

UNEP-FIELD project:

Legislative Harmonisation: Meeting the Requirements of the Convention on Biological Diversity and other multilateral environmental agreements Case study of HUNGARY

1. Introduction and general background

Geographical information

Hungary is located in Central Europe. The territory of the country is 93 030 km² between the Carpathian Mountains and the Alps. Its widest extensions are 268 kilometres North-South and 526 kilometres East-West. Hungary can be divided into four geographical regions: the Great Plan and the Northern Mountains, both of them are located at East part of the Danube River and Transdanubia together with the Small Plan are at West part of the Danube.

Hungary is a lowland country; 84 per cent of its territory lies less than 200 metres above sea level. The most important rivers are the Danube and Tisza, which cross the country from North to South. Lake Balaton is the largest fresh water lake in Europe.

The climate is basically continental, with cold winter and warm summer.

Flora, fauna, landscape and biodiversity

Due to its geographical location Hungary has a wide variety of Eurasian flora and fauna. There are over 3 000 plant and 43 000 animal species, including 83 of mammals, 373 of birds, 16 of reptiles, 16 of amphibians and 81 of fish. Comparing to the size of the country, it can be stated that Hungary is rich in species.

Due to the fact that Hungary is located at the conjunction of three climatic zones; Atlantic-Alpine, continental and sub-Mediterranean, the Hungarian flora and fauna is a great mix of the overlapping zones. Nearly 70% of the territory is utilised by agriculture, 18 % is covered by forests, about 2 % by natural waters and 10 % by settlements, roads and other establishments.

Hungary protects around 9 % of its territory, including 186 national protected areas. Among the protected areas there are 9 National Parks and 37 protected landscapes. 25 wetlands are protected under the Ramsar Convention, 5 areas are UNESCO "Man and the Biosphere" reserves and 4 are World Natural and Cultural Heritage sites.

Legislation

According to the European Agreement signed 16 December, 1991 in Brussels relating to the association of the Hungarian Republic and the European Communities and their member states (promulgated in Hungary by Act I of 1994) Hungary shall act to ensure that future legislation is compatible with Community legislation as far as possible and the major precondition for Hungary's economic integration into the Community is the approximation of that country's existing and future legislation to that of the Community.

The Acquis Communautaire in the field of nature conservation contains directives on the maintenance of biodiversity in the territory of the EC:

- *92/43/EEC Council Directive on the conservation of natural habitats and of wild fauna and flora*
- *79/409/EEC Council Directive on the conservation of wild birds;*
and legislation on trade of wild species and derived products (implementing predominantly the international convention 'CITES');
- *338/97/EC Council Regulation on the protection of wild fauna and flora by regulating trade and its amendments*
- *348/81/EEC Council Regulation on common rules for imports of whales or other cetacean products*
- *83/129/EEC Council Directive concerning importation of skins of certain seal pups*
- *3254/91/EEC Council Regulation prohibiting the use of leghold traps in the Community and introduction into the Community of pelts.*

a) Current state of harmonisation

The main objective of the two cornerstone directives (*92/43/EEC and 79/409/EEC*), the preservation of biodiversity through the protection of endangered natural habitats and species, is in full compliance with the nature conservation policy aim of the country and largely realised by Hungarian nature conservation legislation. At the same time national legislation concentrates on the protection of endangered species already in Hungary or on those where international nature conservation treaties and conventions prescribed legal duties to Hungary. Lists of protected species must be extended therefore to those species covered by the directives but not yet by national law.

In the programme of the conservation of habitats a survey has to be completed by whom on the Hungarian distribution and population of habitat types and species of community interest and, based on the results of the survey, a list of Natura 2000 sites has to be completed. Management plans have to be prepared for the maintenance of a favourable conservation status on the sites.

The 338/97/EC regulation on the protection of wild fauna and flora by regulating trade, and 348/81/EEC regulation on common rules for imports of whales or other cetacean products (both enforcing CITES in member states), are already reflected by Law-decree No 15 of 1986. Species listed in the 83/129/EEC directive concerning importation of skins of certain seal pups are protected by the Nature Conservation Act since they are listed in Annex III of the Bern Convention.

Detailed comparison of European Community legislation and Hungarian legislation on nature conservation

Definitions

- Conservation

According to European Community legislation, conservation means a series of measures required to maintain or restore the natural habitats and the populations of species of wild fauna and flora to a favourable status.

Hungarian legislation on nature conservation (the basic law is **Act No. LIII of 1996**) covers the surveillance, protection, maintenance, restoration and development of nature. This definition is wider than that used by European Community law, as it covers wildlife as a whole, including fungus varieties and microorganisms, habitats, and geological values. However, the Hungarian definition does not include 'favourable status' as a requirement.

- **Habitat**

In accordance with the new approach to nature conservation, European Community legislation treats - beside the conservation of species - the conservation of habitats as a priority.

- Natural habitat means terrestrial or aquatic areas distinguished by geographic, a biotic and biotic features, whether entirely natural or semi-natural.

- Habitat of species means an environment defined by specific biotic and biotic factors, in which the specie lives at any stage of its biological cycle.

The Hungarian legislation on nature conservation also gives priority to the conservation of habitats. The definition of habitat is narrowed down to the habitat of species. In this respect, the definition is the same as 'habitat of species' under European Community law.

Principles

- **Biodiversity**

The aim of European Community legislation is the maintenance of biological diversity, which includes the maintenance of the diversity of species and their natural balance.

Among its basic principles, Hungarian legislation also sets forth the aim of the conservation of biological diversity, the general rules of the protection of wildlife and habitats, and the rules of special conservation of natural values.

- **Long-term conservation**

European Community legislation, with regard to the interest of present and future generations of mankind, lays down as a principle the wise use and long-term conservation of natural resources.

The basic principles of Hungarian legislation are in accordance with it, setting forth the goals of conservation of natural values and natural areas - as parts of national wealth - for present and future generations, and the wise use of natural resources.

- **Favourable conservation status**

Favourable conservation status in European Community law means the sum of influences affecting the long-term existence of habitats and species.

- The conservation status of habitats is considered favourable when their natural range and area are stable or increasing, the specific structure and functions, which are necessary for its long-term maintenance, exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable.
- The conservation status of species is favourable, when their population dynamics data are maintaining themselves on a long-term basis, the natural range of the species is neither being reduced, nor is likely to be reduced in the foreseeable future, and there is a sufficiently large habitat to maintain the population in the long term.

The definition 'favourable conservation status' is not used in Hungarian legislation. The idea can be deduced from the human right to a healthy environment as provided for in the Constitution, and its explanation given by the Constitutional Court, which says that the level of conservation in protected areas cannot be reduced by the State. The nature conservation regulations follow this idea. However, this idea does not fully cover the principle of 'favourable conservation status' provided for in European Community legislation.

- Basis of conservation measures

According to European Community legislation, ecological, scientific, cultural, economic and recreational requirements, and regional and local characteristics must be taken into consideration as the basis of conservation measures.

In the basic principles of Hungarian legislation the emphasis is on ecological principles. The general rules of natural values and natural areas are based upon ecological and economic requirements. Similar requirements in European Community legislation, like the protection of scientific, cultural, aesthetic, educational, and economic and other public interests, as well as the conservation of biodiversity are applicable to the nomination of natural values and areas under special conservation. Recreation is a requirement only in the special rules applicable to national parks and forests. Regional and local characteristics are not mentioned among the basic principles, but legislation reflects this view, e.g. in the distinction between national and local protected areas, and the different types of protected areas.

Protection of habitats

- Nomination of areas of special conservation.

European Community legislation provides for the establishment of a coherent European ecological network, under the title *Natura 2000*. For the establishment of the network each Member State must nominate the most valuable natural habitats and the habitats of the most valuable species.

The special conservation of natural areas and natural values - wildlife and geological values - is one of the main parts of the Hungarian legislation. Areas of special conservation (protected areas) include - among others - the habitats of wild species, natural or semi-natural landscapes, lakes and rivers. The types of protected areas are:

national park, landscape area, nature conservation area, and natural monument. They can be national protected areas or - with respect to nature conservation areas and natural monuments - local protected areas. In respect of the level of protection there are *protected areas* and *strictly protected areas*.

- Conservation measures in special areas

Member States are required to take the necessary measures for the conservation of special areas. The three main types of measures are statutory, administrative and contractual measures. Hungarian legislation regulates in detail two types of conservation measures in protected areas: statutory and administrative.

- Special conservation of natural areas, as well as natural values is based upon statutory measures, ministerial decrees or decrees of local public bodies.

- The conservation measures for protected areas are generally of administrative character: prohibitions, licenses and control.

- The regulations do not refer to contractual measures. However, it is possible under civil and administrative law, and certain practice of such measures has already developed.

- Management of landscape

European Community legislation provides for, in land-use planning and development policies, the management of those features of the landscape, which are essential for the migration, dispersal, and genetic exchange of wild species.

Hungarian law regulates the protection of landscapes in the framework of general conservation of habitats. The scope of the regulations is wider than in European Community law. The definition of landscape is also wider: it includes natural values and ecosystems, the features of human culture and the coherence of the components of the natural and the built environments. Detailed regulations apply to the conservation of features, aesthetic and natural values, and characteristic ecosystems of landscapes.

- Assessment

European Community legislation provides for the assessment of plans or projects likely to have significant impact on areas under special conservation. Competent national authorities may agree with the plans or projects only if they have no adverse effect on the areas. Exemption can be given only in case of an overriding public interest. The opinion of the general public must also be obtained.

General rules of Hungarian law applicable to Environmental Impact Assessment (EIA) include the assessment of nature. It applies to all activities subject to an EIA in, and outside of protected areas. Assessment covers natural values, the factors affecting them, the foreseeable changes resulting from activities, and the measures to be taken for the conservation of natural values. Licensing is the domain of the national authority. The EIA procedure includes the participation of local citizens.

Conservation of species

- Strict protection

Under European Community legislation a system of strict protection has to be established for the conservation of endangered, vulnerable, and rare species, and endemic species requiring particular attention.

In Hungarian legislation one of the requirements concerning the special conservation of natural values is the protection of valuable species in order to ensure the conservation of biological diversity or the public interest. The range of subjects of protection is wider than in European Community law, including wild species, their habitats, and traditional domestic animals. Species requiring special conservation measures have to be nominated for *strict protection*. Criteria laid down by European Community law for the protection of animals are not included in Hungarian legislation, but the conservation of biological diversity - which includes those criteria - is one of the requirements. The practice of nomination follows the criteria used by European Community legislation.

- Prohibitions

In order to ensure the conservation of species of wild fauna and flora, European Community legislation prohibits activities causing harm to the species. Prohibitions with respect to animals include the capture or killing, disturbing of specimens and destruction of their habitats. Similarly, activities causing harm to protected plants, like collecting or destroying, are prohibited.

Hungarian legislation prohibits activities causing harm to species of wild fauna and flora. Prohibited activities are listed in the relevant regulations.

- Restrictions on hunting and capture

Regarding species for which the hunting and keeping thereof is allowed, European Community legislation prohibits the use of indiscriminate instruments and methods which may cause the local disappearance of species or which may otherwise cause serious harm to them.

Hungarian legislation, in the framework of the general conservation of wildlife, prohibits the use of indiscriminate means for the capture and killing of animals. Laws on hunting detail the restrictions.

- Restrictions on the introduction of species.

In the introduction of new species, under European Community legislation, particular attention needs to be paid in order to avoid causing harm to local fauna and flora.

According to Hungarian legislation the introduction of a new species is subject to licensing, based upon the condition that it does not cause adverse effects to native species.

- Derogation

European Community regulations on the conservation of species of wild fauna and flora may be derogated for the following reasons:

- in the interest of protecting wild fauna and flora and conserving natural habitats;

- to prevent serious damage, in particular to crops, livestock, forests, fisheries, waters, and other types of property;
- in the interest of public health and public safety, or for other reasons of overriding public interest including those of social and economic nature, or for the protection of the environment;
- for the purpose of research and education;
- to allow, under strictly supervised conditions, the limited taking or keeping of specimens.

Possibilities for derogation are narrower under Hungarian legislation. Derogating rules on the general conservation of wildlife can be done to control populations in order to protect human health, agriculture and livestock, and to manage species. The competent authorities can give exemptions from the prohibitions on activities causing harm to protected species. In respect of strictly protected species or species protected by international agreements the condition of the exemption is the interest of conservation or public interest. Exemptions can be made from the prohibitions concerning protected species, in order to prevent damage to property. Conditions of derogation are otherwise not regulated. Considering the approach of the legislation, the interests of conservation are given priority.

Comparison of the pieces of European Community and Hungarian legislation

Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds

The Directive is one of the basic legal instruments on nature conservation in the European Community. Protection of wild birds is not a specific part of Hungarian legislation, but is a part of the protection of the species of wild fauna.

Council Regulation EEC/348/81 of 20 January 1981 on common rules for import of whales or other cetacean products

The Regulation prohibits the trade of cetacean products for commercial purposes. The Regulation was subsumed by the regulation on the implementation of the Convention on international trade in endangered species of wild fauna and flora (CITES).

Council Decision 81/691/EEC of 4 September 1981 on the conclusion of the Convention on the conservation of Antarctic marine living resources

Hungary is a party to the Antarctic Treaty, as a non-consultative party. As the country has no interest in the exploitation of the natural resources of the Antarctic seas, it did not accede to the Canberra Convention.

Council Decision 82/72/EEC of 3 December 1981 concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats

The Convention is the basic international document on nature conservation in Europe. Hungary is a party to the Convention.

Council Decision 82/461/EEC of 24 June 1982 on the conclusion of the Convention on the conservation of migratory species of wild animals

The Convention establishes an international framework for the research and protection of migratory wild animals. Hungary is a party to the Convention.

Council Regulation EEC/3626/82 of 3 December 1982 on the implementation in the European Community of the Convention on international trade in endangered species of wild fauna and flora (CITES)

The Convention can be considered as the most effective international document on nature conservation. Hungary is a party to the Convention, and it has introduced stricter rules in some respects, similar to the European Community.

Council Directive 83/129/EEC of 28 March 1983 concerning the importation into Member States of skins of certain seal pups and products derived therefrom

The Directive restricts the import of seal skins to the Member States. In Hungary the regulations of CITES are applicable.

Council Regulation EEC/3528/86 on the protection of the European Community's forests against atmospheric pollution

The Regulation lays down special rules for the protection of forests against air pollution. There is no special regulation in Hungary, so the regulations on forests, nature conservation and air quality protection are applicable.

Commission Regulation EEC/2496/89 of 2 August 1989 on a prohibition on importing raw and worked ivory derived from the African elephant into the European Community

The Regulation, in accordance with CITES prohibits the import of ivory from the African elephant. In Hungary the import of all kinds of ivory is prohibited.

Council Regulation EEC/3254/91 of 4 November 1991 on the prohibition of the use of leghold traps

The Regulation, in order to protect certain furry animal species, prohibits the use of leghold traps, and the import of furs from states where such methods are allowed. Hungarian regulations on hunting prohibit the use of traps, which kill the animals.

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (CITES)

The Directive - beside the Directive on Birds - is the other most important European Community legal instrument on nature conservation. Hungarian legislation on nature conservation is highly approximated to the Directive in its principles and specific rules.

Council Regulation EEC/2158/92 of 23 July 1992 on the protection of the European Community's forests against fire

In Hungary there is a special ministerial decree on the protection of forests against fire.

Council Decision 93/626/EEC of 25 October 1993 concerning the conclusion of the Convention on Biological Diversity

The Biodiversity Convention is one of the basic international agreements on nature conservation. Hungary is a party to the Convention.

Council Regulation EC/3062/95 of 20 December 1995 on operations to promote tropical forests

In Hungary, there is no legislation applicable neither to the protection of tropical forests, nor to the trade in wood products from such forests.

Council Decision 96/191/EC of 26 February concerning the conclusion of the Convention on the protection of the Alps

Hungary is not a party to the Alpine Convention.

Council Directive 1999/22/EC on Wild Animals in Zoos

Hungary is fully complying with the requirement of keeping animals in zoos.

The concept of nature conservation in European Community legislation and Hungarian national legislation is based upon a modern approach. Both legal systems consider the conservation of biological diversity to be a basic principle, and the strategy of implementation to be the coherent protection of species, habitats and ecosystems.

European Community legislation and Hungarian legislation are similar in the main points of special rules, like the general requirements of the conservation of habitats, and the prohibitions and licenses concerning activities affecting species of wild fauna and flora. Hungarian legislation is more detailed, and even stricter to some extent than that of the European Community.

One of the main differences between the two legal systems is that European Community legislation gives similar importance to the interests of nature conservation and public interests, including those of economic nature, while Hungarian national legislation gives priority to the interests of conservation over economic interests.

The other important difference is that European Community legislation provides very detailed implementation rules, while Hungarian legislation gives more consideration power to the administrative authorities in their decisions.

As a conclusion, it can be stated that Hungarian legislation on nature conservation has reached a high level of harmonization to that of the EU (Approximately 95 %).

b) Institutions responsible for implementation

- Ministry of Environment
- Environment and Nature Conservation Chief Inspectorate
- National Park Directorates

While creating the implementation decrees of Act LIII of 1996 on the Conservation of Nature, the EU directives on nature conservation will have to be taken into account, especially in the field of updating the lists of species protected by national law, prohibited means and methods of collection and hunting of species, as well as aspects for identification and designation of Natura 2000 sites. Hungary will have to propose habitat types and species in the annexes of the relevant directives that will gain community interest.

A new region, the *Pannonic region* will have to be added also to 92/43/EEC Council Directive. On the other hand Hungary will initiate the modification (exemptions on certain geographical regions) of Annexes of the two directives in cases of those species where Hungarian populations are abundant and legal protection is neither necessary nor is possible without conflicts (e.g. hamster, *Cricetus cricetus*).

Institution building

The national institution system, the Nature Conservation Bureau of the Ministry for Environment and its regional offices, i. e. the nine National Park Directorates, fit into the Hungarian state management hierarchy and provide an appropriate structure to implement the EU directives.

Hungary must designate Natura 2000 sites, prepare management plans, monitoring and prescribed regular reporting duties of EU Member States. In addition, for the regulation of trade of endangered species of wild flora and fauna the technical staff number of the Nature Conservation Bureau and National Park Directorates must be increased.

c) Implementation schedule

The national survey for designating Natura 2000 sites in Hungary will have to be completed in 2001 by the experts of National Park Directorates with the involvement of contracted experts (NGOs, research institutes).

The National Biodiversity Monitoring Network surveying the values and favourable conservation status of protected areas will have to be developed nationwide by end of the year 2001.

Institution and capacity building for the implementation of the CITES (from the beginning of EU membership endorsed by 338/97/EC) will have to be completed by the end of 2001. By this time SPA sites have to be designated and also the list of pSCI sites will have to be submitted with all the necessary documentation based on the nationwide survey. The elaboration of management plans also needs to be started in order to be completed by the deadline prescribed by the nature conservation directives of the EU.

Further tasks prescribed by those directives will have to be initiated by 2002 the latest (habitat reconstruction programmes, programmes for promoting education and spreading general information on the need to protect species of wild fauna and flora).

Administration expenses arising from the control of trade of endangered species of flora and fauna will have to be gradually transposed to those dealing with the trade and ownership of species treated by the CITES.

2. Scope of the case study:

2.1 general biodiversity-related conventions:

- **Convention on Biological Diversity (CBD)**

The CBD was signed by Hungary on 13 June, 1992 at the UN Conference on Environment and Development in Rio de Janeiro (Brazil). The Hungarian Parliament adopted a unanimous resolution in order to ratify the CBD on 22 December, 1993. The ratification document was deposited in February 1994. The CBD was promulgated by Act LXXXI of 1995.

- **Convention on International Trade and Endangered Species of Wild Fauna and Flora (CITES)**

Hungary acceded to the CITES in 1985. The CITES was promulgated by Law Decree No. 15 of 1986. The implementation regulations of CITES embodied into Decree of Minister of Environment and Regional Policy No. 4/1990. (XII. 7.).

- **Convention on the Conservation of Migratory Species of Wild Animals (CMS)**

Hungary deposited the accession document on 12 July, 1983. The CMS was promulgated by Law Decree No. 6 of 1986 on promulgation of the Convention on the protection of migrating wild animal species dated 23 June, 1979 in Bonn.

- **Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar)**

Hungary acceded to the Ramsar Convention on 11 April, 1979, the Paris Protocol on 28 August, 1986 and to the Regina Amendment on 20 September, 1990. Following earlier Governmental and Presidential Council Resolutions, the Parliament enacted the Ramsar Convention on 2 March, 1993 by Act XLII of 1993 on promulgation in unified structure of the Convention on wild waters of international significance and particularly as the dwelling place of waterfowl adopted in Ramsar on 3 December, 1982 and its amendments adopted between 3 December, 1982 and 28 May, 1987.

- **Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention, WHC)**

Hungary adopted the WHC in 1985 and promulgated it by Law Decree No. 21 of 1985 on promulgation of the Convention on the Protection of World's Cultural and Natural Heritage, adopted in Paris at the session of UN Educational, Scientific and Cultural Organisation General Conference on 16 November, 1972.

- **United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (CCD)**

A considerable part of Hungary's territory belongs to the sub-humid and semi-arid climate zone. Particularly, the Hungarian Great Plain, the area between the Danube and Tisza Rivers is the most threatened region where certain symptoms of desertification can already

be detected. At the same time the area of watercourses have been damaged by floods in the past years. Therefore an analysis is in progress whether Hungary accesses to the CCD.

- **United Nations Framework Convention on Climate Change (CCC)**

Hungary signed the CCC on 13 June, 1992 at the UN Conference on Environment and Development in Rio de Janeiro (Brazil). The CCC was ratified by the Hungarian Parliament in December, 1993 and the ratification document was deposited in February 1994. The CCC was promulgated in Hungary by Act LXXXII of 1995 on promulgation of the UN Framework Convention on Climate Change.

2.2 relevant regional agreements

- **Agreement on protection of European bats**

The Agreement developed within the framework of the Bonn Convention and it was adopted in 1991. The Agreement came into force in 1994. Hungary acceded to the Agreement on 22 June, 1994. The Agreement on preserving the populations of European bat species was published by the Minister of Environment Protection in the In the Hungarian Official Journal No. 79 of 1994.

- **Agreement on the Conservation of African -Eurasian Migratory Waterbirds**

The Agreement has been developed within the framework of the Bonn Convention and it was adopted in 1995. The Agreement was signed by Hungary on 16 June, 1995.

- **Convention on the Conservation of European Wildlife and Natural Habitats (Bern, 1979)**

Hungary acceded to the Convention in 1989 and it was published by the Minister of Environment in the Hungarian Official Journal No. 64 of 1990.

3. Implementation of the above mentioned conventions at national level:

3.1 Special circumstances affecting implementation in the country:

Hungary is going to access to the European Union therefore the implementation of the international conventions which are related to the Acquis will be effectuated the same way as in the other Member States.

Due to the geographical particularities of the country in a small geographic area there are a lot of biodiversity habitats, which need co-ordinated implementation concerning nature conservation.

3.2 Legislative and policy measures adopted to implement the various treaty obligations

- **ad CBD**

Several measures for the conservation of biodiversity had already been taken before the CBD was adopted (e. g. establishing a network of protected areas, protection of

threatened species). The requirements of sustainable use are integrated into the relevant sectoral programmes.

In order to establish the Hungarian National Biodiversity Monitoring System the PHARE programme of the European Union supported a project in 1995. The national strategy and/or action plan concerning the conservation of biodiversity embodied into the Hungarian Environmental Protection Programme 1998-2002.

- **ad CITES**

Hungary complies with the requirements of CITES and is taking active part in preventing and controlling trade in endangered species such as managing trade directed to Hungary as a purchasing market (supervising traders, breeders, zoological gardens, retail shops in Hungary), controlling transit traffic through Hungary (transit consignment without appropriate permit prohibited to enter into the country), protecting indigenous species listed in any Appendix of CITES from the harmful impacts of trade (Hungary does not allow the trade of any indigenous protected species listed in CITES).

In a number of cases the provisions of the Decree of Minister of Environment and Regional Policy No. 4/1990. (XII. 7.) which was issued for implementation of CITES are more stringent than some of the Parties of CITES e. g. the transit shipment without the required CITES-permit is not allowed in the territory of Hungary, the import of ivory to Hungary is prohibited, all birds of prey are included in Appendix I.

The Management Authority of CITES in Hungary is the Nature Conservation Office of the Ministry for Environment. Approximately 200-300 CITES permits are issued by the Nature Conservation Office per year. Individual species and their derivatives listed in Appendix I. and breeder's stocks of species listed in Appendix II. owned by Hungarians have to be recorded on an every day basis. The Nature Conservation Office works closely with the Hungarian Customs and Finance Guard and its regional offices. Animals and plants, their parts and derivatives which entered Hungary through violation of the provisions have to be prosecuted by the Nature Conservation Office in co-operation with the competent custom office.

- **ad CMS**

In order to implement the CMS Hungary adopted and is carrying out several programmes, research plans and takes part in international co-ordinating activities e. g. Great Bustard Conservation Programme (bustard saving agriculture technology, exploring nets and introducing protective zones, saving nests or incubating eggs) White-tailed Eagle Conservation Programme. (insulator material placed on poles of medium-voltage free aerial power lines to eliminate electric shock, postponing forestry activities in the nesting area during breeding season).

- **ad Ramsar**

The majority of the Hungarian wetlands, which have international or national significance, are protected already and economic or other activities in these areas are confined in nature conservation statutes. Hungary designated 19 wetlands for the time being which have international significance (The total area of the 19 wetlands is 149.841 hectares, 1498 km²) The responsible National Park Directorates introduced management plans for the

designated wetlands and. continuously monitor these areas. The management plans regularly reviewed and up-dated.

- **ad WHC**

Hungary made several proposals of sites for the World Heritage List, and some of those having specific significance were accepted by the World Heritage Committee.

The Hungarian National Committee of World Heritage was established in April, 1986 from the appointed representatives of relevant ministries and institutions.

The Hungarian National Committee examined several applications, which were proposed by Hungarian scientific and professional organisations and submitted the appropriate ones to the World Heritage Committee in the form specified in the Convention.

Concerning nature conservation for the time being one Hungarian site listed in the World Heritage List together with a Slovakian site from 1995: Caves of Aggtelek Karst and the Slovakian Karst.

- **ad CCC**

Hungary met with the first requirement of CCC: the anthropogenic carbon-dioxide emissions in Hungary in the year 2000 did not exceed the average annual level for the period 1985-1987.

Hungary introduced a national energy saving and energy efficiency programme in order to keep the annual CO₂ emissions the 1990 reference level (69 Mt) by 2005.

The main objectives of the national energy saving and energy efficiency programme: protecting the environment by decreasing the atmospheric pollution, decreasing the dependence on imported fuels, saving the national energy resources, increasing the competitiveness of the economy and adapting to the energy policy of the EU and OECD.

The national programme for reducing emissions of volatile organic compounds, the programme for the phase out of ozone depleting substances and the reforestation programme also contribute to reach the objectives of CCC.

- **ad Agreement on protection of European bats**

The Agreement is significant in order to preserve bats living in the territory in Hungary. 26 bat species out of the 30 European species live in Hungary. According to the Agreement the exploration of roost sites and shelters is ongoing. The protection of caves is ensured by the Decree of Minister for Environment No. 12/1993. (III: 31.)

The Ministry for Environment supports programmes of the Hungarian Bat Research Society and the Hungarian Bat Protection Foundation due to the fact that these NGOs contribute a lot in the implementation of the Agreement.

- **ad Agreement on the Conservation of African -Eurasian Migratory Waterbirds**

The implementation of the Agreement can be fulfilled in the frame of the Habitat Directive and CBD.

- **ad Bern Convention**

The Nature Conservation Office and the National Park Directorates managing the protection of wild plants and animals and their natural habitats according to the objectives of the Convention.

Taking into consideration that specific provisions applying to Hungary concerning the protection of habitat of *Vipera ursinii rakosiensis*, a supervising service has been functioning since 1992 at important sites.

At the same time several international programmes aimed at conservation of habitats or species concerning implementation of the Convention.

ad Other international initiatives

Hungary participated in the preparation of the Pan-European Biological and Landscape Diversity Strategy endorsed by the Ministers of Environment in Sofia, 1996. Hungary has an interest in realisation of the Strategy in particular to establish the Pan-European Ecological Network, integration of biodiversity considerations into sectors, conservation of landscapes, river ecosystems and related wetlands, inland wetland ecosystems, grassland ecosystems, forest ecosystems and threatened species.

3.3 Authorities/agencies responsible for the implementation of the conventions

The responsibility for co-ordination of implementation belongs to the Nature Conservation Office of Ministry for Environment.

The 9 National Park Directorates are responsible for managing national parks and other protected areas in their regions and the Parks promote nature conservation outside their protected areas.

There are 3 200 local governments in Hungary and these local governments are also responsible for the delineation and protection of natural areas of local significance.

3.4 Legislative/policy measures to co-ordinate implementation at national level

According to the Act LIII of 1995 on the General Rules of Environmental Protection the first National Environmental Programme covers a 6 year period from 1997 to 2002, which includes several elements of the conservation and sustainable use of biological diversity. The National Environmental Programme takes into account the Environmental Action Programme for Central and Eastern Europe, the Fifth EU Action Programme and Agenda 21.

The National Environmental Programme set up specific objectives for nature conservation (National Nature Conservation Master Plan):

The Nature Conservation Office of the Ministry for Environment has the task to co-ordinate the implementation at national level.

The implementation of the CBD is co-ordinated by the Hungarian Commission on Sustainable Development (HCSD) including the various economic sectors. The HCSD initiated in 1995 the preparation of a country study on biological diversity following the UNEP Guidelines (1993).

3.5 Regional institutions/mechanisms to co-ordinate application of regional agreements and/or regional application of global agreements

Due to the fact that Hungary is a relatively small country there is no need regional mechanisms in order to co-ordinate application of regional agreements.

4. Lessons learnt from country experience:

4.1 Problems identified in co-ordinating national implementation of biodiversity-related agreements -

The responsibility of the implementation of the conventions is well defined: the co-ordination lies in every case at the Ministry for Environment Protection, namely at the Office of Nature Conservation which is a part of the Ministry. The Office of Nature Conservation has its regional units, the National Park Directorates, which collaborate in the implementation. Problem is, that at each office due to lack of staff and/or lack of expertise only one person is familiar with a particular agreement and if that person is missing or leaves the office the continuity of the implementation is not assured.

Implementation of some conventions (e.g. CITES) needs the collaboration with other authorities. The collaboration in general is satisfactory although more training is needed. Positive example is the Customs Authority, which in several cases detected the illegal traffic of protected species.

4.2 Best practice drawn from national experience in trying to meet the country's obligations under multiple biodiversity conventions

NGO's are also active in the implementation of the conventions. There are about 1000 NGO's; their representatives are involved into the National Environmental Protection Council. It is the advisory body of the Minister for Environment Protection and the Government.

4.3 Focus on institutional, legal and practical arrangements (both to implement the conventions and to co-ordinate that implementation across a series of conventions)

4.4 Analysis of the effectiveness of the arrangements described in 4.3

Conclusions and recommendations based on the information gathered and aimed at strengthening national capacity to prepare and implement NBSAPs or equivalent plans, programmes and policies in compliance with Article 6 of the CBD.

Paying attention to the fact that the NBSAP for Hungary has not completed yet it would be useful if the UNEP could give an overview about those countries where NBSAP was approved and the implementation has started already.