



**Economic and Social
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ECONOMIC COMMISSION FOR EUROPE

Meeting of the Parties to the
Convention on Access to Information,
Public Participation in Decision-making and
Access to Justice in Environmental Matters

(Second meeting, Almaty, Kazakhstan, 25-27 May 2005)
(Item 6 (b) of the provisional agenda)

REPORT OF THE COMPLIANCE COMMITTEE

Addendum

**FINDINGS AND RECOMMENDATIONS WITH RESPECT TO COMPLIANCE BY
SPECIFIC PARTIES (HUNGARY)**

Submission	ACCC/C/2004/04
Communicant:	Clean Air Action Group
Party concerned:	Hungary
Alleged non-compliance:	Article 6 and article 9, paragraphs 2 to 4, of the Aarhus Convention
Reference document:	Report of the 7 th meeting of the Compliance Committee (ECE/MP.PP/C.1/2005/2)

The Compliance Committee,

Having considered the issues raised by the above communication as set out in an addendum to the report of its 7th meeting (ECE/MP.PP/C.1/2005/2/Add.4),

Finds that, while the contested new Hungarian legislation on the development of the expressway network reduces the opportunities for public participation in decision-making on this type of specific activity as well as the opportunities for access to justice in this regard in comparison

with previously existing legislation in this field, it does not, prima facie, fall below the minimum level of public participation and access to justice required by the Convention. However, the consequences of the new legislation as regards compliance with the Convention may also depend on its practical implementation. The Committee, therefore, suggests that the Government of Hungary should keep the matter under review;

Recommends the Meeting of the Parties, pursuant to paragraph 35 of the annex to decision I/7, to urge Parties to refrain from taking any measures which would reduce existing rights of access to information, public participation in decision-making and access to justice in environmental matters, even if such measures would not necessarily involve any breach of the Convention, and to recommend to Parties having already reduced existing rights to keep the matter closely under review.