

13+1 points on the key elements of a new government strategy for civil society

– Civilisation Coalition –

Preamble

A healthy, strong and diverse civil sector is a fundamental building block of democratic societies. Civil society organisations act for the common good and contribute to public dialogue and cooperation as self-organising communities of active citizens. All democratic governments should support these activities serving the wellbeing of all and the development of the country.

The constitutional right to freedom of association, assembly and expression is an essential precondition of a healthy, strong and diverse civil sector. In order to guarantee this, the Hungarian government must create a truly supportive environment for the functioning of the civil sector:

- it must recognise the right of civil society organisations to operate freely and to raise and secure resources;
- it must create opportunities for cooperation and dialogue with civil society;
- and it must commit to protecting all these fundamental rights.

The member organisations of the Civilisation Coalition therefore expect the political force that will govern after the 2022 parliamentary elections to draw up a strategy for the development of the civil sector as soon as possible, with clear objectives and an accountable action plan, as follows:

Principles

The civil society strategy should be based on the following principles:

- 1) The government and state authorities treat the civil sector as an autonomous partner, recognise its activities for the common good and rely on its cooperation and contribution to the development of the country.
- 2) The government and state authorities recognise that civil society organisations contribute to this by performing the following functions:
 - a) participating in the provision of public services on a contractual basis, contributing to the performance of public tasks, identifying and addressing specific societal needs;
 - b) exercising civil control over authorities, participating in the shaping of public policies, representing and defending issues of concern perceived by citizens;
 - c) organising the community and public activities of citizens.
- 3) The independence of the civil sector is respected by the government and state authorities.

To enable civil society organisations to fulfil these functions to the extent possible, Civilisation Coalition has summarised in 13 points - grouped around 4 themes - the steps that a future government should take to create and maintain an enabling environment:

Free Civil Society

Improving the legal environment and encouraging self-organisation

1) Adopting international good practices

The future government commits to regulate the civil sector in accordance with relevant international legal treaties and standards, repeals restrictive legislation that does not comply with them (e.g. the recent law on organisations that influence public life and the 2018 „Stop Soros” law package) and refrain from creating similar legislation.

2) Reducing administrative burdens

The future government, in cooperation with civil society experts (in a joint working group), will review the Non-Profit Act (CLXXV of 2011) and related legislation in the spirit of the above, in particular with the intent to ensure the full exercise of the right to association and to reduce administrative burdens (e.g. conditions for obtaining public benefit status, restructuring of annual reporting in line with the Civilisation Transparency Proposal, simplifications in case of smaller organisations).

3) Establishment of philanthropic foundations

The future government will introduce specific legislation that encourages the creation of philanthropic foundations supporting CSOs, thus involving private wealth in solving social problems and promoting public affairs.

Transparent Funding

Ensuring transparent and merit-based funding

4) Ensuring sector neutrality

The future government will fully respect the principles of open competition and sector neutrality when contracting for public services (e.g. social care), thus guarantees the equal participation of civil society organisations in tendering process and will refrain from favouring e.g. church/business operators over civil society.

5) Ensuring accountability and self-determination

The future government will fully respect the requirements of transparency and accountability in the allocation of public funds to CSOs and provide for self-determination in the allocation of funds. For example, it will restore the majority of elected civil society representatives in the decision-making bodies of the National Cooperation Fund (and similar funding programmes), whilst giving due account to conflict of interest criteria.

6) CSO monitoring of EU funding

The future government will ensure the possibility of meaningful civil society participation in the Monitoring Committees of the EU Structural Funds Operative Programs (e.g. by inviting true representatives of the sector concerned, by reimbursing expenses for members).

Functional Public Sphere

Rebuilding social consultation and dialogue

7) Ensuring meaningful participation

The future government and its bodies will fully comply with the provisions of the Act on Participation in Legislation (Act CXXXI of 2011) and shall amend it in a way that failure to appropriately consult the public will result in actual legal consequences for those responsible.

8) Consultation processes to be followed

The future government and its bodies will prepare a publicly accessible consultation plan before the adoption of major strategies, policies and plans, detailing the modalities and opportunities for civil participation, the timing and milestones of the process, including feedback on the opinions received, taking into account the requirements of openness, transparency, continuity, regularity and inclusiveness. This plan will be implemented in all cases, and the consultation process and its results will be evaluated.

9) Public access to public interest data

The future government will undertake a full review of the practice of releasing or disclosing data of public interest, amending the Freedom of Information Act and the procedures of public bodies as necessary, bearing in mind that the default practice is not to refuse but to disclose information.

10) Commitment to open government

The future government will request to re-join the Open Government Partnership and, once admitted, will meet its expectations and fully implement its obligations.

Solidarity

Encouraging individual social responsibility and support for civic causes

11) Encouraging private donations

The future government will examine and improve the instruments that incentivise private donation, including the reintroduction of an income tax deduction for donations to CSOs and a possible extension of the 1% personal income tax scheme.

12) Encouraging corporate donations

The future government will undertake a complete review and restructuring of the corporate tax benefit system, significantly increasing the amount of relief that can be claimed after donations to CSOs.

13) Balanced coverage in public media

The future government's media policy will ensure that CSOs and their work receive more attention and balanced coverage in public media channels.

+1) Active citizenship

The future government will also promote direct citizen participation in public matters by all means (e.g. via community meetings, integration of community planning methods into decision-making processes).

In developing the above points in detail, the political force preparing for governance will adhere to available domestic and international civil society experience and academic knowledge on the subject - for which we hereby offer the assistance of the members of Civilisation.



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Civilisation Coalition is a community of civil society organisations backing each other in protecting nature, defending the vulnerable and organising our communities.