

NATURE SCORE CARD



Hungary

Hungary has been a member of the European Union since 2004. Its Natura 2000 network consists of 525 terrestrial sites, covering 19.949 km² (21% of the land area). The below analysis and recommendations suggest that national authorities still need to make further efforts in order to fully implement the Birds and Habitats Directives and effective conservation of threatened species and habitats to be achieved on the ground.

	<ul style="list-style-type: none"> • Transposition of the Birds and Habitats Directives • Site designation • Habitats and species monitoring
	<ul style="list-style-type: none"> • Management of sites • Species protection • Landscape connectivity • Funding and resources • Promotion of research • Non-native species • Stakeholder engagement, public participation and communication
	<ul style="list-style-type: none"> • Avoid deterioration of sites, disturbance of species and implementation of appropriate assessments

ACTION PLAN FOR NATURE IN HUNGARY

<p>Transposition and designation</p>	<p>Prevention of negative impacts</p> <ul style="list-style-type: none"> • Improved assessment of plans and projects, with great emphasis on cumulative effects, long-term delayed effects and the Precautionary Principle • Consistent enforcement of the Nature Directives and relevant national legislation • On state owned Natura 2000 sites, the goals of Natura 2000 should have high priority and be harmonized with other public interests
<p>Active management to achieve favourable conservation status</p> <ul style="list-style-type: none"> • Emphasis on habitat restoration: FCS has to be restored and then maintained, with dedicated funds available for private and public land owners • Emphasis on climate adaptation and increasing resilience in nature conservation 	<p>Funding</p> <ul style="list-style-type: none"> • Proper and dedicated financing for the full implementation of the Nature Directives • Elimination of harmful subsidies, and system-wide application of the Polluter Pays Principle • Dedicated financing for various forms and levels of environmental education • Supporting mechanisms for proper maintenance of sites: strengthening regulation and authorities, and targeted subsidies
<p>Monitoring and research</p> <ul style="list-style-type: none"> • Determination of FRVs (favourable reference values) and FCS (favourable Conservation Status) for species and habitats 	<p>Stakeholder engagement</p> <ul style="list-style-type: none"> • Setting up a Natura 2000 info-hub and regional/site level information centres and/or advisory services

The information in this scorecard is based on expert analysis from BirdLife Hungary, WWF Hungary and Friends of the Earth Hungary. Full details on the following pages.

LEGAL REQUIREMENT	STATUS IN HUNGARY
<p>Transposition</p>	<ul style="list-style-type: none"> The transposition of the Birds and Habitats Directives is considered complete in Hungary. It should be noted, however, that the national legislation regulating the use and management of natural resources is changing and due to these changes, inconsistencies may occur in the future. As an example, a recent modification of the forest management act seems to be a step back from the compliance with the directives.
<p>Site designation</p> <p>Designate and establish sites that form the Natura 2000 network of protected areas</p> <p><i>Habitats Directive, art. 3 & 4</i> <i>Birds Directive, art. 3 & 4</i></p>	<ul style="list-style-type: none"> Today, the Hungarian part of the Natura 2000 network is considered to be complete. The site designation process finished by 2010/2011. All Hungarian sites are terrestrial. Altogether 525 sites (479 SCAs+56 SPAs); were designated, covering 19949.49 km² (21.44% of Hungary's territory). The designation is regarded to be representative in terms of unique species and habitats. The Natura 2000 sites are integrated into to protected areas system. Establishing the Natura 2000 network meant doubling the protected natural areas. Most of the nationally protected areas, covering 10% of Hungary's territory, belong to the Natura 2000 network which covers more than 21%. In other words: roughly 50% of the Natura 2000 sites are protected by the national law (Nature Conservation Act), and over 90% of nationally protected areas became part of Natura 2000 network. The non-protected Natura 2000 areas are subject to the Natura 2000 Decree.
<p>Management of sites</p> <p>Establish site protection measures in Natura 2000 sites</p> <p><i>Habitats Directive, art. 6(1)</i> <i>Birds Directives, art. 4(1) & 4(2)</i></p>	<ul style="list-style-type: none"> All SCIs have been designated as SACs, consequently conservation objectives and priorities are set for all sites (SPAs as well as SACs). The Conservation objectives were set by the competent Ministry, based on available scientific data and the information of national park directorates. Objectives are considered to be adequate on site level. Natura 2000 management plans, based on formerly set conservation objectives and priorities have already been prepared for 327 SACs and 18 SPAs (January 2018). Plans have already been adopted/approved by the competent Ministry. Natura 2000 management planning is an open, participatory process, that also aims at informing land owners and land users on the conservation objectives, restrictions, and opportunities of the Natura 2000 network, site-by-site. Structure and required content of any Natura 2000 management plan is regulated in the Natura 2000 Decree; plans are supervised and adopted by the responsible Ministry (Ministry of Agriculture). Natura 2000 management plans include all existing horizontal and habitat-specific (grasslands, forests) obligations, and also refer to site-specific prescriptions when the given site is fully or partially protected by national law. However, in case of Natura 2000 sites not protected by the Nature Conservation Act, site-specific management recommendations or proposals are not legally binding. Management proposals of Natura 2000 management plans on agricultural areas are more or less harmonized with agri-environmental programmes (AEP), thus prescriptions may be kept via AEPs, on a voluntary basis. At their recent forms, Natura 2000 management plans are not (directly) legally binding, they are rather information publications and reference documents for key stakeholders, such as national park directorates and authorities. The responsibilities in the management of Natura 2000 sites are complex and not easy to understand. The 10 national park directorates are the conservation managers of the sites, but the owner/trustee/user/tenant is usually someone else, even in the case of public (state-owned) land. The main authority is the environmental authority operating within the county-level government offices, but in case of forests the authorizing body is the forestry authority. In case of agricultural land, the public body that has the enforcing power of proper management practices is the Prime Minister's Office responsible for the control of agri-environmental programmes (AEP). A proper assessment of the impact of climate change on the long-term conservation goals has not been conducted yet in Hungary. In general, climate change and future impacts are not directly considered in the

	<p>management plans. Some elements of the management plans, however, may strengthen climate adaptation (e.g.: reconstruction of natural water flows and regimes with water retention at landscape scale; landscape-scale habitat management including the elimination of internal fragmentation; reconstruction of the conditions for natural regeneration instead of the direct reconstruction of a predefined habitat pattern).</p>
<p>Species protection</p> <p>Ensure species protection</p> <p><i>Habitats Directive, art. 12-16</i> <i>Birds Directive, art. 5-9</i></p>	<ul style="list-style-type: none"> • There are adopted species action plans (species conservation plans) for 25 animal and 20 plant species. There are further plans in preparation or waiting for adoption. • Some action plans are implemented. No comprehensive information on this. • Derogations are issued in line with national and EU law. The Ministry of Agriculture regularly publishes the report on derogations to the European Commission here: http://www.termesztvedelem.hu/derogacios-jelentesek. Some authority decisions and documents produced by competent authorities are also available publicly via the website of a given authority in accordance with the relevant legislation.
<p>Avoid deterioration of sites, disturbance of species and appropriate assessment</p> <p>Ensure no deterioration of habitats and disturbance to species in Natura 2000 sites</p> <p><i>Habitats Directive, art.6(2)</i></p> <p>Ensure that plans or projects likely to affect Natura 2000 sites are subject to appropriate assessment</p> <p><i>Habitats Directive 6(3)</i></p> <p>Ensure that developments affecting the integrity of the site are not approved unless there are no alternative solutions, and for imperative reasons of overriding public interest and if compensatory measures are taken</p> <p><i>Habitats Directive 6(4)</i></p>	<ul style="list-style-type: none"> • In most of the known cases, Art 6(3) procedures are implemented adequately, however, without the watchdog role and active intervention of NGOs, implementation would be probably much poorer. • Natura 2000 management plans are increasingly used as reference documents in official authorization processes. Communication and information exchange between national park directorates and authorities is performed at an acceptable level. • In some cases Hungarian authorities incorrectly interpret the Natura 2000 Decree's provisions concerning impact assessment, when they issue an expert authority statement referring that "the significant impact cannot be proved". According to the proper interpretation complying with the precautionary principle, licenses can be issued only if the absence of significant impact can be proved, meaning the authority is absolutely sure that the project will not have significant unfavourable impacts. • One of the key problems with EIAs and appropriate assessments (AA) is that they both ignore delayed effects: some unfavourable impacts of constructions, investments on natural habitats and/or species have indirect effect that unfold only years after the authorization processes have already been closed and the plan or activity has been implemented. Follow-up of authorization procedures would be of crucial importance. • Another key problem is the lack of the evaluation of cumulative impacts of different infrastructure developments. The fact that local developments themselves usually do not reach a significant level of negative impact enables the authorities to release permissions however cumulative impacts may destroy seriously the Natura 2000 sites or limit significantly the future potential of habitat reconstruction. • The appropriateness of the assessment depends highly on the experts' competence. • When looking for and assessing alternatives to a given plan or project during the AA procedure, it is important to note that alternative solutions should provide a different/better solution primarily in terms of impact on the favourable conservation status. Economic and social aspects can be taken into consideration only as a second step. • Presenting and assessing real alternatives is also a generally weak point of AA documents. The goal of the project owner is to obtain the permits for the planned project therefore there's no room for real alternatives. Also the authorizing process is quite rigid and faces difficulties in handling alternatives. • In general, the precautionary principle is not or poorly applied. Application of the principle would require 1) the identification of the potentially negative effects and their probability; 2) a scientific evaluation of the risks because of the insufficiency of the data and/or insufficient understanding of a given system. In practice, these are far too 'elusive' for an authority to apply when permitting or banning a project or plan. • By definition, an appropriate assessment should be prepared and submitted to the competent authority by the owner of the plan or project in question, who, in many cases, lacks the competence to prepare the document in a

	<p>comprehensive way. In practice, the external experts (professionals and organisations) who are hired and paid by the project owner to prepare the AA document can hardly be considered independent.</p> <ul style="list-style-type: none"> • The “imperative reasons of overriding public interest” is the Achilles heel of the Directive that makes decision making rather subjective, especially when it is about considerations other than human health and safety. Investments with significant expected economic benefits and/or political support will typically be demonstrated to serve overriding public interest. • In the very few known cases, compensation measures (such as designation of new Natura 2000 sites, extension of existing sites, habitat reconstruction at another site or designation) were significant, comparable to the loss. Translocations of species in some other cases showed poor results. • Upcoming large scale flood protection projects are threatening with poor compensation measures compared to the foreseeable loss/degradation of habitats. This didn’t happen yet; the authorization process is currently on-going.
<p>Landscape connectivity</p> <p>Encourage the management of landscape features to improve the ecological coherence of the Natura 2000 network</p> <p><i>Habitats Directive art. 3(3) & 10</i></p>	<ul style="list-style-type: none"> • The connectivity of Natura 2000 sites shows a significantly different picture in the lowland regions with intensive agriculture (e.g. Southern part of the Great Plain) and in the hillsides and mid-range mountains (e.g. Northern Mountains of Hungary). To avoid unnecessary social conflicts, the Natura 2000 sites designated according to the Habitats Directive follow the fragmentation of habitats in the most transformed landscapes where huge sized arable lands make strong lineation in the remaining natural habitats. In the case of large forests and semi-natural landscapes, the internal fragmentation caused by local habitat degradation was considered as an opportunity for long-term restoration, therefore these areas were included to the site designation (especially in case of native forests and wetlands). • Connectivity of N2000 sites could be strengthened by the Hungarian Ecological Network, which is a legally designated national spatial network where infrastructure development is under strong limitation for the sake of nationally protected and Natura 2000 sites and also for other public values (water reserves, high-value landscape, etc.). Due to the lack of finance and the insufficient implementation, this concept (which actually has a strong green infrastructure approach) is not operational; however law enforcement in the national and local development planning prevents this network from irreversible degradation. • High Nature Value (HNV) areas designated according to the regulation of agri-environmental schemes may also contribute to the connectivity of Natura 2000 network on lowlands/agricultural landscapes of Hungary.
<p>Funding and resources</p> <p>Identify funding needs</p> <p><i>Habitats Directive, art. 8</i></p>	<ul style="list-style-type: none"> • A Prioritized Action Framework (PAF) has been elaborated by the responsible Ministry in 2013. The revision of the PAF is about to happen. The PAF details the financial needs sufficiently and adequately. • One off costs: 50,9 million EUR/year; recurrent costs: 128,9 million EUR/year (PAF - 2013). • European Funds used to cover Natura 2000 needs: • EARDF: Rural Development Programme 2014-2020 <ul style="list-style-type: none"> ○ Direct measures concerning Nature Directives: <ul style="list-style-type: none"> ▪ Natura 2000 compensation payments for grassland areas ▪ Natura 2000 compensation payments for forests (In the former MFF period, budget was also allocated to the preparation of Natura 2000 management plans.) ○ Indirect measures relating more or less to the objectives of the Nature Directives <ul style="list-style-type: none"> ▪ Agri-environmental payments ▪ First establishment of agro-forestry systems on agricultural land ▪ Forest environment payments ▪ Restoring forestry potential and introduction of preventive actions • Structural Funds: In the present MFF only 2.6% of the total funding in the environmental OP (Operational Program) is dedicated to nature conservation (in nominal terms it’s 30% less than in the previous MFF). The use of this money is expected to be more focused than before, as according to the plan only restoration projects in protected areas, including Natura 2000 sites can

	<p>be targeted, and exclusively National Park directorates can apply for funding.</p> <ul style="list-style-type: none"> • In brief: Implementation of N2000 management – especially restoration - is strongly project based in Hungary. The volume of allocated programme funding is very insufficient, especially compared to the estimated costs of the implementation of the PAF. Agri-environmental payments are available for N2K sites as well, but 1) they are voluntary, 2) the volume of payments for sustainable and nature-friendly landuse is insufficient, not competitive with the direct agricultural payments/subsidies. • There is staff dedicated to Natura 2000 but very far from being sufficient.
<p>Habitats and species monitoring</p> <p>Undertake monitoring of the conservation status of habitats and species of Community importance</p> <p><i>Habitats Directive, art.11</i></p>	<ul style="list-style-type: none"> • In general, Article 17 (HD) and Article 12 (BD) obligations are properly fulfilled in cooperation with NGOs and state nature conservation. • Certain species (mostly animals: phytophagy beetles, bats, molluscs, etc.) are rather hard to be monitored – due to ecological reasons and/or the lack of professional capacities and financing. Targeted conservation programs, such as LIFE, and other projects from external funding (Swiss, Norwegian) contribute significantly to develop monitoring methodologies and tools for these species and also for gathering primer data. • On (and outside) Special Protection Areas, key bird species are regularly monitored through different long-term monitoring programs, such as Common Bird Census, Rare and Colonial Bird Monitoring – organized by BirdLife Hungary and the latter by the Ministry of Agriculture. • Massive parts of Natura 2000 management planning processes are also data gathering, amendment and refreshment on key species and habitats. • NBmR – National Biodiversity Monitoring System is a set of methodological guidance, existing for over 10 years now. Its operation is very much capacity (and thus project-) dependent. Colleagues of National Park Directorates provide a massive amount of field data – mostly from protected and strictly protected areas, and to a less extent from non-protected Natura 2000 sites. The monitoring system contains several modules, among these plant society monitoring, distribution mapping and population size monitoring of Annex species, Natura 2000 habitat mapping. • Quality and quantity of data have been significantly improved in the last 1.5 decade. Assessments of conservation status are much more complex, but in general, are thought to be of good quality. • Data summaries are publicly available, basic data sets can be obtained from the responsible bodies.
<p>Promotion of research</p> <p>Encourage research and scientific work</p> <p><i>Habitats Directive, art. 18</i> <i>Birds Directive, art. 10</i></p>	<ul style="list-style-type: none"> • LIFE funds are available for research projects (despite the fact that LIFE is declared NOT to be used for research). Hungary has been rather successful in gaining LIFE funds. Other funds (Swiss, Norwegian) have also been supporting research about Natura 2000 habitats and species.
<p>Non-native species</p> <p>Ensure that introductions of non-native species do not prejudice native habitats and species</p> <p><i>Habitats Directive, art. 22</i> <i>Birds Directive, art. 11</i></p>	<ul style="list-style-type: none"> • Most Natura 2000 management plans include measures to address IAS, mostly plant species. Dedicated recent projects (LIFE) are dealing with this issue. • Legislative processes regarding IAS are accelerating. Human professional capacity was extended in governmental bodies. • Mechanisms for early warning and prevention are lacking.
<p>Stakeholder engagement, public participation and communication</p> <p>Stakeholder engagement and public participation are key to ensuring effective implementation</p>	<ul style="list-style-type: none"> • Site designation in Hungary was carried out with considerable haste, using existing scientific data and the limited capacities and resources of the National Park Directorates, those of the responsible Ministry, with the involvement of NGOs. SPAs were designated using BirdLife’s IBA database. • At this stage, involvement, or even insight of the public into the designation process was rather limited. Negotiations had only been carried out with selected ‘problematic’ stakeholder groups, such as extractive industries. • Management planning is a participatory multi-stakeholder process in general. Timing and available financing are key limiting factors. • Natura 2000 management planning introduced and enhanced the formerly hardly existing culture and practice of participatory planning and early involvement of stakeholders in conservation/management planning processes in order to secure the support and involvement of locals in the management of designated areas. • Regarding art 6, there are public consultations in some cases, but there is no

comprehensive information on this. Note that there is such thing as 'priority projects' or investments in Hungary, defined by law, which are authorized in an accelerated procedure.

- There is no full public participation and transparency in decision-making impacting nature.
- In Hungary, there is no single body or organization dedicated to provide information on Natura 2000. The Ministry of Agriculture, the governmental body recently responsible for nature conservation, is the main official information source on any general Natura 2000-related issues. More site-specific information is available at the national park directorates and personally from park rangers. Nature conservation NGOs have also been taking crucial part in communicating Natura 2000 among stakeholders: from general information on sites and legislation to land-use prescriptions and funding opportunities.
- However, due to the lack of capacity the information from the sources listed above is scattered, rarely comprehensive.
- There is a need for a 'Natura 2000 info hub' to provide structured, personalized and grounded information for all stakeholders: individuals and companies with development initiatives, farmers, foresters and interested citizens. The need for objective and reliable information is underlined by the fact that certain decision makers, key stakeholders and politicians actively use the Natura 2000 network as a negative impact on rural development and economy. These miscommunications display Natura 2000 sites as nature reserves where the interests of local farmers and agriculture are entirely suppressed and excluded by nature conservation.
- Natura 2000 management plans have been prepared (or under preparation) during the last 3-4 years with site-specific management prescriptions and proposals, however, the access to their content is rather cumbersome, especially for farmers, who would be the key target group. Web-interfaces and other IT tools are missing that would ease the harmonization of management and conservation objectives.
- There is no Natura 2000 communication strategy for the local level.

RECOMMENDATIONS FOR HUNGARY

- Proper and dedicated financing for the full implementation of the Nature Directives
- Setting up a Natura 2000 info-hub and regional/site level information centres and/or advisory services
- Improved assessment of plans and projects, with great emphasis on cumulative effects, long-term delayed effects and the Precautionary Principle
- Elimination of harmful subsidies, and system-wide application of the Polluter Pays Principle
- Consistent enforcement of the Nature Directives and relevant national legislation
- On state owned Natura 2000 lands, the goals of Natura 2000 should have high priority and be harmonized with other public interests
- Determination of FRVs (favourable reference values) and FCS (favourable Conservation Status) for species and habitats
- Emphasis on habitat restoration: FCS has to be restored and then maintained, with dedicated funds available for private and public owners
- Supporting mechanisms for proper maintenance of sites: strengthening regulation and authorities, and targeted subsidies
- Emphasis on climate adaptation and increasing resilience in nature conservation
- Dedicated financing for various forms and levels of environmental education