

Questionnaire for the report of Hungary on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2013–2015

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Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1. Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of impact in the legislation

Your comments:

The Convention is implemented into the Hungarian legislation by *Governmental Decree No. 148/1999 (X.13.) on the transposition of the Convention on environmental impact assessment in a transboundary context, done at Espoo (Finland) on 25 February 1991*, which uses the same definitions as the Convention.

I.2. Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of transboundary impact in the legislation

Your comments:

The Convention is implemented into the Hungarian legislation by *Governmental Decree No. 148 of 1999 (X.13.) on the transposition of the Convention on environmental impact assessment in a transboundary context, done at Espoo (Finland) on 25 February 1991*, which uses the same definitions as the Convention.

I.3. Please specify how major change is defined in your national legislation:

According to the Hungarian environmental impact assessment (EIA) legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] for the EIA process major change is a modification of an activity, especially enlargement of the activity or change of technology or products in conclusion which one of the following conditions are fulfilled:

- a new emission of material or energy evolves which is bound to limit value and lasts at least for a year and the expected emission is more than 25 % of the maximum acceptable emission limit determined for the given activity or emission;

- hazardous or radioactive waste is produced in such type or amount which makes necessary of constructing a new facility for handling it, or of enlarging the capacity of an existing facility by 25 % or of introducing new handling technology;

- an already permitted emission of material or energy which is bound to limit value and lasts at least for a year will be increased with more than 25 % in a yearly average;

- an already permitted underground water intake from the land of the requester is increased with more than 25 % in a yearly average at least for one year;

- an already permitted surface water intake from the land of the requester is increased with more than 25 % in a yearly average at least for one year;

- the piece of land occupied by the activity is expanded by at least 25 % and the existing usage or the usage category determined by the spatial plan changes because of the expansion;

- the scale of the activity (especially its capacity, the quantity of the products, the size of the facility) exceeds the value determined in the permit referring to the activity with at least 25 %;

- the area, affected by the activity affects Natura 2000 site, naturally protected area, water source protection area or archaeological area;

- transboundary environmental impact is expected.

I.4. How do you identify the public concerned? Please specify (more than one option may apply):

(a) Based on the geographical location of the proposed project

(b) By making the information available to all members of the public and letting them identify themselves as the public concerned

(c) By other means (please specify):

Your comments:

According to the Hungarian EIA legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] the public concerned is a natural person, legal person or organisation without legal personality that is affected or could be affected or that is otherwise interested in the decision brought in the EIA procedure. Furthermore the environmental NGO shall always be considered concerned.

Article 2 General provisions

I.5. Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

- (a) Law on EIA:
- (b) EIA provisions are transposed into another law(s) (please specify):
- (c) Regulation (please indicate number/year/name):
- (d) Administrative (please indicate number/year/name):
- (e) Other (please specify):

Your comments:

Act. LIII. of 1995 on the general rules of environmental protection

Governmental Decree No. 148 of 1999 (X.13.) on the transposition of the Convention on environmental impact assessment in a transboundary context, done at Espoo (Finland) on 25 February 1991

Governmental Decree No. 314/2005. (XII.25.) on environmental impact assessment and on integrated environmental usage permitting process

I.6. Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

- (a) There is no difference, all activities are transposed in the national legislation as is
- (b) It differs slightly (please specify):

Your comments:

The *Governmental Decree No. 314/2005. (XII.25.) on environmental impact assessment and on integrated environmental usage permitting process* implements not only the Convention but the 2011/92/EU directive as well. Since the scope of the Directive is wider than the Convention's, the Hungarian legislation covers more activities than the Convention and/or specifies stricter (lower) thresholds.

I.7. Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

- (a) There are different authorities at national, regional, local levels
- (b) They are different for domestic and transboundary procedures
- (c) Please name the responsible authority/authorities:
- (d) There is no single authority responsible for the entire EIA procedure:

Your comments:

at national level: National Chief Inspectorate for Environment and Nature

at regional level: County Government Offices

(there is no local level)

The transboundary EIA procedures also are carried out by the County Government Offices, however, the co-ordination of the Ministry of Agriculture (as the ministry of the Hungarian Government, responsible for the environmental protection) is

responsible for the transboundary part of the procedure (mainly the communication with the other Party).

I.8. Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

- (a) No
- (b) Yes (please specify): Ministry of Agriculture
Department of Environmental Protection

Your comments:

I.9. How does your country, as Party of origin and as affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain):

The EIA documentation, or at least its chapter on the transboundary impact and non-technical summary, is made available in Hungarian.

The same period of time (stipulated by the legislation of the Party of origin) is ensured for making comments and for express objections.

The Ministry of Agriculture organizes a public hearing and invite (as Party of origin) the representative of the developer (as affected Party) the representative of the Party of origin thereto.

Article 3 Notification

I.10. As Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- (a) During scoping
- (b) When the EIA report has been prepared and the domestic procedure started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments:

I.11. Please define the format of notification:

- (a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)
- (b) The country has its own format

Please, find enclosed the notification, sent to Austria in the framework of Paks2 NPP project.

- (c) No official format used

Your comments:

The national notification always contains at least the following information:

- the original documentation (EIA report, screening or scoping);
- translation of the documentation (the whole screening and scoping and at least the non-technical summary and the chapter on the transboundary effects of the EIA report) into English and/or the national language(s) of the potentially Affected Party(ies);
- necessary information on the Hungarian national EIA legislation (i.e. on the public participation);
- opportunity to the Affected Party to hold personal consultation meeting(s) and/or public hearing(s);
- reasonable deadline for the replay.

I.12. As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one options may apply):

- (a) The information required by article 3, paragraph 2
- (b) The information required by article 3, paragraph 5
- (c) Additional information (please specify):

Your comments:

Please, find enclosed the notification, used in the framework of Paks2 NPP project.

I.13. As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, “within the time specified in the notification”)? Please specify:

- (a) National legislation does not cover the time frame
- (b) Yes, it is indicated in the national legislation (please indicate the time frame):
- (c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations (please indicate the average length in weeks):

6-10 weeks (depends on the nature, complexity, and size of the project and on the provided translation of the documentation)

Your comments:

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline:

We always accept if the affected Party asks for an extension of the deadline, when there is an acceptable reason for the request. (According to Article 12 (5) of *Governmental Decree No. 314/2005. (XII.25.) on environmental impact assessment and on integrated environmental usage permitting process* the transboundary part of the EIA procedure shall not be counted to the deadline of the domestic procedure.)

Lack of response from the affected Party, however, could be considered serious shortcomings. Longer delays could make it impossible to take the opinion of the affected Party into consideration.

I.14. How do you inform the public and authorities of the affected Party (art. 3, para 8)? Please specify:

- (a) By informing the point of contact to the Convention listed on the Convention website¹
- (b) Other (please specify):

Your comments:

I.15. On what basis is the decision made to participate (or not) in the transboundary EIA procedure as affected Party (art. 3, para. 3)? Please specify:

- (a) Notified ministry/authority of the affected Party responsible for EIA decides on its own based on the documentation provided by Party of origin
- (b) Based on the opinions of the competent authorities of the affected Party
- (c) Based on the opinions of the competent authorities and that of public of the affected Party
- (d) Other (please specify):

Your comments:

I.16. If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

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

Your comments:

All details and deadlines are determined and agreed with the affected Party case by case.

Article 4

Preparation of the environmental impact assessment documentation

I.17. How do you ensure sufficient quality of the EIA documentation as Party of origin? Please specify:

- (a) The competent authority checks the information provided and ensures it includes all information required under appendix II 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:

¹ List available from http://www.unece.org/env/eia/points_of_contact.htm.

The national legislation requires to be ensured that the environmental impact assessment report is prepared by competent experts.

I.18. How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):

- (a) By using appendix II
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify):

Your comments:

I.19. How do you determine “reasonable alternatives” in accordance with appendix II, paragraph (b)?

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

According to the Hungarian EIA legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] the EIA documentation has to contain the detailed description of the reasonable alternatives of the proposed activity – including the connecting activities and projects – mainly:

- description of the raw data, specified in the screening or scoping report, indicating if there is any changes of that data;

- description of the aspects of the environment:

- nature, size, variation and extent of the aspect;

- which phase of the activity the particular aspect appears in and what element of the activity the particular aspect is relevant;

- and the possibility of accidents and male-functioning, which can cause significant impact of the environment, and the description of the resulted aspects.

- (c) Other (please specify):

Your comments:

Article 5 Consultations on the basis of the environmental impact assessment documentation

(a) Public participation

I.20. How can the public concerned express its opinion on the EIA documentation of the proposed project (art. 5)? Please specify (more than one option may apply):

As Party of origin

- (a) By sending comments to the competent authority/focal point
- (b) By taking part in a public hearing
- (c) Other (please specify):

As affected Party

- (d) By sending comments to the competent authority/focal point
- (e) By taking part in a public hearing
- (f) Other (please specify):

Your comments:

I.21. Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

- (a) Yes
- (b) No

Your comments:

As Party of origin, Hungary participates on the public hearing, organised by the affected Party.

I.22. Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

- (a) Yes
- (b) No

Your comments:

(b) Consultations

I.23. Does your national EIA legislation have any provision on the organization of transboundary consultations (expert, joint bodies, etc.) between the authorities of the concerned Parties? Please specify:

- (a) Yes, it is obligatory
- (b) No, it does not have any provision on that
- (c) It is optional (please specify):

Your comments:

**Article 6
Final decision**

I.24. Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

- (a) Conclusions of the EIA documentation

- (b) Comments received in accordance with article 3, paragraph 8, and article 4, paragraph 2
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party
- (f) Mitigation measures
- (g) Other (please specify):

- Information on how and till when the decision can be challenged.

- The conditions of the final decision could be:

- regular environmental and nature protection monitoring, including development of a system for measurements, observations and controls,
- determining emission standards if the legal conditions are given,
- conditions on further permits after the environmental impact assessment if they can be formed based on the present procedure,
- conditions of transitional and final abandonment, including the examinations necessary before these activities if the transitional or final abandonment could entail with significant environmental effects but these effects cannot be exactly foreseen at a satisfying level at the time of the impact assessment.

The reasoning part of the decision contains the evaluation of the comments and also the information on the process of involving the public in the decision-making. The evaluation of comments contains the factual survey, professional analysis and legal conclusions based on them.

I.25. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1):

- (a) Yes
- (b) No

Your comments:

I.26. Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

- (a) No
- (b) Yes (please specify):

Your comments:

I.27. Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

- (a) Yes
- (b) No (please specify those that do not):

Your comments:

I.28. For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language: environmental permit; in Hungarian: környezetvédelmi engedély

Your comments:

In the Hungarian environmental legal system the EIA decision (on the issuing of the environmental permit; in Hungarian: környezetvédelmi engedély) that closes the EIA procedure, is considered to be the final independent decision of the licencing environmental authority, in term that there is a separate set of administrative legal remedies against this decision (appealing to the chief environmental inspectorate and also an administrative court revision process) and also that if the EIA decision is negative, the project will not be performed. An environmental permit of legal force is a precondition for application for a construction permit and the content of the construction permit must not differ from the orders of the environmental permit.

Article 7 Post-project analysis

I.29. Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

- (a) No
- (b) Yes (please specify the main steps to be taken and how the results of it are communicated):

Your comments:

There is no special provision in the Hungarian EIA legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] regarding post-project analysis of the transboundary cases.

According to the *Governmental Decree No. 148/1999 (X.13.) on the transposition of the Convention on environmental impact assessment in a transboundary context, done at Espoo (Finland) on 25 February 1991* the rules of the Convention on determination of post-project analysis are directly applicable and the consultations with the other Party may provide a good forum to determine on this issue.

In practice, however, Hungary has never requested (as affected Party) or has been requested (as Party of Origin) for any post-project analysis yet.

Article 8 Bilateral and multilateral cooperation

(a) Agreements

I.30. Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

- (a) No
- (b) Yes Please specify with which countries:

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

I.31. What issues do these bilateral agreements cover (appendix VI)? (more than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements

- (c) Harmonization of the Parties' policies and measures
- (d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

There is an Agreement on Cooperation in Environmental and Nature Protection Matters between Governments of the Hungarian Republic and the Republic of Slovakia signed on 12th of February, 1999, in Bratislava.

The Working Group on Environmental Impact Assessment (under the Hungarian-Slovak Environmental Protection and Nature Conservation Joint Committee) holds annual meetings, where the Parties exchange relevant information. The main goal of the Working Group is to elaborate the Bilateral Agreement on Promotion of Implementation of the United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context.

Regarding nuclear related activities, there is an Agreement between the Government of Hungary and the Government of Austria on issues of common interest regarding nuclear facilities; and an Agreement on mutual notification and cooperation in the field of nuclear safety and radiation protection between the Government of the Republic of Hungary and the Government of the Czech and the Slovak Federative Republic.

According to the Agreement between the Government of Hungary and the Government of Austria on issues of common interest regarding nuclear facilities signed on 29 April, 1987, in Vienna, Hungary and Austria hold yearly bilateral meetings to discuss questions of common interest regarding nuclear safety and radiation protection to exchange information and documentation on the relevant topics, i.e. legal framework and administration, nuclear energy programs, emergency preparedness and communication during incidents, radiation monitoring, waste treatment and management. The 21st Meeting was held on 12th-13th October, in Budapest, Hungary.

According to the Agreement on mutual notification and cooperation in the field of nuclear safety and radiation protection between the Government of the Republic of Hungary and the Government of the Czech and the Slovak Federative Republic signed at Vienna, 20th September, 1990 and the Agreement for early exchange of information in the event of a radiological emergency between the Government of the Republic of Hungary and the Government of the Republic of Slovenia signed at Budapest, 11th July, 1995 on the initiative of the Hungarian side, from 2002 the parties hold yearly quadrilateral meetings to discuss questions of common interest regarding nuclear safety and radiation protection. The last Meeting was held in 12-13th, April, 2015.

(b) Procedural steps required by the national legislation

I.32. Please describe the steps required in your national legislation for a transboundary EIA procedure:

(a) When EIA in a transboundary context is part of a domestic EIA procedure:

- notification
- providing opportunity to the public concerned for making comments and express objections in writing
- providing opportunity to the public concerned for making comments and express objections personally, by organising public hearing
- consultation with the affected Party during meeting(s) and/or in writing
- receiving the final statement of the affected Party regarding the proposed activity
- giving a due consideration to all information, received during the above mentioned procedural steps for making the final decision
- making the final decision
- making the final decision available for the public, for the involved special co-authorities and for the affected Party

(b) When EIA in a transboundary context is a separate procedure (please provide of how this procedure links to the domestic procedure and whether the steps are different):

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:

According to the Hungarian EIA legislation and practice, the EIA in a transboundary context shall be part of a domestic procedure.

I.33. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?:

- (a) No
- (b) Yes (please specify):
- (i) Special provisions:
 - (ii) Informal arrangements:

Your comments:

I.34. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?:

- (a) No
- (b) Yes (please specify):
- (i) Special provisions:
 - (ii) Informal arrangements:

Your comments:

There is no special provision in the Hungarian EIA legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] regarding transboundary EIA procedures for NPP projects, however, in the practice, much more potentially affected Parties are notified during the scoping phase than during the transboundary EIA procedure for other types of activity.

Part two

Practical application during the period 2013–2015

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

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

- (a) Yes
 (b) No

Your comments:

1. Experience in the transboundary environmental impact assessment procedure during the period 2013–2015

Cases during the period 2013–2015

II.2. If your country's national administration has a record of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

Transboundary EIA procedures: As Party of origin

	Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
			Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1.	Paks2 NPP project	as described below	as described below	as described below	as described below	not have been made yet

Your comments:

In the framework of the international environmental impact assessment (EIA) procedure of construction of new nuclear power plant blocks at Paks site project (hereinafter referred to as Paks2 NPP project) the first notification was sent during the scoping phase of the procedure (when the licencing authority determines the content requirements of the EIA documentation) in February 2013. The notification was sent to all the 7 neighbouring countries of Hungary and all the EU Member States, according to Article 2 (4), and to Switzerland upon the request of Greenpeace Switzerland, according to Article 3 (7) of the Espoo Convention. Altogether 30 Parties received notification. The whole scoping documentation was made available in the official languages of the Convention (English, French and Russian) and in the

official languages of the neighbouring countries of Hungary (Croatian, German, Romanian, Serbian, Slovak, Slovenian and Ukrainian).

Among the notified Parties Austria, Croatia, the Czech Republic, Germany, Greece, Malta, Romania, Serbia, Slovakia, Slovenia and Ukraine has asked for participation in the EIA procedure. Notification on the start of the EIA phase procedure was sent to the referred affected Parties in April 2015. The whole EIA documentation has been made available in Hungarian, English and German languages and its chapter on the transboundary affects and the non-technical summary have been translated into Croatian, Czech, Romanian, Serbian, Slovak, Slovenian and Ukrainian languages as well.

All the affected Parties have been offered the organisation of public hearing and personal expert consultation meeting. According the request of the affected Parties, the following public hearings and expert consultation meetings were held during the EIA procedure for Paks2 NPP project:

Personal expert consultation meetings:

- with Croatia on 3 September 2015 in Budapest
- with Austria on 24 September 2015 in Vienna
- with Ukraine on 8 October 2015 in Kyiv
- with Romania on 15 October 2015 in Bucharest
- with Germany on 21 October 2015 in Munich
- with Serbia on 5-6 November 2015 in Belgrade

Public hearings:

- in Croatia on 21 September 2015 in Osijek,
- in Romania on 28 September 2015 in Oradea; on 29 September 2015 in Timisoara; on 14 October 2015 in Bucharest
- in Ukraine on 7 October 2015 in Kyiv
- in Germany on 20-21 October 2015 in Munich
- in Serbia on 5-6 November 2015 in Belgrade

All the affected Parties were asked to make the EIA documentation available to the public concerned in their country for at least 30 days. The public concerned of the affected Parties have been given the opportunity to send written comments from the announcement of the EIA documentation till the particular affected Party provides its final official standpoint. This period of time differs between 2 and 4 months.

The EIA procedure for Paks2 NPP project has not been finalised yet.

* * *

Regarding the following activities notification has been sent during the EIA procedure, but having evaluated the received documentation, the potentially affected Party came to the conclusion that there is no need for their participation in the procedure:

- M15 **motorway** capacity expression project; notification was sent to Slovakia in May 2014
- **bridge** between Komárom and Komarno with connecting facilities project; notification was sent to Slovakia in July 2014
- pedestrian and bicycle **bridge** between Dobrohošť and Dunakiliti project; notification was sent to Slovakia in August 2014

- modernization of the **suburban railway** between Körösnagyharsány and the state border project; notification was sent to Romania in October 2014

- enlargement of M70 **motorway**, section between Letenye and Tornyiszentmiklós (state border) project; notification was sent to Croatia and Slovenia in October 2014

- Reconstruction of **railway** line Szeged-Röszke-Horgos-Szabadka; notification was sent to Serbia in January 2015

- Reconstruction of **railway** line reconstruction of railway line Szabadka-Csikéria-Bácsalmás-Bácsbokod-Baja; notification was sent to Serbia in January 2015

Table II.2 (a)

Transboundary EIA procedures: As affected Party

	Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
			Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1.	C7-A3 Erection of the new large capacity F&D facility NPP V1 project; Slovakia	January 2014	the EIA documentation was made available to the public for comment for 30 days	personal expert meeting in Budapest in February 2014	public hearing in Budapest in February 2014	no information
2.	Final processing of liquid radioactive waste at the Mochovce location; Slovakia	January 2014	the EIA documentation was made available to the public for comment for 30 days	transboundary consultation only in writing	public hearing in Budapest in February 2014	no information
3.	Nuclear fuel production plant in Smolino; Ukraine	February 2014	the EIA documentation was made available to the public for comment for 30 days			no information
4.	Interim storage repository for vitrified high- level waste in Kijev region; Ukraine	December 2014	the EIA documentation was made available to the public for comment for 30 days			no information
5.	Interim storage capacity	March 2015	the EIA documentation was made	personal expert meeting in Budapest in May 2015	public hearing in Budapest in May 2015	no information

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
enhancement in Jaslovské Bohunice; Slovakia		available to the public for comment for 30 days			
6. New nuclear power plant at the Jaslovské Bohunice site; Slovakia	September 2015	the EIA documentation was made available to the public for comment for 30 days	personal expert meeting in Győr (Hungary) in October 2015	public hearing in Győr (Hungary) in October 2015	not yet

Your comments:

Regarding the following activities notification has been received during the EIA procedure, but having evaluated the received documentation, Hungary came to the conclusion that there is no need for our participation in the procedure:

- R4 **motorway** Kosice - Milhos project; notification was received from Slovakia in June 2013

- Reconstruction and modernization of **railway** line Subotica-Čikerija-Bačalmaš-Baja; notification was received from Serbia in November 2014

- Upgrade and construction of second track on **railway** line, section Križevic – Koprivnica – national border; notification was received from Croatia in April 2014

- new road **bridge** over the river Danube between Komárno-Komárom cities project; notification was received from Slovakia in September 2014

- Reconstruction and modernization of **railway** line Subotica-Teretna; notification was received from Serbia in November 2014

- **2x400 kV management** Rimavská Sobota – state border SR/MR (cadastral area Abovce) project; notification was received from Slovakia in January 2015

- Modernization of **railway** line Novi Sad-Subotica-Hungarian Border; notification was received from Serbia in February 2015

- M9 Lendava-Kidričevo transmission gas pipeline; notification was received from Slovenia in June 2015

- PALLAS reactor; notification was received from the Netherlands in June 2015

- Electrical conductor 2x400 kV of Veľký Meder location – state border SVK/HU (Cadastral Area Trávník); notification was received from Slovakia in June 2015

Please share with other Parties your country's experience of using the Convention in practice. 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.

II.3. Translation is not addressed in the Convention. How has your country addressed the question of translation? What difficulties has your country as Party of origin and affected Party experienced relating to translation and interpretation, and what solutions has your country applied? (Please specify, among others, the parts and type of the documentation translated, language, costs, etc.):

(a) As Party of origin:

According to the Hungarian environmental impact assessment (EIA) legislation [*Governmental Decree No. 314/2005. (XII. 25.) on environmental impact assessment and on integrated environmental usage permitting process*] the developer has to provide with entirely scoping documentation in English or in the national language of the affected Party; at least the chapter on the transboundary impact and the non-technical summary of the EIA documentation in English or in the national language of the affected Party. (In the practice developers are recommended to choose the national language rather than English, but the choice is theirs.)

(b) As affected Party:

The lack of the Hungarian translation of the documentation can cause significant delay of the procedure.

II.4. Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information:

Lack of response from the affected Party can cause unnecessary delay of a transboundary EIA procedure, which is difficult to be explained to the developer.

II.5. Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

(a) Yes

(b) No

II.6. If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

(a) For joint cross-border projects:

(b) For NPPs:

We consider the EIA procedure for Paks2 NPP a successful one, but the opinion of the affected Parties on that must be more authoritative.

II.7. Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases:

II.8. Would your country like to introduce a case in the form of a Convention “case study fact sheet”?

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

II.9. Has your country carried out post-project analyses in the period 2013–2015:

- (a) No
- (b) Yes (please indicate which projects, along with the challenges in implementation and any lessons learned):

2. Experience in using the guidance in 2013–2015

II.10. Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?:

(a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

No

Yes (please provide details):

In the framework of the transboundary EIA procedure for Paks2 NPP project the recommendations of the guidance has been taken into consideration for the decision on the translation of the relevant parts of the EIA documentation.

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(b) Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix):

No

Yes (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

No

Yes (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

3. Clarity of the Convention

II.11. Has your country had difficulties implementing the procedures defined in the Convention, either as Party of origin or as affected Party, because of a lack of clarity of the provisions?:

No

Yes (please indicate which provisions and how they are unclear):

4. Suggested improvements to the report

II.12 Please provide suggestions for how this report may be improved.

In question II.2. it is difficult to define the length (mainly in month) of the questioned steps. It would be more useful to have information on which phase of the notification took place (during the screening, the scoping or the EIA phase).