

**PUBLIC PARTICIPATION IN  
ADMINISTRATIVE PROCEDURES:  
POSSIBILITIES AND RECENT  
DEVELOPMENTS IN HUNGARY**

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**ABSTRACT:** *Administrative cases have reached a complexity which has not been seen before. Great efforts are demanded to strike an appropriate balance between the rights and interests of those directly affected by the administrative decisions and the protection of the interests of the community. There are multiple aspects that have to be taken into account when deciding administrative cases. The use of uncertain notions and the margin of appreciation of the administration are growing. This leads to the proceduralization of administrative law, as procedural rules can only guarantee the optimal decision in such situations. This development leads to enforceable procedural rights safeguarded by courts. The paper focuses on the development of one of these rights: public participation. After presenting its sources on European and international level, it shows what effects these had on the Hungarian legal setting. The interactions of the legislator and the courts are then analysed and set into the context of ECJ's recent case-law. The analysis of court decisions shows that the judiciary is able to defend public participation even against the legislation. The role of the ECJ as ultimate safeguard is obvious in this scenario. Its case law does not only have impact on concrete cases but can even alter traditional national legal settings.*

**KEY WORDS:** *access to justice, administrative procedure, judicial review, public participation, right to good administration, standing (in administrative litigation)*

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