

'Civil-Partner' Trust Program 2005



The Trust Program



Supported by the **Trust for Civil Society in Central and Europe**, the 'Civil-ram run by the Environmental Partnership Foundation was launched in Hungary in 2003, with the aim to support and strengthen the non-profit sector.

Environmental Partnership contributes to the sustainability of Hungary's non-profit sector by promoting the transformation of the legal and regulatory environment.

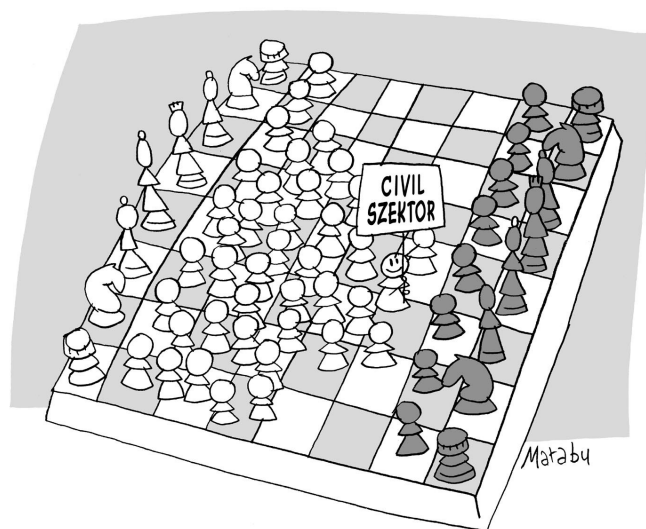
Objectives

Since its foundation, the Civil-Partner Trust Program Office (coordinated by Environmental Partnership) has been a committed partner in the struggle for strengthening and stabilizing Hungary's civil sector.

Through our proposals and initiatives for the reform of the laws and legal system affecting the non-profit sector in Hungary, we aim to help the development of legal regulations that are focused on the specific interests of the sector and contribute to its real sustainability.

We support programs and research that contribute to the sustainable development of the civil sector.

Major programs in 2005



Comprehensive review of civil society's participation in the performance of public duties and courts' practices regarding the registration of associations.

**Civic Vision –
Comprehensive Nonprofit
Legislative Reform Concept**

Active involvement in the working groups Civic Lobby Roundtable and Civic Groups for the Publicity of the National Development Plan

Major programs in 2005

Involvement in the drafting and support to the Act on Public Interest Volunteer Activities

Involvement in the preparations for amending a decree on the National Civil Fund

Formulation and expression of our position regarding the Act on the Freedom of Electronic Information

Communication of our proposals outlined in the Civic Vision concept to a wide range of decision-makers

I. Civic Vision – a comprehensive non-profit reform concept

Mission

The explicit objective of the Civil-Partner Trust Program Office is the promotion of a regulation that supports an independent and sustainable non-profit sector in Hungary.

During the course of the program, the Civil-Partner Trust Program Office has initiated the drafting of a coherent and comprehensive legal concept covering the issues of interest for the entire civil society, with support from numerous NGOs, prominent civic leaders and non-profit lawyers, including the Hungarian Environmental Partnership Foundation, as the coordinator of the relevant part of the Trust program in Hungary, the Non-profit Sector Analysis Program (Environmental Management and Law Association) and the European Center for Non-for-profit Law.

I. Civic Vision – a comprehensive non-profit reform concept

The concept is unique in that it covers Hungary's current legal regulation affecting the non-profit sector in a comprehensive and strategic manner. Such a complex approach is indispensable to solving the problems related to the establishment and operation of NGOs, as well as to clarifying the relationship between the civil sector, the national government and local governments.

The draft concept offers a compelling solution for further co-operation among the various affected sectors, such as politicians, codification groups in the public administration sector, as well as non-profit experts and lawyers.

I. Civic Vision – a comprehensive non-profit reform concept

**Civil
publicity**

During the 'road show' concluded early 2005 we introduced the draft concept and thus finalised the Comprehensive Nonprofit Legislative Reform Concept - 'Civil Vision' - in cooperation with the NGOs that participated at our round table meetings across Hungary.

**Direct
lobbying**

We contacted the members of the competent parliamentary committees as well as officials of ministries and political parties. In addition, we sent a letter describing the concept to all Members of Parliament.

**Positive
feedback**

We received much positive feedback from politicians and Members of Parliament. The competent ministries promised to give their support the Program Office.

1.1 Legal barriers to the involvement of NGOs in the performance of public duties

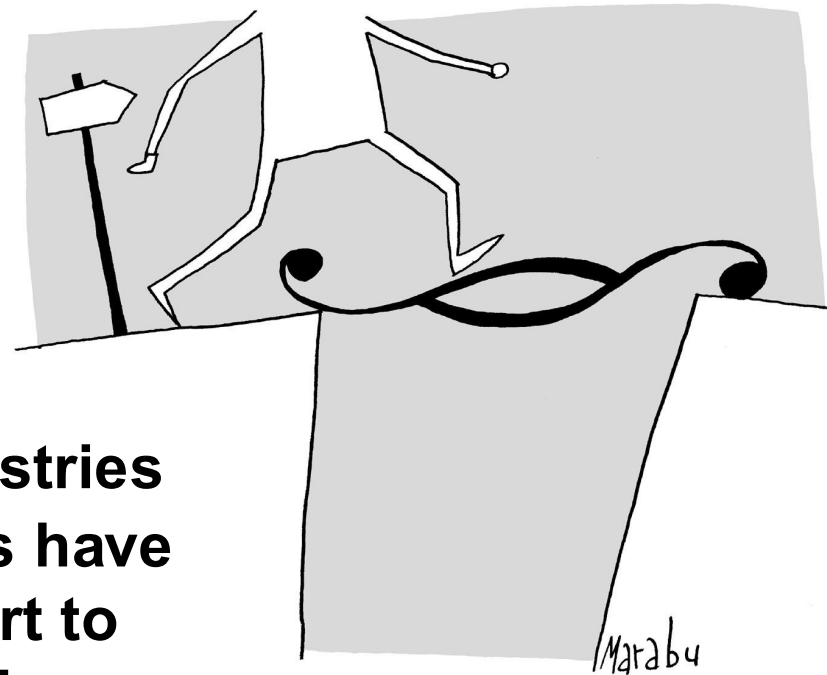
One important social function of civil society is to provide for and complete the missing or weak elements of the performance of public duties by the state. **The involvement of non-governmental and non-profit organisations improves the efficiency of public spending and makes the performance of public functions more effective.** Starting from this presumption, the Program Office decided to map the involvement of the civil sector in the performance of public duties.

We directly contacted Members of Parliament.

The results of the research funded by the Program Office were described to the competent committees of Parliament, as well as to officials of ministries and political parties.

The study was made available to the public.

I.1 Legal barriers to the involvement of NGOs in the performance of public duties



The leaders of ministries and political parties have offered their support to the program office in the further research that is necessary to the reforms.

I.2 Court practices regarding the registration of associations

With the active involvement of and support by the Program Office, non-profit lawyers and civic experts launched a comprehensive review of the registration practices of non-profit organisations and NGOs at courts in summer 2005.

The participants of the review expressed their intention to establish in all 19 counties of Hungary and in Budapest, the county's and Budapest's "NOSZA" Public Associations for the Rights of Non-profit Organisations.

The statutes of all these associations corresponded word for word. They have been submitted to the competent administrative courts at the same time in order to compare and analyse registration practices.

I.2 Court practices regarding the registration of associations

Personal meetings

Successful discussions were held about the results of our research with Zoltán Lomnici, President of the Supreme Court and the National Judicial Council.

Wide-ranging information

The final study has been made available to the public and has been sent to leaders of judiciary institutions, political decision-makers, NGOs, university libraries and students' scientific circles.

Long-term objectives

By further disseminating the results, we aim to ensure that the citizens of the Republic of Hungary can exercise their rights to the freedom of association and form organisations in a transparent and predictable environment.

II. Civic Lobby Roundtable and the Civic Groups for the Publicity of the NDP Working Group

The Roundtable was established in 2003 upon an initiative by the Program Office. It is composed of NGOs that often use advocacy and lobbying. The volunteer members of the Round-table meet to discuss issues affecting most or all of the civil sector.

We are actively involved in the working group (set up primarily by the organisations also active in the Roundtable) aiming to ensure the publicity and transparency of the second National Development Plan (NDP). Furthermore, the working group monitors and analyses the consultation processes related to the planning of mid- and long-term programs.

Our activities contributed to highlighting problems in the timing and administration of subsidies given to NGOs who won tenders for government and EU funds. These issues should be addressed if the projects and programs of civil society organisations are to be launched as planned.

II. Civic Lobby Roundtable and the Civic Groups for the Publicity of the NDP Working Group

The projects outlined above have yielded the following results



Having formulated a common position, we consulted the Prime Minister as well as the leaders of the National Development Office and the competent ministries; discussed the consultation process and its shortcomings at



personal meetings, and in written quarterly reports. In all our programs, much emphasis was placed on providing information to the broad public.

III. Act on voluntary activities serving the public interest

The legal position of voluntary activities used to be unclear in Hungary, which resulted in various barriers to them.

The Trust Program Office actively supported the Volunteer Center Foundation, thus participating in the drafting of the act on voluntary activities serving the public interest.

Our comments and proposals have contributed to the regulation of voluntary activities, also taking Hungary's specific features into account.

The act passed by Parliament in June 2005 contributes to the consolidation of the legal and economic background of voluntary activities; and in the long term it **strengthens social solidarity.**

IV. National Civil Fund

With several years of experience as donors, the Program Office and other supporting organisations have been actively involved in the formulation of proposals aimed at launching and operating the Council and Colleges of the National Civil Fund since 2003.

The proposals in our 2005 statement regarding the amendment of the decree regulating the National Civil Fund **were also aimed at improving the long-term and practical operation of the entity.**

IV. National Civil Fund

As a result of our involvement



Our position has been communicated to political decision-makers, NGOs, and the public in general.



Several proposals by the Program Office have been accepted by the competent decision-makers and ministry working groups. These proposals have been inserted into the new draft regulations.

V. Freedom of electronic information

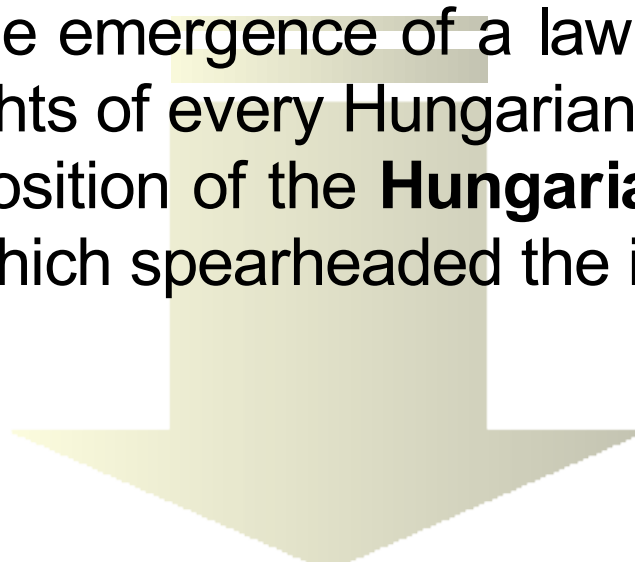
The Act on the Freedom of Electronic Information has significantly decreased Hungary's backlog in this area in international comparison. It also allows for increasing the transparency of the public sector, and contributes to the publicity and control of information of public interest.

We supported NGOs' initiatives regarding the draft law, as the passing of the Act on the Freedom of Electronic Information constitutes an important step towards the values promoted by the Program Office, i.e. transparency and publicity.

V. Freedom of electronic information

The comments made by the Program Office have contributed to the emergence of a law that supports the constitutional rights of every Hungarian citizen.

We joined the position of the **Hungarian Civil Liberties Union** (TASZ) which spearheaded the issue in Hungary.



Aiming to correct deficiencies in the draft, we acted in concert when the law was developed by the competent ministries, and when it was discussed in Parliament.