

Name of Exercise: Underground Nuclear Waste Storage Facility

Location: Üveghuta, Hungary

**Participation Exercise
under which Article?** Article 6

Purpose of Participation Exercise:

To influence the decision making processes by demonstrating the public's opposition to the location of an Underground Nuclear Waste Storage Facility. The exercise was organised by the local NGO Environmental Partnership, prior to the official EIA process beginning.

Participation techniques used:

In December 1996 the Final Document of the National Project on Deposit of Nuclear Waste was issued. The document was prepared by Burson Marsteller Budapest Ltd., the ETV-ERŐTERV Co., the Hungarian National Geological Institute and the Paks Nuclear Power Plant Co. The document was available for the political decision makers and the municipalities concerned in the region, but not the public at this stage.

On 13 March 1997, certain municipalities of the region established an organisation called Environmental Partnership. The task of this group was to promote the environmental activities of the members, to co-ordinate the environmental actions of the members and to fight against phenomena in the region harmful for the environment. The specific mission of the Environmental Partnership was to use public participation opportunities defined by law and involve the public into such actions against the siting of the Nuclear Waste Storage Facility in the region.

On September 3, 1997 the Environmental Partnership co-ordinated a series of referenda in the member municipalities on the topic of nuclear waste depositing and warned the members that public information must be correct. On 3 November 1997, the Environmental Partnership informed the public of the village of Véménd on the outcome of the referenda: the population of the five affected municipalities refused the idea of siting the storage facility in the region by 84% to 95 % majorities.

At the same time as this, the Paks Nuclear Power Plant Co. informed the public of the region and asked the Environmental Partnership to disseminate documents prepared by the Power Plant Co. before the referendum took place. A separate company, the Nuclear Waste Depositing Co. prepared a report on the geological features of the region and on the appropriateness of the area for such purposes. The materials were distributed.

After this – as an answer to the initiative of the Environmental Partnership, upon the subsidies received from the Paks Nuclear Power Plant Co. – another organisation called Public Control and Information Partnership (TETT) was formed by certain municipalities supporting the original idea. According to a regional daily newspaper, over a period of three years the 8 members of this Partnership received between 2-60 million HUF (USD 7,500 – 225,000) from the Nuclear Power Plant for positive publicity.

As a final step the Vice President of the Hungarian Parliament (formerly Mayor of a village in the region) drew together a meeting of the Environmental Partnership and lawyers from EMLA, a public interest law firm. At this meeting, the NGO established its position to oppose the siting of the storage facility in the Mecsek Hills, and decided to make use of public participation techniques in this early phase to do this.

Matrix of Techniques used by NGO

Media coverage	Non-legal	Institutionalised	Legal
<ul style="list-style-type: none">articles on positive points and negative points of the issue	<ul style="list-style-type: none">circulating documents to the public;political support against the idea of siting	<ul style="list-style-type: none">forming NGOs supporting and opposing the siting;financial subsidies to the members of the NGO supportive to the siting	<ul style="list-style-type: none">referendum

Who participated:

- Public – through referendum.
- Municipalities – through NGOs of their own.
- Politicians – advocating the opponents via meetings and political influence.
- Affected companies – through the supportive NGO (TETT) and through official reports disseminated to the concerned public.

What information was made available:

Naturally both sides released information supportive to their opinion. Proponents of the project withheld information that was against the siting of the facility in the aforementioned region.

The format used by Environmental Partnership was local media and holding referenda. The method the TETT used was the dissemination of official reports from state institutes supporting the idea of siting. No charge was made for information.

What was the outcome of the public participation exercise:

The member municipalities of the Environmental Partnership expressed their opinions via referenda, and this is obligatory for the respective village councils. Since the debate is still going on at a political and technical level, there is no other outcome to be reported.

Comments of participants in process:

The participation was considered successful by the public opposing the scheme since their views were clearly made known to the decision making body; other participants did not express views since the decision making process is still under way.

Contact: Csaba Kiss
Address: EMLA, Garay u. 29-31, I-1, 1076 Budapest
Phone, fax: +36 1 322 8462
E-mail: csaba@emla.hu
Website: www.emla.hu

REC view on participation exercise:

This NGO led case occurred before the EIA process. It represents a pro-active segment of the public gaining access to information even before it was generally disseminated to the public and acting preemptively. In this case, certain villages which were being considered as the potential sites for nuclear waste storage expressed their opposition to siting through clear expressions of direct democracy. While not strictly under Article 6 of the Convention, therefore, this case study nevertheless is interesting because it sets forth actions that can be taken in advance of an Article 6 decision-making procedure.

Significant omissions from requirements of Article 6:

As the events in the given case occurred prior to the triggering of Article 6 requirements, it is premature to discuss whether the requirements were met.