

Questionnaire for the report of **HUNGARY** on the implementation of the Protocol on Strategic Environmental Assessment in the period 2016–2018

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Part one

Current legal and administrative framework for the implementation of the Protocol

In this part, please describe the legal, administrative and other measures taken in your country to implement the provisions of the Protocol. This part should describe the framework for your country's implementation, and not experience in the application of the Protocol.

Article 3 General provisions

I.1. Please provide the main legislative, regulatory and other measures you have adopted in your country to implement the Protocol (art. 3, para. 1) (more than one option may apply):

- (a) Law on SEA (please indicate number/year/name):
 - (b) SEA provisions are transposed into another law(s) (please specify):
 - Act LIII of 1995 on the General Rules of Environmental Protection (§ 43-44)
 - (c) Regulation (please indicate number/year/name):
 - Government Decree No. 2/2005 (I. 11.) on the environmental assessment of certain plans and programmes
 - Government Decree 132/2010 (IV. 21.) on the announcement of the protocol adopted on May 21, 2003 in Kiev on strategic environmental assessment related to the Convention on environmental impact assessment in a transboundary context done at Espoo (Finland), on February 26, 1991.
 - (d) Administrative rule (please indicate number/year/name):
 - (e) Other (please specify):
- Your comments:

Article 4 Field of application concerning plans and programmes

I.2. List the types of plans and programmes that require SEA in your legislation:

(A) Strategic environmental assessments are always compulsory in the case of the following plans and programmes:

- a) plans and programmes stipulated by legislation
 - regional plans
 - settlement-structure plans, local construction codes and zoning maps applicable for the whole settlement
 - the National Development Plan and its operative programmes
 - national and regional waste management plans
 - mid-term plans of agricultural policies
 - national water management concept and national programmes
 - catchment area management plan
 - national or local road network development plans

- b) Strategic environmental assessments also compulsory in the case of plans and programmes not included in the above list but prepared for the purposes of agriculture, forestry, fisheries, energy, industry, transport, traffic, waste management, water management, electronic telecommunication, tourism, regional development, which set the framework for future development consents by the authorities for activities or facilities listed in the appendix of the act on environmental impact assessments independent of the threshold values and territorial restrictions laid down therein.
- c) Strategic environmental assessments must be carried out for each plan and programme without limitations for volume and scope that may have significant adverse impacts on Natura 2000 areas.

(B) The necessity of environmental assessments may be determined on a case-by-case basis for the following plans and programmes:

- regulatory plans, or local construction codes prepared for a part of a settlement
- other plans and programmes that determine the use of small areas at local level;
- a minor amendment to a plan or programme, that requires a compulsory strategic environmental plan;
- plans and programmes, which set the framework for future development consents by the authorities for activities or facilities involving environmental uses.

I.3. Explain how you define whether a plan or programme “set the framework for future development consent” (art. 4, para. 2):

A plan and programme sets the framework for future development consents for activities or facilities listed in Appendix 1 or 3 of *Government Decree No.314/2005 (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*, which is a specific piece of legislation on environmental impact assessments. In these cases strategic environmental assessment is compulsory and independent of the threshold values and territorial restrictions laid down in that specific other legislation.

Plans and programmes that set a framework for future development consents for activities or facilities are defined as plans and programmes that include provisions or conditions to be compulsorily applied, or criteria to be compulsorily considered during the authorisation procedure, in particular as regards the location, nature, size and operational conditions, the direct use of or load to or other uses of natural resources, or require the implementation of any such activities, or influence the implementation opportunities, particularly the location, nature, size and operational conditions of such activities, or the direct use of or load to or other uses of natural resources by such activities in other ways (by facilitating, encouraging or restricting them).

I.4. Explain how the terms “plans and programmes ... which determine the use of small areas at local level” (art. 4, para. 4) are interpreted in your legislation:

The regulations do not define these terms, yet at the same time - corresponding to the goals of the protocol’s provisions regarding this definition – stipulate the environmental assessment of such plans and programmes defined in Hungarian legislation (e.g. amendments of the settlement development plans in relation to sub-areas).

According to article 1, paragraph (3), sub-paragraph a) of *Government Decree No. 2/2005 (I. 11.) on the environmental assessment of certain plans and programmes*, regulatory plans, or local construction codes prepared for a part of a settlement, or other plans and programmes for which a strategic environmental assessment is compulsory and which determine the use of small areas at local level, the necessity of environmental assessment may be decided based on the case-by-case determination of the significance of the likely environmental impact.

I.5. Explain how you identify in your legislation a “minor modification” to a plan or programme (art. 4, para. 4):

There is no identification or definition of minor modifications in Hungarian legislation, and it is not specifically stipulated what we may consider to be a not significant or minor modification in relation to certain plans. This decision lies with body in charge of the preparation of the plan or programme.

However, the regulation does apply the definition contained in article 1, paragraph (3), subparagraph b) of *Government Decree No. 2/2005 (I. 11.) on the environmental assessment of certain plans and programmes*, i.e. that in the case of a minor amendment to a plan or programme for an environmental assessment is compulsory, the necessity of the environmental assessment may be determined on a case-by-case basis.

Article 5 Screening

I.6. How do you determine which other plans and programmes should be subject to a SEA as set out in article 4, paragraphs 3 and 4, in accordance with article 5, paragraph 1? Please specify:

- (a) On a case-by-case basis
- (b) By specifying types of plans and programmes
- (c) By using a combination of (a) and (b)
- (d) Other (please specify):

Your comments:

I.7. Do you provide opportunities for the public concerned to participate in screening and/or scoping of plans and programmes in your legislation (art. 5, para. 3, and art. 6, para. 3)?

No

Yes (please specify (more than one option may apply)):

- (a) By sending written comments to the competent authority
- (b) By sending written comments to the local municipality
- (c) By providing answers to a questionnaire
- (d) By taking part in a public hearing
- (e) By sending written comments to the consultants/SEA experts or persons preparing the plans and programmes
- (f) Other (please specify):

Your comments:

The public concerned may not be involved in the determination of the necessity and the scoping of strategic environmental procedures for plans and programmes under the effective legal regulations but there are opportunities for the public to communicate their opinion and make remarks, as the determination of the contents of the environmental evaluation and the contents themselves are made public.

As regards screening, only the opinion of bodies in charge of environmental protection needs to be acquired, and how the public will be informed is defined during scoping: the preparer defines what groups of the public may be concerned.

For the purposes of the authorities' opinion on the environmental evaluation and the draft of the plan or programme the preparer publishes the contents and his proposal for the schedule and consultations. At the same time, all available environmental information with

relevance to the plan or programme must be published together with instructions for the access to these, which includes the objectives of the plan and programme, where and when the consultation documentation of the plan or programme also including the environmental evaluation is available for perusal, and up to what date and in what way comments may be made. At least 30 days must be available for comments following the publication. If there is no request for a modification of the deadline, preparer has to take those comments into consideration that he receives by the deadline set by him.

Article 6

Scoping

I.8. How do you determine what is the relevant information to be included in the environmental report, in accordance with article 7, paragraph 2 (art. 6, para. 1)?

By using Annex IV of the Protocol as well as the comments from the concerned authorities received in the scoping phase of the procedure.

Article 7

Environmental report

I.9. How do you determine “reasonable alternatives” in the context of the environmental report (art. 7, para. 2)? Please specify:

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):

The general requirements for the scope of environmental evaluations defined in the effective legal regulations include the brief description of the plan or programme and the alternatives considered during preparation as follows: summary description of the objectives and scope of the plan or programme with special emphasis on the parts relevant for the preparation of the environmental evaluation, relationship with other plans or programmes, justification of the selection of the given alternatives together with a brief description of the review that it is based on.

The summary drawn up after the approval of the plan or programme contains the arguments for the approval mentioning among others why the particular alternative was selected out of all considered sensible versions of the programme or plan.

- (c) By using a combination of (a) and (b)
- (d) Other (please specify):

Your comments:

I.10. How do you ensure sufficient quality of the reports? Please specify:

- (a) The competent authority checks the information provided and ensures it includes all information required under Annex IV as a minimum before making it available for comments
- (b) By using quality checklists
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

The preparer of the plan or programme is responsible for the implementation of the environmental evaluation. The different parts of the environmental evaluation in the areas

of expertise corresponding to the requirements for contents are prepared by experts licenced by the authorities in accordance with legislation on experts activities in the fields of nature conservation, environmental protection and landscape protection. All available information from earlier or still continuing planning or programme preparation activities concerning the environmental impacts of the given programme or plan or from the implementation of other EU legislation may be used for the preparation of the environmental evaluation. In establishing the precise content and level of detail of the environmental evaluation (hereinafter: content), the preparer also takes into consideration the opinions of the bodies in charge of environmental protection that he acquired.

If the bodies in charge of environmental protection do not accept the environmental evaluation or they are of the opinion that the plan or programme is incompatible with the National Programme for Environmental Protection, the preparer arranges a consultation with the bodies in charge of environmental protection about the necessary modifications. The description of the remaining differences in opinion need to be attached to the draft.

Article 8

Public participation

I.11. How do you ensure the “timely public availability” of draft plans and programmes and the environmental report (art. 8, para. 2)? Please specify (more than one option may apply):

- (a) Through public notices
- (b) Through electronic media
- (c) Through other means (please specify):

Your comments:

According to the government decree, the publication has to take place in the form of publishing in at least one national or local newspaper. If the public concerned is limited to one particular part of a settlement, the customary local means of publication also suffice. If the preparer has a website, the information also needs to be published there. To acquire the comments of the public concerned, means of information other than publication may be used, e.g. the official newsletter of the preparer.

I.12. How do you identify the public concerned (art. 8, para. 3)? Please specify (more than one option may apply):

- (a) Based on the geographical location of the plans and programmes
- (b) Based on the environmental effects (significance, extent, accumulation, etc.) of the plans and programmes
- (c) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (d) By other means (please specify):

During the establishment of the precise content and level of detail (content) of the environmental evaluation, the preparer defines what groups of the public may be concerned, and also defines the method of informing those concerned.

Your comments:

Effective legislation stipulates that a part of the public shall be regarded as concerned, if affected by the plan or programme, or having interest in the decision, if their sphere of activities is affected by the decision, or if declared concerned by legal regulations, the preparer or the plan.

I.13. How can the public concerned express its opinion on the draft plans and programmes and the environmental report (art. 8, para. 4)? Please specify (more than one option may apply):

- (a) By sending comments to the relevant authority/focal point
- (b) By providing answers to a questionnaire
- (c) Orally
- (d) By taking part in a public hearing
- (e) Other (please specify):

Your comments:

Upon the publication of the environmental evaluation, the preparer has to make suggestions as to the method of informing the public and acquiring their comments, i.e. in what form and by what deadline the public concerned can make their comments. At least 30 days must be available for the comments.

I.14. Do you have a definition in your legislation of the term “within a reasonable time frame” (art. 8, para. 4)? Please specify:

- (a) No, the time frame is determined by the number of days fixed for each commenting period
- (b) No, it is defined case by case
- (c) Yes (please provide the definition):
- (d) Other (please specify):

Your comments:

A deadline of at least 30 days following the receipt of the request of opinion or its publication needs to be ensured for the public to submit their opinion and comments. The regulation sets a minimum time frame, but the preparer may in his own discretion, and subject to his own considerations set a longer deadline, if he regards such necessary.

Article 9

Consultation with environmental and health authorities

I.15. How are the environmental and health authorities identified (art. 9, para. 1):

- (a) On a case-by-case basis:
- (b) As defined in the national legislation:
- (c) Other (please specify)

Your comments:

Annex III of the Governmental Decree No. 2/2005. (I. 11.) on strategic environmental assessment of certain plans and programmes lists all authorities having assigned privilege by the legislation to comment the screening, scoping documents and the environmental report of certain plan/programmes according to plans and programmes. According to the types and levels of a plan/programme (e.g. national, regional, local) , different competent authorities are responsible for carrying out the SEA procedure in Hungary. However, there is no difference for domestic and transboundary procedures in this regard.

In order to smooth functioning, in case of transboundary strategic environmental assessment, the Ministry of Agriculture helps these authorities in coordinating these cases, taking an advantage of the Espoo Convention national contact points' network.

Annex III of *Government Decree 2/2005 (I.11.) on the environmental assessment of certain plans and programmes* contains the list of bodies in charge of environmental protection and their competences. The authorities participate in the procedures on a request basis.

I. In the case of plans and programmes prepared by national bodies

I.1. Permanent participants:

- a) as regards the protection of the environment, and the conservation of nature and landscapes:
the National Chief Inspectorate for Environmental Protection and Nature Conservation;
- b) as regards environmental and settlement health:
the National Chief Medical Officers Administration;
- c) as regards the protection of forests, soils, and the quantitative protection of arable lands and agri-environmental affairs:
the Minister in charge of forestry, the protection of soils, the quantitative protection of arable lands and agri-environmental affairs;
- d) as regards the protection of waters:
National Chief Directorate of Emergency Management at the Ministry of Internal Affairs

I.2. Participants involved when affected:

- a) as regards the protection of geological values and mineral reserves:
the Minister in charge of mining affairs;
- b) as regards the protection of natural characteristics of natural health-giving factors and health resorts:
the Minister in charge of healthcare;
- c) as regards the protection of cultural heritage (protection of monuments, archaeology):
the Minister in charge of cultural heritage protection;
- d) as regards the protection of the built environment:
the Minister in charge of construction affairs;
- e) as regards chemical safety:
the Minister in charge of healthcare;
- f) as regards the prevention of major industrial accidents:
National Chief Directorate of Emergency Management at the Ministry of Internal Affairs

II. In the case of plans and programmes prepared by other than national bodies for regional/community level

II.1. Permanent participants:

- a) as regards environmental protection:
the environmental protection authority;
- b) as regards nature and landscape conservation:
the Management of the national park and the nature conservation authority;
- c) as regards environmental and settlement health:
the Budapest/county government office acting as an authority for public health.
- d) as regards the quantitative and qualitative protection of surface waters and groundwater:
the water protection and water management authority.

II.2. Participants involved when affected:

- a) as regards local environmental protection and nature conservation:
notary of the local government of the settlement;
- b) as regards the protection of the built environment:

- the Budapest/county government office acting as a public chief architect;
- d) as regards the protection of forests:
the county government office acting as an authority for forestry;
- e) as regards soil protection:
the county government office acting as an authority for soil protection;
- f) as regards the quantitative protection of arable lands:
 - fa) the district (Budapest district) office of the Budapest/county government office acting as an authority for land protection,
 - fb) in cases involving the competence of more than one district (Budapest district) office the district office of the county seat acting as an authority for land protection,
 - fc) In county Pest the District Office of Budakeszi acting as an authority for land protection,
 - fd) in the capitol the District XI. Office of the Budapest Government Office acting as an authority for land protection;
- g) as regards the protection of geological values and mineral reserves:
the county government office acting as an authority for the supervision of mines;
- h) as regards the protection of the natural characteristics of natural health-giving factors and health resorts:
the National Chief Medical Officer's Administration;
- i) as regards the protection of cultural heritage (protection of monuments, archaeology):
the Budapest Government Office, and if exclusion criteria are met, the Minister in charge of the cultural heritage protection;
- j) as regards chemical safety:
the National Public Health Centre;
- k) as regards the prevention of major industrial accidents:
the county/Budapest directorate of emergency management.

I.16. How are the arrangements for informing and consulting the environmental and health authorities determined (art. 9, para. 4):

- (a) On a case-by-case basis:
- (b) As defined in the national legislation:
- (c) Other (please specify)

Your comments:

I.17 Does your national legislation call for consultations with environmental and health authorities?

- (a) Yes
- (b) No

I.18. How can the environmental and health authorities express their opinion (art. 5, para. 2, art. 6, para. 2, and art. 9, para. 3):

- (a) By sending comments
- (b) By providing answers to a questionnaire
- (c) In a meeting
- (d) By other means (please specify)

Your comments:

Article 10 Transboundary consultations

I.19. As a Party of origin, when do you notify the affected Party (art. 10, para. 1)? Please specify:

- (a) During scoping
- (b) When the draft plan or programme and the environmental report have been prepared
- (c) At other times (please specify):

Your comments:

At the same time as the public consultation on the draft of the plan or programme starts in Hungary.

I.20. As a Party of origin, what information do you include in the notification (art. 10, para. 2)? Please specify:

- (a) The information required by article 10, paragraph 2
- (b) The information required by article 10, paragraph 2, plus additional information (please specify):
 - the entire consultation documentation of the plan or programme,
 - the environmental report,
 - the description of the decision-making process,
 - information that Hungary as Party of origin ensures public participation of the affected Party to the strategic environmental assessment procedure of the plan or programme as it does to its own public,
 - a request to the affected Party to inform Hungary within a set deadline whether it intends to hold consultations in regard of significant transboundary environmental impacts caused by the implementation of the plan or programme, or wish to receive information about measures planned to reduce or prevent these impacts.

Your comments:

I.21. As a Party of origin, does your legislation indicate a reasonable time frame for the transmission of comments from the affected Party (art. 10, para. 2)? Please specify:

- (a) No
- (b) Yes (please indicate how long):

Your comments:

The regulations do not contain a definite deadline, and only stipulate for the case where an intention to hold consultations is announced that these should be announced "within the set deadline" without any further specification. The parties should mutually agree on the deadline: the preparer makes a proposal and the Affected Party accepts such or asks for the modification of the deadline in a written form.

I.22. If the affected Party has indicated that it wishes to enter into consultations, how do the Parties agree on detailed arrangements to ensure that the public concerned and the authorities in the affected Party are informed and given an opportunity to forward their opinion on the draft plan

or programme and the environmental report within a reasonable time frame (art. 10, paras. 3 and 4)?

- (a) Following those of the Party of origin
- (b) Following those of the affected Party
- (c) Other (please specify):

Your comments:

In case of the Affected Party indicates within the previously set time frame or after the modification of such that it wishes to engage in consultations, Parties agree on the duration and means of the consultations following the rules of the Party of Origin in terms of the public announcement and other deadlines. In the course of the consultations Parties also agree on the manner of informing the authorities in charge of environmental protection and the public concerned of the Affected Party, and on how they will ensure opportunities to them for expressing their opinion within a reasonable deadline.

Article 11 Decision

I.23. When a plan or programme is adopted, explain how your country ensures, in accordance with article 11, paragraph 1, that due account is taken of:

- (a) The conclusions of the environmental report
- (b) Mitigation measures
- (c) Comments received in accordance with articles 8 to 10

Your comments:

I.24. How and when do you inform your own public and authorities (art. 11, para. 2)?

After the approval of the plan or programme, the approving administrative body, or – in the case of parliamentary approval – the administrative body submitting the draft plan or programme to the government:

- ensures public access to the plan or programme;
- prepares a summary on the approval of the plan or programme, the reasons for the approval, including their arguments for selecting the approved plan or programme alternative as opposed to other plan or programme alternatives, as well as on the consideration of the environmental concerns, the environmental evaluation, and the consideration of the opinions and comments received, and on the monitoring measures;
- forwards the above summary to the bodies in charge of environmental protection involved in the environmental assessment, to the National Environmental Council and to the country with which consultations were held with regard to the approval of the plan or programme, and publishes it in at least one national or local newspaper, or if the public concerned is limited a part of a settlement, does so as locally customary. If the preparer of the plan has a website, the information also needs to be published there.

I.25. How do you inform the public and authorities of the affected Party (art. 11, para.

- (a) By informing the point of contact
- (b) By informing the contact person of the ministry responsible for SEA, who then follows the national procedure and informs his/her own authorities and public

(c) By informing all the authorities involved in the assessment and letting them inform their own public

(d) Other (please specify):

Your comments:

I.26. How do you ensure that, when a plan or programme is adopted, the public, the authorities and the Parties consulted are informed and that the information mentioned in article 11, paragraph 2, is made available to them?

(a) Pursuant to national legislation (please refer to specific provisions and provide citations in order to clarify the procedure followed):

Based on the provisions of the para 11 of the Government Decree 2/2005 (I.11), the body who adopted the plan/program makes the plan/program available for the public and authorities, as well as compiles a short summary including the arguments on the alternatives, comments received and handled during the adoption and the monitoring steps. This summary is to be sent to the concerned authorities as well as announced to the public as well.

(b) Other (please specify):

Your comments:

Article 12 Monitoring

I.27. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes adopted under article 11 (art. 12, paras. 1 and 2):

The plan or programme should include measures for the monitoring of the significant environmental impacts arising from the implementation of the plan or programme.

The monitoring measures include in particular:

- an identification at an early stage of unforeseen adverse impacts during the preparation of the plan or programme;
- an identification of the actions to be taken in case adverse impacts occur;
- making the findings of the monitoring available to bodies in charge of environmental protection and the public.

If necessary, the existing detection, measuring and monitoring network/systems may be used, and the existing provisions on monitoring already in force or a revision of the plan or programme may be applied for the purposes of the monitoring.

Part two

Practical application during the period 2016–2018

In this part, please report on your country's practical experiences in applying the Protocol (and not your country's procedures, which were described in part one). The focus of this section should be on identifying good practices as well as difficulties encountered in applying the Protocol in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Protocol in your country and innovative approaches to improve its application.

II.1. Does your country object to the information on SEA procedures provided in this section being compiled and made available on the website of the Protocol? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

1. Consideration of health effects

II.2. Does your SEA documentation always include specific information on health effects? Please specify:

(a) Yes

(b) No, only when potential health effects are identified

2. Domestic and transboundary implementation in the period 2016–2018

II.3. Does your SEA documentation always include specific information on potential transboundary environmental, including health, effects? Please specify:

(a) Yes

(b) No, only when potential transboundary effects are identified

3. Cases during the period 2016–2018

II.4. Please provide the (approximate) number of transboundary SEA procedures initiated during the period 2013–2015 and list them, grouped by the sectors listed in article 4, paragraph 2:

Only one transboundary SEA procedure was initiated and carried out as Party of origin in the reporting period (2016-2018). It was the *National Programme for the Management of Spent Fuel and Radioactive Waste* of Hungary. Notification on SEA transboundary procedure was sent to all neighbouring countries such as Ukraine, Romania, Serbia, Croatia, Slovenia, Austria and Slovakia, out of which Slovakia, Romania and Austria were actively participated in the consultation process. The transboundary process started on 4 March 2016 and concluded on 23 Jan 2017.

As affected Party, Hungary participated in **6** transboundary SEA procedures between 2016-2017 (**1** in **waste management** sector with Austria, **4** in **transport** sector with Austria (2), Croatia and Slovakia, **1** in **water management** sector with Croatia).

4. Experience with the strategic impact assessment procedure in 2016–2018

II.5. Has your country experienced substantial difficulties in interpreting particular terms (or particular articles) in the Protocol?

- (a) No
- (b) Yes (please indicate which ones):

II.6. How does your country overcome the(se) problem(s), if any, for example by working with other Parties to find solutions? Please provide examples:

N/A

II.7. With regard your country's experience with domestic procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

- (a) Has your country carried out monitoring according to article 12 and, if so, for what kinds of plans or programmes (cite good practice cases or good practice elements (e.g., consultation or public participation), if available)?

There is usually no exact information on it in practice, legislation in force ensures the monitoring obligation as well.

In relation to the environmental evaluation of the Long-term Plan of the National Express and Main Road Network and Long-term Development Plan of the same, the establishment of a monitoring system specifically for the monitoring of the development of environmental impacts became necessary to monitor the environmental impacts caused by the development measures in the different phases of the examined programme. Correspondingly, a proposal was made for a monitoring system necessary for the long-term evaluation of the impacts to the affected elements of the environment.

Upon the submission of the proposal, the indicators were defined along the highest environmental priorities in relation to transport:

- Reduction of the greenhouse gas emissions of the road transport sector
- Reduction of the noise and air pollution load in areas designated for the extended presence of humans
- Implementation of an optimal express and main road network whilst taking up the smallest possible space (especially in Natura 2000 areas)

- (b) Would your country like to present a case to be published on the website of the Convention and its Protocol as a “case study fact sheet”?

- (i) No
- (ii) Yes (please indicate which ones):

II.8. With regard your country's experience with transboundary procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

- (a) What difficulties has your country experienced and what solutions has it found?

- (i) Translation and interpretation

As affected Party, in most cases, Hungary receives SEA documentation in English or (in a few cases) in Hungarian languages. English version of the full documentation is not enough for an effective public participation in Hungary, as national legislation in force requires the Hungarian authorities to offer the same rights to the Hungarian public as it is provided to the public of the Party of Origin in harmony with the legal provisions of the Protocol and the Convention, i.e. possibility of commenting in the national language.

Therefore, in the reply to the notification Hungary always follows the common practice with the neighbouring countries regarding SEA and EIA transboundary consultations, such as Austria, Croatia, Slovenia and Slovakia do and what the legal obligations require. We usually explain in our reply to the notification that public participation is compulsory in any transboundary SEA procedures in Hungary, which means that documentation in Hungarian language shall be available for the public for commenting. Therefore, we kindly inform the party of Origin that the Hungarian procedure can only start with Hungarian documentation (a copy of the draft plan or programme and the relevant environmental report). In case the Party of Origin will provide these documents only in English or other language, it will definitely prolong the procedure on Hungarian side with the necessary timescale of the translation. After this explanation, usually Parties of Origin provide the needed documentation in Hungarian language as well in order to speed up the procedure. However, in a few cases, when Hungarian documentation is not provided, Ministry for Agriculture of Hungary arranges the translation of the available documentation to Hungarian.

There is usually only written consultation conducted in the course of the transboundary SEA procedure, therefore no interpretation issue has arisen so far.

(ii) Other issues

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(b) What does your country usually translate as a Party of origin?

According to the effective legal regulations, the draft plan or programme and the entire environmental report need to be translated to English at least, and provided to the affected Parties. However, to speed up the process, Hungary's choice is to translate the draft plan or programme to English and the environmental report as well as the summary of the draft plan or programme to each affected Party's language for easier commenting.

In the case of the *National Programme for the Management of Spent Fuel and Radioactive Waste of Hungary*, notification on SEA transboundary procedure was sent to all neighbouring countries such as Ukraine, Romania, Serbia, Croatia, Slovenia, Austria and Slovakia. For effective public participation, all documents were provided in their national language i.e. German, Slovak, Ukrainian, Romanian, Serbian, Croatian, Slovenian as well as in English. As mentioned at point II.4, Slovakia, Romania and Austria were actively participated in the consultation process. It was a significant burden to the plan owner to prepare these language versions, however it definitely speeded up the SEA process, and after all it was evaluated as a highly positive effort in cost-benefit analysis.

(c) As an affected Party, has your country ensured the participation of the public concerned and the authorities pursuant to article 10, paragraph 4?

(i) No

(ii) Yes (please indicate how):

By public announcement on the website dedicated to transboundary SEA cases) as well as by direct contact with them listed in the national legislation via national contact point.

(<http://www.kormany.hu/hu/foldmuvelesugyi-miniszterium/hirek/strategiai-kornyezeti-vizsgalati-ugyek>)

- (d) What has been your country's experience of the effectiveness of public participation?

Usually it is effective both as Party of Origin and Affected Party; however the number of comments always depend on the topic of the plan or programme.

- (e) Does your country have examples of organizing transboundary SEA procedures for joint cross-border plans and programmes?

(i) No

(ii) Yes (please describe):

- (f) As an affected Party, how do you ensure that the public concerned and the authorities are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame (art. 10, para. 4)?

See answer at point II.8.c

5. Experience regarding guidance in 2016–2018

II.9. Are you aware of any use in your country of the online *Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment* (ECE/MP.EIA/17)?¹:

(a) No:

(b) Part of it (Please specify):

(c) Yes (please describe your experience):

Your comments on how the Guidance might be improved or supplemented:

6. Awareness of the protocol

II.10. Does your country see a need to improve the application of the Protocol in your country?

(a) No:

(b) Yes Please describe how your country intends to improve application of the Protocol:

7. Suggested improvements to the report

II.11. Please provide suggestions for how this report may be improved:

The scope of the recent questionnaire is very well structured touching all important fields of the implementation of the Protocol. However, an electronic reporting on the website of the UNECE would be even more helpful and user friendly for filling and submitting by the Parties and for the evaluation as well.

¹ Available from http://www.unece.org/env/eia/pubs/sea_manual.html.

Concerning to this particular questionnaire, a couple of typo remained, which need to be corrected.

- Number of the art 11. in the question I.25. “(How do you inform the public and authorities of the affected Party (art. 11, para.)”
 - Time period concerning the question II.4. needs to be modified to 2016-2018
 - repetitive questions: II.8.c and II.8.f
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