

**ECONOMIC COMMISSION FOR EUROPE**

**MEETING OF THE PARTIES TO THE  
CONVENTION ON THE PROTECTION  
AND USE OF TRANSBOUNDARY  
WATERCOURSES AND  
INTERNATIONAL LAKES**

**CONFERENCE OF THE PARTIES TO  
THE CONVENTION ON THE  
TRANSBOUNDARY EFFECTS OF  
INDUSTRIAL ACCIDENTS**

**Intergovernmental Working Group  
on Civil Liability**

Fifth meeting  
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Working paper\*  
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**HUNGARIAN CLARIFICATION OF PROPOSAL FOR ARTICLE 8(4)**

The subject of Article 8 is the implementation of the Protocol. Requirements of Article 8/1-3 §§ are necessary to this implementation. Article 8 (4) is a general requirement of procedural law.

However, the realisation of the Protocol is actually the process between the victim (plaintiff) and causer of the accident and damage (defendant). Industrial accidents are mainly caused by big companies but the victims are individuals, who need help and truthfully information to be able to prove causality. Without a fair legal action, which provides the real equality of the parties concerned the object of the Protocol can not be attained. But completion with this requirement is hardly imaginable without the cooperation of the parties and their public authorities. The necessity of creating an article in point follows from the suggested Article 11bis (access to information and access to justice) as well, considering that orders with the following subject do not apply to the access to information about the proceedings. The purpose of our proposal is to eliminate the lack of regulation that will exist in case of the adoption of the German proposal for Article 11 bis.

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\* This document has not been formally edited.