



DEPUTY COMMISSIONER FOR FUNDAMENTAL RIGHTS  
OMBUDSMAN FOR FUTURE GENERATIONS

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**General opinion of the Ombudsman for Future Generations on the odour of large-scale livestock farming (2025)**

This general opinion focuses on the regulatory environment and the fundamental rights implications of large-scale farming likewise the enforcement of legal framework. The Fundamental Law of Hungary clearly states that everyone has the right to a healthy environment. Article P) specifically emphasises that natural resources - in particular soil, water, forests and biodiversity - belong to the nation's common heritage, and the State and everyone are obliged to protect and maintain them for future generations.

The use of the phrase 'in particular' in Article P of the Fundamental Law implies that the requirement for protection extends beyond these listed objects and encompasses the broader spectrum of natural resources. This includes the protection of clean air and ensuring that the air is free from unpleasant odours (stench).

In order to engage in large-scale animal husbandry, an environmental impact assessment (EIA) or a uniform environmental use permit procedure (IPPC) must be conducted. These procedures assess the environmental impact of the activity and impose the necessary measures and conditions.

However, despite the public authorities' scope of actions, there are a number of long-standing environmental conflicts relating to air pollution, presumably due to the difficulty of objectively measuring and proving odour. According to the current general opinion, in individual cases conflicts can only be resolved by proving the existence of odour, which might be facilitated by the development of a general, uniform legal and professional position and procedure for proving objectively and beyond reasonable doubt the existence and origin of the nuisance odour.

This could help authorities, decision-makers and environmental professionals assisting compliance with the law and to better protect the public affected. It is undoubtedly difficult to regulate odour, as its effect depends to a large extent on the individual's sensitivity and while it is not directly harmful to health, yet it has a significant impact on the quality of life. For this reason, public enforcement must seek to eliminate exposure to odours and ensure that conditions guarantee the fundamental rights of those affected, making use of the existing legal and technological tools.

*The full text of the general opinion in Hungarian is available here:*

[https://www.ajbh.hu/documents/10180/0/1870\\_2025\\_ff\\_nagyipari\\_allattartas\\_kiadasra.pdf](https://www.ajbh.hu/documents/10180/0/1870_2025_ff_nagyipari_allattartas_kiadasra.pdf)

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