

The judge's clever daughter: open government the Hungarian way?

Will Hungary be rewarded just as the judge's clever daughter in one of the most popular Hungarian folk tales? Since 2012 Hungary has been a member of the Open Government Partnership, an international initiative that aims to improve the quality and transparency of governance. Out of the country's 16 rather unambitious commitments, ten have been accomplished, while six have been shelved or are still in the implementation phase.



In a well-known Hungarian folk tale, the judge's smart daughter solves the riddle of King Matthias, who asked her to give him a gift and do not, to come to him on foot and do not, and to cover herself and do not, all at the same time. At the end of the tale the smart girl gets her reward, and gets married to an ambitious royal attendant.

The Open Government Partnership (OGP) is an international initiative that aims to increase transparency in the operation of national governments and promotes the participation of civil society and the business sector in public decision-making. Governments that join the initiative must be committed to act according to the values of the OGP, not only in words but also in actions.

It is expected that member states make commitments in the form of national action plans in the following fields: increasing the transparency of state institutions and offices, strengthening the involvement of citizens in decision making, increasing the accessibility of public information and government data, and the application of innovative technologies in governance in order to improve the quality of public services. Participating countries report on their own progress (self-assessment) and are evaluated by independent experts (progress report) every two years.

The first Hungarian government action plan, which was adopted in February 2013, included 16 commitments. In our independent report we reviewed and evaluated the progress that Hungary made by September 2014. The Hungarian government planned to improve the accessibility of public information and data and to introduce measures against corruption in its first action plan. 10 commitments were completed or were in the final phase of implementation following the planned (although repeatedly modified) schedule by Fall 2014, while 6 remaining measures were started, but not completed.

Most of the commitments are not specific to OGP, since they are also part of the parallel Corruption Prevention Programme in the same or a slightly different form. Unfortunately none of the commitments were highly relevant to the values of OGP, moderately or completely transformative and accomplished as planned. Such commitments are labelled by the OGP as starred actions, and in our wider region Estonia and Slovakia did manage to implement a few such actions (such as making municipal budget or public procurement data and contracts available online).

The Hungarian results show an ambiguous picture. On the one hand, the Hungarian government published a database of the central budget's expenditures and made the identification of public purchasing bodies and procurement easier by introducing unique identification numbers. On the other hand, it did not make much progress in the transparency of municipalities and in the control of compliance with the publishing requirements of the Freedom of Information Act.

While a number of measures have been taken to promote integrity-based operation in public institutions (assessment and institutional changes to reduce the risk of corruption) and the government has formally eliminated the legal vacuum in lobbying regulation and the protection of whistle blowers (through the adoption of new legislation), but they have not set up institutions that would guarantee the effective protection of whistle-blowers and still need to clarify the details of obligations of lobbyists and of those in contact with them.

On the one hand, it is positive that 3500 public servants took part in a so-called integrity training, where they learned about the welfare gains of reducing corruption risks in the public sector, and a new block has been added to the national school curriculum about the issue of corruption. However, in 2014 the Hungarian government modified the provisions of the Freedom of Information Act concerning access to public data (allowing data providers to dismiss data requests on the ground that producing and sharing the requested data / information would imply an excessive administrative burden), the training on freedom of information for civil servants was not held, and the corresponding government campaign is still being developed without the involvement of civil society organisations.

During the preparation of our review we consulted the government, the relevant government working group, as well as civil society and business organizations. We received highly diverse and sometimes contradictory feedback in general, but also on the level of individual measures about the effectiveness of the taken measures and about the openness of the government.

In Hungary, confidence in public institutions and the government is fragile, and according to the general public opinion corruption (in almost all of its forms) is widespread. In such a context, a government that would like to achieve quick results in this field, and at the same time renew the cooperation between the government and business and civil society at the same time, certainly does not have an easy job. While the examples of the leading countries in the OGP (the United Kingdom, the Netherlands, Estonia, and Croatia) show that these two go together, their parallel treatment requires strong government and political (!) commitment, along with co-ordination and management at a sufficiently high level of the administration.

The initial strong political commitment (represented by the then minister of Public Administration) and productive civil society-government co-operation seems to have weakened during these last two years of implementation. If the current administration wants to be a proud member of the OGP, the main task is to regain the initial impetus and to show openness to criticism. Because, just as in the folk tale, the clever girl always gets rewarded, if not by marrying the king's clerk, then by increased confidence in the government sector and better quality institutions, if not tomorrow, at least in the long run.