

Barriers of Access to Justice

On a scale of 1 to 5 please score the following in terms of how strongly they mean a barrier to access to justice in environmental matters:
1: very weak, 2: weak, 3: intermediate, 4: strong, 5: very strong

Countries

		Austria	Bulgaria	Croatia	Czechia	Estonia	Hungary	Romania		
Objective	Indicator (example)	3,06	2,53	3,73	2,36	2,29	3,07	3,20		
Sufficient legal standing	conditions of standing for individuals (e.g. affectedness) conditions of standing for eNGOs preconditions of access (e.g. prior participation)								average	
Scoring		4	2	5	3	2	4	1	3,00	
	criteria of legal standing for individuals in environmental matters	4	3	1	3	1	3	1	2,29	
	criteria of legal standing for eNGOs in environmental matters	3	2	3	3	1	2	1	2,14	
	preconditions of access to justice in environmental matters	average	3,67	2,33	3,00	3,00	1,33	3,00	1,00	2,48
Availability of legal remedies and adequacy	review against administrative acts or omissions review against actions or omissions of private persons scope of challenges brought in a review (review of substantive issues, of formal issues, of discretionary decisions, standard of review, general court competence to hear claims, etc.) availability of injunctive relief effective remedies available when challenges are successful								average	
Scoring		3	2	4	2	3	1	1	2,29	
	scope and depth of review by the courts	3	3	2	4	2	4	5	3,29	
	conditions of applying an injunctive relief	3	4	2	1	2	3	3	2,57	
	effectiveness of judicial remedies	average	3,00	3,00	2,67	2,33	2,33	2,67	3,00	2,71
Timeliness of access to justice	deadline for submitting an administrative complaint deadline for bringing a court action deadline set for administrative review deadline set for judicial review deadline for requesting and granting an injunction average length of procedures								average	
Scoring			2	5	1	1	3	1	2,17	
	the average actual duration of an administrative review process	3	3	5	3	3	3	5	3,67	
	the average actual duration of a judicial review process	3	3	5	2	2	4	5	3,50	
	the average actual duration of granting an injunction	average	3,00	3,00	5,00	2,50	2,50	3,50	5,00	3,58
Costs of access to justice	fees for administrative review fees for judicial review rules of bearing costs of procedures costs for/necessity of expertise cost capping mechanisms, legal aid, etc.								average	
Scoring		1	1	1	1	1	2	1	1,14	
	average actual fees for administrative review	1	1	1	1	1	2	3	1,43	
	average actual fees for judicial review	4	2	5	2	4	3	5	3,57	
	bearing costs of procedures in environmental matters	3	2		2	4	5	5	3,50	
	typical costs in environmental cases	3	3	5	2	5	4	5	3,86	
	functioning of cost capping mechanisms, legal aid, etc.	average	2,40	1,80	3,00	1,60	3,00	3,20	3,80	2,69
Availability of capacity building	guidance on access to justice in environmental matters available for the public trainings provided for public officials and judges in access to justice access to information regarding judgments in relevant cases recognition of and state financial support to environmental legal advisory services by/to eNGOs								average	
Scoring		4		5			3		4,00	
	lack of guidance on access to justice in environmental matters available for the public	5		5			3		4,33	
	lack of trainings for public officials and judges in access to justice	1		5			1		2,33	
	no access to information regarding judgments in environmental cases	3		5			5		4,33	
	no support for environmental legal advisory services and eNGOs	average	3,25	5,00			3,00		3,75	