Public participation in the strategic environmental assessment of the national programme for EAFRD in Hungary

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Ministry for Agriculture and Rural Development was planning a plan and program for EAFRD (European Agricultural Fund for Rural Development) in 2006.

They had several consultations with stakeholders, including environmental NGOs.

They realised that a Hungarian Government Decree requires a Strategic Environmental Assessment (SEA) – also Directive 2001/42/EC. Also relevant: Aarhus Convention – public involvement.

They approached an environmental consultancy, which asked NSC to organise the public participation (PP) procedure for SEA.

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NSC: To be in or not to be in?

- NSC had big fights with Ministry of Agri in 2003-05
  NO
- We realised some change in the approach of the Ministry
  YES

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Players

- Planner: Ministry for Agriculture and Rural Development
  Responsibilities: preparation of Programme, incl. public debate, initiating SEA, integration of public inputs into SEA, integration of SEA’s findings into the Programme; submission of Programme for Govt approval, submission of Programme and SEA summary to EC

- SEA expert team leader: Env-in-Cent Environmental Consultancy
  Responsibilities: elaboration of SEA, integration of public inputs into SEA

SEA PP task implemented by:
National Society of Conservationists: **Free of charge!**

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General legal base

- Aarhus Convention, in Hungary accepted, as 2001/81. Law
- Protocol on Strategic Environmental Assessment – Kyiv, 2003
- EC Directive on SEA (2001/42/EC)
- 1995/53 Law on environmental protection
- 2/2005 (I.11.) Government Decree on environmental assessment of certain plans and programs

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2/2005 (I.11.) Government Decree describes requirements

- planner has to send a plan for public participation to environmental authority when they start the planning
- planner has to provide 30 days for commenting the environmental assessment document to the public
- planner has to announce the commenting period in a (national) newspaper and has to have a link to SEA webpage from its webpage
- planner has to consider the comments of the public
The PP procedure is planned
Access to information
Active information for public
Consultation to public
Direct involvement of representatives of the public
Considerations of the comments, opinions
Preparation

- Plan about PP procedure
  The public: several levels according to expertise and affectedness, eventually the total population
- Public can comment the PP procedure plan
- PP procedure plan is submitted to authority

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Tools – Access to information

**Tools:** access to info, active dissemination, consultation, direct participation, integration of comments

**Access to information:**

- Web: [www.mtvsz.hu/skv](http://www.mtvsz.hu/skv) - all documents are attainable
- If asked for, it is sent by mail on paper or CD
Tools
– Active information dissemination

- Press release – when we started the SEA procedure
- Press release and advertisement in the biggest national newspaper – when the environmental report is ready
- Direct invitation of more than 100 organisations (not only NGOs) by email twice
- If asked for, regular emails when new document in the webpage

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Tools – Consultation to public and Direct involvement of public

- Commenting possibility by the webpage – continuous and 30 days for the environmental report
- Open partnership conference in two cities
- National Environmental Council
- SEA Forum – authorities, scientific bodies, environmental and agriculture NGOs – 20 members
- Two meetings of SEA Forum and possibility to reach working documents

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Tools
– Consideration of comments

- SEA expert team considers and includes comments of the public
- The planner (ministry) considers the comments of the public
- Feedback about results of commenting to the partners

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## Implementation

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Start of SEA expert work</td>
<td>Early Oct 2006</td>
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<tr>
<td>Webpage, direct information stakeholders</td>
<td>In some days</td>
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<td>SEA Forum 1 on methodology and PP plan</td>
<td>Mid Oct</td>
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<td>National Environmental Council</td>
<td>Early Nov</td>
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<td><strong>Publication environmental report – ads, letters</strong></td>
<td><strong>20th Nov</strong></td>
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<td>SEA Forum 2 on environmental report</td>
<td>Early Dec</td>
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<tr>
<td>Public Consultation Forums - Budapest, Debrecen</td>
<td>Early Dec</td>
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<tr>
<td><strong>Deadlines for comments</strong></td>
<td><strong>20th Dec</strong></td>
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<tr>
<td>Meeting with State Secretary</td>
<td>27th Dec</td>
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<tr>
<td>Finalisation of environmental report</td>
<td>Mid Jan 2007</td>
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<td>EC accepts environmental report</td>
<td>August</td>
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Results

- Considerable public interest
  - More than 100 NGOs were invited to the process directly
  - SEA Forum had 24 members
  - Public interest: 23 + 29 people participated in the conferences
  - 21 organisations expressed 68 proposals and 42 comments
  - 4 authorities sent 48 comments
- SEA team took into account 95% of the comments
- Personal meeting with State Secretary, who personally decided about including SEA proposals – generally positive approach

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Benefits

- Reaching all potentially interested, wide-spread, active public participation
- Participation not limited to a phase of the SEA (i.e. continuous but with peak phase)
- Discussion on water management resulted in compromise
- During the process, the Ministry showed interest and openness towards the SEA. Later: more SEAs and other environmental assessments initiated by the Ministry

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Challenges and problems

- Conflict of interest - NSC
- Most recent documents of the Program were not published
- The Ministry didn’t agree upon the allocation-based assessment of the Program
- Specific consultation on (irrigation) weakened the SEA
- No official feedback from Ministry how they included SEA findings and recommendations into the Program
- Therefore, no specific feedback to partners possible
- Significant changes (independent of SEA) in the Program after SEA
- An NGO attacked SEA, including NSC

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Lessons learned

- Clear identification/division of responsibilities needed (visible)
- The SEA process should start parallel to programming
- Most recent drafts of both the Programme and the SEA should be public!
- Public participation should be continuous, in an iterative process, but minimum of 30 days. (More labour-intensive!)
- Separate forums on the programme itself and the SEA beneficial (clear division of purpose). Still: speakers from the floor mix topics.
- SEA experts should be able to consult those drafting the programme
- Feedback to those commenting: crucial
Thank you for your attention!

www.mtvsz.hu/skv (in Hu)
www.env-in-cent.hu/referenciaink.html (in Hu)

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