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HUNGARIAN MINISTRY OF ENVIRONMENT AND WATER



RAMSAR CONVENTION



BONN CONVENTION



BERN CONVENTION



HERITAGE CONVENTION



BASEL CONVENTION



**CONVENTION ON
TRANSBOUNDARY AIR
POLLUTION**



**CONVENTION
ON WHALES**



**ROTTERDAM
CONVENTION**



**BIODIVERSITY
CONVENTION**



**CONVENTION ON
DESERTIFICATION**



**CONVENTION ON
CLIMATE CHANGE**

MULTILATERAL ENVIRONMENTAL AGREEMENTS AND THEIR IMPLEMENTATION IN HUNGARY

Adoption and entry into force of the agreements

Objectives and basic obligations

Accession to the agreements

National tasks arising from the agreements

Status of implementation of the commitments

MULTILATERAL ENVIRONMENTAL AGREEMENTS AND THEIR IMPLEMENTATION IN HUNGARY

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I. THE HISTORY, NEGOTIATIONS AND GENERAL FEATURES OF THE AGREEMENTS

TRANSBOUNDARY ENVIRONMENTAL ISSUES AND INTERNATIONAL CO-OPERATION

In the course of the last centuries, the environmental effects of human activities have been ever increasing in scale and complexity, especially since the age of the industrial revolution. The recognition of these processes and the assessment of their impacts are due to the development of the tools and systems of monitoring the environment and the results of scientific research. By the expansion of economic activities, the scale of these impacts has become larger and larger. These impacts were transmitted to large distances by the atmospheric circulation and watercourses; they crossed the borders and have become global. The development of the economy entailed not only effects damaging the environment, but also the increased demand for natural resources. Access to and/or exploitation of natural resources related to (i.e. being under the scope of interest or under the jurisdiction of) more than one country or groups of countries has caused the clash of economic and political interests, in some cases armed conflicts. It became evident that the solution of such environmental problems could be found only in the framework of international co-operation, through the appropriate negotiation of interests and arrangements. The development of international agreements has gained momentum particularly in the last several decades, and today there are already hundreds of international – multilateral – instruments of environmental law. By now, the objectives and provisions of these multilateral environmental agreements (MEAs) practically cover all elements of the environment, components and values of nature, human (anthropogenic) activities having or potentially having significant environmental impacts and activities transferring such impacts. Besides global environmental issues, these legal instruments deal with the specific environmental issues of all regions, which also have various implications on the interstate relations.

Hungary is also an active participant in this international co-operation. Due to certain industrial and other activities conducted in the country, pollutants are discharged into the environment and contribute, on a regional and global scale, to various environmental damages and to the long-term changes in the state of the environment. At the same time, a significant amount of pollutants arrive and deposited to our territory and the global environmental changes also have their impacts in the country. Having realised this, Hungary has become a party to many international agreements and took the commitment to conform to the objectives and provisions set therein.

The environmental act in force (Act LIII of 1995) pays special attention to participation in international co-operation and carrying out tasks resulting from international obligations. According to the law, the state ensures the enforcement of citizens' rights related to the protection of the environment and the implementation of environmental agreements made with other states and international organisations. It is a further task of the government to maintain the fulfilment of environmental obligations resulting from these international agreements. Furthermore, it is also important to adequately disseminate information on nature conservation, environment protection, and on the environmental impacts and obligations.

As a “regional economic integration organisation”, the European Community became also a Party to many MEAs and it has important implications for its member states. After

becoming a member of the EU in 2004, Hungary takes part in the Community's cooperative efforts to strengthen the status and implementation of the various MEAs (and more broadly the international environmental governance), to develop and represent concerted positions at the international meetings, including the sessions of the Conference of the Parties of the relevant conventions.

The previously published four-volume series of the ministry of environment (Lakosné and Mihályfi, 1989-1992) contained the Hungarian and English texts of the most important international conventions and declarations in the field of environment protection and nature conservation up to 1991. The publication compiled for educational purposes by the Ecological Institute in Miskolc (ÖIFF, 1994) gave a detailed analysis of six conventions on nature conservation. Another volume published in the near past also contained the texts of several international agreements (Nagy, 2003).

Further publications of the ministry of environment summarised the main features of the most important international agreements and their implementation in Hungary (Bándi, Faragó and Lakosné, 1994; Faragó and Lakosné, 1995, 1996). Since the mid-1990s, new conventions and protocols were developed and also significant changes have occurred in the context of the Hungarian implementation of international agreements.

The present compilation and its former Hungarian version (Faragó and Nagy, 2005) give a comprehensive picture on multilateral environmental agreements of Hungarian relevance, especially on their status and implementation regarding Hungary. Experts on the individual legal instruments or their national coordinators were requested to provide the basic information on these MEAs. These short outlines certainly cannot describe the relevant conventions or their protocols in depth, but the basic aspiration in each case was to highlight the essence of the objectives and the tasks to be carried out. To be acquainted with the respective international agreements is important for those who deal with various issues in the fields of environment protection or nature conservation. Furthermore, information about the elaboration, the contents and the implementation of these conventions may prove useful for the participants of bi- or multilateral environmental negotiations and in settling disputes, furthermore for the understanding of the environmental threats, the causes and effects of the environmental processes, the requirements for the response strategies, the international political and economic relations as well as the prototypes and precedents of compromises or innovative elements and mechanisms which were agreed during the negotiations.

THE MAIN STAGES IN THE DEVELOPMENT OF MULTILATERAL ENVIRONMENTAL AGREEMENTS

The international conventions which were developed from the beginning of the 19th century and which were related to fishing, to the protection of bird species useful for agriculture and of wild animal species and to transboundary waters may be considered the beginnings of the multilateral agreements on environment and on nature conservation (Bándi et. al, 1993). Due to their significance for nature conservation, the 1911 convention on the protection of seals, the 1946 convention on the regulation of whaling, the 1950 convention on the conservation of birds and the 1951 convention on the conservation of plants should receive special emphasis. A predecessor of the bi- and multilateral conventions on transboundary waters was the 1906 agreement between the United States and Mexico on the utilisation of the water of the Rio Grande for irrigation purposes. Besides the conventions on environment protection and nature conservation, the international agreements and programmes on the exchange of information as well as on the establishment and development

of monitoring systems necessary for forecasting the state of the sea or the weather also played an important role. The initiatives for the discovery of various geographical areas (primarily, the Polar regions) – realised through international co-operation – may also be included in this list.

The comprehensive analysis of the Earth's environment and the international co-operation, which is a prerequisite for it, could only begin after the 'cold war' era. International trade and economic co-operation were rapidly developing, and more and more environmental pollution incidents of international significance were registered – in the beginning especially in connection with naval transportation. By this period, the development of the technologies for comprehensive environmental observations and for processing the resulting expansive data also brought significant results: information technology started to develop swiftly and this was also the time of the appearance of the first satellites. The 1957/58 International Geophysical Year can be considered an important stage in the series of comprehensive environment-monitoring programmes.

The 1958 "Convention on the High Seas" may be regarded as the first in the series of conventions dealing with large-scale environmental issues. To be more precise, there were certain provisions of this convention [Art-s 24, 25] dealing with explicitly environmental issues (Scovazzi and Treves, 1992). The Antarctic Treaty (1959) and the Outer Space Treaty (1967) were also adopted in the same period. Afterwards, a comprehensive system of Antarctic agreements was developed: it included the complementing agreements that covered the protection of the region's flora, fauna and mineral resources; however, the detailed protocol on environmental provisions for this region was only prepared much later, in 1991. Similarly, the agreements on the 'clean' utilisation of outer space could not be timely in the 1960s, since satellite research of outer space only began in that period.

In fact, the '*modern*' era of international environmental co-operation began with the 1970s. This was the period of the 'détente', the easing of the East-West opposition, and the first years of the unfolding scientific, cultural and environmental co-operation. In 1972 the famous UN Conference on Human Environment was held in Stockholm, where, the basic principles of environmental protection and international co-operation were adopted which emphasized the importance of international law for the protection of the environment as well (UN, 1972; Dunay et al., 1991, pp. 208-213; principles 11, 12, 13, 22, 24). Subsequently, these principles were included in many conventions specifically dealing with the international co-operation on the environment. However, in this period (the first half of the 1970s) the recognition of *global environmental hazards* did not expressly emerge – at least not at the level of political decision-making. The first agreements on specific issues were elaborated in three different fields: on the *prevention of sea pollution* (London - 1972, 1973); on wildlife protection, more concretely *on habitat protection and on endangered species* (Ramsar - 1971; Washington - 1973, Bonn - 1979); furthermore, on the preservation of the *natural and cultural heritage* (Paris - 1972).

A fundamental change was brought into the approach towards the international recognition of large-scale environmental problems – thus the environmental interdependence of countries – by the 1979 *Geneva Convention on Long-range Transboundary Air Pollution*. The preparation of this pan-European convention was supported by extensive observations, data collection and analysis which described the process of the long-range transport and the atmospheric deposition of pollutants playing a significant role in environmental acidification, especially due to emissions of sulphur-dioxide. To some extent, this convention became exemplary for many agreements that were elaborated and adopted later on various large-scale or global environmental issues.

The beginning of the next prominent phase of the MEAs' evolution can be identified with the resolution of the UN General Assembly on setting up the World Commission on Environment and Development in 1983 and the 1987 adoption of the report by this commission entitled 'Our Common Future'. By this time, the scientific reports on the increasing environmental hazards (such as the report on 'The Limits to Growth' of the Club of Rome based on world models) have reached the levels of political decision-makers and had a direct influence on international co-operation. The report of the World Commission was very definite on these hazards and adverse processes (Brundtland, 1987; pp. 58-60). The recommendations – from the point of view of international law and programme development – have largely been implemented since then: international agreements of different levels and effectiveness were born for the mitigation of almost each hazardous issue listed in the report. In the field of the development of global environmental agreements, the last fifteen years were prevailed by the implementation of the conclusions and recommendations of the Brundtland's report and the UN Resolution adopting it.

Three multilateral agreements of global significance must be pointed out: the *Conventions on the Protection of the Ozone Layer* (Vienna – 1985) and its Montreal Protocol (1987), *on Climate Change* (1992) and *on the Biological Diversity* (1992).

From among the further conventions we highlight the global *Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal* (Basel – 1989), and two pan-European MEAs, the *Convention on the Transboundary Effects of Industrial Accidents*, the provisions of which also refer to environmental effects (Helsinki – 1992), and the *Convention on Environmental Impact Assessment in a Transboundary Context* (Espoo – 1991). Two further issues mentioned in the Brundtland's report – desertification and deforestation – would be discussed later.

The 1992 *UN Conference on Environment and Development* held in Rio de Janeiro was a cornerstone for the future of the international environmental co-operation and agreements.

Beyond the fact that in the framework of this highest-level conference (the Earth Summit) held with the participation of more than a hundred heads of states and governments, the above mentioned conventions on the protection of the Earth's climate and biological diversity were opened for signature, this UN forum already considered the future tasks and perspectives of international environmental co-operation. This was also where the *Rio Declaration reinforcing the basic principles of environmental protection* and its relation to all of the development activities was adopted, together with the programme 'Agenda 21'. Even though these two documents do not contain legally binding provisions, they came to have a decisive significance in the further development of international co-operation.

The Rio Declaration enlists a number of important principles that have already appeared in previously adopted international conventions or declarations. At the 1992 UN Conference, these principles received the confirmation of a political declaration of the highest level. It must also be mentioned at the same time that at the Conference, the *right for development* was given a similar, if not bigger emphasis than the issues of environmental hazards and the right to a healthy environment.

After the Rio Conference, the convention on combating desertification and droughts was developed, a new UN body, the Commission on Sustainable Development was established, as well as the particular objectives and elements of the programme (Agenda 21) gradually became integrated in the action plans of the different specialised and regional organisations,

and in relevant national implementation programmes. Attention towards the issues of environment protection and nature conservation grew stronger. The study of environmental impacts together with issues of development and the system of coordinating institutions organised at the highest level opened up new perspectives for the tasks set in the previously signed conventions as well as for the co-operation between the organisations dealing with the conventions and the specialised UN organisations. The high-level statements at the Rio Conference pointed out the necessity of a more effective *co-operation between the international organisations dealing with the respective conventions* (as part of the “International Environmental Governance”).

The contribution of *scientific communities* has a similar importance in identifying and studying environmental threats and impacts, analysing feasible solutions and thus establishing the scientific basis for the policy-oriented negotiations of MEAs. The two 'Rio conventions' drew attention in a peculiar way to the highly complex global environmental problems, to the need of the overall assessment of human interference with the Earth's environment and to the difficulty of finding generally acceptable policy responses. Besides the substantial dialogue between the scientific and the political communities, the comprehensive consideration of different political, social, economic, environmental, technological and scientific aspects could lead to the identification of the general and more specific measures to be taken and to the means of their implementation. This can especially be felt in the case of such global-scale environmental hazards as the climate change or the rapid loss of biodiversity, where scientific uncertainty is still significant regarding the pace, extension and consequences of the processes. Nevertheless, steps must be taken in light of the precautionary principle that was accepted as the common guiding principle in such cases. A higher scientific certainty gained at a later time might mean that by that point, the costs of actions have become much higher or the processes irreversible.

The Rio Summit also highlighted the importance of co-operation for governmental and intergovernmental institutions with the non-governmental organisations and stakeholder groups at all levels. Such an effective co-operation is also of high significance from the point of view of the development and implementation of environmental agreements.

Parallel to global co-operation, the multilateral environmental co-operation within the various regions also developed rapidly. The series of ministerial conferences launched under the auspices of UNECE – the pan-European environmental co-operation or the “*Environment for Europe*” process – became a productive framework for all countries in the region. After the first phases of this process (and conferences held in Lucerne, Dobris and Sofia), important new agreements were also adopted by the last two ministerial conferences held in Aarhus (1998) and in Kiev (2003).

Even though the Rio Conference had a significant influence on the development of the international environmental law and its institutional structure, only fractions of the programme elaborated there have been implemented, while *the state of the environment has further deteriorated in many aspects*. Consequently, the following key questions were posed: have the agreed measures been implemented?; were the agreed commitments satisfactory to meet the objectives of the relevant agreements and to tackle the specific environmental threats?; and have the existing MEAs covered all essential global or regional hazards?

The plans adopted at the extraordinary session of the UN General Assembly on the fifth anniversary of the Rio Conference and at the *World Summit on Sustainable Development* in Johannesburg in 2002 were especially formulated for the purpose of the (more) effective

implementation of the earlier programmes and legal instruments. Moreover, *new environment related agreements* were developed and some existing ones have been strengthened (let us only mention the Kyoto Protocol, the Convention on Persistent Organic Pollutants, the UNECE Convention on public participation, i.e. the Aarhus Convention). It should also be mentioned that in some cases “only” strategies or programmes were adopted and mechanisms were established for the coordination of implementation when no consensus could be achieved on legally binding provisions, as in the case of the sustainable management of forests or sound management of chemicals.

SUBJECT AREAS AND INTERRELATIONS OF THE AGREEMENTS

The MEAs concern issues of special environmental significance, *particular elements and characteristics of the environment* or the *anthropogenic effects* having a deteriorating effect on them. For example, concerning the elements (components) and specific areas of global environment, we may distinguish between international agreements dealing with the atmosphere, with the aquatic environment (hydrosphere), with wildlife (more broadly, the biosphere) etc. In a broader context, these also include the agreements covering the issues of the “utilisation” of outer space or the protection and sustainable use of the biological and mineral resources of the Antarctica.

However, the conventions themselves do not make provisions for the protection of the elements of the environment in a comprehensive way, but tackle certain features or threatened components that are significant for the international community. As an example, within the components of the hydrosphere, we may mention the convention on high seas or the convention on transboundary waters and international lakes. Also the atmosphere *per se* does not require general protection in itself; the problems that need to be solved as soon as possible are the tasks related to, for example, the emission of ozone depleting substances, the transboundary impacts of atmospheric pollution or the emission of greenhouse gases. In the case of the biosphere, among the objectives of the specific conventions the protection of endangered species and their habitats or, on a more general scale, the conservation of biological diversity – biological and genetic resources – are to be found. Such a compartmentalization is understandable; however, the *close and complex interrelations among the various elements and processes of the environment* and also among the response measures should not be overlooked (e.g., those among the “Rio agreements” – Faragó and Kerényi, 2004). Lastly, part of the conventions are not strictly connected to a specific element, region or feature of the environmental system but related to activities that have significant adverse consequences on one or several components of the environment.

Any way of categorising the MEAs – including their division into agreements on protection of (physical) environment or nature conservation – is conditional. The issue of pollution of the seas is obviously related to naval wildlife. The conventions dealing with specific components of the environment refer to environmentally harmful activities that also have an effect on other environmental components (the issue of acid rains and the vegetation, the forest ecosystems and the climate, the water pollution and the aquatic wildlife, etc.).

Similarly to the general structure of this publication, Annex C lists the MEAs according to the categorising criteria mentioned above. It includes those agreements, which are described in detail in this publication and also many other legal instruments, which are at least partially relevant from a Hungarian environmental policy point of view.

1. TRANSBOUNDARY AIR POLLUTION

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Long-range Transboundary Air Pollution (LRTAP)	
INTERNATIONAL	
* Adoption:	13 November 1979
* Venue:	Geneva (Switzerland)
* Entry into force:	16 March 1983
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	50 (incl. EC)
HUNGARIAN	
* Signature:	13 November 1979
* Ratification/approval:	22 September 1980 (ratification)
* Entry into force:	16 March 1983
* Promulgation:	8 June 1984

A2. Objectives

Since the 1960's an increasing number of scientific results have been published on the adverse environmental impacts of atmospheric emissions of sulphur and other pollutants (acidification and "acid rains", surface level ozone, etc.).

As a result of the findings and analyses, it became increasingly clear that these pollutants might travel several thousand kilometres by air currents and have a significant environmental impact.

The basic objective of the Convention is to reduce the pollution and its harmful impacts:

- "The Contracting Parties, taking 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." [Art. 2]
- "The Contracting Parties within the framework of the present Convention, shall by means of exchanges information, consultation, research and monitoring, develop, without undue delay policies and strategies which shall serve as a means of combating the discharge of air pollutants, taking into account efforts already made at national and international levels." [Art. 3]

A3. Specific commitments

The Convention stresses the need for further development of national programmes, research and monitoring aimed at reducing emissions and for the increase of international co-operation facilitating such activities. According to this, the Contracting Parties:

- shall exchange information on and review their policies, scientific activities and technical measures aimed at combating the discharge which may have adverse effects, thereby contributing to the reduction of air pollution, including long-range transboundary air pollution [Art. 4],
- shall participate in research, development, measurements and exchange of information, as well as in the implementation and further development of the cooperative programme for the monitoring and evaluation of the long-range transmission of air pollutants in Europe [Art-s 6-9].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Costs of administrative tasks related to the Convention are covered by the budget of UNECE. The Convention provides no separate financial system to support any particular group of countries or scope of tasks.

A6. Further development of the legal instrument

The Convention is a framework instrument, and a number of protocols adopted later contain its extensions and provisions for more specific tasks. (1.a. – 1.h.)

A7. The international organisation

The Executive Body for coordinating the implementation of the 1979 Convention on Long-range Transboundary Air Pollution and considering the plans for future activities is set up in the framework of the UNECE, in which each Contracting Party is represented.

Administrative and secretarial functions of the Executive Body are performed by the UNECE 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) (see 1.a.), the Working Group on Effects, the Working Group on Strategies and Review (formerly the Working Group on Strategies and Working Group on Technology). There are also several Expert Groups and Task Forces.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 13 November 1979 and ratified it on 22 September 1980. The Convention entered into force for Hungary in 1983 (at the same time as the international entry into force).

B2. Implementation of the general objectives in Hungary

In accordance with the Convention, the ministry of environment coordinated several programmes, adopted policy measures and developed regulations in order to reduce the emission of air pollutants and thus reduce transboundary air pollution.

Major acts and standards in this respect are as follows: Government Decree 21/1986. (VI. 2.) MT and its amending Government Decree 49/1989. (VI. 5.) MT; Ministerial Decree 5/1990. (XII. 6.) NM on air polluting substances and air quality limit values (these are not in force anymore); Government Decree 21/2001 (II. 14.) Korm. on the regulation of the protection of the air and its amendments issued in the framework of the re-regulation of the air quality protection, also realising EU legal harmonisation as well; and Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values, limit values of stationary air pollutant sources and its amendments.

Several Hungarian institutions are participating in the general monitoring, analysis, research and reporting corresponding to the Convention.

B3. Implementation of specific tasks in Hungary

The Convention only specifies sulphur dioxide from among air pollutants; others are only mentioned in general. It contains no specific provisions for reducing emissions. Specific tasks for implementing the Convention are contained in the Protocols adopted later.

B4. 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 UNECE budget.

B5. Participation in international programmes

In order to measure, analyse, and reduce the emission of air pollutants and to implement the tasks detailed in the relevant Protocols, Hungary has joined several bilateral and multilateral co-operation programmes.

B6. Hungarian participation in the international organisation

Hungary was regularly represented at international consultations connected with the drafting and implementation of the Convention, as well as in the activities of the Executive Body, and in the work of certain Working Groups established under its guidance (Working Group on Strategy, Working Group on Technology). Hungarian representatives also took part in the elaboration of the later adopted Protocols.

The chairman of the Convention's Working Group on Technology between 1992 and 1996 was Endre Kovács (MERP, Institute of Environmental Management).

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and the support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2004: Government Decree 47/2004. (III. 18.) Korm. on the amendment of certain environmental Governmental Decrees
- #2002: Government Decree 274/2002. (XII. 21.) Korm. on the amendment of Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air and of Government Decree 203/2001. (X. 26.) Korm. on certain rules of the protection of surface waters
- #2001: Government Decree 120/2001. (VI. 30.) Korm. on the amendment of Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air
- #2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources of air pollutants
- #2001: Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air
- #1990: Ministerial Decree 5/1990 (XII. 6.) NM on air pollutants, ambient air quality criteria and the measuring of ambient air pollution
- #1989: Government Decree 49/1989 (VI. 5.) MT on the amendment of Decree 21/1986 (VI. 2.) MT on air quality protection
- #1986: Government Decree 21/1986 (VI. 2.) MT on the protection of air quality
- #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)
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995), pp. 11-14
- *1994: Bándi Gy., Faragó T., Lakosné, H.A., 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest
- *1990: Kovács E., 1990: International Co-operation for the Protection of Air Quality; Commitments for Hungary. (H: Nemzetközi együttműködés a levegőtisztaságvédelemben, a Magyarországra háruló kötelezettségek). Energiagazdálkodás, XXXI, 12, pp. 553-557
- *1989: Lakosné H. A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 9-24

1.a. MONITORING AND ANALYSIS OF TRANSBOUNDARY AIR POLLUTANTS

(A) Main features of the legal instrument and the international organisation

A1. 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:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	41 (incl. EC)
HUNGARIAN	
* Signature:	27 March 1985
* Ratification/approval:	8 May 1985 (approval)
* Entry into force:	28 January 1988
* Promulgation:	--

A2. Objectives

The Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (the 'Programme' or the EMEP in the following) was launched in 1977.

The results of measurement and analysis gained from the Programme contributed significantly to drafting the Convention and thus, following the Convention's entry into force, it was decided that steady financial support should be provided under its scope for the continuation of the Programme.

The main objective of the Programme is to supply appropriate information for the Parties on concentrations and deposition of air pollutants, as well as on the quantity of transboundary air pollution. To achieve this, the Programme includes three major fields of activity:

- collection of emission data;
- measuring the chemical composition of air pollution and precipitation water;
- modelling atmospheric dispersion by using emission and meteorological data.

A3. Specific commitments

According to the Protocol the basic commitments are as follows:

- until 31 December of each year, the national emission levels shall be reported annually by main source categories;
- from 1990, national emission levels shall also be reported in 50x50 km resolution every five years;
- measuring stations shall be maintained to monitor the atmospheric concentration of air pollutants, the data of which shall be forwarded to the Programme's Data Centres on a regular basis.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The essence of the Protocol is to make provisions for commitments of contribution to funds required for operating the Programme. Furthermore, the Protocol provides for handling voluntary contributions. [Art. 3]

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

Following the revision of the system of cost division and of payments to the Fund, the Parties currently cover the common costs of the Programme in accordance to their 'UN scale of assessment' (the scale of their contribution to the UN regular budget).

A6. Further development of the legal instrument

On the basis of the decisions made by the Parties the measurement programme has been continually extended and the quality requirements towards the measurements have significantly increased.

A7. The international organisation

The main coordinating body of the Programme and of the Protocol on financing is the Steering Body.

Secretarial and administrative functions are performed by UNECE Environment and Human Settlements Division.

Coordination of the monitoring and the calibration tasks is managed by the Chemical Coordinating Centre (Kjeller, Norway).

The western and the eastern Meteorological Synthesising Centres (Oslo, Moscow) coordinate the modelling of the transmission of air pollution.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Protocol on 27 March 1985 and then approved it on 8 May 1985.

B2. 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 submits its measurement results of atmospheric background pollution regularly to the assigned EMEP centre as prescribed.

B3. Implementation of specific tasks in Hungary

In Hungary, MEW is responsible for implementing specific tasks derived from the Protocol. Specific measuring tasks assigned by the Programme were carried out by the Hungarian Meteorological Service.

B4. Contribution to the financial funds

Hungary has been covering its financial contribution to the Trust Fund at the prescribed rate (i.e., based on its UN scale of assessment) since 1992.

B5. Participation in international programmes

The efficient professional implementation of measuring and modelling required by the Programme is greatly facilitated by the EUREKA/EUROTRAC programme which deals with the atmospheric transmission of pollutants.

On behalf of Hungary, the Hungarian Meteorological Service – supported by the (then) National Committee of Technical Development and by the European Union – participated in the Programme, until 2002, through development and adaptation of measuring and analytical methods.

B6. Hungarian participation in the international organisation

Supervision of implementing the Protocol is carried out by the Executive Body of the Convention, with continuous Hungarian participation in its work.

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.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the provisions of the Protocol, the preparation and the representation of the Hungarian position at the Executive Body of the Convention and the consultation on the related tasks of the Programme Steering Body lies with MEW.

(C) Legal instruments and other references

- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995), pp. 15-18
- *1989: Lakosné H. A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest

1.b. REDUCING SULPHUR EMISSIONS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Reduction of Sulphur Emissions or of Their Transboundary Fluxes by at Least 30 Percent	
INTERNATIONAL	
* Adoption:	8 July 1985
* Venue:	Helsinki (Finland)
* Entry into force:	2 September 1987
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	22
HUNGARIAN	
* Signature:	9 July 1985
* Ratification/approval:	11 September 1986 (ratification)
* Entry into force:	2 September 1987
* Promulgation:	

A2. Objectives

According to the objective of the Protocol, the Parties shall reduce their 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 the calculation of the reductions [Art. 2].

A3. Specific commitments

According to the commitments set in the Protocol, the Parties shall:

- submit annual reports to the Executive Body of the Convention on their national annual sulphur emissions and the basis upon which they have been calculated [Art. 4];
- within the framework of the Convention, develop or further expand national programmes, policies and strategies, which shall serve as a means of reducing sulphur emissions or their transboundary fluxes by at least 30 per cent as soon as possible and at the latest by 1993 [Art. 6];
- report on these programmes as well as on progress towards achieving the goal to the Executive Body [Art. 6].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

(See 1./A5)

A6. 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. The Parties have agreed to investigate the necessity of further sulphur emission reductions or reducing transboundary fluxes of such emissions at national level [Art. 3].

Although no specific time was set in the Protocol for starting international negotiations on further reductions, a second "Sulphur Protocol" has already been adopted (1.e).

A7. The international organisation

(See 1/A7)

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

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

B2. Implementation of the general objectives in Hungary

The Protocol uniformly specified 30% sulphur dioxide emission reduction for all countries belonging to the UNECE. Taking into account the high pollution level, and, in particular, the sulphur dioxide pollution in a significantly large area of the country, the reduction of inland air pollution and of transboundary air pollution from other countries was an essential environmental policy objective in Hungary. The Protocol was an efficient tool for that purpose.

In 1980 the total sulphur dioxide emission of Hungary was 1632 kilotons. That was to be reduced by 30% until 1993, that is, to 1142 kt/year. That basic objective 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 after 1989 followed by a significant economic restructuring from mid-1990s.

B3. Implementation of specific tasks in Hungary

Hungary also met further commitments set in the Protocol by expanding and implementing the appropriate legal framework, enforcement mechanisms, programmes, and by preparing the required reports:

- legislation related to air quality control should be emphasized, namely, Government Decree 21/1986 (VI. 2.) MT on the protection of air quality, the Decree 4/1986 (VI. 2.) OKTH by the President of National Authority of Environment and Nature Conservation (OKTH) on the implementation of Government Decree 21/1986. (VI. 2.) MT on the protection of air quality, as well as their amendments (not in force anymore);
- the following regional programmes aimed at improving the air quality of heavily polluted regions played significant role in the implementation of tasks resulting from the international agreement:

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

Interdepartmental Action Programme for Air Quality Protection adopted by Government Resolution 1079/1993 (XII. 23.) Korm. to improve the air quality of heavily polluted regions in the years between 1994-1998, which included measures of legal, technical and economic nature and served the implementation of the Protocol, at the same time laying the foundations for further emission reductions (which already conform with the objectives of the second Sulphur Protocol);

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

B4. Contribution to the financial funds

(see 1./B4)

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

The implementation of the Protocol was coordinated and controlled by the Executive Body in the framework of UNECE. The representative of Hungary participated in the activities of the body and its Working Groups.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the national commitments under this legal instrument, as well as of the preparation and presentation of the Hungarian position at international negotiations, lay with NAENC (OKTH) and lies now with its successor, the ministry of environment.

This coordination is effectively supported by the Interministerial Committee, which was established and operated by the ministry of environment.

(C) Legal instruments and other references

- #2003: Ministerial Joint Decree 7/2003. (V. 16.) KvVM-GKM on the total emission limit values of certain air pollutants
- #1993: Government Resolution 1079/1993 (XII. 23.) Korm. on the Interdepartmental Action Programme for Air Quality Protection to improve the air quality of heavily polluted regions in the years between 1994-1998
- #1986: Government Decree 21/1986 (VI. 2.) MT on the protection of air quality
- #1986: Decree 4/1986 (VI.2.) OKTH on the implementation of the Government Decree 21/1986 (VI. 2.) MT on air quality protection
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995)
- *1990: Kovács, E., 1990: International Co-operation for the Protection of Air Quality, Commitments for Hungary. (H: Nemzetközi együttműködés a levegőtisztaság-védelemben, a Magyarországra háruló kötelezettségek). Energiagazdálkodás, XXXI, 12, pp. 553-557
- *1989: Lakosné, H. A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry of Environment and Water Management, Budapest, pp. 35-44

1.c. CONTROLLING THE NITROGEN OXIDE EMISSIONS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

<p style="text-align: center;">Protocol to the 1979 Convention on Long-range Transboundary Air Pollution Concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes</p>

INTERNATIONAL

* Adoption:	31 October 1988
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* Venue:	Sofia (Bulgaria)
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* Entry into force:	14 February 1991
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* Organisation:	UNECE
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* Depositary:	UN Secretary General
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* Parties (1 st quarter of 2006):	31 (incl. EC)
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HUNGARIAN

* Signature:	3 May 1989
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* Ratification/approval:	12 November 1991 (approval)
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* Entry into force:	10 February 1992
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* Promulgation:	
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A2. 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 fluxes of nitrogen oxides through introducing and applying appropriate emission limit values for stationary and mobile sources.

A3. Specific commitments

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

- take measures to reduce nitrogen oxide emissions or their transboundary fluxes so that not later than by 31 December 1994 the annual emissions or fluxes shall not exceed those of 1987 (under certain conditions the acceding Party might assign a base year earlier than 1987) [Art. 2 (1)];
- apply national emission standards* to major new stationary sources and/or source categories, and to substantially modified stationary sources in major source categories, which are based on the best available technologies that are economically feasible, taking into consideration the Technical Annex [Art. 2 (2a)];
- apply national emission standards to new mobile sources in all major source categories based on the best available and economically feasible technology, taking into

consideration the Technical Annex and relevant resolutions in the framework of the UNECE Inland Transport Committee [Art. 2 (2b)];

- introduce pollution control measures* for major existing stationary sources, taking into consideration the Technical Annex and the characteristics of the plant, its age and its rate of utilization and the need to avoid undue operational disruption. [Art. 2 (2c)];
- promote the transfer of appropriate technologies [Art. 3];
- ensure satisfactory supply of unleaded 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 towards controlling and reducing emissions of nitrogen oxides or of their transboundary fluxes [Art. 7] and supply information to the Executive Body on such programmes as well as annual reports on the results achieved in their implementation.

A4. Specific provisions applying to Hungary

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

The provisions call for the maintenance of 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.

A5. Financial and facilitating mechanisms

(See 1./A5)

A6. Further development of the legal instrument

Consultations on further nitrogen oxide emission reductions should have started within six months from the 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 started in 1996 and finished in the form of the 1999 Gothenburg Protocol (see 1.h).

A7. The international organisation

(See 1./A7)

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

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

B2. Implementation of the general objectives in Hungary

The fundamental objective of the Protocol - maintaining the nitrogen oxide emission levels of 1987 until 31 December 1994 - was realised in Hungary. Total inland emission in 1987 was 265 kt/year and 183 kt/year in 1994.

The significant factors in reducing emissions were as follows: the decreasing use of fossil energy carriers (fuels) in the electric power industry through a gradual introduction of energy from the Paks Nuclear Power Plant; the reduction of energy consumption in the transport sector in spite of the increasing number of vehicles at the same time; the significantly decreased industrial production after 1989.

B3. Implementation of specific tasks in Hungary

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

- in the field of legislation, Government Decree 21/1986 (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 (not in force anymore);
- during the period in question two programmes were prepared to improve the air quality of heavily polluted areas, and their implementation is in line with the objectives of this Protocol as well:

the Interdepartmental Action Programme for the periods between 1986-1990 and between 1991-1993,

as a continuation of this, the Interdepartmental Action Programme for Air Quality Protection to improve the air quality of seriously threatened areas for the period between 1994-1998, in the framework of Government Resolution 1079/1993 (XII. 23.) Korm;

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

B4. Contribution to the financial funds

(See 1./B4)

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

In addition to the participation in the various expert bodies of the Convention, it should be mentioned that the chairman of the international NO_x Working Group, which was established in the interest of facilitating the elaboration and implementation of the subject Protocol, was László Dobó (who was taking part in the negotiations as a representative of the ministry of environment).

B7. Coordination in Hungary

The national environmental inspectorate, and later the MERP, was responsible for representing the Hungarian position at international negotiations related to the Protocol, and for coordinating the implementation in Hungary. The coordination of tasks for Hungary was facilitated by the Interministerial Committee.

(C) Legal instruments and other references

- #2003: Ministerial Joint Decree 7/2003. (V. 16.) KvVM-GKM on the total emission limit values of certain air pollutants
- #1993: Government Resolution 1079/1993 (XII. 23.) Korm. on the Interdepartmental Action Programme for Air Quality Protection to improve the air quality of heavily polluted regions in the years between 1994-1998
- #1986: Government Decree 21/1986 (VI. 2.) MT on the protection of air quality
- #1986: Decree 4/1986 (VI. 2.) OKTH on the implementation of the Government Decree 21/1986 (VI. 2.) MT on air quality protection
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995)
- *1990: Kovács, E., 1990: International Cooperation for the Protection of Air Quality; Commitments for Hungary. (H: Nemzetközi együttműködés a levegőtisztaság-védelemben, a Magyarországra háruló kötelezettségek). Energiagazdálkodás, XXXI, 12, pp. 553-557
- *1989: 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

1.d. CONTROL OF THE EMISSIONS OF VOLATILE ORGANIC COMPOUNDS

(A) Main features of the legal instrument and the international organisation

A1. 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
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* Venue:	Geneva (Switzerland)
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* Entry into force:	29 September 1997
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* Organisation:	UNECE
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* Depositary:	UN Secretary General
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* Parties (1 st quarter of 2006):	21
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HUNGARIAN

* Signature:	19 November 1991
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* Ratification/approval:	10 November 1995 (ratification)
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* Entry into force:	29 September 1997
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* Promulgation:	--
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A2. Objectives

Due to the harmful effects of volatile organic compounds (VOC) on human health and the environment, the objective of the Protocol is to control and reduce their atmospheric emissions.

A3. Specific commitments

According to the Protocol, each Party shall [Art. 2]:

- control and reduce the annual emission or the volume of their transboundary fluxes of VOCs 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 any other annual level during the period from 1984 to 1990, which may be specified when signing or when joining the Protocol; or
 - (b) where its annual emissions contribute to tropospheric ozone concentrations in areas under the jurisdiction of one or more other Parties, and such emissions originate only from areas under its jurisdiction specified under Annex I, by taking measures to reduce annual VOC emissions from areas so specified by at least 30 % by the year 1999, using 1988 levels as the basis (or any other year between 1984–1990); and by ensuring that total annual national VOC emissions do not exceed the 1988 levels by 1999; or
 - (c) as soon as possible and as a first step, by taking effective measures to ensure at least that by the year 1999 annual national VOC emissions do not exceed the 1988 levels in areas where such emissions were lower than 500,000 tonnes and 20 kg/inhabitant and 5 tonnes/km² in 1988;

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

A4. Specific provisions applying to Hungary

The Protocol provides certain flexibility for Central and Eastern European countries with economies in transition, including Hungary. The 30% reduction of emissions (by 1999, based on the 1988 levels), and the concomitant commitments entailing investments are only required for developed countries with a high level of VOC emission. Countries with economies in transition are allowed for a more moderate commitment (version “c” as described above), that is, to “freeze” their annual emissions at the 1988 level by 1999.

A5. Financial and facilitating mechanisms

(See 1.)

A6. Further development of the legal instrument

Besides this international agreement, the regulation prevailing in the European Union also deals with the reduction of VOC emissions, including Directive 1999/13/EC of the European Council on the limitation of the emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations.

Further limitations – National Emission Ceilings (NEC) – were imposed on the emissions of the four main pollutants (SO₂, NO_x, ammonia, VOC) by the Gothenburg Protocol signed in 1999 (see 1.h), in which Hungary agreed to reduce its VOC emission to 137 kt by 2010.

A7. The international organisation

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

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Protocol on 19 November 1991. The ratification document was deposited on 10 November 1995. In the statement made at signing, Hungary acceded to the version (c) of the basic commitments specified in the Protocol [Art. 2 (2c)], according to which the total VOC emission of the country shall not exceed the 1988 level (205 kt) by the year 1999. The effect of the Protocol covers anthropogenic non-methane VOC emissions.

B2. Implementation of the general objectives in Hungary

The Government Resolution of 1991 on signing this Protocol provided that the ministers of environment, transport and industry 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 the legal harmonisation process with the EU – drafting the regulations on reducing VOC emissions received priority. In this context, the MERP already issued a decree providing significant VOC emission reductions by reducing the hydrocarbon emissions generated during storing, filling, transporting and transferring engine petrol (Ministerial Decree 9/1995 (VIII. 31.) KTM).

The EU adopted the directive on VOC emissions in 1999, which was transposed into the Hungarian legislation by Ministerial Decree 10/2001 (IV. 19.) KöM. By 1999 Hungary reduced the VOC emission by approx. 17% compared to the base year. According to the Protocol signed in 1999, the emission should be further reduced to 137 kt by 2010 (see 1.h).

B3. Implementation of specific tasks in Hungary

In order to meet the commitments contained in the Protocol:

- The Government adopted an emission reduction plan for volatile organic compounds in 1995, taking into consideration three alternatives: one assuming development without emission reducing measures (according to this 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); a version envisaging the reduction of emissions from relevant industrial sectors by 30% by 2000, compared to the 1988 level; and a VOC reduction plan, which could be realistically implemented by the year 2000 under favourable conditions of the national economy.
- During the second half of the 1990s a number of demonstration projects were implemented for the key VOC technologies – with Dutch funding and with the professional assistance of the ministry of environment – by Hungarian companies.
- From the second half of the 1990s high priority was assigned to the investments reducing VOC emission and promoted their realization from the environmental fund.
- The transposition of EC Directive 1999/13/EC on the VOC emissions of different technologies was prepared by an assessment of countrywide impact in 2000.
- Ministerial Decree 10/2001. (IV. 19.) KöM on the VOC emission limit values of technologies applying solvents provides a more stringent regulation than the general limit values of emission on solvents.
- As a result of the above measures, the VOC emission in Hungary has been reduced; according to the OECD country report in 1999 the emission projected on one unit of GDP was 1.4g/GDP USD, which level is lower than the average VOC emission of either the EU or the OECD countries. Since then emission levels have been further reduced: according to the latest available data, they were 155 kt in 2002.
- Hungary reports regularly on the introduced measures to the Executive Body of the Convention and to the UNECE Secretariat.

B4. Contribution to the financial funds

(See 1.)

B5. Participation in international programmes

The co-operation with the Dutch consulting firm DHV since 1993 greatly facilitated the implementation of the Protocol in Hungary. DHV took part in developing the Hungarian emission inventory, in the preparation of the national emission reduction plan and in the preparation of the demonstration projects carried out by the Hungarian companies.

The EU has detailed regulation in this field (Directive 94/63/EC transposed by Ministerial Decree 9/1995. (VIII. 31.) KTM, and Directive 1999/13/EC on reduction of VOC emission, transposed by Ministerial Decree 10/2001. (IV. 19.) KöM).

B6. Hungarian participation in the international organisation

Hungary takes part in the work of the Executive Body and of the Working Group on Strategy and Review of the Geneva Convention, which deal also with the issues of this Protocol.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the national commitments under this legal instrument, as well as the preparation and the presentation of the Hungarian position at international negotiations, lies with MEW, primarily in co-operation with MET.

(C) Legal instruments and other references

- #2005: Ministerial Decree 21/2005. (VIII. 26.) KvVM on the amendment of Ministerial Decree 10/2001. (IV. 19.) KöM on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations
- #2003: Ministerial Joint Decree 7/2003. (V. 16.) KvVM-GKM on the total emission limit values of certain air pollutants
- #2001: Ministerial Decree 10/2001. (IV. 19.) KöM on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations
- #1995: Resolution 218/1995 (X. 13.) KE by the President of the Republic on the ratification of the international convention (Protocol to the ECE Convention on Long-range Transboundary Air Pollution on the Control of Emissions of Volatile Organic Compounds)
- #1995: Ministerial Decree 9/1995 (VIII. 31.) KTM on restricting hydrocarbon emissions produced during the storage, filling, transfer and transport of engine petrol
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995)
- *1995: DHV, 1994-1995: Strategy for Reducing Emissions of Volatile Organic Compounds. Phase 1: Emission database, DHV-Budapest, 1994; Phase 2: Reduction Plan, DHV-Budapest, 1995
- *1991: Mihályfi Árpádné (ed.), 1991: International Conventions with Hungarian Participation: Environment Protection, Architectural Monument Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem, műemlékvédelem). Ministry for Environment and Regional Policy, Budapest, pp. 87-162
- *1989: Lakosné, H.A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 9-24

1.e. FURTHER REDUCTION OF SULPHUR EMISSIONS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Further Reduction of Sulphur Emissions	
INTERNATIONAL	
* Adoption:	14 June 1994
* Venue:	Oslo (Norway)
* Entry into force:	5 August 1998
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	27 (incl. EC)
HUNGARIAN	
* Signature:	9 December 1994
* Ratification/approval:	11 March 2002 (ratification)
* Entry into force:	9 June 2002
* Promulgation:	8 November 2004

A2. Objectives

The fundamental objective of the Protocol 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 in the long term the depositions of oxidised sulphur compounds do not exceed the critical sulphur depositions laid down in Annex I to the Protocol in accordance with the present scientific knowledge [Art. 2 (1)].

A3. Specific commitments

According to the Protocol, each Contracting Party must (with the exception of the USA and Canada in recognition of the 1991 Air Quality Agreement between them*):

- at least reduce and maintain its annual sulphur emissions to the stated (Annex II) schedule and levels [Art. 2]; in the case of Hungary, compared to the base year of 1980, total national sulphur emissions which was 1632 kt/yr in 1980, 898 kt/yr in 2000 should be reduced by 45 % by 2000, 50 % by 2005, and 60 % by 2010, that is, should not exceed 816 kt/yr in 2005 and 653 kt/yr in 2010;
- make use of the most efficient sulphur emission reduction measures appropriate to its circumstances, for both existing and new sources [Art. 2 (4)];
- apply limit values (technological emission limit values) at least as stringent as those laid down in Annex V for all major new stationary combustion sources [Art. 2 (5a)]*;

- the latest from 1 July, 2004 apply the emission limit values laid down in Annex V for those major existing stationary combustion sources the thermal input of which is above 500 MW_{th} (taking into account the remaining lifetime of a plant, calculated 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;
- apply the emission limit values or emission limitations to those major existing stationary combustion sources whose thermal input is between 50 and 500 MW_{th}, using Annex V as guidance [Art. 2 (5b)]* from 1 July 2004 at the latest;
- introduce national limits for sulphur content of gas oil at least as stringent as those laid down in Annex V within two years after the date of entry into force; in cases where the use of gas oil 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 [Art. 2 (5c)]*;
- adopt national strategies, policies and programmes in order to control and reduce sulphur emission within six months after the date of entry into force [Art. 4 (1)];
- collect the following information in accordance with the EMEP work plan: the actual sulphur emission levels; ambient concentrations and depositions of oxidised sulphur and other acidifying compounds; the impacts of oxidised sulphur and other compounds causing acidification [Art. 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 [Art. 5 (1)]; and, in the framework of EMEP, information on the distribution of sulphur emissions with temporal and spatial resolution [Art. 5 (2)].

According to the rules and conditions to be adopted by the Executive Body, Parties might decide that two or more Parties might jointly implement their commitments set out in Annex II. Such rules and conditions shall ensure that the obligations set out in paragraph 2 of Article 2 [Art. 2 (7)] can be met.

A4. Specific provisions applying to Hungary

In contrast to the uniform 30% emission reduction laid down in the first Sulphur Emission Protocol (see 1.b), the new Protocol - in order to avoid the critical loads - established emission reductions differentiated by country.

The reductions scheduled for Hungary, taking into consideration the scientifically founded emission reduction requirements and the load bearing capability of the national economy, were defined with the consent of the national Interministerial Committee. The deadline of 1 July 2004 for implementing the rules concerning the existing major stationary combustion sources [Art. 2 (5b)] 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 [Art. 2 (5a)] conform with the requirements formulated in the relevant Directive of the European

Union, as well as with the requirements set out in the new air quality protection legislation introduced in 2001 in the framework of the EU legal harmonisation.

A5. Financial and facilitating mechanisms

(See 1./A5)

A6. Further development of the legal instrument

According to the Protocol, negotiations shall commence on further reductions of sulphur emissions one year after the completion of the first review [Art. 2 (8)].

A7. The international organisation

(See 1./A7)

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary ratified the Protocol on 11 March 2002 and the Hungarian Parliament passed a law on its promulgation on 8 November 2004.

B2. Implementation of the general objectives in Hungary

As the result of the measures, statutory provisions and other activities, Hungary has met the emission reduction obligation specified in the Protocol. Sulphur-dioxide emission in the year 2000 was 486 kt/yr, significantly lower than the 898 kt/yr level prescribed in the Protocol.

B3. Implementation of specific tasks in Hungary

Part of the measures required for implementation have already appeared in the governmental programme adopted earlier and coordinated by the ministry of environment and were realized:

- the introduction of technological emission limit values appeared in the Annex V to the Protocol and entered into force in 1998 in the framework of the Ministerial Decree on regulating the emission values of large combustion engines;
- MOL Rt. took measures in order to introduce the required regulations on the sulphur content of gas oil before 1 January 1997;
- annual reports on emission related data have been submitted and the further development of data collection and processing have been attained.

B4. Contribution to the financial funds

(See 1./B4)

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

(See1./B6)

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Protocol as well as the representation of the Hungarian position at international negotiations. The Interministerial Committee set up and coordinated by the ministry efficiently assisted the preparation in Hungary.

(C) Legal instruments and other references

- #2004: Ministerial Decree 17/2004. (X. 18.) KvVM on the amendment of Decree 10/2003. (VII. 11.) KvVM on the operation conditions and air pollutant emission limit values of combustion instruments with a nominal input thermal capacity of 50 MW_{th} or higher
- #2004: Government Decree 47/2004. (III. 18.) Korm. on the amendment of certain environmental Governmental Decrees
- #2003: Ministerial Decree 10/2003. (VII. 11.) KvVM on the operation conditions and air pollutant emission limit values of combustion instruments with a nominal input thermal capacity of 50 MW_{th} or higher
- #2002: Government Decree 274/2002. (XII. 21.) Korm. on the amendment of Government Decree 21/2001. (II. 14.) Korm. on certain regulations concerning the protection of air and of Government Decree 203/2001. (X. 26.) Korm. on certain regulations of the protection of surface waters
- #2001: Government Decree 120/2001. (VI. 30.) Korm. on the amendment of Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air
- #2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources
- #2001: Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air
- #1998: Ministerial Decree 22/1998. (VI. 26.) KTM on the air pollutant emission limit values of combustion instruments with a thermal capacity of 50 MW_{th} or higher
- #1990: Ministerial Decree 5/1990 (XII. 6.) NM on air pollutants, ambient air quality criteria and the measuring of ambient air pollution
- #1989: Government Decree 49/1989 (VI. 5.) MT on the amendment of Decree 21/1986 (VI. 2.) MT on the protection of air quality
- #1986: Government Decree 21/1986 (VI. 2.) MT on the protection of air quality
- *1996: Kovács E., 1996: International Agreement on the Further Reduction of Sulphur Emissions (H: Nemzetközi megállapodás a kénkibocsátások további csökkentéséről). Energiagazdálkodás XXXVII, 6, pp. 239-244
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in Hungarian, 1995)

1.f. CONTROLLING THE EMISSION OF PERSISTENT ORGANIC POLLUTANTS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Control of Emissions of the Persistent Organic Pollutants	
INTERNATIONAL	
* Adoption:	24 June 1998
* Venue:	Aarhus (Denmark)
* Entry into force:	23 October 2003
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	26 (incl. EC)
HUNGARIAN	
* Signature:	18 December 1998
* Ratification/approval:	7 January 2004 (ratification)
* Entry into force:	6 April 2004
* Promulgation:	

A2. Objectives

Persistent organic pollutants (POP) are organic compounds that remain traceable in nature even after several decades, since they are resistant to a different degree to photolytic, biological and chemical degradation. Their half-life is over two days in the atmosphere, two months in waters, and six months in soil. Several types are halogenated substances, making them soluble in fat and to a lesser degree in water, which facilitates their accumulation in fat tissues (bioaccumulation). These substances are highly stable, thus they can be transported in the atmosphere to great distances before their deposition. Many of them are hazardous because of their carcinogenic effect. (Organic metals do not belong to this group.)

The objective of the Protocol is to control, reduce or eliminate emissions and occasional discharges of POPs. In order to achieve this, the measures to be taken in relation to each substance are divided into three groups: to eliminate the production and use; restrict the use; and reduce the emission of by-products. At present, with a view on possible future additions, the Protocol places emphasis on the following groups of substances:

- Pesticides: aldrin, chlordane, chlordecone, DDT, dieldrin, endrin, heptachlor, hexachlorobenzene (HCB), hexachlorocyclohexane (HCH, lindane compounds in which at least 99% of the HCH isomer is in the gamma form), mirex, toxaphene;
- Industrial chemicals: hexabromobiphenyl, polychlorinated biphenyls (PCB);
- By-products: polycyclic aromatic hydrocarbons (PAH), dioxins/furans, HCB.

A3. Specific commitments

The basic obligations set down in the Protocol are the following:

- Each Party shall take effective measures to eliminate the production and use of the substances listed in Annex I. These substances are the *pesticides* (with the exception of HCH) and *industrial chemicals* listed above. The prohibition does not apply to laboratory-scale research. Production of DDT and PCB is still allowed in certain cases, thus the two substances are also included in Annex II of the Protocol.
- Annex II of the Protocol contains possibilities of further limited use of the following substances: DDT, HCH, PCB.
- The Parties shall take effective measures to reduce their total annual emissions of each of the substances listed in Annex III (PAHs, dioxines and furanes, hexachlorobenzene), compared to the level of the emission in a reference year. The reference year is to be set at ratification: any year may be chosen between 1985 and 1995 (the Protocol suggests 1990).
- Each Party shall develop appropriate strategies for substances listed in Annexes I, II or III: to identify articles still in use and wastes containing such substances, and to take appropriate measures to ensure that such wastes and such articles, upon becoming wastes, are destroyed or disposed of in an environmentally sound manner.
- For large stationary sources the best available techniques and emission limit values set in Annexes IV and V of the Protocol shall be applied. According to the provisions of Annex VI, the prescriptions set in the technical Annexes are to be applied after two or eight years after the date of entry into force of the Protocol for new or existing stationary sources, respectively. Annex VII of the Protocol contains measures to be taken in order to reduce emissions from mobile sources.
- In case of public health emergencies and for research purposes the Parties may be exempted from their obligations. The Parties shall provide for the Secretariat of UNECE a detailed report on the uses of POPs for this purpose within ninety days after granting the exemption.
- Each Party shall develop strategies, policies and programmes in order to discharge its obligations under the Protocol, no later than six months after the date on which the Protocol enters into force for the Party.
- Each Party shall report to the secretariat of UNECE, on a periodic basis as determined by the Executive Body of the Geneva Convention, on the measures it has taken to implement the Protocol and on its emissions. These are reviewed by the Executive Body.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

(See 1.)

A6. Further development of the legal instrument

The Executive Body of the Geneva Convention (see 1) set up a Task Force on POPs, which is continuously working on updating and extending the Annexes of the Protocol. In 2004 the European Council presented a draft decision in the framework of which the

amendment of Annexes I-III of the Protocol and of Annexes A-C of the Stockholm Convention (see 23) were proposed. The draft suggests the inclusion of five further pollutants.

A7. The international organisation

Issues concerning this Protocol are also handled by bodies and working groups established under the Geneva Convention (see 1).

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Government Resolution 2283/1998. (XII. 19.) Korm. made provisions for signature of the Protocol, and the implementation of the different obligations was provided for in Government Resolution 2143/2003. (VII. 1.) Korm on specific tasks relevant to Hungary. The Hungarian Parliament decided on ratification of the Protocol on 20 October 2003. The ratification document was deposited on 7 January 2004.

B2. Implementation of the general objectives in Hungary

The plan for the disposal of substances, products and wastes with traces of substances designated for elimination, for the further reduction of emissions; and for the implementation of other provisions of the Protocol is under development. Regulation of POP emissions is an important issue also in the framework of the EU. The European Community approved the Protocol by Decision 2004/259/EC. Large part of Community's regulations related to these emissions was already transposed by 2002. Further basis for taking related measures is ensured by Regulation 850/2004 of the European Parliament and the Council on POPs and Regulation 304/2003 on the export and import of dangerous chemicals.

B3. Implementation of specific tasks in Hungary

The National POP Action Plan shall contain the details of the further necessary measures and of the economic conditions for the implementation of the Protocol. In the implementation of the action plan the production processes in the specific economic sectors that emit pollutants are becoming more up-to-date and place a reduced load on the environment.

B4. Contribution to the financial funds

(See 1.)

B5. Participation in international programmes

At present the National POP Action Plan is being developed from GEF funding with the co-operation of UNIDO.

B6. Hungarian participation in the international organisation

Hungary takes part in the work of the Executive Body, of the Working Group on Strategy and Review and of the Task Force on POPs.

B7. Coordination in Hungary

In order to facilitate implementation of the different tasks the Interministerial Committee on POPs has been working since August 2002, in which experts co-operate from each relevant ministry and institution. MEW is responsible in co-operation with the ministries of health, agriculture and economy for coordinating the implementation of the Protocol as well as representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2004: Ministerial Decree 16/2004. (X. 8.) KvVM on the restrictions of the application of certain hazardous substances in electric and electronic instruments
- #2004: Ministerial Decree 89/2004. (V. 15.) FVM on the licensing of distribution and use of pesticides and insecticides and the packaging, labelling, storing and transporting of pesticides and insecticides
- #2004: Ministerial Joint Decree 43/2004. (IV. 26.) ESzCsM-KvVM on the restrictions of certain activities connected to certain hazardous substances and products
- #2004: Ministerial Decree 33/2004. (IV. 26.) ESzCsM on the amendment of MH Decree 44/2000. (XII. 27.) EüM on the detailed regulation of certain processes and activities related to hazardous substances and hazardous products
- #2004: Ministerial Joint Decree 4/2004. (IV. 7.) KvVM-ESZCSM-FVM on the amendment of Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values, emission limit values for stationary point sources
- #2003: Government Resolution 2143/2003. (VII. 1.) Korm. on certain tasks related to the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Control of Emissions of the Persistent Organic Pollutants, signed in Aarhus, on 24 June 1998
- #2002: Ministerial Decree 3/2002. (II. 22.) KöM on the technological requirements, operational conditions of waste incineration and the emission limit values of waste incineration
- #2001: Government Decree 193/2001. (X. 19.) Korm. on the detailed regulation of the unified environment usage licensing process
- #2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values, emission limit values for stationary point sources of air pollutants
- #2001: Ministerial Joint Decree 12/2001. (V. 4.) KöM-EüM on the risk assessment of chemicals and reduction of risks
- #2001: Ministerial Decree 5/2001. (II. 23.) KöM on the detailed regulation of the management of PCBs and PCTs and of instruments containing them
- #2000: Ministerial Joint Decree 46/2000. (XII. 29.) EüM-FVM-KöM-GM on the reporting and prior informed consent (PIC) procedure in relation to the import and export of certain hazardous substances and hazardous products
- #2000: Ministerial Decree 44/2000. (XII. 27.) EüM on the detailed regulation of certain processes related to hazardous substances and hazardous products
- #2000: Ministerial Joint Decree 41/2000. (XII. 20.) EüM-KöM on the restrictions of certain activities related to hazardous substances or hazardous products
- #2000: Ministerial Decree 5/2000. (II. 16.) GM on the quality requirements of vehicle fuels
- #1998: Government Resolution 2283/1998. (XII. 19.) on the accession to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the Reduction of the Atmospheric Emissions of Persistent Organic Pollutants
- *2002: MEW, 2002: National Waste Management Plan, General Volume 2003-2008. Ministry of Environment and Water Management, Budapest (H: Országos Hulladék-gazdálkodási Terv, Általános kötet 2003-2008)

1.g. REDUCING THE EMISSION OF HEAVY METALS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Heavy Metals	
INTERNATIONAL	
* Adoption:	24 June 1998
* Venue:	Aarhus (Denmark)
* Entry into force:	29 December 2003
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	28 (incl. EC)
HUNGARIAN	
* Signature:	18 December 1998
* Ratification/approval:	19 April 2005
* Entry into force:	18 July 2005
* Promulgation:	

A2. Objectives

The basic objective of the Protocol is to control emissions of heavy metals (HM) caused by anthropogenic activities, which are subject to long-range transboundary atmospheric transport and are likely to have significant adverse effects on human health or the environment.

Since 1993 several scientific conferences have been organised, mainly on Canadian, German and Dutch initiatives, for the dissemination of information on the harmful effects of heavy metals and to discuss possible ways of their control. Due to atmospheric processes, heavy metals entering the atmosphere – mainly adhering to small particulate matters in the air – are carried to large distances from their areas of origin and pose a hazard to the health of people living in distant areas.

In terms of this Protocol heavy metals are defined as those metals or, in some cases, those metalloids, which are stable and have a density greater than 4.5 g/cm³ and their compounds that are carried to large distances in the atmosphere and have adverse health or environmental effects.

The preparatory negotiations concerned the reduction of seven metals (cadmium - Cd, chrome - Cr, copper - Cu, mercury - Hg, nickel - Ni, lead - Pb, zinc – Zn) and one metalloid (arsenic – As). However, in the first round only the three most significant pollutants, lead, cadmium and mercury were placed in the Protocol. If emission of these metals is successfully reduced, emission of the other metals will be reduced as well, since they enter the atmosphere via similar technologies.

A3. *Specific commitments*

The basic obligations set down in the Protocol are the following:

- Each Party shall take effective measures, appropriate to its particular circumstances, in order to reduce its total annual emissions into the atmosphere of each of the heavy metals listed in Annex I to the Protocol (Pb, Cd, Hg) compared to the level of the emission in the reference year chosen on a voluntary basis. The reference year is to be set at ratification: any year may be chosen between 1985 and 1995 (the Protocol suggests 1990).
- Each Party shall apply the *best available techniques* taking into consideration Annex III (which is, however, only a recommendation), to each new stationary source within a major stationary source category – as defined in Annex II – within two years for new and eight years for existing stationary sources. In the case of existing sources a Party may, as an alternative, apply different emission reduction strategies provided that those result in equivalent overall emission levels.
- Each Party shall apply the *limit values* specified in Annex V to each new stationary source within a major stationary source category – as defined in Annex II – within two years for new and eight years for existing stationary sources. A Party may, as an alternative, apply different emission reduction strategies that achieve equivalent overall emission levels.
- Each Party shall apply product control measures in accordance with the conditions and timescales specified in Annex VI. Regarding lead, the Annex sets down that within six months after the date of entry into force of the Protocol, the lead content of marketed petrol intended for on-road vehicles shall not exceed 0.013 g/l.
- Paragraph 5 of the Annex sets down limit values for certain types of alkaline manganese batteries to be achieved no later than 5 years after the date of entry into force of the Protocol.
- The Parties may consider appropriate product management measures such as those listed in Annex VII, which, however, remains a recommendation.
- Parties inside the geographical scope of EMEP (see 1.a) shall create and maintain an emission inventory on the heavy metals listed in Annex I, following the methodologies set by EMEP as a recommendation.
- Each Party shall develop, without undue delay, strategies, policies and programmes to discharge its obligations under the Protocol.
- Each Party shall report to the Executive Secretariat of the UNECE, on a periodic basis as determined by the Parties meeting within the Executive Body of the Protocol, on the measures it has taken to implement the Protocol and on the changes in emissions. Implementation is reviewed by the UNECE.

A4. *Specific provisions applying to Hungary*

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

A5. Financial and support mechanisms

(See 1.)

A6. Financial and facilitating mechanisms

Further specific recommendations were submitted at the 36th meeting of the Working Group on Strategy and Review on further reduction of mercury emission in chlorine-alkaline production and medical waste incineration.

A7. The international organisation

Issues concerning this Protocol are also handled by bodies and working groups established under the Geneva Convention (see 1).

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The government decided on signing the Protocol on behalf of Hungary in December 1998, and the event took place at the UN Secretary General on 18 December 1998. Hungary acceded to this Protocol on 19 April 2005.

B2. Implementation of the general objectives in Hungary

Regulation of heavy metal emissions is an important issue also in the framework of the EU. The European Community approved the Protocol by European Council's Decision 2001/379/EC. Large part of the Community's regulations on these emissions was transposed already by 2002 and it provided an appropriate foundation for taking further measures.

Hungary has already fulfilled the significant majority of its obligations set down in the Protocol and further relevant measures are planned to be taken to meet the requirements of Regulation 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals.

In order to completely fulfil the obligations set down in the Protocol and also reviewing the current regulations, the development of a comprehensive National Heavy Metal Action Plan is needed.

B3. Implementation of specific tasks in Hungary

Following the entry into force of the Protocol details of the further necessary measures and of the economic conditions for the implementation of the Protocol shall be developed in the National Heavy Metal Action Plan.

In the implementation of the action plan production processes in the specific fields of economy that emit pollutants are becoming more up-to-date and place a reduced load on the environment.

B4. Contribution to the financial funds

(See 1.)

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

Hungary takes part in the work of the Executive Body and of the Working Group on Strategy and Review.

B7. Coordination in Hungary

MEW is responsible in co-operation with the ministries of health, agriculture and economy for the implementation of the Protocol as well as representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2004: Ministerial Decree 16/2004. (X. 8.) KvVM on the restrictions of application of certain hazardous substances in electronic instruments
- #2004: Ministerial Joint Decree 4/2004. (IV. 7.) KvVM-ESZCSM-FVM on the amendment of Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources
- #2003: Ministerial Decree 10/2003. (VII. 11.) KvVM on the operation conditions and air pollutant emission limit values of combustion sources with a nominal input thermal capacity of 50 MW_{th} or higher
- #2002: Government Decree 94/2002. (V. 5.) Korm. on packaging and the detailed regulation of packaging wastes
- #2002: Ministerial Decree 3/2002. (II. 22.) KöM on the technological requirements, operational conditions of waste incineration and the emission limit values of waste incineration
- #2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources of air pollutants
- #2000: Ministerial Joint Decree 41/2000. (XII. 20.) EüM-KöM on the restrictions of certain activities related to hazardous substances or hazardous products
- #2000: Ministerial Decree 44/2000. (XII. 27.) EüM on the detailed regulation of certain processes related to hazardous substances and hazardous products
- #2000: Ministerial Joint Decree 46/2000. (XII. 29.) EüM-FVM-KöM-GM on the reporting and prior informed consent (PIC) procedure in relation to the import and export of certain hazardous substances and hazardous products

1.h. ABATING ACIDIFICATION, EUTROPHICATION AND GROUND-LEVEL OZONE

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone	
INTERNATIONAL	
* Adoption:	30 November 1999
* Venue:	Gothenburg (Sweden)
* Entry into force:	17 May 2005
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	20 (incl. EC)
HUNGARIAN	
* Signature:	1 December 1999
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

A2. Objectives

The main objective of the first "Nitrogen Protocol" (see 1.c) was the reduction/stabilisation of emissions and transboundary fluxes of nitrogen-oxides (NO_x) to the level of the year 1987 by 1994.

Because of their adverse effects on human health and on ecological systems, the levels of emission of nitrogen compounds entering the atmosphere (nitrogen oxides, ammonia) should be reduced. Nitrogen oxides and ammonia both take part in the acidification of certain elements of nature and in eutrophication. Due to regional ozone production the effect of volatile organic compounds should also be examined in connection with nitrogen oxides.

In the middle of the 1990s representatives of the European Community realised that the reductions on pollutant emissions set down in the Geneva Convention and its then existing Protocols are insufficient for the effective protection of human health and the environment. For this reason collective international effort was initiated, which, after years of negotiation led to the approval and signature of the present Protocol on 1 December 1999.

While drafting the Protocol, basically the idea of critical loads was followed and its provisions were based on the idea of "more pollutants – more impact".

The basic objective is to reduce emissions of sulphur dioxide, nitrogen oxides, ammonia and volatile organic compounds that are caused by anthropogenic activities in order to protect

human health and the environment from acidification, eutrophication or the adverse effects of ground-level ozone. These air pollutants can travel to large distances before their deposition.

It should be ensured that in the long term atmospheric depositions or concentrations of these substances do not exceed the levels designated in Annex I, as critical load (critical loads of acidity for sulphur and nitrogen, critical loads for nutrient nitrogen) according to the present scientific knowledge.

A3. Specific commitments

According to the basic obligations set down in the Protocol, each Party shall:

- reduce its annual emission values in accordance with the emission ceilings set in Annex II. In the case of Hungary by 2010 – compared to the reference year of 1990 – sulphur dioxide emission should be reduced by 46% (from 1010 to 550 kt), emission of nitrogen dioxides by 17% (from 238 to 198 kt) emission of ammonia by 27% (from 124 to 90 kt) and VOC emission by 33% (from 205 to 137 kt);
- apply technological limit values for sulphur dioxide, NO_x and VOC at least as stringent as those specified in Annexes IV, V and VI to each new stationary source, within 1 year after entering into force;
- apply technological limit values for sulphur dioxide, NO_x and VOC at least as stringent as those specified in Annexes IV, V and VI to each existing stationary source, within 1 year after entering into force or before 31 December 2007 (whichever is the later), in so far as it is technically and economically feasible. In case of countries with an economy in transition, the deadline is eight years after the entry into force of the Protocol;
- reduce the sulphur content of gas oil to 0.2% by the time of entering into force or by 1 July 2000 (whichever is the later), and to 0.1% by 1 January 2008. Countries with an economy in transition may receive a five year extension; for the same dates and new mobile sources the limit values (for carbon monoxide, hydrocarbons, nitrogen oxides and solids) set in Annex VIII shall be applied;
- take measures to reduce VOC emission for the products which are not included in Annexes VI and VIII;
- apply at least the measures specified in Annex IX to reduce emission of ammonia.

A4. Specific provisions applying to Hungary

Apart from the country-specific total emission levels, the Protocol contains no specific provisions implying tasks different from the general ones for any group of countries, including Hungary.

A5. Financial and facilitating mechanisms

(See 1.)

A6. Further development of the legal instrument

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A7. The international organisation

Issues concerning this Protocol are also handled by bodies and working groups established under the Geneva Convention (see 1).

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The Government decided on signing the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone in Resolution 2321/1999. (XII. 7.) Korm. Ratification of the Protocol is in preparation.

B2. Implementation of the general objectives in Hungary

The emission levels to be reached until 2010 are set down in the Ministerial Joint Decree 7/2003. (V. 16.) KvVM-GKM on the total emission limit values for certain air pollutants.

These values are also included in the second National Environmental Programme. The development of the Programme for the Air Quality Protection, designated to facilitate the implementation by 2010 of the above mentioned Ministerial Joint Decree, is in progress.

The regulation of total emissions is also an important issue in the framework of the EU. The European Community became a Party to the Protocol by European Council Decision 2003/507.

Community's regulations related to total emissions had to be transposed in Hungary already by 2002 so that a significant part of the provisions of the Protocol adopted later was already reflected in the national legislation.

On 23 October 2001 Directive 2001/81/EC on emission ceilings for certain atmospheric pollutants entered into force, providing an appropriate foundation for taking further measures.

B3. Implementation of specific tasks in Hungary

The national action programme to be developed shall contain the details of the further measures and of the economic conditions necessary for the implementation of the Protocol.

In the implementation of the action programme production processes in the specific fields of economy that emit pollutants are becoming more up-to-date and place a reduced load on the environment.

B4. Contribution to the financial funds

(See 1.)

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

Hungary takes part in the work of the Executive Body and of the Working Group on Strategy and Review.

B7. Coordination in Hungary

MEW is responsible in co-operation with the Ministry of Economy and Transport and the Ministry Agriculture and Rural Development for coordinating the implementation of the Protocol as well as representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2004: Ministerial Decree 17/2004. (X. 18.) KvVM on the amendment of Ministerial Decree 10/2003. (VII. 11.) KvVM on the operation conditions and air pollutant emission limit values of combustion instruments with a nominal input thermal capacity of 50 MW_{th} or higher
- #2004: Ministerial Joint Decree 4/2004. (IV. 7.) KvVM-ESZCSM-FVM on the amendment of Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources of air pollutants
- #2003: Ministerial Decree 10/2003. (VII. 11.) KvVM on the operation conditions and air pollutant emission limit values of combustion instruments with a nominal input thermal capacity of 50 MW_{th} or higher
- #2003: Ministerial Joint Decree 7/2003. (V. 16.) KvVM-GKM on the total emission limit values of certain air pollutants
- #2002: Ministerial Decree 3/2002. (II. 22.) KöM on the technological requirements, operational conditions of waste incineration and the emission limit values of waste incineration
- #2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources
- #1999: Government Resolution 2321/1999. (XII. 7.) Korm. on signing the Protocol to the 1979 Geneva Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone
- *2000: Kovács, E., 2000: New International Agreement on Clean Air: the Gothenburg Protocol (H: Új nemzetközi megállapodás a levegőtisztaság-védelem területén, a Göteborgi Jegyzőkönyv). Energiagazdálkodás 41/3

2. PROTECTION OF THE OZONE LAYER

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention for the Protection of the Ozone Layer	
INTERNATIONAL	
* Adoption:	22 March 1985
* Venue:	Vienna (Austria)
* Entry into force:	22 September 1988
* Organisation:	UNEP
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	190 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	4 May 1988 (accession)
* Entry into force:	22 September 1988
* Promulgation:	16 February 1990

A2. 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 ozone layer is primarily caused by such pollutants with a long atmospheric residence time as refrigerating agents in cooling installations, propellant gases for various aerosols and extinguishing agents in fire fighting systems. Since the 1960s, these pollutants – ozone depleting substances (ODS) – 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, due to certain chemical processes, they contribute to the decomposition of ozone molecules.

Taking all of this into consideration, the Convention for the Protection of the Ozone Layer was adopted, the fundamental objectives of which are as follows [Art. 2]:

- co-operation by means of systematic observations, research and exchange of information in order to have a better understanding of the impact of human activities on the ozone layer, as well as the effects of the modification of the ozone layer on human health and the environment;
- adoption of appropriate legislative or administrative measures and co-operation of the Parties in harmonising appropriate 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.

A3. Specific commitments

This is a framework convention containing general provisions

The Convention calls for participation in coordinating observation and research programmes, for the voluntary reduction of the production of substances that deplete the ozone layer and for facilitating international scientific and technical co-operation.

The Convention envisages the development and adoption of more specific commitments in the form of Protocols and other legal instruments complementing the Convention.

Later on the Montreal Protocol and its amendments (see 2.a, 2.b) were adopted, making provisions for specific obligations and more stringent regulations.

A4. Specific provisions applying to Hungary

The Convention contains no specific provisions implying tasks different from the general ones for any group of countries, including Hungary. (The Montreal Protocol facilitates the implementation of the Convention have such specific provisions. See 2.a)

A5. Financial and facilitating mechanisms

The administrative tasks related to the Convention are covered from a Trust Fund; the Parties contribute to the costs on the basis of their respective UN scales of assessment [Art. 13]. Decisions concerning the Fund and the contributions are made by the Conference of the Parties to this Convention.

On the basis of the Montreal Protocol adopted later, the Multilateral Fund was set up, which facilitates the implementation of the Convention (by means of development and transfer of technologies, capacity building and relevant investments in the developing countries; see 2.a/A5).

A6. Further development of the legal instrument

To achieve the objectives of the Convention, the Montreal Protocol (see 2.a) – making provisions for specific commitments – and its further, more stringent amendments and adjustments (see 2.b) were later adopted.

A7. The international organisation

The Ozone Secretariat, working within UNEP, coordinates 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.

Representatives of the Convention co-operate with the representative organisations of the relevant industries and users.

The co-operation also concerns subsidiary bodies of the 1992 UN Framework Convention on Climate Change (see 3.), since ozone depleting substances controlled by the Convention and its Montreal Protocol and certain synthetic compounds produced to substitute these substances – and not falling under the scope of the present Convention and its Montreal Protocol – are greenhouse gases (with high global warming potential).

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

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

B2. Implementation of the general objectives in Hungary

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

In addition, representatives of Hungary joined international consultations related to the further development of the Convention and take part in the international exchange of information and co-operation in monitoring and research called for in the Convention (atmospheric ozone content and radiation measurements, related analyses, atmospheric chemistry research related to changes in upper-atmospheric ozone layer, analysis of the effects of UV-radiation).

B3. Implementation of specific tasks in Hungary

The Hungarian Meteorological Service measures the ozone content of the vertical air column over Budapest on a periodic basis and also UV-B radiation at several measuring points. Between May and September the population is periodically informed about the level of UV-B radiation.

B4. Contribution to the financial funds

(See 2.b/B4)

B5. Participation in international programmes

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

Protection of the ozone layer is an important task also in the framework of the EU. The European Community acceded to the Convention on 17 October 1988.

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations in co-operation with MET, which handles technologies related to ozone depleting substances and foreign trade issues.

(C) Legal instruments and other references

- #1990: Government Decree 31/1990. (II. 16.) MT on the promulgation of the Convention for the Protection of the Ozone Layer, signed in Vienna on 22 March, 1985
- *2003: Nagy Z., Z. Tóth, A. Bérces, L. Dobó, 2003: Can the Ozone Shield be Saved? (H: Sikerül-e megmenteni az ózonpajzsot?) Ministry of Environment and Water Management, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi, Gy., Faragó, T., Lakosné, H.A., 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest
- *1993: Rontó Gy., I. Horkai I., P. Németh, L. Gajzágó, 1993: Ozone Shield in Danger ? (H: Veszélyben az ózonpajzs?) Tájékoztató Füzetek 93/2, Ministry for Environment and Regional Policy, Budapest

2.a. REDUCING THE EMISSION OF OZONE DEPLETING SUBSTANCES

(A) Main features of the legal instrument and the international organisation

A1. 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
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	189 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	20 April 1989 (approval)
* Entry into force:	19 July 1989
* Promulgation:	28 February 1990

A2. Objectives

The fundamental objective of the Protocol formulated and adopted in the framework of the Vienna Convention (see 2.) – which, however, contains only general provisions – is to reduce the use of ozone depleting substances (ODS) and thus stop further dangerous reduction in the quantity of stratospheric ozone.

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

A3. Specific commitments

According to the Protocol, the Parties shall:

- ensure that the production and consumption of the five CFC compounds (“freons”) forming Group I of the controlled substances listed in Annex A shall not exceed the level of the year 1986 [Art. 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 the substances listed in Annex A shall not exceed the level of the year 1986 [Art. 2(2)];

- ensure a 20% reduction of production and consumption of the said CFCs not later than 30 June 1994 and 50% reduction before 30 June 1999 [Art. 2(3-4)];
- ban the import of the controlled substances from all states which are not Parties to the Protocol within one year from the date of entry into force of the Protocol [Art. 4(1)];
- refrain from providing new subsidies, aid, credits, guarantees or insurance programmes for the export of products, equipment, plants or technology to any state not Party to the Protocol, where the production of the regulated substances might be facilitated [Art. 4(6)];
- provide statistical data to the Secretariat on the production, import and export of each controlled substance in the year 1986 or the possible best estimated values where no actual data are available, within three months from adoption [Art. 7(1)];
- provide statistical data to the Secretariat on the annual production, import and export of such substances, separated by Party and non-Party partners within nine months of their accession to the Protocol and thereafter annually [Art. 7(2)];
- co-operate in promoting research, development and exchange of information and in raising the public awareness concerning the environmental impacts of the controlled substances and other substances damaging the ozone layer and submit a summary report to the Secretariat on such activities every two years [Art. 9].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The administrative tasks resulting from the Protocol are covered by the Trust Fund; the Parties contribute to the costs according to their UN scales of assessment. The decisions concerning the Fund and the amounts of contributions are made by the Conference of the 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 between 1991-1992, and the scale of mandatory contributions of the Parties was defined. The implementation of programmes aimed at substituting ozone depleting substances in eligible developing countries is also covered by this Fund. At the 1992 Meeting of the Parties to the Protocol held in Copenhagen, the Multilateral Fund was made final. The Fund is managed by a separate Executive Committee and is administered by a separate Secretariat. Four international agencies are participating in preparing the proposals submitted by developing countries to the Fund and in their implementation (UNEP, UNDP, UNIDO, World Bank).

A6. 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 definitively terminated within a short time.

A7. 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 working group set up by the Parties, assisted by various working bodies such as the Technology and Economic Assessment Panel, the Scientific Assessment Panel, the Environmental Impact Assessment Panel and the Implementation Assessment Panel. A separate body – the Executive Committee of the Multilateral Fund – manages Fund issues. Administrative tasks are performed by the Secretariat of the Convention, the Ozone Secretariat (see 2/A7).

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary acceded to the Protocol by approval on 20 April 1989. The Protocol was promulgated by Government Decree 35/1990. (II. 28) MT, followed by Government Decree 305/2004. (XI. 13.) Korm. providing for the re-promulgation – with consideration to the changes that have occurred.

B2. Implementation of the general objectives in Hungary

Hungary meets its obligations in the control of the consumption and trade of ozone depleting substances and fulfils other commitments specified in the Protocol.

B3. Implementation of specific tasks in Hungary

In order to perform specific tasks derived from the Protocol:

- the Ministry of Environment (MEW), jointly with the Ministry of Economy (MET), supervises the trade of the controlled substances and makes provisions that Hungary should not exceed the allowed quotas of consumption (Ministerial Decree 13/1992. (V. 12.) KTM, Ministerial Decree 22/1993. (VII. 20.) KTM, Government Decree 94/2003. (VII. 2.) Korm.);
- the Ministry of Environment and Water, jointly with the Ministry of Health (formerly the Ministry of Public Welfare) established and has been operating the monitoring and warning system of increased ultraviolet (UV-B) radiation since 1 May 1995;
- the MEW provides statistical data annually to the UNEP Ozone Secretariat.

B4. Contribution to the financial funds

Hungary contributes regularly to the Protocol's Trust Fund, and it is not in arrears of its payments.

Hungary also fulfils the payment commitments to the Multilateral Fund, and it is not in arrears of its payments.

B5. Participation in international programmes

To phase out ozone depleting substances, a national programme ("country programme") was prepared with Dutch assistance. To facilitate the phase-out, Hungary received a grant also from the Global Environment Facility.

Regulation of ozone depleting substances is an important issue also in the EU. The European Community joined the Protocol (by approval) on 16 December 1988. Implementation of both the general obligations set down in the Vienna Convention and the specific ones set down in the Protocol are prescribed in the European Parliament and Council Regulation 2037/2000/EC.

B6. Hungarian participation in the international organisation

During 1994-2002 László Dobó (MERP) was senior advisor to the Technology and Economic Assessment Panel; from 2003 Tamás Lotz continued to serve the Panel as advisor (representing the ministry of environment). In 2003-2004 Hungary was a member of the Executive Committee of the Multilateral Fund.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the national commitments under the Protocol as well as the preparation and presentation of the Hungarian position at international negotiations lies with MEW, in co-operation with the MET, which is in charge of issues relating to technology and trade of ozone depleting substances, and with MF and the Central Statistical Office.

(C) Legal instruments and other references

- #2004: Government Decree 305/2004. (XI. 13.) Korm. on the promulgation of the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September, 1987
- #2003: Government Decree 94/2003. (VII. 2.) Korm on ozone depleting substances
- #1990: Government Decree 35/1990. (II. 28.) MT on the promulgation of the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September, 1987
- *2003: Nagy Z., Z. Tóth, A. Bérces, L. Dobó, 2003: Can the Ozone Shield be Saved? (H: Sikerül-e megmenteni az ózonpajzsot?) MEW, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi Gy., T. Faragó, H. A. Lakos, 1994: International Conventions on Environmental Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). MERP, Budapest pp. 23-24
- *1993: Rontó Gy., I. Horkai I., P. Németh, L. Gajzágó, 1993: Ozone Shield in Danger? (H: Veszélyben az ózonpajzs?) Tájékoztató Füzetek 93/2, MERP, Budapest
- *1989: Lakosné, H.A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). MEW, Budapest, pp. 111-134

2.b. ENHANCEMENT OF THE EMISSION CONTROL OF OZONE DEPLETING SUBSTANCES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Adjustments and Amendments to the Montreal Protocol on Substances that Deplete the Ozone Layer		
INTERNATIONAL	<i>London Adjustment (a) and Amendment (b)</i>	
* Adoption:	29 June 1990	
* Entry into force:	(a) 7 March 1991	(b) 10 August 1992
HUNGARIAN		
* Ratification/approval:	(b) 9 November 1993 (approval)	
* Entry into force:	(a) 7 March 1991	(b) 7 February 1994
* Promulgation:	(a) 2 November 1991	(b) 13 June 1995
INTERNATIONAL	<i>Copenhagen Adjustment (a) and Amendment (b)</i>	
* Adoption:	25 November 1992	
* Entry into force:	(a) 22 September 1993	(b) 14 June 1994
HUNGARIAN		
* Ratification/approval:	(b) 17 May 1994 (accession)	
* Entry into force:	(a) 22 September 1993	(b) 15 August 1994
* Promulgation:	(a) 13 June 1995	(b) 13 June 1995
INTERNATIONAL	<i>Montreal Amendment (b)</i>	
* Adoption:	17 September 1997	
* Entry into force:	(b) 10 November 1999	
HUNGARIAN		
* Ratification/approval:	(b) 26 July 1999 (ratification)	
* Entry into force:	(b) 10 November 1999	
* Promulgation:	(b) 13 November 2004	
INTERNATIONAL	<i>Beijing Amendment (b)</i>	
* Adoption:	3 December 1999	
* Entry into force:	(b) 25 February 2002	
HUNGARIAN		
* Ratification/approval:	(b) 23 April 2002 (approval)	
* Entry into force:	(b) 22 July 2002	
* Promulgation:	(b) 13 November 2004	

A2. Objectives

London Adjustment and Amendment, 1990. In 1989 at the first meeting of the Conference of the Parties to the Montreal Protocol in Helsinki, the expected consequences of implementing the provisions contained in the Convention and Protocol were reviewed. It was affirmed that the production and consumption of ozone depleting substances (ODS) should be completely prohibited as soon as possible. The *Adjustment* tightens restrictions applicable to the substances listed in the Protocol, while the *Amendment* expands the list of controlled substances (new Annex B: ten additional halogenated hydrocarbons, carbon tetrachloride and methyl chloroform) and urges the strengthening of international co-operation in the research and introduction of substitute substances. Additionally, in order to facilitate the meeting of the commitments prescribed in the Protocol in developing countries - in the framework of the Amendment - an Interim Multilateral Fund was established. (The Adjustment only enters into force for countries adopting it separately, while the Amendment is obligatory for all Parties.)

Copenhagen Adjustment and Amendment, 1992. The more stringent provisions accelerated the schedule of the phasing out and banning of the consumption of controlled substances and extended the control to further substances. These latter compounds are “soft freons” (HCFC) for provisional substitution of CFCs, HBFC compounds and methyl-bromide. (New Annex C: 40 HCFCs in Group I and 34 HBFC compounds in Group II; new Annex E on methyl-bromide.) In addition, the interim financial mechanism – and within that the Interim Multilateral Fund – was made final and a preliminary sum was set for the period between 1994-1996. The deadlines for control were further tightened in 1995 (Vienna Adjustment).

Montreal Amendment, 1997. The Amendment calls for the development of a licensing system for the foreign trade of ODS in each Party, and for the control of trade with non-Parties.

Beijing Amendment, 1999. The Amendment included bromochloromethane among the controlled substances as a new substance.

A3. Specific commitments

London Adjustment and Amendment, 1990. According to the Adjustment and the Amendment, the Parties shall:

- (a) 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 the substances listed in Group I of Annex A (saturated CFCs);
- (b) reduce the consumption of the 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;
- (c) 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;
- (d) ensure that after 1 January 1995 the calculated annual level of consumption of the substance regulated in Group II of Annex B (carbon tetrachloride) 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;
- (e) ensure that after 1 January 1993 the calculated annual level of consumption of the substance regulated 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;

- (f) extend the commitment to supply statistical data to the new substances taken under control;
- (g) establish the Interim Multilateral Fund from the financial contributions of the Parties which do not belong to the developing countries defined in the framework of the Protocol.

Copenhagen Adjustment and Amendment, 1992. According to the Adjustments and the Amendment, Parties shall:

- (a) reduce the consumption of the controlled CFCs (Groups I of Annexes A and B) to 25% of the 1986 level after 1 January 1994 and terminate the consumption after 1 January 1996;
- (b) terminate the consumption of the controlled halons (Group II of Annex A) after 1 January 1994;
- (c) 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;
- (d) reduce the consumption of methyl-chloroform (1,1,1-trichloroethane, Group III of Annex B) to 50% of the 1989 level after 1 January 1994 and terminate its use after 1 January 1996;
- (e) ensure that the annual consumption of the controlled substances in Group I of the new Annex C (HCFCs) should not be more than the sum of 3.1% of the consumption in 1989 of the substances listed in Group I of Annex A (freons) plus the consumption in 1989 of the controlled substances listed in Group I of Annex C (HCFCs) after 1 January 1996;
- (f) ensure that the consumption of HCFCs after 1 January 2004 should not be more than 65% of the above mentioned consumption, 35% after 1 January 2010, 10% after 1 January 2015, 0.5% after 1 January 2020 and their use shall be prohibited after 1 January 2030;
- (g) ensure that the consumption of the controlled substances listed in Group II of Annex C (HBFCs) is prohibited after 1 January 1996;
- (h) 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;
- (i) extend the data reporting commitments to the new substances taken under control; in these reports, the volumes used as (chemical) feedstock, the destroyed (by approved methods) and reused (recycled, regenerated) quantities shall be presented separately.

Montreal Amendment, 1997. The obligations set in the Amendment are the following:

- (a) prohibition of the import of methyl bromide (Annex E) from non-Party countries;
- (b) prohibition of the export of methyl bromide (Annex E) to non-Party countries;
- (c) the Protocol prohibits the export of technologies that are applicable for the production of CFCs, halons or HBFCs to non-Party countries, and the Amendment extends this prohibition also to methyl bromide;
- (d) the Protocol makes an exception in the case of the trade with non-Parties if the non-Party fulfils all the obligations set in the Protocol for all controlled substances, and the Amendment extends this exception also to methyl bromide;
- (e) for the control and monitoring of the trade of controlled substances, a licensing system shall be developed and implemented after 1 January 2000.

Beijing Amendment 1999. The obligations set in the Amendment are the following:

- (a) extension of the restrictions that apply to producers of ODS also to HCFCs;

(b) extension of the scope of application for standards more stringent than the provisions of the Protocol, and a prohibition on the production and utilisation of bromochloromethane after 1 January 2002;

(c) prohibition on the foreign trade of HCFCs, bromochloromethane, that is, prohibition of the export of the technology for the production or utilisation of such substances or of providing subsidies for such purpose;

(d) Substitution of bromochloromethane may be funded from the Multilateral Fund.

A4. Specific provisions applying to Hungary

London Amendment, 1990. On the basis of the use of ODS per capita and of GDP, Hungary was included among the developed countries contributing to the Multilateral Fund.

A5. Financial and facilitating mechanisms

London Amendment, 1990. Countries with economies in transition – including Hungary – are entitled to GEF subsidies, and Hungary was subsidised by the GEF in order to fulfil its international obligations in relation to ozone depleting substances.

A6. Further development of the legal instrument

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A7. The international organisation

(See 2.2.a./A7)

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

London Adjustment and Amendment, 1990. The Adjustment entered into force for all Parties to the Protocol on 7 March 1991; Hungary approved 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 Government Decree 141/1991. (XI. 2.) Korm. and by Government Decree 67/1995. (VI. 13.) Korm., respectively.

Copenhagen Adjustment and Amendment, 1992. The Adjustment entered into force on 22 September 1993 for all Parties; Hungary approved the Amendment on 17 May 1994 and it entered into force on 15 August 1994.

Montreal Amendment. Hungary ratified the Amendment on 26 July 1999 and it entered into force on 10 November 1999.

Beijing Amendment. Hungary approved it on 23 April 2002 and it entered into force on 22 July 2002; it was promulgated by Government Decree 305/2004. (XI. 13.) Korm.

B2. Implementation of the general objectives in Hungary

Hungary meets all its commitments specified in the Adjustments and the Amendments. None of the controlled substances have been produced in Hungary; the amount necessary for

utilisation is procured by imports. The departments in charge of the implementation took measures to inform major users and traders about the regulations and to monitor the implementation of the provisions.

B3. Implementation of specific tasks in Hungary

London Adjustment and Amendment, 1990. In 1992 a Decree was issued for the implementation of the tasks prescribed (Ministerial Decree 13/1992. (V. 12.) KTM), and using it as a basis, the ministry of environment, jointly with the ministry of economy, supervises the foreign trade of the controlled substances.

Copenhagen Adjustment and Amendment, 1992. The environmental inspectorates control the use of the controlled substances, and the ministry of environment, jointly with the ministry of economy, is supervising the foreign trade of the controlled substances on the basis of Ministerial Decree 22/1993. (VII. 20.) KTM (making provisions not to exceed the allowed quotas for use). In order to facilitate the fulfilment of its obligations, Hungary applied for and received funding from the GEF. The USD 6.9 million funding ensured the financing of 14 projects aimed at substituting the controlled substances. This funding, especially in the view of the tightening of regulations and deadlines set down in the Amendment is of great significance for the fulfilment of the obligations.

Montreal Amendment, 1997. In order to implement the regulations and other tasks resulting from the Amendment, the utilisation of the controlled substances was supervised by the environmental inspectorates. At the time the Hungarian licensing system has already included the complete prohibition of foreign trade in controlled substances with non-Parties. In the case of the relevant technologies, no separate regulation was necessary, since neither the controlled substances nor the technologies that are used for their production were produced in Hungary. The regulations on the control of trade in the controlled substances entered into force already in 1993. According to Government Decree 112/1990. (XII. 23.) Korm. (amended on several occasions, MET Office of Licensing and Public Administration issues licenses on the basis of the official expert opinion of MEW.

Beijing Amendment. None of the substances mentioned in the Amendment have been produced in our country. The prohibition on the use of bromochloromethane was already implemented after 1 January 2002 by the prohibition on the use of the substance by EU Regulation 2037/2000 (EC) after 1 January 2002, and in the course of legal harmonisation Government Decree 94/2003. (VII. 2.) Korm. also placed a prohibition on the use of the compound. Hungary also takes part in two regional projects on the substitution of methyl bromide.

The above mentioned Government Decree 94/2003. (VII. 2.) Korm. placed all previous regulation out of effect and placed all norms concerning the controlled substances into a single framework, which reflects the deadlines resulting from the Adjustments and Amendments Hungary has adopted and designates the organisation in charge of supervision (national environmental inspectorate). It is prohibited to produce or – with few exceptions – discharge into the environment any of the chemical substances. In the field of utilisation tight deadlines and time limit exceptions are given.

B4. Contribution to the financial funds

According to the London Amendment (1990) the Hungarian payment commitment to the Multilateral Fund between 1991-2003 was altogether USD 3,028,107 (USD 232,468 in 2003).

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

London Amendment, 1990. In 2003-2004 Hungary was a member of the Executive Committee of the Multilateral Fund.

Copenhagen Amendment, 1992. In 1994 the Technology and Economic Assessment Panel initiated a survey on the expectable situation of the implementation of the Protocol and the more stringent Amendment in countries with economies in transition. By the choice of the Committee, the co-president of the working group of the survey was László Dobó (as the representative of MERP).

There have been two Hungarian members of TEAP and one member of RTOC.

B7. Coordination in Hungary

(See 2a./B7)

(C) Legal instruments and other references

- #2003: Government Decree 94/2003. (VII. 2.) Korm. on ozone depleting substances
- #1995: Government Decree 67/1995. (VI. 13.) Korm. on the promulgation of Amendments to the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September 1987
- #1994: Ministerial Decree 28/1994. (VIII. 12.) KTM on the amendment of Ministerial Decree 12/1993. (VII. 20.) KTM on implementing the international Convention for the Protection of the Ozone Layer as amended by Ministerial Decree 19/1994. (VI. 8.) KTM
- #1994: Ministerial Decree 19/1994. (VI. 8.) KTM on the amendment of Ministerial Decree 22/1993. (VII. 20.) KTM providing for the implementation of the international Convention for the Protection of the Ozone Layer
- #1993: Ministerial Decree 22/1993. (VII. 20.) KTM on the implementation of the international Convention for the Protection of the Ozone Layer
- #1992: Ministerial Decree 13/1992. (V. 12.) KTM on the implementation of the international Convention for the Protection of the Ozone Layer
- #1991: Government Decree 141/1991. (XI. 2.) Korm. on the promulgation of the Adjustment and Amendment of the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September 1987
- #1990: Government Decree 112/1990. (XII. 23.) Korm. on the export and import of goods, services and rights representing material values
- *2003: Nagy Z., Z. Tóth, A. Bérces, L. Dobó, 2003: Can the Ozone Shield be Saved? (H: Sikerül-e megmenteni az ózonpajzsot?) Ministry of Environment and Water Management, Budapest
- *1995: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1993: Rontó Gy., I. Horkai I., P. Németh, L. Gajzágó, 1993: Ozone Shield in Danger ? (H: Veszélyben az ózonpajzs?) Tájékoztató Füzetek 93/2, Ministry for Environment and Regional Policy, Budapest

3. STABILISATION OF GREENHOUSE GAS EMISSIONS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

United Nations Framework Convention on Climate Change	
INTERNATIONAL	
* Adoption:	9 May 1992
* Venue:	New York
* Entry into force:	21 March 1994
* Organisation:	UN
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	189 (incl. EC)
HUNGARIAN	
* Signature:	13 June 1992
* Ratification/approval:	24 February 1994 (ratification)
* Entry into force:	25 May 1994
* Promulgation:	28 September 1995

A2. Objectives

During the last 100-150 years, primarily because of fossil fuel combustion, the amount of atmospheric carbon-dioxide increased significantly, and due to the enhanced atmospheric greenhouse effect, the risk of global climate change has increased. The emission of other greenhouse gases also rose significantly because of anthropogenic activities (methane, nitrous-oxide, etc). At the same time, basically due to large-scale deforestation, the carbon-dioxide absorbing and storing capacity of Earth's vegetation cover, playing a significant role in the removal of carbon-dioxide from the atmosphere, has decreased.

The ultimate objective of the Convention is the stabilisation of the atmospheric concentrations of the said gases at a level that prevents the climate system – consequently, the Earth's environment – from the dangerous interference by human activities [Art. 2]. Such interference would lead to substantial changes in global and regional climatic characteristics and significant impacts on the ecological systems and societies, especially because of their limited capability to adapt to changes in the environmental conditions. Since there are still substantial scientific uncertainties on the concrete implications of the enrichment of the greenhouse gases in the atmosphere, the Convention is based on the precautionary approach.

The Convention was opened for signature in 1992 during the UN Conference on Environment and Development. 189 states are Parties to it, including all industrialized countries.

A3. Specific commitments

Based on the principle of common but differentiated responsibility, the Convention claims that countries which are responsible for the largest share of the historical anthropogenic emissions of greenhouse gases shall take the lead in combating climate

change, primarily by controlling their emissions. The Convention sets out as a specific (however, legally not binding) task for both the most developed countries and for countries with economies in transition (in Central and Eastern Europe) that their annual national greenhouse gas emissions should not exceed the 1990 levels by the year 2000 [Art. 4 (2/b)]. These countries are listed in Annex I (the list was partly modified after 1992). Furthermore, each Party – including developing countries – have obligations of general nature relating to their current and future climate change mitigation and adaptation activities [Art. 4 (2/a)].

Furthermore, each Party shall develop a programme to promote the implementation of the Convention [Art. 4 (2/a)], periodically submit a national report [Art. 4 (2/b)] and an annual inventory of the emissions to the Secretariat of the Convention.

A4. Specific provisions applying to Hungary

Countries with economies in transition may, to a certain degree of flexibility depart from the general provisions in the implementation of their commitments, in particular those related to the control of their emissions [Art. 4 (6)].

A5. Financial and facilitating mechanisms

The administrative expenses of implementing the Convention are covered from the Convention budget, which is based on the set amount of contribution by the Parties. In order to assist in the implementation of the obligations of developing countries, and of Parties with economies in transition, the Convention has established a financial mechanism, which is operated by the Global Environment Facility (GEF). The developed countries listed in Annex II to the Convention provide financial contributions to the GEF (other Parties may voluntarily contribute). Two additional funds to facilitate the implementation of the Convention – the Special Climate Change Fund and the Least Developed Country Fund – were established.

A6. Further development of the legal instrument

During its first session (Berlin, 1995), the Conference of the Parties (COP) decided to launch negotiations on further actions to control the greenhouse gas emissions, which resulted in the adoption of the Kyoto Protocol in 1997 (see 3a).

A7. The international organisation

The supreme decision-making body of the Convention is the COP, which holds its plenary meetings on an annual basis. The work of the Conference is supported by the Secretariat and two permanent bodies: the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body on Implementation. Because of its global environmental, socio-economic and technological aspects, many international organisations are giving specific attention to the problems covered by this Convention (e.g., the OECD, the EU, specialised agencies and programmes of the UN). The COP maintains a close co-operation with the IPCC.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

According to the official statement by the Government issued in April 1992, the anthropogenic carbon-dioxide emissions in Hungary in the year 2000 would not exceed the average annual level for the period between 1985-1987. The Convention was signed by the

President of Hungary at the UN Conference on Environment and Development on 13 June 1992. The Parliament passed a unanimous resolution on 22 December 1993 on the ratification of the Convention, and the ratification instrument was deposited in February 1994. The Convention was promulgated by Act LXXXII of 1995.

B2. Implementation of the general objectives in Hungary

In the course of examining the feasibility of meeting the planned emission stabilisation target (during the negotiations of the Convention) – with different economic scenarios – two alternatives were analysed: one with "no measures taken" and an energy saving alternative. The latter was based on the objectives of a projected National Energy Saving and Energy Efficiency Improvement Programme. Following the economic relapse lasting until the early 1990s, a much less energy-intense structure of economy was formed. As a consequence, by the turn of the millennium the emission levels stayed much below the average emission level of the reference period (1985-1987). (Information on the national emission data and measures is available at the homepage of the Convention: unfccc.int).

B3. Implementation of specific tasks in Hungary

The major objectives of the programme on energy efficiency mentioned above are to protect the environment, to decrease the dependence on imported fuels, to save the national energy resources, to increase the competitiveness of the economy, and to adapt to the energy policy of the EU and the OECD/IEA recommendations. Beside the earlier national programme and funding schemes, the development of a new programme on the use of renewable energy sources is also in progress. The Second National Environmental Programme (2003-2008) and its thematic programme on climate change provide comprehensive tasks also in other sectors. The reforestation programme contributes to the strengthening of the carbon-dioxide absorption and storing capacities. The national reports ("communications") reviewing the implementation of the Convention and the inventories of annual emissions were regularly prepared and submitted to the Secretariat.

B4. Contribution to the financial funds

Hungary fulfils its obligation of annual payment to the Convention's administrative financial fund. Hungary also acceded to the financial mechanism of the Convention operated by the GEF and received funding for projects that aided the analysis and control of national emissions. Hungary has no financial commitment to this fund.

B5. Participation in international programmes

The Dutch Government provided political and expert assistance in the course of preparing the national position at the negotiations during 1991/92. The contribution of the Government of Norway was also significant for outlining the strategy concerning the long-term energy-environment relationship in Hungary and the contribution of the USA for improving the compilation of the first national emissions inventory and the report on relevant policies and measures. To facilitate co-operation among the developed (Annex I) countries, the OECD and the IEA launched a specific programme, in which Hungary also participates. The EU member states and the associated countries had already co-operated on these issues much before the accession of the latter countries. After the EU enlargement in 2004, all these countries have been following the extending set of the Community's objectives and

regulations under the European Climate Change Programme, the emission monitoring directive, the directive introducing a community-level system of “emission trading” etc. Several other EU’s programmes and legal instruments deal indirectly with the control of emissions (e.g. those related to energy management).

B6. Hungarian participation in the international organisation

The first chairman (1995-1997) of the Subsidiary Body for Scientific and Technological Advice of the COP and also a member of the Bureau of the COP at the same time was Tibor Faragó, the representative of the ministry of environment. In December 2003 Miklós Persányi, minister of environment and water, was elected as chairman of the 9th session of the Conference.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations, in co-operation with other relevant ministries. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2003: Parliament Resolution 132/2003. (XII. 11.) OGY on the National Environmental Programme for the period between 2003 and 2008
- #1995: Act LXXXII of 1995 on the promulgation of the UN Framework Convention on Climate Change
- #1993: Government Resolution 1024/1993 (IV. 2.) Korm. on the tasks arising from the agreements accepted by the 1992 UN Conference on Environment and Development (not in force anymore)
- *2003: Faragó, T., A. Kerényi (eds.), 2003: International Co-operation for the Reduction of the Threats of Climate Change and the Emissions of Greenhouse Gases (H: Nemzetközi együttműködés az éghajlatváltozás veszélyének, az üvegházhatású gázok kibocsátásának csökkentésére). Ministry of Environment and Water Management and University of Debrecen
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi Gy., T. Faragó, H. A. Lakos, 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest
- *1992: Faragó T., T. Pálvölgyi (eds.), 1992: UN Framework Convention on Climate Change. (H: Az Egyesült Nemzetek Szervezetének Keretegyezménye az Éghajlatváltozásról). National Precom on UNCED, Budapest
- *1991: Faragó, T., Zs. Iványi., S. Szalai (eds.), 1991: Climate variability and change: changes in composition of the atmosphere and in the climate characteristics; detection, modeling, scenarios and impacts of the changes (H: Az éghajlat változékonysága és változása: a légkör összetételének és az éghajlat jellemzőinek változása, a változások megfigyelése, modellezése, előrejelzése és hatásai). Ministry of Environment and Regional Development – Hungarian Meteorological Service, Budapest

3.a. REDUCING THE EMISSION OF GREENHOUSE GASES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Kyoto Protocol to the UN Framework Convention on Climate Change	
INTERNATIONAL	
* Adoption:	11 December 1997
* Venue:	Kyoto (Japan)
* Entry into force:	16 February 2005
* Organisation:	UN
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	163 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	21 August 2002 (accession)
* Entry into force:	16 February 2005
* Promulgation:	

A large number of the developing countries and the majority of the developed countries ratified the Protocol by 2004. One of the conditions of entry into force of the Protocol was that at least as many of the Parties listed under Annex I should adopt it which account for at least 55 per cent of the total carbon dioxide emissions in 1990 by all these countries. Since the USA (and Australia) refused to ratify the Protocol, entry into force depended on the Russian Federation, which decided on ratification in November 2004. The Protocol entered into force on 16 February 2005 and now there are 163 Parties to it, including the European Community.

A2. Objectives

Negotiations on the more specific obligations concerning the reduction of emissions began on the basis of the decision made at the first session (1995) of the Conference of the Parties (COP) to the UN Framework Convention on Climate Change. The most significant provision of the Protocol, adopted in December 1997, makes provisions for an average 5.2% reduction of emission levels for developed countries and countries with an economy in transition listed in Annex I for the period between 2008-2012, as an annual average, compared to the emission level of 1990 [Art. 3(1)].

A3. Specific commitments

The Protocol introduces concrete and legally binding objectives, measures and instruments for the countries listed in Annex I, by which they may control the anthropogenic emission of greenhouse gases and facilitate the removal of the carbon-dioxide from the atmosphere (by the better protection and enhancement of their sinks). The latter concerns

mainly the forests that play a significant role in the sequestration of atmospheric carbon dioxide and aims to strengthen their carbon dioxide absorption and carbon storing capacities. Thus, the Protocol deals with the control of “net emissions”. More specifically, the main obligations, conditions and supplementary provisions are summarized below:

- The regulation concerns six specifically named (Annex A) greenhouse gases or gas groups in a way that they should be calculated in equivalence to the greenhouse effect of carbon dioxide (Global Warming Potential, GWP); these six gases are the following: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and three fluor compounds or groups (hydrofluorocarbons /HFCs/, perfluorocarbons /PFCs/, sulphur hexafluoride /SF₆/).
- These countries took different commitments concerning the control of emissions, which are set down in Annex B of the Protocol. Most of them took a commitment of 5-8% reduction, but in some cases the commitments entail the limitation of raising emissions or their stabilisation. The then 15 member states of the EU jointly accepted an average 8% reduction [Art. 4], with significant differences between the individual member states. (All the EU member states at the same time and also the European Community itself acceded to the Protocol by approval in 2002, setting down the specific obligations on control of emissions for each state (“burden sharing”).
- The provisions allow for certain activities related to sinks (basically the strengthening of the carbon dioxide absorbing and storing capacity of forests) to be taken into account [Art-s 3 (3) and 3 (4)].
- The Protocol introduces three supplementary instruments or “flexibility mechanisms” (Kyoto Mechanisms). This means that a developed country may partly meet its commitment by taking into account the emission reduction in other countries as its own, either by investing in an emission reduction project or by buying emission “quotas”. [Art-s 6, 12, and 17]. In the case of “Joint Implementation” the emission reduction investment is realised in a country with an economy in transition, in the case of “Clean Development Mechanism”, in a developing country, while “Emission Trading” makes it possible to trade emission entitlements (rights) between developed countries.
- In preparing emission inventories, taking into consideration the much more complex regulations on emissions (e.g., taking sinks into account) the Protocol provides for a more detailed implementation. [Art-s 5, 7, 8].
- The Protocol includes a list of the policies and measures, which should be given a higher priority in the interest of controlling emissions [Art. 2].

A4. Specific provisions applying to Hungary

The provision – in accordance with other provisions of the Convention – that countries with an economy in transition may be allowed a certain degree of “flexibility” in their implementation of their obligations on the control of emissions [Art. 3 (6)] is still in effect.

A5. Financial and facilitating mechanisms

The Protocol makes mention of several areas where the support of developing countries is necessary so that they may be able to fulfil their obligations and, for example, increase their capacities to adapt to the changing environmental conditions. The COP passed a decision on

setting up three new financial-supporting funds in 2002, partly in connection with the Convention, partly with the Protocol; the Adaptation Fund was set up under the Protocol.

A6. Further development of the legal instrument

At the 2001 session of the COP (Marrakech) detailed regulations on the implementation of the key provisions of the Kyoto Protocol were adopted. These include: measures to control and to take into account the sinks; rules of application of the “flexibility mechanisms”, methods of preparation of emission inventories, the implications of “non-compliance” and further funds for the support of developing countries in the implementation of their tasks.

A7. The international organisation

The supreme decision-making body of the Protocol is also the Convention’s COP when it assembles as the Meeting of the Parties (MOP) to the Protocol. The organisations set up under to the Convention (Secretariat, permanent bodies) also assist the implementation of the Protocol.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary did not sign the Protocol; accession was realised in 2002 by the resolution of the Parliament.

B2. Implementation of the general objectives in Hungary

In conformity with Annex B of the Protocol, Hungary accepted that its emissions between 2008-2012 should not exceed 94% of the earlier reference level (set as for the period between 1985-1987 by the Convention). Due to the significant change in the structure of the economy and the different programmes that also aimed at the control of emissions, annual emissions have been and shall be at the end of the decade significantly lower than this earlier level.

B3. Implementation of specific tasks in Hungary

A specific thematic action programme on climate change was adopted in the framework of the Second National Environmental Programme, which identified relevant comprehensive and sectoral tasks for the period between 2003-2008. Certain sectoral strategies and programmes – especially in the field of energy management – involve targets and tasks that directly affect the greenhouse gas emissions.

Under the auspices of the Hungarian Academy of Sciences and with the support of the MEW, a complex scientific project was completed on the expected impacts of climate change in Hungary and the possibilities of preparing for them. There are also many research projects on environmental protection, agriculture, water management and nature conservation approved within the National Research and Development Programme that are directly related to the topic of climate change.

According to the supplementary mechanisms introduced by the Kyoto Protocol, initiatives were made for a number of investments aiming at the reduction of emissions to be recognised as joint implementation projects.

B4. Contribution to the financial funds

Hungary contributes to the administrative budget of the Kyoto Protocol in accordance to the agreed scale of contributions.

B5. Participation in international programmes

The European Community has also acceded to the Protocol (Council Decision 2002/358/CE, 25 April 2002). The EU's climate change programme provides a general policy framework for the member states. In connection with this and other relevant community programmes and regulations, Hungary has specific tasks concerning, *inter alia* the ratio of renewable energy sources in electricity production, the participation in the Community's emission trading scheme (Directive 2003/87/EC and the detailed monitoring of emissions).

B6. Hungarian participation in the international organisation

In the preparatory period of the Kyoto Protocol, between 1995-1997 Tibor Faragó was member of the Bureau of the COP and first chairman of its Subsidiary Body for Scientific and Technological Advice.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument. To facilitate the implementation of certain provisions of the Protocol and the related EU's regulations, in 2003 an interministerial committee was set up ("Interministerial Committee on the Kyoto Mechanisms").

(C) Legal instruments and other references

- #2003: Parliament Resolution 132/2003. (XII.11.) OGY on the National Environmental Programme for the period between 2003 and 2008
- #2002: Parliament Resolution 49/2002. (VII. 19.) OGY on accession to the Kyoto Protocol adopted at the third Conference of the Parties to the United Nations Framework Convention on Climate Change in 1997; Government Resolution 2101/2002. (IV. 12.) Korm. on accession to the Kyoto Protocol
- *2003: Faragó T., A. Kerényi (eds.), 2003: International Co-operation for the Reduction of the Threats of Climate Change and the Emissions of Greenhouse Gases (H: Nemzetközi együttműködés az éghajlatváltozás veszélyének, az üvegházhatású gázok kibocsátásának csökkentésére). Ministry of Environment and Water Management and University of Debrecen
- *1998: Faragó T. (ed.), 1998: Reduction of the Emission of Greenhouse Gases: the Kyoto Protocol to the UN Framework Convention on Climate Change and tasks for Hungary (H: Az üvegházhatású gázok kibocsátásának csökkentése: Kiotói Jegyzőkönyv az ENSZ Éghajlatváltozási Keretegyezményéhez és a hazai feladatok). Hungarian Commission on Sustainable Development, Budapest

4. PROTECTION OF TRANSBOUNDARY WATERCOURSES AND INTERNATIONAL LAKES

(A) Main features of the legal instrument and the international organisation

A1. 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:	6 October 1996
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	35 (incl. EC)
HUNGARIAN	
* Signature:	18 March 1992
* Ratification/approval:	2 September 1994 (approval)
* Entry into force:	6 October 1996
* Promulgation:	11 July 2000

A2. Objectives

The main reason leading to the drafting of the Convention was the fact that all over Europe the condition of surface and subsurface waters has deteriorated to a great degree because of increasing pollution and careless use. The 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 territories. Direct impacts on transboundary waters have nonetheless increased, and for that reason, mainly the "downstream" countries along the lower stretches of watercourses faced growing difficulties.

Concluding bilateral and multilateral transboundary water agreements became general practice in Europe, which practice also extends at various degrees to water protection and management. 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 actually improving the quality of transboundary waters. Because of the differences in measuring and observation methods, even the qualification of transboundary waters on an identical basis proves quite difficult.

According to the Convention, the Parties shall take all appropriate measures to prevent, control and reduce any transboundary impact, in particular through bilateral and multilateral agreements by Riparian Parties (countries bordering the same transboundary waters), in order to develop harmonized policies, programmes and strategies covering the relevant catchment areas, or parts thereof, aimed at the prevention, control and reduction of such impacts. The

adverse transboundary impacts may damage 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 use of water).

A3. Specific commitments

The Parties – applying the precautionary and the “polluter pays” principles and taking into account the interest of future generations – shall take all measures to

- prevent, control and reduce the pollution of waters causing or likely to cause transboundary impact;
- ensure that transboundary waters are used with the aim of ecologically sound and rational water management, the conservation of water resources and environmental protection;
- ensure that transboundary waters are used in a reasonable and equitable way, taking into particular account their transboundary character, in the case of activities which cause or are likely to cause transboundary impact
- ensure the conservation and, where necessary, restoration of ecosystems.

In order to meet these commitments, the Parties shall:

- take relevant legal, administrative, economic, financial and technical measures, including low- and non-waste technology;
- set limits for waste-water discharges (especially for discharges of hazardous substances) based on the best available technology;
- co-operate in the monitoring and evaluation of transboundary waters and also in research and development and provide for the widest exchange of information.

Furthermore, the Convention

- provides for reducing the risk of accidental pollution and critical situations in connection with the transboundary impacts, including the operation of warning and alarm systems;
- makes special provisions for consultation, exchange of information and mutual assistance;
- emphasises the importance of informing the public and prescribes that the criteria of water-quality objectives, permits, regulations, information on measures and results of water and effluent samplings shall be made available to the public.
- provides for the settlement of debates.

The framework Convention refers to the bilateral and multilateral transboundary water agreements only in general, leaving open the possibility to introduce 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 multi-lateral agreements later on with wider regional or substantial authority and new approaches.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Expenses of the administrative tasks of the Convention are planned and settled in the UNECE budget. To facilitate the fulfilment of certain tasks, a financial fund (deposit fund) based on voluntary contributions was also set up. The financial background of the professional co-operation to be realised under the scope of the Convention is provided by the “programme leading countries” and the relevant participating countries.

A6. Further development of the legal instrument

Based on the framework convention, a number of bilateral and multilateral transboundary water agreements were and are being formulated (e.g. the Danube River Protection Convention in 1994, see 5). The provisions of the Convention were taken into account in the formulation of the EU’s Water Framework Directive as well.

In connection with the Convention, two supplementary legal instruments were developed, the Protocol on Water and Health signed in 1999 and entered into force on 4 August 2005 (see 4.a) and the Civil Liability Protocol signed in 2003 (see 4.b) that has not entered into force yet.

A7. The international organisation

The decision making body of the Convention is the Meeting of the Parties, which holds its meetings every three years. The Executive Secretary of UNECE is responsible for performing the secretariat functions of the Convention.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The representative of Hungary signed the Convention on 18 March 1992. The instrument of approval was deposited on 9 September 1994. The Convention entered into force for Hungary on the date of its international entry into force, 6 October 1996.

B2. Implementation of the general objectives in Hungary

It is Hungary's definite interest to participate in the Convention: about 96 % of the country's surface waters originate from abroad; therefore Hungarian participation in a European framework agreement that may contribute to the reduction of unfavourable transboundary effects on water is justified. In view of this, Hungary closely follows the objectives and general provisions of the Convention in the course of the development of the co-operation with countries related to its transboundary waters.

B3. Implementation of specific tasks in Hungary

The general obligations set in the Convention were taken into consideration in the formulation and implementation of Hungarian programmes of implementation, development and co-operation on transboundary waters.

The Danube Convention was formulated in 1994 conforming to the objectives of this framework agreement and according to the provisions relating to strengthening the bilateral and multilateral co-operation (see 5).

B4. Contribution to the financial funds

Administrative expenses of the Convention are settled from the UNECE budget, and Hungary fulfils its obligations of payment to the required measure.

B5. Participation in international programmes

Hungary is participating in numerous bilateral and multilateral co-operation programmes with Danubian countries and other transboundary watercourses, the implementation of which also contributes to meeting the commitments undertaken in the Convention. Hungary is an active participant of the professional work being carried out in the framework of the Convention.

B6. Hungarian participation in the international organisation

Currently, Hungary is a member of the bureau of the Convention. Hungary coordinated the formulation of the Protocol on Water and Health and is currently the head of the temporary working group dealing with the implementation of the Protocol. Furthermore, Hungary has a deputy head position in the Working Group on Monitoring and Assessment.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2000: Government Decree 130/2000 (VII. 11.) Korm. on the promulgation of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, signed in Helsinki, on 17 March 1992
- #1994: Government Resolution 3209/1994. (VI. 16.) Korm. on the confirmation of the accession to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, signed in Helsinki, on 17 March 1992
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi Gy., Faragó T., Lakosné H.A., 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest
- *1991: Mihályfi Árpádné (ed.), 1991: International Conventions with Hungarian Participation: Environment Protection, Architectural Monument Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem, műemlékvédelem). Ministry for Environment and Regional Policy, Budapest, pp. 54-86

4.a. WATER AND HEALTH

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes	
INTERNATIONAL	
* Adoption:	17 June 1999
* Venue:	London (United Kingdom)
* Entry into force:	4 August 2005
* Organisation:	UNECE and WHO Regional Office for Europe
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	17 (signed by 36 countries)
HUNGARIAN	
* Signature:	17 June 1999
* Ratification/approval:	7 December 2001 (approval)
* Entry into force:	4 August 2005
* Promulgation:	

A2. Objectives

The availability of water in sufficient quantities and quality is a prerequisite for all forms of life. The lack of water and drinking water of insufficient quality is the cause of innumerable diseases. 1.1 billion people on Earth have no healthy drinking water available and 2.4 billion live without basic hygienic conditions. The number of cases of diarrhoea connected to this is estimated to be 4 billion every year, which took the life of 2.1 million people in 2000 – 85% of them children younger than 5. These problems are not unknown in the Pan-European region either. Especially the Central and Eastern European countries, among them mainly the Central Asian republics in the Commonwealth of Independent States struggle against disease resulting from the environmental problems caused by the growing pollution of the water supplies. In view of these, the objective of the Protocol is to promote at all appropriate levels, nationally as well as in transboundary and international contexts, the protection of human health and well-being, both individual and collective, within a framework of sustainable development, through improving water management, including the protection of water ecosystems, and through preventing, controlling and reducing water-related disease. In the course of this, besides the well-known principles – the precautionary principle and the "polluter pays" principle – the Parties should take into consideration the following principles:

- States have the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction;
- the principle of sustainable development (water management shall serve the needs of the present generation without compromising the ability of future generations to meet their own needs);

- taking into consideration the social, economic and environmental values of water in the most acceptable and sustainable combination of those values;
- ensuring access to information and public participation in decision-making concerning water and health;
- water resources should, as far as possible, be managed in an integrated manner on the basis of catchment areas, together with regulatory measures concerning other environmental mediums;
- the principle of equity (equitable access to water, adequate in terms both of quantity and of quality, should be provided for all members of the population, especially those who suffer a disadvantage or social exclusion).

A3. Specific commitments

According to the Protocol, the Parties shall:

- make it their aim that everyone have access to healthy drinking water and waste-water disposal/management system and take all appropriate measures to prevent, control and reduce water-related disease within a framework of integrated water-management systems aimed at sustainable use of water resources, ambient water quality which does not endanger human health and protection of water ecosystems;
- take measures in order to reach the following aims:
 - ensure adequate supplies of wholesome drinking water which is free from any micro-organisms and substances which constitute a potential danger to human health;
 - establishment, improvement and maintenance of collective systems that provide for the collection, transport and treatment of waste-water that provide adequate sanitation of a standard which sufficiently protects human health and the environment;
 - effective protection of water resources used as sources of drinking water and their related water ecosystems from pollution, including agricultural, industrial and other kinds of discharges and emissions of hazardous substances;
 - safeguards for human health against water-related disease arising from the use of water for recreational purposes;
 - effective systems for monitoring situations likely to result in outbreaks or incidents of water-related disease and for responding to such situations;
- subject the measures above to previous impact analysis, taking into consideration all their effects on human health, water resources and sustainable development;
- take all appropriate action to create legal, administrative and economic frameworks within which the public and private sectors can each make their contribution to improve water management for the purpose of preventing, controlling and reducing water-related disease
- require public authorities which are considering to take action, or approving the taking actions by others, that may have a significant impact on the environment of waters within the scope of this Protocol to take due account of any potential impact of that action on public health
- in order to prevent water-related disease, establish targets for: the quality of the drinking water supplied, the reduction of the scale of outbreaks and incidents, the area of territory which should be served by collective systems for the supply of drinking water or of

sanitation, the improvement of these services, the discharges of untreated waste water, the quality of discharges of waste-water, the disposal and reuse of sewage sludge, the water quality of sources of drinking water, water available for bathing, etc;

- in order to reach these targets, take measures to establish national or local arrangements for the coordination between their competent authorities, to develop water-management plans for transboundary waters (on the basis of catchment areas or groundwater aquifers) and to ensure the necessary legal and institutional framework;
- co-operate by mutually exchanging information, by appropriately assisting each other and by participating in international projects, especially in the case of transboundary waters and impacts.

The Protocol does not only contain the usual dispute settlement mechanisms, but envisages a multilateral consultative review mechanism for evaluating the compliance of the Parties with the provisions of the Protocol.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Expenses of administrative tasks of the Protocol are planned and settled in the budget of UNECE and WHO Regional Office for Europe.

A6. Further development of the legal instrument

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A7. The international organisation

The decision making body of the Protocol is the Meeting of the Parties. It will hold its meetings at least every three years, together with the Meeting of the Parties of the Helsinki Convention (see 4). The Executive Secretary of UNECE and the Director of the WHO Regional Office for Europe are responsible for the secretarial tasks of the Protocol.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary played an active role in preparing and drafting the Protocol, thus has special responsibility in the fulfilment of its objectives, both on the national and international stage. The representative of Hungary signed the Protocol on 17 June 1999, and the instrument of approval was deposited on 7 December 2001.

B2. Implementation of the general objectives in Hungary

National objectives in the field of environment and health and objectives resulting from other international commitments correlate with those set in the Protocol. The international

level objectives of the Protocol are particularly important from a Hungarian point of view, since the protection of a significant part of the country's water base and the sustainable development of the water management – thus the prevention of water-related dangers to health and environment – can only be conceived with consideration to international and transboundary relations.

B3. Implementation of specific tasks in Hungary

Following the entry into force of the Protocol, several tasks await solution: the inclusion of the relation between water and health into the work of the administrative organisations and into the assessment of the environmental and health impacts of the measures taken in order to improve the economy, and tasks resulting from the co-operation with other Parties etc. Some provisions of the Protocol have already been included in Hungarian environment and health programmes, and the most significant ones are actually covered by the EU's environmental and water management legislation.

B4. Contribution to the financial funds

(See 4/B4).

B5. Participation in international programmes

Hungary participates in several bi- and multilateral agreements and co-operation programmes with all neighbouring countries, with the Danubian countries, i.e. with all Riparian states for all its transboundary waters; the implementation of these agreements and programmes contribute to meeting the commitments set in the Protocol.

B6. Hungarian participation in the international organisation

The representatives of Hungary played a significant role in the preparatory works of the Protocol. The chairman of the Working Group on Water and Health established under the Protocol is Mihály Kádár (National Institute of Environmental Health, OKI). This committee had an important role in the international preparation for the period following the entry into force of the Protocol.

B7. Coordination in Hungary

Ministry of Environment and Water and the Ministry of Health have joint responsibility for coordinating the implementation of the Protocol, as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2001: Government Resolution 2078/2001. (IV. 13) Korm. on the posterior approval of the Protocol on Water and Health to the Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes
- *2001: OKI, 2001: Action in Partnership. Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (H: Cselekvés partnerségben. Víz és Egészség Jegyzőkönyv A határokat átszelő vízfolyások és nemzetközi tavak védelméről és használatáról szóló 1992. évi egyezményhez). National Institute of Environmental Health, Budapest

4.b. CIVIL LIABILITY AND COMPENSATION FOR DAMAGE ON TRANSBOUNDARY WATERS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters	
INTERNATIONAL	
* Adoption:	21 May 2003
* Venue:	Kiev (Ukraine)
* Entry into force:	
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	1 (signed by 24 countries)
HUNGARIAN	
* Signature:	21 May 2003
* Ratification/approval:	25 June 2004 (ratification)
* Entry into force:	
* Promulgation:	

This is a Protocol to both the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (see 4) and to the Convention on the Transboundary Effects of Industrial Accidents (see 19). The representatives of 22 countries signed the Protocol on 21 May 2003 in Kiev – followed by two more countries. The Protocol will enter into force on the ninetieth day after the date of the deposit of the sixteenth instrument of ratification, acceptance, approval or accession.

A2. Objectives

At the first joint meeting of the Meeting of the Parties of the Conventions set up in the framework of UNECE, dealing with transboundary waters and industrial accidents – Convention on the Protection and Use of Transboundary Watercourses and International Lakes (see 4) and the Convention on the Transboundary Effects of Industrial Accidents (see 19) – held in Geneva between 2-3 July 2001, a decision was made about the drafting of a new Protocol on the international liability arising from industrial accidents on transboundary waters.

The reasons for such a decision were the occurrences of accidents entailing significant damage – like, for example, the cyanide and heavy metal pollution of the Szamos and the Tisza rivers in February 2000. These events drew the attention of international public opinion on the necessity of the prevention of transboundary environmental impacts and to the question of liability for the damages caused.

The scope of the Protocol covers the regulation of civil liability and adequate and prompt compensation for transboundary damage caused by the transboundary effects of industrial accidents on transboundary waters [Art. 1].

A3. Specific commitments

The Protocol applies two systems of liability. The liability of the operator is strict, that is, it allows only extraordinary causes of exemption. These include: armed conflict, exceptional natural phenomenon, compliance with compulsory measures of a public authority and wrongful intentional conduct of a third party [Art. 4]. The maximum and lower limits of related financial liability are set down in Annex II. The liability of person causing damage by intentional or negligent acts is not limited [Art. 5].

Damage does not only cover loss of life, personal injury and damage to property, but also loss of income directly deriving from the accident and the cost of response measures and of reinstatement. The operator shall have financial securities (insurance) for the compensation of damages. In connection with hazardous activities, the document enlists the threshold quantities of hazardous substances [Annex I].

For the implementation of the Protocol, the Parties shall adopt any legislative, regulatory and administrative measures with respect to the principle of non-discrimination, that is, without discrimination based on nationality, domicile or residence; [Art. 8 (3)].

Claims for compensation may be brought in the courts of a Party where either the damage was suffered or the industrial accident occurred, but the court of the defendant's habitual residence or principal place of business [Art. 13] is also competent. The Parties accept mutual recognition of judgements [Art. 18].

The Protocol includes a special provision [Art. 12], which recognises the international rights and obligations of the Parties in this respect. Other provisions – especially the one on international courts of arbitration [Art. 14] or those on the review of the implementation and compliance of the provisions, placed into the scope of activities of the Meeting of the Parties [Art. 21 (4.a)] – indirectly ascertain the idea that the problem of transboundary water pollutions resulting from industrial accidents may not be solved with the exclusion of the relevant States.

In the section on procedures, not only the question of the competent courts and the recognition of judgements are regulated, but also the related actions [Art. 15], the applicable law [Art. 16], the relationship between the Protocol and the applicable domestic law and the relationship between the Protocol and the bi- and multilateral and regional liability agreements [Art-s 17 and 19]. Connected to the latter it should be noted that the Protocol was not set down as a rule of minimum, and complying with other international agreements – within certain temporary limits – it is possible to divert from its provisions towards more lenient/mild obligations.

Considering the relationship between the Protocol and the rules of the European Community in certain procedural questions (court of competent jurisdiction, mutual recognition and enforcement of judgements, related actions), the application of Community rules is set over the provisions of the Protocol for EU member states and their courts [Art. 20].

The list of courts having competence over cases connected to civil liability was extended [Art. 14] with the Permanent Court of Arbitration in the Hague, taking into consideration the rules of the special procedure applied in its practice – the "Arbitration of Disputes Relating to Natural Resources and/or the Environment". This procedure (resulting in quicker, impartial settlement of disputes and the facilitation of the standardisation of legal practice) makes it possible that the State, its adversely affected citizens or the community of those may directly claim damages in the case of water pollution caused by industrial accidents, without raising the international responsibility of the discharging State. The process of arbitration is set down in Annex III to the Protocol.

A4. Specific provisions applying to Hungary

Considering the relationship between the Protocol and the rules of the European Community in certain procedural questions (court of competent jurisdiction, mutual recognition and enforcement of judgements, related actions), the application of Community rules is set over the provisions of the Protocol for EU member states and their courts [Art. 20].

A5. Financial and facilitating mechanisms

Expenses of the administrative tasks of the Protocol are planned and settled in the budget of UNECE. There is no separate financial system under the scope of the Protocol that aims to support a certain country or task.

A6. Further development of the legal instrument

The preamble to the Protocol provides that the scope of the document may later be broadened.

A7. The international organisation

The decision making body of the Protocol is the Meeting of the Parties, which will have its first meeting not later than 18 months after the date of the entry into force of the Protocol, in conjunction with the meeting of the governing body of one of the basic Conventions.

The Executive Secretary of UNECE is responsible for the secretarial and administrative tasks of the Protocol.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The representative of Hungary signed the Protocol on 21 May 2003, and the document of ratification was deposited – first among the signatories – on 25 June 2004, in accordance with Parliament Resolution 31/2004. (IV. 19.) OGY.

B2. Implementation of the general objectives in Hungary

The Protocol made significant steps towards an appropriate and efficient solution to the liability for personal, financial and environmental damages occurring in Hungary resulting

from industrial accidents abroad. As a downstream country, Hungary has a special interest in this Protocol, its provisions and their implementation.

B3. Implementation of specific tasks in Hungary

With the entry into force of the Protocol, the related Hungarian legislation shall be reviewed so that Hungary is fully able to meet its obligations resulting from the Protocol. In this respect the EU Directive on environmental liability shall be taken into consideration, with respect to the prevention of environmental damages and legal remedies.

The Protocol gives legal grounds and procedural possibilities to Hungary so that, as a downstream country, it can enforce its rights and interests in bilateral relations in cases of transboundary damage. (In view of this, it is imperative that each neighbouring country signs the Protocol.) The provisions set in the Protocol shall also be enforced for Hungarian operators, including the obligation on financial security.

B4. Contribution to the financial funds

(See 4./B4)

B5. Participation in international programmes

Parallel to the drafting of the Protocol, the European Community prepared a regulatory instrument dealing with the environmental impacts of mining activities.

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Protocol as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2004: Parliament Resolution 31/2004. (IV. 19.) OGY on the ratification of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, signed in Kiev, on 21 May 2003
- #2003: Government Resolution 2105/2003. (V. 30.) Korm. on the signing of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters drafted in the framework of UNECE
- *2001: Faragó T., Zs. Kocsis-Kupper, 2000: Accidental Transboundary Water Pollution: Principles and Provisions of the Multilateral Legal Instruments. WWF-Hungary and Office of the Tisza-Szamos Government Commissioner, Budapest

5. PROTECTION AND SUSTAINABLE USE OF THE RIVER DANUBE

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Co-operation for the Protection and Sustainable Use of the River Danube	
INTERNATIONAL	
* Adoption:	29 June 1994
* Venue:	Sofia (Bulgaria)
* Entry into force:	22 October 1998
* Organisation:	ICPDR
* Depositary:	Romania
* Parties (1 st quarter of 2006):	13 (incl. EC)
HUNGARIAN	
* Signature:	29 June 1994
* Ratification/approval:	24 October 1995 (approval)
* Entry into force:	22 October 1998
* Promulgation:	31 May 2000

The Convention was signed on June 29, 1994 by eleven* of the Danube Riparian States and the European Community. At present all the 13 Riparian countries (those with Danube catchment areas of more than 2000 km²) – Austria*, Bosnia and Herzegovina, Bulgaria*, Croatia*, the Czech Republic*, Germany*, Hungary*, Moldova*, Romania*, Serbia and Montenegro, Slovakia*, Slovenia* and Ukraine* – and the European Community are Contracting Parties to this Convention.

A2. Objectives

The whole Danube catchment area and its natural resources are shared by 18 States. In their territories, the population density is medium or high, and in many of them the extent of industrial, agricultural and residential water uses is higher than reasonable due to outdated technologies, inadequate internal regulation and other causes. Consequently, the environmental pressure and the resulting environmental hazard is considerably high. The situation of Hungary is particularly complex because of its geographical location and the highly variable flow regime (floods, droughts).

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

A3. Specific commitments

According to the Convention, the Parties shall:

- develop the proper legal, administrative and technical means to ensure efficient water quality protection and sustainable water use; take measures in order to reduce transboundary impacts and to protect the water resources; and prevent the pollution of ground-water resources serving the basis of drinking water supply and reduce the risk of accidental pollution to the minimum;
- draw up records on pollution sources; determine limits for the discharges of pollutants and establish water quality target conditions; develop and implement joint programmes for the systematic monitoring of the riverine regime (covering water quality and quantity, sediments and riverine ecosystems); agree on the parameters of monitoring points, on water quality characteristics and on the parameters to be evaluated regularly; and prepare the national water balances and the water balance for the Danube River in a harmonised way;
- establish coordinated or joint communication, warning and alarm systems; and organise mutual exchange of information on flood and ice hazards and on accidental water pollution as a complement to the established operating systems;
- regularly exchange information on the general condition of the riverine environment; and review the efficiency of measures at regular intervals, with the findings made public;
- amend their existing bilateral and multilateral water management agreements on the basis of equality and reciprocity in order to eliminate their contradictions with the multilateral international legal regime;
- consult on their planned activities that are likely to cause transboundary effects and wait for the results of a consultation before reaching a decision on a project unless the consultation bears no result after one year.

The activities of the 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 Commission established on the grounds of the Convention.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The International Commission established according to the Convention adopts annual/biennial budgets. The aim of the Convention is that Parties contribute to the budget on an equal share basis. However, taking into account the individual financial capacities of the States, the Parties agreed on differentiated contribution ratios on a temporary basis. The European Community undertakes the financing of 2.5% share of the administrative costs of the budget.

A6. Further development of the legal instrument

The Convention shall be amended on the conditions listed therein. Parties shall amend their existing bilateral and multilateral water management agreements on the basis of equality and reciprocity in order to eliminate contradictions with the provisions of this multilateral international Convention.

A7. The international organisation

In order to facilitate their co-operation on the implementation of the Convention, the Contracting Parties established an International Commission – the International Commission for the Protection of the Danube River (ICPDR) – in which at most five delegates represent each Party with full power from the respective government. The International Commission holds at least one annual session (the ordinary meeting of the Commission) and adopts the proposals and recommendations aimed at meeting commitments undertaken by the Parties. The activities of the ICPDR are supported by the Permanent Secretariat (Vienna). The Standing Working Group makes preparations for the meetings of the International Commission and directs the Expert Groups that work upon the basis of three-year working programmes. At present the Expert Groups are the following: Accident Prevention and Control (including Accident and Emergency Warning System) Expert Group, Emissions Expert Group, Monitoring, Laboratory and Information Management Expert Group, River Basin Management Expert Group, Ecological Expert Group, Flood Protection Expert Group, Strategic Expert Group. The ongoing development work within the ICPDR will slightly modify this structure. The Parties may meet at a conference (on the proposal of the International Commission or on the initiative of a sufficient number of Parties) in order to discuss political questions related to the implementation of the Convention. The first ministerial meeting of the ICPDR took place in December 2004. For the settlement of disputes the Convention proposes the International Court of Justice or court of arbitration. [Art. 24].

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 29 June 1994 and the approval took place on 24 October 1995.

B2. Implementation of the general objectives in Hungary

Due to Hungary's geographical situation, the Convention is of great importance to the country. The provision that the Contracting Parties shall amend their existing bilateral and multilateral water management agreements on the basis of equality and reciprocity in order to eliminate the contradictions by the multilateral international legal regulation is of particular significance for Hungary, and Hungary has made steps towards realising it.

B3. Implementation of specific tasks in Hungary

Hungary is obliged, among other activities, to implement the specified monitoring, notifying, warning, and alarm systems as well as the data supply concerning flood and ice hazard. Hungary has met these commitments.

B4. Contribution to the financial funds

Hungary regularly meets its annual payment commitments specified by the International Commission.

B5. Participation in international programmes

Hungary is participating in several 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 updated in light of the Convention; this task has been partly fulfilled, but partly it is still in progress. A task of special importance is to implement the provisions of the EU Water Framework Directive, which, in relation to the Danube catchment area, is coordinated by the International Commission. National implementation and sub-basin level coordination are also necessary.

B6. Hungarian participation in the international organisation

Hungary was an active participant in the international negotiations aiming at the drafting of the Convention and especially in the work of different professional committees. Currently Hungary is the head of the Flood Protection Expert Group of the International Commission.

In 2005 Hungary held the Presidency of the International Commission coordinating the activities of that body; the President's function was fulfilled by István Óri, secretary of state of MEW.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the national commitments under the Protocol, as well as the preparation and presentation of the Hungarian position at international negotiations, lies with MEW. The Hungarian delegates in the International Commission are representatives of MEW and MFA.

(C) Legal instruments and other references

- #2000: Government Decree 74/2000 (V. 31.) Korm. on the promulgation of the Convention on Co-operation for the Protection and Sustainable Use of the Danube River
- #2000: Government Resolution 2118/2000. (V. 31.) Korm. on the representation of Hungary in the International Commission for the Protection of the Danube River (ICPDR), and on providing the basic conditions of participation in the Convention
- #1995: Government Resolution 2318/1995 (X. 24.) on ratifying the Convention on Co-operation for the Protection and Sustainable Use of the Danube River
- #1991: Parliament Resolution 28/1991 (VI. 30.) OGY on certain international environment protection tasks related to the Danube
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)

6. NON-NAVIGATIONAL USES OF INTERNATIONAL WATERCOURSES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on the Law of the Non-navigational Uses of International Watercourses	
INTERNATIONAL	
* Adoption:	21 May 1997
* Venue:	New York
* Entry into force:	
* Organisation:	UN
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	14
HUNGARIAN	
* Signature:	20 July 1999
* Ratification/approval:	26 January 2000 (approval)
* Entry into force:	
* Promulgation:	

The Convention shall enter into force on the ninetieth day following the date of deposit of the thirty-fifth instrument of ratification, acceptance, approval or accession.

A2. Objectives

The drafting of the Convention was initiated in the 1960s by the International Law Association (ILA). The related document ("Helsinki Rules") was later presented to the UN International Law Commission (ILC). Codification was urged from early on primarily by Finland and other "downstream countries", including Hungary. The preamble of the Convention points out the need for drafting a framework convention that "will ensure the utilization, development, conservation, management and protection of international watercourses and the promotion of the optimal and sustainable utilization thereof for present and future generations".

A3. Specific commitments

The Convention sets down the rules evolved in customary law and also aims to continually develop international law. These aims are especially reflected in the following articles: Equitable and Reasonable Utilization and Participation [Art. 5]; Obligation Not to Cause Significant Harm [Art. 7]; General Obligation to Cooperate [Art. 8]; Regular Exchange of Data and Information [Art. 9]; Notification Concerning Planned Measures with Possible Adverse Effects [Art. 12]; Settlement of disputes [Art. 33].

Although the provisions of the Convention are not always advantageous concerning the needs and interests of downstream countries, it is nevertheless suitable for being applied as a positive basis of reference for these countries. The upstream countries have also realised the long-term effects of the provisions of the Convention – which provisions are also not always advantageous in their respect – and insisted to set a high threshold for the entry into force: the

condition of entry into force is the depositing of thirty-five instruments of ratification, acceptance, approval or accession [Art. 36].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

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A6. Further development of the legal instrument

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A7. The international organisation

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(B) Adoption and implementation of the legal instrument in Hungary

B1. Approval

Government Resolution 2114/1999. (V. 26.) made provisions about signing the Convention and its approval. Hungary signed the Protocol on 20 July 1999, and the instrument of approval was deposited on 26 January 2000. Article 33 of the Convention makes detailed provisions about the settlement of disputes. In connection with this, Hungary stated at the time of the approval that in case a dispute cannot be solved via negotiations, according to Article 33, paragraph 10, it accepts the submission of the dispute to the International Court of Justice or arbitration as compulsory.

B2. Implementation of the general objectives in Hungary

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B3. Implementation of specific tasks in Hungary

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B4. Contribution to the financial funds

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B5. Participation in international co-operation

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B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MFA is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

#1999: Government Resolution 2114/1999. (V. 26.) on the signing of the Convention on the Law of the Non-navigational Uses of International Watercourses

7. INTERNATIONAL CO-OPERATION ON COMBATING DESERTIFICATION AND DROUGHT

(A) Main features of the legal instrument and the international organisation

A1. Basic data

United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa	
INTERNATIONAL	
* Adoption:	14 October 1994
* Venue:	Paris (France)
* Entry into force:	26 December 1996
* Organisation:	UN
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	191 (incl. EC)
HUNGARIAN	
* Signature:	---
* Ratification/approval:	13 July 1999 (accession)
* Entry into force:	11 October 1999
* Promulgation:	4 December 2003

The UN Conference on Environment and Development in 1992 addressed the issue of desertification, and based on its recommendations, negotiations began to be concluded with an international agreement. The Convention was adopted in Paris in 1994 and was opened for signature on 14 October 1994.

A2. Objectives

In the terminology of the Convention, desertification means land degradation in arid, semi-arid and dry sub-humid areas caused by various factors including climatic variations and human activities. Desertification is a global problem that has severe consequences for many countries, and not only those in the developing world. The impacts of this phenomenon are the most serious on the African continent, but this environmental problem has also seriously affected several Asian and South-American countries (e.g. China, Central Asian countries, Brazil, etc.), Australia, the United States, the North-Mediterranean and Eastern regions of Europe, including Hungary. Considering this:

- "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" [Art. 2 (1)];

- achieving the objectives of the Convention “...will involve long-term integrated strategies that focus simultaneously, in affected areas, on improved productivity of land, and the rehabilitation, conservation and sustainable management of land and water resources, leading to improved living conditions, in particular at the community level.” [Art. 2 (2)];
- combating desertification can contribute “...to achieving the objectives of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and other related environmental conventions” [Preamble].

A3. Specific commitments

The Convention makes provisions for the preparation of national and regional action programmes primarily for Parties in affected regions. The 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 practical activities necessary to overcome desertification and to mitigate the adverse impacts of drought. The more specific obligations and tasks for countries with different socio-economic, geographic, and natural conditions are tackled in the Convention's five Regional Implementation Annexes.

The major requirements for preparing action programmes are as follows [Art-s 5 and 10]:

- to address the underlying causes of desertification, paying special attention to the socio-economic factors contributing to desertification processes;
- to designate appropriate bodies, to involve affected populations, including local communities, to survey the state of the environment in affected areas and to prepare technical and financial programmes;
- the scope of the programme shall cover the following sectoral and administrative areas: legislative, institutional and administrative areas, land use patterns, management of water resources, soil conservation, forestry, agricultural activities and pasture and range management, management and conservation of wildlife and other forms of biological diversity, protection against forest fires, research, training and public awareness.

A4. Specific provisions applying to Hungary

Hungary, as an "affected country" is obliged to prepare a national action programme and make reports at regular intervals.

According to the Convention, Parties representing developed countries have specific tasks to support developing countries struggling against desertification: to formulate and improve desertification/drought management methodologies, to develop technology and science and to transfer their results.

A5. Financial and facilitating mechanisms

The measure of the Parties' contribution to the financial fund serving the administrative tasks of the Convention is decided by the Conference of the Parties.

The financial mechanisms of the Convention are the Global Mechanism (GM) and – according to the resolution adopted at the 6th session of the COP – the system of funding

managed by the Global Environmental Facility (GEF). GM is giving assistance in bilateral and multilateral funding sources between Parties, and GEF takes part in the funding of specific projects on the basis of the assessments and resolutions of its steering body.

A6. Further development of the legal instrument

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A7. The international organisation

The highest level decision making body of the Convention is the Conference of the Parties. The work of the Conference is supported by a number of subsidiary bodies, such as the Committee on Science and Technology and the Committee for the Review of the Implementation of the Convention. The administrative tasks related to the Convention are fulfilled by the Permanent Secretariat.

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

(B) Adoption and implementation of the legal instrument in Hungary

B1. Accession

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 (the ratio of annual precipitation to potential evapotranspiration) in the past decades was lower than 0.65. Particularly, the Great Plain and the area between the river Danube and the river Tisza are the most threatened regions, where certain symptoms of desertification can already be detected.

Therefore, numerous provisions of the Convention are important for Hungary, particularly the provisions relating to national action programmes, international co-operation, the exchange of information, research and development and technology transfer. Taking this into consideration, the Parliament adopted Resolution 47/1999. (VI. 3.) OGY on accession to the Convention. Promulgation of the Convention was provided for in Act CVII of 2003.

B2. Implementation of the general objectives in Hungary

The preparation of the comprehensive Hungarian drought strategy is currently in progress. The preparation of the strategy is coordinated by an interministerial expert group.

B3. Implementation of specific tasks in Hungary

In accordance with the provisions of the Convention, a national action programme shall be developed building on the national drought strategy. The first national report was prepared and submitted in 2002 to the Secretariat of the Convention.

B4. Contribution to the financial funds

Since its accession to the Convention, Hungary has regularly paid the amount set by the Conference of the Parties to the financial fund for the administrative tasks of the Convention. Until now, Hungary has not participated in international development co-operation activities

in fields related to the Convention: Hungary has not provided funding to the GM and has not contributed to the GEF. With Hungary's accession to the European Union, initiatives have been taken to develop and implement a "donor policy" which is coordinated by the MFA.

B5. Participation in international programmes

Hungary has been participating in several programmes of international co-operation in the field of science and technology that are also relevant for the Convention (e.g. the related programmes of FAO, ICID, IDNDR, and NATO CCMS/SCOM).

The European Community also ratified the Convention in 1998. Even though the problems of desertification and drought have different degrees of relevance for EU member states, in order to facilitate the implementation of the provisions of the Convention, the harmonisation of positions and measures to be taken is in progress, especially those concerning the provision of assistance and support to developing countries.

B6. Hungarian participation in the international organisation

During the period of 2003-2005, Dóra Kulauzov (MEW) was member of the Bureau of the Conference of the Parties; László Vermes (Corvinus University) is an active participant in the Group of Experts of the Convention, which facilitates the work of the Committee on Science and Technology.

B7. Coordination in Hungary

The responsibility for coordinating the implementation of the national commitments under the Convention, as well as the preparation and presentation of the Hungarian position at international negotiations, lies with MEW in co-operation with other relevant ministries, especially with MARD.

(C) Legal instruments and other references

- #2003: Act CVII. of 2003 on the promulgation of the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa
- #1999: Parliament Resolution 47/1999. (VI. 3.) OGY on the accession to the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa
- *2004: Faragó T., A. Kerényi, (eds.), 2004: Global Environmental Problems and the State of the Implementation of the Rio Agreements (H: Globális környezeti problémák és a riói megállapodások végrehajtásának helyzete). Ministry of Environment and Water Management and University of Debrecen, Budapest-Debrecen
- *2002: MEW, 2002: First National Report of the Republic of Hungary on the Implementation of the United Nations Convention to Combat Desertification. Ministry of Environment and Water management, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1995: Nemes Cs., Gy. Eke, Gy. Holló (eds.), 1995: UN Convention to Combat Desertification and Droughts. (H: ENSZ egyezmény az elszivatagosodás és az aszály elleni küzdelemről). Hungarian Commission on Sustainable Development, Budapest

8. PROTECTION OF EUROPEAN LANDSCAPES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

European Landscape Convention	
INTERNATIONAL	
* Adoption:	20 October 2000
* Venue:	Florence (Italy)
* Entry into force:	1 March 2004
* Organisation:	Council of Europe
* Depositary:	Council of Europe
* Parties (1 st quarter of 2006):	23 (10 countries signed it but did not ratified yet)
HUNGARIAN	
* Signature:	28 September 2005
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

A2. Objectives

Recognising that the quality and diversity of European landscapes constitute a common resource and that it is important to co-operate for its protection, management and planning, the basic objective of the Convention is to provide a new instrument devoted exclusively to the protection, management and planning of all landscapes in Europe and to the related European co-operation and national measures.

Before the drafting of the Convention, these questions were discussed in depth at the Pan-European Conferences of Ministers of Environmental Protection held under the auspices of UNECE, and the most important expectations were approved in the framework of the Pan-European Biological and Landscape Diversity Strategy (PEBLDS).

The scope of the Convention is wide, since it applies to the entire territory of the Parties and covers natural, rural, urban and peri-urban areas. The Convention is also significant because it lays down the general principles that may lead to providing a more emphasised role to landscape protection.

A3. Specific commitments

According to the provisions of the Convention the Parties undertake:

- to recognise landscapes in law as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage and a foundation of their identity

- to establish and implement landscape policies aimed at landscape protection, management and planning;
- to establish procedures necessary for the participation of the general public, local and regional authorities and other parties with an interest in the definition and implementation of the landscape policies mentioned in the above paragraph;
- to integrate the considerations related to landscape into their regional and town planning policies and in their cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape;
- to increase awareness among the civil society, private organisations and public authorities of the value of landscapes, their role and changes to them;
- to promote training for specialists in landscape appraisal and operations and to support the organisation of multidisciplinary training programmes in landscape policy, protection, management and planning for professionals in the private and public sectors and for the associations concerned.
- to identify their own landscapes throughout their territory, analyse their characteristics and the forces and pressures transforming them and take note of the changes;
- to assess the landscapes thus identified, taking into account the particular values assigned to them by the interested parties and the population concerned;
- to define landscape quality objectives for the landscapes identified and assessed after public consultation;
- to co-operate in the consideration of the landscape dimension of international policies and programmes and to recommend, where relevant, that the considerations related to landscape be included in them;
- to co-operate in order to enhance the effectiveness of measures taken under other articles of this Convention (render each other technical and scientific assistance in landscape matters through the pooling and exchange of experience and the results of research projects; promote the exchange of landscape specialists in particular for training and information purposes; exchange information on all matters covered by the provisions of the Convention).

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Administrative expenditures related to the Convention are covered by the Council of Europe budget.

A6. Further development of the legal instrument

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A7. The international organisation

Tasks of coordination and operation related to the Convention are handled by the Council of Europe, Regional Planning and Technical Co-operation and Assistance Division.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

On the basis of the 2051/2005 Government Resolution on the signature of European Landscape Convention, Hungary signed this Convention on 28 September 2005 (ETS No. 176).

B2. Implementation of the general objectives in Hungary

According to the Convention, local and central government bodies shall – in co-operation with each other – take measures to identify and describe in detail landscapes that represent a characteristic heritage and to ensure their complex protection and preservation.

Considering the tasks set in the Convention, it may be stated that Hungary has fulfilled part of them.

Earthworks, ancient methods of agriculture, historical gardens, protected natural areas, landscapes and buildings represent a part of Hungary's characteristic heritage. According to the Convention, it is an important task to make these better known on a wider scale.

In September 2003, the professional working group on the European Landscape Convention was formed from the representatives of the Ministry of National Cultural Heritage and of the Ministry of Environment and Water Management.

In accordance with the provisions of the Convention, the general objectives of this body are to:

- produce a legal framework for the protection of landscapes and to promote law-abiding behaviour;
- raise awareness concerning landscapes on all levels of decision-making and among different groups and individuals in society;
- introduce the complex management of landscapes in every sectoral plan and policy and in regional and town planning;
- promote landscape-related training for specialists and non-specialists alike.

B3. Implementation of specific tasks in Hungary

The specific tasks of the above mentioned interministerial working group included the following:

- preparation of the accession to the Convention,

- joining the work of international working groups,
- drafting a national strategy on the implementation of the Convention in Hungary and on the application of its provisions.

B4. Contribution to the financial funds

Hungary is a member of the Council of Europe and regularly pays its contribution.

B5. Participation in international programmes

(See B3)

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW and Ministry of Culture and Education are jointly responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations; the coordination of the tasks is handled by an expert working group on the European Landscape Convention.

(C) Legal instruments and other references

#1999: Government Decree 166/1999. (XI. 19.) Korm. on the licensing processes under the jurisdiction of the landscape protection authority

#1996: Act LIII of 1996 on the conservation of nature (Article 7)

*1999: Balogh, Á., A. Csemez, L. Kollányi, 1999: Hungarian Conditions of the Adoption of the "Landscape Convention", Setting the Foundations for the EU Harmonisation and Landscape Management Strategy (H: A "Tájkonvenció" átvételének hazai feltételei, az EU harmonizációs tájgazdálkodási stratégia megalapozása). Hungarian Academy of Sciences, Zöld Belépő, No. 68

9. CONVENTION ON THE CARPATHIANS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Framework Convention on the Protection and Sustainable Development of the Carpathians	
INTERNATIONAL	
* Adoption:	22 May 2003
* Venue:	Kiev (Ukraine)
* Entry into force:	4 January 2006
* Organisation:	UNEP
* Depositary:	Ukraine
* Parties (1 st quarter of 2006):	5
HUNGARIAN	
* Signature:	22 May 2003
* Ratification/approval:	21 May 2004
* Entry into force:	4 January 2006
* Promulgation:	

This sub-regional Convention, drafted on the initiative of Ukraine and in co-operation with the Regional Office for Europe of the UN Environment Programme (UNEP) was adopted in May 2003 at the Fifth "Environment for Europe" Ministerial Conference of the UNECE (Kiev). The Convention was signed at the conference or during the one year period left open for its signature by the plenipotentiaries of all the seven countries of the Carpathian region: the Czech Republic, Poland, Hungary, Romania, Serbia and Montenegro, Slovakia and the Ukraine. The Convention has entered into force, since the following countries had already ratified or approved the Convention: the Czech Republic, Hungary, Poland, Slovakia and Ukraine. The first session of the Conference of the Parties will be held in 2006.

At the 11th meeting of the ministers of environment of the "Visegrad Group" countries held on 20-21 May 2004, the ministers called upon the European Commissioners of environment and regional policy in a joint letter to consider the European Community's accession to the Convention (similarly to the Alpine Convention).

A2. Objectives

The main objective of the Convention – developed following, and in some respects, exceeding the pattern of the Alpine Convention – is that the Parties pursue a comprehensive policy and co-operate for the protection and sustainable development of the Carpathians with the view of, *inter alia*, improving the quality of life, strengthening local economies and communities and conserving natural values and cultural heritage. The measures taken should be driven by the following principles of sustainable development: precaution and prevention; the 'polluter pays' principle; public participation; transboundary co-operation; integrated

planning and management of land and water resources; a programmatic approach and the ecosystem approach.

These principles were also considered in the chapter of the programme "Agenda 21" on mountainous regions adopted at the UN Conference on Environment and Development (1992) and in the UN programmes related to the "International Year of Mountains" (2002).

The Parties may draft and adopt Protocols in order to facilitate the objectives set in the articles related to professional issues – such as conservation and sustainable use of biological and landscape diversity, spatial planning, integrated water/river basin management, agriculture and forestry, transport and infrastructure, tourism, industry and energy, cultural heritage, environmental assessment/information system and monitoring, awareness raising and public participation.

The geographical scope of the Convention is set in Article 1: "The Convention applies to the Carpathian region (hereinafter referred to as the "Carpathians"), which is to be defined by the Conference of the Parties." In order to limit the geographical scope, expert and scientific work has been started with the participation of the representatives of relevant countries and independent experts and with the coordination of the Interim Secretariat set up within the UNEP Regional Office for Europe.

A3. Specific commitments

Being a Framework Convention, the legal instrument does not include specific obligations as those are to be set down in the Protocols drafted in the future in case the Parties give their consent.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The mandatory financial contribution to the implementation of the Convention by the Parties will be determined by the Conference of the Parties, taking a number of criteria into consideration (GDP per capita, the country's territorial share of the Carpathians region, etc.) In July 2004, under the auspices of the UNEP Regional Office for Europe, the Interim Secretariat started its activity at the Vienna UN Centre: until determining the exact scale of obligatory contributions, voluntary contributions may be made in order to support the activities of the Secretariat.

A6. Further development of the legal instrument

The Conference of the Parties shall make decisions on the drafting of Protocols in order to draw up more specific objectives that shall facilitate the implementation of the general objectives set down in the Convention.

A7. The international organisation

The highest level decision making body of the Convention is the Conference of the Parties, the work of which is facilitated by subsidiary bodies and thematic working groups. Organisational and administrative tasks related to the Convention are handled by the Interim Secretariat. The 22 May 2003 Resolution of the Conference of Plenipotentiaries adopted in Kiev makes provisions that until the Convention enters into force, the UNEP Regional Office for Europe shall fulfil the tasks of the Interim Secretariat. Following this, the Conference of the Parties shall decide on the seat of the (Permanent) Secretariat, which shall be, as per the above mentioned resolution, in the territory of the Carpathians.

Before the Convention entered into force, an Intergovernmental Committee (representatives of the relevant ministries of the signatory countries) made preparations for the first session of the Conference of the Parties.

In the drafting of the Convention a significant role was played by a number of UN organisations (UNEP, UNDP), NGOs (EMF, EURAC, REC, WWF) and the Parties to the Alpine Convention.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Nearly 10% (9.7%) of the territory of Hungary belongs to the region of the Carpathians (4.3% of the territory of the Carpathians is in Hungary). Due to its geographical position, Hungary has a definite interest in increasing environmental security and quality in the Carpathian basin (especially in preventing or mitigating transboundary harmful environmental impacts) and in long-term development programmes that aim at increasing the quality of life beside the preservation of natural and cultural values.

The Convention and its possible future Protocols to be drafted and implemented may contribute to the facilitation of transboundary and sub-regional co-operation in the region in the fields of nature and environment protection and comprehensively in the field of sustainable development, which is a long-term interest of Hungary in the enlarging European Union and from the points of view of European Neighbourhood Policy and Security Strategy.

Thus, every provision of the Convention bears importance for Hungary, with a special emphasis on the provisions aiming at the preservation of biological and landscape diversity, integrated water/river basin management, the environment-friendly development of certain sectors (agriculture, transport, tourism, mining, etc.) and those related to the preservation of cultural heritage.

In view of this, the Minister of Environment and Water signed the Convention for Hungary on 22 May 2003 at the "Environment for Europe" Ministerial Conference held in Kiev. The Government of Hungary passed a resolution on 21 May 2004 on the approval of the accession to the Convention.

B2. Implementation of the general objectives in Hungary

The measures and thematic action programmes included in the second National Environmental Programme and in some sector related concepts, action and development programmes serve the Hungarian implementation of the general objectives laid down in the Convention.

B3. Implementation of specific tasks in Hungary

(See A2 and A3)

B4. Contribution to the financial funds

Since the signature of the Convention, Hungary has made annual voluntary financial contributions to support the activities of the Interim Secretariat.

B5. Participation in international programmes

Hungary co-operates in the fields related to the objectives and general provisions of the Convention with the countries of the region in the framework of bilateral agreements and programmes as well as within the framework of the "Visegrad Group" co-operation.

B6. Hungarian participation in the international organisation

Hungary played an active professional and environmental diplomatic role in drafting the Convention, realising its strategic and political significance. Representatives of Hungary actively participate on a regular basis in the insofar ad hoc expert meetings working at the implementation of the Convention.

Such meetings include the expert meetings in connection with the definition of the geographical scope of the Convention, the Network of Carpathian Protected Areas or the "Carpathian Environment Outlook", launched under the aegis of UNEP, which plays an important role in providing a scientific basis for the implementation of the Convention in different areas including the comprehensive assessment of the state of the environment and the working out of different development scenarios.

B7. Coordination in Hungary

The Ministry of Environment and Water is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2004: Government Resolution 2118/2004. (V. 21.) Korm on the approval of the Framework Convention on the Protection and Sustainable Development of the Carpathians
#2003: Government Resolution 2114/2003. (V. 30.) Korm. on the signing of the Framework Convention on the Protection and Sustainable Development of the Carpathians

10. CONSERVATION OF WETLANDS: PROTECTING THE HABITATS OF WATERFOWLS

(A) Main features of the legal instrument and the international organisation

A1. 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
* Depositary:	UNESCO
* Parties (1 st quarter of 2006):	152
HUNGARIAN	
* Signature:	--
* Ratification/approval:	11 April 1979 (accession)
* Entry into force:	11 August 1979
* Promulgation:	2 March 1993

A2. 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 the protection of natural resources on a global level and instead of short-sighted exploitation, makes provisions for their "wise" utilisation. Individuals and organisations working on the protection of waterfowl were the first in the 1960s to make steps against the diminishing of wetlands (drainage, filling), realising that only through international co-operation can their endeavour become successful. Today, the Parties consider it an objective of the Convention to conserve the biological diversity and to integrate the sustainable use of wetlands – together with their flora and fauna.

A3. Specific commitments

According to the Convention, all Parties shall:

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

- promote the conservation of wetlands by establishing nature reserves [Art. 4(1)] and provide for the training of expert personnel competent in wetland management [Art. 4(5)];
- consult one another on issues related to implementation, first of all in the cases of shared, transboundary areas and on the conservation of their flora and fauna [Art. 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 interference; the aim of this provision is to highlight certain territories, facilitating to take the measures and ensure the resources necessary for their reconstruction or conservation;

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 the ecological character of the concerned areas.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The amendment of the Convention (entered into force in 1994) makes the financial contribution of Parties to the operational costs a mandatory obligation. The amount of annual contributions is calculated on the basis of the UN scale of assessment. Additional sources of revenues are the voluntary financial offers of developed countries. The 4th Meeting of the Conference of the Contracting Parties (Montreux, 1990) established the Wetland Conservation Fund managing voluntary contributions with the objective of providing support to developing countries for the implementation of the Convention.

A6. Further development of the legal instrument

The Paris Protocol, which makes it possible for the Convention to be amended, was adopted in 1982 and entered into force in 1986. The Regina Amendment, which transformed the Conference of the Contracting Parties into a decision making body and made provisions for the financial contribution of the Parties, was adopted in 1987 (and entered into force in 1994).

Parties at the Meetings of the Conference held in every 3 years, approve resolutions and make recommendations concerning different issues of the implementation, such as the further conditions that make a territory "of international importance" and the preparation of a national wetlands conservation policy and strategy. A particularly important document is the Convention's Strategic Plan for the years 2003-2008, which, building on the national implementation plan, defines the important tasks and desirable target state. At the conference to be held in 2005, detailed information will be available on the effectiveness of the implementation.

A7. The international organisation

The coordination of the implementation of the Convention and the resolutions taken by the Conference of the Contracting Parties is performed by the Secretariat functioning in the

legal framework of IUCN, under the general supervision and guidance of the Standing Committee. Methodological issues concerning the implementation of the Convention are handled by the Scientific and Technical Review Panel.

(B) Adoption and implementation of the legal instrument in Hungary

B1. 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 promulgated the Convention together with its amendments on 2 March 1993.

B2. 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 limited by nature conservation statutes. The declaration of further wetlands as protected areas is in progress. In addition to the protection of actual sites, environmental statutes also exist for the protection of waters and aquatic wildlife. Among these, Act LIII of 1996 is of special significance, since it makes provisions for the general regulation of the protection of wetlands. Taking into consideration the Convention's objectives to ensure undisturbed environment for waterfowl, internationally significant wetlands which are vital for nesting and migration might be designated as special purpose hunting range. Between 1999 and 2001, as per the provisions of the Act on the conservation of nature, the national list of natron lakes and marshes was completed. In 2003 the National Wetland Database Programme aimed at mapping all wetlands in the country was launched, in the course of which wetlands of potential international significance are defined. In 2004, as a result of Hungary's accession to the European Union, the government designated its Natura 2000 network. Most of the Ramsar sites are included in this network and receive further protection thereof.

B3. Implementation of specific tasks in Hungary

At the time of the accession, Hungary designated seven sites to the List, and, together with the areas designated later, Hungary now has a total of 23 wetlands of international importance (with a total area of 179,958 hectares). The responsible environmental authorities are continuously monitoring the ecological status of those areas. The formulation, updating and implementation of management plans for the sites have begun. In order to facilitate an even more efficient implementation of the Convention – as per draft resolution C.5.7. of the Conference of the Contracting Parties – the Hungarian National Committee of the Convention was formed on 28 February 1995 with the participation of environmental experts, scientists and representatives of the concerned Ministries, legislation and environmental NGOs.

B4. Contribution to the financial funds

Hungary regularly pays its contributions to the Convention's budget. Between 1999 and 2002, Hungary supported the organisation of the Conferences of the Contracting Parties and of the Pan-European Conference of the Contracting parties (the latter also in 2004) by voluntary contribution.

B5. Participation in international programmes

Hungary is participating in several international co-operative projects in order to promote the implementation of the Convention (co-operation with the Netherlands in implementing

the reconstruction works of wetlands; and co-operation with German and Danish institutions in the field of wetland reconstruction). Between 2001 and 2003, the IUCN, in the framework of the Pan-European Biological and Landscape Diversity programme, carried out a communication programme in five Eastern European countries, including Hungary. In the framework of this programme, a national communication programme was set up on the conservation of wetlands, and an experimental programme was carried out in the Ramsar area of the Lake Öreg of Tata with important findings.

B6. Hungarian participation in the international organisation

Between 1990 and 1993, Alojzia Lakos (MERP) was an alternate regional representative for Eastern Europe in the Standing Committee, and from 1993 she served as the chairperson of the Committee. For the period between 1993-1996 Mihály Végh (MERP) was elected to be a member of the Scientific and Technical Review Panel (STRP).

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #1997: Ministerial Decree 30/1997 (IV. 30.) FM on game management and hunting
- #1996: Act LIII of 1996 on the conservation of nature
- #1993: Act XLII of 1993 on the promulgation in unified structure of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat adopted in Ramsar on 3 December 1982 and its amendments adopted between 3 December 1982 and 28 May 1987
- *2004: Böhm A., 2004: Special Wetlands in Hungary (H: Különleges vizes élőhelyeink). *Természet Világa*, 135/9: pp. 418-419
- *2003: Böhm A., L. Musicz, 2003: Lake Öreg: Where Nature and Life Coexist. *World Conservation Bulletin* 2003/1
- *2003. Böhm A., 2003: The Ramsar Convention (H: A Ramsari Egyezmény). *Vadon*, 2003/4, pp. 4-11
- *2001: Böhm A., M. Szabó (eds.), 2001: Wetlands: the Relationship of Natural and Social Environment. *Studies on Nature Conservation of the EU and Hungary* (H: Vizes élőhelyek: a természeti és a társadalmi környezet kapcsolata). Eötvös Loránd University, Szent István University, Ministry of Environment Protection Authority for Nature Conservation, Budapest
- *2001: The Handbook of the Ramsar Convention. Handbook to the Convention on Wetlands (Ramsar, Iran, 1971) (H: A Ramsari Egyezmény Kézikönyve), Ministry of Environment Protection, Authority for Nature Conservation, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1995: Lakosné H. A., 1995: The Ramsar Convention (H: A ramsari egyezmény). *Természet Világa* (Természetvédelmi Különszám), 126/II: pp. 39-41
- *1989: 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

11. PROTECTING THE WORLD'S CULTURAL AND NATURAL HERITAGE

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention concerning the Protection of the World Cultural and Natural Heritage	
INTERNATIONAL	
* Adoption:	16 November 1972
* Venue:	Paris (France)
* Entry into force:	17 December 1975
* Organisation:	UNESCO
* Depositary:	UNESCO
* Parties (1 st quarter of 2006):	182
HUNGARIAN	
* Signature:	--
* Ratification/approval:	15 July 1985 (acceptance)
* Entry into force:	15 October 1985
* Promulgation:	30 December 1985

A2. Objectives

Cultural and natural heritage form an inestimable and irreplaceable treasure, not only of nations but also of all mankind. Parts of this heritage are considered to be of outstanding universal value. The objective of the Convention is to promote the protection and conservation of these properties, which are included in the World Heritage List of sites created by the Convention. 181 States were Parties to the Convention in November 2005.

A3. Specific commitments

The following specific obligations should be highlighted from the Convention:

- protection of the national properties already listed in the World Heritage List,
- collaboration in protecting such properties found in other areas,
- preparing the inclusion in the List of further cultural and natural properties located in the territory of the country, which would mean a higher level of recognition and protection for the property.

According to the basic principle of the Convention, the properties recommended for the inclusion in the List must be of outstanding universal value. Consequently, before making a proposal, proper assessment and consultation is necessary on behalf of the country preparing and submitting the proposal.

Therefore, an inventory Tentative List should be prepared for the World Heritage Committee of those sites which are – in their given order – to be proposed for inclusion in the World Heritage List within five years by the given Party. These documents consist of the inventory of significant cultural and natural properties situated in the territory of the States Parties to the Convention, and the purpose of preparing and submitting such information is to allow for the widest possible evaluation by the World Heritage Committee. Natural sites should be grouped according to natural/geographical units, while cultural properties should be broken down by cultural history and region.

A4. Specific provisions applying to Hungary

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

A5. 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 General Assembly of States Parties to the Convention defines the amount of mandatory contributions by the Parties, which is (maximum) 1% of their UNESCO scale of assessment.

A6. Further development of the legal instrument

The method of the implementation of the Convention is regulated by the Operational Guidelines regularly updated by the World Heritage Committee (the last edition is in force from 1 February 2005).

A7. The international organisation

The tasks of coordination and administration related to the Convention are performed by the World Heritage Centre of the UNESCO. The decision making and executive body is the World Heritage Committee, constituting of 21 members and elected by the biennial General Assembly of the States Parties to the Convention, which has three fundamental tasks:

- to select the cultural and natural sites representing outstanding universal value to be included in the World Heritage List on the basis of proposals submitted by the Parties and opinions of specialised international organisations concerned in the decision making;
- to decide which of the properties 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 the Parties to the Convention in the most efficient way to protect properties of outstanding universal value.

 (B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

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

B2. Implementation of the general objectives in Hungary

The most important decisions required in the interest of the implementation of the Convention have been made. Hungary had several proposals on sites to be included in the World Heritage List, and some of these were accepted by the international Committee and included in the List. At the same time, the adequate protection of the Hungarian heritage included in the World Heritage List faces difficulties, primarily due to financial reasons; proposals have been made to create a separate financial fund in order to carry out these tasks.

B3. Implementation of specific tasks in Hungary

The internationally acclaimed (i.e. included in the World Heritage List) Hungarian cultural and natural values are the following (date of acceptance in parentheses):

- The panorama of the banks of the Danube in Budapest; the Buda Castle Quarter; Andrassy Avenue and its historic environment (1987, extension 2002)
- the Old Village of Hollókő and its natural environment (1987)
- the Caves of Aggtelek Karst and the Slovak Karst (1995, extended 2000; a joint site with Slovakia, the extension concerned the Slovak Party)
- Pannonhalma: the millenary Benedictine Abbey and its immediate natural environment (1996)
- Hortobágy National Park: the Puszta (1999)
- Pécs: the Early Christian Necropolis (2000)
- Fertő / Neusiedlersee cultural landscape (2001; joint site with Austria)
- Tokaj: historic wine region (2002)

B4. Contribution to the financial funds

Hungary has met its obligations of annual payment to the World Heritage Fund.

B5. Participation in international programmes

The Hungarian-Slovakian bilateral nature conservation agreement – which resulted in the acceptance to the World Heritage List of the transboundary national property mentioned above – should be referred to as an example of international co-operation in the protection of world natural heritage. Another instance of co-operation is the one between Hungary and Austria in the Fertő / Neusiedlersee area, where the development of the joint management plan and mechanism is exemplary.

Hungary has an active role in the Periodic Reporting activity and organised two sub-regional workshops (2004 in Sopron and 2005 in Visegrád).

B6. Hungarian participation in the international organisation

In 1997, Hungary was elected for a six-year period into the World Heritage Committee, and Zoltán Szilassy participated in its activity as a national representative. From 1998 to 2002, the representative of Hungary was a member of the Presidency: from 1998, János Jelen as rapporteur and in 2001-2002, Tamás Fejérdy as chairman. In 2003, T. Fejérdy has been elected chairman of the working group for Periodic reporting activity in Europe-North America Region. For the same activity the Hungarian focal points are: János Tardy (MEW, for nature) and Tamás Pintér (MNCH, for culture).

B7. Coordination in Hungary

As per the law on the promulgation of the Convention, until 1998, as a legal successor, the Minister of Environment and Regional Policy was responsible for the implementation with the co-operation of relevant ministries and leaders of country-wide organisations. Following this, due to the modification of the scope of competences, the Ministry of National Cultural Heritage became responsible for the coordination of tasks with the right of approval of MEW. In April 1986 the Hungarian World Heritage Committee was founded with the participation of elected representatives of ministries and organisations. Between 1990 and 1998 the Committee was inactive. In 1998 the body was formed again and resumed its activities. There are two subcommittees: the Cultural Sub-committee and the Nature and Landscape Sub-committee. The Hungarian Committee evaluated and submitted to the World Heritage Committee a number of applications proposed by Hungarian scientific and professional organisations.

(C) Legal instruments and other references

- #2005: Law No. 89 of 2005: amendment of the Law No 64 of 2001, on the protection of cultural heritage
- #1999: Ministerial Decree 6/1999. (III. 31.) NKÖM on the Hungarian World Heritage Committee
- #1997: Law No. 78 of 1997: on the protection and development of built environment
- #1996: Law No. 53 of 1996. on the protection of nature
- #1985: Law-decree No. 21 of 1985 on the promulgation of the Convention for the Protection of the World Cultural and Natural Heritage, adopted in Paris at the session of UNESCO General Conference on 16 November 1972
- *2002: World Heritage in Hungary (H: Világörökség Magyarországon). Secretariat of the Hungarian World Heritage Committee, National Trust for Historic Monuments (KÖH), Budapest
- *2000: Tardy J. (ed.), 2002: Cherishing Hungary's Heritage. Természet Búvár Alapítvány Kiadó, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi Gy., T. Faragó, H.A Lakosné, 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 33-34
- *1994: ÖIFF, 1994: Conventions on Nature Conservation - Training Textbook (H: Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 26-31

12. CONSERVATION OF MIGRATORY WILD ANIMAL SPECIES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on the Conservation of Migratory Species of Wild Animals (CMS)	
INTERNATIONAL	
* Adoption:	23 June 1979
* Venue:	Bonn (Germany)
* Entry into force:	1 November 1983
* Organisation:	UNEP
* Depositary:	Federal Republic of Germany
* Parties (1 st quarter of 2006):	97 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	12 July 1983 (accession)
* Entry into force:	1 November 1983
* Promulgation:	6 May 1986

A2. Objectives

The fundamental objective of the Convention is to ensure the protection of migratory animal species and to promote research and related international co-operation [Art. II (3a)].

A3. Specific commitments

The specific tasks are as follows:

- to provide immediate protection for migrating animal species listed in Appendix I [Art. II (3b)];
- to conclude Agreements covering the conservation and management of migratory species listed in Appendix II [Art. II (3c)];
- to conserve habitats in order to combat the danger of extinction of the species listed in Appendix I and, where feasible and appropriate, to restore such habitats [Art. III (4a)];
- to prevent, remove, compensate or minimise in appropriate ways the adverse effects of activities or obstacles considerably hindering the migration of the species listed in Appendix I [Art. III (4b)];
- to the extent feasible and appropriate, to prevent, reduce or control factors that endanger or are likely to endanger the species listed in Appendix I, including the strict control of the introduction of exotic species or the control or elimination of already introduced ones [Art. III (4c)];

- to inform the Secretariat on the application of any exemptions concerning the activities related to the species listed in Appendix I [Art. III (7)].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

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

A6. Further development of the legal instrument

The Convention is complemented by a number of Agreements and Memoranda (see 12.a).

A7. The international organisation

The supreme decision making body of the Convention is the Conference of the Parties. The coordination 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 the Parties, the Secretariat and any particular Party; making recommendations on research and on specific protection and management measures; the submission of recommendations for the inclusion of certain species in Appendix I or II; and the preparation of recommendations to solve problems arising in the implementation of the Convention.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

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

B2. Implementation of the general objectives in Hungary

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

B3. Implementation of specific tasks in Hungary

Implementation of the specific tasks defined in the Convention primarily means adopting the following legal instruments and conducting research, legislation and conservation:

- Ministerial Decree 13/2001. (V.9.) KöM on protected and strictly protected animal and plant species, on the range of strictly protected caves and on the promulgation of animal

and plant species significant in the European Community from the point of view of nature conservation;

- research on the migration routes of protected bird species; the continuation of the Hungarian wild goose monitoring (running since 1984) in the framework of which the monitoring of lesser white-fronted goose and red-breasted goose is also carried out;
- the integration of the resolution of the Bonn Convention – that is, of the possible negative effects of wind turbines on migratory species – into the landscape and environment protection guidelines to the placement of wind power plants;
- the placement of insulator material on poles of medium-voltage free aerial power lines to eliminate electric shock, primarily for the protection of birds of prey;
- species conservation plans for the black stork, the white stork, the ferruginous duck, the white-tailed eagle, the imperial eagle, the red-footed falcon, the saker falcon, the corncrake, the great bustard, the Kentish plover and the bee-eater;
- with the professional coordination of the Great Bustard Working Group, the national park directorates have prepared strategic plans for the conservation of great bustard habitats, and from 2004 a LIFE programme has been launched; the Hungarian Ornithological and Nature Conservation Society (Birdlife Hungary) has also prepared the Great Bustard Protection Programme (covering Heves and Borsod plains, and Bihar habitats);
- Carrying out the Great Bustard Conservation Programme from 1989: using bustard-friendly agricultural technology and crop structure; exploring nests and introducing protective zones; saving nests; incubating eggs and placing them under wild hen before hatching; creation of a Dévaványa Great Bustard Model Area in the territory of Körös-Maros National Park Directorate (KMNPI), designating bustard habitats in the Environmentally Sensitive Areas (ESA) scheme;
- In the framework of the White-tailed Eagle Conservation Programme: postponing forestry activities in the nesting area during the nesting season and ensuring winter feeding;
- research on the imperial eagle and conservation of its population in the framework of the LIFE programme;
- monitoring the population of the aquatic warbler, and active habitat management in the territory of the Hortobágy National Park Directorate (HNPI);
- nature conservation management of the migration and resting areas of the lesser white-fronted goose in the territory of HNPI.

Of the agreements complementing the Convention, Hungary acceded to the Agreement on the Conservation of Bats in Europe and to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds, furthermore to memoranda of understanding on the conservation of specific species – the slender-billed curlew, the great bustard and the aquatic warbler (see 12.a)

B4. Contribution to the financial funds

Hungary's contributions to the financial fund: the payment of the contributions has been made according to the regulations.

B5. Participation in international programmes

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

- international co-operation in the implementation of the "memoranda of understanding " on the conservation of certain species, adopted to complement the Convention (see 12.a). In the framework of this co-operation, Hungary assisted Austria in organising the Scientific Symposium and first Meeting of Signatories of the Great Bustard MoU in 2004;
- co-operation of the Hungarian Ornithology and Nature Conservation Society with Birdlife International in developing the European great bustard conservation strategy and in adequately influencing agricultural policy.

B6. Hungarian participation in the international organisation

Attila Bankovics (of the Hungarian Natural History Museum and appointed by MEW) is a member of the Convention's Scientific Council.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2001: Ministerial Decree 13/2001. (V. 9.) KöM on protected and strictly protected animal and plant species, on the range of strictly protected caves and on the promulgation of animal and plant species significant in the European Community from the point of view of nature conservation
- #1998: Government Decree 8/1998. (I. 23.) Korm. on the detailed regulations on the conservation, keeping, displaying and utilising of animals of protected species
- #1996: Act LIII of 1996 on the conservation of nature
- #1986: Law-decree No. 6 of 1986 on the promulgation of the Convention on the Conservation of Migratory Species of Wild Animals dated 23 June 1979 in Bonn
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: Bándi Gy., T. Faragó, H.A Lakosné, 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry of Environment and Regional Policy, Budapest, pp. 35-36
- *1994: ÖIFF, 1994: Conventions on Nature Conservation - Training Textbook (H: Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 15-21
- *1989: Lakosné H.A. (ed.), 1989: Conventions with Hungarian Participation: Nature Conservation. (H: Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry of Environment and Water Management, Budapest, pp. 47-66

12.a. AGREEMENTS AND MEMORANDA OF UNDERSTANDING ON THE CONSERVATION OF CERTAIN SPECIES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Agreement on the Conservation of Populations of European Bats (EUROBATS)	
INTERNATIONAL	
* Adoption:	4 December 1991
* Venue:	London (U.K.)
* Entry into force:	16 January 1994
* Organisation:	UNEP
* Depositary:	United Kingdom
* Parties (1 st quarter of 2006):	31
HUNGARIAN	
* Signature:	--
* Ratification/approval:	22 June 1994
* Entry into force:	22 July 1994
* Promulgation:	29 July 1994
Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)	
INTERNATIONAL	
* Adoption:	16 June 1995
* Venue:	The Hague (Netherlands)
* Entry into force:	1 November 1999
* Organisation:	UNEP
* Depositary:	The Netherlands
* Parties (1 st quarter of 2006):	49 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	17 December 2002
* Entry into force:	1 March 2003
* Promulgation:	16 June 2003

There are 6 Agreements under the CMS on the protection of particular species;

A number of agreements were developed within the framework of the CMS, two of which Hungary has also acceded to. Besides the EUROBATS and AEWA, these agreements are: Agreement on the Conservation of Seals in the Wadden Sea; Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas; Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area; and

Agreement on the Conservation of Albatrosses and Petrels. Apart from the Agreements, several Memoranda of Understanding (MoU) were also adopted: MoU concerning Conservation Measures for the Siberian Crane; MoU concerning Conservation Measures for the Slender-billed Curlew; MoU on the Conservation and Management of the Middle-European Population of the Great Bustard; MoU concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa; MoU on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia; MoU concerning Conservation and Restoration of the Bukhara Deer; MoU concerning Conservation Measures for the Aquatic Warbler; MoU concerning Conservation Measures for the West African Populations of the African Elephant; MoU concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope.

A2. Objectives

The objective of EUROBATS is to preserve the populations of European bat species and to adopt and carry out the internationally coordinated measures. Whilst the objective of AEWA is the conservation of migratory waterbirds in the relevant region, according to the Agreement, particular attention should be paid to species endangered or living in an unfavourable conservation status [Art. III (1)].

A3. Specific commitments

According to EUROBATS, the Parties shall:

- designate one or more competent authorities [Art. II (3)] and prohibit the deliberate capture, keeping or killing of bats except under permit from its competent authority [Art. III (1)];
- identify sites which are important for the shelter and protection of bats, and endeavour to identify and protect important feeding areas for bats from damage or disturbance [Art. III (2)];
- assign responsibilities to an appropriate body for the provision of advice on bat conservation and management, particularly with regard to bats in buildings [Art. III (5)];
- promote public awareness of the importance of bat conservation [Art. III (4)] and promote research programmes related to the conservation and management of bats [Art. III (7)];
- consider the potential effects of pesticides on bats when assessing pesticides for use [Art. III (8)];
- adopt and enforce legislative and administrative measures that may be necessary for the implementation of the Agreement [Art. IV (1)] and prepare reports on the measures taken in the framework of the Agreement [Art. VI].

According to the obligations related to the conservation of African-Eurasian migratory waterbirds, the Parties shall:

- prohibit taking animals of the species listed under Appendix I of the Convention [Art. III (2a)];
- conserve and, where feasible, restore the habitats of the species listed in Appendix I to the Convention which are important from the aspect of conservation of the species [Art. III (2a)]; and prevent, remove, compensate for or minimise the activities or obstacles which seriously impede the migration of the species listed in Appendix I [Art. III (2a)]

- to the extent feasible and appropriate, reduce or control factors actually or potentially endangering the species listed in Appendix I, including the strict control of the introduction of exotic species, the control of already introduced species or the eventual elimination of such species [Art. III (2a)];
- identify sites where migrating waterfowl species appear and protect, manage, and restore such sites [Art. III (2c)]
- maintain and, where possible, re-establish the network of appropriate habitats, particularly in wetlands that extend over several countries [Art. III/2d];
- co-operate in emergency situations requiring concerted international effort in identifying species and working out appropriate procedures, as well as in drafting guidelines which assist individual Parties in such emergency situations [Art. III/2f];
- prohibit the deliberate introduction of non-native waterbird species and prevent the unintentional release of such species if this introduction or release would prejudice the conservation status of wild flora and fauna; and when the non-native waterbird species have already been introduced, take all appropriate measures for the protection of indigenous species [Art. III (2g)];
- initiate or support research into the biology and ecology of migratory waterbirds; harmonize methods [Art. III (2h)]; and exchange information and the results of research, monitoring, conservation and education [Art. III (2k)];
- analyse their training requirements for migratory waterbird surveys, monitoring, ringing and wetland management [Art. III (2i)]; and develop and maintain programmes to raise awareness and understanding [Art. III (2j)].

A4. Specific provisions applying to Hungary

The Agreements contain no specific provisions implying tasks different from the general ones for any group of countries, including Hungary.

A5. Financial and facilitating mechanisms

The administrative costs of the Agreements are covered by the contributions of the Parties; the amount of the contribution by the Parties is defined according to the UN scale of assessment.

A6. Further development of the legal instrument

The Meeting of the Parties amends the Annexes of AEWA and, in relation to certain species, the action plan – in view of the information on the population of the relevant species of birds.

A7. The international organisation

The supreme decision making body of the Agreements is the Meeting of the Parties. Coordination and administrative tasks related to the implementation are performed by the Secretariat.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary acceded to the Agreement on the Conservation of Populations of European Bats on 22 June 1994; it was promulgated in the same year. The Agreement on the Conservation of African-Eurasian Migratory Waterbirds was adopted by Hungary on 17 June 2002 (on the basis of Parliament Resolution 55/2002. (IX. 13.) OGY); the text of the Resolution was promulgated in Act XXXIII of 2003.

Hungary has also signed three memoranda of understanding: MoU Concerning the Conservation Measures for the Slender-billed Curlew (signed on 22 September 1994); MoU Concerning the Conservation Measures for Central European Great Bustard Populations (Hungary played a leading role in the development of this memorandum; it was signed on 7 October 2000 and entered into force on 6 June 2001); MoU Concerning the Conservation Measures for the Aquatic Warbler (signed on 29 April 2003).

B2. Implementation of the general objectives in Hungary

The EUROBATS is important in helping to conserve bats living in the territory of Hungary. The existence of 28 of the 45 European species is proven in Hungary, of which 8 species at present are highly protected, 18 species are protected and 2 species are listed as species significant from the point of view of nature conservation in the European Community by Ministerial Decree 13/2001 KöM.

Act LIII of 1996 and Government Decree 8/1998 provide for the legal protection of bats by the prohibition of the deliberate capture, keeping and destroying of bats.

AEWA is also significant for Hungary, and in order to achieve its objectives, appropriate programmes and measures should be formulated and implemented in relation to the conservation of each species.

B3. Implementation of specific tasks in Hungary

The most important achievements in the Hungarian implementation of EUROBATS are the following:

- in concert with the Agreement, the identification of sites which are important for the shelter and protection of bats is continuously in progress;
- the protection of caves is legally ensured by Act LIII of 1996 on the Protection of the Environment and by Ministerial Decree 13/2001 KöM;
- since 2001, by the coordination of the Aggtelek National Park Directorate, the surveying of artificial underground habitats has started, covering 65 shelter sites by today;
- in 2004, the bat monitoring protocol has been launched as part of the National Biodiversity Monitoring System. At present, the monitoring of colonies roosting in building dwellings and colonies wintering and roosting underground is realised;

- the list of underground bat habitats of exceptional significance has been prepared: 3 underground habitats from Hungary have been included among the 20 most significant European habitats;
- on the basis of Government Decree 8/1998. Korm., bat ringing and environment protection examinations have been held since the spring of 2003;
- research has been carried out on the possibilities of the placement of bat nestboxes for the protection of bats living in forests;
- bat-protection NGOs carry out awareness raising activities through different publications and lectures (e.g. on bats living in buildings), and MEW supports the activities of the Hungarian Bat Research Society and the Hungarian Bat Protection Foundation.

Future obligations in relation to bats, according to the decisions of the Parties: making provisions for the protection of bat populations living in forests; enforcing bat conservation interests in forestry; setting up a national ringing centre and data-base; assessing the harmful effects of wind turbines on bat populations; drafting management plans; and developing a national monitoring system.

In order to implement AEWA:

- a fundamental task for every species listed under Annex 2 of the Agreement (out of the listed 232 species, 149 have been identified in Hungary so far) is to identify habitats, identify adverse human activities and appoint competent authorities;
- for the species listed in column A of the Action Plan of the Agreement (e.g. lesser white-fronted goose, red-breasted goose, ferruginous duck, slender-billed curlew): to prohibit their capture and taking, conserve or restore their most important habitats, remove or minimise the activities or obstacles impeding their migration.

Further tasks are: to prepare action plans for the protection of the most endangered populations of certain waterbird species; strictly control and prohibit the introduction of exotic waterbird species; prepare a national inventory of habitats of special importance for the species included in the action plan; terminate hunting with lead hail-shot in wetlands; and prohibit the use of poisoned baits.

According to these, by today: the legal protection of species is ensured; a Hungarian action plan has been prepared for the conservation of the ferruginous duck; Hungary participates in the implementation of international protection programmes for a number of species (e.g. slender-billed curlew, red-breasted goose, lesser white-fronted goose); the registration of significant habitats for species of special importance and their protection is being carried out; Act LIII of 1996 provides for the appropriate regulation of the introduction of non-native waterbird species; the prohibition of poisoned baits was carried out with the entry into force of Act LV of 1996 on Game and Hunting; hunting with lead-shot has been prohibited in most wetlands since 15 August 2005.

The continuation of conservation and protection activities is an ongoing task, including the drafting and implementation of action plans per species of waterbirds.

B4. Contribution to the financial funds

Hungary has fulfilled its commitments of annual payment in the case of both Agreements.

B5. Participation in international programmes

The comprehensive European co-operation greatly contributes to the supply of information for certain countries (preparing migration maps and a data-base of the underground habitats of European significance, developing a consistent system of monitoring, preparing conservation guides), and based on this – with concerted actions – the effectiveness of the conservation of bats can be greatly increased.

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Agreements as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2003: Act XXXIII of 2003 on the promulgation of the international Agreement on the Conservation of African-Eurasian Migratory Waterbirds, signed in the Hague on 16 June 1995
- #2002: Parliament Resolution 55/2002. (IX. 13.) OGY on the accession to the international Agreement on the Conservation of African-Eurasian Migratory Waterbirds signed in the Hague, on 16 June, 1995
- #2001: Ministerial Decree 13/2001. (V. 9.) KöM on protected and strictly protected animal and plant species, on the range of strictly protected caves and on the promulgation of animal and plant species significant in the European Community from the point of view of nature conservation
- #1998: Ministerial Decree 13/1998. (V. 6.) KTM on the administration of caves, on certain conditions of visiting and researching caves and on the development construction of caves
- #1998: Government Decree 8/1998. (I. 23.) Korm. on the detailed regulations on the conservation, keeping, displaying and utilising of animals of protected species
- #1996: Act LIII of 1996 on the conservation of nature
- #1994: Agreement on the Conservation of Populations of European Bats. Magyar Közlöny, No. 79. (published by the Minister of Environment)
- *1995: Haraszthy L., 1995: The Potentials of Preserving Biodiversity in Hungary. (H: Biológiai sokféleség megőrzésének lehetőségei Magyarországon). WWF-füzetek, No. 8
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)

13. CONSERVATION OF EUROPEAN WILD FLORA, FAUNA AND NATURAL HABITATS

(A) Main features of the legal instrument and the international organisation

A1. 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
* Depositary:	Council of Europe
* Parties (1 st quarter of 2006):	45 (incl. EC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	16 November 1989 (accession)
* Entry into force:	1 March 1990
* Promulgation:	3 July 1990

A2. Objectives

The aim of the Convention is to conserve wild flora and fauna and their natural habitats with particular attention to endangered and vulnerable species (including migratory species) and to that end, to promote international co-operation.

A3. Specific commitments

According to the specific provisions measures shall be taken by the Parties to maintain the population of wild flora and fauna, and the conservation requirements shall be taken into account in the planning and development policies and in measures against pollution [Art-s 2, 3]. The Convention includes also more detailed guidelines to perform these tasks [Art-s 4-12].

The Appendices to the Convention define the strictly protected plant (Appendix I) and animal species (Appendix II), the protected animal species (Appendix III) and the means (Appendix IV) that are now prohibited in capturing or killing the animal species listed in Appendix III as well as certain exemptions for the species listed in Appendix II.

The interpretation of the term "*protection*" is noteworthy in the Convention. Total prohibition is meant by strict protection [Art-s 5 and 6, and Appendices I and II]. Regulated exploitation [Art. 7 and Appendix III], that is, the capture and taking of animals within limitations of time, numbers, etc., in the course of which methods and means listed under Appendix IV are prohibited also means protection.

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

Parties must submit detailed reports every two years on exemptions made for the species listed in the Appendices to the Convention, on the methods used (hunting, fishing) and on habitat conservation [Art. 9]. At its 13th meeting in 1993, the Standing Committee decided that a general report 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 the species existing in the territory of the Party and listed in the Appendices to the Convention, important conservation programmes, publications of major significance (e.g. Red Data Book) and all results or problems related to the implementation of the Convention. However, the preparation of the report is not obligatory.

A4. Specific provisions applying to Hungary

Recommendation 23 (11 January 1991) set a specific task for Hungary in relation to the protection of the habitat of the *Vipera ursinii rakosiensis* (Hungarian meadow viper).

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

A5. 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 budget in such way that payments made by member states for this purpose are complemented from the general budget of the Council of Europe.

A6. Further development of the legal instrument

No amendments to the provisions of the Convention are expected, although such necessity occasionally arises. If that were to happen (Art. 16 provides for such an option), it would presumably take several years. In the 1990s, the amendment of the Appendices was carried out particularly to consider the East-European flora and fauna. This action was connected to the "opening" towards the region by Hungary's 1989 accession. Thus, further additions were made to the list of strictly protected plants (Appendix I), and an Appendix on strictly protected fungus is also under consideration. A few more species were added to the list of animals (Appendix II and Appendix III), and further amendments are in preparation for invertebrates. Recommendations and amendments are also expected within a few years to an Appendix concerning habitats.

A7. The international organisation

The coordination and the administrative tasks of the Convention are performed by the Standing Committee and the Secretariat. The Council of Europe supports the implementation of the Convention by financial contribution, and the Secretariat is working in the framework of the Secretariat General of the Council of Europe. The implementation of the Convention is assisted by numerous international organisations (European regional institutions, NGOs providing expert services, IUCN, ECNC, etc.).

 (B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary adopted the Convention in 1989. The Convention was promulgated in 1990. MERP published a list of the 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 denominations of the species listed in the Appendices to the Convention but not protected in Hungary at that time.

The promulgation of the Convention by a law at appropriate level has not yet taken place.

B2. Implementation of the general objectives in Hungary

Authorities in Hungary for nature conservation administer the protection of wild plants and animals and their natural habitats in harmony with the objectives of the Convention.

B3. Implementation of specific tasks in Hungary

To protect habitats and species, numerous measures were introduced by various resolutions of the national inspectorate, as well as by decrees of ministry of environment.

Taking into consideration the relevant recommendation of the Convention, some significant habitats of the *Vipera ursinii rakosiensis* (Hungarian meadow viper) have been placed under protection (Ministerial Decree 17/1993 (IV. 7.) KTM), and a supervising service have been functioning since 1992 in critical periods at important sites. Since 1994 programmes aiming at maintaining populations have received regular funding (FHNP – Fertő-Hanság National Park Directorate, KNP – Kiskunság National Park Directorate, MME – Hungarian Ornithological and Nature Conservation Society (Birdlife Hungary), MTTM – Hungarian Natural History Museum).

B4. 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.

B5. Participation in international programmes

Participation in several international programmes aimed at the conservation of habitats or species at the same time aid Hungary in the implementation of the Convention. For instance, with the assistance of the European Association of Herpetology, a Swedish expert participated in the implementation of a Hungarian programme under the Convention. Hungarian experts are also providing assistance in the implementation of the Slovak programme for reintroducing the species *Emys orbicularis* (European pond tortoise), which began in 1993.

The European Community also acceded to the Convention in 1982.

B6. Hungarian participation in the international organisation

Several *ad hoc* and permanent expert groups are working under the Standing Committee in the activities of which Hungary is an active participant (except for groups dealing with issues of regions or activities which do not directly concern Hungary).

The chairman of the *ad hoc* expert group discussing the reintroduction, immigration and introduction of wild species was a Hungarian expert, Gábor Nechay (MERP), and the chairman of the working group discussing amphibians and reptiles between 1999 and 2003 was Zoltán Korsós (MTTM). Antal Sánta[†] (MoE-MEW) was the chairman of the working group discussing plants in 2001-2002, and his work was continued by Rozália Szekeres (MEW) in 2003.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2001: Ministerial Decree 13/2001. (V. 9.) KöM on protected and strictly protected animal and plant species, on the range of strictly protected caves and on the promulgation of animal and plant species significant in the European Community from the point of view of nature conservation
- #1993: Ministerial Decree 17/1993. (IV. 7.) KTM on the establishment of the Peszéradacs Landscape Conservation Area and the designation of the nature conservation manager
- #1990: Convention on the Conservation of European Wildlife and Natural Habitats. Magyar Közlöny, No. 64: International Convention no. 1990/7. (published by the Minister of Environment)
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1995: Nechay G., 1995: The Hungarian Meadow Viper (H: A rákosi vipera). Természet Világa, 1995. 4. (Term.tud. Közl. 126: 4.) pp. 188-189
- *1994: Bándi Gy., T. Faragó, H.A Lakosné, 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 37-38
- *1994: ÖIFF, 1994: Conventions on nature conservation - training textbook (H: Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 22-25
- *1989: Lakosné H.A. (ed.), 1989: Conventions with Hungarian Participation: Nature Conservation. (H: Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 67-87

14. CONSERVATION OF BIOLOGICAL DIVERSITY

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Biological Diversity	
INTERNATIONAL	
* Adoption:	5 June 1992
* Venue:	Rio de Janeiro (Brazil)
* Entry into force:	29 December 1993
* Organisation:	UNEP
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	188 (incl. EC)
HUNGARIAN	
* Signature:	13 June 1992
* Ratification/approval:	24 February 1994 (ratification)
* Entry into force:	25 May 1994
* Promulgation:	28 September 1995

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

A2. Objectives

The fundamental objective of the Convention is the conservation of biological diversity, the sustainable use of its components and the equitable sharing of benefits arising from the utilization of genetic resources, i.e. the wildlife [Art. 1].

A3. Specific commitments

According to the Convention, each Party shall:

- ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction [Art. 3];
- develop a national strategy for the conservation and sustainable use of biological diversity [Art. 6 (a)] and integrate these goals into sectoral and cross-sectoral policies and programmes [Art. 6 (b)];
- identify and monitor those components of biological diversity, which are important for its conservation [Art. 7 (a), (b)], as well as the processes and activities which have or are likely to have adverse impacts [Art. 7 (c)] and maintain such data [Art. 7 (d)];
- make provisions for *in-situ* conservation [Art. 8] within and outside of protected areas with appropriate measures, maintain *ex-situ* conservation facilities [Art. 9] and take measures for the recovery and reintroduction of threatened species [Art. 9 (c)];

- carry out research and training programmes assisting conservation; promote the utilisation of research results [Art. 12], the spread of knowledge relevant to conservation [Art. 13], the international exchange of information [Art.17], technical and scientific co-operation and the training and exchange of experts [Art. 18];
- carry out the environmental impact assessment of plans and programmes which are likely to have significant adverse effects on biological diversity [Art. 14];
- immediately notify potentially affected countries in case of emergency situations arising in its territory that threaten biological diversity in the territory of other States [Art. 14 (1d)];
- facilitate the access of other Parties to its genetic resources and their full participation in the research of such resources on the basis of mutually agreed terms, ensuring the sharing of future benefits with the country of origin [Art. 15]; and assist the transfer of technologies relevant to the conservation and sustainable use to other Parties [Art. 16 and 19];
- prepare reports on measures which have been taken in order to implement the provisions of the Convention (at intervals to be determined by the Conference of the Parties) [Art. 26].
- carry out decisions made by the Conference of the Parties, such as the development and maintenance of the Clearing-house mechanism (COP II/3), the conservation and sustainable use of agricultural biodiversity (COP III/11) and the conservation of inland water ecosystems (COP IV/4).

A4. Specific provisions applying to Hungary

According to the Convention [Art. 20 (1)] and the decision taken by the first meeting of the Conference of the Parties, besides the developed countries the countries with an economy in transition can also contribute on a voluntary basis to the fund established for assisting the implementation of the relevant measures by developing countries. The countries with an economy in transition may also receive financial assistance from this financial mechanism.

A5. Financial and facilitating mechanisms

Parties contribute to the operative costs of the Convention's Secretariat in proportion to their respective UN scale of assessment, and in addition, they might contribute voluntarily to perform specified tasks. The Trust Fund of this budget is administered separately by UNEP. A financial mechanism was also established in order to assist the performance of the tasks by developing countries; that mechanism is operated by the Global Environment Facility (GEF) and was finalised by the second meeting of the Conference of the Parties in 1995.

A6. Further development of the legal instrument

In the framework of the Convention, a Protocol on biosafety was adopted on 29 January 2000 in Montreal following the negotiations which started earlier in Cartagena (Cartagena Protocol, see 14.a)

A7. The international organisation

The highest level decision making body is the COP, and its work is assisted by the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA). The technical coordination and the administrative tasks related to the Convention are performed by the Secretariat. The financial mechanism of the Convention is operated by the GEF.

(B) Adoption and implementation of the legal instrument in Hungary

B1. 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 (103/1993 (XII.29.) OGY) to ratify the Convention on 29 December 1993. The ratification document was deposited in February 1994. The Convention was promulgated by Act LXXXI of 1995.

B2. Implementation of the general objectives in Hungary

Several measures for the conservation of biological diversity had already been taken before the Convention was adopted (e.g. establishing a network of protected areas, protection of threatened species). Legal regulation is provided by Act LIII of 1996 on nature conservation, Act LIII of 1995 on the protection of the environment and Acts on forests and the protection of forests, on the protection of game and game management on fishing and angling. 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 only be achieved through the consequent fulfilment of the specific tasks. Instruments to this end are, among others, the Agri-environmental Programme and the establishment of the ecological network (NATURA 2000).

B3. Implementation of specific tasks in Hungary

The preparatory work for the fulfilment of the specific tasks set down in the Convention and the implementation of already adopted programmes is in progress. The implementation of the identification and evaluation programme of various elements of biological diversity is also in progress ('Hungarian Biodiversity Monitoring System'). Government Decree 20/2001. (II. 14.) Korm. on impact assessment and Act LIII of 1995 on the protection of the environment provide instruments specifically based on the objectives of the Convention.

National reports based on the Convention have been prepared, together with a number of thematic reports for the Conference of the Parties. Tasks related to the conservation of biological diversity are included in the National Environmental Programme and in its section on nature conservation, the National Nature Conservation Master Plan. A 'country study' was prepared on the state of biological diversity in Hungary, just as the professional material for the National Strategy and Action Plan on the conservation of biological diversity in Hungary.

B4. Contribution to the financial funds

Hungary has met its obligations in paying the annual contribution to the administrative expenses but has not yet contributed to the Global Environmental Facility. As a beneficiary, Hungary has received funds for the implementation of the Convention.

B5. Participation in international co-operation programmes

The tasks relevant to the conservation of biological diversity also appear in bilateral co-operation agreements of Hungary concluded with several States on environmental protection and nature conservation. The programme supported by the German party within the German-Hungarian co-operation should be highlighted, since it resulted in the surveys that provided the foundations of the Hungarian Biodiversity Monitoring System.

B6. Hungarian participation in the international organisation

The representative of Hungary, Gábor Nechay (MERP) was a member of the Bureau of the SBSTTA until 2000.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #1996: Act LV of 1996 on game protection, game management and hunting
- #1996: Act LIV of 1996 on forests and the conservation of forests
- #1996: Act LIII of 1996 on nature conservation
- #1995: Act LXXXI of 1995 on the promulgation of the Convention on Biological Diversity
- #1995: Act LIII of 1995 on the protection of the environment
- #1993: Parliament Resolution 103/1993 (XII. 29.) OGY on the confirmation of the UN Convention on Biological Diversity, signed by Hungary in Rio de Janeiro on 13 June 1992
- *2004: KvVM, 2004: The Hungarian Strategy and Action Plan on Biological Diversity (H: A biológiai sokféleség nemzeti stratégiája és cselekvési terv). Ministry of Environment and Water Management, Budapest
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1995: Vida G., 1995: Sustainable Development and the Biosphere. (H: A fenntartható fejlődés és a bioszféra). Természet Búvár, 50/1, pp. 26-27
- *1995: Láng I., 1995: Responsibility for 300,000 Square Kilometres; Interdependent Nations. (H: Felelősség 300000 négyzetkilométerért; egymásra utalt népek). Természet Búvár, 50/5, pp. 11-13
- *1995: Haraszthy L., 1995: The Potentials of Preserving Biodiversity in Hungary. (H: Biológiai sokféleség megőrzésének lehetőségei Magyarországon). WWF-füzetek, No. 8
- *1994: Tardy J. (ed.), 1994: Nature Conservation - 1994 (H: Természetvédelem '94). Ministry for Environment and Regional Policy, Budapest
- *1994: ÖIFF, 1994: Conventions on Nature Conservation - Training Textbook (H: Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 31-36
- *1994: Bándi Gy., T. Faragó, H. A. Lakosné, 1994: International Conventions on Environment Protection and Nature Conservation (H: Nemzetközi környezetvédelmi és természetvédelmi egyezmények). Ministry for Environment and Regional Policy, Budapest, pp. 39-41
- *1993: Bartha S. et al., 1993: International Strategy for Conserving Biological Diversity. (H: Nemzetközi biodiverzitás megőrzési stratégia). Magyar Tudomány, 38/8, pp. 983-1010
- *1992: Nechay G., T. Faragó (eds.), 1992: The UN Convention on Biological Diversity. (H: Az Egyesült Nemzetek Szervezetének Egyezménye a Biológiai Sokféleségről). Hungarian PrepCom on UNCED, Budapest
- *1992: Nechay G. (ed.), 1992: Caring for the Earth. (Hungarian version of the 1991 IUCN, UNEP, WWF publication). Ministry for Environment and Regional Policy, Budapest
- *1992: Gyulai I. et al., 1992: The Programme on the Conservation of Biological Diversity. (H: A biodiverzitás megőrzésének programja). "Zöld Akció", Miskolc

14.a. PROTOCOL ON BIOSAFETY

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Cartagena Protocol on Biosafety to the Convention on Biological Diversity	
INTERNATIONAL	
* Adoption:	29 January 2000
* Venue:	Montreal (Canada)
* Entry into force:	11 September 2003
* Organisation:	UNEP
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	132 (incl. EC)
HUNGARIAN	
* Signature:	24 May 2000
* Ratification/approval:	13 January 2004 (ratification)
* Entry into force:	12 April 2004
* Promulgation:	18 November 2004

In the framework of the Convention, a Protocol on Biosafety was adopted on 29 January 2000 in Montreal following the negotiations which started earlier in Cartagena.

A2. Objectives

The basic objective of the Protocol is:

- to regulate the safe transfer, handling and use of living modified organisms resulting from modern biotechnology, specifically focusing on transboundary movement;
- to ensure, in accordance with the precautionary approach contained in the Rio Declaration, an adequate level of protection against the adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health, and
- to facilitate co-operation between governments, business and society in order to increase biosafety.

A3. Specific commitments

The Protocol contains a number of specific provisions to be implemented at national or international level. The most important of these are the following:

- Procedure of prior informed consent shall be applied before the first movement of living modified organisms (e.g. live fish, sowing-seed) for the intentional introduction into the

environment. The Party of import shall decide, within a set period of time, whether the cargo in question is allowed to enter the country.

- An information system shall be maintained (BCH, Biosafety Clearing-House) which facilitates the exchange of scientific, technical, environmental and legal information on, and experience with, living modified organisms.
- On the package of genetically modified products the fact of the modification and its main characteristics shall be clearly displayed (labelling).
- In the case of living modified organisms that are intended for direct use as food or feed or for processing, it is enough if the label clearly identifies that they "may contain" living modified organisms.
- The Protocol provides for obligatory risk assessment.
- Parties representing a developing country and Parties with an economy in transition shall be supported financially, and in other ways, in their capacity building efforts (institutional background) for the implementation of the Protocol.
- The Parties shall promote public participation in decision-making, and the results of the decisions shall be made available to the public.
- One of the governmental tasks is to take the appropriate legal, administrative and other measures and to designate one or more competent authorities in order to facilitate the implementation of the Protocol.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The Parties contribute to the operative costs of the Convention's Secretariat in proportion to their respective UN scale of assessment, and in addition, they might contribute voluntarily to perform specified tasks. The Trust Fund of this budget is administered separately by the UNEP.

A financial mechanism operated by the Global Environment Facility (GEF) was also established in order to assist the performance of the tasks by developing countries and countries with an economy in transition.

A6. Further development of the legal instrument

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A7. The international organisation

The decision-making body of the Protocol is the Meeting of the Parties (MOP), the most important task of which is to further develop the Protocol and to coordinate the implementation.

The first session was held at the end of February 2004, the second MOP in May 2005. Previous to this, an Intergovernmental Commission handled the issues related to the Protocol and the preparation of the first meeting.

The coordination of tasks, the promotion of ratification and administrative tasks are handled by the Secretariat of the Convention on Biological Diversity.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The Hungarian Minister of Environment signed the Protocol on 24 May 2000. The Parliament passed Resolution 94/2003 (IX. 23.) OGY on the ratification of the Protocol.

B2. Implementation of the general objectives in Hungary

Measures need to be taken in order to implement the provisions of the Protocol.

In the period of the international preparation of the Protocol, Hungary passed Act XXVII of 1998 on Genetic Engineering, which, together with the decrees on its implementation, ensures that Hungary meets the fundamental objectives of the Protocol. However, further conditions of implementation need to be ensured (see B3).

B3. Implementation of specific tasks in Hungary

The Protocol was promulgated, and the Biosafety Clearing-House have been set up (<http://biodiv.kvvm.hu>).

Decisions need to be taken for the designation of "sub-institutions" and to ensure their operational conditions. These are the following:

- land and market monitoring shall be organised,
- a monitoring laboratory (with detection facilities) shall be provided for.

B4. Contribution to the financial funds

Hungary is due to contribute to the administrative fund from January 2005 in accordance with the general arrangements (see A5).

B5. Participation in international programmes

The European Community also joined the Protocol on biosafety in 2003 (by Council Decision 2002/628/EC).

B6. Hungarian participation in the international organisation

In the negotiations aiming at preparing and adopting the Protocol (1995-2000), the representative of the Central and East European region was Gábor Nechay (MERP).

Ervin Balázs (Centre for Biotechnology, Gödöllő) was a member of the presidency of the ad-hoc expert working group for drafting the Protocol on Biosafety.

At the first session of the Meeting of the Parties, a decision was made on setting up a Compliance Committee, which shall develop co-operation procedures and institutional mechanisms for promoting compliance with the provisions of the Protocol and assist in handling cases that do not comply; Gábor Nechay became a member of this Committee.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

#2004: Act No CIX of 2004 on the promulgation of the Cartagena Protocol on Biosafety signed in Nairobi, on 24 May 2000

#2003: Parliament Resolution 94/2003 (IX. 23.) on the Confirmation of the Cartagena Protocol on Biosafety

#2003: Regulation (EC) No 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms

15. CONVENTION ON INTERNATIONAL PROTECTION OF WHALES

(A) Main features of the legal instrument and the international organisation

A1. Basic data

International Convention for the Regulation of Whaling	
INTERNATIONAL	
* Adoption:	2 December 1946
* Venue:	Washington (United States of America)
* Entry into force:	1 July 1948
* Organisation:	International Whaling Commission (IWC)
* Depositary:	United States of America
* Parties (1 st quarter of 2006):	70 ("Member Nations" of IWC)
HUNGARIAN	
* Signature:	--
* Ratification/approval:	1 May 2004 (adherence)
* Entry into force:	1 June 2004
* Promulgation:	

A2. Objectives

The objective is to provide effective protection for whale stocks. The executive body of the Convention is the IWC, which, expanding its scope of authority, does not only cover the field of whaling, but takes care of the comprehensive protection of whales, e.g. by setting up whale protection areas.

A3. Specific commitments

The following commitments are obligatory for each Contracting Government:

- the taking of protected whale species – after 1 January 1986 every species of whales – is prohibited, with only a few special, well-defined exemptions (purposes of scientific research, hunting by native peoples);
- measures shall be taken to realise the hunting prohibition prescribed by the IWC and for the penalties for breaching it by individuals or ships under its jurisdiction;
- the IWC shall be informed about every case of breaching of the provisions by ships or individuals under its jurisdiction and about the penalty measures.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Administrative costs of the implementation of the Convention are covered by the Contracting Governments; the scale of contributions is decided at the annually held meeting of the IWC.

A6. Further development of the legal instrument

A Protocol was adopted in 1956 to extend the Convention's application to helicopters/aircrafts and to include provisions on inspection methods. At the annual meetings the IWC may: amend the Schedule on protected or unprotected species; fix the maximum catch of whales that can be taken for scientific purposes or by natives; pass new resolutions on the operation and more effective implementation of the Convention, e.g. whale protection areas may be designated, which, as gene centres, could ensure the survival of species.

A7. The international organisation

The decision making body of the Convention is the IWC.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary adopted the Convention on 1 June 2004. The promulgation of the text of the Convention is in progress.

B2. Implementation of the general objectives in Hungary

As several other countries, Hungary also handles the objectives of the Convention with a special priority. The stock of whales is part of the world heritage, and their protection cannot depend solely on the decisions of coastal countries.

B3. Implementation of specific tasks in Hungary

Hungary has never had a whaling fleet and has no custom of or market for whale-meat consumption. Already before the accession to this Convention, Hungary had not allowed products made from the said species to enter the country under the Washington Convention (see 16).

B4. Contribution to the financial funds

The Contracting Governments shall contribute to the administrative budget of the Convention with an annual amount set by the IWC. After adopting the Convention, Hungary has paid the due amount.

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

#2004: Government Resolution 2027/2004. (II. 5.) Korm. on the accession to the International Convention for the Regulation of Whaling

16. REGULATING THE INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	
INTERNATIONAL	
* Adoption:	3 March 1973
* Venue:	Washington D.C. (USA)
* Entry into force:	1 July 1975
* Organisation:	IUCN, UNEP
* Depositary:	Switzerland
* Parties (1 st quarter of 2006):	169
HUNGARIAN	
* Signature:	--
* Ratification/approval:	29 May 1985 (accession)
* Entry into force:	27 August 1985
* Promulgation:	16 June 2003 (earlier: 11 September 1986)

A2. Objectives

The objective of the Convention is the preservation and protection of species endangered by trade at their habitats. This can be achieved only through close co-operation between importing and exporting countries. The Convention categorises the nearly 35,000 species under its scope by the degree of endangerment: Appendix I lists the species directly threatened by extinction, the specimens of which are not allowed to be commercially traded [Art. II(1)]; Appendix II lists animal and plant species the trade of which must be regulated in order to protect them from the fate of the species under App. I [Art. II(2)]; and App. III lists the species for the protection of which certain countries ask international help in controlling trade [Art. II(3)].

A3. Specific commitments

According to the Convention, each Party undertakes to:

- designate a Management Authority responsible for issuing permits and designate a Scientific Authority, which provides assistance in its work;
- prohibit and sanction the trade in specimens that violates the relevant provisions, deposit confiscated live specimens in conformity with the relevant specifications and for this purpose, the Authority establishes rescue centre(s) to accommodate confiscated live animals;
- keep records on the trade in species included in the Appendices I, II and III and on the implementation of the Convention, inform the Secretariat in annual reports and submit biennial reports on the legislative, regulatory, and administrative measures taken to enforce the provisions of the Convention;
- inform the public on the importance and the implementation of the Convention;

- take appropriate measures in the interest of the implementation the Convention to draw up national legislation, which could be stricter than the provisions of the Convention.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

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

A6. Further development of the legal instrument

The Appendices are amended at the meetings of the Conference of the Parties to reflect new knowledge of population and trade data on animal and plant species, and new resolutions and decisions are made for the more efficient implementation of the Convention. (Two Amendments to the Convention were adopted in Bonn, 1979 and in Gaborone, 1983.)

A7. The international organisation

The supreme decisions making body of the Convention is the Conference of the Parties, which holds its meetings every two years. The implementation is facilitated by the Standing Committee, as well as the Animals Committee, Plants Committee and Nomenclature Committee. The coordination and the administrative tasks are performed by the international secretariat (Geneva) with the support of UNEP.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary acceded to the Convention in 1985. The Convention was first promulgated by Law-Decree no. 15 of 1986; its national implementation was provided for by Ministerial Decree no. 4/1990 (XII.7.) KTM. The Convention was re-promulgated by Act no. XXXII of 2003. This became necessary because of the correction of certain translation errors and the authorisation for a domestic regulation at the level of a Government Decree. The Parliament passed the amendment of the Act on 8 November 2004.

Government Decree 271/2002. (XII. 20.) Korm. provided for the Hungarian implementation of the Convention which decree was already fully compatible with the EU regulation and overruled the previous one. Since several regulations control the implementation of the Convention in the EU (see B5), the entire legal framework entered into force also in Hungary at the accession to the EU. In light of this, the amendment of the decree on implementation became necessary. Government Decree 283/2004. (X. 20.) Korm. on amending the implementation decree entered into force on 4 November 2004.

B2. Implementation of the general objectives in Hungary

Hungary complies with the provisions laid down in the Convention; trade violating the relevant provisions is prohibited and adequately sanctioned. The Management Authority performs its licensing duties. Hungary is an active participant in the prevention of illegal

trade of endangered species and in the control of trade. The main areas of such activities are as follows:

- managing the trade directed to Hungary as a purchasing market (supervising traders, pet owners, breeders, zoological gardens, retail and gift shops in Hungary);
- controlling transit traffic through Hungary (transit consignments without a permit prescribed by the Convention cannot enter the country, and those which are already in the country shall be seized and confiscated), and thus assisting the nature conservation efforts of other countries;
- protection of the native species listed in the Appendices of the Convention from the harmful impacts of trade: Hungary, according to the act on nature conservation, does not allow the trade of any of the species protected by Hungarian legislation and listed in the Convention; furthermore, it does not approve of their commercial capture; from among the animal and plant species that are listed in the Appendices I and II and are to be found in Hungary, each species, with the exception of the snowdrop, the medicinal leech and the sterlet, is protected or strictly protected.

B3. Implementation of specific tasks in Hungary

The implementation of the Convention is regulated by the EU in a more detailed, stringent way in a number of points. Amended Government Decree 271/2002 (XII. 20.) Korm. contains the following to complement both the provisions of the Convention and the EU decrees:

- it provides for a duty of declaration of every specimen of the species listed in Annex A and for every live specimen of mammal, bird and tortoise species listed in Annex B of the EU regulation;
- it makes provisions for the obligatory individual marking of species under the obligation of registration;
- it sets down that applicants who are validly under sentence for the commission of a criminal act in relation to environment protection or nature conservation, validly held responsible for breaching the rule of environment protection or nature conservation or fined by nature conservation penalty, shall not receive import or export permit or re-export certificate for a fixed period of time;
- it states that anyone who does not comply with the obligations set in the Decree or in the EU Decrees shall be fined by nature conservation penalty.

Tasks arising from the Convention are performed by the Management Authority, which is authorised to issue "CITES licenses". Annually more than 500 export and import permits and re-export certificates, 4500 breeding certificates, certificates of origin and EU certificates are issued. Animals and plants, their parts and derivatives entering Hungary through the violation of the provisions shall be seized by the Authority in co-operation with the Hungarian Customs and Finance Guard, the National Police Headquarters and their regional offices (on average 25-30 cases annually). Criminal procedure was introduced against the perpetrators in each case.

Informing the public on the provisions of the Convention takes place on a regular basis. In recent years, large-scale campaigns were carried out with the co-operation of MEW, WWF and REX Foundation.

B4. Contribution to the financial funds

Hungary regularly pays its designated annual contribution to the budget of the Convention and is not in default with its payments.

B5. Participation in international programmes

Multilateral international co-operation has developed in this field. In the EU the regulations are contained in various instruments: "Amended Commission Regulation 349/2003/EC (25 February 2003) suspending the introduction into the Community of specimens of certain species of wild fauna and flora", "Commission Regulation 1808/2001/EC (30 August 2001) laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein", "Multiply Amended Council Regulation 338/97/EC (9 December 1996) on the protection of species of wild fauna and flora by regulating trade therein".

B6. Hungarian participation in the international organisation

The European regional representative of one of the working committees assisting the implementation of the Convention, the Animals Committee is Katalin Rodics (MEW).

B7. Coordination in Hungary

The role of the Management Authority is filled by the Department of international Treaties on Nature Conservation of MEW; official inspection and registering is performed by the regional inspectorates. Expert tasks prescribed by the Convention are fulfilled by the Scientific Authority. MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2004: Government Decree no. 283/2004. (X. 20.) Korm. on the amendment of Government Decree no. 271/2002. (XII. 20.) Korm. on the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington, on 3 March 1973
- #2003: Act no. XXXII. of 2003 on the promulgation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington, on 3 March 1973
- #2002: Government Decree no. 271/2002. (XII. 20.) Korm. on the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed in Washington, on 3 March 1973
- #1986: Law Decree no. 15 of 1986. on the promulgation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed in Washington, on 3 March 1973
- #1985: Government Resolution 3092/1985. MT on the accession to the Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora
- *1995: Rodics, K., 1995: Killer Business (H: Gyilkos üzlet). Ministry of Environment and Regional Policy, Nature Conservation Office Studies Collection of Studies 5.
- *1995: Rodics K., 1995: The Washington Convention. The Primates. (H: A Washingtoni Egyezmény. A főemlősök). Természet Világa, 126/10; The Dolphins (H: A delfinek). Természet Világa, 126/12
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1994: ÖIFF, 1994: Conventions on Nature Conservation - Training Textbook (H: Természetvédelmi egyezmények - oktatási anyag). Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc, pp. 8-13
- *1989: Lakosné, H.A. (ed.), 1989: Conventions with Hungarian Participation: Nature Conservation. (H: Magyar részvételű nemzetközi egyezmények: természetvédelem). Ministry for Environment and Water Management, Budapest, pp. 19-46

17. CONTROLLING TRANSBOUNDARY MOVEMENTS AND DISPOSAL OF HAZARDOUS WASTES

(A) Main features of the legal instrument and the international organisation

A1. 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
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	168 (incl. EC)
HUNGARIAN	
* Signature:	22 March 1989
* Ratification/approval:	21 May 1990 (approval)
* Entry into force:	5 May 1992
* Promulgation:	12 July 1996

A2. Objectives

The objective of the Convention is to reduce the generation of hazardous and other wastes to the possible minimum and to build and operate adequate disposal facilities for their treatment preferably installed in the territory of the state concerned [Art-s 4 (2a, 2b)]. A further objective is the prevention of pollution resulting from handling such wastes, and in case of such pollution, to reduce the adverse effects to the possible minimum. The Parties ensure that the quantity of such wastes transported across the state border shall be minimized and adverse effects that may result from these wastes should not threaten human health and the environment [Art. 4 (2d)]. Parties shall prohibit 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 they have reason to believe that the exported waste would not be managed in an environmentally sound manner [Art. 4 (2e)]; in the latter case, all Parties shall also prevent the import of such wastes [Art. 4 (2g)].

A3. Specific commitments

In accordance with the Convention, each Party shall:

- inform the Secretariat of wastes which were considered or defined as hazardous under national legislation within six months of signing the Convention and provide information on requirements applicable for the transboundary movement of such wastes [Art. 3(1)];

- inform other Parties if it prohibits the import of hazardous wastes for disposal, [Art. 4 (1a)]; prohibit the export of hazardous wastes to Contracting Party states which prohibit the import of such wastes [Art. 4 (1b)], or not consent in writing to the import of the waste concerned [Art. 4/1c];
- provide appropriate information on the movement, transboundary transport and disposal of such wastes to the concerned states (Annexes V.A, V.B) [Art. 4(2f), 7 (c)];
- regard the illegal traffic of hazardous wastes as a criminal act [Art. 4 (3)] and take measures to enforce the provisions of the Convention, including prevention of and sanctions against violations [Art. 4 (4)];
- prohibit all persons under its national jurisdiction (who have no specific authorisation or license) from transporting or disposing hazardous wastes [Art. 4 (7a)] and require that such wastes that are to be moved across boundaries be packed, labelled and transported in conformity with generally accepted international rules and standards [Art. 4 (7b)];
- take measures in order to approve the export of hazardous wastes only if in the exporting state 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 [Art. 4 (9)];
- manage hazardous wastes generated in its state in an environmentally sound manner and avoid the transfer of such wastes to other states [Art. 4 (10)];
- designate or establish a Competent Authority and a Focal Point [Art. 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-import shall not be opposed either by the exporter state or by any other Party on the transit route [Art. 8];
- introduce appropriate national legislation to prevent and punish the illegal traffic of wastes [Art. 9 (5)].

A4. Specific provisions applying to Hungary

Numerous states have completely or partially prohibited the import of hazardous wastes. Waste can be imported into Hungary only for licensed recovery processes. According to the Hungarian position, the international traffic of hazardous wastes should be reduced to the level of reasonable minimum; 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 in this respect also, and recognises the sovereign right of individual states to restrict the traffic of wastes in its territory.

A5. Financial and facilitating mechanisms

The amount of contributions to the Convention's Operating Trust Fund is defined in proportion to the UN scale of assessment. A Trust Fund was also established to support developing countries and other countries in need of technical assistance.

A6. Further development of the legal instrument

The third session of the Conference of the Parties adopted a Decision amending the Convention – "ban amendment" –, which prohibits the export of hazardous wastes for disposal for OECD and EU member countries with immediate effect and after 31 December 1997, the export for utilisation (Decision III/11) into a third state. (Due to the insufficient number of ratifications, the amendment has not yet entered into force).

In 1998, Annex I of the Convention was complemented (Decision IV/9) and the new Annexes VIII and IX were attached. Annex VIII contains the list of wastes considered hazardous by Article 1(a), while Annex IX contains the list of non-hazardous wastes.

In 1999, a Protocol (Decision V/29) was adopted on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal (see 17 a).

A7. The international organisation

The coordination and the administrative tasks of the Convention are performed by the Bureau and the Secretariat (functioning within the framework of UNEP), respectively. 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 its operation in Bratislava in 1995, which assists the implementation in the region by technology transfer and training.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

The minister of environment protection signed the Convention in Geneva on 22 March 1989 on behalf of Hungary. The ratification document was deposited at the UN Secretary General on 21 May 1990. The "ban amendment" (see A6) was ratified on 24 May 2004 and entered into force for Hungary on 24 August 2004.

B2. Implementation of the general objectives in Hungary

Several statutes ensure the framework for implementing the Convention in Hungary: the general framework is provided by Government Decree 101/1996 (VII. 12.) on the promulgation of the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal signed in Basel on 22 March 1989 and its amendment by Government Decree 240/2005 (X. 27.).

Act XLIII of 2000 makes further provisions on transboundary movements of wastes.

B3. Implementation of specific tasks in Hungary

Since the date of entry into force of the Convention, the specific tasks provided for in the Convention have been performed in Hungary. The laws in force ensure that the tasks are appropriately met. In the issues of export and import of hazardous waste, the provisions of

the Convention are taken into consideration in the course of licensing; the prescribed information and notification were provided to the Secretariat.

B4. Contribution to the financial funds

Hungary has paid its obligatory contribution to the Trust Fund. Hungary has made a contribution to the fund supporting developing countries on one occasion.

B5. Participation in international programmes

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

The European Community also joined the Convention in 1993 and took definite measures for its implementation (on the basis of Council Regulation 259/93/EEC).

B6. Hungarian participation in the international organisation

Based on the resolution made at the third session of the Conference of the Parties, one of the vice-presidential posts of the Convention's Bureau was due to Hungary for the set period: the tasks related to this office were performed by Csaba Markó (MERP).

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument. The Focal Point according to the Convention is the MEW; the Competent Authority is the national environmental inspectorate.

(C) Legal instruments and other references

- #2004: Government Decree 120/2004. (IV. 29.) Korm. on the control and supervision of the import and export of wastes within the territory of the European Community
- #1996: Government Decree 101/1996 (VII. 12.) Korm. on the promulgation of the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, signed in Basel on 22 March 1989, and its amendment 240/2005 (X. 27.)
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)
- *1989: Lakosné H.A. (ed.), 1989: Conventions with Hungarian Participation: Environment Protection. (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem). Ministry for Environment and Water Management, Budapest, pp. 135-204

17.a. PROTOCOL ON LIABILITY AND COMPENSATION

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal	
INTERNATIONAL	
* Adoption:	10 December 1999
* Venue:	Basel (Switzerland)
* Entry into force:	
* Organisation:	UNEP
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	7
HUNGARIAN	
* Signature:	5 December 2000
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

The Protocol was adopted at the 5th session of the Conference of the Parties to the Basel Convention (see 17). The negotiations in the Ad Hoc Working Group of Legal and Technical Experts started in 1993.

By the end of 2005, 13 states have signed (including Denmark, Finland, France, Hungary, Luxembourg, Sweden, Switzerland and the U.K.) and only 7 ratified the Protocol. (Ratifying Parties are all African countries: Botswana, D.R. Congo, Ethiopia, Ghana, Liberia, Syria and Togo.)

The document will enter into force on the ninetieth day after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession.

A2. Objectives

The objective of the Protocol is to provide for a comprehensive regime of liability and of adequate and prompt compensation for damage resulting from the transboundary movement of hazardous wastes and other wastes and their disposal, including the illegal traffic in those wastes. [Art. 1]

The scope of the Protocol is defined in detail: every stage of transport – from loading the waste on the means of transport, through export and international transport to the final point of placement – is given consideration [Art. 3].

A3. Specific commitments

The Protocol contains the precise definitions of the relevant terms [Art. 2] – including the extension of the conventional definition of "damage", and the definition of "Hazardous wastes and other wastes", "Preventive measures" and "Measures of reinstatement".

It also regulates strict [Art. 4] and fault-based liability [Art. 5] and includes a special rule for the case of damages connected to both wastes covered by the Protocol and wastes not covered by the Protocol [Art. 7].

In the course of implementing the Protocol [Art. 10], where the Parties adopt the necessary legislative, regulatory and administrative measures, the principle of non-discrimination shall be applied [Art. 10 (3)], that is, the provisions of the Protocol shall be implemented among the Parties without discrimination based on nationality, domicile or residence.

The financial consequences of liability for the damage occurred are set down in Article 12 on Financial Limits and in Annex B, which constitute the key sections of the Protocol. The financial limits for strict liability are determined by domestic law; however, the Annex, discerning the groups of

(a) notifier, exporter, importer and

(b) disposer,

sets up categories that are based on the quantity of the transferred waste, setting the lower limits of financial liability.

In the case of damage, the persons under strict liability are obliged to apply some kind of financial guarantee to compensate the damaged party [Art. 14].

The Protocol contains the reservation of rights [Art. 16], which, beyond supporting the drafting of the regulation of liability, recognises the international rights and obligations of states in this field.

The provisions of the Protocol on the tasks of the Meeting of the Parties [Art. 24 (4a)] – which set up the possibility of a course of action in case of quasi non-compliance – indirectly confirms that the problems arising from the transboundary transport of waste cannot be solved with the exclusion of the relevant states.

The procedure in question makes it possible that non-compliance may be considered as an option, that is, it implicitly implies state responsibility.

In the section on procedures, the fields of competent courts [Art. 17], related actions [Art. 18], applicable law [Art. 19], mutual recognition of judgements [Art. 21] and the relation between the Protocol and the law of the competent court [Art. 20] are regulated.

The Protocol makes provisions on its relations to other bi-, multilateral or regional international agreements on liability and compensation [Art. 11].

An Annex with the list of the states of transit [Annex A] is also attached to the document.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The Basel Convention has an Operational Trust Fund and a Technical Trust Fund to support developing countries and other countries.

A6. Further development of the legal instrument

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A7. The international organisation

The coordination of the implementation and the administrative tasks of the Protocol are performed by the Secretariat of the Basel Convention (see 17) functioning in the framework of UNEP.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Protocol on 5 December 2000. The preparation of ratification is in progress.

B2. Implementation of the general objectives in Hungary

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B3. Implementation of specific tasks in Hungary

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B4. Contribution to the financial funds

Hungary regularly pays its annual contribution to the Operational Trust Fund. Furthermore, it has contributed to the Technical Trust Fund supporting developing countries. Hungary is not in arrears with its payments.

B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Protocol as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

#2000: Government Decree 2308/2000. (XII. 20.) Korm. on the signing of the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal, adopted at the 5th Meeting of the Parties to the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, on 10 December 1999, in Basel

18. ASSESSMENT OF TRANSBOUNDARY ENVIRONMENTAL IMPACTS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Environmental Impact Assessment in a Transboundary Context	
INTERNATIONAL	
* Adoption:	25 February 1991
* Venue:	Espoo (Finland)
* Entry into force:	10 September 1997
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	41 (incl. EC)
HUNGARIAN	
* Signature:	26 February 1991
* Ratification:	11 July 1997 (ratification)
* Entry into force:	9 October 1997
* Promulgation:	13 October 1999

A2. Objectives

The objective of the Convention is to prevent, reduce or control significant adverse transboundary environmental impacts. In order to meet this objective, the Convention makes provisions for the following general obligations to all Parties:

- Each Party shall take the necessary legal, administrative or other measures that institutionalise an environmental impact assessment procedure that permits public participation and the preparation of the environmental impact assessment documentation described in Appendix II with respect to the proposed activities listed in Appendix I that are likely to cause significant adverse transboundary impact [Art. 2 (2)].
- The Party of origin (i.e. the country in the territory of which the activities are conducted) shall ensure that, in accordance with the provisions of the Convention, an environmental impact assessment is undertaken prior to a decision to authorize or undertake a proposed activity listed in Appendix I that is likely to cause a significant adverse transboundary impact. The Party of origin shall, consistent with the provisions of this Convention, also ensure that the affected Parties are notified of such an activity [Art. 2 (3–4)].
- The Concerned Parties shall (at the initiative of any such a Party), enter into discussions on whether one or more proposed activities not listed in Appendix I is or are likely to cause a significant adverse transboundary impact and thus whether it falls under the scope of the Convention [Art. 2(5)].
- Furthermore, the Party of origin shall provide, in accordance with the provisions of the Convention, an opportunity to the public in the areas likely to be affected to participate in the relevant environmental impact assessment procedures regarding the proposed

activities and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin [Art. 2 (6)].

- The Parties shall ensure the implementation of the obligations set in the Convention by bi- or multilateral agreements [Art. 8].

A3. Specific commitments

Specific obligations arise in cases when one Party proposes to conduct activities that are likely to cause a significant adverse transboundary impact. In this case, the Parties shall:

- notify the affected Party [Art. 3 (1)], provide information regarding the environmental impact assessment procedure, the proposed activity and its possible significant adverse transboundary impact [Art. 3 (5)], exchange information if a Party for which no notification has taken place requests [Art. 3 (7)] and ensure that the public of the affected Party in the areas likely to be affected are informed and provided with possibilities for making comments or objections [Art. 3 (8)];
- prepare and transmit the environmental impact assessment documentation to the affected Party [Art. 4 (2)];
- consult with the affected Party [Art. 5], and in the final decision on the proposed activity, the outcome of the environmental impact assessment, the comments received and the outcome of the consultations need to be taken into consideration [Art. 6 (1)]; furthermore, the decision shall be transmitted to the affected Party [Art. 6 (2)];
- determine the necessity of post-project analysis [Art. 7 (1)] and notify the Parties on the basis of the post-project analysis [Art. 7 (2)];
- after making the decision, the concerned Party shall inform the affected Party [Art. 6 (3)]; any additional information which could have materially affected the decision becomes available.

If a given Party is likely to be the affected Party of the proposed activity of the Party of origin, the following options are provided:

- respond to the notification of the Party of origin [Art. 3 (3)], or, on its request, provide the Party of origin with information relating to the potentially affected environment [Art. 3 (6)];
- inform the public of the areas likely to be affected and transmit comments or objections to the Party of origin [Art. 3 (8)];
- distribute the environmental impact assessment documentation to the authorities and to the public [Art. 4 (2)] and submit comments of the competent authority and the public to the Party of origin [Art. 4 (2)];
- the concerned Party shall inform the Party of origin [Art. 6 (3)]; after making the decision, additional information which could have materially affected the decision becomes available;
- determine the necessity of post-project analysis [Art. 7 (1)] and notify the Parties on the basis of the post-project analysis [Art. 7 (2)].

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The Convention does not contain an obligation for the Parties of financial contribution. All contributions are voluntary. The costs of participation in working programmes accepted at the Meetings of the Parties for countries with an economy in transition are covered by the financial fund of UNECE available for this specific purpose.

A6. Further development of the legal instrument

The most significant results in the further development of the Convention:

- in 2001 at the Meeting of the Parties in Sofia, the amendment of the Convention was adopted that applies the term "public" according to the contents of the Aarhus Convention (see 21), and allows for countries outside the UNECE to adopt the Convention,
- in 2003 at the Extraordinary Meeting of the Parties, the Protocol to the Convention on Strategic Environmental Assessment was adopted (see 18.a).

The third Meeting of the Parties (2004, Cavtat, Croatia) took a decision to amend the Convention. The principal amendment was the adoption of a new extended Annex I.

A7. The international organisation

The decision making body of the Convention is the Meeting of the Parties. Administrative functions and coordination of the implementation are performed by the UNECE Environment and Human Settlements Division.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 26 February 1991 in Espoo, Finland, ratified it in 1997 and promulgated it by Government Decree 148/1999. (X. 13.) Korm.

B2. Implementation of the general objectives in Hungary

The statute on the temporary regulation of the environmental impact assessment of certain activities (Government Decree 86/1993. (VI. 3.) Korm.) entered into force in 1993. After passing the general act on environment protection (Act LIII of 1995), the regulation of environmental impact assessment ascended to the level of law.

B3. Implementation of specific tasks in Hungary

After ratifying the Convention, in 1999 Government Decree 172/1999. (XII. 6.) Korm. complemented the regulation of environmental impact assessment with the rules necessary for the application of the Convention. Since 2001, Government Decree 20/2001. (II. 14.) Korm. contains the detailed rules of the regulation of international environmental impact assessment as per the provisions of the Convention. With the coordination of MEW, the regional authorities responsible for the environment participate in the implementation.

B4. Contribution to the financial funds

Hungary supports the coordination and the administrative activities of the Convention by paying annual voluntary contributions.

B5. Participation in international programmes

Hungary participates in the implementation of the work plan adopted at the Meeting of the Parties by the participation of experts or by providing information.

The EU requirements on transboundary environmental impact assessment are contained in Directive 85/337/EEC on the assessment of the environmental impacts of certain public and private investments, amended by Directive 97/11/EC, the legal harmonisation of which was carried out by Government Decree 20/2001 (II. 14.) Korm.

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as the representation of the Hungarian position at international negotiations. As a member of the EU since 2004, Hungary takes part in the development and support of joint positions of the EU in relation to this legal instrument.

(C) Legal instruments and other references

- #2001: Government Decree 20/2001. (II. 14.) Korm. on environmental impact assessment
- #1999: Government Decree 148/1999. (X.13.) Korm. on the promulgation of the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo (Finland) on 26 February 1991
- #1999: Government Decree 172/1999. (XII.6.) Korm. on the amendment of Government Decree 152/1995. (XII. 12.) Korm. on the range of activities requiring obligatory environmental impact assessment and on the detailed regulations of the related official procedure (not in force anymore)
- #1995: Act LIII of 1995 on the protection of the environment (in Hungarian: 1995. évi LIII. törvény a környezet védelméről)
- #1995: Government Decree 152/1995. (XII. 12.) Korm. on the range of activities requiring obligatory environmental impact assessment and on the detailed regulations of the related official procedure (already not in force)
- #1993: Government Decree 86/1993. (VI. 4.) Korm. on the interim regulation of the environmental impact assessment of certain activities (not in force anymore)
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)

18.a. STRATEGIC ENVIRONMENTAL ASSESSMENT

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context	
INTERNATIONAL	
* Adoption:	21 May 2003
* Venue:	Kiev (Ukraine)
* Entry into force:	
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	4
HUNGARIAN	
* Signature:	21 May 2003
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

This Protocol was opened for signature at the Kiev Conference of the environmental ministers of the countries of UNECE. There are 37 signatories, but only 4 States have ratified the Protocol (Albania, Czech Republic, Finland, Sweden).

A2. Objectives

The objective of the Protocol is to provide, in the interest of sustainable development, for a high level of protection of the environment and health, by developing an appropriate process, including public participation, and for strategic environmental assessment to contribute to the consideration of environmental and health concerns in the development of plans and programmes likely to have a significant effect on the environment and to promote this in the preparation of policies and legislation.

A3. Specific commitments

The main obligations and tasks of the Parties are as follows:

- For specified plans and programmes, the implementation of strategic environmental assessment is binding. [Art. 4 (1)]
- In the course of the strategic environmental assessment an environmental report is prepared. The report shall identify, describe and evaluate in general the significant environmental effects likely to result from the implementation of the plan or programme and their reasonable alternatives. [Art. 7 (1-2)]

- The relevant information to be included in the environmental report shall always be determined for each individual case, with consideration to Annex IV. The environmental and health authorities shall be consulted when determining the relevant information to be included in the environmental report. [Art. 6]
- The sufficient quality of the report shall be ensured. [Art. 7 (3)]
- The concerned environment and health authorities shall be consulted about the proposed plan or programme. [Art. 9]
- Each Party shall ensure timely and effective opportunities for public participation and ensure the public availability of the draft plan or programme and the environmental report. The public concerned shall be identified so that they may participate in the environmental assessment and make comments and objections concerning the plans and the report. Annex V contains suggestions regarding the arrangement of information, which would form the basis of public participation. [Art. 8]
- As also set in the general provisions of the Aarhus Convention, the Parties shall ensure that the public receives sufficient guidance from the authorities to participate in the environmental assessment, and environmental organisations shall be ensured appropriate recognition and support in relation to the Protocol. Anyone exercising their rights in conformity with the provisions of the Protocol shall do so without any form of disadvantage and may practise their rights laid down in the Protocol, irrespective of citizenship, nationality, domicile, or, in the case of a legal person, without discrimination as to where it has its registered seat or an effective centre of its activities. [Art. 3. (2, 3, 6, 7)]
- If the implementation of the plan or programme is likely to cause significant transboundary environmental effects, the affected party shall be immediately notified. The affected Party shall indicate whether it wishes to enter into consultations on the effects and the measures to be taken. Where such consultations take place, the Parties concerned shall agree to ensure that the public and the authorities of the affected Party are informed and their participation is ensured. [Art. 10]
- When a plan or programme is adopted, due consideration shall be given for the conclusions of the environmental report, the measures to prevent, reduce or mitigate the adverse effects identified in the environmental report and the comments received from the public, the authorities and the affected Party. [Art. 11 (1)]
- When a plan or programme is adopted, information shall be disseminated, and the availability of the plan or programme shall be ensured, together with a statement summarizing how the environmental considerations have been integrated into it, how the comments received have been taken into account and the reasons for adopting. [Art. 11 (2)]
- The significant environmental effects of the implementation of the plans and programmes shall be monitored, and the results shall be made available to the authorities and to the public. [Art. 12]
- In the field of policies and legislation, the Parties shall endeavour to ensure that environmental considerations, including health, are taken into account and integrated to

the extent appropriate in the preparation of proposals. Each Party shall determine, where appropriate, the practical arrangements in this field. [Art. 13]

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The Protocol does not contain any obligation of financial contribution for the Parties. All contributions are voluntary.

A6. Further development of the legal instrument

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A7. The international organisation

The institutions related to the Protocol are closely linked with those of the Espoo Convention, such as the Meeting of the Parties, which also serves as the meeting of the signatories (later Parties) of the Protocol.

The coordination and the administrative tasks related to the Protocol are fulfilled by the Secretariat of the Espoo Convention at the UNECE Environment and Human Settlements Division.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Protocol on 21 May 2003 in Kiev; preparations of the ratification and the promulgation are in progress.

B2. Implementation of the general objectives in Hungary

The basic requirement for the implementation of the provisions of the Protocol is to introduce a strategic environmental assessment for the designated scope of plans and programmes.

The legally binding provisions that cover the greatest part of the text of the Protocol are almost fully equivalent to the similar EU Directives and, in relation to the public, to the provisions of the Aarhus Convention. The few differences are not of conceptual nature, and their consideration is feasible in the course of the legal harmonisation of the directive, which was carried out in 2004 with the amendment of Act LIII of 1995 on the protection of the environment (Hungary is a Party to the Aarhus Convention, thus the provisions of the Convention must be implemented irrespective of the Protocol.)

The regulation on the Protocol's legally not binding provisions about formulating policies and legal instruments already exists in Hungary: it is the provisions of the environment protection law on assessment analysis (covering the scope of the Protocol to a large extent).

B3. Implementation of specific tasks in Hungary

The detailed provisions for the implementation of the binding part of the Protocol are formulated in the Government Decree 2/2005. (I. 11.) Korm. on the environmental assessment of certain plans and programmes.

MEW is responsible for the establishment and further development of the institutional system of environmental assessment. The implementation of individual assessments is the responsibility of the bodies preparing the plan or programme concerned. In the process of environmental assessment, it is mandatory to consult with the concerned environmental authorities and the public concerned.

B4. Contribution to the financial funds

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B5. Participation in international programmes

The issue of strategic environmental assessments is also considered important in the European Union, and a separate regulation has been prepared for this purpose. Directive 2001/42/EK entered into force on 21 July 2004, and in its implementation the legally binding provisions of the Protocol are also carried out. The European Union and its member states have signed the Protocol.

B6. Hungarian participation in the international organisation

Hungary participates in the activities of the working group of the Protocol and in the activities of the international working groups set up in the work plan.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Protocol as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2005: Government Decree 2/2005. (I. 11.) Korm. on the environmental assessment of certain plans and programmes
- #2001: European Parliament and Council Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
- #1999: Government Decree 148/1999. (X.13.) Korm. on the promulgation of the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo (Finland) on 26 February 1991
- #1995: Act LIII of 1995 on the protection of the environment

19. CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on the Transboundary Effects of Industrial Accidents	
INTERNATIONAL	
* Adoption:	17 March 1992
* Venue:	Helsinki (Finland)
* Entry into force:	19 April 2000
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	35 (incl. EC)
HUNGARIAN	
* Signature:	18 March 1992
* Ratification/approval:	2 June 1994 (approval)
* Entry into force:	19 April 2000
* Promulgation:	13 July 2001

A2. Objectives

The fundamental objective of the Convention is to prevent threats to large areas and transboundary environmental effects caused by industrial activities, to mitigate damages resulting from such accidents and to provide international assistance in connection with the preparation for such events and in the case of actual damage. The Parties formulate strategies and legislation to reduce the risk of industrial accidents and to increase the capabilities of protection against such accidents and their effects. The commitment covers the prevention of industrial accidents and disasters and, in the event of such an occurrence, averting or mitigating its harmful effects and exchanging information.

The Convention is aimed at preventing and mitigating direct or indirect, immediate or delayed, effects of all industrial activities which are harmful to human beings, to the natural environment, as well as to the built environment. The foundation of the Convention is the principle that potential and actual causers of the adverse effects should bear the burdens and take responsibility for the consequences of industrial accidents.

The implementation of the Convention has three major areas: disaster prevention, development of industrial safety and environmental protection.

A3. Specific commitments

According to the Convention, the Parties shall:

- develop and implement policies and strategies to prevent industrial accidents, to prepare for and avert them, and to ensure that the operators of hazardous activities take measures to reduce risks (Art. 3, Art. 6);

- ensure the notification of the neighbouring Parties of the proposed or existing hazardous activities (Art. 4.1), furthermore identify activities under their jurisdiction that are capable of causing transboundary effects (Art. 4.2);
- within the framework of their legal system, seek the establishment of policies on the siting of new hazardous activities and on significant modifications to existing hazardous activities (Art. 7);
- take appropriate measures to establish and maintain adequate emergency preparedness to respond to industrial accidents; to this end, the Parties shall prepare and implement on-site and off-site contingency plans that are compatible with the contingency plans of neighbouring countries (Art. 8);
- ensure that adequate information is given to the public in the areas that might be affected by an industrial accident and that the public is provided with the opportunity to participate in the relevant procedures, with equal access to and treatment in the relevant administrative and judicial proceedings (Art. 9);
- ensure that, in the event of an industrial accident, or imminent threat thereof, adequate response measures are taken (Art. 11) and co-operate in the event of an industrial accident to facilitate the prompt provision of assistance agreed to (Art. 12)
- develop the exchange of information and technology, as well as the scientific and technological co-operation for the purpose of preventing, preparing for and responding to industrial accidents (Art-s 14-16);
- designate/establish one or more competent authorities for the purposes of the Convention and notify the Parties of this designation and of any changes through the Secretariat (Art. 17); designate/establish a contact point for the purpose of industrial accident notifications, establish compatible and efficient industrial accident notification systems at appropriate levels and establish a contact point for the purpose of mutual assistance, with the consideration that Parties may provide assistance in cases of industrial accidents – at the request of the affected Party (Art. 10, Art. 12, Art. 17).

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

The costs of the administrative tasks related to the Convention are covered by the UNECE budget. Some developed Parties and the EU support the countries with an economy in transition by voluntary contribution. The Conference of the Parties at its third meeting held in Budapest on 27-30 October 2004 adopted an assistance programme for the East European, Caucasian and Central Asian and the South-East European countries to enhance their efforts in the implementation of the Convention. The Czech Republic, Italy, Netherlands, Norway, Poland, Slovenia and Switzerland contributed by financial resources to assist this programme.

A6. Further development of the legal instrument

The outstanding pollutions that have occurred in the last decades, especially the cyanide and heavy metal pollution of the Tisza and Szamos rivers in 2000, directed the international attention towards the issue of responsibility for the prevention of transboundary environmental effects and for the damage caused by them and also towards the need for an adequate legal framework and the increase of the effectiveness in the enforcement of rights. According to the decision made jointly by the COP of the Convention and by the COP of the

Convention on Transboundary Watercourses (see 4), the Protocol on Civil Liability and Compensation was elaborated (see 4.b).

A7. The international organisation

The coordination of the implementation of the Convention and the fulfilment of its administrative tasks is carried out by the Geneva Secretariat operating in the framework of UNECE. The decision-making process of the Conference of the Parties (COP) is assisted by the Working Group on the implementation of the Convention.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 18 March 1992 and ratified it on 2 June 1994. The Convention entered into force on 19 April 2000 and was promulgated in 2001.

B2. Implementation of the general objectives in Hungary

Since the Convention is of great importance for Hungary, Hungary makes all the efforts to meet all the obligations contained in this legal instrument. The implementation of certain provisions was already undertaken before the actual entry into force of the Convention (see below).

B3. Implementation of specific tasks in Hungary

- In 1995, Government Resolution 2408/1995 (XII. 20.) Korm. made provisions for the establishment of a National Centre for Industrial Accidents (Centre), which operates in the organisation of the Hungarian Disaster Prevention Directorate. MET and MEW also co-operate in the implementation of the Convention.
- The provisions of the Convention are implemented parallel to Council Directive 96/82/EC (Seveso II Directive) on the control of major hazards of accidents related to dangerous substances. The regulations of the Convention on the prevention of, preparedness for and response to industrial accidents appeared in Chapter IV of the 1999 disaster prevention law and in the Government Decree adopted in January 2001.
- In order to ensure the fulfilment of tasks related to industrial accident notification and mutual assistance, a point of contact was designated, which is operated by the National Directorate General for Disaster Management through the Dispatcher Service of the Hungarian Disaster Prevention Directorate.
- Hazardous activities had to be identified within two years following the entry into force of the Convention. Because of the introduction schedule of Council Directive 96/82/EC on the control of major-accident hazards related to dangerous substances, the identification could only take place after issuing and examining the safety reports and analyses.
- Neighbouring Parties exchange information on prevention, preparedness and response. In preparing off-site contingency plans and public information materials, in licensing processes of the siting of new installations, and in country planning processes, the Parties take into consideration the hazardous effects of the industrial facilities near the borders. The implementation of these tasks is carried out on the basis of the bilateral disaster prevention and assistance agreements, on the basis of the border-region co-operation agreements between the disaster-prevention authorities and with the assistance of the interministerial joint committees and environment protection conventions. The Disaster

Prevention Directorates in counties situated along the border take into consideration the hazardous effects of near-border facilities in the preparation of their off-site contingency plans and public information materials, in the licensing processes of the siting of new installations and in country planning processes.

- In order to fulfil the obligations of the Protocol on Civil Liability and Compensation (see 4.b) several legal harmonisation, regulation and administration measures need be taken that are primarily coordinated by MEW.
- It is obligatory to submit reports on the implementation of the Convention: the deadline for the first report was 31 March 2002 and 31 January 2004 for the second.

B4. Contribution to the financial funds

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B5. Participation in international programmes

Hungary takes part in the assistance programme described in section A5.

B6. Hungarian participation in the international organisation

Until the date of the Convention's entry into force, the Regional Coordination centre of UNECE was operating in Budapest. Following this, the activities of the Centre were taken over by the National Centres of the Parties. After the Convention's entry into force, Pál Popelyák (Hungarian Disaster Prevention Directorate), the director of the National Centre was one of the vice-chairpersons of the Conference. At the 3rd session held in 2004 at Budapest, Lajos Kátai-Urbán was elected for one of the posts of vice-chairpersons.

B7. Coordination in Hungary

The Hungarian Disaster Prevention Directorate is responsible for the interministerial coordination of the tasks under the Convention as well for maintaining international relations.

(C) Legal instruments and other references

- #2001: Government Decree 128/2001. (VII. 13.) Korm. on the promulgation of the Convention on the Transboundary Effects of Industrial Accidents set up in the framework of the UNECE, dated 17 March 1992
- #2001: Government Decree 2/2001. (I. 17.) Korm. on the protection against severe accidents related to hazardous substances
- #1999: Act LXXIV. of 1999. on the management and organisation of the protection against disasters and the protection against severe accidents related to hazardous substances
- *2003: Kátai-Urbán L., 2003: Activities Related to the Transboundary Effects of Severe Industrial Accidents: Handbook on Industrial Safety (H: A súlyos balesetek országhatáron túli hatásaival kapcsolatos tevékenység. Ipari biztonsági kézikönyv (ed. Bándi Gy.), KJK, pp. 297-305
- *1999: Bándi Gy. (ed.), 1999: The Economic, Regulation and Management Conditions of the Implementation of the Seveso II Directive (H: A Seveso II. direktíva hazai megvalósításának gazdasági, szabályozási és igazgatási feltételrendszere), Budapest, PPKE-JAK
- *1996: Faragó T. (ed.), 1996: Environmental Safety: UN Programmes and the Tasks for Hungary (H: Környezetbiztonság: az ENSZ programjai és a hazai feladatok). Budapest, pp. 83
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)

20. REDUCING THE ENVIRONMENTAL IMPACTS OF ENERGY PRODUCTION AND ENERGY CONSUMPTION

(A) Main features of the legal instrument and the international organisation

A1. Basic data

The Energy Charter Treaty: Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects (PEEREA)	
INTERNATIONAL	
* Adoption:	17 December 1994
* Venue:	Lisbon (Portugal)
* Entry into force:	8 April 1998
* Organisation:	
* Depositary:	Portugal
* Parties (1 st quarter of 2006):	46 (incl. EC)
HUNGARIAN	
* Signature:	27 February 1995
* Ratification/approval:	8 April 1998 (ratification)
* Entry into force:	7 July 1998
* Promulgation:	31 March 1999

A2. 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 environmental impacts range from the local to the global scale. Nevertheless, the adequate supply of energy is one of the most fundamental demands of the socio-economic activities. The importance of this energy supply is further increased by the fact that the international trade of energy carriers and technologies 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 liberalisation of trade and investments in relation to all forms of economic activities conducted in the energy sector. It promotes the development of market economies in the states of the Eurasian continent 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, emphasising the importance of due consideration of the relevant international conventions (conventions on climate change and on transboundary air pollution). It also contains a number of provisions dealing with environmental issues: it promotes the reflection of environmental costs in market-oriented pricing, the assessment of environmental impacts

when making decisions on investments in the energy sector, research, development, and the dissemination of environmentally sound technologies, the exchange of information, the raising of public awareness and the prevention and mitigation of adverse environmental impacts.

The Protocol (Annex 3 to the final act) 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 (...). 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 coordinated action" [Art. 1 (1)].
- "... promotion of energy efficiency policies consistent with sustainable development" [Art. 1 (2a)]; "the creation of framework conditions which induce producers and consumers to use energy as economically, efficiently and environmentally soundly as possible ..." [Art. 1 (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 potential means of funding and financial incentives appropriate for the implementation and encourages both producers and consumers to achieve cost-effective and environmentally sound energy consumption to the extent possible.

A3. Specific commitments

The most important tasks – also related to environmental protection – set down in the Protocol are as follows:

- "Contracting Parties shall establish energy efficiency policies and appropriate legal and regulatory frameworks which promote, *inter alia*: (...) a fuller reflection of environmental costs and benefits; (...) mechanisms for financing energy efficiency initiatives; education and awareness; dissemination and transfer of technologies ..." [Art. 3 (2)].
- The Protocol urges the establishment of international financing mechanisms for energy related environmental investments and the spreading of the practice of Third Party Financing.
- The Protocol sets as a specific task that "each Contracting Party shall develop, implement and regularly update energy efficiency programmes best suited to its circumstances." [Art. 8 (1)]
- Contracting Parties shall establish specialised energy efficiency bodies 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 accomplished through additional investments, thus the costs of carrying out environmental tasks shall be included in the price of energy carriers.

A4. Specific provisions applying to Hungary

The Treaty contains no specific provisions implying tasks different from the general ones for any group of countries, including Hungary.

A5. Financial and facilitating mechanisms

The Contracting Parties have to contribute to the operating costs of the Treaty's Permanent Secretariat based in Brussels. The rules of cost sharing are set in Annex B to the Treaty.

A6. Further development of the legal instrument

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A7. The international organisation

The supreme decision making body of the Treaty is the Charter Conference which is headed by the Chairman. The work of the decision making bodies and the implementation of the tasks of the Contracting Parties is served by the Permanent Secretariat headed by the Secretary General.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Treaty, the Concluding Document of the Charter Conference, and its Protocols on 27 February 1995 and ratified it as per Parliament Resolution 28/1998. (III. 18.) OGY on 8 April 1998. Both instruments of international law entered into force on 7 July 1998 and were promulgated in Act XXXV of 1999.

B2. Implementation of the general objectives in Hungary

According to the objectives of the Treaty and the Protocol, appropriate programmes and measures need to be developed and implemented to improve energy efficiency and to address the relevant issues of environmental protection. In order to improve energy efficiency, numerous initiatives and programmes have already been devised by which Hungary could meet the objectives of the Treaty and its Protocol on environmental protection.

B3. Implementation of specific tasks in Hungary

Both the Treaty and the Protocol provide the general framework for international co-operation in trade, technology and environmental protection matters related to the energy sector. The implementation of the Protocol's objectives are mainly ensured by the Hungarian energy saving and energy efficiency improvement programmes; financial support for the relevant projects is also provided currently by the Environment Protection and Infrastructure Operational Programme of the National Development Programme.

B4. Contribution to the financial funds

Hungary has regularly paid the obligatory annual „membership fee” to the budget of the Charter Secretariat.

B5. Participation in international programmes

Hungary is participating in numerous international programmes, bi- and multilateral co-operations which are directly related to the issues of energy and the environment and the result of which significantly contribute to the implementation of the objectives and tasks set down in the Treaty and the Protocol – including environmental protection. These international programmes are performed within the framework of, among others, the European Union, the International Energy Agency (IEA), and the World Energy Council (WEC).

B6. Hungarian participation in the international organisation

Hungary was one of the initiators of, and an active participant in, developing the Protocol. In recognition of this activity, a Hungarian expert, Tamás Jászay (Technical University of Budapest and MET) was elected as the first chairman of the working group on energy efficiency and related environmental issues (currently, he is the vice-chairman of this working group).

B7. Coordination in Hungary

MET is responsible for coordinating the implementation of the Treaty as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #1999: Act XXXV. of 1999 on the promulgation of the Concluding Document of the European Energy Charter Conference, of the Energy Charter Treaty, of the Decisions with Respect to the Energy Charter Treaty and of the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects
- #1998: Parliament Resolution 28/1998. (III. 18.) OGY on the ratification of the Energy Charter Treaty, of the Decisions with Respect to the Energy Charter Treaty, of the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects and of the Concluding Document of the European Energy Charter Conference (in Hungarian: 28/1998. (III. 18.)
- *1996: Faragó T., A. H. Lakosné (eds.), 1996: Approval and implementation of international conventions on environmental protection and nature conservation in Hungary. MERP, Budapest (also in H, 1995)

21. CONVENTION ON THE ACCESS TO INFORMATION AND PUBLIC PARTICIPATION

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters	
INTERNATIONAL	
* Adoption:	25 June 1998
* Venue:	Aarhus (Denmark)
* Entry into force:	30 October 2001
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	39 (incl. EC)
HUNGARIAN	
* Signature:	18 December 1998
* Ratification/approval:	3 July 2001 (ratification)
* Entry into force:	30 October 2001
* Promulgation:	4 December 2001

The decision on drafting the Convention was made at the third Pan-European Conference of Ministers of Environmental Protection held in Sofia in 1995. The preparation of the Convention was coordinated by UNECE. Besides the government delegates, four representatives of the European non-governmental environment protection organisations also participated endowed with full capacity.

A2. Objectives

The greatest value of the Convention is that it collected and set into a general framework the elements of public participation previously existing in international law and individual national laws. Thus the three pillars of the Convention – the rights of access to information, public participation in decision-making and access to justice in environmental matters – are much more effective together than individually. The Convention complemented the three pillars by principles, definitions and more specific provisions, and the section on education and awareness raising towards participation provide for the three pillars to actually be accessible to the public following their own and their wider public interests.

The objective of this Convention reads: In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to information, public participation in decision-making, and access to justice in environmental matters in accordance with the provisions of this Convention (Art. 1).

A3. Specific commitments

The basic obligation is to ensure that the public has access to information on environmental matters, may participate in environmental decision-making and has access to justice in environmental matters. The specific commitments related to these are the following:

- The right to access to environmental information is divided into passive (request) and active (the public authorities and operators provide information without request) cases. The Convention makes provisions on providing information without an interest having to be stated, on the forms and on the deadlines of providing information, on the amounts that may be charged for providing information and on the cases of refusal to provide information (e.g.: inexistent information; request too general or unreasonable; protection of public security, information adversely affecting interests of a third party). (Art. 4)
- Among the forms of active provision of information, the following are mentioned: regular reports issued on the state of the environment, public availability of lists and registers, the texts of environmental legislation, international environmental commitments, product information and information included in pollutant release and transfer registers (PRTR). (Art. 5)
- Participation in environmental decision-making shall be ensured both in individual public administration procedures (list of activities, the informing of those concerned, the right to express opinion) and in making normative decisions (preparation of legislation, development of plans, programmes and policies). (Art-s 6, 7, 8)
- Legal remedy shall be ensured in cases of the violation of access to the rights to information, participation and environment (Art. 9).

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

Contribution to the financial fund of the Convention is voluntary.

A6. Further development of the legal instrument

Efforts have been made for organising the implementation of the Convention, and even for the further development of its text already before its entry into force; in addition, the Contracting Parties made decisions on setting up a number of working groups in several fields, including: guarantees of implementation and application; Pollution Release and Transfer Registers (PRTR); genetically modified organisms; access to justice; electronic information tools. The Convention makes provisions for a separate Protocol on the introduction of pollutant release and transfer registers (PRTR) [Art. 5 (9)] (see 21.a). The decision on drafting the Protocol was made at the first session of the Meeting of the Parties.

The second session (2005) adopted the amendment to Article 9 of the Convention concerning activities with Genetically Modified Organisms (GMOs).

A7. The international organisation

The highest decision making body of the Convention is the Meeting of the Parties. The Secretariat of the Convention operates in the framework of the UNECE Environment and Human Settlements Division.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 18 December 1998, and the document of ratification was deposited on 3 July 2001 as per Parliament Resolution 35/2001. (VI. 1.) OGY.

B2. Implementation of the general objectives in Hungary

In the course of the implementation of the Convention in Hungary – considering that Hungarian legislation is in line with the spirit and text of the Convention – primarily the conditions of practical issues in the implementation need to be facilitated. The most important framework of solving the problems related to the Convention is the National Environmental Programme (NEP). NEP-II for the period of 2003-2008 addresses the main tasks related to the Convention in the action programme "Raising Environmental Awareness"; these tasks are: setting up a country-wide network of unified environmental information system; ensuring the adequate level of environmental monitoring system, the development of the imission measurement network; the development of an integrated environmental assessment system; the operation of a National Biodiversity Monitoring System; the development of the geographic information system supporting the implementation of the Water Framework Directive; the forming of interministerial co-operation for the development of a country-wide environmental geographic information system; the assessment of the load placed on the environment by different sectors and their tendencies.

B3. Implementation of specific tasks in Hungary

For the purpose of rendering legislation open and widely available, MEW publishes the draft laws it is preparing on its Internet homepage. In case of more significant acts, participation of the public is called for at the stage of conceptual planning, and consultation forums are organised. The activity of the National Environmental Council acting as an advisory body of the government is a significant element in the promotion of open legislation.

In order to facilitate the development of the conditions of public participation and the access to information, the following have been developed and need further development: material and personal conditions at the customer services of environmental inspectorates and national parks; the IT background of the national and international flow of information and unified national and international data-bases which serve as background for the preparation of decisions, planning, regulation and is necessary for meeting the obligations of providing international data and for the provision of information to the public. In particular, MEW developed a comprehensive national air pollution database so that the public may receive regular and accurate information on the levels of air pollution in different formats. Further developments were realised for the accessibility of other environmental data.

Measures taken for the promotion of public participation are: the facilitation of access to environmental information; the inclusion of NGOs and the public into the preparation of

decisions concerning them; the setting up of convenient inventories; the inclusion of NGOs in carrying out environmental tasks and the financial assistance of these NGOs; and the setting up of instruments for enabling participation (information, education).

B4. Contribution to the financial funds

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B5. Participation in international programmes

The European Community – a Contracting Party itself – prepared and opened for comprehensive debate the "Aarhus Legislative Package" by the beginning of 2004, which means that the most important parts of the Convention will be included in EU legislation. At the beginning of 2005, the European Parliament and the Council adopted a regulation on the application of the provisions of the Aarhus Convention to EC institutions and bodies.

B6. Hungarian participation in the international organisation

Hungarian governmental and non-governmental experts took an active part in the negotiations preparing the Convention; on the part of NGOs Gyula Bándi (ELTE), Magdolna Tóth (REC) and Sándor Fülöp (EMLA), who is currently (for the period of 2002-2006) a member of the Compliance Committee, participated in the negotiations. Representatives of MEW took part in the work of the Working Group of the Parties to facilitate the implementation of the Convention, in the Task Force on Electronic Information Tools and in the Working Group on GMOs.

B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2001: Act LXXXI of 2001 on the promulgation of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted in Aarhus, on 25 June 1998
- #2001: Parliament Resolution 35/2001.(VI. 1.) OGY on the ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access To Justice in Environmental Matters, adopted in Aarhus, on 25 June 1998
- #1995: Act LIII of 1995 on the protection of the environment
- #1995: Act LXV of 1995 on state secrets and office secrets
- #1992: Act LXIII of 1992 on the protection of personal data and the public availability of data of public interest
- #1990: Act LXV of 1990 on self-governments
- #1987: Act XI of 1987 on legislation
- #1977: Act I of 1977 on announcements, recommendations and complaints of general concern
- #1977: Ministerial Decree 11/1977. (III. 30.) MT on the implementation of Act I of 1977 on announcements, recommendations and complaints of general concern
- #1957: Act IV of 1957 on the general procedural regulations of state administration
- *1995: Fülöp S., J. Péter, 1995: The conditions of ratifying the Espoo convention in the Hungarian legal system. (H: Az Espoo-i egyezmény ratifikálásának feltételei a magyar jogrendszerben). Környezetvédelmi jogi tanácsadó szolgálat, Budapest

21.a. POLLUTANT RELEASE AND TRANSFER REGISTERS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Protocol on Pollutant Release and Transfer Registers (PRTR)	
INTERNATIONAL	
* Adoption:	21 May 2003
* Venue:	Kiev (Ukraine)
* Entry into force:	
* Organisation:	UNECE
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	2 (incl. EC)
HUNGARIAN	
* Signature:	21 May 2003
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

The Protocol (PRTR Protocol) was drafted on the basis of Article 5 (9) of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (see 21). Drafting the Protocol was supported by the decision made at the first session of the Meeting of the Parties to the Convention (21-23 October 2002, Lucca).

The Protocol was signed by 34 States and organisations at the Conference of Environmental Ministers held in Kiev on 21-23 May 2003, including Hungary and the European Community. Now there are 37 signatories and only 2 Parties to this Protocol (the European Community and Luxembourg).

The Protocol shall enter into force on the ninetieth day after the date of deposit of the sixteenth instrument of ratification, acceptance, approval or accession.

A2. Objectives

The objective of the Protocol is to enhance public access to information through the establishment of coherent, integrated, nationwide pollutant release and transfer registers (PRTRs) in accordance with the provisions of the Protocol, which could facilitate public participation in environmental decision-making and contribute to the prevention and reduction of the pollution of the environment.

A3. Specific commitments

Each Party undertakes to establish and maintain a publicly accessible national pollutant release and transfer register that will contain data on:

- pollutant releases to all three environmental media,
- the transfer of pollutants and wastes,
- and diffuse sources.

The pollutant release and transfer register system shall conform to a number of requirements. It shall:

- be facility-specific with respect to reporting on point sources;
- accommodate reporting also on diffuse sources;
- present the transfer register according to the amount of waste or of the pollutants in the waste as appropriate;
- contain information on releases into air, land and water;
- include information on transfers of pollutants or wastes;
- be based on mandatory reporting on a periodic basis;
- include standardized and timely data,
- be coherent and designed to be user-friendly and publicly accessible (also in electronic form if possible),
- allow for public participation in the development of the register and in its modification,
- be a structured, computerised database or several linked databases maintained by the competent authority.

It is also important that information on releases and transfers in the register be searchable and identifiable in various forms, such as: in aggregated and non-aggregated forms, according to facility and geographical location, pollutant or waste, type of sources (point, diffuse) etc.

A4. Specific provisions applying to Hungary

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

The Protocol only provides for minimum requirements with respect to the type of activities, the list of pollutants and the applied threshold values. The Parties may also establish more comprehensive databases.

A5. Financial and facilitating mechanisms

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A6. Further development of the legal instrument

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A7. The international organisation

Until the entry into force of the Protocol, the international UNECE Working Group on Pollutant Emission and Transfer Registers manages the preparation of the tasks set in the Protocol.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Protocol on 21 May 2003 at the Pan-European Conference of Ministers of Environmental Protection held in Kiev. The ratification of the Protocol is in progress.

B2. Implementation of the general objectives in Hungary

Hungary is currently under obligation to provide data. One of the most important commitments is based on Commission Decision 2000/479/EC on the establishment of a European Pollutant Emission Register (EPER).

This makes it possible for the member states to provide environmental information in set periods to the European Commission on companies covered by Directive 96/61/EC IPPC, which information is summarised and published.

The obligation for Hungary to set up a PRTR database also follows from the membership in OECD and the provisions of the Aarhus Convention.

B3. Implementation of specific tasks in Hungary

The implementation of the Protocol currently does not pose extra obligations for Hungary, as existent obligations set in law on collecting and providing data may be used for the establishment of the initial PRTR system, and the development of the more extensive database may be carried out in parallel with the other EU member states.

The European Commission plans to build the PRTR system in a gradual manner from the EPER system, which is already legally obligatory (as PRTR is more extensive than EPER).

The EU – and consequently, Hungary – will consider the first database, based on EPER as an initial PRTR, which shall be expanded in the following steps:

- 2001-2003: preparation, the development of methodology and database; meeting the minimum requirements set in the EPER Resolution; first report: June 2003, the assessment of the extension courses of EPER – the Hungarian report on this topic has been prepared and issued;
- 2004-2006: evaluation of the first reporting period; extension of EPER to "EPER+" with waste transfer and releases into ground and underground waters; preparation of legislation related to the EPER/PRTR systems;
- 2007-2008: evaluation of the second reporting period; extension of "EPER+" to a comprehensive EPER/PRTR system by the extension of the list of pollutants, threshold values and source categories.

B4. Contribution to the financial funds

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B5. Participation in international programmes

(See above for co-operation in the framework of the EU.)

B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of the Protocol as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

*2003: MEW, 2003: First Hungarian Report on the European Pollutant Release and Transfer Register <http://eper-prtr.kvvm.hu>

22. REGULATION OF INTERNATIONAL TRADE OF HAZARDOUS CHEMICALS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	
INTERNATIONAL	
* Adoption:	10 September 1998
* Venue:	Rotterdam (The Netherlands)
* Entry into force:	24 February 2004
* Organisation:	UNEP and FAO
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	109 (incl. EC)
HUNGARIAN	
* Signature:	10 September 1999
* Ratification/approval:	31 October 2000 (ratification)
* Entry into force:	24 February 2004
* Promulgation:	23 September 2004

A2. Objectives

Following the UN Conference held in Stockholm in 1972 and the commitment to reduce environmental hazards concerted work has begun aiming at the safe management of hazardous chemicals. The data gathering performed on a global scale covered chemicals banned or strictly regulated also in individual countries. It was widely recognised that organising the exchange of information cannot be delayed any longer.

In 1989, under the auspices of the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Environment Programme (UNEP), the information exchange system on certain severely hazardous chemicals in international trade was organised on a voluntary basis, the rules of which were laid down in the International Code of Conduct (FAO, 2003) and in the London Guidelines (UNEP, 1989). The countries participating in the programme undertook a Prior Informed Consent (PIC) course of action. Over one hundred countries have adopted the London Guidelines. The progress was undeniable and the programme became much more comprehensible.

At the same time, in the view of emerging discrepancies, the demand to place the information exchange system on legal basis became more and more widespread. After years of preparation, the text of a Convention on this issue was completed and signed in Rotterdam on 11 September 1998.

The aim of the Convention is to promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm. The Convention contributes to the environmentally sound use of these chemicals, facilitates the exchange of information about their properties and provides for a national decision-making process on their import and export and for disseminating these decisions to the Parties.

A3. Specific commitments

Each Party shall, at the date of entry into force of this Convention notify the Secretariat in writing of its regulatory actions in effect at that time. (Parties that have submitted notifications of regulatory actions under the amended London Guidelines or the International Code of Conduct need not resubmit those notifications.)

The Secretariat shall, in line with the procedures set down in the Convention, make a list of banned or severely restricted chemicals and very toxic pesticide formulations which is subject to amendment. In the case of the import or export of the chemicals listed, the Parties shall comply with the Prior Informed Consent procedure.

The Convention takes into account the circumstances and particular requirements of developing countries and of countries with an economy in transition, especially the need for strengthening capacities related to chemical management (by the transfer of technology, by providing financial and technical assistance and by promoting co-operation among the Parties). The Convention also takes into account the specific needs of individual countries concerning information on transit transports.

The Convention promotes the transfer of technology and methodology to manage chemicals established in developed countries, including rules on packaging, labelling, and use, and processes which protect human health and the environment. Parties shall coordinate their strategies on trade and protection of environment and health in connection with the regulated chemicals.

A4. Specific provisions applying to Hungary

The Convention contains no specific provisions implying tasks different from the general ones for Hungary.

A5. Financial and facilitating mechanisms

The first session of the Conference of the Parties adopted the basic financial rules and also established a General Trust Fund for the financial support to the work of the Convention secretariat and a special trust fund for facilitation and promotion of technical assistance, training and capacity-building programmes and appropriate participation of representatives of developing country Parties and of Parties with economies in transition in the meetings of the Conference of the Parties and its subsidiary bodies. Contributions to these funds are determined on the basis of an indicative scale adopted by consensus by the COP.

A6. Further development of the legal instrument

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A7. The international organisation

The decision-making body of the Convention is the Conference of the Parties. The work of this body and the implementation of the Convention are supported by the UNEP and the FAO. The work of the COP is assisted by the Chemical Review Committee.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Hungary signed the Convention on 10 September 1999 and ratified it on 31 October 2000. The Convention entered into force for Hungary along with the international entry into force on 24 February 2004.

B2. Implementation of the general objectives in Hungary

Hungary has been fulfilling the requirements of the "voluntary section" of the London Guidelines since 1990. The establishment of the Designated National Authority in relation to industrial chemicals and pesticides and its announcement towards the Secretariat was carried out in line with this.

In the framework of the preparation process for the EU accession – on the basis of the authorisation provided in Act XXV of 2000 on chemical safety – in 2000, a ministerial joint decree on the reporting and Prior Informed Consent procedure in relation to the import and export of certain hazardous substances and hazardous products was released, transposing the then prevailing EC Regulation into Hungarian legislation (EüM-FVM-KöM-GM, 2000 as replaced by EüM-FVM-KvVM-GKM, 2004).

The changes that occurred following this were promulgated in a 2003 ministerial joint decree (ESzCsM-FVM-KvVM-GM, 2003), transposing the EU Decree passed during that time, complementing the previous list of chemicals and updating the data of the Hungarian Designated National Authority (abolished by EüM-FVM-KvVM-GKM, 2004).

For Hungary as a member of the European Union, the Regulation of the European Parliament and the Council containing the provisions of the Rotterdam Convention (EC, 2003) have to be directly applied.

B3. Implementation of specific tasks in Hungary

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B4. Contribution to the financial funds

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B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

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B7. Coordination in Hungary

MEW is responsible for coordinating the implementation of this international agreement as well as representation of the Hungarian position at international negotiations. For the sake of the interministerial coordination, a dedicated commission was established by the ministerial joint decree 8/2004 (XII. 1.) EüM-FVM-KvVM-GM.

As a member of the EU since 2004, Hungary takes part in development and support of the joint positions of the EU in relation to this legal instrument.

Concerning the duty of reporting on the basis of the PIC process as per Article 6 (2) and the exercising of the right of consent as per Article 7 (1) in the case of pesticides and certain yield enhancing substances, the Ministerial Joint Decree 28/2003 appointed the Central Plant and Soil Protection Service (CPSPS) as a Designated National Authority, and in the case of other substances and products, the National Public Health Centre – National Institute of Chemical Safety (NPHC-NICS) was assigned such a Designated National Authority.

(C) Legal instruments and other references

- #2004: Ministerial Joint Decree 8/2004 (XII.1.) EüM-FVM-KvVM-GKM on detailed rules of procedure in relation to the import and export of certain hazardous substances and hazardous preparations
- #2004: Government Decree 266/2004. (IX. 23.) Korm. on the promulgation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- #2003: EC, 2003: Regulation (EC) No 304/2003 of the European Parliament and of Council of 28 January 2003 concerning the export and import of dangerous chemicals. OJ L 63, 2003, p.1-26
- #2003: Ministerial Joint Decree 28/2003 (V. 20.) ESzCsM-FVM-KvVM-GKM on the amendment of Joint Decree 46/2000 (XII. 29.)
- #2000: Ministerial Joint Decree 46/2000 (XII.29.) EüM-FVM-KöM-GM on the reporting and Prior Informed Consent (PIC) procedure in relation to the import and export of certain hazardous substances and hazardous products (replaced by Joint Decree 8/2004 (XII.1.) EüM-FVM-KvVM-GM)
- *2003: FAO, 2003: International Code of Conduct, Rome
(http://www.fao.org/waicent/FAOINFO/agricult/AGP/AGPP/Pesticid/Code/PM_Code.htm)
- *2000: UNEP, 2000: Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. UNEP/Chemicals/2000/2
- *1989: UNEP, 1989: London Guidelines for the Exchange of Information on Chemicals in International Trade. UNEP, Geneva (<http://www.chem.unep.ch/ethics/english/longuien.htm>)

23. CONVENTION ON PERSISTENT ORGANIC POLLUTANTS

(A) Main features of the legal instrument and the international organisation

A1. Basic data

Convention on Persistent Organic Pollutants	
INTERNATIONAL	
* Adoption:	22 May 2001
* Venue:	Stockholm (Sweden)
* Entry into force:	17 May 2004
* Organisation:	UNEP
* Depositary:	UN Secretary General
* Parties (1 st quarter of 2006):	127 (incl. EC)
HUNGARIAN	
* Signature:	23 May 2001
* Ratification/approval:	
* Entry into force:	
* Promulgation:	

A2. Objectives

Persistent Organic Pollutants (POPs) are organic compounds that remain traceable in nature even after several decades, since they are resistant to photolytic, biological and chemical degradation to a different degree. Their half-life is over two days in the atmosphere, two months in water and six months in the soil. Several types are halogenated substances, being soluble in fat and, to a lesser degree, in water, which facilitates their accumulation in fat tissues (bioaccumulation). These substances are highly stable; thus, in the course of atmospheric processes, they could be transmitted to great distances before settling. Many of them are hazardous because of their carcinogenic effect. The objective of the Convention is to protect human health and the environment from adverse impacts of these pollutants based the precautionary principle. The drafting of the Convention was the initiative of the UNEP in order to have a global instrument on this subject that was already dealt with by a pan-European agreement, namely the UNECE Protocol on POPs (see 1.f). The Convention regulates 12 out of the 16 substances provided for in that Protocol: the provisions concerning these are in a way more complex; however, the requirements are generally less detailed and stringent.

A3. Specific commitments

The most important obligations are to take measures to reduce or eliminate the releases of pollutants listed under Annexes A-C concerning the intentional production and use of these chemicals, their release as by-products and the management of stockpiles and wastes. The basic obligations set in the Convention are as follows:

- The Convention places emphasis on the substances and groups of substances listed in Annexes A, B and C providing for different regulations on their production, use, export

and import and the reduction of releases, with exceptions to the obligations in special cases. Currently the Convention covers 12 pollutants and groups of substances.

- Annex A contains – with few exceptions – the substances designated for total elimination, such as: aldrin, chlordane, dieldrin, endrin, heptachlor, hexachlorobenzene (HCB), mirex, toxaphene, polychlorinated biphenyls (PCBs). Considering these intentionally produced and used chemicals, each Party shall take measures to eliminate their production and use – with certain exceptions.
- Annex B contains DDT, which may be produced or distributed with significant limitations – with certain acceptable purposes and specific exemptions.
- Substances listed in Annexes A and B can be imported or exported solely for the purpose of environmentally sound disposal or for a use or purpose, which is specially permitted. Export is only permitted to states that have provided certifications and are not Parties to the Convention.
- If not stated otherwise in the Convention, the provisions detailed above shall not apply to quantities of a chemical to be used for laboratory-scale research or as a reference standard.
- Each Party that has one or more regulatory and assessment schemes for new pesticides or new industrial chemicals shall take measures to regulate POPs with the aim of preventing the production and use of new pesticides or new industrial chemicals which exhibit the characteristics described in paragraph 1 of Annex D.
- Annex C contains pollutants released unintentionally as by-products, such as dioxins/furans, polycyclic aromatic hydrocarbons (PAHs) and hexachlorobenzene. Each Party shall take available, feasible and practical measures for the reduction of releases of these and shall develop an action plan within two years after the entry into force.
- A further obligation is to encourage appropriate research and development of alternative or modified substances, products and processes and, where deemed appropriate, to require their application.
- In the case of sources falling into source categories which a Party has identified as warranting such an action, it is obligatory to encourage, and – in line with the action plan – require to use the best available techniques (BAT). For new sources in the categories listed in Part II of Annex C, the requirement of using BAT shall be phased in as soon as practicable but not later than four years after the entry into force of the Convention for that Party. Furthermore, in line with their action plans, the Parties shall promote the use of BAT and the best environmental practices.

Furthermore, in order to ensure that stockpiles and wastes consisting of or containing chemicals listed under Annexes A-B (including products and articles upon becoming wastes consisting of, containing or contaminated with a chemical listed in Annexes A-C) are managed in a manner to protect human health and the environment, each Party shall:

- develop and implement appropriate strategies for identifying such stockpiles, products and articles in use and wastes;
- manage stockpiles, as appropriate, in a safe, efficient and environmentally sound manner, and handle those that are no longer allowed to be used as waste;
- take appropriate measures so that such wastes, including products and articles upon becoming wastes, are handled, collected, transported and stored in an environmentally sound manner; that disposal operations that may lead to the recovery, recycling, reclamation, direct reuse or alternative uses of POPs shall not be permitted; that POPs

shall not be transported across international boundaries without taking into account the relevant international rules, standards and guidelines; and

- endeavour to identify contaminated sites.

Each Party shall develop and endeavour to implement a National Implementation Plan for the implementation of its obligations under the Convention within two years of the date on which it enters into force.

A4. Specific provisions applying to Hungary

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

A5. Financial and facilitating mechanisms

At the time of signing the Convention, the Intergovernmental Negotiating Committee decided that in the transitory period, the GEF shall fulfil the task of operating the financial mechanism. After the Convention's entry into force, the Conference of the Parties endorsed that decision. This mechanism principally assists the Parties representing a developing country in implementation of their commitments under this Convention.

A6. Further development of the legal instrument

The EU issued a plan for the amendment of Annexes I-III of the Aarhus Protocol (see 1.f) and Annexes A-C of the present Convention. The proposal suggests that nine new substances be included in the list.

A7. The international organisation

The Conference of the Parties is the decision making body in relation to this legal instrument, and its work is assisted by the Secretariat.

(B) Adoption and implementation of the legal instrument in Hungary

B1. Adoption

Based on the Government's Resolution 2115/2001. (V. 18.) Korm., Hungary signed the Convention on 23 May 2001; the preparation of the ratification is in progress.

B2. Implementation of the general objectives in Hungary

The development of the implementation plan aimed at the disposal of and further reduction of the release of substances designated for restriction and wastes containing those and at the implementation of other requirements of the Convention is in progress. The control of POP releases is an important question also in the framework of the EU. The draft decision of the Council on signing the Convention in the name of the European Community is awaiting adoption. Community's tasks related to emissions and releases had to be carried out in the course of EU legal harmonisation: during the basic period of legal harmonisation (1998-2002), the majority of the provisions of the Protocol adopted later appeared in Hungarian legislation, and on 20 May 2004, European Parliament and Council Regulation 850/2004 on Persistent Organic Pollutants and on the amendment of Directive 79/117/EEC entered into force, providing an adequate foundation for taking further measures.

B3. Implementation of specific tasks in Hungary

In the National Implementation Plan (under development), the exact details of the further measures and economic conditions needed for the implementation of the Convention shall be elaborated. In the course of implementation, the production processes in the branches of economy that release pollutants shall be modernised and shall place a decreasing load on the environment.

Hungary receives funding from the GEF – with the assistance of UNIDO – for the development of the National Implementation Plan.

B4. Contribution to the financial funds

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B5. Participation in international programmes

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B6. Hungarian participation in the international organisation

Hungary participated in the work of the Intergovernmental Negotiating Committee preparing the Convention and in regional expert meetings on the implementation of the Convention.

B7. Coordination in Hungary

In order to facilitate the fulfilment of diverse tasks, the POP Interministerial Committee has been working since August 2002, in which the experts of each relevant ministry and institution co-operate. MEW, with the active co-operation of the Ministry of Agriculture and Rural Development, is responsible for coordinating the implementation of the Convention as well as the representation of the Hungarian position at international negotiations.

(C) Legal instruments and other references

- #2004: Ministerial Decree 16/2004. (X.8.) KvVM (see 1.f)
- #2004: Ministerial Decree 89/2004. (V.15.) FVM (see 1.f)
- #2004: Ministerial Joint Decree 43/2004. (IV.26.) ESzCsM-KvVM (see 1.f)
- #2004: Ministerial Decree 33/2004. (IV.26.) ESzCsM (see 1.f)
- #2004: Ministerial Joint Decree 4/2004. (IV.7.) KvVM-ESZCSM-FVM (see 1.f)
- #2002: Ministerial Decree 3/2002. (II.22.) KöM (see 1.f)
- #2001: Government Decree 193/2001. (X.19.) Korm. (see 1.f)
- #2001: Government Resolution 2115/2001. (V. 18.) Korm. on the signing of the Stockholm Convention on Persistent Organic Pollutants
- #2001: Ministerial Joint Decree 14/2001. (V.9.) KöM-EüM-FVM (see 1.f)
- #2001: Ministerial Joint Decree 12/2001. (V.4.) KöM-EüM (see 1.f)
- #2001: Ministerial Decree 5/2001. (II.23.) KöM (see 1.f)
- #2001: Ministerial Decree 6/2001. (I.16) FVM on the licensing of the issuing and use of pesticides and on the packaging, storing and transporting of pesticides
- #2000: Ministerial Joint Decree 46/2000. (XII.29.) EüM-FVM-KöM-GM (see 1.f)
- #2000: Ministerial Decree 44/2000. (XII.27.) EüM (see 1.f)
- #2000: Ministerial Joint Decree 41/2000. (XII.20.) EüM-KöM (see 1.f)
- #1990: Government Decree 112/1990 (XII.23.) Korm. on the export and import of goods, services and rights representing material values

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- Lakosné H. A. (ed.), 1989: Conventions with Hungarian participation: environment protection. MEW, Budapest (H: Magyar részvételű nemzetközi egyezmények: környezetvédelem)
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- MEW, 2002: First National Report of the Republic of Hungary on the Implementation of the United Nations Convention to Combat Desertification. MEW, Budapest
- MEW, 2002: National Waste Management Plan, General Volume 2003-2008. MEW, Budapest (H: Országos Hulladékgazdálkodási Terv, Általános kötet 2003-2008)
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- Mihályfi A. (ed.), 1991: International conventions with Hungarian participation. MERP, Budapest (H: Magyar részvételű nemzetközi egyezmények)
- NC-WH, 2002: World Heritage in Hungary. Secretariat of National Committee on World Heritage, Budapest (H: Világörökség Magyarországon)
- Nechay G., T. Faragó (eds.), 1992: The UN Convention on Biodiversity. UNCED Hungarian Prep-Com, Budapest (H: ENSZ Egyezmény a Biológiai Sokféleségről)
- Nechay G. (ed.), 1992: Caring for the Earth. MERP, Budapest (H: Földünkért)
- OKI, 2001: Actions in partnership: Protocol on Water and Health. OKI, Budapest (H: Cselekvés partnerségben. Víz és Egészség Jegyzőkönyv)
- ÖIFF, 1994: Conventions on nature conservation - training textbook. Ökológiai Intézet a Fenntartható Fejlődésért, Miskolc (H: Természetvédelmi egyezmények - oktatási anyag)
- Rodics K., 1995: The Washington Convention. Természet Világa, 126/10 (H: A Washingtoni Egyezmény); The primates. Természet Világa, 126/10 (H: A főemlősök); The dolphins. Természet Világa, 126/12 (H: A delfinek)
- Rodics K., L. Haraszthy, 1994: What should be known of the Washington Convention: the birds. MERP, Budapest (H: Amit a Washingtoni Egyezményről tudni kell - madarak)
- Rodics K., Z. Korsós, T. Péchy, 1994: What should be known of the Washington Convention - the reptiles. MERP-TvH, Budapest (H: Amit a Washingtoni Egyezményről tudni kell - hüllők)
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- Tardy J. (ed.), 2000: Cherishing Hungary's Heritage, Természet Búvár Alapítvány Kiadó, Budapest
- Tardy J. (ed.), 1994: Nature conservation - 1994. MERP, Budapest (H: Természetvédelem '94)
- UN, 1989: Resolution on the "United Nations Conference on Environment and Development", 44/228 (22 December 1989), United Nations General Assembly
- UN, 1972: Declaration of the UN Conference on Human Environment. Stockholm, 16 June 1972
- UNCED, 1992: Agenda 21. UN Conference on Environment and Development
- UNEP, 2003: UNEP Handbook of environmental law. Nairobi
- UNEP, 2000: Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. UNEP/Chemicals/2000/2
- UNEP, 1991: Register of international treaties and other agreements in the field of the environment. UNEP, Nairobi (UNEP/GC.16)
- UNEP, 1989: London Guidelines for the Exchange of Information on Chemicals in International Trade. UNEP, Geneva
- Vida G., 1995: Sustainable development and the biosphere. Természet Búvár, 50/1, pp. 26-27 (H: A fenntartható fejlődés és a bioszféra)

LIST OF INSTRUMENTS OF NATIONAL LEGISLATION

1957

#1957: Act IV of 1957 on the general procedural regulations of state administration

1961

#1961: Law-decree 3 of 191 on the promulgation of International Plant Protection Convention done on 6 December 1951 (UN Food and Agriculture Organization)

1963

#1963: Law-decree 6 of 1983 on the promulgation of the Treaty on the Open§§ Seas signed in Geneva on 29 April 1958

1964

#1964: Law-decree 31 of 1964 on the promulgation of the Treaty on Coastal Seas and Adjoining Zone signed in Geneva on 29 April 1958

1971

#1971: Law-decree 6 of 1971 on the promulgation of the Convention on establishing the European and Mediterranean-shore Plant Protection Organization, signed in Paris on 18 April 1951

1976

#1976: Law-decree 20 of 1976 on the promulgation of the Convention on the Prevention of Polluting the Seas by Wastes and Other Substances

1977

#1977: Act I of 1977 on announcements, recommendations and complaints of general concern

#1977: Government Decree 11/1977. (III. 30.) MT on the implementation of Act I of 1977 on announcements, recommendations and complaints of general concern

1978

#1978: Law-decree 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 UNGA on 10 December 1976

1979

#1979: Law-decree 28 of 1979 on the promulgation of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat adopted in Ramsar on 2 February 1971

1981

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

1982

#1982: Law-decree 4 of 1982 on nature conservation

#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

- #1984: The Antarctic Treaty (Washington, 1 December 1959). Magyar Közlöny, 22 (published by the Minister of Foreign Affairs)
- #1984: The International Convention on Long-range Transboundary Air Pollution (Geneva, 13 November 1979). Magyar Közlöny, 22 (published by the President of NIENC)

1985

- #1985: Law-decree 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 UNESCO General Conference on 16 November 1972
- #1985: Government Resolution 3092/1985. MT on the accession to the Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora

1986

- #1986: Law-decree 6 of 1986 on the promulgation of the Convention on the Conservation of Migratory Species of Wild Animals (23 June 1979, Bonn)
- #1986: Law-decree 15 of 1986 on the promulgation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Washington, 3 March 1973)
- #1986: Government Decree 21/1986 (VI.2.) MT on the protection of air quality
- #1986: Decree 4/1986 (VI.2.) OKTH on the implementation of the Government Decree 21/1986 (VI.2.) MT on air quality protection (already not in force)

1987

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

1989

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

1990

- #1990: Act LXV of 1990 on self-governments
- #1990: Government Decree 31/1990 (II. 16.) MT on the promulgation of the Convention on the Protection of the Ozone Layer, signed in Vienna on 22 March, 1985
- #1990: Government Decree 35/1990 (II. 28.) MT on the promulgation of the Protocol on Ozone Layer Depleting Substances, signed in Montreal on 16 September, 1987
- #1990: Government Decree 112/1990 (XII. 23.) Korm. on the export and import of goods, services and rights representing material values
- #1990: Ministerial Decree 4/1990 (XII. 7.) KVM on the implementation of Law-decree 15 of 1986 on the promulgation of the Convention on International Trade of Endangered Wild Animal and Plant Species, adopted in Washington on 3 March, 1973
- #1990: Ministerial Decree 5/1990 (XII.6.) NM on air pollutants, ambient air quality criteria and measuring of ambient air pollution
- #1990: Convention on the Conservation of European Wildlife and Natural Habitats. Magyar Közlöny, No. 64 (published by the Minister of Environment)

1991

- #1991: Parliamentary Resolution 28/1991 (VI.30.) OGY on certain international environment protection tasks related to the Danube
- #1991: Ministerial Decree 141/1991 (XI.2.) Korm. on the promulgation of the Adjustment and Amendment of the Protocol on Substances that Deplete the Ozone Layer signed in Montreal on 16 September 1987

1992

- #1992: Act LXIII of 1992 on the protection of personal data and the public availability of data of public interest
- #1992: Ministerial 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
- #1992: Ministerial Decree 13/1992 (V.12.) KTM on the Implementation of the International Convention on the Protection of the Ozone Layer

1993

- #1993: Act XLII of 1993 on the promulgation in unified structure of the Convention on Wetlands of International Importance Especially as Waterfowl Habitat adopted in Ramsar on 3 December 1982 and its amendments adopted between 3 December 1982 and 28 May 1987
- #1993: Parliamentary 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
- #1993: Parliamentary Resolution 103/1993 (XII.29.) on the ratification of the UN Convention on Biological Diversity signed by Hungary in Rio de Janeiro on 13 June, 1992
- #1993: Ministerial Decree 8/199 (I.30.) FM on game management and hunting
- #1993: Government Decree 86/1993. (VI.4.) Korm. on the interim regulation of the environmental impact assessment of certain activities (not in force anymore)
- #1993: Government Resolution 1024/1993 (IV.2.) Korm. on the tasks arising from the agreements accepted by the 1992 UN Conference on Environment and Development (not in force anymore)
- #1993: Government Resolution 1079/1993 (XII. 23.) Korm. on the Interdepartmental Action Programme for Air Quality Protection to improve the air quality of heavily polluted regions in the years between 1994-1998
- #1993: Ministerial 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
- #1993: Ministerial Decree 17/1993. (IV.7.) KTM on the establishment of the Peszéradacs Landscape Conservation Area and the designation of the nature conservation manager
- #1993: Ministerial Decree 22/1993 (VII.20.) KTM on the Implementation of the International Convention of the Protection of the Ozone Layer

1994

- #1994: Government 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

- #1994: Government Resolution 3209/1994. (VI. 16) Korm. on the confirmation of the accession to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes signed in Helsinki, on 17 March 1992
- #1994: Ministerial Decree 19/1994 (VI. 8.) KTM on amending the Decree 22/1993 (VII.20.) KTM providing for the implementation of the international Convention on Protection of the Ozone Layer
- #1994: Ministerial 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
- #1994: Agreement on the Conservation of Bats in Europe. Magyar Közlöny, No.79 (published by the Minister of Environment)

1995

- #1995: Act LIII of 1995 on the general rules of environment protection
- #1995: Act LXV of 1995 on state secrets and office secrets
- #1995: Act LXXXI of 1995 on the promulgation of the Convention on Biological Diversity
- #1995: Act LXXXII of 1995 on the promulgation of the UN Framework Convention on Climate Change
- #1995: Resolution 218/1995 (X. 13.) KE by the President of the Republic on the ratification of the international convention (Protocol to the ECE Convention on Long-range Transboundary Air Pollution on the Control of Emissions of Volatile Organic Compounds)
- #1995: Government Decree 67/1995 (VI.13.) Korm. on the promulgation of amendments to the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September, 1987
- #1995: Government Decree 152/1995. (XII. 12.) Korm. on the range of activities requiring obligatory environmental impact assessment and on the detailed regulations of the related official procedure (not in force anymore)
- #1995: Government Resolution 2318/1995 (X.24.) on ratifying the Convention on Cooperation for the Protection and Sustainable Use of the Danube River
- #1995: Ministerial Decree 9/1995 (VIII. 31.) KTM on restricting hydrocarbon emissions produced during the storage, filling, transfer and transport of engine petrol

1996

- #1996: Act LIII of 1996 on the conservation of nature
- #1996: Act LIV of 1996 on forests and the conservation of forests
- #1996: Act LV of 1996 on game protection, game management and hunting
- #1996: Government Decree 101/1996 (VII. 12.) Korm. on the promulgation of the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, signed in Basel on 22 March 1989

1997

- #1997: Act 78 of 1997 on the protection and development of built environment
- #1997: Ministerial Decree 30/1997 (IV.30.) FM on game management and hunting

1998

- #1998: Parliamentary Resolution 28/1998. (III. 18.) OGY on the ratification of the Energy Charter Treaty, of the Decisions with Respect to the Energy Charter Treaty, of the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects and of the Concluding Document of the European Energy Charter Conference
- #1998: Government Decree 8/1998. (I. 23.) Korm. on the detailed regulations on the conservation, keeping, displaying and utilising of animals of protected species

- #1998: Government Resolution 2283/1998. (XII. 19.) on the accession to the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the Reduction of the Atmospheric Emissions of Persistent Organic Pollutants
- #1998: Ministerial Decree 13/1998. (V. 6.) KTM on the administration of caves, on certain conditions of visiting and researching caves and on the development construction of caves
- #1998: Ministerial Decree 22/1998. (VI. 26.) KTM on the air pollutant emission limit values of combustion plants with a thermal capacity of 50 MW_{th} or higher

1999

- #1999: Act XXXV of 1999 on the promulgation of the Concluding Document of the European Energy Charter Conference, of the Energy Charter Treaty, of the Decisions with Respect to the Energy Charter Treaty, and of the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects
- #1999: Act LXXIV of 1999. on the management and organisation of the protection against disasters and the protection against severe accidents related to hazardous substances
- #1999: Parliamentary Resolution 47/1999. (VI. 3.) OGY on the accession to the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa
- #1999: Government Decree 148/1999. (X.13.) Korm. on the promulgation of the Convention on Environmental Impact Assessment in a Transboundary Context, signed in Espoo (Finland) on 26 February 1991
- #1999: Government Decree 166/1999. (XI. 19.) Korm. on the licensing processes under the jurisdiction of the landscape protection authority
- #1999: Government Decree 172/1999. (XII. 6.) Korm. on the amendment of Government Decree 152/1995. (XII. 12.) Korm. on the range of activities requiring obligatory environmental impact assessment and on the detailed regulations of the related official procedure (not in force anymore)
- #1999: Government Resolution 2114/1999. (V. 26.) on the signing of the Convention on the Law of the Non-navigational Uses of International Watercourses
- #1999: Government Resolution 2321/1999. (XII. 7.) Korm. on signing the Protocol to the 1979 Geneva Convention on Long-Range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-Level Ozone
- #1999: Ministerial Decree 6/1999. (III. 31.) NKÖM on the Hungarian World Heritage Committee

2000

- #2000: Government Decree 74/2000 (V. 31.) Korm. on the promulgation of the Convention on Co-operation for the Protection and Sustainable Use of the Danube River
- #2000: Government Decree 130/2000 (VII. 11.) Korm on the promulgation of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes signed in Helsinki, on 17 March 1992
- #2000: Government Decree 2308/2000. (XII. 20.) Korm. on the signing of the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal adopted at the 5th Meeting of the Parties to the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, on 10 December 1999, in Basel
- #2000: Government Resolution 2118/2000. (V. 31.) Korm. on the representation of Hungary in the International Commission for the Protection of the Danube River (ICPDR), and on providing the basic conditions of participation in the Convention
- #2000: Ministerial Joint Decree 41/2000. (XII. 20.) EüM-KöM on the restrictions of certain activities related to hazardous substances or hazardous products
- #2000: Ministerial Joint Decree 46/2000 (XII. 29.) EüM-FVM-KöM-GM on the reporting and Prior Informed Consent (PIC) procedure in relation to the import and export of

certain hazardous substances and hazardous products (replaced by Ministerial Joint Decree 8/2004 (XII.1.) EüM-FVM-KvVM-GM)

#2000: Ministerial Decree 5/2000. (II. 16.) GM on the quality requirements of vehicle fuels

#2000: Ministerial Decree 44/2000. (XII.27.) EüM on the detailed regulation of certain processes related to hazardous substances and hazardous products

2001

#2001: Act LXXXI of 2001 on the promulgation of the Convention on Access to Information, Public Participation in Decision-Making and Access To Justice in Environmental Matters, adopted in Aarhus, on 25 June 1998

#2001: Parliamentary Resolution 35/2001.(VI. 1.) OGY on the ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access To Justice in Environmental Matters, adopted in Aarhus, on 25 June 1998

#2001: Government Decree 2/2001. (I. 17.) Korm. on the protection against severe accidents related to hazardous substances

#2001: Government Decree 20/2001. (II. 14.) Korm. on environmental impact assessment

#2001: Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air

#2001: Government Decree 120/2001. (VI. 30.) Korm. on the amendment of Government Decree 21/2001. (II. 14.) Korm. on certain rules concerning the protection of air

#2001: Government Decree 128/2001. (VII. 13.) Korm. on the promulgation of the UNECE Convention on the Transboundary Effects of Industrial Accidents, dated 17 March 1992

#2001: Government Decree 193/2001. (X. 19.) Korm. on the detailed regulation of the unified environment usage licensing process

#2001: Government Resolution 2078/2001. (IV. 13) Korm. on the posterior approval of the signing of the Protocol on Water and Health to the Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes

#2001: Government Resolution 2115/2001. (V. 18.) Korm. on the signing of the Stockholm Convention on Persistent Organic Pollutants

#2001: Ministerial Joint Decree 12/2001. (V. 4.) KöM-EüM on the risk assessment of chemicals and reduction of risks

#2001: Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources of air pollutants

#2001: Ministerial Decree 6/2001. (I. 16.) FVM on the licensing of the issuing and use of pesticides and on the packaging, storing and transporting of pesticides

#2001: Ministerial Decree 5/2001. (II. 23.) KöM on the detailed regulation of the management of PCBs and PCTs and of instruments containing them

#2001: Ministerial Decree 10/2001. (IV. 19.) KöM on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations

#2001: Ministerial Decree 13/2001. (V. 9.) KöM on protected and strictly protected animal and plant species, on the range of strictly protected caves and on the promulgation of animal and plant species significant in the European Community from the point of view of nature conservation

#2001: (EU) European Parliament and Council Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

2002

#2002: Parliamentary Resolution 49/2002. (VII. 19.) OGY on accession to the Kyoto Protocol adopted at the third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 1997

- #2002: Government Decree 94/2002. (V. 5.) Korm. on packaging and the detailed regulation of packaging wastes
- #2002: Government Decree 271/2002. (XII. 20.) Korm. on the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed in Washington, on 3 March 1973
- #2002: Government Decree 274/2002. (XII.21.) Korm. on the amendment of Government Decree 21/2001. (II.14.) Korm. on certain rules concerning the protection of air and of Government Decree 203/2001. (X.26.) Korm. on certain rules of the protection of surface waters
- #2002: Government Resolution 2101/2002. (IV.12.) Korm. on accession to the Kyoto Protocol
- #2002: Ministerial Decree 3/2002. (II.22.) KöM on the technological requirements, operational conditions of waste incineration and the emission limit values of waste incineration
- #2002: Parliamentary Resolution 55/2002. (IX.13.) OGY on the accession to the international Agreement on the Conservation of African-Eurasian Migratory Waterbirds signed in the Hague, on 16 June 1995

2003

- #2003: Act XXXII of 2003 on the promulgation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington, on 3 March 1973
- #2003: Act XXXIII of 2003 on the promulgation of the international Agreement on the Conservation of African-Eurasian Migratory Waterbirds, signed in the Hague on 16 June 1995
- #2003: Act CVII of 2003 on the promulgation of the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa
- #2003: Parliamentary Resolution 94/2003. (IX. 23.) on the ratification of the Cartagena Protocol on Biosafety
- #2003: Parliamentary Resolution 132/2003. (XII.11.) OGY on the National Environmental Programme for the period between 2003 and 2008
- #2003: Government Decree 94/2003. (VII. 2.) Korm on ozone depleting substances
- #2003: Government Resolution 2105/2003. (V. 30.) Korm. on the signing of the UNECE Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters
- #2003: Government Resolution 2114/2003. (V. 30.) Korm. on the signing of the Framework Convention on the Protection and Sustainable Development of the Carpathians
- #2003: Government Resolution 2143/2003. (VII. 1.) Korm. on certain tasks related to the Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on the Control of Emissions of the Persistent Organic Pollutants, signed in Aarhus, on 24 June 1998
- #2003: Joint Ministerial Decree 7/2003. (V.16.) KvVM-GKM on the total emission limit values of certain air pollutants
- #2003: Joint Ministerial Decree 28/2003 (V.20.) ESzCsM-FVM-KvVM-GKM on the amendment of Joint Decree 46/2000 (XII.29.)
- #2003: Ministerial Decree 10/2003. (VII.11.) KvVM on the operation conditions and air pollutant emission limit values of combustion plants with a nominal input thermal capacity of 50 MW_{th} or higher
- #2003: (EU) Regulation 304/2003 of the European Parliament and of Council of 28 January 2003 concerning the export and import of dangerous chemicals. OJ L 63, 2003, p.1-26
- #2003: (EU) Regulation 1946/2003 of the European Parliament and of the Council of 15 July 2003 on transboundary movements of genetically modified organisms

2004

- #2004: Act CIX of 2004 on the promulgation of the Cartagena Protocol on Biosafety, signed in Nairobi, on 24 May 2000

- #2004: Parliamentary Resolution 31/2004. (IV. 19.) OGY on the ratification of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, signed in Kiev, on 21 May 2003
- #2004: Government Decree 47/2004. (III.18.) Korm. on the amendment of certain environmental Governmental Decrees
- #2004: Government Decree 120/2004. (IV.29.) Korm. on the control and supervision of the import and export of wastes within the territory of the European Community
- #2004: Government Decree 266/2004. (IX. 23.) Korm. on the promulgation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- #2004: Government Decree 283/2004. (X. 20.) Korm. on the amendment of Government Decree no. 271/2002. (XII. 20.) Korm. on the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington, on 3 March 1973
- #2004: Government Decree 305/2004. (XI. 13.) Korm. on the promulgation of the Protocol on Substances that Deplete the Ozone Layer, signed in Montreal on 16 September, 1987
- #2004: Government Resolution 2027/2004. (II. 5.) Korm. on the accession to the International Convention for the Regulation of Whaling
- #2004: Government Resolution 2118/2004. (V. 21.) Korm on the approval of the Framework Convention on the Protection and Sustainable Development of the Carpathians
- #2004: Ministerial Joint Decree 4/2004. (IV. 7.) KvVM-ESZCSM-FVM on the amendment of Ministerial Joint Decree 14/2001. (V. 9.) KöM-EüM-FVM on air pollution limit values and emission limit values for stationary point sources
- #2004: Ministerial Joint Decree 43/2004. (IV.26.) ESzCsM-KvVM on the restrictions of certain activities connected to certain hazardous substances and products
- #2004: Ministerial Joint Decree 8/2004 (XII.1.) EüM-FVM-KvVM-GM on detailed rules of procedure in relation to the import and export of certain hazardous substances and hazardous preparations
- #2004: Ministerial Decree 33/2004. (IV.26.) ESzCsM on the amendment of MH Decree 44/2000. (XII.27.) EüM on the detailed regulation of certain processes and activities related to hazardous substances and hazardous products
- #2004: Ministerial Decree 89/2004. (V.15.) FVM on the licensing of distribution and use of pesticides and insecticides and the packaging, labelling, storing and transporting of pesticides and insecticides
- #2004: Ministerial Decree 16/2004. (X. 8.) KvVM on the restrictions of the application of certain hazardous substances in electric and electronic instruments
- #2004: Ministerial Decree 17/2004. (X. 18.) KvVM on the amendment of Ministerial Decree 10/2003. (VII.11.) KvVM on the operation conditions and air pollutant emission limit values of combustion plants with a nominal input thermal capacity of 50 MW_{th} or higher

2005

- #2005: Act LXXXIX of 2005: amendment of the Act LXIV of 2001, on the protection of cultural heritage
- #2005: Government Decree 2/2005. (I. 11.) Korm. on the environmental assessment of certain plans and programmes
- #2005: Ministerial Decree 21/2005. (VIII. 26.) KvVM on the amendment of Decree 10/2001. (IV. 19.) KöM on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations

LIST OF THE INTERNATIONAL AGREEMENTS

(List of conventions, protocols, agreements of environmental significance which at least to some extent are relevant for Hungary.
Hungarian accession stands for depositing the instrument of ratification/approval/accession.)

CONVENTIONS ON PROTECTION OF COMPONENTS, SPECIFIC FEATURES OF THE ENVIRONMENT

Atmospheric environment

Convention on Long-range Transboundary Air Pollution (LRTAP)

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|
| 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, 1997 |
| Hungarian accession | | 1995 |
| * Protocol on Further Reduction of Sulphur Emissions | | |
| international adoption, entry into force | Oslo | 1994, 1998 |
| Hungarian accession | | 1994 |
| * Protocol on the Control of Emissions of the Persistent Organic Pollutants | | |
| international adoption, entry into force | Aarhus | 1998, 2003 |
| Hungarian accession | | 2004 |
| * Protocol on Long-range Transboundary Air Pollution on Heavy Metals | | |
| international adoption, entry into force | Aarhus | 1998, 2003 |
| Hungarian accession | | 2005 |
| * Protocol to Abate Acidification, Eutrophication and Ground-Level Ozone | | |
| international adoption, entry into force | Gothenburg | 1999, 2005 |
| Hungarian <i>signature</i> , accession | | 1999 |
| 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 |
| * Montreal Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer | | |
| international adoption, entry into force | Montreal | 1997, 1999 |
| Hungarian accession | | 1999 |

* Beijing Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	
international adoption, entry into force	Beijing..... 1999, 2002
Hungarian accession	2002
United Nations Framework Convention on Climate Change	
international adoption, entry into force	New York..... 1992, 1994
Hungarian accession	1994
* Kyoto Protocol	
international adoption, entry into force	Kyoto 1997, 2005
Hungarian accession	2002
<i>Hydrosphere</i>	
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	
International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties	
international adoption, entry into force	Brussels..... 1969, 1975
Hungarian accession	
* Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other than Oil	
international adoption, entry into force	London..... 1973, 1983
Hungarian accession	
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (MARPOL)	
international adoption, entry into force	London..... 1972, 1975
Hungarian accession	1976
International Convention for the Prevention of Pollution from Ships	
international adoption, entry into force	London..... 1973, 1983
Hungarian accession	1983
* Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships	
international adoption, entry into force	London..... 1978, 1983
Hungarian accession	1985
United Nations Convention on the Law of the Sea (UNCLOS)	
international adoption, entry into force	Montego Bay..... 1982, 1994
Hungarian accession	1985
Convention on the Protection and Use of Transboundary Watercourses and International Lakes	
international adoption, entry into force	Helsinki..... 1992, 1996
Hungarian accession	1994
* Protocol on Water and Health	
international adoption, entry into force	London..... 1999, 2005
Hungarian accession	2001
* Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters	
international adoption, entry into force	Kiev 2003, ____
Hungarian accession	2004
Convention on Cooperation for the Protection and Sustainable Use of the River Danube	
international adoption, entry into force	Sofia..... 1994, 1998
Hungarian accession	1995
Convention on the Law of the Non-navigational Uses of International Watercourses	
international adoption, entry into force	New York..... 1997, ____
Hungarian accession	2000

Land surface, soil, landscape, mountains

United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa		
international adoption, entry into force	Paris	1994, 1996
Hungarian accession		1999
European Landscape Convention		
international adoption, entry into force	Florence	2000, 2004
Hungarian <i>signature</i> /accession		2005
Framework Convention on the Protection and Sustainable Development of the Carpathians		
international adoption, entry into force	Kiev	2003, 2006
Hungarian accession		2004

Continental shelf

Convention on the Continental Shelf		
international adoption, entry into force	Geneva	1958, 1964
Hungarian accession		

Antarctic

The Antarctic Treaty		
international adoption, entry into force	Washington	1959, 1961
Hungarian accession		1984
* Protocol to the Antarctic Treaty on Environmental Protection		
international adoption, entry into force	Madrid	1991, _____
Hungarian <i>signature</i> /accession		1991
Convention for the Conservation of Antarctic Seals		
international adoption, entry into force	London	1972, 1978
Hungarian accession		
Convention on the Conservation of Antarctic Marine Living Resources		
international adoption, entry into force	Canberra	1980, 1982
Hungarian accession		
Convention on the Regulation of Antarctic Mineral Resource Activities		
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 (CMS)		
international adoption, entry into force	Bonn	1979, 1983
Hungarian accession		1983
* Agreement on the Conservation of Populations of European Bats (EUROBATS)		
international adoption, entry into force	London	1991, 1994
Hungarian signature/accession		1994
* Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)		
international adoption, entry into force	Hague	1995, 1999
Hungarian accession		2002
Convention on the Conservation of European Wildlife and Natural Habitats		
international adoption, entry into force	Bern	1979, 1982
Hungarian accession		1989
Convention on Biological Diversity		
international adoption, entry into force	Rio de Janeiro	1992, 1993
Hungarian accession		1994
* Cartagena Protocol on Biosafety		
international adoption, entry into force	Montreal (!)	2000, 2003
Hungarian accession		2004
International Convention for the Regulation of Whaling		
international adoption, entry into force	Washington D.C.	1946, 1948
Hungarian accession		2004

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 (ITTA)		
international adoption, entry into force	Geneva	1983, 1985
Hungarian accession		
successor agreements: ITTA, 1994 and ITTA, 2006	Geneva	
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
* Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal		
international adoption, entry into force	Basel	1999, _____
Hungarian <i>signature</i> /accession		2000
Convention on Environmental Impact Assessment in a Transboundary Context		
international adoption, entry into force	Espoo	1991, 1997
Hungarian accession		1997
* Protocol on Strategic Environmental Assessment		
international adoption, entry into force	Kiev	2003, _____
Hungarian <i>signature</i> /accession		2003
Convention on the Transboundary Effects of Industrial Accidents		
international adoption, entry into force	Helsinki	1992, 2000
Hungarian accession		1994
Convention on Civil Liability for Damage resulting from Activities Dangerous to the Environment		
international adoption, entry into force	Lugano	1993, _____
Hungarian accession		
The Energy Charter Treaty		
international adoption, entry into force	Lisbon	1994, 1998
Hungarian accession		1998
* Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects		
international adoption, entry into force	Lisbon	1994, 1998
Hungarian accession		1998
Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters		
international adoption, entry into force	Aarhus	1998, 2001
Hungarian accession		2001
* Protocol on Pollutant Release and Transfer Registers (PRTR)		
international adoption, entry into force	Kiev	2003, _____
Hungarian <i>signature</i> /accession		2003
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade		
international adoption, entry into force	Rotterdam	1998, 2004
Hungarian accession		2000
Convention on Persistent Organic Pollutants		
international adoption, entry into force	Stockholm	2001, 2004
Hungarian <i>signature</i> /accession		2001

ACRONYMS

CFC.....	chlorofluorocarbon
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EMEP	Protocol on Long-Term Financing of Co-operative Programme for Monitoring and Evaluation of the Long-Range Transmission of Air Pollutants in Europe
EC	European Community
EU	European Union
FAO.....	Food and Agriculture Organization
GEF.....	Global Environment Facility
HCFC	hydro-chlorofluorocarbon
ICID	International Commission on Irrigation and Drainage
ICOMOS	International Council of Monuments and Sites
ICPDR.....	International Commission for the Protection of the Danube River
IDNDR.....	International Decade of Natural Disaster Reduction
IEA.....	International Energy Agency
IUCN.....	World Conservation Union
NEC.....	National Emission Ceiling
OECD.....	Organization for Economic Cooperation and Development
PCB	polychlorinated biphenyl
POP	persistent organic pollutant
UN.....	United Nations
UNECE	UN Economic Commission for Europe
UNDP.....	UN Development Programme
UNEP	UN Environment Programme
UNESCO.....	UN Educational, Scientific and Cultural Organisation
UNGA	UN General Assembly
UNIDO.....	UN Industrial Development Organization
VOC	volatile organic compounds
WEC.....	World Energy Council

Hungarian ministries, organizations

MoH	Ministry of Health (EüM)
MARD.....	Ministry of Agriculture and Rural Development (FVM)
MERP.....	Ministry for Environment and Regional Policy (KTM)
MEW	Ministry of Environment and Water (KvVM)
MET	Ministry of Economic Affairs and Transport (GKM)
MFA	Ministry of Foreign Affairs (KÜM)
MIT	Ministry of Industry and Trade (IKM)
MoA	Ministry of Agriculture (FM)
MoE.....	Ministry of Environment (KöM)
MoF.....	Ministry of Finance (PM)
MoI.....	Ministry of the Interior (BM)
MoW	Ministry of Welfare (NM)
NAENC.....	National Authority of Environmental and Nature Protection (OKTH)
NCTD.....	National Committee of Technical Development (OMFB)