

EIA and SEA in Hungary

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Three guiding questions:

- What are the most problematic or powerful parts of the legislation regarding sustainable transport?
- Where do the most important chances for NGO work lie?
- Where do the potential loopholes and/or threats for NGO work lie?

Most problematic or powerful parts of SEA/EIA regarding sustainable transport

- Bad timing, too late, authorities
- No real scoping phase
- Developer comes with a finished impact study
- no real alternatives are suggested
- slowly the directives are more and more, trying to bring in the testing of alternatives
- government favors developers and speedy implementation
- scandal that EIA-study is done by investors themselves
- of 50 cases of EIA experts found that in 4 cases developers cheated very obviously
- no real immediate control on implementation
- permits are given w/out deadline

The Hungarian Experience

Positive:

- EIA is best place for environmental protection
- Specific Hungarian regulation in the reasoning of the decision there should be a factual consideration of public opinion
- Co-authority arrangements if one authority says no, the final outcome must be no.

Important for NGOs

- Coalition building
- Miss no chance to use legal and extralegal tools
- Kill time with a lawyer

Threats

- Deadlines for NGOs hard to meet/ often only last minute action
- Authorities attitude
- Seems like environmental authorities see it as their main task to promote economic benefit
- Lack of independent experts : you find no one to make your cases because experts want to be employed in the future

Example Cases Lost:

MO highway around Budapest

- in the North 60.000 poor bloc flat dwellers live there
- Environmental injustice
- Construction lobby
- Used to be nature conservation area
- Reached injustice relief but the Supreme Court appealed

Szentendre Island Bridge

- 60% of drinking water comes from there, case took 9 years over which rules changed but that could not be used

Example Case Won

Road 322 cut through marsh

- defendant pulled out with agreement because they didn't want to produce a precedent.