convention, shall by means of exchanges of information, consultation, research and monitoring develop without undue delay efforts already made at national and international level policies and strategies which shall serve as means of combating the discharge of air pollutants." [§.3]

### *\* Concrete commitments*

The Convention stresses the necessity of further development of national programmes, research, and monitoring aimed at reducing emissions, as well as international co-operation facilitating such activities. Accordingly, the Parties acceding to the Convention:

- shall exchange information on and review their policies, scientific activities and technical measures aimed at combating the emission of air pollutants causing adverse effects, thus contributing to the reduction of air pollution, including long-range transboundary air pollution [§.4],
- shall participate in research, development, measurements, and exchange of information, as well as in the implementation and further development of agreements established for monitoring and evaluating the long-range transmission of air pollutants [§.6-§.9].

### *\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries, including Hungary.

### *⊕ Financial and facilitating mechanisms*

Costs of administrative tasks related to the Convention are covered by the budget of UN ECE. Under the Convention there is no separate financial system to support any particular group of countries or scope of tasks.

### *⊕ Further development of the legal instrument*

This is a framework convention; Implementation and elaboration of more concrete commitments are outlined in several Protocols adopted later.

### *◇ The international organisation*

The Executive Body within the framework of the UN Economic Commission for Europe (UN ECE) supervises the implementation of objectives set by the Convention. Each Party to the Convention is represented in that body. Secretarial and administrative functions are performed by the UN ECE Environment and Human Settlements Division. In order to support the work of the Executive Body (to draft Protocols, facilitate the implementation of various commitments), several Working Groups were formed, including the Steering Body of the monitoring programme (EMEP; I.I.a.), the Working Group on Effects, the Working Group on Technology and the Working Group on Strategy.

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

Hungary signed the Convention on 13 November, 1979, then ratified it on 22 September, 1980. The Convention entered into force for Hungary in 1983 (when it entered into force at international level for all Parties which already submitted their ratification instruments).

⌚ *Implementation of the general objectives in Hungary*

In accordance with the Convention, MERP coordinated several programmes and passed measures which are now being implemented in order to reduce the emission of air pollutants and thus to reduce transboundary air pollution.

Major statutes and standards in this respect are as follows: Governmental Decree 21/1986 (VI.2.) MT and its amending Governmental Decree 49/1989 (VI.5.) MT on air pollution abatement; Decree 5/1990 (XII.6.) NM on the monitoring of air pollutants and ambient air quality criteria, as well as standard MSZ-21854-1990 on ambient air quality criteria.

In the general monitoring, analytical, and research activities corresponding to the Convention, numerous Hungarian institutions are taking part (e.g., Institute of Environmental Management, the Institute of Atmospheric Physics).

⌚ *Implementation of the concrete tasks in Hungary*

The Convention only specifies sulphur dioxide; other air pollutants are mentioned only in general. However, it contains no specific provisions for reducing sulphur dioxide emissions. Concrete tasks for implementing the Convention are contained in the Protocols adopted later.

⌚ *Contribution to the financial funds*

There is no specific obligation for the Parties to contribute to administrative costs. These costs are covered within the framework of the UN ECE budget.

⌚ *Participation in international programmes*

In order to measure, analyse, and reduce the emission of air pollutants - to implement the tasks resulting from relevant Protocols - Hungary participates in numerous bilateral and multilateral co-operation programmes.

⌚ *Hungarian participation in the international organisation*

Hungary was represented regularly at international consultations connected with drafting and implementing the Convention, in the activities of the Executive Body, as well as in the work of certain Working Parties established under its guidance (Working Group on Strategy, Working Group on Technology). Hungary also contributed to the drafting of Protocols adopted later.

The chairman of the Convention's Working Group on Technology has been dr. Endre Kovács (MERP, Institute of Environmental Management) since 1992.

① Co-ordination in Hungary

MERP is responsible for coordinating the implementation of the Convention as well as preparation/representation of the Hungarian position at international negotiations (Annex D).

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Legal instruments, references

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- #OKTH, 1984: The international convention on long-range transboundary air pollution, signed in Geneva on 13 November 1979. Magyar Közlöny, No. 22 (published by the President of OKTH)
- #MTr-21, 1986: Decree 21/1986 (VI.2.) MT on the protection of air quality
- #MTr-49, 1989: Decree 49/1989 (VI.5.) MT on the amendment of Decree 21/1986 (VI.2.) MT on air quality protection
- #NMr-5, 1990: Decree 5/1990 (XII.6.) NM on air pollutants, ambient air quality criteria and measuring of ambient air pollution
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest

## I.1.a. Monitoring and analysis of transboundary air pollutants

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP)	
INTERNATIONAL	
* adoption:	28 September 1984
* venue:	Geneva (Switzerland)
* entry into force:	28 January 1988
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	27 March 1985
* ratification/approval:	8 May 1985
* entry into force:	28 January 1988

#### ★ *General objectives*

The original monitoring and analysis programme was started in 1977, and its results contributed significantly to drafting the Convention. After the Convention came into force, therefore, it was decided that under its scope, steady financial support shall be provided for continuing the Programme.

The main objective of the Programme is to supply appropriate information for Parties on concentrations and settling of air pollutants, as well as on the importance and quantity of transboundary air pollution. To that end, the Programme has three major areas of activity: collecting emission data; measuring chemical composition of air pollution and precipitation water; and modelling atmospheric dispersion using emission and meteorological data.

#### ★ *Concrete commitments*

According to the Protocol the basic commitments are as follows:

- as of 31 December of each year the national emission levels shall be reported annually by main source categories;
- as of 1990, national emission levels shall also be reported in 50x50 km resolution every five years;

- measuring stations shall be maintained, and their data shall be forwarded regularly to the EMEP Centres to monitor atmospheric concentrations of air pollutants.

*\* Specific provisions applying to Hungary*

The Protocol contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The essence of the Protocol is to prescribe contribution commitments to funds required for operating the Programme. Furthermore, the Protocol provides for handling voluntary contributions.

Contributions are paid to the General Trust Fund, from which the costs of activities included in the Programme and the expenses of international co-operating centres specified in the Programme are to be covered. The annual budget of the Programme is close to USD 2 million.

The main feature of financial procedures is that at present several Central- and East-European countries redeem their contribution commitments through certain methodological development, analytical, and other "in kind" activities or through partial payment in non-convertible currencies.

The revision of payments to the Fund and of the cost division system is in progress so that Parties could possibly cover the common costs of the Programme in accordance to the UN scale of assessment.

*⊕ Further development of the legal instrument*

The expansion of the measuring programme and a significant increase in requirements for measurements is currently on the agenda of negotiations.

*◇ The international organisation*

The main co-ordinating body of the Programme and of the Protocol on financing is the Steering Body. Secretarial and administrative functions are performed by the UN ECE Department for Environment and Human Settlements. [I.1./◇]

Coordination of the monitoring and calibration tasks is managed by the Chemical Coordinating Centre (Kjeller, Norway); the western and the eastern Meteorological Synthesising Centres (Oslo, Moscow) coordinate the development and application of the air pollution transport models.

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary signed the Protocol on 27 March, 1985, and then ratified it on 8 May, 1995.



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### ⌚ *Implementation of the general objectives in Hungary*

The Protocol explicitly provides for a mandatory contribution to the Trust Fund; Hungary has met its commitments.

Hungary joined the monitoring network of the Programme and forwarded its measurement results to the assigned EMEP centre as prescribed.

### ⌚ *Implementation of the concrete tasks in Hungary*

In Hungary, MERP is responsible for implementing concrete tasks derived from the Protocol; concrete measuring tasks assigned by the Programme were carried out by the Institute for Atmospheric Physics. Due to coordination and financial problems with the measurement programme, following the internationally prescribed expansion of the programme is proving to be difficult. It is currently unclear whether Hungary shall be able to meet the increased qualitative requirements.

### ⌚ *Contribution to the financial funds*

Since 1992, Hungary has covered its contribution to the Trust Fund in cash. Its contribution in 1994 was USD 8473. Contribution commitments for the period 1995-1996: USD 8544 for 1995 and USD 8957 for 1996. Hungary is not in arrears with its payments.

The system of sharing the costs is under revision, with an introduction of amendments expected in 1997.

### ⌚ *Participation in international programmes*

The efficient execution of measuring and modelling activities required by the Programme is also greatly facilitated by the EUREKA/EUROTRAC programme. On behalf of Hungary, the Institute for Atmospheric Physics - supported by the National Committee of Technical Development and by the European Union - also participated in that programme, until 1994 through methodological developments relating to EMEP measuring activities, adapting measuring and analytical methods, and other activities.

### ⌚ *Hungarian participation in the international organisation*

Supervision of implementing the Protocol is carried out by the Executive Body of the Convention, in which Hungary also takes part. According to the Protocol, the Programme Steering Body is responsible for preparing and executing the budget plan related to the Trust Fund; Hungary is also participating in the work of that Body.

### ⌚ *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations lies with the Ministry for Environment and Regional Policy (Annex D).

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Legal instruments, references

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- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest, pp. 21-22
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 25-34

## I.1.b. Reducing sulphur emissions

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### Basic features of the legal instrument and the international organisation

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#### *\* Basic data*

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Reduction of Sulphur Emissions or Their Transboundary Fluxes by at least 30 per cent
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#### INTERNATIONAL

* adoption:	8 July 1985
* venue:	Helsinki (Finland)
* entry into force:	2 September 1987
* organisation:	UN ECE
* depository:	UN Secretary General

#### HUNGARIAN

* signature:	9 July 1985
* ratification/approval:	11 September 1986
* entry into force:	2 September 1987

#### *\* General objectives*

According to the objective of the Protocol, each Party shall reduce its national annual sulphur emissions or their transboundary fluxes by at least 30 % as soon as possible and at the latest by 1993, using the 1980 levels as the basis for calculation of reductions [§.2].

#### *\* Concrete commitments*

According to the basic obligations, Parties:

- submit annual reports to the Executive Body (I.1./◇) on their national annual sulphur emissions and the method of calculation [§.4];
- elaborate or further develop national programmes, policies, and strategies within the framework of the Convention to reduce their sulphur emissions or their transboundary fluxes by at least 30 % as soon as possible, and at the latest by 1993 [§.6];
- submit reports to the Executive Body on these programmes and progress made with their implementation [§.6].

#### *\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

### ⊕ *Financial and facilitating mechanisms*

(I.1./⊕)

### ⊕ *Further development of the legal instrument*

The emission reduction target in the Protocol was set for a specific level and for a specified time period. Parties have agreed to investigate the necessity of further sulphur emission reductions or reducing transboundary fluxes of such emissions at the national level [§.3]. Although no time was set in the Protocol for starting international negotiations on further reductions, such negotiations are already finished and the second "Sulphur Protocol" has been adopted (I.1.e).

### ◇ *The international organisation*

(I.1./◇)

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## Adoption and implementation of the legal instrument in Hungary

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### ☆ *Adoption*

The representative of Hungary signed the Protocol in Helsinki on 9 July 1985 and it was ratified on 11 September 1986.

### ⌚ *Implementation of the general objectives in Hungary*

The Protocol uniformly specified 30 % sulphur dioxide emission reduction for all countries belonging to the UN ECE. Taking into account the high pollution level, and, in particular, the sulphur dioxide pollution in significant regions of the country, the reduction of inland air pollution and of air pollution transmitted across the borders to the country's territory was an essential environmental policy objective in Hungary. The Protocol was an efficient tool for that purpose.

In 1990 the total sulphur dioxide emission of Hungary was 1.632 kilotons. That was to be reduced by 30 % until 1993, that is to 1.142 kt/year value. That basic goal was achieved, as 1993 emissions were reduced to 757 kt/year.

The most important processes and measures taken to reduce emissions were as follows: change of energy carriers (fuels) on a large scale first from coal to fuel oil, then increasingly to natural gas; primarily in the power generating industry, but also in residential consumption; gradual introduction of electric power supply from the Paks Nuclear Power Plant; reduction of the sulphur content of diesel fuel; considerable decrease in industrial production, primarily after 1989.

### ⌚ *Implementation of the concrete tasks in Hungary*

Hungary also met further commitments as provided in the Protocol by expanding and implementing the appropriate legal framework, official tools, programmes, and by preparing the prescribed reports:

- legislation related to air quality control should be emphasized, namely, the Governmental Decree 21/1986 (VI.2.) MT on the protection of air quality, Directive 4/1986 (VI.2.) OKTH on air quality protection by the President of National Agency for Environment Protection and Nature Conservation, as well as their amendments;
- the following regional programmes aimed at improving the air quality of heavily polluted regions played significant role in implementation of tasks resulting from the international agreement:

Inter-Departmental Programme for improving the air quality of heavily polluted regions for the periods between 1986-1990 as well as 1991-1993;

Inter-Departmental Action Programme for Air Quality Protection passed by Governmental Resolution 1079/1993 on improving the air quality of extremely polluted areas in the 1994-1998 period, which includes measures of legal, technical and economic nature and serves the implementation of the Protocol, at the same time supports laying the foundation for further emission reductions (which already conform with the objectives of the second sulphur Protocol adopted in Oslo in 1994);

- the reduction of sulphur emission was also served by certain investments supported from the Central Environmental Protection Fund, e.g. experiments with hybrid-fluid boiler type in the Ajka Power Plant and the ongoing boiler reconstruction programme;
- on behalf of Hungary, MERP regularly prepared and submitted the annual data reports on emissions required by the Executive Body.

#### ⌚ Contribution to the financial funds

(I.1./⌚)

#### ⌚ Participation in international programmes

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#### ⌚ Hungarian participation in the international organisation

Implementation of the Protocol was co-ordinated and controlled by the Executive Body in the framework of the UN ECE. The representative of Hungary participated in the activities of that body and its Working Groups.

#### ⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lay with OKTH and lies now with its successor, the Ministry for Environment and Regional Policy (Annex D). This activity is effectively supported by the Interdepartmental Committee established and operated by MERP.

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#### Legal instruments, references

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#MTr-21, 1986: Decree 21/1986 (VI.2.) MT on the protection of air quality

- #OKTHr-4, 1986: Decree 4/1986 (VI.2.) OKTH on the implementation of Decree 21/1986 (VI.2.) MT on air quality protection
- #Kh-1079, 1993: Resolution 1079/1993 (XII.23.) Korm. on the air quality protection interdepartmental action programme to improve air quality of heavily polluted regions in the years 1994-1998
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest
- Kovács E., 1990: International co-operation for the protection of air quality, commitments for Hungary. (in Hungarian; Nemzetközi együttműködés a levegőtisztaság-védelemben, a Magyarországra háruló kötelezettségek). Energiagazdálkodás, XXXI, 12, pp. 553-557
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 35-44

## I.1.c. Controlling the nitrogen-oxide emissions

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution Concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes	
INTERNATIONAL	
* adoption:	31 October 1988
* venue:	Sofia (Bulgaria)
* entry into force:	14 February 1991
* organisation:	UN ECE
* depository:	UB Secretary General
HUNGARIAN	
* signature:	3 May 1989
* ratification/approval:	12 November 1991
* entry into force:	10 February 1992

#### ★ *General objectives*

The basic objective of the Protocol is to reduce harmful impacts caused by nitrogen compounds in the affected - European and North-American - areas by decreasing atmospheric emission and transboundary transmission of nitrogen oxides through introducing and applying appropriate emission limit values for stationary and mobile sources.

#### ★ *Concrete commitments*

All Parties shall (\*not later than within two years from date of entry into force):

- introduce measures to reduce nitrogen oxide emissions or their transboundary fluxes, so that not later than 31 December 1994 the annual emissions or fluxes shall not exceed those of 1987 (under certain conditions the acceding Party might assign other base year) [§.2/1];
- apply national emission standards\* to major new stationary sources and/or source categories, as well as stationary sources substantially modified within the major source categories, based on best available, economically feasible technology, taking into account the Technical Annex attached to the Protocol [§.2/2(a)];
- apply national emission standards to new mobile sources in all major source categories based on the best available, economically feasible technology, taking into account the Technical Annex and relevant resolutions in the framework of the UN ECE Inland Transport Committee [§.2/2(b)];

- introduce measures\* to major existing stationary sources, taking into account their characteristics, age, degree of utilisation, and the need to avoid undue operational disruption, and the Technical Annex [§.2/2(c)];
- promote the use of appropriate technologies [§.3];
- ensure satisfactory supply of lead-free fuel\*(in specific cases, at least along the major international transit routes);
- formulate national programmes, policies and strategies serving as tools for meeting international commitments to controlling and reducing nitrogen oxide emissions or their transboundary fluxes [§.7] and supply information to the Executive Body on such programmes as well as annual reports on the results achieved in their implementation.

*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

The provisions call for maintaining the emission levels; however, several Western European countries - in the form of a separate statement - undertook the obligation of a 30 % reduction in nitrogen oxide emissions.

*⊕ Financial and facilitating mechanisms*

(I.1./⊕)

*⊕ Further development of the legal instrument*

Consultations on further nitrogen oxide emission reductions should have started within six months from date of entry into force; however, they started only in 1994, because the drafting of a Protocol on volatile organic compounds received priority in the work programme. The negotiations on the draft of the Protocol on further emission reductions is expected in 1996.

*◇ The international organisation*

(I.1./◇)

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary signed the Protocol on 3 May, 1989; the document of ratification was deposited on 12 November 1991.



### ⌚ Implementation of the general objectives in Hungary

The fundamental objective of the Protocol - maintaining the 1987 nitrogen oxide emission levels until 31 December, 1994 - was realised in Hungary. Total inland emission in 1987 was 265 kt/year and in 1994, according to preliminary estimates, it was 183 kt/year. Significant factors in reducing emissions were as follows: decreasing use of fossil energy carriers (fuels) in the electric power industry through a gradual introduction of energy from the Paks Nuclear Power Plant; reduction of energy consumption in the transport sector (while the number of vehicles increased substantially); greatly decreasing industrial production, especially after 1989.

### ⌚ Implementation of the concrete tasks in Hungary

Hungary has met its obligations under the Protocol by developing and implementing the appropriate legal framework, official tools, and programmes, and in preparing the required reports:

- in the field of legislation, the Governmental Decree 21/81986 (VI.2.) MT on air quality protection has to be emphasized as well as Decree 4/1986 (VI.2) OKTH on its implementation and their amendments introduced since then;
- two programmes were prepared to improve the air quality of heavily polluted areas, and their implementation is also in harmony with the objectives of this Protocol:

the Inter-Departmental Action Programme for the 1986-1990 and 1991-1993 periods,

the Interdepartmental Action Programme for improving the air quality of gravely threatened areas for the 1994-1998 period, a continuation in the framework of Governmental Resolution 1079/1993 (XII.23.);

- the reduction of nitrogen oxide emissions was also served by certain investments supported by the Central Environmental Protection Fund, such as the experiments with the hybrid-fluid boiler type in the Ajka Power Plant and further boiler reconstruction works in progress (these technical measures serve to reduce both nitrogen oxides and sulphur dioxide emissions);
- Hungary regularly prepared and submitted the annual data on emissions required by the Executive Body.

### ⌚ Contribution to the financial funds

(I.1./⌚)

### ⌚ Participation in international programmes

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### ⌚ Hungarian participation in the international organisation

In addition to participation in the bodies of the Convention as mentioned above (I.1./⌚), it should be mentioned that the chairman of the international No<sub>x</sub> Working Group, established in the interest of facilitating the elaboration and implementation of the subject Protocol, was Mr. László Dobó (of MERP and its predecessor).

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① *Co-ordination in Hungary*

The National Agency for Environment Protection and Nature Conservation, and later, its successor the MERP, was responsible for representing the Hungarian position at international consultations related to the Protocol, and for coordinating the implementation in Hungary (Annex D). The co-ordination of tasks for Hungary is facilitated by the interdepartmental committee (I.1.b/①).

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Legal instruments, references

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- #MTr-21, 1986: Decree 21/1986 (VI.2.) MT on the protection of air quality
- #OKTHr-4, 1986: Decree 4/1986 (VI.2.) OKTH on the implementation of Decree 21/1986 (VI.2.) MT on air quality protection
- #Kh-1079, 1993: Resolution 1079/1993 (XII.23.) Korm. on the air quality protection inter-departmental action programme to improve air quality of heavily polluted regions in the years 1994-1998
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest, pp. 21-22
- Kovács E., 1990: International co-operation for the protection of air quality, commitments for Hungary. (in Hungarian; Nemzetközi együttműködés a levegőtisztaság-védelemben, a Magyarországra háruló kötelezettségek). Energiagazdálkodás, XXXI, 12, pp. 553-557
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 45-76

### I.1.d. Controlling the emission of volatile organic compounds

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#### Basic features of the legal instrument and the international organisation

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##### ★ Basic data

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution Concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes	
INTERNATIONAL	
* adoption:	18 November 1991
* venue:	Geneva (Switzerland)
* entry into force:	
* organisation:	UN ECE
* depository:	UN Secreatry General
HUNGARIAN	
* signature:	19 November 1991
* ratification/approval:	<i>(the deposition in progress; KE-218, 1995)</i>
* entry into force:	

As of mid-1995, 12 ECE member states ratified the protocol. This legal instrument will enter into force on the 90th day after the deposition of the 16th ratification instrument, expected during the first half of 1996.

##### ★ General objectives

Because of the harmful impacts of volatile organic compounds (VOC) on human health and the environment, the objective of the Protocol is to stabilise/reduce the atmospheric emission of these compounds.

##### ★ Concrete commitments

According to the Protocol, all Contracting Parties shall [§.2]:

- control/reduce the annual emission or the volume of their transboundary fluxes of VOC compounds according to either one of the following options (specified by the Party at the time of signing the Protocol):
  - (a) by taking measures to reduce the annual national VOC emissions by at least 30 % by the year 1999, using 1988 levels as the basis (or other annual level from the period between 1984 and 1990); or
  - (b) reduce annaul VOC emissions in areas where such emissions contribute to tropospheric ozone concentrations in areas under the jurisdiction of other Parties by at least 30 % by the year 1999,

using 1988 levels as the basis (or any other year between 1984–1990); and ensure that total annual national VOC emissions do not exceed the 1988 levels by 1999; or

(c) ensure that annual national VOC emissions do not exceed 1988 levels by 1999 in areas where such emissions were lower than 500,000 tonnes and 20 kg/inhabitant and 5 tonnes/km<sup>2</sup> in 1988;

- apply the best available methodologies for new technologies within 2 years after the date of entry into force of the Protocol, and for existing fix sources, not later than 5 years after the date of entry into force [§.3];
- develop national programmes to control and reduce emissions of VOCs or their transboundary fluxes [§.7];
- ensure the exchange of information and prepare annual reports on quantities of VOCs produced/used by the Party, on application of national or international emission standards and on measures facilitating the exchange of technology [§.8/1-2].

#### *\* Specific provisions applying to Hungary*

The Protocol provides concessions for Central and Eastern European countries with economies in transition, including Hungary, allowing for a more moderate commitment (version “c” as described above); that is, stabilising their annual emissions at the 1988 level by 1999.

#### *⊕ Financial and facilitating mechanisms*

(I.1./⊕)

#### *⊕ Further development of the legal instrument*

Besides this international agreement, the regulation prevailing in the European Union also treats the reduction of VOC emissions. In that framework, the adoption of a new directive on reducing production and use of solvents which contain VOCs is in preparation.

#### *◇ The international organisation*

The various bodies and working groups established under the Geneva Convention also handle the tasks of implementation of this Protocol (I.1./◇). Implementation of the this international agreement is facilitated by the European Environment Agency, which compiles the European emission data base of air pollutants in the framework of the CORINAIR programme.

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### Adoption and implementation of the legal instrument in Hungary

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#### *☆ Adoption*

Hungary signed the Protocol on 19 November, 1991. On the grounds of Resolution 218/1995 (X.13.) KE, the submission of the ratification document is in progress. In the statement made at signing, Hungary acceded to version (c) of basic commitments specified in the Protocol [§.2/2(c)] according to which total VOC emission of the country will not exceed the 1988 level by the year

1999. The effect of the Protocol also covers the anthropogenic non-methane VOC emissions. It is expected that Hungary will also be able to meet the 30 % VOC emission reduction target by 1999 [§.2/2(a)].

#### ⌚ Implementation of the general objectives in Hungary

In 1995 Hungary ratified the Protocol, adopting version (c) of Article 2 (i.e. restriction of the annual VOC emissions to the 1988 level). The Government Resolution on signing this Protocol provided that the ministers of MERT, MTCW and MIT should formulate a programme to stabilise the level of VOC emissions and to examine the possibilities of reducing these emissions. In the legislative work - partly because of the requirements of law harmonisation process with the EU - drafting the regulations on reducing VOC emissions has been made a priority. In this context, the MERT already promulgated an order providing significant VOC emission reductions by reducing the hydrocarbon emissions generated during storing, filling, transporting and transferring engine petrols (Decree 9/1995 (VIII.31.) KTM).

#### ⌚ Implementation of the concrete tasks in Hungary

In order to meet commitments included in the Protocol:

- the Government adopted an emission reduction plan for volatile organic compounds in 1995, taking into consideration three alternatives: (i) assuming development without emission reducing measures (according to that version the decreasing trend between 1988-1992 will be followed by the recovery of industrial production and the increase of VOC emissions between 1993-2000); (ii) the version envisaging the reduction of emissions from relevant industrial sectors by 30 % compared to the 1988 level; and (iii) the VOC reduction plan which could be realistically implemented by the year 2000 under favourable conditions of the national economy;
- new air pollution control legislation (including technological emission standards) will be promulgated from 1995 onward that takes into account the priorities laid down in the VOC reduction plan; the commitments undertaken in the Protocol are also integrated in the national air pollution control programme;
- Hungary reports regularly on measures introduced to the Executive Body of the Convention and to the UN ECE Secretariat.

#### ⌚ Contribution to the financial funds

(I.1./⌚)

#### ⌚ Participation in international programmes

Since 1993, the Dutch consulting firm DHV Environmental and Infrastructure B.V. has been facilitating the implementation of the Convention in Hungary. Supported by the Dutch government, DHV took part in developing the Hungarian emission inventory and in preparing the national emission reduction plan. The Dutch government also supports the implementation of this programme.

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🕒 *Hungarian participation in the international organisation*

(I.1./🕒)

🕒 *Co-ordination in Hungary*

The responsibility for coordinating the implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D), primarily in co-operation with the Ministry of Industry and Trade.

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Legal instruments, references

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- #KE-218, 1995: Resolution 218/1995 (X.13.) KE by the President of the Republic on the ratification of the international convention (Protocol on the "Control of emissions of volatile organic compounds" connected to the ECE convention on long-range transmitted transboundary air pollution)
- #KTMr-9, 1995: Decree 9/1995 (VIII.31.) KTM on restricting hydrocarbon emissions produced at storage, filling, transfer and transport of engine petrol
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest, pp. 21-22
- DHV, 1994-1995: Strategy for reducing emissions of volatile organic compounds. DHV-Budapest. (Phase 1: Emission Database, Phase 2: Reduction Plan)
- Mihályfi Árpádné (Ed.), 1991: International conventions with Hungarian participation: environment protection, architectural monument protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem, műemlékvédelem). Ministry for Environment and Regional Policy, Budapest, pp. 87-162

## I.1.e. Further reduction of sulphur emissions

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Further Reduction of Sulphur Emissions	
INTERNATIONAL	
* adoption:	13 June 1994
* venue:	Oslo (Norway)
* entry into force:	
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	12 December 1994
* ratification/approval:	
* entry into force:	

The Protocol will enter into force after deposition of the 16th ratification instrument on the 90th day after that deposition, expected in the first half of 1997.

#### ★ *General objectives*

The fundamental objective is to reduce sulphur emissions in order to protect human health and the environment from adverse effects, particularly from acidification, and, as far as possible, to ensure – without excessive costs – that the deposition of oxidised sulphur compounds in the long term does not exceed the critical sulphur depositions laid down in Annex I to the Protocol, according to current scientific knowledge [§.2/1].

#### ★ *Concrete commitments*

According to the Protocol, each Contracting Party must (\*with the exception of the USA and Canada because of the 1991 Air Quality Accord between those states):

- reduce and maintain its annual sulphur emissions to at least to the stated (Annex II) schedule and levels [§.2]; in the case of Hungary total national sulphur emissions should be reduced by 45 % by 2000 (898 kt/yr), 50 % by 2005 (816 kt/yr), and 60 % by 2010 (653 kt/yr) – using 1980 levels (1,632 kt/yr) as the base;
- take the most efficient sulphur emission reduction measures corresponding to its circumstances, for both existing and new sources [§.2/4];
- apply, at a minimum, the stringent emission limit values (technological emission limit values) laid down in Annex V for all major new stationary combustion sources [§.2/5(a)]\*;

- after 1 July, 2004 apply the emission limit values laid down in Annex V for major new stationary combustion sources (taking into consideration the remaining operating life of the power plant from the date of entry into force of the Protocol) or equivalent emission reductions or apply other appropriate measures which ensure achieving the emission levels set as national maximum and further approach to the critical loads as specified in Annex I; and

apply the emission limit values or emission limitations to those major existing stationary combustion sources whose thermal input is between 50 and 500 MW<sub>th</sub>, using Annex V as guidance [§.2/5(b)]\*;

- introduce the stringent national limits for sulphur content laid down in Annex V within two years of the date of entry into force; in cases where the use of diesel fuel cannot be ensured otherwise, the period could be extended to ten years; in that case, however, the extension must be specified in writing at the time of depositing the ratifying document [§.2/5(c)]\*;
- adopt national strategies, policies and programmes in order to control and reduce sulphur emission within six months after the date of entry into force [§.4/1];
- collect the following information: the actual sulphur emission levels, ambient concentrations and depositions of oxidised sulphur and other acidifying compounds; impacts of oxidised sulphur; and other compounds causing acidification, in accordance with the EMEP work plan [§.4/2];
- report at regular intervals on the implementation of the national strategies, programmes, and measures; the annual national levels of sulphur emissions relating to all significant source categories [§.5/1]; and, in the framework of EMEP, information on the distribution of sulphur emissions with temporal and spatial resolution [§.5/2].

According to conditions to be adopted by the Executive Body, Parties might decide that two or more Parties collectively might meet their commitments contained in Annex II. Such rules and conditions shall ensure that commitments laid down in paragraph 2 of Article 2 could be met [§.2/7].

#### *\* Specific provisions applying to Hungary*

In contrast to the uniform 30 % emission reduction laid down in the first sulphur emission Protocol, the new Protocol - in order to achieve the critical loads - established emission reductions differentiated by country.

The scheduled reductions, taking into consideration the scientifically founded emission reduction requirements and the load bearing capability of national economy, were defined with the consent of the Hungarian Inter-Departmental Committee.

The deadline of 1 July 2004 for implementing rules applicable to existing major stationary combustion sources [2.§/5(b)] is in harmony with the power plant reconstruction programme of the Hungarian electric power industry. The technological emission limit values laid down in Annex V to the Protocol [§.2/5(a)] conform with requirements formulated in the relevant Directive of the European Union, as well as with the new air quality protection legislation to be introduced in 1996.

#### *⊕ Financial and facilitating mechanisms*

(I.1./⊕)



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⊕ Further development of the legal instrument

According to the basic obligations laid down in the Protocol, consultations shall begin on further reductions of sulphur emissions one year after the completion of the first revision [2.§/8].

✧ The international organisation

(I.1./✧)

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Adoption and implementation of the legal instrument in Hungary

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☆ Adoption

The representative of Hungary at the extraordinary meeting of the Executive Body in Oslo on 12 June 1994 in Oslo expressed the intention to access to the Protocol. The Hungarian plenipotentiary signed the accession document in New York at UN Headquarters on 12 December, 1994.

⌚ Implementation of the general objectives in Hungary

As the result of planned measures, statutory provisions and other activities, the emission reduction commitment specified in the Protocol can be met.

⌚ Implementation of the concrete tasks in Hungary

Part of the measures required in the interest of implementation already appear in the governmental programme adopted earlier and co-ordinated by MERP, and progress is being made in implementing these measures:

- the introduction of technological emission limit values appearing in Annex V to the Protocol will enter into force in 1996 in the framework of the new statute on air quality protection;
- MOL Rt. is planning measures to introduce the rule relating to the sulphur content of Diesel-fuel before 1 January, 1997;
- preparation for submission of annual reports on emission related data and further development of data collection and processing is in progress.

⌚ Contribution to the financial funds

(I.1./⌚)

⌚ Participation in international programmes

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⌚ Hungarian participation in the international organisation

(I.1./⌚)

⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D). The preparation in Hungary was effectively assisted by the Interdepartmental Committee co-ordinated by the MERP.

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Legal instruments, references

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## I.1.f. Further reduction of nitrogen-oxide emissions (in preparation)

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### Basic features of the legal instrument and the international organisation

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#### *★ Provisional title, preparations for adoption*

Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Further Reduction of the Nitrogen Oxide Emissions
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In the framework of the 1979 Convention on Long-range Transboundary Air Pollution, consultations are in progress on further reduction of nitrogen compounds and on drafting the relevant Protocol, which, according to plans, will be completed by the end of 1997.

#### *★ General objectives*

The objective of the first Protocol (I.1.c.) was the stabilisation of emissions and control of transboundary transmission of nitrogen oxides (NO<sub>x</sub>) at 1987 levels by 1994.

Because of the damage caused to ecological systems as well as the harmful impacts on human health, it is necessary to reduce the emissions of nitrogen compounds (nitrogen oxides, ammonia) into the atmosphere. Both nitrogen oxides and ammonia lead to acidification of certain elements of the environment and in the eutrophication process. The impacts of volatile organic compounds should be examined in relation with nitrogen oxides as well because of regional ozone formation.

In the course of developing the Protocol, the idea of critical loads is essentially being followed and the Protocol is being prepared taking the "multi-pollutants – multi-effect" approach into consideration.

#### *★ The planned concrete commitments*

According to the planned Protocol, the fundamental commitment shall be the stabilisation of total national emission level of NO<sub>x</sub> emissions defined for the years 2000, 2005 and 2010 differentiated for each country. Selection of the base year is still open. The reduction of ammonia emission will also appear in the Protocol.

When defining the allowable emissions, both stationary and mobile sources (including off-road vehicles) shall be taken into consideration.

In addition to the basic emission-related obligations, the formulation of numerous complementary commitments is also expected, involving the elaboration of a national strategy, prescribing mandatory emission limits for the major emission categories, data supply, control, impact monitoring, and technology development.

*\* The international organisation*

The Working Group on Strategy established by the Executive Body of the Convention is responsible for guiding the preparation of the Protocol.

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National preparations and participation in negotiations

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*☆ Preparation of the national position*

In order to be properly prepared for participation in international consultations and developing the Protocol, a survey must be made to determine in which way and to what extent Hungary wishes to reduce the emissions of nitrogen oxides and ammonia, define emission limits for various emission sources, revise the system of data collecting and control, and examine the potentials of technological development.

*⌚ Hungarian participation in the international organisation*

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*⌚ Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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Legal instruments, references

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## 1.g. Controlling the emission of persistent organic pollutants (in preparation)

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### Basic features of the legal instrument and the international organisation

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★ *Provisional title, preparations for adoption*

Protocol to the 1979 Convention  
on Long-range Transboundary Air Pollution on the Control of Emissions of the  
Persistent Organic Pollutants

In the framework of the 1979 Convention on Long-range Transboundary Air Pollution, consultations are in progress to formulate a Protocol on the emission of persistent organic pollutants (POP).

★ *General objectives*

Persistent organic pollutants in various concentrations cause photolytic, biological and chemical damages. Several types of persistent organic pollutants are halogenated, making them fat soluble substances, which facilitates their accumulation in fat tissues. In the course of atmospheric processes, the substances could be transmitted to great distances, particularly in the direction of higher latitudes before settling. (Organic metals do not belong to this group.) According to scientific investigations, after a few decades the oceans will be so polluted that their surface could become the evaporator surface of such substances, thus reinforcing recirculation to the atmosphere. It was also shown that the quantity of such substances has increased in embryos and new-born living creatures. Finally, more and more evidence is becoming available which proves that diseases of the immune system are caused by such substances. Therefore, the objective of the planned agreement is to stabilise and/or reduce the emission of persistent organic pollutants.

★ *The planned concrete commitments*

In order to define concrete commitments, the Ad-hoc Preparatory Working Group handles the following tasks: collecting further necessary information; drawing up the list of pollutants forming the subject of the planned Protocol on the basis of an established criteria system; listing technologies to reduce the substances appearing on the prepared list; analysing impacts of emerging economic, technological and other possibilities; and researching potential additions to the list of primary pollutants. The planned Protocol shall call for reducing the following major groups of substances: industrial chemicals, PCBs; brominated flame retardant substances; and pesticides. An international survey was taken on utilising and control of substances; according to that survey, a significant part of such substances are statutory regulated in most countries (including Hungary) and the use of numerous substances is strictly restricted or prohibited.

It is expected that the planned Protocol shall specify the following commitments:

- in the first phase: preparing the list of persistent organic pollutants in use; collating the list with substances classified by EU; monitoring quantities used; preparing rules for maintaining levels or reducing use; and international data supply;
- in the second phase: implementing planned reductions (prohibition, economic incentives, integrated waste water reduction and prevention policies, technologies for point-, mobile- and diffuse sources, product replacement, etc.); and data supply and data control.

*\* The international organisation*

The Ad-hoc Preparatory Working Group established in 1994 by the Executive Body of the Convention (I.1./\*) is responsible for guiding the preparation of the Protocol. The Working Group had its first meeting in 1995.

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National preparations and participation in negotiations

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*☆ Preparation of the national position*

Active participation in further preparatory work of the Protocol is necessary to formulate the following: in which way and to what extent Hungary intends to reduce POP emission; how the use of such substances could be replaced; revising the system of data collecting and recording, and determining possibilities of control.

*🕒 Hungarian participation in the international organisation*

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*🕒 Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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Legal instruments, references

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## I.1.h. Controlling the emissions of heavy metals (in preparation)

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### Basic features of the legal instrument and the international organisation

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★ *Provisional title, preparations for adoption*

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Reduction of Emissions of Heavy Metals

In the framework of the 1979 Convention on Long-range Transboundary Air Pollution, the Protocol on regulating the atmospheric emission of toxic heavy metals (HM) is also being prepared.

★ *General objectives*

Toxic heavy metals (the most significant ones: lead, cadmium, mercury) adhere to micro-particles which, by their aerodynamic properties, might be transmitted to distances of several hundred, eventually several thousand kilometres from their sources before deposition.

After settling, the heavy metals might accumulate in various components of ecological systems, and by entering the food chain, could damage the environment and finally the human organism. Therefore, the objective of the planned agreement is to stabilise/reduce heavy metal emissions.

★ *The planned concrete commitments*

In order to define concrete commitments, the Ad-hoc Preparatory Working Group handles the following tasks:

- collecting additional necessary information (methodology of emission resulting from industrial activity, energy consumption);
- preparing the list of pollutants forming the subject of the planned legal tool on the basis of an established system of criteria;
- listing technologies ensuring the reduction of substances appearing on the prepared list;
- analysing emerging economic, technological and other possibilities;
- considering potentials to expand future research.

Based on the current work, the following commitments are expected to be included:

- in the first phase: preparation of national emission inventory for heavy metals;

- in the second phase: implementation of planned reductions (prohibition, economic incentives, integrated waste water reduction and prevention policies, technologies applicable to point-, mobile- and diffuse sources, product replacement, etc.); data supply and data control.

\* *The international organisation*

The Ad-hoc Preparatory Working Group, appointed in 1994 by the Executive Body of the Convention, is responsible for guiding the preparation of the Protocol. The Working Group had its first meeting in 1995.

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National preparations and participation in negotiations

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☆ *Preparation of the national position*

Active participation in further preparatory work of the Protocol is necessary to formulate the following: in which way and to what extent Hungary intends to reduce heavy metal emission; define emission levels for various emission sources; revise the system of data collecting and recording, and determine possibilities of control.

⌚ *Hungarian participation in the international organisation*

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⌚ *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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Legal instruments, references

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## I.2. Convention on the protection of the ozone layer

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Vienna Convention for the Protection of the Ozone Layer	
INTERNATIONAL	
* adoption:	22 March 1985
* venue:	Vienna (Austria)
* entry into force:	22 September 1988
* organisation:	UNEP
* depository:	UN Secretary General
HUNGARIAN	
* signature:	-----
* ratification/approval:	4 May 1988
* entry into force:	22 September 1988

#### ★ *General objectives*

The stratospheric ozone layer has a crucial role in filtering out a significant part of ultra-violet radiation coming from the sun. On the basis of observations and scientific analysis, it was shown that the depletion of high-atmospheric ozone is caused primarily by pollutants such as refrigerating agents in cooling installations, propellant gas for various aerosols, and extinguishing agents in fire fighting systems having a long atmospheric residence time. Since the 1960s, these pollutants have been produced and used in ever increasing quantities.

Some of these substances (halogenated hydrocarbons) are emitted in the course of their production or use, and reach the stratosphere, where certain chemical processes contribute to the decomposition of ozone molecules. Taking all that into consideration, the Convention on the Protection of Ozone Layer was adopted; the fundamental objectives of which are as follows [§.2]:

- taking measures to protect human health and the environment against adverse effects resulting or likely to result from human activities which modify or are likely to modify the ozone layer;
- co-operation in the fields of systematic observations, research and exchange of information in order to better understand the impact of human activities on the ozone layer, as well as impacts of the modification of the ozone layer on human health and the environment;
- Parties shall adopt appropriate legislative or administrative measures and shall co-operate in harmonising relevant policies in order to control, limit, reduce or prevent human activities under their jurisdiction or control should it be found that these activities have or are likely to have adverse effects resulting from modification or likely modification of the ozone layer.

### *\* Concrete commitments*

This is a framework convention containing provisions of general nature.

The Convention calls for participation in co-ordinating measuring and research programmes, voluntary reduction of substances that deplete the ozone layer, facilitating international scientific and technical co-operation and envisages the development and adoption of more concrete commitments in the form of Protocols and Annexes complementing the Convention.

### *\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

### *⊕ Financial and facilitating mechanisms*

Performing the administrative tasks related to the Convention is covered from a Trust Fund; Parties contribute to costs based on their respective UN scale of assessment. Decisions concerning the Fund and the contributions, are made by the Conference of the Parties to this Convention.

### *⊕ Further development of the legal instrument*

To achieve the objectives of the Convention, the Montreal Protocol - prescribing concrete commitments - and its further, more stringent amendments and adjustments were later adopted.

### *◇ The international organisation*

The Ozone Secretariat, working within UNEP, co-ordinates the implementation of the Convention and performs administrative tasks. The highest decision making body of the Convention is the Conference of the Parties to the Convention.

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## Adoption and implementation of the legal instrument in Hungary

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### *☆ Adoption*

Hungary acceded to the Convention on 4 May, 1988. The Convention was promulgated by Governmental Decree 31/1990 (II.16.) MT.

### *⌚ Implementation of the general objectives in Hungary*

In order to implement the Convention and the more concrete commitments adopted in its amended and adjusted Protocol, comprehensive statutes were passed and emission reduction measures have been taken in recent years.

In addition, the representatives of Hungary became involved in international consultations related to further development of the Convention and take part in the international exchange of

information, monitoring and research co-operation stipulated by the Convention (atmospheric ozone content and radiation measurements, related analyses, atmospheric-chemistry research related to changes of high-atmospheric ozone layer, analysis of impacts of UV-radiation).

⌚ Implementation of the concrete tasks in Hungary

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⌚ Contribution to the financial funds

Hungary's contribution to the Trust Fund of the Convention in 1994 was USD 536, in 1995 USD 1100. Hungary is not in arrears in payments.

⌚ Participation in international programmes

Hungary takes part in the Global Ozone Observing System and in programmes co-ordinated by UNEP and WMO promoting exchange of information on technologies related to ozone depleting substances and high-atmospheric ozone.

⌚ Hungarian participation in the international organisation

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⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D) in co-operation with the Ministry of Industry and Trade. (The MIT handles technologies related to ozone depleting substances and foreign trade issues).

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Legal instruments, references

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- #MTr-31, 1990: Decree 31/1990 (II.16.) MT on the promulgation of the convention on the protection of stratospheric ozone layer, signed in Vienna on 22 March, 1985
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest, pp. 23-24
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 77-110
- Rontó Gy., Horkai I., Németh P., Gajzágó L., 1993: Ozone shield in danger ? (in Hungarian; Veszélyben az ózonpajzs ?) Tájékoztató Füzetek 93/2, Ministry for Environment and Regional Policy, Budapest

## I.2.a. Reducing the emission of ozone depleting substances

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Montreal Protocol on Substances that Deplete the Ozone Layer	
INTERNATIONAL	
* adoption:	16 September 1987
* venue:	Montreal (Canada)
* entry into force:	1 January 1989
* organisation:	UNEP
* depository:	UN Secretary General
HUNGARIAN	
* signature:	-----
* ratification/approval:	20 April 1989
* entry into force:	19 July 1989

#### ★ *General objectives*

The fundamental objective of the Protocol formulated and adopted in the framework of the Vienna Convention is to decrease the use of ozone depleting substances and thus stop further dangerous changes in the quantity of stratospheric ozone.

Because of the extremely long residence time of ozone depleting substances in the atmosphere, the measures resolved attempt a rather significant reduction of consumption within a relatively short deadline; however, even their comprehensive implementation can not solve the given global environmental problem. Therefore, in the spirit of the Convention, the Protocol also strives for the final objective: complete phase-out of ozone depleting substances.

#### ★ *Concrete commitments*

According to the Protocol, the Parties:

- ensure that the production and consumption of the five CFC compounds (“freons“) forming Group I of controlled substances listed in Appendix "A" shall not exceed the level of year 1986 [§.2/1];
- ensure that from the first day of the 37th month following the date of entry into force of the Protocol, the production and consumption of the three halon compounds forming Group II of substances listed in Appendix "A" shall not exceed the level of year 1986 [§.2/2];
- ensure a 20 % reduction of production and consumption of said freons not later than 30 June, 1994, 50 % reduction before 30 June, 1999 [§.2/3-4];

- shall ban the import of controlled substance from all states which are not Parties to the Protocol within one year from the date of entry into force of this Protocol [§.4/1];
- shall refrain from providing new subsidies, aid, credits, guarantees or insurance programmes for export of products, equipment, plants or technologies to any state not Party to the Protocol, where the production of regulated substances might be facilitated [§.4/6];
- shall provide statistical data to the Secretariat on production, import and export of all controlled substances in the year 1986, or the possible best estimated values where no actual data are available within three months from accession [§.7/1];
- shall provide statistical data to the Secretariat relevant to such substances on annual production, import and export, separated by Party and non-Party partners within nine months of their accession to the Protocol and thereafter every year [§.7/2];
- shall co-operate in promoting research, development, exchange of information, raising the awareness of society concerning the environmental impacts of controlled substances and other substances damaging the ozone layer and submit a summary report to the Secretariat on such activities every two years [§.9].

*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The administrative tasks resulting from the Convention are covered by the Trust Fund; Parties contribute to costs according to the UN scale of assessment. Decisions concerning the Fund and the measure of contributions are made by the Conference of Parties to the Protocol. At the 1990 London Meeting of the Parties, the Interim Multilateral Fund of the Montreal Protocol was also established for the period 1991-1992 and the level of mandatory contributions of the Parties was defined (I.2.b). The implementation of programmes aimed at substituting ozone depleting substances in eligible developing countries is covered by this Fund. At the 1992 Meeting of Parties to the Protocol in Copenhagen (I.2.c) the Multilateral Fund was made final. The Fund is managed by a separate Executive Committee and has a separate Secretariat. Four international agencies are participating in preparing the applications submitted to the Fund (UNEP, UNDP, UNIDO, World Bank) and in implementation.

*⊕ Further development of the legal instrument*

Amendments and adjustments were later adopted to expand and render more stringent the commitments contained in the Protocol. With such provisions, the production and consumption of several ozone depleting substances are to be completely and definitely terminated within a short time (see I.2.b, I.2.c).

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✧ *The international organisation*

The decision making body on issues related to the Protocol is the Conference of the Parties. Its annual sessions are prepared by the open-ended working group of Parties, assisted by various working bodies such as: the Technology and Economic Assessment Panel and the Scientific Assessment Panel. A separate body - the Executive Committee of the Multilateral Fund - manages Fund issues (I.2.A/♯). Administrative tasks are performed by the Secretariat of the Convention, the Ozone Secretariat (I.2./✧).

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

Hungary joined the Protocol by ratification on 20 April, 1989. The Protocol was promulgated by Governmental Decree 35/1990 (II.28) Mt.

⌚ *Implementation of the general objectives in Hungary*

Hungary meets its obligations of phasing out the ozone depleting substances and fulfils other commitments specified in the Protocol.

⌚ *Implementation of the concrete tasks in Hungary*

In order to perform concrete tasks derived from the Protocol:

- MERP, jointly with MIT, supervises the trade of controlled substances and makes provisions that Hungary should not exceed the allowed quotas of consumption (Decree 13/1992 (V.12.) KTM, see I.2.b./⌚);
- MERP, jointly with the Ministry of Public Welfare, established (and since 1 May, 1995) operates the increased ultraviolet (UV-B) radiation monitoring and warning system;
- MERP annually provides statistical data to the UNEP Ozone Secretariat.

⌚ *Contribution to the financial funds*

Hungary's contribution to the Protocol's Trust Fund in 1994 was USD 5496, in 1995 USD 6668. Hungary is not in arrears with its payments.

Hungarian payment commitments to the Multilateral Fund were as follows: in 1991 USD 131,806, in 1992 USD 177,494, in 1993 USD 239,825, in 1994 USD 313,986, and in 1995 USD 313,986. Hungary had paid its contributions for the period between 1991-1994 by the end of 1995.

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⌚ Participation in international programmes

To phase out ozone depleting substances a national programme ("country programme") was prepared with Dutch assistance. To facilitate the phaseout, Hungary receives a grant from the Global Environment Facility (see I.2.c./⌚).

⌚ Hungarian participation in the international organisation

During 1994-1995 Mr. László Dobó was senior advisor to the Technology and Economic Assessment Panel (designated by MERP; see I.2.c./⌚).

⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D), primarily in co-operation with the Ministry of Industry and Trade. MIT handles technologies related to ozone depleting substances and foreign trade issues. The Ministry of Finance and the Central Statistical Office also take part in this interdepartmental co-ordination.

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Legal instruments, references

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- #MTr-35, 1990: Decree 35/1990 (II.28.) MT on the promulgation of the Protocol on ozone layer depleting substances, signed in Montreal on 16 September, 1987
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation. (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények) Ministry for Environment and Regional Policy, Budapest, pp. 23-24
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 111-134
- Rontó Gy., I. Horkai, P. Németh, L. Gajzágó, 1993: Ozone shield in danger ? (in Hungarian; Veszélyben az ózonpajzs ?) Tájékoztató Füzetek 93/2, Ministry for Environment and Regional Policy, Budapest

## I.2.b. The first enhancement of emission control of the ozone depleting substances

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

London Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer		
INTERNATIONAL		
* adoption:	29 June 1990	
* venue:	London (U.K.)	
* entry into force:	(a) 7 March 1991	(b) 10 August 1992
* organisation:	UNEP	
* depository:	UN Secretary General	
HUNGARIAN		
* signature:	-----	
* ratification/approval:	(b) 9 November 1993	
* entry into force:	(a) 7 March 1991	(b) 7 February 1994

The Adjustment (a) and the Amendment (b) entered into force in 1991 and in 1992, respectively.

#### ★ *General objectives*

In 1989 at the first meeting of Parties to the Montreal Protocol in Helsinki, the issues related to the protection of the ozone layer were reviewed, as well as the consequences to be expected from implementing the provisions contained in the Convention and Protocol. The objective was outlined that in the interest of protecting the ozone layer, the production and consumption of ozone depleting substance shall be banned completely.

The adopted adjustments make the restrictions applicable to substances listed in the Protocol more stringent.

The Amendment expands the list of controlled substances (with substances listed in the new Annex "B": ten additional halogenated hydrocarbon compounds, carbon tetrachloride, and methylchloroform) and urges the strengthening of international co-operation in research and introduction of substitute substances.

Additionally, in order to facilitate the meeting of commitments prescribed in the Protocol in developing countries - in the framework of the Amendment - an Interim Multilateral Fund was established (1.2.a./⊕).



### ✳ Concrete commitments

According to the Adjustment and the Amendment, more stringent control measures of certain substances were needed in addition to the initial provisions on stabilisation of level of the consumption. Accordingly, Parties shall:

- reduce the use of CFCs by 50 % after 1 January, 1995, by 85 % after 1 January 1997, and after 1 January, 2000, terminate the consumption of substances listed in Group I of Annex "A" (saturated CFCs) [§.2A/3-5];
- reduce the consumption of substances listed in Group I of Annex "B" (further saturated CFCs) by 20 % after 1 January, 1993, by 85 % after 1 January, 1997, and terminate their consumption after 1 January, 2000 [§.2B /1-3];
- reduce the consumption of the three halon compounds forming Group II of Annex "A" by 50 % after 1 January, 1995, and terminate the consumption of these substances after 1 January, 2000 [§.2B/1-3];
- ensure that after 1 January, 1995 the calculated annual level of consumption of the substance listed in Group II of Annex "A" (carbontetrachloride) shall not exceed 15 % of the calculated level of consumption in the year 1989 (i.e. an 85 % reduction) and terminate its consumption after 1 January 2000 [§.2D];
- ensure that after 1 January, 1995 the calculated annual level of consumption of the substance listed in Group III of Annex "A" (methyl-chloroform) shall not exceed 70 % of the calculated level of consumption in the year 1989, and 30 % after 1 January 2000, and terminate its consumption after 1 January 2005 [§.2E];
- extend the commitment to supply statistical data to the new substances taken under control [§.2/2].
- Furthermore, Parties established the Interim Multilateral Fund from the financial contributions of Parties which do not belong to the developing countries defined in the framework of the Protocol [§.10/6].

### ✳ Specific provisions applying to Hungary

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

### ⊕ Financial and facilitating mechanisms

(I.2.a./⊕, I.2.b./✳)

### ⊕ Further development of the legal instrument

The provisions were later made more stringent by the Copenhagen Adjustment and Amendment (I.2.c.).

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✧ *The international organisation*

(I.2./✧)

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

The Adjustment entered into force for all Parties to the Protocol on 7 March, 1991; Hungary ratified the Amendment on 9 November, 1993 and it entered into force on 7 February, 1994.

The basic provisions of the Adjustments and of the Amendment were promulgated by the Decree 141/1991 (XI.2.) Korm. and by Decree 67/1995 (VI.13.) Korm, respectively.

⌚ *Implementation of the general objectives in Hungary*

Hungary satisfies the provisions of the Adjustments and the Amendment.

None of the controlled substances is produced in Hungary, the demand for inland use is covered from import.

The Ministries responsible for implementation took measures to inform the major users and traders of the restrictions and to ensure compliance with the promulgated Decree.

⌚ *Implementation of the concrete tasks in Hungary*

Implementation in Hungary of tasks specified in the Adjustment and Amendment is ensured as follows:

- MERP, jointly with MIT, supervises foreign trade of controlled substances on the grounds of Decree 13/1992 (V.12.) KTM and ensures that the allowed quotas of consumption are not exceeded;
- MERP annually supplies statistical data to the Ozone Secretariat.

⌚ *Contribution to the financial funds*

(I.2.a./⌚)

⌚ *Participation in international programmes*

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⌚ *Hungarian participation in the international organisation*

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① *Co-ordination in Hungary*

(I.2.a./①)

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Legal instruments, references

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- #Kr-141, 1991: Decree 141/1991 (XI.2.) Korm. on the promulgation of complementing the Protocol on ozone layer depleting substances signed in Montreal on 16 September 1987
- #KTMr-13, 1992: Decree 13/1992 (V.12.) KTM on the implementation of the international convention on the protection of stratospheric ozone layer
- #KTMr-22, 1993: Decree 22/1993 (VII.20.) KTM in the implementation of the international convention on the protection of the stratospheric ozone layer
- #Kr-67, 1995: Decree 67/1995 (VI.13.) Korm. on the promulgation of amendments to the Protocol on ozone layer depleting substances, signed in Montreal on 16 September, 1987
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: Nemzetközi környezetvédelmi és természetvédelmi egyezmények. KTM, Budapest, 23-24. o.
- Rontó Gy., I. Horkai, P. Németh, L. Gajzágó, 1993: Ozone shield in danger ? (in Hungarian; Veszélyben az ózonpajzs ?) Tájékoztató Füzetek 93/2, Ministry for Environment and Regional Policy, Budapest

## I.2.c. The second enhancement of emission control of ozone depleting substances

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Copenhagen Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer		
INTERNATIONAL		
* adoption:	25 November 1992	
* venue:	Copenhagen (Denmark)	
* entry into force:	(a) 22 September 1993	(b) 14 June 1994
* organisation:	UNEP	
* depository:	UN Secretary General	
HUNGARIAN		
* signature:	-----	
* ratification/approval:	(b) 14 May 1994	
* entry into force:	(a) 22 September 1993	(b) 15 August 1994

The Adjustment (a) and the Amendment (b) entered into force in 1993 and in 1994, respectively.

#### ★ *General objectives*

The more stringent provisions aimed at offsetting the rapidly increasing damage to the ozone layer; accelerated the schedule of phasing out and banning the consumption of controlled substances; and extended the control to further substances. Those latter compounds are: “soft freons“ (HCFC) for provisional substitution of freons, HBFC compounds for provisional substitution of halons, and methyl-bromide. In the new Annex "C" of the Protocol 40 HCFCs in Group I and 34 HBFC compounds in Group II are listed. The new Annex "E" includes methyl-bromide. In addition, the interim financial mechanism - and within that the Interim Multilateral Fund - was made final and a preliminary amount was set for the period 1994-1996.

#### ★ *Concrete commitments*

With the Adjustments and the Amendment, Parties shall:

- reduce the consumption of CFCs (“freons”) already controlled (Groups I of Annexes "A" and "B") to 25 % of the 1986 level after 1 January 1994 and terminate consumption after 1 January 1996, [§.2A, §.2C];
- terminate the consumption of halons already controlled (Group II of Annex "A") after 1 January 1994 [§.2B];

- reduce the consumption of carbon tetrachloride (Group II of Annex "B") to 15 % of the 1989 level after 1 January, 1995 and terminate its use after 1 January 1996 [§.2D/2];
- reduce the consumption of methyl-chloroform (Group III of Annex "B" to 50 % of the 1989 level after 1 January 1994 and terminate its use after 1 January 1996 [§.2E];
- ensure that annual consumption of substances controlled in Group I of the new Annex "C" (HCFC) should not be more than the sum of 3.1 % of substances listed in Group I of Annex "A" (freons) consumed in 1989 plus the consumption of controlled substances listed in Group I of Annex "C" (HCFCs) in 1989 after 1 January 1996 [§.2F/1];
- ensure that the consumption of HCFCs after 1 January 2004 should not be more than 65 % of above mentioned consumption, 35 % after 1 January 2010, 10 % after 1 January 2015, 0.5 % after 1 January 2020 and their use shall be banned after 1 January 2030 [§.2F/2-6];
- ensure that the consumption of controlled substances listed in Group II of Annex "C" (HBFCs) is prohibited after 1 January 1996 [§.2G];
- ensure that the production and consumption of methyl-bromide named in Appendix "E" after 1 January 1995 shall not exceed the 1991 level of production and consumption [§.2H];
- extend the data reporting commitments to the newly controlled substances [§.7/2]; in these reports, the volumes used as (chemical) feedstock, the destroyed (by approved methods) and reused (recycled, regenerated) quantities shall be presented separately [§.7/3].

*\* Specific provisions applying to Hungary*

The countries of Central- and Eastern Europe are in a special situation concerning the implementation of these provisions. In Hungary, as well as in the Czech Republic and Slovenia, the compliance with the Protocol's provisions is not delayed or the delay should be less than one year. In other countries (Bulgaria, Poland, Slovakia) the delay could be estimated at 2-3 years, while in Russia and most of the states of CIS to 3-5 years. In all these countries, financial support is required in order not to create an even greater delay in substituting for ozone depleting substances.

*⊕ Financial and facilitating mechanisms*

(I.2.a./⊕)

*⊕ Further development of the legal instrument*

The strengthening of control on HCFCs and reducing and banning the consumption of methyl-bromide was also on the agenda of the recent Meeting of Parties (December 1995, Vienna). In addition to this international agreement (i.e., the Montreal Protocol), the regulations prevailing in the European Union also treat reducing the use of these substances; in that framework, more stringent measures are under discussion concerning the reduction/banning of the use of HCFCs and methyl-bromide, among other substances.

*◇ The international organisation*

(I.2./◇)

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

The Adjustment entered into force on 22 September, 1993 for all Parties; Hungary ratified the Amendment on 17 May, 1994 and it entered into force on 15 August, 1994.

⌚ *Implementation of the general objectives in Hungary*

Hungary meets all its commitments specified in the Adjustments and the Amendment.

⌚ *Implementation of the concrete tasks in Hungary*

In order to carry out the specified restrictions and other tasks resulting from the Amendment:

- manufacturers and traders using controlled substances in significant amounts received timely information on the expected restrictions and potential substitute substances;
- the Environmental Inspectorates control the use of regulated substances;
- MERP, jointly with MIT, is supervising the foreign trade of controlled substances on the grounds of Decree 22/1993 (VII.20.) KTM and makes provisions not to exceed the allowed quotas for use;
- MERP annually provides statistical data to the UNEP Ozone Secretariat.

⌚ *Contribution to the financial funds*

(I.2.a./⌚)

⌚ *Participation in international programmes*

Hungary applied for financial assistance from the Global Environment Facility to substitute for ozone depleting substances, and received a grant of about USD 6.9 million. Allocated on the basis outlined in the application, 14 Hungarian projects on substituting the controlled substances shall be financed. That financial support is particularly important for meeting the commitments, because of the more stringent provisions and short deadlines specified in the Amendment.

⌚ *Hungarian participation in the international organisation*

In 1994 the Technology and Economic Assessment Panel (I.2.1/◇) initiated a survey on compliance with the Protocol and its amendment's more stringent provisions in countries with economies in transition. Particular attention was paid in the survey to the obligation to prohibit the production and consumption of halons (as of 1994), and CFCs, carbon tetrachloride and methylchloroform (as of 1996). The Survey also indicated that the keeping of these deadlines is not possible in numerous countries with economies in transition. Elected by the Panel, Mr. László Dobó (from MERP) became the co-chairman and theme leading expert of the Working Group. The report of the Working Group was completed at the 7th Meeting of the Parties (Vienna, December 1995).

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① *Co-ordination in Hungary*

(I.2./①)

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Legal instruments, references

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- #KTMr-22, 1993: Decree 22/1993 (VII.20.) KTM in the implementation of the international convention on the protection of the stratospheric ozone layer
- #KTMr-19, 1994: Decree 19/1994 (VI.8.) KTM on amending the Decree 22/1993 (VII.20.) KTM providing for the implementation of the international convention on protecting the stratospheric ozone layer
- #KTMr-28, 1994: Decree 28/1994 (VIII.12.) KTM on amending Decree 12/1993 (VII.20.) KTM on implementing the international convention on the protection of stratospheric ozone layer as amended by Decree 19/1994 (VI.8.) KTM
- #Kr-67, 1995: Decree 67/1995 (VI.13.) Korm. on the promulgation of amendments to the Protocol on ozone layer depleting substances, signed in Montreal on 16 September, 1987
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: Nemzetközi környezetvédelmi és természetvédelmi egyezmények. KTM, Budapest, 23-24. o.
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### I.3. Stabilisation of greenhouse gas emissions

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#### Basic features of the legal instrument and the international organisation

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##### ★ *Basic data*

United Nations Framework Convention on Climate Change	
INTERNATIONAL	
* adoption:	9 May 1992
* venue:	New York (USA)
* entry into force:	21 March 1994
* organisation:	UN
* depository:	UN Secretary General
HUNGARIAN	
* signature:	13 June 1992
* ratification/approval:	24 February 1994
* entry into force:	25 May 1994

The Convention was opened for signature in 1992 at the UN Conference on Environment and Development.

##### ★ *General objectives*

During the last 100-150 years, primarily because of rapidly increasing fossil fuel combustion, the amount of atmospheric carbon-dioxide increased by about 25 % and because of the enhanced greenhouse effect, the risk of climate change has increased. The objective of the Convention is to stabilise the atmospheric concentrations of greenhouse gases (carbon-dioxide, methane, nitrous oxide, etc.) at a level which protects the environment from the dangerous consequences of the anticipated climate change. In order to achieve this goal, the Convention aims to stabilise/reduce the anthropogenic emissions of these gases [§.2].

##### ★ *Concrete commitments*

The Convention specifies as a concrete commitment for both developed countries and for countries with economies in transition (i.e., Parties listed in Annex I to the Convention) that their annual national greenhouse gas emissions should not exceed the 1990 levels by the year 2000; a further commitment requires that each Party develop a programme to promote implementation of the Convention and submit a national report in a detailed framework to the Secretariat of the Convention [§.4/2(a),2(b)].

##### ★ *Specific provisions applying to Hungary*

Countries with economies in transition have a certain degree of flexibility in the fulfilment of the general provisions concerning the stabilisation of emissions [§.4/6].



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### ⊕ *Financial and facilitating mechanisms*

As of 1996, the administrative expenses of implementing the Convention are covered from the Convention budget, according to the decision by the COP on the financial procedures. (Before that these administrative expenses were planned for and covered from the general UN budget.) The contributions by the Parties to that administrative budget (similarly to many other international agreements under the auspices of the UN) are based on the UN scale of assessment for the relevant Parties with certain adjustments. A special fund has also been established from voluntary contributions to support the participation of representatives of developing country Parties in the meetings of the various bodies of the Convention. Furthermore, in order to assist the developing country Parties in implementation of their obligations, a financial mechanism is established by the Convention, which is operated on an interim basis by the Global Environment Facility (GEF). The developed country Parties (listed in Annex II to the Convention) provide financial contributions to the GEF (other Parties may voluntarily contribute to this fund).

### ⊕ *Further development of the legal instrument*

On the basis of a decision made by the Conference of Parties, negotiations began on further greenhouse gas emission reduction targets and the development of a legal instrument in the framework of an ad hoc working group (I.3.).

### ◇ *The international organisation*

The supreme decision-making body of the Convention is the Conference of the Parties. The substantive methodological, technical, and decision preparatory work is assisted by the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body on Implementation; the overall technical co-ordination, essential analytical work, and fulfilment of the administrative tasks lies with the Permanent Secretariat. As mentioned before, the Global Environment Facility operates the financial mechanism of the Convention. The Intergovernmental Panel on Climate Change (IPCC) is recognised by the COP as the most important source of scientific information relevant for the advancement of the Convention; for that reason, a close co-operation has developed between the two organisations. Because of its global environmental, socio-economic, and technological relations, many international organisations are giving specific attention to the problems covered by this Convention (e.g., the OECD, the European Union, the World Bank, and several specialised agencies and programmes of the UN involving the monitoring or scientific analysis of the causes, processes, impacts of the anticipated climate change).

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## Adoption and implementation of the legal instrument in Hungary

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### ☆ *Adoption*

In the course of international negotiations, according to an official statement issued in April 1992, the Government undertook that - under certain conditions - the anthropogenic carbon-dioxide emissions in Hungary in the year 2000 will not exceed the average annual level for the period 1985-1987. The Convention was signed by the Hungarian President at the UN Conference on Environment and Development on 13 June 1992. The Parliament passed a resolution on 22 December 1993 on ratification of the Convention and the ratification instrument was deposited in February 1994. The Convention was promulgated with Act LXXXII of 1995.

### ⌚ Implementation of the general objectives in Hungary

In the course of examining the feasibility of meeting the emission stabilisation target, two scenarios were analysed: "business as usual" and an energy saving alternative, based on the short term objectives of a projected national energy saving and energy efficiency improvement programme. By implementing the planned measures, this programme estimated the energy saving potential to be about 60 PJ and consequently, the national anthropogenic CO<sub>2</sub> emission would remain below 69 Mt by 2000. Without successful implementation of this programme, the rate of increase in carbon-dioxide emissions might reach the 1.5 Mt/year value for the second half of the 1990s and with that rate the annual CO<sub>2</sub> emissions would surpass the 1990 reference level (69 Mt) by about 2005.

### ⌚ Implementation of the concrete tasks in Hungary

The most effective means for reducing carbon-dioxide emissions is to improve energy efficiency. The major objectives of the above mentioned programme are protecting the environment (by decreasing the atmospheric pollution), decreasing the dependence on imported fuels, saving the national energy resources, postponing the construction of a new base power plant, increasing the competitiveness of the economy, and adapting to the energy policy of the EU and the OECD/IEA. The implementation of the first phase of this programme would result in more than 60 PJ energy saving by the beginning of the next century through improving the efficiency of generating power and industrial, agricultural and residential consumption, and by increasing the public awareness of energy efficiency and environmental issues. Other programmes are also taken into account. The national programme for reducing emissions of volatile organic compounds, the programme for the phaseout of ozone depleting substances, and the reforestation programme also contribute to objectives of the Convention and to the relevant national obligations. The first national communication reviewing the implementation of the Convention in Hungary was completed and submitted in November 1994. This report summarised information on the sources and sinks of greenhouse gases, the assessment of their emissions by 2000 and the measures which lead to the stabilisation of these emissions.

### ⌚ Contribution to the financial funds

Hungary's contribution to the Convention's financial fund (according to the indicative and adjusted scales as adopted by the COP) is USD 10,389 for 1996. Hungary also acceded to the GEF in 1993 that operates the financial mechanism of the Convention; however, no financial commitment is undertaken for the time being.

### ⌚ Participation in international programmes

The Dutch Government provided political and expert assistance in course of preparing the national position on the Convention in 1991-1992; this co-operation is continued basically with the co-ordination of the Dutch consulting firm Resource Analysis; NOVEM and other institutes take part in pilot projects related to the "joint implementation" mechanism. The purpose of the project initiated by the Norwegian institute CICERO, with the financial support of the Government of Norway, was the evaluation of the feasibility of certain long-term energy-environment related measures in Hungary, in line of the objectives of the Convention and other international agreements. The assistance by US Country Study Programme contributes to improving the compilation of the national inventories of greenhouse gas sources and sinks and to the formulation of long-term strategies and policies by sectors.

### ⌚ Hungarian participation in the international organisation

Dr. Tibor Faragó (MERP) is a Member of the Bureau and the chairman of the Subsidiary Body for Scientific and Technological Advice of the Conference of the Parties.

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① *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies primarily with the MERP (Annex D) in co-operation with other Ministries (Ministry of Agriculture, Ministry of Industry and Trade, Ministry of Transport, Communication and Water Management, Ministry of Foreign Affairs) on the basis of the Act LXXXII of 1995. In performing the interdepartmental co-ordination tasks of implementation, the national Commission on Sustainable Development (established by the Government Decree 1024/1993 Korm.) has the decisive role.

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Legal instruments, references

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- #Kh-1024, 1993: Resolution 1024/1993 (IV.2.) Korm. on the tasks arising from the agreements accepted by the 1992 UN Conference on Environment and Development
- #OGy-102, 1993: Resolution 102/1993 (XII.29.) OGY on the ratification of the UN Framework Convention on Climate Change signed by Hungary in Rio de Janeiro on 13 June 1992
- #Tv-LXXXII, 1995: Act LXXXII of 1995 on the promulgation of the UN Framework Convention on Climate Change
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: Nemzetközi környezetvédelmi és természetvédelmi egyezmények. KTM, Budapest, 25-26. o.
- Faragó T., T. Pálvölgyi (Eds.), 1992: UN Framework Convention on Climate Change. (in Hungarian; Az Egyesült Nemzetek Szervezetének Keretegyezménye az Éghajlatváltozásról). Az ENSZ Konferencia Magyar Nemzeti Bizottsága, Budapest
- Rijsberman, F. R., J. Gupta, T. Faragó, Gy. Szerdahelyi, M. Poós, 1994: Energy use and carbon-dioxide emissions in Hungary and in the Netherlands: estimates, comparisons, scenarios. Hungarian Commission on Sustainable Development, Budapest
- Pálvölgyi, T., T. Faragó, (Eds.), 1994: Hungary: stabilisation of the greenhouse gas emissions. National communication on the implementation of commitments under the UN Framework Convention on Climate Change. Hungarian Commission on Sustainable Development, Budapest
- Pálvölgyi T., T. Faragó (Eds.), 1995: Hungary: stabilisation of the greenhouse gas emissions. Analysis of the commitments under the UN Framework Convention on Climate Change and evaluation of their implementation. (in Hungarian; Az üvegházhatású gázok kibocsátásának korlátozása Magyarországon). Hungarian Commission on Sustainable Development, Budapest

### I.3.a. Reduction of greenhouse gas emissions (in preparation)

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#### Basic features of the legal instrument and the international organisation

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★ *Provisional title, preparations for adoption*

<p>Protocol to the 1992 UN Framework Convention on Climate Change on stabilisation/reduction of the greenhouse gas emissions</p>
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Based on a decision made at the first session of the Conference of the Parties, negotiations on developing of a legal instrument (most likely a protocol to the Framework Convention on Climate Change) began in August 1995 and should be concluded by 1997.

★ *General objectives*

At the present rate of greenhouse gas emissions, their atmospheric concentration will increase beyond all limits and could significantly increase the risk of a global environmental change. The Convention for the Parties listed in its Annex I specifies legally binding concrete emission stabilisation commitments only as of the year 2000. The principal objective of the planned additional legal instrument is to formulate more stringent commitments by establishing a means by which the anthropogenic emissions of greenhouse gases could be reduced, and the sinks of such gases could be enhanced (first of all by better forest management since forests play important role in fixing atmospheric carbon-dioxide). One of the starting points for these negotiations is a draft protocol text submitted by a concerned group of the developing countries (the small island developing countries) that recommends a 20 % reduction in emissions for the industrialised countries as an urgent action.

★ *The planned concrete commitments*

Following the decision of the Conference of the Parties, the “Berlin Mandate” process of negotiations has been launched in order to formulate a legal instrument on strengthening the commitments of Parties in Annex I to the Convention. In framework of these negotiations:

- attention should be paid to all greenhouse gases, their sources and sinks, and the commitments relating to reduction of emissions should be targeted for specific time horizons (2005, 2010, 2020);
- the different starting positions of the countries (e.g. in respect of former or present emission levels), the structures and development of their economies, available technologies, capacities, or other specific circumstances should be taken into consideration in preparation of further commitments;
- through further analysis and assessment, potential policies and measures should be explored which might contribute to the reduction of emissions, and to the strengthening of sink capacities.

★ *The international organisation*

The Conference of the Parties established an ad hoc working group (the Ad Hoc Group on the Berlin Mandate) for the development of a Protocol or other legal instrument. This decision of the

COP is the "Berlin Mandate" which includes the main elements of work programme of the ad hoc group, objectives, and certain terms of the negotiations.

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### National preparations and participation in negotiations

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#### *☆ Preparation of the national position*

The following issues should be analysed and evaluated: how the emission of gases covered by the Convention will change after the turn of the century; what progress could be expected in respect of sinks (first of all, forests); how, from our national standpoint, the positions on strengthening the commitments of the Annex I Parties represented by developed countries (especially, by the EU and its member states) should be taken into consideration; and how to improve the co-operation with the developed countries, primarily in relation with those sectors and socio-economic activities which are the main sources of greenhouse gas emissions.

#### *⌚ Hungarian participation in the international organisation*

(I.3./⌚)

#### *⌚ Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies primarily with MERP (Annex D), in co-operation with other Ministries (MoA, MIT, MTCW, MFA). The national Commission on Sustainable Development established by Resolution 1024/1993 Korm. has a principal supervising role in relation with this Convention as well.

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### Legal instruments, references

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#Kh-1024, 1993: Resolution 1024/1993 (IV.2.) Korm. on the tasks arising from the agreements accepted at the 1992 UN Conference on Environment and Development

#Tv-LXXXII, 1995: Act LXXXII of 1995 on the promulgation of the UN Framework Convention on Climate Change

Pálvölgyi, T., T. Faragó, (Eds.), 1994: Hungary: stabilisation of the greenhouse gas emissions. National communication on the implementation of commitments under the UN Framework Convention on Climate Change. Hungarian Commission on Sustainable Development, Budapest

Pálvölgyi T., T. Faragó (Eds.), 1995: Hungary: stabilisation of the greenhouse gas emissions. Analysis of the commitments under the UN Framework Convention on Climate Change and evaluation of their implementation. (in Hungarian; Az üvegházhatású gázok kibocsátásának korlátozása Magyarországon). Hungarian Commission on Sustainable Development, Budapest

## I.4. Protection of transboundary watercourses and international lakes

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on the Protection and Use of Transboundary Watercourses and International Lakes	
INTERNATIONAL	
* adoption:	17 March 1992
* venue:	Helsinki (Finland)
* entry into force:	
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	18 March 1992
* ratification/approval:	9 February 1994
* entry into force:	

As of mid-1995, ten countries have ratified the Convention, which shall enter into force on the 90th day after the 16th ratification document is deposited, expected in the first half of 1996.

#### ★ *General objectives*

All over Europe the condition of surface and subsurface waters in the recent decades has deteriorated to a great degree because of increasing pollution and careless use. Main causes include the rapid development of industry, the spread of industrial agricultural production, and growing urbanisation. Individual governments - in proportion to their resources - took certain measures to counterbalance the unfavourable processes inside their territory. Direct impacts on boundary waters have increased, however, and for that reason, for several so-called "downstream" countries along the lower stretches of watercourses faced difficulties in maintaining water uses, and specific problems arose in the field of protecting water and water-side ecological systems. In Europe the concluding of bilateral and multilateral boundary water agreements is a general practice, which, to various degrees, also extend to water protection. In want of uniform principles, however, the structures of those documents differ, and the formulation in many cases contains only generalities and does not provide guarantees for improving the quality of boundary waters. Because of the differences in measuring-observation methods, even the qualification of boundary waters on an identical basis is quite difficult. Taking into consideration all of the above facts, the fundamental objective of the Convention is that neighbouring countries interested in boundary waters should conclude bilateral or multilateral agreements based on the general principles contained in the Convention on the basis of equality and reciprocity, in order to prevent, control, and reduce the unfavourable transboundary impacts damaging the surface and subsurface waters and ecosystems, including pollution by hazardous materials, as well as heat pollution and radiation, industrial, residential, and agricultural pollution, and careless water use.

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✿ *Concrete commitments*

The Convention provides that

- on shared catchment areas, water use should be reasonable and equitable for all countries concerned, the downstream countries should not be disadvantaged neither from qualitative nor quantitative aspects in respect to established and future use of water resources;
- the "polluter pays" principle applies at the international level as well, at the same time particular emphasis is given to prevention, underlining that pollution should be fought at its origin;
- the Parties must take administrative, legal, economic, financial, and technical measures to improve the condition of transboundary watercourses and international lakes and their environment, and to reduce their pollution; an important means to that end is to introduce low-waste or waste-free technologies, particularly for those industrial or agricultural business organisations which discharge hazardous substances into the environment;
- the limits applicable to pollutant discharges - particularly in the case of hazardous materials - should be determined by Parties, taking into account the best available technologies; the use of hazardous materials should be restricted or if necessary, banned according to the load-bearing capacity of the environment;
- in the field of research and development, bilateral and multilateral co-operation is expected as well as the promotion of a wide-ranging exchange of results;
- the issue of reducing the risk of extraordinary pollution cases is properly managed with respect to transboundary effects of industrial accidents, including establishing and operating relevant monitoring and warning systems, as well as mitigating the harmful consequences of extraordinary pollution cases in the territory of other countries;
- mechanisms are provided for consultations, for mutual assistance, and for the development and maintenance of pollution detection and warning systems;
- the importance of informing the public is acknowledged and the water quality criteria, licences and regulations, pollution and pollutant-emission characteristics measured on individual areas are published;
- arrangements are provided for settling disputes; in the event of a dispute Parties first shall strive to achieve a negotiated settlement, and if the dispute can not be settled that way, then it might be brought to arbitration or referred to the International Court of Justice.

The Convention refers to the bilateral and multilateral boundary water agreements only in general, leaving open the possibility to introduce more concretely the ecosystem approach to water management into the practice of co-operation. Relying on the present Convention, it will be possible both to update existing agreements and establish new bilateral and multilateral agreements later on, with wider regional or substantial authority and new approaches.

✿ *Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

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### ⊕ *Financial and facilitating mechanisms*

Expenses of administrative tasks of the Convention are planned and settled in the UN ECE budget.

### ⊕ *Further development of the legal instrument*

On the grounds of the framework convention, the formulation of numerous bilateral and multilateral border water agreements is in progress.

### ◇ *The international organisation*

The decision making body of the Convention is the Meeting of the Parties which will hold its first session within one year after the date of the entry into force of the Convention. The Executive Secretary of UN ECE is responsible for performing the secretariat functions of the Convention.

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## Adoption and implementation of the legal instrument in Hungary

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### ☆ *Adoption*

The representative of Hungary signed the Convention on 18 March, 1992 with governmental authorisation. The ratification document was deposited on 9 February 1994. (The Convention is not yet in force.)

### ⌚ *Implementation of the general objectives in Hungary*

Hungary has compelling reasons for participating in the Convention: about 96 % of our surface waters originate from abroad, therefore our participation in an European framework agreement is justified; starting from the principle of reducing unfavourable transboundary effects on water offers suitable scope to upgrade the system of bilateral and multilateral relations.

### ⌚ *Implementation of the concrete tasks in Hungary*

After the Convention enters into force, there will be numerous tasks to be resolved partly through further co-operation of Parties and partly at national level (emission limiting values, exchange of information, etc.). In addition, the Danube Convention was adopted in 1994 conforming with the objectives of this framework agreement and according to the provisions relating to strengthening the bilateral and multilateral co-operation (I.4.a).

### ⊕ *Contribution to the financial funds*

(I.4./⊕)

### ⌚ *Participation in international programmes*

Hungary is participating in numerous bilateral and multilateral co-operation programmes with Danubian countries whose implementation could also contribute to meeting commitments undertaken in the Convention.



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⌚ Hungarian participation in the international organisation

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⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with two Ministries - MTCW and MERP (Annex D).

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Legal instruments, references

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Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation. (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 27-28

Mihályfi Árpádné (Ed.), 1991: International conventions with Hungarian participation: environment protection, architectural monument protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem, műemlékvédelem). Ministry for Environment and Regional Policy, Budapest, pp. 54-86

## I.4.a. Protection and sustainable use of the Danube river

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on Cooperation for the Protection and Sustainable Use of the Danube River	
INTERNATIONAL	
* adoption:	29 June 1994
* venue:	Sofia (Bulgaria)
* entry into force:	
* organisation:	
* depository:	Romania
HUNGARIAN	
* signature:	29 June 1994
* ratification/approval:	
* entry into force:	

The Convention shall enter into force after the ninth ratification document is deposited.

#### ★ *General objectives*

The Danube catchment area and its natural resources - unique in the world - are shared by 13 states. In their territories, the population density is medium or high, in most of them the extent of industrial, agricultural and residential water uses, because of obsolete technologies, inadequate internal regulation, and other causes is higher than what would be reasonable. Consequently, the vulnerability of the bodies of water gives rise to increasing worries among the public, professionals, and decision makers. The situation of Hungary is particularly complex because the uneven flow regime (floods, droughts) itself means grave factors of uncertainty.

The Convention sets as its objective to protect the water quality and hydrological potential of the Danube and its catchment area, maintaining the use of water resources in the long-term in the interest of the population, the economy and the water and water-side ecosystems.

#### ★ *Concrete commitments*

According to the Convention, Parties shall:

- undertake a commitment to develop the proper legal, administrative and technical means to ensure efficient water protection and sustainable water use; take measures in order to reduce transboundary impacts, to protect the water resources; and prevent the pollution of subsurface waters serving the basis of drinking water supply and reduce to a minimum the risk of accidental pollution;

- draw up records on pollution sources; determine limits for discharges of pollutants and the water quality target conditions; develop and implement joint programmes for systematic monitoring of the water regime (covering discharge, water quality, detritus and watery ecosystems); agree on the parameters of monitoring stations, water quality characteristics and parameters to be evaluated regularly; and prepare the national water balances and the water balance of the Danube in a harmonised way;
- establish co-ordinated or common notifying, warning, and alarm systems; and organise mutual information on flood and ice threats and extraordinary water pollution as a complement to the established operating systems;
- regularly exchange information on the general condition of the water and waterside environment; and revise the efficiency of measures at regular intervals, with findings made public;
- amend their existing bilateral and multilateral water management agreements on the basis of equality and mutuality, in order to eliminate their inconsistencies with the multilateral international legal regime;
- consult with each other on their planned activities that might cause transboundary effects and wait for the outcome of a consultation before reaching a decision on a project, unless the consultation bears no result after one year.

The activities of working groups of the Bucharest Declaration signed on 13 December 1995, consolidating the former multilateral co-operation in water management, shall be transferred to the jurisdiction of the International Committee to be established on the grounds of the Convention.

#### ✱ *Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

#### ⊕ *Financial and facilitating mechanisms*

The International Committee, to be established according to the Convention after it enters into force, shall adopt annual/biannual budgets. The budget will be financed by Parties in equal share after the Convention enters into force. The European Union, in addition to the cost rate refunded by its member states, undertakes financing an additional 2.5 % share.

#### ⊕ *Further development of the legal instrument*

Parties shall amend their existing bilateral and multilateral water management agreements on the basis of equality and mutuality in order to eliminate inconsistencies with the provisions of this multilateral international convention (I.4.a./✱).

#### ✧ *The international organisation*

In order to facilitate their co-operation in implementation of the Convention, Contracting Parties shall establish an International Commission in which at most five delegates will represent each Party with full power from the respective government. The International Commission adopts the

proposals and recommendations aimed at meeting commitments undertaken by Parties; it shall have at least one annual session.

The activities of the International Commission shall be supported by a Permanent Secretariat. A standing working group and expert groups will prepare major programmes and make the relevant decisions. Parties might meet at conferences (based on a recommendation by the Commission or on the initiative of the Parties) to examine political issues relevant to the Convention. For settling eventual disputes the Convention names the International Court of Justice or arbitration [§.24].

Until the Convention enters into force, the administrative and organisational tasks are performed by the Interim Secretariat.

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### Adoption and implementation of the legal instrument in Hungary

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#### ☆ Adoption

Hungary signed the Convention on 29 June, 1994 and the ratification document shall be deposited in the near future.

#### ⌚ Implementation of the general objectives in Hungary

Because of its particular geographical situation, the Convention is of great importance to Hungary. For Hungary, the provision by which Contracting Parties shall amend their existing bilateral and multilateral water management agreements on the basis of equality and mutuality in order to inconsistencies with the multilateral international legal regulation is of particular significance.

#### ⌚ Implementation of the concrete tasks in Hungary

Preparation for tasks prescribed will begin before the Convention enters into force (I.4.a./❁). After it enters into force, the specified monitoring, notifying, warning, and alarm systems as well as the data supply concerning flood and ice threats, among other activities, shall be ensured.

#### ⌚ Contribution to the financial funds

The Hungarian contribution to the operating expenses of the Interim Secretariat in 1995 is HUF 0.6 million, in 1996 it is HUF 1.0 million (which is covered in equal share by MERP and MTCW). After entering in force, the measure of this budget, and thus also the amount of contributions, shall change significantly.

#### ⌚ Participation in international programmes

Hungary is participating in numerous bilateral and multilateral international co-operation agreements and programmes which are also related to tasks laid down in the Convention. These agreements need to be reviewed in light of the Convention.

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🕒 Hungarian participation in the international organisation

Hungary took an active part in international consultations and activities of various specialised committees aimed at developing the Convention.

🕒 Co-ordination in Hungary

According to the relevant governmental resolution, the responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with MTCW and MERP (Annex D). These two ministries have to establish an interdepartmental committee with the participation of MoF, MIT, MoA, Ministry of Public Welfare (MPW) and MFA and to appoint the Hungarian delegation to the International Commission.

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Legal instruments, references

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#OGy-28, 1991: Resolution 28/1991 (VI.30.) OGY on certain international environment protection tasks related to the Danube

#Kh-2318, 1995: Decree 2318/1995 (X.24.) on ratifying the convention on the co-operation aimed at the protection and sustainable use of the Danube

## I.5. Convention on combating desertification and droughts

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa	
INTERNATIONAL	
* adoption:	17 June 1994
* venue:	Paris (France)
* entry into force:	
* organisation:	UN
* depository:	UN Secretary General
HUNGARIAN	
* signature:	-----
* ratification/approval:	
* entry into force:	

The Convention was adopted in Paris in 1994 and it was opened for signing on 14 October 1994. As of April 1996, the Convention was signed by 107 countries and ratified by 29 countries. The Convention shall come into force on the 90th day after the fiftieth document of ratification is deposited.

#### ★ *General objectives*

Desertification is land degradation in arid, semi-arid and sub-humid areas caused by various natural and human factors. Desertification is a global problem that has severe consequences for many countries, especially those in the developing world. Repercussions of this phenomenon are the most serious in Africa, but this environmental problem has also seriously effected several Asian and South-American countries, the North-Mediterranean and eastern regions of Europe, and areas of such countries as Hungary, Australia, the United States. At the outset, the Convention takes into account the most general aspects and crosscutting issues:

- "The objective of this Convention is to combat desertification and mitigate the effects of drought in countries experiencing serious drought and/or desertification, particularly in Africa, through effective action at all levels, supported by international co-operation and partnership arrangements, in the framework of an integrated approach which is consistent with Agenda 21, with a view to contributing to the achievement of sustainable development in affected areas." [§.2/1];
- according to the Convention, activities in affected areas for improving the productivity of the land, and the rehabilitation, conservation and sustainable management of land and water resources are leading to improved living conditions, especially at the community level [§.2/2];

- a further essential objective is “the contribution that combating desertification can make to achieving the objectives of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and other related environmental conventions” [Preamble].

#### ✿ Concrete commitments

The Convention prescribes the preparation of national and regional action programmes, primarily for parties in affected regions. Implementation of these programs will require both the technical and financial support of developed countries as well as the involvement of local communities. The objective of these national action programmes is to formulate the practical activities needed to overcome desertification and mitigate the adverse impacts of droughts. The more concrete obligations and tasks for countries with different socio-economic, geographic, and natural conditions are treated in the Convention’s regional Annexes.

The major requirements for preparing the action programmes are as follows [Annex IV, §.5, §.6]:

- to designate appropriate bodies, involving affected populations, including local communities, to survey the state of the environment in affected areas, and to prepare technical and financial programmes;
- to cover the legislation, institutionalisation and administration of land use patterns, management of water resources, soil conservation, forestry, agricultural activities and pasture and range management, management and conservation of wildlife, protection against forest fires, research, and training and public awareness.

#### ✿ Specific provisions applying to Hungary

According to the Convention, the Parties representing developed countries have specific tasks (beside providing direct assistance to developing countries struggling with desertification) to formulate and improve desertification/drought management methodologies, and to develop technology and science and transfer their results.

These tasks appear in more concrete form in Annex IV to the Convention for the Northern-Mediterranean region. The particular conditions for this area in terms of aridity, drought proneness, water conservation conditions and others are characteristic for large part of Hungary (mainly, the area of the Great Plain), consequently, most tasks mentioned in that Annex are also relevant for Hungary.

#### ⊕ Financial and facilitating mechanisms

After the Convention enters into force, the first session of the Conference of the Parties will determine the contribution of the Parties to the financial fund serving to perform the administrative tasks related to the Convention. Furthermore, a "Global Mechanism" will be established which shall provide a general framework for channelling substantial financial and other resources, including the transfer of technology on a grant basis, and/or on concessional or other terms, to affected developing country Parties.

#### ⊕ Further development of the legal instrument

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✧ *The international organisation*

The co-ordination of preparing and implementing the Convention has been the task of the Intergovernmental Negotiating Committee from the first session of the Conference of the Parties. Administrative tasks of the Convention are performed by the interim secretariat. The first session of the Conference of the Parties (COP) will be held within one year after the Convention enters into force. Then the COP will decide on establishing the Permanent Secretariat and the Committee on Science and Technology.

Several specialised organisations of the UN (UNEP, FAO, UNDP, etc.) and international NGOs have played a significant role in the development and implementation of the Convention.

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

A considerable part of Hungary's territory belongs to the sub-humid and semi-arid climate zone. According to the Convention, therefore, Hungary is an affected country since the relevant drought index (ratio of annual precipitation to potential evapotranspiration) is lower than 0.65 (its average value calculated for the last 15-20 years). Particularly, the Great Plain and the area between the Danube and Tisza rivers is the most threatened region where certain symptoms of desertification can already be detected.

Therefore, numerous provisions of the Convention are important for Hungary, particularly: the provisions relating to sub-regional programmes and international co-operation (§.11, §.12), action programmes (§.13, §.14), exchange of information, research and development, and technology transfer (§.16, §.17, §.18). The situation of our country in terms of the Convention is similar to those developed countries for which the occurrence of droughts and the desertification cause serious problems.

The basic document, namely, the Agenda 21 adopted at the 1992 UN Conference on Environment and Development, was approved by Hungary. This programme discussed in detail the problems of desertification, among other issues, and agreed on the need to elaborate the Convention.

The analysis of terms for accession to the Convention by Hungary is in progress. Various professional institutes, organisations and experts are taking part in these preparations.

🕒 *Implementation of the general objectives in Hungary*

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🕒 *Implementation of the concrete tasks in Hungary*

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🕒 *Contribution to the financial funds*

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🕒 *Participation in international programmes*

Hungary participates in several international co-operative programmes on scientific and technological topics related to drought management and desertification, which are relevant for the Convention as well (e.g., programmes of ICID, FAO, IDNDR which are related to the subject).



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⌚ Hungarian participation in the international organisation

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⌚ Co-ordination in Hungary

Hungary did not participate in negotiations on the Convention. Interdepartmental consultations on accession to this Convention is now in progress with the Ministry of Agriculture, Ministry for Environment and Regional Policy, Ministry of Transport, Communication and Water Management. These preparations are under the aegis of the national Commission on Sustainable Development which was established by governmental Resolution 1024/1993 Korm. (Annex D).

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Legal instruments, references

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- #Kh-1024, 1993: Resolution 1024/1993 (IV.2.) Korm. on the tasks arising from the agreements accepted by the 1992 UN Conference on Environment and Development
- Faragó T., I. Gyulai (Eds.), 1994: Common future of environment and society. (in Hungarian; Környezet és társadalom közös jövője). Hungarian Commission on Sustainable Development. Budapest; pp. 53-54

## II.1. Conservation of wetlands: protecting the habitats of waterfowls

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on Wetlands of International Importance Especially as Waterfowl Habitat	
INTERNATIONAL	
* adoption:	2 February 1971
* venue:	Ramsar (Iran)
* entry into force:	21 December 1975
* organisation:	IUCN
* depository:	UNESCO
HUNGARIAN	
* signature:	-----
* ratification/approval:	11 April 1979
* entry into force:	11 August 1979

The Paris Protocol - rendering possible the amendment of the Convention - was adopted in 1982 and entered into force in 1986. The Regina Amendment adopted in 1987, and entered into force in 1994, transformed the Conference of the Contracting Parties into a decision making body and made provisions for the financial contributions of Parties.

#### ★ *General objectives*

The objective of the Convention is to promote the conservation and wise use of wetlands, and to ensure appropriate legal, institutional and co-operational framework. It aims for the protection of natural resources on a global level, and instead of short-sighted exploitation, prescribes their "wise" utilisation.

#### ★ *Concrete commitments*

According to the Convention, all Parties shall:

- nominate at least one wetland to be included in the "List of Wetlands of International Importance" (the Ramsar List) based on appropriate criteria (§.2/4) when acceding to the Convention and may also nominate further such areas later on; withdrawal of sites appearing on the List can only be justified by important public interest, and in such cases another area of similar character and extent should be nominated [§.4/2];
- prepare and implement all plans related to wetlands so that those should respect, promote and facilitate the wise use of the concerned sites and preserve their ecological character [§.3/1]; the Secretariat of the Convention should be informed about any changes in the ecological character-occurring as a result of technical development, pollution or other human interference [§.3/2];

- promote the conservation of wetlands with legal protection [§.4/1], and provide for the training of managing staff [§.4/5];
- consult one another and co-ordinate issues related to implementation, first of all in the cases of shared, transboundary areas and migratory species [§.5], as well as on issues of grants and support provided by development institutions or donor countries;
- ensure that the Montreux List, established by the 4th Meeting of the Conference of the Contracting Parties in 1994, includes wetlands already on the Ramsar List whose ecological features have changed, are changing, or are likely to change as the result of technical development, pollution or other human intervention to highlight those sites which are in need of priority conservation attention and action.

In addition to above, all Parties shall prepare a national inventory of wetlands, submit a report to the meetings of the Conference of the Contracting Parties, develop and implement management plans for the listed sites, and monitor the change of ecological character of concerned areas.

#### *\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for Hungary.

#### *⊕ Financial and facilitating mechanisms*

The amendment of the Convention makes the financial contribution of Parties to the operational costs of the Secretariat and various bodies of the Convention a mandatory obligation. The amount of annual contributions is calculated on the basis of the UN scale of assessment, when the Conference of the Contracting Parties convenes in every three years and draws up the budget for the next 3 years. Additional sources of revenues are the voluntary financial offers of developed or donor countries outside the core budget, generally earmarked for specified purposes. The 4th Meeting of the Conference of the Contracting Parties, held in Montreux in 1990, established the Wetland Conservation Fund managing voluntary contributions, with the objective to provide support to developing countries for implementing the Convention. The Fund was renamed: Ramsar Small Grants Fund for Wetland Conservation to convey the true nature and purpose of this funding mechanism.

#### *⊕ Further development of the legal instrument*

Parties at Meetings of the Conference, held in every 3 years, approve resolutions and make recommendations concerning different issues of implementation. A particularly important document is the Convention's Strategic Plan for the years 1997-2002, which was adopted at the 6th Meeting of the Conference of the Contracting Parties in 1996. The Plan translates the general objectives of the Convention into eight practical objectives, in turn expressed in 29 operational objectives and 124 concrete actions assigned to the Contracting Parties and different bodies of the Convention and the NGO community.

#### *◇ The international organisation*

The co-ordination of implementation of the Convention and resolutions taken by the Conference of the Contracting Parties is performed by the Secretariat (Ramsar Bureau), functioning in the legal framework of IUCN, under the general supervision and guidance of the Standing

Committee. Methodological issues of implementing the Convention are handled by the Scientific and Technical Review Panel.

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### Adoption and implementation of the legal instrument in Hungary

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#### ☆ *Adoption*

Hungary acceded to the Convention on 11 April 1979, to the Paris Protocol on 28 August 1986 and to the Regina Amendment on 20 September 1990. Following earlier Governmental and Presidential Council Resolutions, the Parliament enacted the Convention on 2 March 1993.

#### 🕒 *Implementation of the general objectives in Hungary*

The majority of Hungary's wetlands of national or international significance are already under statutory protection, economic and other activities in those areas are confined in nature conservation statutes. The declaration of further wetlands as protected areas is in progress. In addition to the protection of actual sites, the new Act on the Environment also includes the protection of waters and aquatic wildlife. Taking into consideration the Convention's objectives to ensure undisturbed environment for waterfowl, the Decree 8/1993 (I.30.) FM banned hunting in certain areas which are vital for nesting and migration.

#### 🕒 *Implementation of the concrete tasks in Hungary*

At the time of accession Hungary designated seven sites to the List and together with other six areas designated later, Hungary now has a total of 13 wetlands of international significance. The total area is 114,862 hectares. The responsible nature conservation authorities are continuously monitoring the ecological status of those areas. Formulation, updating and implementation of management plans for those sites have begun. In order to facilitate even more efficient implementation of the Convention - satisfying Recommendation C.5.7. of the Conference of Parties - the Hungarian National Committee of the Convention was formed on 28 February 1995 with the inclusion of nature conservation experts, scientists, representatives of concerned Ministries, and nature conservation NGOs.

#### 🕒 *Contribution to the financial funds*

Hungary regularly pays its contributions to the Convention's budget - CHF 2501 in 1993, CHF 4450 in 1994; in 1995 and 1996, however, Hungary makes no contributions to the Wetland Conservation Fund.

#### 🕒 *Participation in international programmes*

Hungary is participating in several international co-operative projects in order to promote the implementation of the Convention including the US-FWS project for assessing and managing wetlands; co-operation with the Netherlands to prepare the manual of wetlands and in restoration programmes; and co-operation with German and Danish institutions in the field of wetland reconstruction.

#### 🕒 *Hungarian participation in the international organisation*

Between 1990-1993 Mrs. Louise Lakos (MERP) was alternate representative of Eastern Europe in the Standing Committee. Between 1993-96 she served as regional representative of Eastern

Europe and also as chairperson of the Committee. For the period 1993-1996 Mr. Mihály Végh (MERP) was elected to be a member of the Scientific and Technical Review Panel (STRP). Mrs. Lakos was reelected as East European regional representative and chair of the Committee for the period 1996-99. Mr. Végh was re-elected to be vice chairman of the STRP for the same period.

#### ① *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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#### Legal instruments, references

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- #FMr-8, 1993: Decree 8/1993 (I.30.) FM on game management and hunting
- #Tv-XLII, 1993: Act XLII of 1993 on the promulgation in unified structure of the Convention on wild waters of international significance and particularly as the dwelling place of waterfowl adopted in Ramsar on 3 December 1982 and its amendments adopted between 3 December 1982 and 28 May 1987
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation. (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények) Ministry for Environment and Regional Policy, Budapest, pp. 31-32
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: nature conservation. (in Hungarian; Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 11-18
- ÖIFF, 1994: Conventions on nature conservation - training textbook (in Hungarian; Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 4-8

## II.2. Protecting the world's cultural and natural heritage

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention)	
INTERNATIONAL	
* adoption:	16 November 1972
* venue:	Paris (France)
* entry into force:	17 December 1975
* organisation:	UNESCO
* depository:	UNESCO
HUNGARIAN	
* signature:	-----
* ratification/approval:	15 July 1985
* entry into force:	15 October 1985

#### ★ *General objectives*

The cultural and natural heritage form an inestimable and irreplaceable treasury not only of all nations but of all mankind. The objective of the Convention is to promote the protection and conservation of those assets inscribed in the World Heritage List of sites deemed to be of extraordinary universal value.

#### ★ *Concrete commitments*

The Convention provides the following basic commitments for the Parties:

- protection of the national assets already listed in the World Heritage List,
- collaboration in protecting such assets to be found elsewhere,
- preparation for the inclusion in the List of further cultural and natural assets to be found in the territory of the Party that would mean a higher level recognition and protection of that “piece of the heritage“.

According to the basic principle of the Convention, the possessions recommended for the inclusion in the List must have exceptional universal value. Consequently, before making a proposal, proper assessment and co-ordination is necessary on behalf of the country preparing and submitting the proposal.

Therefore, a tentative list should be prepared for the World Heritage Committee of those sites which will be proposed for inclusion in the World Heritage List within five years by the given Party.

Such collection of information forms the inventory of significant cultural and natural assets to be found in the territory of Parties to the Convention, and the purpose of preparing and submitting such information is to render the widest possible evaluation. Natural sites should be grouped based on nature/geographical units, while the cultural possessions should be broken down by culture/history and region.

*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The Convention includes the establishment of a World Heritage Fund, from which activities related to elements of cultural and natural heritage included in the "List of World Heritage in Danger" could be supported. The Fund is essentially formed from two sources: mandatory and voluntary contributions. The meeting of Parties defines the amount of mandatory contributions by the Parties on the basis of UNESCO scale of assessment: the contribution is the amount corresponding up to 1 % of the relevant UNESCO scale for the given Party.

*⊕ Further development of the legal instrument*

International negotiations on expanding the categories of the heritage lists with a "cultural landscape" heritage group are in progress, and if accepted, new proposals could be submitted in that category. It was also suggested that a world geological heritage category could be introduced as well.

*◇ The international organisation*

The co-ordination and administrative tasks related to the Convention are performed by the World Heritage Centre of the UN Educational, Scientific and Cultural Organisation (UNESCO). The decision making and executive body is the World Heritage Committee, which has three fundamental tasks:

- to select the cultural and natural sites representing exceptional universal value to include in the World Heritage List, on the basis of proposals submitted by Parties and opinions of specialised organisations (IUCN, ICOMOS) concerned in the decision making;
- to decide which of the possessions included in the World Heritage List should be entered in the List of World Heritage in Danger, which will be supported by the Committee from the World Heritage Fund in order to avert actual threats;
- to define the methods and conditions for using the World Heritage Fund so that it should assist Parties to the Convention in the most efficient way to protect possessions of exceptional universal value.

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

Hungary adopted the Convention in 1985 and promulgated it by Law-decree No. 21 of 1985.

🕒 *Implementation of the general objectives in Hungary*

The most important decisions required in the interest of implementing the Convention were taken. Hungary made several proposals of sites to be included in the World Heritage List, and some of those having specific significance were accepted by the international Committee and included in the List.

At the same time, the proper protection of Hungarian heritage included in the World Heritage List faces difficulties, primarily because of financial reasons; to fully carry out the proposals would require significant financial resources.

🕒 *Implementation of the concrete tasks in Hungary*

The Hungarian National Committee of World Heritage was formed in April 1986 from the appointed representatives of ministries and institutions.

The Hungarian National Committee examined several applications concerning possessions proposed by Hungarian scientific and professional organisations and submitted them to the World Heritage Committee in the form specified in the Convention.

On 12 December 1987, the World Heritage Committee added the Buda Castle District, together the panorama of both sides of the Danube banks, as well as the protected village centre and natural environs of Hollókő to the List.

In 1993 a tentative new Hungarian list was prepared, and in 1994 a joint Hungarian-Slovakian proposal was submitted to include the "Caves of Aggtelek Karst and the Slovakian Karst" in the World Heritage List. That proposal was accepted at the December 1995 meeting of the World Heritage Committee.

As part of the new list, Hungary also submitted its application concerning the Pannonhalma Abbey and its landscape area in 1996; and the international body should make a decision on this in 1996 as well.

🕒 *Contribution to the financial funds*

The Hungarian financial commitment to the World Heritage Fund in 1995 was USD 4829.

🕒 *Participation in international programmes*

The Hungarian-Slovakian bilateral nature conservation agreement which resulted in the submission of the above-mentioned joint proposal to the international should be mentioned as an example of international co-operation in the field of world natural heritage protection (II.2./🕒).



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⌚ Hungarian participation in the international organisation

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⌚ Co-ordination in Hungary

The MERP (successor to the Ministry of Construction and Urban Development) is responsible for the implementation of the Convention, according to the statute on its promulgation, with the involvement of other concerned ministries and national authorities (Annex D).

The Hungarian National Committee of World Heritage was formed in April 1986 , however, it has not functioned since 1990; a proposal to restart its work is under consideration.

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Legal instruments, references

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- #Tvr-21, 1985: Law-decree No. 21 of 1985 on the promulgation of the Convention on the Protection of the World's Cultural and Natural Heritage, Adopted in Paris at the session of UN Educational, Scientific and Cultural Organisation General Conference on 16 November 1972
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények) Ministry for Environment and Regional Policy, Budapest, pp. 33-34
- ÖIFF, 1994: Conventions on nature conservation - training textbook (in Hungarian; Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 26-31

## II.3. Conservation of migratory wild animal species

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on the Conservation of Migratory Species of Wild Animals	
INTERNATIONAL	
* adoption:	23 June 1979
* venue:	Bonn (Germany)
* entry into force:	1 November 1983
* organisation:	UNEP
* depository:	Federal Republic of Germany
HUNGARIAN	
* signature:	-----
* ratification/approval:	12 July 1983
* entry into force:	1 November 1983

#### ★ *General objectives*

The fundamental objective of the Convention is to ensure the protection of migratory animal species, promoting and supporting research and related international co-operation [§.II/3a].

#### ★ *Concrete commitments*

Concrete tasks are as follows:

- to provide immediate protection for migrating animal species listed in Appendix I [§.II/3b];
- to conclude agreements in order to protect migratory species listed in Appendix II [§.II/3c];
- to preserve habitats in order to combat the danger of extinction of species listed in Appendix I and, where possible and appropriate, to reconstruct such habitats [§.III/4a];
- to prevent, remove, compensate or minimise in appropriate ways the detrimental impacts of activities or obstacles considerably hindering the migration of animal species listed in Appendix I [§.III/4b];
- to decrease the likelihood of endangering the species listed in Appendix I, and strictly control the introduction of non-indigenous species as well as those non-indigenous species already introduced and possibly eventually eliminate such species [§.III/4c];
- to inform the Secretariat on application of any exemptions concerning the activities related to the species listed in Appendix I [§.III/7].

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*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The amount of contribution by Parties to the budget adopted at the Conference of Parties is defined according to the UN scale of assessment.

*⊕ Further development of the legal instrument*

The Convention is complemented by several Agreements (II.3.a, II.3.b).

*◇ The international organisation*

The supreme decision making body of the Convention is the Conference of Parties. The co-ordination and administrative tasks related to the implementation of the Convention is performed by the Secretariat, functioning within the framework of UNEP.

Tasks of the Scientific Council include: scientific advice to the Conference of Parties, Secretariat and any particular Party, preparation of recommendations on research, specific protection and management measures, submission of recommendations for inclusion of certain species in Appendix I or II; and preparation of recommendations to solve problems arising in implementing the Convention.

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary deposited the accession document on 12 July 1983. The Convention was promulgated with Law-decree No. 6 of 1986.

*🕒 Implementation of the general objectives in Hungary*

In the interest of implementing the Convention, Hungary has adopted and is now carrying out several programmes, action and research plans, and takes part in international co-ordinating activities.

*🕒 Implementation of the concrete tasks in Hungary*

Implementation of concrete tasks defined in the Convention means primarily adopting legal instruments and conducting research, legislative, and conservation activities, namely:

- researching the migration of protected birds species, the Hungarian wild goose project, indoor breeding of great bustards, ecological investigation of Hungarian great bustard population, investigating threats to the sand martin population;
- amending Decree 12/1993 (III.31.) KTM on protected and strictly protected plant and animal species, on defining the scope of strictly protected caves, as well as Decree 1/1982 (III.15.) OKTH on exemptions from certain limitations and restrictions concerning certain protected animal species;
- declaring the white-headed duck, white-tailed eagle, great bustard and slender-billed curlew to be particularly protected species in Hungary;
- protecting bustard habitats and classifying these habitats as protected (between 1975-1990 seven habitats were classified as protected, with four more classified since 1990);
- implementing the Great Bustard Conservation Programme from 1989: bustard-saving agriculture technology, crop structure; exploring nests and introducing protective zones; saving nests; incubating eggs and placing the eggs under a wild hen before hatching;
- performing the White-tailed Eagle Conservation Programme: insulator material placed on poles of medium-voltage free aerial power lines to eliminate electric shock, postponing forestry activities in the nesting area during the nesting season.

Of the agreements complementing the Convention, Hungary acceded to the Agreement on Conservation of Bats in Europe (II.3.a.), signed the final act of Agreement on the Conservation of African-Eurasian Migratory Waterbirds (II.3.b.).

#### ⌚ Contribution to the financial funds

Hungary's recent and future contributions to the financial funds: in 1995 USD 3776, USD 3822 in 1996 and USD 5017 in 1997. Hungary met its financial contribution commitments by 1995.

#### ⌚ Participation in international programmes

In order to implement the Convention, Hungary takes part in two significant international co-operative programmes:

- a Memorandum of Understanding on the Conservation of the Slender-billed Curlew that was signed by Hungary among the first signatories on 22 September 1994;
- co-operation of the Hungarian Association of Ornithology and Nature Conservation with the Secretariat of "Birdlife International" in developing the European great bustard conservation strategy and in adequately influencing agricultural policy.

#### ⌚ Hungarian participation in the international organisation

Dr. Attila Bankovics (of the Museum of Natural Sciences and appointed by MERP) is a member of the Convention's Scientific Council.

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① *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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Legal instruments, references

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- #Tvr-4, 1982: Law-decree No 4. of 1982 on nature conservation
- #Tvr-6, 1986: Law-decree No. 6 of 1986 on the promulgation of the convention on the protection of migrating wild animal species dated 23 June 1979 in Bonn
- #KTMr-12, 1993: Decree 12/1993 (III.31.) KTM on the amendment to Decree 1/1982 (III.15.) OKTH on protected and particularly protected plant- and animal species and their individual values, on determining the scope of particularly protected caves as well as on exemptions from restrictions and bans concerning certain protected animal species
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation. (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények) Ministry for Environment and Regional Policy, Budapest, pp. 35-36
- Füleky Cs., 1994: The Bonn Convention. (in Hungarian; A Bonni Egyezmény). Madártávlat, 1994/5
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: nature conservation. (in Hungarian; Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 47-66
- ÖIFF, 1994: Conventions on nature conservation - training textbook (in Hungarian; Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 15-21

### II.3.a. Agreement on protection of European bats

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#### Basic features of the legal instrument and the international organisation

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##### ★ *Basic data*

Agreement on the Conservation of Bats in Europe	
INTERNATIONAL	
* adoption:	4 December 1991
* venue:	London (U.K.)
* entry into force:	16 January 1994
* organisation:	UNEP
* depository:	U.K.
HUNGARIAN	
* signature:	-----
* ratification/approval:	22 June 1994
* entry into force:	22 July 1994

The Agreement, developed within the framework of the Bonn Convention (II.3.), was adopted in 1991 and entered into force in 1994.

##### ★ *General objectives*

The objective of the Agreement is to preserve the populations of European bat species, to adopt and carry out the necessary internationally co-ordinated measures in harmony with principles of the Bonn Convention.

##### ★ *Concrete commitments*

According to the Agreement, Parties shall:

- appoint one or more competent authorities to be responsible for the implementation with appropriate authorisation [§.II/3];
- prohibit any and all intentional capturing, keeping and destroying of bats, except with permission from the proper authority [§.III/1];
- identify significant roost sites and shelters and explore the feeding areas of bats and provide protection for such areas from damage and disturbances [§.III/2];
- strengthen public awareness of the importance of saving bats [§.III/4] and facilitate the implementation of required research programmes [§.III/7];
- take into consideration the potentially harmful effects of pesticide use on bats [§.III/8];

- adopt the necessary legislative and administrative measures to implement the Agreement [§.IV/1];
- prepare reports on measures taken in accordance with this Agreement [§.VI].

*\* Specific provisions applying to Hungary*

The Agreement contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊞ Financial and facilitating mechanisms*

Administrative costs of the Agreement since 1996 are covered by Parties; contributions due from 1996 were defined at the first Meeting of Parties in 1995.

*⊕ Further development of the legal instrument*

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*◇ The international organisation*

The major decision making body of the Agreement is the Meeting of Parties; co-ordination and administrative tasks are performed by the Secretariat.

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary acceded to the Agreement on 22 June 1994.

*⌚ Implementation of the general objectives in Hungary*

The Agreement is important in helping to preserve bats living in the territory of Hungary.

The existence of 26 of the 30 European species is proven in Hungary, of which 4 species at present are strictly protected.

The comprehensive European co-operation contributes greatly to the information available to individual countries, which should aid in making measures to protect bats more efficient.

*⌚ Implementation of the concrete tasks in Hungary*

Also in keeping with the Agreement, the exploration of roost sites and shelters is ongoing. The protection of caves is ensured on the grounds of Law-decree No. 4 of 1982 and Decree 12/1993. III.31.) KTM.

The same statutes ensure the protection of bats by prohibiting the intentional capture, keeping, or destroying of bats.

MERP financially supports programme applications of the Hungarian Bat Research Society and the Hungarian Bat Protection Foundation which also include research topics.

The first national report to the Secretariat on assessing the situation of bat protection in Hungary was completed in early 1996.

#### ⌚ Contribution to the financial funds

The measure of contribution specified for Hungary for the coming three years period is DEM 1053.66 in 1996, DEM 950.21 in 1997 and DEM 1229.04 in 1998, respectively.

#### ⌚ Participation in international programmes

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#### ⌚ Hungarian participation in the international organisation

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#### ⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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#### Legal instruments, references

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- #KTM, 1994: Agreement on preserving the populations of European bat species. Magyar Közlöny, No. 79. (published by the minister of environment protection)
- #KTMr-12, 1993: Decree 12/1993 (III.31.) KTM on the amendment to Decree 1/1982 (III.15.) OKTH on protected and particularly protected plant- and animal species and their individual values, on determining the scope of particularly protected caves as well as on exemptions from restrictions and bans concerning certain protected animal species
- #Tvr-4, 1982: Law-decree No 4. of 1982 on nature conservation
- Haraszthy L., 1995: The potentials of preserving biodiversity in Hungary. (in Hungarian; Biológiai sokféleség megőrzésének lehetőségei Magyarországon). WWF-füzetek, No.8
- Fülek Cs., 1994: European co-operation for conservation of bats. (in Hungarian; Európai összefogással a denevérekért). TermészetBúvár, 6, p. 36



## II.3.b. Agreement on the African-Eurasian migratory waterbirds

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Agreement on the Conservation of African-Eurasian Migratory Waterbirds	
INTERNATIONAL	
* adoption:	16 June 1995
* venue:	The Hague (Netherlands)
* entry into force:	
* organisation:	UNEP
* depository:	The Netherlands
HUNGARIAN	
* signature:	
* ratification/approval:	
* entry into force:	

The Final Act of the Agreement, developed within the framework of the Bonn Convention, was adopted on 16 June 1995, and the Agreement was opened for signature at the end of 1995. The Agreement shall enter into force after the accession of seven African and seven European states.

#### ★ *General objectives*

The objective of the Agreement is the conservation of migratory waterbirds, adopting and implementing the necessary internationally co-ordinated measures respective to the region concerned, in harmony with the fundamental principles of the Bonn Convention.

According to the Agreement, particular attention should be paid to endangered and to species living in an unfavourable conservation situation [§.III/1].

#### ★ *Concrete commitments*

Concrete commitments are as follows:

- taking of animals belonging to species listed in Appendix I to the Bonn Convention shall be prohibited [§.III/2a];
- the habitats of species listed in Appendix I to the Bonn Convention which are important from the aspect of averting the threat of extinction of species shall be protected, and where possible, restored [§.III/2a];
- to prevent, remove, compensate for or minimise the activities or obstacles which significantly hinder the migration of species listed in Appendix I [§.III/2a];

- to decrease to the extent possible and reasonable and/or to control factors actually or potentially endangering the species listed in Appendix I, including strict control of introduction of non-indigenous species, control of already introduced species or eventual elimination of such species [§.III/2a];
- to identify sites where migrating waterfowl species appear, and protect, manage, and reconstruct such sites [§.III/2c];
- to preserve, and where possible restore, the network of appropriate habitats, particularly in wetlands that extend over several countries [§.III/2d];
- to assess the problems caused by human activities [§.III/2e];
- to co-operate in extraordinary situations requiring co-ordinated international effort in identifying species and working out appropriate procedures as well as in drafting guidelines which assist individual Parties in such extraordinary situations [§.III/2f];
- to ban the introduction of non-indigenous waterfowl species and prevent the emigration of such species if their presence harms the living conditions of wild animals and plants; in the event of non-indigenous species that have established themselves in an area, all necessary measures should be taken to avoid any harm to indigenous species [§.III/2g];
- to initiate and support research in biology and ecology of migratory waterbirds; to harmonise research and monitoring methods; to establish joint research and monitoring programmes [§.III/2h];
- to examine practical requirements in the surveying, ongoing examinations, and banding of migratory waterfowl, and in the managing of wetlands, so that priorities (in terms of topics and areas) can be established for developing and preparing certain training programmes; such priorities are important in vocational training and co-operation [§.III/2i];
- to develop and operate educational programmes on the general situation of migratory waterfowl and on the objectives of this agreement [§.III/2j];
- exchange of knowledge as well as results of research, monitoring, reporting, protection, and training programmes [§.III/2k];
- co-operation of the Parties to assist each other in implementation of the Agreement, particularly in the fields of research and monitoring and reporting tasks [§.III/2l];
- implementation of the Action Plan attached to the Agreement that contains the tasks in detail.

*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The administrative expenses of implementing the Convention are covered by the Parties; contributions shall be defined by the Meeting of Parties.

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⊕ Further development of the legal instrument

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◇ The international organisation

The Agreement was prepared within the framework of UN Environmental Programme and supported by the Dutch government. The decision making body of the Agreement will be the Meeting of Parties.

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Adoption and implementation of the legal instrument in Hungary

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☆ Adoption

The final document of the conference adopting the text of the Agreement was signed by Hungary on 16 June 1995; the preparation of accession is in progress.

⌚ Implementation of the general objectives in Hungary

The objectives of the Agreement are important to Hungary and in order to achieve these objectives, the appropriate programmes and measures should be formulated and implemented after the Agreement enters into force.

⌚ Implementation of the concrete tasks in Hungary

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⌚ Contribution to the financial funds

The Meeting of Parties shall decide on the measure of budget and contributions (II.3.b./⊕).

⌚ Participation in international programmes

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⌚ Hungarian participation in the international organisation

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① Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations lies, with the MERP (Annex D).

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Legal instruments, references

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## II.4. Conserving the European wild plants, animals and their natural habitats

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on the Conservation of European Wildlife and Natural Habitats	
INTERNATIONAL	
* adoption:	19 September 1979
* venue:	Bern (Switzerland)
* entry into force:	1 June 1982
* organisation:	Council of Europe
* depository:	Council of Europe
HUNGARIAN	
* signature:	-----
* ratification/approval:	16 November 1989
* entry into force:	1 March 1990

#### ★ *General objectives*

The fundamental objective of the Convention is to protect wild animal and plant species and their habitats with particular attention to threatened species (including migrating species) and their threatened biotopes, and to that end facilitate the collaboration among nations.

#### ★ *Concrete commitments*

The concrete provisions (i) specify the consideration of measures to maintain flora and fauna and their stocks in the process of planning and development [§.2, §.3], and (ii) contain more detailed guidelines to perform these tasks [§.4-§.12].

The Annexes to the Convention define the strictly protected plants (Annex I) and animal species (Annex II), the protected animal species (Annex III), and the methods (Annex IV) now prohibited in capturing or killing animal species listed in Annex III as well as certain exemptions for species listed in Annex II.

It is noteworthy that the interpretation of the term "*protection*" in the Convention, instead of a complete ban, already implies regulation of use of the protected species.

The Convention contains provisions to promote the reintroduction of extinct species and to control non-native species and their introduction [§.11/2].

Parties must submit detailed reports every two years on exemptions made for species listed in the Annexes to the Convention, the methods used (hunting, fishing), and habitat conservation [§.9]. The Standing Committee in 1993 decided that a general report shall be submitted every four years on the following issues: domestic regulation related to the implementation of the Convention, realisation of the habitat conservation, conservation of species existing in the territory of the Party and which are listed in the Annexes to the Convention, important conservation programmes, and publications of major significance (e.g. Red Data Book) etc.

*\* Specific provisions applying to Hungary*

Recommendation 23 (11 January 1991) set a concrete task for Hungary in relation with protection of the habitat of *Vipera ursinii rakosiensis*.

At the time of signing or ratification, each Party could make certain exemptions to the provisions in Annexes I-IV: Hungary filed such a motion for species which do not require the protection in Hungary specified in the Annexes, and to the methods whose banning would not be reasonable in Hungary.

*⊕ Financial and facilitating mechanisms*

The budget for covering the administrative expenses of the Convention is adopted by the Standing Committee and is accounted for in the framework of the Council of Europe in such way that payments made by member states for this purpose are complemented from the general budget of the Council of Europe (about 700 thousand ECU annually).

*⊕ Further development of the legal instrument*

No amendments to the provisions of the Convention are expected, although such a necessity occasionally arises. If that were to happen, it would presumably take several years (§.16 provides for such option) Expert groups are working on amending the Annexes, particularly to consider the East-European flora and fauna. Thus further additions are expected for the list of strictly protected plants (Annex I) and invertebrates (Annex II and Annex III). Amendments are also expected within a couple of years to an Annex concerning habitats.

*⊕ The international organisation*

The co-ordination and administrative tasks of the Convention are performed by the Standing Committee and the Secretariat. The Council of Europe supports the implementation of the Convention annually with a certain financial contribution and the Secretariat is working in the framework of the Council of Europe (see II.4./⊕). The implementation of the Convention is assisted by numerous international organisations (European regional institutions, NGOs providing expert services, IUCN, ECNC, etc.).

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## Adoption and implementation of the legal instrument in Hungary

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### ☆ Adoption

Hungary acceded to the Convention in 1989. The Convention was promulgated in 1990 (MERP, 1990). MERP published a list of exemptions filed by Hungary (Magyar Közlöny, 1991, No. 14., pp. 454-455) which was also contained in the "reservation" list deposited together with the accession document. It primarily contains the denomination of species listed in the Annexes to the Convention but not protected in Hungary (II.4./\*). The promulgation of the Convention by a law has not yet taken place.

### 🕒 Implementation of the general objectives in Hungary

Nature conservation authorities in Hungary administer the protection of wild plants and animals and their natural habitats in harmony with the objectives of the Convention.

### 🕒 Implementation of the concrete tasks in Hungary

To protect habitats and species, numerous measures were introduced by various OTvH and OKTH resolutions, as well as decrees of MEP and MERP. The latest legal instrument relating to species is the Ministerial Decree 12/1993 (III.31.) KTM.

Taking into consideration the relevant provisions of the Convention, some significant habitats of *Vipera ursinii rakosiensis* have been put under protection (Decree 17/1993 (IV.7.) KTM) and a supervising service has been functioning since 1992 in critical periods at important sites. The implementation of a programme conserving the population of this species was also started in 1994.

### 🕒 Contribution to the financial funds

Hungary's contribution to the administrative expenses of the Convention is paid in one sum together with its contribution for its Council of Europe membership. Hungary is not in default with its payments.

### 🕒 Participation in international programmes

Participation in several international programmes aimed at conservation of habitats or species at the same time aid in implementing the Convention in Hungary. For example, a Swedish expert is participating in implementing a Hungarian programme under the Convention, with the assistance of the European Association of Herpetology. Hungarian experts are also assisting in the implementation of the Slovakian programme for reintroducing the species *Emys orbicularis*, which began in 1993.

### 🕒 Hungarian participation in the international organisation

Hungary takes part in several expert groups which were established under the umbrella of the Standing Committee (except in *ad-hoc* working groups dealing with issues of regions or activities

which do not concern directly Hungary). Chairman of the expert group discussing the reintroduction, immigration, and introduction of wild species is a Hungarian expert, Gábor Nechay (MERP).

#### ① *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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#### Legal instruments, references

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- #KTM, 1990: Convention on the conservation of European wildlife and natural habitats. Magyar Közlöny, No. 64 (published by the Minister of Environment)
- #KTMr-17, 1993: Decree 17/1993 (IV.7) KTM on establishing the Peszéradacs Landscape Protection Area and appointing the nature conservation manager
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 37-38
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: nature conservation. (in Hungarian; Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 67-87
- ÖIFF, 1994: Conventions on nature conservation - training textbook (in Hungarian; Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 22-25



## II.5. Conservation of biodiversity and biological resources

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Convention on Biological Diversity	
INTERNATIONAL	
* adoption:	5 June 1992
* venue:	Rio de Janeiro (Brasíl)
* entry into force:	29 December 1993
* organisation:	UNEP
* depository:	UN Secretary General
HUNGARIAN	
* signature:	13 June 1992
* ratification/approval:	24 February 1994
* entry into force:	25 May 1994

The Convention was opened for signing in 1992 at the UN Conference on Environment and Development.

#### ★ *General objectives*

The fundamental objective of the Convention is the conservation of biological diversity, the sustainable use of its components, and equitable sharing of benefits derived from utilising the genetic resources [1.§].

#### ★ *Concrete commitments*

According to the Convention each Party shall:

- undertake that its activities shall not cause environment damages beyond its boundaries [§.3];
- formulate a national strategy for the conservation of biodiversity and its sustainable use [§.6/a], and integrate this conservation in sectoral and cross-sectoral policies and programmes [§.6/b];
- identify and monitor those components of biodiversity which are important to conserve [§.7/a,b], as well as processes and activities which have or presumably might have adverse effects on the environment [§.7/c] and maintain records of such data [§.7/d];
- make provisions for *in situ* conservation [§.8] within and outside of protected areas with appropriate measures, maintain *ex situ* protection institutions [§.9] and take actions in the interest of recovery and reintroduction of threatened species [§.9/c];
- carry out research and training programmes assisting conservation; promote the utilisation of research results [§.12], the spread of knowledge relevant to conservation [§.13], the international exchange of information [§.17], the technical-scientific co-operation, and training of experts [§.18];

- carry out environmental impact assessments relevant to plans and programmes which presumably might cause considerable damage to the biodiversity [§.14];
- immediately notify potentially concerned countries of emergency situations arising in its territory that threaten biodiversity in the territory of other states [§.14/1d];
- facilitate the access of other Parties and others to its genetic resources and their full participation in researching such resources on the basis of mutual agreements, ensuring the sharing of future benefits with the country of origin [§.15]; and assist the transfer of technologies important to conservation to other Parties [§.16, §.19];
- prepare reports on measures which have been taken in order to implement the provisions of the Convention (with a frequency to be defined by the Conference of the Parties) [§.26].

✳ *Specific provisions applying to Hungary*

According to the Convention [§.20/1] and the resolution taken by the first session of the Conference of the Parties, the country-Parties with economies in transition (including Hungary) can contribute to the fund established for financial support for developing countries on a voluntary basis.

⊕ *Financial and facilitating mechanisms*

Parties contribute to the budget of the Convention's Secretariat in proportion with their respective UN scale of assessment, and in addition they might contribute voluntarily to perform the specified tasks. Such a Trust Fund is administered separately by the UNEP. A financial mechanism was also established in order to assist performance of the tasks by developing countries; that mechanism is operated by the Global Environment Facility (GEF).

⊕ *Further development of the legal instrument*

In the framework of the Convention, international negotiations have started on formulating a protocol on biological safety.

✧ *The international organisation*

The technical co-ordination and administrative tasks related to the Convention are performed by the Secretariat functioning in the framework of the UNEP. As mentioned above, the financial mechanism of the Convention is operated by the GEF (II.5/⊕).

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

The Convention was signed by Hungary on 13 June 1992 at the UN Conference on Environment and Development. The Parliament made a unanimous resolution (OGy-103) to ratify the Convention on 22 December 1993. The ratification document was deposited in February 1994. The Convention was promulgated by Act LXXXI of 1995.

🕒 *Implementation of the general objectives in Hungary*

Several measures for the conservation of biodiversity had already been taken before the Convention was adopted (e.g. establishing a network of protected areas, protection of threatened

species). The requirement of sustainable use - in specific sectors - is affirmed and integrated into the relevant sectoral programmes (e.g., maintaining soil fertility is of fundamental interest to plant cultivation). However, the general objective of the Convention can be achieved if the concrete tasks are adequately carried out.

#### ⌚ *Implementation of the concrete tasks in Hungary*

In order to fulfil of the concrete tasks specified in the Convention, the preparation and implementation of already adopted programmes is in progress. The planning and implementation of the identification and evaluation programme concerning various elements of biodiversity has begun with PHARE support ("Hungarian National Biodiversity Monitoring Project"). Specific measures required by the Convention are addressed by Governmental Decree 86/1993 (IV.4.) on impact assessments and Governmental Decree 67/1994 (V.4.) expanding the scope of activities for which such assessments are mandatory.

According to the Convention, no mandatory reports had to be prepared and submitted to the Conference of Parties on country studies, national strategies and/or action plans concerning the conservation of biodiversity. The second session of the COP made such a decision by setting the deadline of 1997 for the submission of these reports. Several governmental, academic, and expert studies were prepared on maintaining biodiversity in recent years. Based on these, the preparation of the Hungarian country study and the development of a comprehensive programme has begun. These tasks also appear in the recently adopted law on nature conservation.

#### ⌚ *Contribution to the financial funds*

Hungary's contribution commitment to administrative budget of the Convention Secretariat in 1995 was USD 11,227 and has been duly paid.

#### ⌚ *Participation in international programmes*

The tasks relevant to conservation of biodiversity also appear in bilateral co-operation agreements of Hungary concluded with several states on the general subject of environmental protection and nature conservation. In the framework of the German-Hungarian co-operation, a programme supported by the German government was developed, laying the foundation for the Hungarian biodiversity monitoring system. Based on that, the development of the monitoring system is now taking place with PHARE support.

#### ⌚ *Hungarian participation in the international organisation*

Hungary's representative, Gábor Nechay of MERP, is a vice-chairman of the bureau of the Convention's Subsidiary Body on Scientific, Technical and Technological Advice. Dr. Ervin Balázs, of the Centre for Biotechnology, Gödöllő, was a member of the ad-hoc working group for the problems of biosafety. The task of the group was to formulate draft guidelines for regulating safety requirements needed when using genetically modified organisms (II.5.a.).

#### ⌚ *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

- #OGy-103, 1993: Resolution 103/1993 (XII.29.) on ratification of the UN Biodiversity Convention signed by Hungary in Rio de Janeiro on 13 June, 1992
- #Tv-LXXXI, 1995: Act LXXXI of 1995 on the promulgation of the Convention on Biological Diversity
- Bánda Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 39-41
- Bartha S. et al., 1993: International strategy for preserving biodiversity (in Hungarian; Nemzetközi biodiverzitás megőrzési stratégia). Magyar Tudomány, 38/8, pp. 983-1010
- Gyulai I. et al., 1992: The programme of preserving biodiversity (in Hungarian; A biodiverzitás megőrzésének programja). "Zöld Akció", Miskolc; manuscript
- Haraszthy L., 1995: The potentials of preserving biodiversity in Hungary. (in Hungarian; Biológiai sokféleség megőrzésének lehetőségei Magyarországon). WWF-füzetek, No. 8
- Láng I., 1995: Responsibility for 300.000 square kilometres; interdependent nations. (in Hungarian; Felelőség 300000 négyzetkilométerért; egymásra utalt népek). Természetbúvár, 50/5, pp. 11-13
- Nechay G. (Ed.), 1992: Caring for the Earth. (in Hungarian; Földünkért). Ministry for Environment and Regional Policy, Budapest
- Nechay G., T. Faragó (Eds.), 1992: The UN Convention on Biodiversity. (in Hungarian; Az Egyesült Nemzetek Szervezetének Egyezménye a Biológiai Sokféleségről). Az ENSZ Konferencia Magyar Nemzeti Bizottsága, Budapest
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- Tardy J. (szerk.), 1994: Nature conservation - 1994 (in Hungarian; Természetvédelem'94). Ministry for Environment and Regional Policy, Budapest
- Vida G., 1995: Sustainable development and the biosphere. (in Hungarian; A fenntartható fejlődés és a bioszféra. Természetbúvár, 50/1, pp. 26-27

## II.5.a. Protocol on biosafety (in preparation)

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### Basic features of the legal instrument and the international organisation

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#### *\* Provisional title, preparations for adoption*

Protocol on biological safety
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On the grounds of a Resolution adopted at the first session of the Conference of Parties in 1994, preliminary negotiations were started to lay the foundation for the Protocol. The second session in 1995 made a decision to prepare the Protocol and established a drafting group for that purpose.

#### *\* General objectives*

The objective of the planned Protocol is to develop procedures which adequately regulate the transport, handling and use of living organisms modified by biotechnology, which might have adverse impacts on the conservation of biodiversity and its sustainable use.

#### *\* The planned concrete commitments*

The Convention on Biological Diversity (II.5.) already described the essential aspects (§.8, §.19) which should be considered in the planned Protocol; it also concretely defined certain elements that should be reflected in the Protocol (§.19/3):

"Parties shall consider the necessity of a Protocol and its methods which elaborate appropriate procedures, including particularly the preliminary agreement on notification in the field of transporting, handling and using any living modified organism created as the result of biotechnology, which might have unfavourable impacts on biodiversity and its sustainable use."

The second session of the Conference of Parties (Jakarta, November 1995) adopted a resolution on this issue. According to this resolution, adequate regulation is required for the use, discharge, or transboundary transport of such living organisms, and it is necessary to develop a Protocol prescribing such regulations, whose major elements would be as follows: problems to be solved (issues to be regulated), forms and areas of preliminary notification, proper categories of living modified organisms produced by biotechnology.

#### *\* The international organisation*

An open-ended ad hoc group of experts and a 15-member ad-hoc expert panel for preparing the guidelines was established by the first session of the COP, which, in co-operation with the Convention Secretariat, prepared a detailed analysis and made recommendations to second session of the COP.

The activities of these bodies were supported by several international organisations (FAO, UNEP, UNIDO, WHO). At the second session of the Conference of the Parties, a decision was made on establishing an open-ended ad hoc working group for drafting the Protocol and submitting it to the COP.

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### National preparations and participation in negotiations

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#### ☆ Preparation of the national position

The subject of biological safety is especially important for Hungary because, inter alia: research work in that area is carried out in Hungary, living modified organisms are used, and at the same time, adequate regulation is missing on relevant questions of environmental safety and transboundary transport.

Accordingly, further active participation is necessary in the international preparatory work and along with that, the basis for regulating the transport, handling and use of living organisms modified by biotechnology should be developed at the national level.

#### ⌚ Hungarian participation in the international organisation

Dr. Ervin Balázs (Centre for Biotechnology, Gödöllő) was a member of the ad-hoc expert body for problems of biological safety that was operative until the second session of the Conference of the Parties.

#### ⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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### Legal instruments, references

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### III.1. Regulating the international trade in endangered wild animal and plant species

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#### Basic features of the legal instrument and the international organisation

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##### ★ *Basic data*

Convention on International Trade in Endangered Species of Wild Fauna and Flora	
INTERNATIONAL	
* adoption:	3 March 1973
* venue:	Washington D.C. (USA)
* entry into force:	1 July 1975
* organisation:	UNEP
* depository:	Switzerland
HUNGARIAN	
* signature:	-----
* ratification/approval:	29 May 1985
* entry into force:	27 August 1985

##### ★ *General objectives*

The fundamental objective of the Convention is the preservation and protection of species endangered by trade at their biotopes. This can be achieved only through close co-operation between purchasing countries and host countries of the biotope. The Appendices of the Convention categorise species by the degree of endangerment: Appendix I lists plant and animal species directly on the verge of extinction which should not be commercially traded [§.II/1]; Appendix II lists species whose trade must be strictly regulated in order to prevent them from verging on extinction [§.II/2]; and Appendix III lists species that individual countries might seek international assistance to control their trade [§.II/3]. The Convention regulates the trade by a licensing system [§.III, §.IV, §.V, §.IX/1a].

##### ★ *Concrete commitments*

According to the Convention, each Party shall:

- designate a Management Authority responsible for issuing permits and certificates which prohibit and sanction trade in specimens in violation of relevant provisions, [§.VIII/1a];
- deposit the living confiscated specimen in conformity with relevant specifications [§.VIII/4];
- designate a Scientific Authority to assist the work of the Management Authority [§.VIII/4c];
- establish an emergency centre to accommodate living confiscated animals [§.VIII/5];
- keep records on the trade of species included in Appendices I, II and III and on the implementation of the Convention, inform the Secretariat in annual reports [§.VIII/6-7], and submit biennial reports on the legislative, regulatory, and administrative measures taken to enforce the provisions of the Convention [§.VIII/7b];

- inform the public on the importance and implementation of the Convention;
- take appropriate measures in the interest of implementing the Convention to draw up national legislation which could be more stringent than the provisions of the Convention [§.XIV/1].

*\* Specific provisions applying to Hungary*

The Convention contains no specific provisions which would mean tasks different from the general ones for any group of countries including Hungary.

*⊕ Financial and facilitating mechanisms*

The contributions to the budget adopted at the biennial sessions of the Conference of Parties are defined with respect to the UN scale of assessment. In addition, Parties might support the implementation of certain concrete programmes with voluntary contributions.

*⊕ Further development of the legal instrument*

At meetings of the Conference of Parties, the Appendices can be amended to reflect new knowledge of stock and trade data on animal and plant species, and new resolutions can be made for more efficient implementation of the Convention.

*◇ The international organisation*

The supreme decisions making body of the Convention is the Conference of Parties, which holds its meetings biannually. Implementation of facilitated by the Standing Committee, as well as the Animals and Plant Committees and animal transport committee. The co-ordination and administrative tasks are performed by the international secretariat (Geneva) with the support of the UNEP.

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary acceded to the Convention in 1985. The Convention was promulgated by Law-Decree 15 of 1986; its national implementation provided by the Decree 4/1990 (XII.7.) KTM.

*⌚ Implementation of the general objectives in Hungary*

Hungary complies with provisions laid down in the Convention; its administrative agencies perform the licensing, and prohibit and adequately sanction trade violating the relevant provisions. In accordance with the fundamental objective of the Convention, Hungary is taking active part in preventing and controlling trade in endangered species. These activities are as follows:

- managing the trade directed to Hungary as a purchasing market (supervising traders, breeders, zoological gardens, retail shops in Hungary);
- controlling transit traffic through Hungary (transit consignments without proper permit cannot enter the country, those already in the country will be seized), and thus assisting the nature conservation efforts of other countries;



- protecting indigenous species appearing in the various Appendices of the Convention from the harmful impacts of trade (Hungary does not allow the trade of any of the indigenous protected species listed in the Convention and does not approve of their capture).

#### ⌚ Implementation of the concrete tasks in Hungary

A Decree was issued for the implementation of the Convention in Hungary (KTMr-4, 1990), which makes the provisions more stringent in several respects: all birds of prey are included in Appendix I; everyone who is in possession of species and their derivatives included in Appendix I, or who has breeding stocks of species listed in Appendix II must be notified and registered; the import of ivory to Hungary is prohibited; and transit shipments without the required CITES-permit are not allowed in the territory of Hungary.

The Convention's concrete tasks are performed by the assigned Management Authority which is the National Agency for Nature Conservation of the MERP (Annex D). Said Agency is authorised to issue the so-called "CITES" permits. About 200-300 permits are issued per year. Animals and plants, their parts and derivatives which entered Hungary through violation of the provisions will be seized by the Agency in co-operation with the Hungarian Customs and Finance Guard and its regional offices. In recent years there were on average 20-25 such cases annually. In each case a penal action was introduced against the perpetrators. With the system of notification and registration, individual species and their derivatives listed in Appendix I and breeder's stocks of species listed in Appendix II owned by Hungarians will be entered in the records on an on-going basis.

The Decree on implementing the Convention is currently being amended to take into consideration the relevant resolution of the Conference of Parties, which pointed out the Hungarian decree's lack of adequate sanctions. The public is regularly informed on developments relating to the Convention, and personnel of the Hungarian Customs and Finance Guard are also taking part in regular systematic training.

#### ⌚ Contribution to the financial funds

The Hungarian contribution to the budget of the Convention in 1995 was CHF 9889. Hungary is not in default with its payments.

#### ⌚ Participation in international programmes

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#### ⌚ Hungarian participation in the international organisation

One of the working parties assisting with the implementation of the Convention, the committee dealing with animals, has a substitute Hungarian member, Dr. Katalin Rodics (MERP).

#### ⌚ Co-ordination in Hungary

According to the decree on implementation of the Convention, the role of the Management Authority is fulfilled by the National Agency for Nature Conservation of MERP (Annex D). A Scientific Authority was appointed to perform scientific tasks specified in the Convention. Considerable assistance is provided by the Hungarian and foreign NGOs in implementing the Convention.

- #Tvr-15, 1986: Law-decree No.15 of 1986 on the promulgation of the convention on the international trade of endangered wild animal and plant species, adopted in Washington on 3 March 1973
- #KTMr-4, 1990: Decree 4/1990 (XII.7.) on the implementation of Law-decree No. 15 of 1986 on the promulgation of the international trade of endangered wild animal and plant species, adopted in Washington on 3 March, 1973
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 43-44
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: nature conservation. (in Hungarian; Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 19-46
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- Rodics K., L. Haraszthy, 1994: What should be known of the Washington Convention: the birds. (in Hungarian; Amit a Washingtoni Egyezményről tudni kell - madarak). Ministry for Environment and Regional Policy, Természetvédelmi Hivatal, Budapest
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## III.2. Controlling transboundary transport and disposal of hazardous wastes

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### Basic features of the legal instrument and the international organisation

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#### ★ *Basic data*

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal	
INTERNATIONAL	
* adoption:	22 March 1989
* venue:	Basel (Switzerland)
* entry into force:	5 May 1992
* organisation:	UNEP
* depository:	UN Secretary General
HUNGARIAN	
* signature:	22 March 1989
* ratification/approval:	21 May 1990
* entry into force:	5 May 1992

#### ★ *General objectives*

The objective of the Convention is to reduce the generation of hazardous and other wastes to the minimum possible and to build and operate adequate disposal facilities for their treatment, preferably installed in the territory of the state concerned [§.4/2a,b]. A further objective is the prevention of pollution from handling such wastes, and in the event of such pollution, the adverse impacts should be reduced to the minimum possible. Parties ensure that the quantity of such wastes transported across the state border shall be the minimum possible and eventual harmful impacts should not threaten human health and the environment [§.4/2d]. Parties shall ban the export of hazardous or other wastes to a state or to any group of states belonging to an economic and/or political integration organisation that is Party to the Convention which prohibits the import of wastes or if it has good reason to believe that the exported waste would not be managed in an environmentally sound manner [§.4/2e]; in the latter case, all Parties shall also prevent the import of such wastes [§.4/2g].

#### ★ *Concrete commitments*

In accordance with the Convention, each Party shall:

- inform the Secretariat of wastes which were considered or defined as hazardous in the framework of national legislation within six months of signing the Convention and provide information on requirements applicable for transboundary movement of such wastes [§.3/1];
- inform other Parties if it prohibits the import of hazardous wastes for disposal, [§.4/1a]; prohibit the export of hazardous wastes to Contracting Party states which prohibit the import of such wastes [§.4/1b], not consent in writing to the import of the waste concerned [§.4/1c];

- provide appropriate information on the movement, transboundary transport, and disposal of such wastes to concerned states (Appendices V."A", V."B") [§.4/2f, 7c];
- regard the illegal traffic of hazardous wastes as a criminal act [§.4/3], and take measures to enforce the provisions of the Convention, including prevention of and sanctions against violations [§.4/4];
- prohibit all persons under its national jurisdiction having no specific authorisation or license from transporting or disposing hazardous wastes [§.4/7a] and require that such wastes to be moved across boundaries be packed, labelled, and transported in conformity with generally accepted international rules and standards [§.4/7b];
- approve the export of hazardous wastes only there are no means of disposing it in an environmentally sound manner or if the waste concerned is required as a raw material in the importing state [§.4/9];
- handle hazardous wastes generated in its state in an environmentally sound manner and avoid the transfer of such wastes to other states [§.4/10];
- designate or establish a Competent Authority and a Focal Point [§.5/1];
- ensure that exported hazardous wastes shall be taken back if the transboundary movement of the waste cannot be completed in accordance with the terms of the relevant contract and alternative arrangements cannot be made; the re-export shall not be opposed either by the exporter state or by any other Party on the transit route [§.8];
- provide appropriate national legislation for preventing and sanctioning the illegal traffic of wastes [§.9/5].

#### *\* Specific provisions applying to Hungary*

Numerous states have completely or partially banned the import of hazardous wastes. Waste can be imported into Hungary only for operating licensed recycling processes.

According to the Hungarian position, the international traffic of hazardous wastes should be reduced to the reasonable minimum level; however, properly controlled traffic of wastes treated by environmentally sound methods which assist the economy and save natural resources is allowable and might even be environmentally advantageous. The Hungarian Party is basically in agreement with the rights and liabilities of individual states also in this respect, and recognises the sovereign right of individual states to restrict the traffic of wastes in its territory.

#### *⊕ Financial and facilitating mechanisms*

The measure of contributions to the Convention's Operating Trust Fund is defined in proportion with the UN contributions. A Technical Assistance Fund was also established to support developing countries.

#### *⊕ Further development of the legal instrument*

The third session of Conference of Parties adopted a Decision complementing the Convention, which bans the export of hazardous wastes for disposal with immediate effect, and after 31 December 1996, the export for any other reason (Decision III/11) for developed countries into other states (particularly for OECD and EU member states).

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✧ *The international organisation*

The co-ordination and administrative tasks of the Convention are performed by the Bureau and the Secretariat (functioning in the framework of UNEP). The task of the Open Ended Ad-hoc Committee of the Convention is to carry out the professional-political co-ordination of documents for the next session. The implementation of the Convention is assisted by the Technical Working Group and the Institutional-Legal Working Group. The Central-European Regional Centre of the Convention began to prepare for its operation in Bratislava in 1995, which assists implementation in the region by technology transfer and training.

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Adoption and implementation of the legal instrument in Hungary

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☆ *Adoption*

The minister for environment protection signed the Convention in Geneva on 22 March 1989 on behalf of Hungary. The ratification document was deposited with the UN Secretary General on 21 May 1990.

⌚ *Implementation of the general objectives in Hungary*

Several statutes ensure the framework for implementing the Convention in Hungary: Governmental Decree 56/1981 (XI.18.) MT on controlling the generation of hazardous wastes and activities related to their disposal; Governmental Decree 112/1990 (XII.23.) Korm on the export and import of goods, services and rights representing material assets; Governmental Decree 55/1987 (X.30.) MT on import of certain materials that pose a threat to the human environment.

⌚ *Implementation of the concrete tasks in Hungary*

Since the date of entry into force of the Convention, the concrete tasks specified in the Convention are performed in Hungary. The preparation of statutes promulgating the Convention and determining the means of its implementation is progress. Until these shall take effect, the above mentioned statutes provide for the partial performance of tasks (Kr-112, 1990; MTr-55, 1987; Mtr-56, 1981). In hazardous waste export-import issues, the provisions of the Convention are taken into consideration in the course of licensing; the prescribed information and notification were provided to the Secretariat.

⌚ *Contribution to the financial funds*

Hungary's contribution to the Trust Fund: USD 5998 for 1995, USD 4654 for 1996, USD 5536 for 1997 and USD 5702 for 1998. Hungary is not in default with its payments. Hungary made one contribution to the fund supporting developing countries.

⌚ *Participation in international programmes*

Hungary is party to numerous bilateral and multilateral co-operation, assistance agreements (Switzerland, Denmark, Japan, USA, PHARE, etc.) which are partially directed to implementing the Convention.

### 🕒 Hungarian participation in the international organisation

Based on the resolution taken by the last session of the Conference of Parties, one of the vice-presidential posts of the Convention's Bureau is due to Hungary for the forthcoming period: at that conference, the tasks related to this office were performed by Csaba Markó (MERP). A Hungarian expert, Dr. Gyula Bándi, was also invited to contribute to the work of the Working Party dealing with the institutional and legal issues.

### 🕒 Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations lies, with the MERP (Annex D). The Focal Point according to the Convention is the Agency for Environment Protection of MERP; the Competent Authority is the Inspectorate for Environment Protection of MERP.

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### Legal instruments, references

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- #MTr-56, 1981: Decree 56/1981 (XI.18.) MT on controlling the treatment of hazardous wastes and activities connected with their disposal
- #MTr-55, 1987: Decree 55/1987 (X.30.) MT on the import from abroad of certain substances presenting danger to the human environment
- #Kr-112, 1990: Decree 112/1990 (XII.23.) Korm. on the export and import of goods, services and rights representing material values
- Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 45-46
- Lakosné H. A. (Ed.), 1989: Conventions with Hungarian participation: environment protection. (in Hungarian; Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 135-204

### III.3. Assessment of the transboundary environmental impacts

#### ★ *Basic data*

Convention on Environmental Impact Assessment in a Transboundary Context	
INTERNATIONAL	
* adoption:	25 February 1991
* venue:	Espoo (Finland)
* entry into force:	
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	26 February 1991
* ratification/approval:	
* entry into force:	

As of mid-1995, nine countries have ratified the Convention, which will enter into force on the 90th day after the 16th ratification document is deposited.

#### ★ *General objectives*

The fundamental objective of the Convention is to prevent, reduce, and control significant harmful transboundary environmental impacts. To that end the Convention specifies the following tasks of general nature:

- devising and implementing legal, administrative, and other measures which institutionalise the procedure of environmental impact assessment in such way as to render possible the participation of the public, and an environmental impact assessment shall be prepared with contents corresponding to Annex II of the Convention for all activities which are listed in Annex I of the Convention and which presumably might cause significant transboundary impacts [§.2/2];
- the Party of origin (the country where the activity is planned) has to ensure that the environmental impact assessment will be undertaken in conformity with the provisions of the Convention before licensing activities which appear in Annex I to the Convention and presumably might cause significant transboundary impact and must also ensure the notification of affected Parties (countries to which the impacts might be transferred) about the planned activity [§.2/3-4];
- if any concerned Party initiates them, there should be consultations on whether an activity not listed in Annex I might have significant transboundary impact and thus fall under the provisions of the Convention [§.2/5], furthermore, the Party of origin must ensure that the population living in the areas likely to be affected have opportunities to participate in the environmental impact assessment identical to those for its own population, in conformity with the Convention's provisions [§.2/6];

- Parties should pay careful attention to research programmes which facilitate the implementation of the provisions contained in the Convention [§.2/9].

✿ Concrete commitments

The Convention does not require that the Parties prepare and submit reports on its implementation, but the work programme of the authorised body of ECE includes the request for information from the Parties concerning the ratification and implementation of the Convention, and this national information is forwarded to the Secretariat.

Concrete obligations to take measures arise when:

- the concerned Party plans to perform an activity which might have significant transboundary impact, then it is necessary

to notify the affected Party [§.3/1]; provide information on the impact assessment procedure, the planned activity and the assumed significant adverse environmental impacts [§.3/5]; conduct consultations if requested by a Party that has not been notified [§.3/7]; and to inform the population living in the area likely to be affected [§.3/8];

to forward documentation of the environmental impact assessment to the affected Party [§.4/2];

to consult with the affected Party after the environmental impact assessment documentation is completed [§.5], take into account the results of the impact assessment and the consultations when making the final decision concerning the activity [§.6/1], and forward the decision to the affected Party [§.6/2];

to notify the affected Party of any new information that might result in an amendment of the decision after it has been made [§.6/3];

to issue notification of the decision on subsequent control [§.7/1] and on the outcomes of such subsequent control [§.7/2];

- the Party could be affected by the impacts of an activity planned by the Party of origin, then the obligations of the affected Party are as follows:

to reply to the notification of the Party of origin [§.3/3], and supply information at its request on the environment likely to be affected [§.3/6];

to inform the population living in the area likely to be affected and to forward the comments to the Party of origin [§.3/8];

to disseminate the results of the environmental impact assessment to the authorities and population [§.4/2] and to forward the opinion of the responsible authority to the Party of origin [§.4/2];

to notify the Party of origin if new information arises which might amend the decision after it has been made [§.6/3];

to decide on subsequent control [§.7/1] and issue notification on the basis of such control [§.7/2].



*\* Specific provisions applying to Hungary*

The Convention is of a general nature. More concrete and specific provisions can be formulated within the framework of bilateral and multilateral agreements on transboundary environmental impacts for the concerned parties, including Hungary.

*⊕ Financial and facilitating mechanisms*

The costs of administrative tasks of elaborating the Convention were covered within the general ECE budget. The Convention does not include provisions on financial contributions for the Parties. For the transition countries, the costs of participation in the work programmes adopted by meetings of the signatories are covered by a special fund operated by the ECE.

*⊕ Further development of the legal instrument*

Parties might ensure the fulfilment of their commitments contained in the Convention in bilateral and multilateral agreements [§.2/8].

*◇ The international organisation*

The co-ordination and administrative tasks of the Convention are performed by the Environment and Human Settlements Division of UN ECE.

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Adoption and implementation of the legal instrument in Hungary

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*☆ Adoption*

Hungary signed the Convention on 26 February 1991 in Espoo, Finland. Two governmental decrees were issued on provisional regulation of environmental impact assessments on certain activities in 1993 and 1994, respectively (#Kr-86, 1993; #Kr-67, 1994). The regulation on environmental impact assessments was raised to statute level as part of the new environmental act in 1995. These legal instruments satisfy the requirements contained in paragraph §.2/2 of the Convention. The approval of the Convention is in preparation.

*⌚ Implementation of the general objectives in Hungary*

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*⌚ Implementation of the concrete tasks in Hungary*

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*⌚ Contribution to the financial funds*

(Id. III.3./⊕)

⌚ Participation in international programmes

Two international experimental environmental impact assessment centres are to be established in Berlin and Warsaw for the time being. They will support countries with economies in transition in accession to the Convention and in fulfilment of the commitments.

⌚ Hungarian participation in the international organisation

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⌚ Co-ordination in Hungary

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MERP (Annex D).

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Legal instruments, references

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- #Kr-86, 1993: Decree 86/1993 (VI.4.) Korm. on the provisional regulation of environmental impact assessment concerning certain activities
- #Kr-67, 1994: Decree 67/1994 (V.4.) Korm on the amendment of Decree 86/1993 (VI.4.) on the provisional regulation of environmental impact assessment concerning certain activities
- #Tv-LIII, 1995: Act LIII of 1995 on the general rules of environment protection
- Bándi Gy., A. Balogh, 1991: Legal, organisational and regulatory issues in connection with a UN ECE convention (in Hungarian; Jogi, szervezeti és szabályozási kérdések a környezeti hatásvizsgálathoz egy ENSZ EGB egyezmény kapcsán). Hungarian Ministry for Environment and Regional Policy, Budapest
- Bándi Gy, T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Hungarian Ministry for Environment and Regional Policy, Budapest, pp. 47-48
- Fülöp S., J. Péter, 1995: The conditions of ratifying the Espoo convention in the Hungarian legal system. (in Hungarian; Az Espoo-i egyezmény ratifikálásának feltételei a magyar jogrendszerben). Környezetvédelmi jogi tanácsadó szolgálat, Budapest
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### III.4. Convention on transboundary impacts of industrial accidents

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#### Basic features of the legal instrument and the international organisation

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##### ★ *Basic data*

Convention on the Transboundary Effects of Industrial Accidents	
INTERNATIONAL	
* adoption:	17 March 1992
* venue:	Helsinki (Finland)
* entry into force:	
* organisation:	UN ECE
* depository:	UN Secretary General
HUNGARIAN	
* signature:	18 March 1992
* ratification/approval:	2 June 1994
* entry into force:	

As of mid-1995, seven countries had ratified the Convention; the preparation of accession is in progress in several countries and thus the Convention might enter into force by 1996 (90 days after the 16th document of ratification is deposited).

##### ★ *General objectives*

The fundamental objective of the Convention is to prevent threats to large areas and the transboundary environmental effects caused by industrial activities, to mitigate damages resulting from such accidents and to provide international assistance in connection with preparation for such events and in the case of actual damage.

Parties undertake a commitment to formulate the strategies and statutes to reduce the risk of industrial accidents and increase the capabilities of protection against such accidents and their impacts. The commitment covers the prevention of industrial accidents and disasters and, in the event of such an occurrence, averting or mitigating its harmful impacts, and exchanging information.

The Convention is aimed at preventing and mitigating direct or indirect, instant or delayed, impacts of all industrial activities which are harmful to human health, to the natural environment (to any element of it, to wildlife world, water, atmosphere, soil, landscape), as well as to the built environment. The foundation of the Convention is the principle that those who potentially and actually cause the adverse effects should bear its burdens and take responsibility for the consequences of industrial accidents.

The precondition of successful achievement of objectives formulated in the Convention is the concluding of relevant bilateral agreements, as well as meeting the requirement of supplying information on threats.

The implementation of the Convention has three major areas: environmental protection, development of industrial safety, and disaster prevention. With respect to disaster prevention, Parties should be prepared to mitigate the environmental damages caused by materials hazardous to the environment in addition to handling the general civil and fire protection activities.

#### *\* Concrete commitments*

The concrete commitments primarily mean the compliance with the following notification and procedural measures:

- in accordance with the Convention, a Manual of Industrial Accidents was developed which includes the following areas: safety policies and strategies, a list of contact institutions and persons to facilitate the necessary notification and to assist in the event of industrial accidents, the list of already operating national centres, bodies and programmes, national co-ordinating organisations, bilateral and multilateral agreements dealing with industrial accidents;
- according to the Convention, one of the tasks of basic importance is to appoint the contact institutions and persons in each country to facilitate the notification and mutual assistance necessary in the event of industrial accidents;
- in the event of actual accidents, the Accident Notification System should operate; this system contains the following elements: form and manner of quick information and its forwarding in an emergency situation, the uniform structure of detailed information to be provided on the accidents, the uniform structure of information relevant to mutual assistance;
- in developing the Accident Assessing Form, it will be taken into consideration that already several organisations have prepared and are using such forms.

#### *\* Specific provisions applying to Hungary*

The Convention is concerned with strengthening the accident preparedness of Central- and East-European countries with economies in transition, in order to mitigate harmful impacts. Two Regional Accidents Centres were established in the region to assist such countries in satisfying the Convention's Commitments and one of the tasks of Parties is to facilitate the work of these centres:

- the Regional Co-ordinating Centre for Industrial Accident Training and Exercises is established in Warsaw,
- the third session of the Conference of Signatories held in Warsaw in 1994 has resolved that the Regional Co-ordinating Centre for the Prevention of Industrial Accidents should operate in Budapest, and its duties shall be as follows: developing methodology and formulating appropriate recommendations, risk analysis, formulating safety policy, assisting legislation, safety auditing, and promoting exchange of information and experiences between concerned Parties.

#### *⊕ Financial and facilitating mechanisms*

The expenses of administrative tasks connected with elaborating the Convention was covered in the framework of ECE budget. The Convention contains no financial contribution commitment for Parties. Hungary undertook that it should cover the costs of operation of the Budapest Regional Co-ordinating Centre for three years after its establishment.

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⊕ Further development of the legal instrument

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✧ The international organisation

The co-ordination and administrative tasks of implementing the Convention are performed by the Secretariat in Geneva functioning within the framework of the UN ECE. Until the Convention enters into force, the supreme decision making body is the Conference of Signatories.

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Adoption and implementation of the legal instrument in Hungary

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☆ Adoption

Hungary signed the Convention on 18 March 1992 in Helsinki and ratified it on 2 June 1994. The Convention shall enter into force after the 16th ratification document is deposited.

⌚ Implementation of the general objectives in Hungary

The Convention is of great importance for Hungary, which has, like other countries, started to apply its provisions even before it enters into force internationally.

⌚ Implementation of the concrete tasks in Hungary

The preparations for the implementation of notification and procedural commitments of the Convention have been started in Hungary. Particularly, the elaboration of the Governmental Decree on appointing and announcing the National Centre and on defining its scope of activities is in progress. (Actually, after the publication of the Hungarian edition of the present booklet, that Decree "2408/1995 (XII.20.) Korm." was adopted and issued at the end of 1995.)

In addition, separate documents are being prepared on the application of the Manual of Industrial Accidents, to establish the bodies and programmes dealing with industrial accidents, and on co-operation in the international Accident Notification System and participating in its present testing.

⌚ Contribution to the financial funds

(III.4./⊕)

⌚ Participation in international programmes

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⌚ Hungarian participation in the international organisation

Until the Convention enters into force, the highest forum of further consultations connected with the Convention is the Conference of Signatories. Those elected as vice-presidents include:

Sándor Kisgyörgy, of MERP (at the 3rd meeting in 1994), István Bukovics, of MoI (at the 4th meeting in 1995), Béla Szokol, of MoI (at the 5th meeting in 1996).

The department dealing with the issues of civil protection of the Ministry of the Interior is responsible for performing notification tasks in accordance with the international Accident Notification System.

As mentioned above, the Conference of Signatories resolved that one of the regional centres - the Regional Co-ordinating Centre for the Prevention of Industrial Accidents - should be established in Budapest.

#### ① *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the interdepartmental committee formed by the MoI, MIT, MERP and MoW on 19 November 1992 (Annex D).

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#### Legal instruments, references

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Bándi Gy., T. Faragó, H. A. Lakos, 1994: International conventions on environment protection and nature conservation (in Hungarian; Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 49-50

### III.5. Reducing the environmental impacts of energy production and energy consumption

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#### Basic features of the legal instrument and the international organisation

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##### ★ *Basic data*

The Energy Charter Treaty: Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects	
INTERNATIONAL	
* adoption:	17 December 1994
* venue:	Lisbon (Portugal)
* entry into force:	
* organisation:	
* depository:	Portugal
HUNGARIAN	
* signature:	27 Februar 1995
* ratification/approval:	
* entry into force:	

The Treaty and the Protocol will enter into force on the 90th and the 30th day after the deposition of the 30th and the 15th ratification instruments, respectively.

##### ★ *General objectives*

Energy production and energy consumption is the branch of economy which is responsible for the largest share of utilisation of non-renewable natural resources and of the burden on the environment through discharging various harmful substances. The resulting environmental implications range from a local to a global scale. At the same time, an adequate energy supply is one of the most fundamental demands of social-economic activities. The importance of this energy supply is further increased by the fact that the international trade of energy carriers, technologies, and equipment has reached enormous volumes. For these reasons, the harmonisation of economic and environmental aspects has become extremely important both within individual countries as well as at the level of international co-operation.

The Energy Charter Treaty is an international agreement on the terms liberalisation of trade and investments in relation to all kinds of economic activities carried on in the energy sector. It promotes the development of market economies in the Central and Eastern European countries and their integration into the international economy, with a special emphasis on the need for increasing energy efficiency and improved environment protection in those countries.

The Treaty includes specific provisions on the environmental aspects of the energy sector, and it emphasises the importance of due consideration of the relevant international conventions (convention on climate change, convention on long-range transboundary air pollution, among others). It also underlines the importance of various issues of environmental protection, namely it promotes

assessing environmental costs in market oriented pricing, assessing environmental impacts when making decisions on investments in this sector, researching, developing, and transferring environmentally sound technologies, exchanging information, raising public awareness, and preventing and mitigating adverse environmental impacts.

The Protocol - Annex 3 to the final document - deals explicitly and in detail with the issues of energy efficiency and the relevant tasks of environmental protection. Its basic objectives are as follows: "This Protocol defines policy principles for the promotion of energy efficiency ... and for consequently reducing adverse environmental impacts of energy systems. It furthermore provides guidance on the development of energy efficiency programmes, indicates areas of co-operation and provides a framework for the development of co-operative and co-ordinated action." [§.1/1]; "... promotion of energy efficiency policies consistent with sustainable development" [§.2/2a]; "the creation of framework conditions which induce producers and consumers to use energy as economically, efficiently and environmentally soundly as possible ..." [§.2/2b]. The Protocol formulates the basic principles of energy saving policy for the legislative and regulatory framework, and short- and long-term national strategies. It explores the potentials of appropriate financial incentives for implementation and encourages both producers and consumers to achieve cost-effective and environmentally safe and sound energy consumption to the extent possible.

#### *\* Concrete commitments*

The most important tasks in strengthening the energy efficiency and environmental protection included in the Protocol are as follows:

- "Contracting Parties shall establish energy efficiency policies and appropriate legal and regulatory frameworks which promote, inter alia: ... a further reflection of environmental costs and benefits; ... mechanisms for financing energy efficiency initiatives; education and awareness; dissemination and transfer of technologies ..." [§.3].
- The Protocol urges the establishment of the international financing mechanism for energy related environmental investments.
- The Protocol sets as a concrete task that "each Contracting Party shall develop, implement and regularly update energy efficiency programmes best suited to its circumstances." [§.8/1]
- Contracting Parties should establish specialised energy efficiency organisations and institutions in order to develop and implement efficient energy conservation policies.

Therefore, according to the Protocol, in addition to improving energy efficiency, cost-effective and environmentally sound energy management can be achieved with the introduction of mandatory emission rules for the whole energy system; this could only be satisfied through additional investments, whose costs should be included in the price of energy carriers.

#### *\* Specific provisions applying to Hungary*

The Treaty takes into consideration that transition to a market economy in certain countries takes a longer period of time, therefore; it gives exemptions from introducing and implementing certain provisions (the relevant obligations should be fulfilled by such countries by 2000). Hungary applied for such exemptions in respect of two concrete provisions (Annex "T" to the Convention).



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### ⊕ *Financial and facilitating mechanisms*

The Contracting Parties have to contribute to the operating costs of the Treaty's Permanent Secretariat before the Convention enters into force. The rules of cost sharing are set in Annex "B" to the Convention.

### ⊕ *Further development of the legal instrument*

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### ◇ *The international organisation*

The supreme decision making body of the Treaty is the Charter Conference which transfers its mandate to the bureau for the intersessional periods. The work of various bodies and the implementation of tasks of the Contracting Parties is assisted by the Permanent Secretariat. Several international organisations (EU, OECD, the UN ECE) have had a key role in elaborating the Convention.

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## Adoption and implementation of the legal instrument in Hungary

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### ☆ *Adoption*

Hungary signed the Treaty, the Concluding Document of the Charter Conference, and its Protocols on 27 February 1995. The preparation for ratification is in progress.

### 🕒 *Implementation of the general objectives in Hungary*

After the Convention and the Protocol enter into force, appropriate programmes and measures will need to be developed and implemented to improve energy efficiency and address the relevant issues of environmental protection. In order to improve energy efficiency numerous initiatives and programmes were already devised with which Hungary could satisfy the objectives of the Convention and its Protocol on environmental protection.

### 🕒 *Implementation of the concrete tasks in Hungary*

Both the Treaty and the Protocol provide the general framework for international trade and co-operation in technological and environmental protection matters related to the energy sector. The implementation of the Protocol's objectives could mainly be ensured by the planned national energy saving and energy efficiency improvement programme.

### 🕒 *Contribution to the financial funds*

Hungary's contribution to the financial fund of the Convention (that covers the budget of the Charter Secretariat) was ECU 6201 in 1995 and was duly transferred to the Secretariat.

### ⌚ *Participation in international programmes*

Hungary is participating in numerous international programmes which are directly related to the cross-cutting problems of energy and the environment and whose results are significant in the context of the objectives of and tasks originating from the Treaty and the Protocol on environmental protection. Such international programmes are in progress within the framework of the European Union, the International Energy Agency (IEA), and the World Energy Council (WEC), among others; several programmes are supported by the World Bank and the PHARE.

### ⌚ *Hungarian participation in the international organisation*

Hungary was one of the initiators of, and an active participant in, developing the Protocol on environmental issues. In recognition of this activity, a Hungarian expert, Dr. Tamás Jászay (Technical University of Budapest, nominated by MIT) was elected as the chairman of the working group on energy efficiency and related environmental issues.

### ⌚ *Co-ordination in Hungary*

The responsibility for co-ordination of implementation of the national commitments under this legal instrument, as well as preparation and presentation of the Hungarian position at international negotiations, lies with the MIT (Annex D).

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### Legal instruments, references

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## ANNEXES

- A. References
- B. List of instruments of national legislation  
in connection with the conventions
- C. List of the conventions
- D. Co-ordinators of national tasks  
of implementation of the conventions
- E. Acronyms



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## LIST OF INSTRUMENTS OF NATIONAL LEGISLATION IN CONNECTION WITH THE CONVENTIONS

(Tv-Act/law, Tvr-Law-decree, KE-Resolution by the President of the Republic, OGy-Parliamentary Resolution, Kr-Governmental decree, MTr-Decree by Council of Ministers, Kh-Governmental Resolution, KTMr-MERP decree, NMr-MoW decree)

1961

#Tvr-3, 1961: Law-decree No. 3 of 191 on the promulgation of International Plant Protection Convention done on 6 December 1951 in the framework of UN Food and Agriculture Organisation

1963

#Tvr-6, 1963: Law-decree No.6 of 1983 on the promulgation of the treaty on the open seas signed in Geneva on 29 April 1958

1964

#Tvr-31, 1964: Law-decree No. 31 of 1964 on the promulgation of the treaty on coastal seas and adjoining zone, signed in Geneva on 29 April 1958

1971

#Tvr-6, 1971: Law-decree No. 6 of 1971 on the promulgation of the Convention on establishing the European and Mediterranean-shore Plant Protection Organisation, signed in Paris on 18 April 1951

1976

#Tvr-20, 1976: Law-decree No. 20 of 1976 on the promulgation of the convention on the prevention of polluting the seas by wastes and other substances

1978

#Tvr-29, 1978: Law-decree No. 29 of 1978 on the promulgation of the convention on the banning the use of environment damaging methods for military or any other hostile application, adopted at Session XXXI. of UN General Assembly on 10 December 1976

1979

#Tvr-28, 1979: Law-decree No. 28 of 1979 on the promulgation of the Convention on wild waters of international significance particularly as dwelling places of waterfowl, adopted in Ramsar on 2 February 1971

1981

#MTr-56, 1981: Decree 56/1981 (XI.18.) MT on controlling the treatment of hazardous wastes and activities connected with their disposal

1982

#Tvr-4, 1982: Law-decree No 4. of 1982 on nature conservation  
#OKTHr-1, 1982: Decree 1/1982 (III.15.) OKTH on protected and particularly protected plant- and animal species and their individual values, on determining the scope of particularly protected caves as well as on exemptions from restrictions and bans concerning certain protected animal species

1984

#KÜM, 1984: The Antarctic Treaty (Washington, 1 December 1959). Magyar Közlöny, No. 22 (published by the Minister of Foreign Affairs)

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#OKTH, 1984: The international convention on long-range transboundary air pollution, signed in Geneva on 13 November 1979. Magyar Közlöny, No. 22 (published by the President of OKTH)

1985

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#Tvr-21, 1985: Law-decree No. 21 of 1985 on the promulgation of the convention on the protection of the World's cultural and natural heritage, adopted in Paris at the session of UN Educational, Scientific and Cultural Organisation General Conference on 16 November 1972

1986

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#Tvr-6, 1986: Law-decree No. 6 of 1986 on the promulgation of the convention on the protection of migrating wild animal species dated 23 June 1979 in Bonn

#Tvr-15, 1986: Law-decree No.15 of 1986 on the promulgation of the convention on the international trade of endangered wild animal and plant species, adopted in Washington on 3 March 1973

#MTr-21, 1986: Decree 21/1986 (VI.2.) MT on the protection or air quality

#OKTHr-4, 1986: Decree 4/1986 (VI.2.) OKTH on the implementation of Decree 21/1986 (VI.2.) MT on air quality protection

1987

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#MTr-28, 1987: Decree 28/1987 (VIII.9.) MT on the promulgation of the convention on quick information to be supplied on nuclear accidents, signed in Vienna on 26 September 1986

#MTr-29, 1987: Decree 29/1987 (VIII.9.) MT on the promulgation of the convention on assistance in the event of nuclear accident or radiation emergency situation, signed in Vienna on 26 September 1986

#MTr-55, 1987: Decree 55/1987 (X.30.) MT on the import from abroad of certain substances presenting danger to the human environment

1989

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#MTr-49, 1989: Decree 49/1989 (VI.5.) MT on the amendment of Decree 21/1986 (VI.2.) MT on air quality protection

1990

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#MTr-31, 1990: Decree 31/1990 (II.16.) MT on the promulgation of the convention on the protection of stratospheric ozone layer, signed in Vienna on 22 March, 1985

#MTr-35, 1990: Decree 35/1990 (II.28.) MT on the promulgation of the Protocol on ozone layer depleting substances, signed in Montreal on 16 September, 1987

#Kr-112, 1990: Decree 112/1990 (XII.23.) Korm. on the export and import of goods, services and rights representing material values

#KTMr-4, 1990: Decree 4/1990 (XII.7.) on the implementation of Law-decree No. 15 of 1986 on the promulgation of the international trade of endangered wild animal and plant species, adopted in Washington on 3 March, 1973

#KTM, 1990: Convention on the protection of European wildlife and natural habitats. Magyar Közlöny, No. 64 (published by the Minister of Environment)

#NMr-5, 1990: Decree 5/1990 (XII.6.) NM on air pollutants, ambient air quality criteria and measuring of ambient air pollution

1991

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#OGy-28, 1991: Resolution 28/1991 (VI.30.) OGY on certain international environment protection tasks related to the Danube

#Kr-141, 1991: Decree 141/1991 (XI.2.) Korm. on the promulgation of complementing the Protocol on ozone layer depleting substances signed in Montreal on 16 September 1987

1992

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#KTMr-4, 1992: Decree 4/1992 (II.19.) KTM on complementing Decree 1/1982 (III.15.) OKTH on protected and particularly protected plant- and animal species and their individual values, on determining the scope of particularly protected caves as well as on exemptions from restrictions and bans concerning certain protected animal species



#KTMr-13, 1992: Decree 13/1992 (V.12.) KTM on the implementation of the international convention on the protection of stratospheric ozone layer

1993

#Tv-XLII, 1993: Act XLII of 1993 on the promulgation in unified structure of the Convention on wild waters of international significance and particularly as the dwelling place of waterfowl adopted in Ramsar on 3 December 1982 and its amendments adopted between 3 December 1982 and 28 May 1987

#OGy-102, 1993: Resolution 102/1993 (XII.29.) OGY on the ratification of the UN Framework Convention on Climate Change signed by Hungary in Rio de Janeiro on 13 June 1992

#OGy-103, 1993: Resolution 103/1993 (XII.29.) on the ratification of the UN Biodiversity Convention signed by Hungary in Rio de Janeiro on 13 June, 1992

#FMr-8, 1993: Decree 8/199 (I.30.) FM on game management and hunting

#Kr-86, 1993: Decree 86/1993 (VI.4.) Korm. on the provisional regulation of environmental impact studies concerning certain activities

#Kh-1024, 1993: Resolution 1024/1993 (IV.2.) Korm. on the tasks arising from the agreements accepted by the 1992 UN Conference on Environment and Development

#Kh-1079, 1993: Resolution 1079/1993 (XII.23.) Korm. on the air quality protection inter-departmental action programme to improve air quality of heavily polluted regions in the years 1994-1998

#KTMr-12, 1993: Decree 12/1993 (III.31.) KTM on the amendment to Decree 1/1982 (III.15.) OKTH on protected and particularly protected plant- and animal species and their individual values, on determining the scope of particularly protected caves as well as on exemptions from restrictions and bans concerning certain protected animal species

#KTMr-17, 1993: Decree 17/1993 (IV.7) KTM on establishing the Peszéradacs Landscape Protection Area and appointing the nature conservation manager

#KTMr-22, 1993: Decree 22/1993 (VII.20.) KTM in the implementation of the international convention on the protection of the stratospheric ozone layer

1994

#Kr-67, 1994: Decree 67/1994 (V.4.) Korm on the amendment of Decree 86/1993 (VI.4.) on the provisional regulation of environmental impact assessment concerning certain activities

#KTMr-19, 1994: Decree 19/1994 (VI.8.) KTM on amending the Decree 22/1993 (VII.20.) KTM providing for the implementation of the international convention on protecting the stratospheric ozone layer

#KTMr-28, 1994: Decree 28/1994 (VIII.12.) KTM on amending Decree 12/1993 (VII.20.) KTM on implementing the international convention on the protection of stratospheric ozone layer as amended by Decree 19/1994 (VI.8.) KTM

#KTM, 1994: Agreement on preserving the populations of European bat species. Magyar Közlöny, No. 79 (published by the Minister of Environment)

1995

#Tv-LIII, 1995: Act LIII of 1995 on the general rules of environment protection

#Tv-LXXXI, 1995: Act LXXXI of 1995 on the promulgation of the Convention on Biological Diversity

#Tv-LXXXII, 1995: Act LXXXII of 1995 on the promulgation of the UN Framework Convention on Climate Change

#KE-218, 1995: Resolution 218/1995 (X.13.) KE by the President of the Republic on the ratification of the international convention (Protocol on the "Control of emissions of volatile organic compounds" connected to the ECE convention on long-range transmitted transboundary air pollution)

#Kh-2318, 1995: Decree 2318/1995 (X.24.) on ratifying the convention on the co-operation aimed at the protection and sustainable use of the Danube

- #Kr-67, 1995: Decree 67/1995 (VI.13.) Korm. on the promulgation of amendments to the Protocol on ozone layer depleting substances, signed in Montreal on 16 September, 1987
- #KTMr-9, 1995: Decree 9/1995 (VIII.31.) KTM on restricting hydrocarbon emissions produced at storage, filling, transfer and transport of engine petrol

## LIST OF CONVENTIONS

(Below is the list of conventions, complementary protocols, agreements which at least partly have environmental context and which at least to some extent are relevant for Hungary. Hungarian accession means depositing the document of ratification/approval.)

### *Conventions on protection of components, specific features of the environment*

#### *Atmospheric environment*

- Convention on Long-range Transboundary Air Pollution**  
 international adoption, entry into force ..... Geneva ..... 1979, 1983  
 Hungarian accession ..... 1980
- \* **Protocol on Long-term Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP)**  
 international adoption, entry into force ..... Geneva ..... 1984, 1988  
 Hungarian accession ..... 1985
- \* **Protocol on the Reduction of Sulphur Emissions or Their Transboundary Fluxes by at least 30 per cent**  
 international adoption, entry into force ..... Helsinki ..... 1985, 1987  
 Hungarian accession ..... 1986
- \* **Protocol Concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes**  
 international adoption, entry into force ..... Sofia ..... 1988, 1991  
 Hungarian accession ..... 1991
- \* **Protocol Concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes**  
 international adoption, entry into force ..... Geneva ..... 1991, \_\_\_\_\_  
 Hungarian accession ..... 1995
- \* **Protocol on Further Reduction of Sulphur Emissions**  
 international adoption, entry into force ..... Oslo ..... 1994, \_\_\_\_\_  
 Hungarian accession ..... 1994
- Vienna Convention for the Protection of the Ozone Layer**  
 international adoption, entry into force ..... Vienna ..... 1985, 1988  
 Hungarian accession ..... 1988
- \* **Montreal Protocol on Substances that Deplete the Ozone Layer**  
 international adoption, entry into force ..... Montreal ..... 1987, 1989  
 Hungarian accession ..... 1989
- \* **London Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**  
 international adoption, entry into force ..... London ..... 1990, 1992  
 Hungarian accession ..... 1992
- \* **Copenhagen Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer**  
 international adoption, entry into force ..... Copenhagen ..... 1992, 1993  
 Hungarian accession ..... 1994
- United Nations Framework Convention on Climate Change**  
 international adoption, entry into force ..... New York ..... 1992, 1994  
 Hungarian accession ..... 1994

#### *Hydrosphere*

- International Convention for the Prevention of Pollution of the Sea by Oil**  
 international adoption, entry into force ..... London ..... 1954, 1958  
 Hungarian accession .....
- Convention on the High Seas**  
 international adoption, entry into force ..... Geneva ..... 1958, 1962  
 Hungarian accession ..... 1961
- Convention on Fishing and Conservation of the Living Resources of the High Seas**

international adoption, entry into force .....	Geneva .....	1958, 1966
Hungarian accession .....		
<b>International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties</b>		
international adoption, entry into force .....	Bruxelles .....	1969, 1975
Hungarian accession .....		
* <b>Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other than Oil</b>		
international adoption, entry into force .....	London .....	1973, 1983
Hungarian accession .....		
<b>Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (MARPOL)</b>		
international adoption, entry into force .....	London .....	1972, 1975
Hungarian accession .....		1976
<b>International Convention for the Prevention of Pollution from Ships</b>		
international adoption, entry into force .....	London .....	1973, 1983
Hungarian accession .....		1983
* <b>Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships</b>		
international adoption, entry into force .....	London .....	1978, 1983
Hungarian accession .....		1985
<b>United Nations Convention on the Law of the Sea (CLOS)</b>		
international adoption, entry into force .....	Montego Bay .....	1982, 1994
Hungarian accession .....		1985
<b>Convention on the Protection and Use of Transboundary Watercourses and International Lakes</b>		
international adoption, entry into force .....	Helsinki .....	1992, _____
Hungarian accession .....		1994
<b>Convention on Cooperation for the Protection and Sustainable Use of the Danube River</b>		
international adoption, entry into force .....	Sofia .....	1994, _____
Hungarian <i>signature</i> /accession .....		1994
<i>Land surface, soil</i>		
<b>United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa</b>		
international adoption, entry into force .....	Paris .....	1994, _____
Hungarian accession .....		
<i>Continental shelf</i>		
<b>Convention on the Continental Shelf</b>		
international adoption, entry into force .....	Geneva .....	1958, 1964
Hungarian accession .....		
<i>Antarctic</i>		
<b>The Antarctic Treaty</b>		
international adoption, entry into force .....	Washington .....	1959, 1961
Hungarian accession .....		1984
* <b>Protocol to the Antarctic Treaty on Environmental Protection</b>		
international adoption, entry into force .....	Madrid .....	1991, _____
Hungarian <i>signature</i> /accession .....		1991
<b>Convention for the Conservation of Antarctic Seals</b>		
international adoption, entry into force .....	London .....	1972, 1978
Hungarian accession .....		
<b>Convention on the Conservation of Antarctic Marine Living Resources</b>		
international adoption, entry into force .....	Canberra .....	1980, 1982
Hungarian accession .....		
<b>Convention on the Regulation of Antarctic Mineral Resource Activities</b>		
international adoption, entry into force .....	Wellington .....	1988, _____
Hungarian accession .....		

*Space*

- Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies (The Space Treaty)  
 international adoption, entry into force ..... London ..... 1967, 1967  
 Hungarian accession ..... 1967
- Agreement on Control of the Activities of States on the Moon and Other Celestial Bodies (The Moon Treaty)  
 international adoption, entry into force ..... New York ..... 1979, 1984  
 Hungarian accession .....

*Conventions on nature conservation*

- Convention for the Establishment of the European and Mediterranean Plant Protection Organization  
 international adoption, entry into force ..... Paris ..... 1951, 1953  
 Hungarian accession ..... 1960
- International Plant Protection Convention  
 international adoption, entry into force ..... Rome ..... 1951, 1952  
 Hungarian accession ..... 1960
- Convention Concerning Fishing in the Waters of the Danube  
 international adoption, entry into force ..... Bucharest ..... 1958, 1958  
 Hungarian accession ..... 1961
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat  
 international adoption, entry into force ..... Ramsar ..... 1971, 1975  
 Hungarian accession ..... 1979
- \* Protocol to Amend the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Paris Protocol)  
 international adoption, entry into force ..... Paris ..... 1982, 1986  
 Hungarian accession ..... 1986
- \* Regina Amendment  
 international adoption, entry into force ..... Regina ..... 1987, 1994  
 Hungarian accession ..... 1990
- Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention)  
 international adoption, entry into force ..... Paris ..... 1972, 1975  
 Hungarian accession ..... 1985
- Convention on the Conservation of Migratory Species of Wild Animals  
 international adoption, entry into force ..... Bonn ..... 1979, 1983  
 Hungarian accession ..... 1983
- \* Agreement on the Conservation of Bats in Europe  
 international adoption, entry into force ..... London ..... 1991, 1994  
 Hungarian signature/accession ..... 1994
- \* Agreement on the Conservation of African-Eurasian Migratory Waterbirds  
 international adoption, entry into force ..... Hague ..... 1995, \_\_\_\_  
 Hungarian accession .....
- Convention on the Conservation of European Wildlife and Natural Habitats  
 international adoption, entry into force ..... Berne ..... 1979, 1982  
 Hungarian accession ..... 1989
- Convention on Biological Diversity  
 international adoption, entry into force ..... Rio de Janeiro ..... 1992, 1993  
 Hungarian accession ..... 1994

*Conventions on activities that influence the state of environment*

- European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR)  
 international adoption, entry into force ..... Geneva ..... 1957, 1968  
 Hungarian accession ..... 1979
- Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water  
 international adoption, entry into force ..... Moscow ..... 1963, 1963  
 Hungarian accession ..... 1963

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea Bed and the Ocean Floor and in the Subsoil thereof	
international adoption, entry into force .....	London..... 1971, 1972
Hungarian accession .....	1971
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons, and on Their Destruction	
international adoption, entry into force .....	London..... 1972, 1975
Hungarian accession .....	1972
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	
international adoption, entry into force .....	Washington..... 1973, 1975
Hungarian accession .....	1985
Agreement on an International Energy Programme	
international adoption, entry into force .....	Paris..... 1974, 1976
Hungarian accession .....	
Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques	
international adoption, entry into force .....	Geneva..... 1977, 1978
Hungarian accession .....	1978
Convention Concerning the International Carriage of Dangerous Goods by Rail (COTIF)	
international adoption, entry into force .....	Berne..... 1980, 1986
Hungarian accession .....	1982
International Tropical Timber Agreement	
international adoption, entry into force .....	Geneva..... 1983, 1985
Hungarian accession .....	
Convention on Early Notification of a Nuclear Accident or Radiological Emergency	
international adoption, entry into force .....	Vienna..... 1986, 1986
Hungarian accession .....	1987
Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency	
international adoption, entry into force .....	Vienna..... 1986, 1987
Hungarian accession .....	1987
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal	
international adoption, entry into force .....	Basel..... 1989, 1992
Hungarian accession .....	1990
Convention on Environmental Impact Assessment in a Transboundary Context	
international adoption, entry into force .....	Espoo..... 1991, _____
Hungarian <i>signature</i> /accession .....	1991
Convention on the Transboundary Effects of Industrial Accidents	
international adoption, entry into force .....	Helsinki..... 1992, _____
Hungarian accession .....	1994
The Energy Charter Treaty	
international adoption, entry into force .....	Lisbon..... 1994, _____
Hungarian <i>signature</i> /accession .....	1995
* Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects	
international adoption, entry into force .....	Lisbon..... 1994, _____
Hungarian <i>signature</i> /accession .....	1995

## CO-ORDINATORS OF NATIONAL TASKS OF IMPLEMENTATION OF THE CONVENTIONS

Convention	Co-ordination of implementation and participation <sup>#</sup>		
	MERP	co-ordinator, expert	other ministries, organisations <sup>#</sup>
Convention on Long-range Transboundary Air Pollution	<u>MERP</u>	Róbert Rakics, Róbert Tóth, Endre Kovács <sup>c</sup>	MIT, MTCW
- Protocol (EMEP)		Róbert Rakics, László Haszpra <sup>d</sup>	
- Protocol (SO <sub>2</sub> )		Róbert Rakics, Endre Kovács <sup>c</sup>	
- Protocol (NO <sub>x</sub> )		Róbert Rakics, Endre Kovács <sup>c</sup>	
- Protocol (VOC)		Róbert Rakics, Tamás Lotz <sup>c</sup>	
- Protocol (2nd SO <sub>2</sub> )		Róbert Rakics, Endre Kovács <sup>c</sup>	
- Protocol (2nd NO <sub>x</sub> )		Róbert Rakics, Endre Kovács <sup>c</sup>	
- Protocol (POP, HM)*		Róbert Rakics, Róbert Tóth	
Convention for the Protection of the Ozone Layer	<u>MERP</u>	Róbert Rakics, Róbert Tóth	MIT, MoA
- Protocol (Montreal)		Róbert Rakics, Róbert Tóth	
- Amendment (London)		Róbert Rakics, Róbert Tóth	
- Amendment (Koppenhagen)		Róbert Rakics, Róbert Tóth	
UN Framework Convention on Climate Change	MERP	Tibor Faragó, Tamás Pálvölgyi	MoA, MIT, MTCW, MFA; <u>HCSDA</u> <sup>a</sup>
- Protocol (Berlin Mandate)*		Tibor Faragó	
Convention on the Protection and Use of Transboundary Watercourses and International Lakes	MERP	László Balázs, Józsefné Poroszlai	MTCW; <u>IMC</u> <sup>c</sup>
Convention on Cooperation for the Protection and Sustainable Use of the Danube River		László Balázs, Józsefné Poroszlai	MTCW; <u>IMC</u> <sup>c</sup>
UN Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa	MERP	Csaba Nemes	MoA, MTCW; <u>HCSDA</u> <sup>a</sup>
Convention on Wetlands of International Importance especially as Waterfowl Habitat	<u>MERP</u>	Alojzia H. Lakos, Gábor Magyar, Mihály Végh	MoA, MTCW
Convention Conc. the Protection of the World Cultural and Natural Heritage	<u>MERP</u>	Zoltán Szilassy (natural heritage) Béla Kovácsi (cultural heritage)	MoI, MCE
Convention on the Conservation of Migratory Species of Wild Animals	<u>MERP</u>	Csaba Füleky	MoA
- Agreement on the Conservation of Bats in Europe		Csaba Füleky	
- Agreement on the Conservation of African-Eurasian Migratory Waterbirds		Csaba Füleky	
Convention on the Conservation of European Wildlife and Natural Habitats	<u>MERP</u>	Gábor Nechay	MoA
Convention on Biological Diversity	MERP	Gábor Nechay	MoA, MIT, MTCW, MFA; <u>HCSDA</u> <sup>a</sup>
- Protocol on Biosafety*		Gábor Nechay; Ervin Balázs <sup>b</sup>	
Convention on International Trade in Endangered Species of Wild Fauna and Flora	<u>MERP</u>	Katalin Rodics	MoI, MoF-HCFG
Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	<u>MERP</u>	Péter Szántó, Csaba Markó	
Convention on Environmental Impact Assessment in a Transboundary Context	<u>MERP</u>	Anikó Radnai	
Convention on Transboundary Effects of Industrial Accidents	MERP	Pál Fehérvári, János Németh	MoI, MIT, MoW, <u>IMC</u> <sup>c</sup>
Energy Charter: Protocol on Energy Efficiency and Related Environmental Aspects	MERP	Tamás Pálvölgyi	<u>MIT</u>

<sup>#</sup>the principal co-ordinator is underlined; \*in preparation

<sup>a</sup>HCSDA - Hungarian Commission on Sustainable Development, <sup>b</sup>GBK - Biotechnology Centre, Gödöllő

<sup>c</sup>KGI - Institute of Environmental Management, <sup>d</sup>NMS - Nat'l Meteorological Service, <sup>e</sup>IMC - Interministerial Commission





## ACRONYMS

(Hungarian acronyms in certain cases are given in brackets)

CFC	chlorofluorocarbon
CHF	Swiss currency unit
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
DEM	German currency unit
EMEP	Protocol on Long-Term Financing of Co-operative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe
EU	European Union
FAO	Food and Agriculture Organization
GEF	Global Environment Facility
H-CSD	Hungarian Commission on Sustainable Development
HCFC	hydro-chlorofluorocarbon
ICID	International Commission on Irrigation and Drainage
ICOMOS	International Council of Monuments and Sites
IDNDR	International Decade of Natural Disaster Reduction
IEA	International Energy Agency
IUCN	World Conservation Union
KGI	Institute of Environmental Management
MCE	Ministry of Culture and Education (MKM)
MERP	Ministry for Environment and Regional Policy (KTM)
MEWM	Ministry of Environmental Protection and Water Management (KVM)
MFA	Ministry of Foreign Affairs (KÜM)
MIT	Ministry of Industry and Trade (IKM)
MoA	Ministry of Agriculture (FM)
MoF	Ministry of Finance (PM)
MoI	Ministry of the Interior (BM)
MoW	Ministry of Welfare (NM)
Mt	Megaton
MTCW	Ministry of Transport, Communication and Water Management (KHVM)
OECD	Organization for Economic Cooperation and Development
OKTH	National Authority of Environmental and Nature Protection
OMFB	National Committee of Technical Development
ÖIFF	Ecological Institute for Sustainable Development, Miskolc
NMS	National Meteorological Service
PCB	polychlorinated biphenyl
PJ	Petajoule
POP	persistent organic pollutants
TUB	Technical University of Budapest (BME)
TvH	Nature Conservation Authority
UN	United Nations
UN ECE	UN Economic Commission for Europe
UNDP	UN Development Programme
UNEP	UN Environment Programme
UNIDO	UN Industrial Development Organization
USD	US currency unit
VOC	volatile organic compounds
HCFG	Hungarian Customs and Finance Guard (VPOP)
WEC	World Energy Council

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