

The Interpretation and Functioning of the Right to Healthy Environment within the Central and Eastern European Region – Legal and Public Policy Frames

*Project carried out by the **Research Group on Environmental Law and Environmental Policy** with **Dr. Hana Müllerová** (Czech Academy of Sciences) with the financial support of the Centre for Social Sciences (Hungarian Academy of Sciences)
Principal investigator: Kecskés, Gábor
1 September 2015 – 31 August 2017*

Research plans, the main research objectives of the Incubator grant

The Incubator project focuses on the public policy and regulation of the right to healthy environment of the CEE countries (chiefly the V4 countries).

Under the aegis of the project, the *researchers of the two research units (Institute for Legal Studies, Institute for Political Studies) of the Hungarian Academy of Sciences Centre for Social Sciences* aim to carry out inter-institutional and interdisciplinary researches with the support of the Incubator project. The research personnel would embrace the participation of *Dr. Hana Müllerová*, research fellow of the Czech Academy of Sciences, Institute of State and Law. *During the research period, other researchers could enter the project (especially Slovakian and Polish experts as well as others from the countries of the CEE region);* therefore one of the main objectives of the research group is to establish an international research group. The researchers will seek after other research possibilities and pools, e.g. an International Visegrad Fund grant. Such project could be carried out by the research infrastructure as well as on the basis of the findings and outcomes of the Incubator project.

Research questions

The research is based on a comparative method and with regard to the similar social-economic way of development of the CEE countries, the research questions are the following:

- 1. the appearance of the right to healthy environment and other environmental issues within the constitutions of the CEE countries;*
- 2. similarities and common issues within the environmental regulation and legal system of these countries;*
- 3. normative content of the right to healthy environment (with regard to the practice of the constitutional courts and other relevant bodies of the reviewed countries);*

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4. *the protection of the environment as a public policy and its relation with the constitutional „green rights“;*
5. *EU and other international obligations and their implementation in the countries under review within the field of right to environment (Aarhus-based issues, green democracy);*
6. *de lege ferenda: general overview of the interpretation and functioning of the right to environment in CEE countries; by means of detecting findings, the research would give a beneficial contribution to the legislator and the policymakers.*

Additional plans

- press review within the topic
- case law review
- following the activities and practice of ordinary national and international judicial fora, constitutional courts and green ombudspersons
- informative database on relevant international instruments

Timing of the research and indicators

The research grant would cover the **costs of the material expenditure**: the costs of the organized events (travel, catering, and accommodation) and **the dissemination of the published works under the aegis of the project** (proof-read, costs of the volume of proceedings and other publications).

1 September 2015 – 31 August 2016

- 3 workshop events (1 or 2 in Hungary, 1 or 2 abroad)
- 1 minor international conference (6-8 lecturers)
- articles (cost of proof-reading, other collateral costs, etc.)

1 September 2016 – 31 August 2017

- publication of the articles (completed during the first research year) and dissemination
- 2 workshop events (1 in Hungary, 1 abroad)
- 1 major international conference, final conference (2017 Spring)
- written forms of the lectures in a peer-reviewed and proof-read volume of proceeding (English language), cca. 5-700 000 n
- the preparation for submitting a future IVF grant, mapping phase, conceptual phase and establishing the research infrastructure

Researchers taking part in the Incubator project:

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Boda, Zsolt – <http://tk.mta.hu/en/researcher/boda-zsolt>

Horváthy, Balázs – <http://tk.mta.hu/en/researcher/horvathy-balazs>

Kecskés, Gábor – <http://tk.mta.hu/en/researcher/kecskes-gabor>

Majtenyi, Balázs – <http://tk.mta.hu/en/researcher/majtenyi-balazs>

Müllerová, Hana – <http://www.ilaw.cas.cz/env/?setlang=ze>

Szalai, Ákos – <http://tk.mta.hu/en/researcher/szalai-akos>