



**Monitoring Report
on the Public Consultation
of the Second National
Development Plan of Hungary
2004 - 2008**

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Member organisations of the CNNy:

- Independent Ecological Centre (Független Ökológiai Központ)
- Káva Cultural Group (Káva Kulturális Műhely)
- Community Development Association (Közösségfejlesztők Egyesülete)
- Fresh Air Working Group (Levegő Munkacsoport)
- Hungarian Soros Foundation (Magyar Soros Alapítvány)
- Hungarian Anti Poverty Network (Magyar Szegénységellenes Hálózat)
- National Society of Conservationists (Magyar Természetvédők Szövetsége)
- Association of Nonprofit Human Services of Hungary (Nonprofit Humán Szolgáltatók Országos Szövetsége)
- Nonprofit Information and Training Centre Foundation (Nonprofit Információs és Oktató Központ (NIOK) Alapítvány)
- Nonprofit Sector Analysis Programme (Nonprofit Szektor Analízis (NOSZA) Program)
- Hungarian Environmental Partnership Foundation (Ökotárs Alapítvány)
- Voluntary Work Centre Foundation (Önkéntes Központ Alapítvány)
- Solidarity Youth Alternative (Szolidaritás Ifjúsági Alternatíva)
- Alliance of Social Professionals (Szociális Szakmai Szövetség)
- Alliance for the Development of Community Participation (Szövetség a Közösségi Részvétel Fejlesztéséért)
- 'Térfél' Foundation (Térfél Alapítvány)

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Introduction

Hungary had to complete its National Development Plan concerning the efficient use of EU funds in the 2007-2013 financial perspective, till the beginning of 2006. The elaboration of the Development Plan was part of a wider strategic planning process, including long-term goals of the country, which meant the creation of long-term strategic documents (Sustainable Development Strategy, National Development Policy Concept, National Regional Development Concept), and of medium-term ones (National Agricultural and Rural Development Plan and the National Strategic Reference Framework). In the final phase of the planning process the Operational Programmes were worked out. These programmes define the fields of intervention (priorities) and their contents, also, how financial resources should be shared among them. Tenders are called along the lines defined in the Operational Programmes.

The National Development Plan must be in accordance with the constitution, the long-term objectives of the country pursued by a succession of governments; it also has to be in harmony with the Convergence Programme of the country and with the main objectives of the cohesion policy of the EU. The Development Plan has to coordinate the local and national development concepts and programmes previously operating independently. The elaboration of the document is influenced by a number of EU strategies, laws and provisions (the Sustainable Development Policy of the EU, the provision “Community Strategic Directives for Growth and Development”, the Lisbon Strategy of the EU, the European Social Fund, the Cohesion Fund and the decrees of the European Agriculture and Rural Development Fund). Needless to say, the process is further influenced by numerous Hungarian laws and regulations. The elaboration of the thematic and structural framework of the Sustainable Development Strategy and

that of the Europe Plan (as it was called then) was determined by a governmental decision.

The **NGOs for the Publicity of the National Development Plan (NPNDP)** working group has been following this process since 2005. In the past three years, the NPNDP has been monitoring and analysing the process of public consultation, and worked out several recommendations - concerning the actual implementation of the plan – for the National Development Agency (previously Office) and for the different preparatory establishments.

The objectives and operation of the NPNDP

The NGOs for the Publicity of the National Development Plan working group is a an informal, “action group”-kind of organization with no legal entity. Its objective is to monitor and analyse the public consultation of the National Development Plan II, also, to work out recommendations concerning the actual implementation of the plan, however, we do not intend to intervene in the contents of the NDP II. Any organization sharing our goals is welcome to cooperate with us: joining our group must be based on consensus. The presidency of the working group is always taken by one of the member organisations according to a rotational system.

Present member organisations of the NPNDP:

Independent Ecological Centre (Független Ökológiai Központ)

Káva Cultural Group (Káva Kulturális Műhely)

Community Development Association (Közösségfejlesztők Egyesülete)

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Alliance for the Development of Community Participation (Szövetség a Közösségi Részvétel Fejlesztéséért)

‘Térfél’ Foundation (Térfél Alapítvány)

Setting up the working group

The formation of the civil working group striving for the publicity of the NDP was the outcome of a long process. Back in December 2004, a conference was held as part of the EU programme of the Hungarian Soros Foundation, presenting, among other things, the process of public consultation of the National Development Plan II, for the participating civil organizations. It became obvious at this conference that the process of public consultation – just as the planning process itself – suffers delay; what is more, neither was the plan defining the framework of consultation completed.

The most important experience gained from the conference organized by the Nonprofit Information and Training Centre Foundation in January 2005 was that the government, or more precisely, the National Development Office responsible for the planning process – in spite of the governmental decision regulating the planning process, which had been formulated by then – either has no specific plans concerning public consultation, or, contradicting its fundamental principles, does not intend to make them public. Facing this situation and considering the importance of the

National Development Plan, their sense of responsibility concerning public participation and being aware of their power for the reconciliation of interests and their lobbying-capacity, after the conference, the Nonprofit Information and Training Centre Foundation, the National Society of Conservationists and the representatives of the Hungarian Soros Foundation decided to set up an informal working group with the aim of monitoring the public consultation of NDP II. The initiation turned out to be successful and soon many other organizations joined them.

Reports

The working group has been continuously monitoring the public consultation process of the NDP II since 2005. The members of the NPNDP have decided to issue reports on their observations, which present and reflect on the events of given periods. Thus, these reports fully document and also evaluate the consultation process.

The reports have primarily revealed the shortcomings of the public consultation process. On the other hand, not only have they informed the general public, documented and evaluated the process, but also formulated recommendations for the government, defining those basic principles and methods that the members of the NPNDP find essential concerning public consultation. The reports analysed the involvement of the general public, and consultation regarding the general, national level of the strategies, though member organizations of the NPNDP were directly involved in certain thematic and regional working groups.

A short summary of the reports

Since its set-up, the NGOs for the Publicity of the National Development Plan working group has issued six reports on the public consultation process related to the NDP II and formulated its opinion, recommendations and sometimes critical remarks concerning the given stages of the process.

The most important common element of these reports is their chronological content, listing the main improvements and events of the given period, presenting the exchange of letters and other forms of communication, evaluation and recommendations related to these, and the appendix containing

all the letters, press releases and other material created by the NPNDP, as well as replies and reactions triggered by these. Apart from these, each report has dealt in details with the experience gained through the consultation of strategic documents formulated in the given period:

The first report presented the determining legal framework, also, it made comprehensive recommendations on principles, methods and devices to be followed in the process of public consultation.

The second report gave a detailed account on the public consultation process of the long-term National Development Policy Concept, as well as evaluated the technical (Internet) background of the process, as reporting on these has mostly been done through the Internet. The account also touched upon the definition of civil sector / civil organization / NGO, since the use of these terms led to several misunderstandings during the consultation processes.

The third report summarised how the National Development Policy Concept changed throughout the consultation process, namely, to what extent the received opinions influenced the contents of the document. The report also gave account on the consultation process of the NDP II, or the National Strategic Reference Framework, as it was called then.

The fourth report further scrutinized the consultation processes of the different versions of the NDP II – which had different titles at different periods -, it also analysed the influence of opinions received during the consultation process on the final version of the plan.

The fifth report focussed on the consultation process of the Operational Programmes, and analysed the effects of this process using as an example the TÁMOP (Social Renewal Operational Programme) – a programme strongly affecting the civil sector.

In 2007, the use of structural and cohesion funds effectively started. Consequently, the mission of our working group changed: in the sixth report, instead of analysing the public consultation of the planning phase, the NPNDP scrutinized the workings of bodies responsible for particular call for tenders, also civil participation in these bodies. (e.g. in the case of Working Groups Responsible for the Preparation of Tenders and Monitoring Committees.)

Besides all these, each report endeavoured to provide its readers with useful information: contacts (e.g. planning working groups and other responsible bodies), flow charts, support material, internet addresses.

Experience and achievements

As regards the consultation process itself, we must say that though the attitude of responsible bodies – among them, mainly of the National Development Agency / Office – has changed a lot in the past two – two and a half years, the level and quality of public participation is far from being satisfactory, and many of our critical remarks formulated in the very first report has remained relevant ever since.

The most serious problem probably is that throughout the process nothing has happened as previously planned: the schedule has been changed and delayed a number of times; the name and type of the documents to be evaluated, the methods of consultation has also been modified again and again – on top of all that, partners were only informed of these changes at the very last moments, thus they did not really have a chance to prepare for and adjust to these changes.

Apart from not being able to plan ahead, the lack of continuity posed a further serious problem: the public consultation process was characterized by a chain of sudden stops and restarts, quite often there were no improvements for months, what is more, there was no information on when and what can be expected as a next step. All this was further worsened by the fact that planning documents were typically made public only at the end of the planning process, thus violating the principle of early involvement. This attitude applied to both the material put to consultation only after governmental approval, and to the methods of consultation. For instance, usually there was no chance given to comment on the drafts of questionnaires designed to collect opinions.

Constant changes resulted in the violation of the transparency of the public consultation process: in addition to the frequent changing of the titles of documents (National Strategic Reference Framework, New Hungary Programme, New Hungary Development Plan), due to governmental and other reorganization practices, the whole system of planning has changed several times, the bodies (and departments) responsible for this field has kept changing, what is more, new establishments (e.g. Development Policy Steering Committee) has been set up.

Apart from the above mentioned problems, some further more or less serious difficulties rendered the efficient cooperation of partners more diffi-

cult: problems with the accessibility of information, absolutely no or late replies to letters, too tight deadlines for giving opinion, technical problems making participation via the Internet difficult, etc.

On the other hand, it is very important to emphasize the sheer fact that in spite of the early difficulties there *has been* public consultation, what is more, at certain stages - especially throughout the discussion of the National Development Policy Concept (July- August, 2005) and of the New Hungary Development Plan (August-September, 2006) – extensive access and an opportunity to formulate critical remarks was truly guaranteed.

From the start to the summer of 2005

Although the government announced the start of the consultation process at the end of 2004, the set-up of the working group was motivated by the fact that at the beginning of 2005 “it became obvious that the consultation process concerning the NDP II, as well as the planning process itself suffered serious delay.” When completing the first report, not even the framework of the public consultation process was defined by the National Development Office. (What is more, for a given period of time, the idea was to get the consultation process done by involving the Economic and Social Committee – there is probably no need to explain how seriously the principles of public participation would have been violated in case of such a course of action.)

During this period of time, our working group repeatedly contacted the National Development Office, coordinating the drafting and public consultation processes of the NDP II. “There were letters or messages for which the NPNDP received no reply at all, however, at the finally realized meetings we always found the representatives and leaders of the Office helpful and open. Our general impression was that the Office finds the objectives of the working group – namely, that we intend to learn and influence the system of public participation related to the planning process – very difficult to interpret.” The first report also states that “the consultation process has not been characterized by transparency and publicity so far, this probably being the biggest deficit of the planning process going on in the past six months. There are neither preliminary information nor follow-up reports available from the majority of consultations. There is no information on how the partners of private consultations were selected. It has been a general tendency that the notions of the government would provide a rather

limited framework for public consultation. Apart from informing the general public, they only allow reference on completed documents, and only those economic and social organizations selected by the National Development Office (and other ministries) can have a say in the matter.”

The public consultation process of the National Development Policy Concept

In the summer of 2005, the long-awaited public consultation of the first national strategic document, that of the National Development Policy Concept covering the period until 2020 finally took place. This is what the second report of the NPNDP focussed on. The public consultation of the Concept undoubtedly meant a breakthrough, compared to the working methods characterizing the previous months. The National Development Office clearly made an effort to create an accessible and manageable electronic system (Internet registration, questionnaire, computerized processing system, etc.) enabling more and more organizations and individuals to comment on their work, also, so that they could receive and consider the expectedly huge number of remarks. Moreover, in October-November, the organizations participating in the consultation process received feedback in the form of “tailor-made” replies, also, the proofread version of the document appeared on the website of the Office, so newly built-in elements became traceable in it.

Furthermore, communication with the civil sector clearly became smoother: the Office accepted the existence of the NPNDP, they were more willing to react to our appeals, and their website gave access to much more information than during the first period of the consultation process. Compared to the “usual” state administration procedure (when it is common to have only a few days to comment on a given material) the time provided for reflecting on the National Development Policy Concept was relatively longer, however, in the case of such an important document this should be the minimum requirement. In spite of all these improvements, the process still failed to meet the principles of successful public consultation in several respects, certain deficiencies were still clearly visible, and the ingrained habits based on the old hierarchy could still be traced.

Serious setback after a weak start: the months after the public consultation of the National Development Policy Concept

The Concept was approved by the parliament on the 19th of December, 2005 – in the last phase of the process, different lobbying forces (among them the so called “Roundtable”) set up for the development of the local and civil society) managed to achieve the changing of different elements in the earlier, government-approved version of the plan. This period could have provided ideal circumstances for the public planning of the new NDP, as after the approval of National Development Policy Concept, the process of actual public consultation involving a lot of different parties could have been launched. Within this period the Concept could have been updated, further refined, its objectives scheduled into a timeframe. Instead, it disappeared in one of the drawers of the National Development Office, and the parallel drafting of the NDP II – now called National Strategic Reference Framework, as the watchful ones could realize - and that of the Operational Programmes was continued behind closed doors, with minimal transparency and with absolutely no social control. Till the middle of February 2006, our working group made several attempts at making the offices in charge of the planning process keep their previous promises, but to no avail. What generally characterized cooperation with the National Development Office was that periods of long silences alternated with phases of more intense exchange of information. While our requests for oral conciliation were usually met and in the course of these, several promises were made, we almost never received the promised material and documents. However, all this was not exclusively and primarily the fault of the Office: due to the delays of conciliations within the administration and the debates of the official participants of the process, the National Strategic Reference Framework and other important documents have still not – or only partly – been made public. Thus, the approval process of this crucially important document, which determines the future of the country to a great extent, still had no public, transparent schedule. At the time of the completion of the third report, it still had not been revealed what professional groups, according to what considerations, when and with whom would decide which elements of the National Development Policy Concept should be regarded as a part of the NDP II, also, who and when would deal with the excluded bits.

All this proved again that the government and the organizations responsible for the planning process were still not willing to or able to overcome their old, outdated ingrained habits. Unfortunately, the working group

could only draw people's attention to the deficiencies already listed in the previous reports, and we were forced to claim that – after the promising improvements presented at the end of the second report – the autumn and winter period of 2005 was wasted in terms of the publicity of the planning process and public consultation.

New start, new participants, new titles

In the first half of 2006, till the beginning of autumn, the National Development Office (Agency) organized two public debates, and the final version of the National Development Plan II (New Hungary Development Plan) was completed. All in all, the fourth report of the NPNDP considered the organization of public consultation and governmental communication of this issue to be better than previously: the public consultation process was working correctly in the technical sense, previous experience was taken into account and served as a base for further improvements. The NDO, later called National Development Agency, applied several methods and techniques: questionnaires, panel discussions, direct involvement of partners, giving opinion through electronic correspondence, etc. It was usually possible to follow what happened to the critical remarks of the partners; the material appeared on the website of NDA. All in all, however, the above mentioned improvements could not compensate for the general impression that the government regarded the process of public consultation as a formal, “obligatory” task, the weakest link in the planning process, in fact, a disturbing factor in the creation of the final version of the plan. Consequently, the overall impression was still clearly negative for many different reasons, in spite of the fact that public consultation received significantly bigger attention than previously. The new titles given to the plan made this complicated process even more difficult to follow, political influences experienced at a lot of other fields were clearly traceable here too, and the planning process was still unstructured. All these problems had a strong influence on the public consultation process: the motivational level of ordinary people, of ordinary civil organizations was significantly decreased, in other words, they were less and less eager to take part in public consultation.

The public consultation of the spring term (before the general elections) was started in the belief that the (then called) National Strategic Reference Framework would be submitted to the competent authorities of the EU during the summer. The impacts of the oncoming elections, however, could

soon be traced: on the one hand, the plan was renamed to New Hungary Plan (and thus the line between the party platform of the Hungarian Socialist Party and this plan was somehow blurred), on the other hand, it lacked the analysis of the situation, which clearly determined the development strategy. Although a first version containing the reflections of the partners was made and it appeared on the website of NDA, there was no information on what would subsequently happen to these.

After the general elections, the National Development Office was reorganized and renamed to National Development Agency. The Steering Authorities, previously functioning at the ministries were placed under the authority of this agency, thus their operations has become more transparent, at least for the NDA. Moreover, two new establishments were set up, on the workings of which neither the civil sector, nor the parliament have had any direct influence. The National Development Council functioning as an advisory board of the government includes delegates of the Economic and Social Council, however, the notabilities responsible for horizontal issues (sustainability and social inclusion) were invited by the Prime Minister, who, when making his decisions, ignored the recommendations of the civil sector. From the perspective of the civil society, it is also not quite clear what the role of the Development Policy Steering Committee – being made up of ex-ministers – is. Dr Etele Baráth left, and Gordon Bajnai was appointed to his position – not to a ministerial position – to be the governmental commissioner in charge of planning. In general, intense fluctuation characterised the NDA, among others, Tamás Halm, deputy director responsible for public consultation left his office.

In August, the NDA launched a new public consultation phase – the document was then presented to the partners under the title of New Hungary Development Plan. Compared to the previous version, this too contained modifications – not based on consultation -, therefore, participation in the consultation process required considerable knowledge, persistence and patience from the part of the organizations seeking involvement. The whole process was further complicated by parallel public consultations (National Lisbon Action Plan, New Hungary (previously National) Rural Development Strategic Plan).

The other serious deficiency of public consultation during the analysed period was that the planners still could not find the “logical” way to manage the process. The whole planning process – guided by the vision of the future – included the creation of different documents, thus the NDP

(NSRF, NHP, NHDP) might be regarded as the actual realization of the strategy based on a long-term vision of the future (namely, that of the National Development Policy Concept). However, following the process, one often had the impression that the strategies were built for specific programmes and not the other way round – the planning process virtually “turned upside down”. This was further proved by the elaboration of the Operational Programmes, which kept demonstrating that though the ministries do have specific plans, the creation of these was not inspired by the Development Plan.

The phase of implementation: Working Groups Responsible for the Preparation of Tenders (WGRPT), Monitoring Committees

The summary written by the civil delegates of the boards reveal that there were significant differences between the operations of the working groups and committees all belonging to the same type. There was no uniform policy concerning the publicity of documents related to their operations either – if they are accessible at all, they can only be found by surfing the net at an “advanced level”.

It is also important to mention what a strong influence the decisions of the boards have on the elaboration of calls for tenders: while the Monitoring Committees only have the authority to “discuss” (and not to approve of) the action plans, it turned out in several cases that documents created by the WGRPTs were also overwritten and modified by the Steering Committee.

Though the Monitoring Committees involved some NGOs due to their expertise in horizontal issues (sustainable development, social inclusion, etc.), both here and in the case of the WGRPTs, it is quite clear that delegates are often invited randomly (depending on who does the person summoning the groups and committees know). Moreover, by having a closer look at the member-lists, it is revealed that “civil positions” are often taken by the representatives of such organizations (e.g. chambers, alliances of local governments) that can hardly be called civil in the strict sense of the term. Such abuses could be successfully eliminated by a higher level of self-organization of the civil sector, and the elaboration of internal election-delegation mechanisms.

Calls for tenders

It became obvious already in the course of the conciliation phase of the Operational Programmes that the tenders of the New Hungary Development Plan offer much less for NGOs than it had been earlier hoped for. In 2007 this situation was further worsened by the serious delay of calls for tenders - at the completion of the last report (31st, January, 2008), there was absolutely no word of some calls originally scheduled for the second half of 2007, or for the first quarter of 2008. What is more, the majority of the already launched programmes (both in terms of their number and the blanket sum available) are such priority projects, the beneficiaries of which are governmental bodies or establishments – thus tender opportunities for the civil sector are further restricted. Apart from the exclusion of civil organizations from the implementation of different programmes, this system also violates the principles of fair competition and sector-neutrality.

The new NDA website

An important development of the second half of 2007 was the launching of the new NDA website, for the testing of which the NPNDP was also invited. As we had previously formulated a lot of negative remarks on the previous version of the website, now we must acknowledge that the registration system and the spreading of information via the e-mail newsletter have significantly improved correspondence with the partners. However, we cannot ignore the fact that under the menu “Schedule for public consultation” you can still find the autumn term of 2007...

Appendices

I. On the public consultation process

The national strategic document – previously called Europe Plan -, pre-planning the use of EU funds and the future of Hungary was elaborated in the course of a long planning process, in three phases till the end of 2006. The three different pieces of strategic material – *the National Development Policy Concept*, *the National Development Plan II* (or Strategic Reference Framework as it is called now) and the *Operational Programmes* – are built on one another. The aim of the civil working group is to follow and analyse the process of public consultation, as well as to work out specific recommendations concerning implementation. The recommendations of the present document apply to each of the strategic material.

We have very little official information at our disposal concerning the public consultation process prior to the finalization of the strategies.ⁱ In what follows, from the official documents describing the process of public consultation, we have chosen to refer to the material appearing on the website: www.magyarorszag.hu. Before formulating our recommendations, however, we would like to formulate some critical remarks concerning the methods and approaches appearing in the above mentioned material.

We have found that the government's concept of public consultation contains a rather restricted approach: apart from informing the general public, they only appropriate reference on the finalized documents and the input of the selected economic-social organizations. We must not accept such an approach, since real public consultation should provide the opportunity for non-governmental, civil organizations to join and actively participate in any phase of the planning process. We believe that the elaboration of the National Development Plan is such an important development policy process, which necessitates the involvement of the widest range of players concerned.

Compared to the governmental decision, the planning process has already suffered delay. According to the original plans, the government would dis-

i The decree regulating the process defines the persons responsible and deadlines, however it contains few further facts. 1076/2004. (22./VII.) Government Decision on the thematic and structural framework of the elaboration of the Europe Plan (2007-2013).

cuss and approve of the National Development Policy Concept in the first quarter of 2005. In this case, reflecting on this concept will soon become irrelevant. Therefore, we suggest that the Development Policy Concept should be put to public consultation as soon as possible, prior to its parliament approval, since this document determining the main development courses of the country cannot be monopolized by the political parties and must not be subject to political deals.

The logic of social dialogue, social consensus, and social contract is of course desirable and to be approved of, but squeezing all this into detailed written contracts would be far too bureaucratic. We are convinced that it is a continuous, intensive public consultation process having real impact on planning, which has the chance to create social consensus concerning the planning of the strategy.

1. The purpose and necessity of public consultation

The National Development Plan II (NDP II) being put together in the course of the presently ongoing planning process, basically defines the development policy of Hungary between 2007 and 2013, as it determines the allocation of both the EU funds and the related local financial resources. Planning the NDP, therefore, is a task of crucial importance, the success of which will have an impact on the future of all Hungarian citizens.

The organization and managing of the planning-programming process of the NDP II is of course the responsibility of the government. However, the plan can only be truly successful, the final version of the NDP truly legitimate, if preparation work actively involves not only governmental bodies and participants from professional-scientific fields, but also organizations representing different segments of society.

It is essential for both the state and the society that the principle of partnership, which is to be followed by all member states of the EU, should not remain on a theoretical level but be applied in practice. An extensive public consultation process, based on the principle of participation could advance the inclusion of knowledge accumulated in the different fields of society and economy into the documents, and thus, the otherwise unexplorable, particular needs could be answered. Following the principle of partnership would not only help the inclusion of accumulated knowledge and the exploration of particular needs, but could also considerably increase the public approval and thus the viability of the NDP.

The foregoing facts also guarantee that in the future Hungary can use the widest range of financial resources from the Structural Funds.

We find it important that public consultation and the active participation of NGOs should be realized both in the initial phase of the process – shaping strategic objectives, main directions and priorities – and in the course of the in-depth planning process (e.g. the creation of the operational programmes).

Several European documents underline the importance of public participation in strategic planning, such as

- European laws, e.g. the 1260/1999/EK regulation of the European Parliament and Committee about the basic principles of the use of Structural Funds
- The documents of the European Committee on the Structural Funds
- Methodology manuals, recommendations of the World Bank and of the EBRD (European Bank for Reconstruction and Development) concerning public participation
- The convention concerning environmental issues on access to information, on the participation of the general public in decision making and on securing the right to jurisdiction (Aarhus Convention, UNECE, 1998)

2. The basic principles of successful public consultation

The planning process of the NDP process thus requires extensive social dialogue with the participation of all kinds of groups of society. Successful public consultation can be realized along the following basic principles:

- *Structure*

The procedure and schedule of the planning process and also the persons responsible are made public by the government prior to the elaboration of the NDP. The government also creates the plan of the consultation procedure (hereafter: Public Consultation Plan), which they discuss with NGOs. The plan defines the aims of participation, its target groups, schedule, the ways of access to information and the methods and framework of considering and building in reflections from the civil sphere.

- *Principle of participation*

The elaboration of the NDP, its conciliation is based on participation, that is, the civil organizations take part in the whole course of the process as partners. Their role is not restricted to the sheer reference on completed material, instead, they are provided the opportunity to take part in the defining of objectives and priorities and in selecting alternatives.

- *Continuity*

In the course of the planning process, there is a continuous correspondence with the civil organizations, the participation of these organizations is not sporadic, it follows the details of the Public Consultation Plan (see: Structure)

- *Openness, publicity*

The information on the elaboration of the NDP is relevant and accessible (e.g. NDA website), new information is continuously provided. The consultation process is open, the interested civil organizations can join it at any phase of the process.

- *Transparency, suggestibility*

In the course of the elaboration of the NDP, the principles of transparency and suggestibility are followed, namely, the whole process and the names of players responsible for it are made public right from the very beginning, the schedule of the planning process is realistic and realisable, there are reasonable deadlines for collecting the inputs and reflecting on the documents. The state administration delegates of the process continuously inform their civil partners, document correspondence, provide answers for the suggestions of the partners, and include these suggestions into the documents along the lines of previously formulated principles.

- *Feedback, evaluation*

After the finalization of the NDP, the government issues a report on how the process of public consultation was going on, how the NGOs were involved in the process and how the different reflections were built into the NDP.

3. The conditions for the implementation of the Public Consultation Plan

According to our understanding, the process of public consultation would mean the implementation of the above listed principles, namely, that the planning process is open, transparent and suggestible for the different economic-social groups – among them the non-governmental, civil organizations – and public consultation is an ongoing process based on the previously formulated principles appearing in the Public Consultation Plan.

The following conditions are essential for the implementation of the plan:

- the planning process itself can be divided to preset and clearly defined phases, its schedule is realisable, the people in charge are appointed;
- the roles and responsibilities of the participants representing the state administration are unambiguous and clearly defined, concerning the planning and the related public consultation process;
- the participants representing the state administration stick to the predefined schedule of the planning and public consultation processes;
- the details of the Public Consultation Plan are pre-arranged with the interest groups;
- the criteria and the methods of involving the participating organizations (partners) are predefined and made public;
- there is a continuous flow of information and correspondence between the participants representing the state administration and the partners taking part in the public consultation process;
- the process is documented;
- the partners involved in public consultation are participants and not consultants of the process;
- their suggestions are built in or rejected along the lines of predefined principles.

It is also very important to emphasize the responsibilities of the civil side in the implementation process of the Public Consultation Plan: the efficiency of the consultation process can be considerably increased, if the NGOs organize and coordinate their participation, develop a system for it, thus helping the flow of information between the planners and the civil organizations.

4. The system and means of the Public Consultation Plan

Based on international lawⁱⁱ and the practice of public consultation, the system of public consultation consists of five components. These are the following:

- 1 Access to information**
- 2 Active measures to inform the public**
- 3 Extensive public consultation**
- 4 Public participation in the planning process**
- 5 Evaluation of the planning process from the aspect of public consultation**

The five components complement each other, together they form a coherent, integrated system. In order to achieve the success of public participation, all the components of the system must be applied.

- *Access to information*

All the material submitted throughout the planning process must be regarded as public and must be made accessible to anyone if requested. The planners are obliged to store all related material – among these are the concepts of the plan-documents, the minutes of consultations and reflections received from the general public.

Ensuring access to information is crucial at each phase of the planning process and it is due to the general public and civil organizations alike.

ii In what follows, we mostly deal with those regulations of the Aarhus Convention – signed in June, 1998 by 38 member states of the UN European Economic Commission and the European Community - which are related to social participation in strategic planning. (<http://www.unece.org/env/pp/welcome.html>) The Aarhus Convention was ratified by Hungary by a parliamentary decision, on the 1st of June, 2001. Some regulations of the Convention, e.g. the one about the access to information became part of Hungarian legislation, into the CVIII. Act, 2001.

MEANS

Documentation: the documents of the planning process and of public consultation are stored and registered in a retrievable way by the office.

In case of request: the planning authority makes the material of the background analysis, the concept and the minutes of consultations accessible: they make the requested documents available for the applicant (in electronic and/or paper format), free of charge (on payment of occurring costs), without expecting any particular explanations for the request.

- *Active measures to inform the general public*

It is not sufficient; however, to provide access to information, we also have to create measures to inform the general public.

The participants of strategic planning – particularly the decision makers – are bound to make the information produced in the course of the planning process public, concerning both the whole of the planning process and its different phases. The planners and decision makers are obliged to provide active briefing in cases requiring community consultation.

The information must be made public in due course, so that the opportunity for substantive social dialogue can be created. We believe that informing the general public is of primary importance at the beginning of the planning process, in the phase of creating the strategic documents, in the course of working out the analytical part of the plan and before the finalization of the first draft of the full plan-document. There is an ongoing need for active briefing in all the phases of the planning process. This includes the revealing of the schedule of the planning process, the place and time of planned public debates, moreover, revealing the ways of passing reflections and suggestions to the planners.

MEANS

Internet sites: Plan-documents and all the material related to the planning process must appear on the website of the office responsible for planning, also, on websites regularly visited by NGOs (e.g. regional civil websites). Access to those responsible for the planning process must be made public on the very same sites.

Newsletter: Registered visitors of these websites and players involved in the planning process should be informed about the release of new material by being sent electronic or traditional newsletters, moreover, such information might appear in newsletters and newspapers of NGOs.

Information centres: The opportunity of personal access to information must also be provided, so that anyone interested in the planning process will have a chance to read the plan-documents and comment on them. This might be done with the help of regional Civil Service Centres, tele-houses, and the network of e-Hungary spots. The documents of the planning process must be made available (both in an electronic and paper format).

Introductory conference: The purpose of the introductory conference is to facilitate the involvement of the affected groups of society, to outline the steps, schedule and methods of the planning process for the interested NGOs, and economic-social groups.

Information campaign in the media: The planners must continuously provide the opportunity for reflection, consultation and dialogue for the wider public.

- *Extensive public consultation*

Anybody interested must be given the chance to express their opinion concerning the revealed material. These reflections must be considered in the course of elaborating the strategic documents. A public debate focussing on the general concept must be organized. Communication channels suitable for the purpose of extensive public consultation - internet, information centre (see above) must be provided.

The opportunity for public consultation must be ensured at all phases of the planning process.

MEANS

Internet: The public and civil organizations must be provided the facilities for reflection, e.g. in the form of online forums.

Public debates: In the course of the planning process, at least one such public debate has to be organized, where the representatives of both the plan-

ners and the decision makers are present. Here, the general concept of the strategic document is discussed. The public debate provides the opportunity for anyone to present their standpoint either orally or in a written form. The reflections of the general public are considered in the course of the subsequent working process in the following way: all reflections are made public, it is indicated about each of them how they have been processed, and all the reflections are sent to the decision makers.

Forum for consultation: The office responsible for public consultation should set up a forum for public consultation that facilitates getting information on planning and provides the chance for any NGO to join the process.

Contacts with the press: Close cooperation with the media can also facilitate consultation with the public.

- *Direct participation in the planning process*

The planners ensure partnership based participation of citizens and of NGOs through working groups. We find the involvement of NGOs into the work of regional and thematic working groups necessary, it is essential that the civil representatives participating in the planning process should be selected in transparent and legitimate ways. The next, 4th chapter will describe the aspects and methods of selection and delegation.

The operations of thematic and regional working groups cover all the phases of the planning process, thus civil participation in these operations is strongly desirable.

MEANS

Select meetings: Consultations must be initiated for the discussion of the analytical part of the strategic document. Civil organizations might take a mediating role in these consultations. The purpose of such meetings would be the preparation for public debate or debates, and reinforcing public participation. The office responsible for planning should call upon those NGOs formulating substantive opinions on planning to delegate – along the lines of their own transparent and legitimate procedure – 40-50 organizations that would take active part in the planning process.

NGOs in the planner working groups: In the course of the planning process, thematic and regional working groups have been set up. The NGOs should take part in those – based on the criteria of transparency and legitimacy – which they are directly interested in. The involvement of NGOs must not be a question of the arbitrary decision of the office responsible for that given working group, but it should take place along the lines of centrally set principles and of publicity.

- *The evaluation of the planning process from the aspect of public consultation*

It is necessary to evaluate the planning process from the aspect of public consultation. In the course of the evaluation procedure it must be examined whether the planners and decision makers have met the above described methodological requirements and whether public participation was efficient, i.e. the reflections of the general public and of NGOs have been built into the documents.

The evaluation procedure pertains to the whole of the planning process, therefore, its summary is due after the final phase of planning.

MEANS

Independent monitoring: Evaluation should be carried out by both the planners and independent evaluators. The evaluation must include analysis concerning public consultation as well.

5. The selection of partners involved in public consultation

One of the key factors of the legitimacy and success of public consultation is the selection of partners involved in the consultation process. It is obvious that in the course of planning such players have to be selected who somehow represent the different interest-groups of society, can work in tight cooperation with those stake holders of the administration responsible for planning, and not only have rights but also take the responsibility of their roles in the planning process. It is important to establish that the selection of partners cannot replace the transparency and openness of the whole of the planning process, and must not violate the right of any other group or organization – not being a partner in consultation – to have access to basic information and to share their reflections with the players of the process (who are receptive to these).

In what follows, we investigate the field of NGOs providing one circle of the partners involved in public consultation. It is essential to involve civil organizations into planning, as they not only represent the interests of different groups of the society, but might also give expert opinion in the course of the planning process. We believe that the involvement of NGOs into each phase of the planning process - (defining strategic directives, working out the vision of the future, evaluation of situations, elaborating the National Development Policy Concept and the National Strategic Reference Framework, the preparation of Operational Programmes) – is relevant and necessary.

In our opinion, it is a general shortcoming of the partnership consultations going on at any fields in Hungary that their approach is characterized by **thinking in close structures**. The Hungarian civil society is a multi-coloured one, it has no legitimate top organizations, and this sector is by no means fully represented by the forums involved in public consultation (e.g. the Economic and Social Council). Inflexibility is further reinforced by the practice that the different establishments (e.g. ministries) hardly ever modify their contact lists, therefore, organizations not included in these are practically not given any chances to act.

The selection of partners must be based on openness and accessibility in any phase and at any unit of the planning process. Since there are neither perfect professional nor perfect representational factors legitimating the circle of organizations considered to be potential partners, we find that the following system would be suitable for the process:

- The organizations interested must be provided the opportunity to join the planning at any phase of the process. The precondition for this is the elaboration of professional feedback on the documents serving as basis for planning, or putting together material related to the field the planning process focuses on.
- In case of a huge number of applicants, the NGOs must be allowed to choose those organizations that represent them in the given phase of the planning process (this might for example be carried out with the help of public forums focussing on the process).
- The circle of partners must not be exclusive, joining should be made possible regularly, at any new phase of the process – following the above described guidelines.

Member organisations of the CNNy:

- Independent Ecological Centre (Független Ökológiai Központ)
- Káva Cultural Group (Káva Kulturális Műhely)
- Community Development Association (Közösségfejlesztők Egyesülete)
- Fresh Air Working Group (Levego Munkacsoport)
- Hungarian Soros Foundation (Magyar Soros Alapítvány)
- Hungarian Anti Poverty Network (Magyar Szegénységellenes Hálózat)
- National Society of Conservationists (Magyar Természetvédők Szövetsége)
- Association of Nonprofit Human Services of Hungary (Nonprofit Humán Szolgáltatók Országos Szövetsége)
- Nonprofit Information and Training Centre Foundation (Nonprofit Információs és Oktató Központ (NIOK) Alapítvány)
- Nonprofit Sector Analysis Programme (Nonprofit Szektor Analízis (NOSZA) Program)
- Hungarian Environmental Partnership Foundation (Ökotárs Alapítvány)
- Voluntary Work Centre Foundation (Önkéntes Központ Alapítvány)
- Solidarity Youth Alternative (Szolidaritás Ifjúsági Alternatíva)
- Alliance of Social Professionals (Szociális Szakmai Szövetség)
- Alliance for the Development of Community Participation (Szövetség a Közösségi Részvétel Fejlesztéséért)
- 'Térfél' Foundation (Térfél Alapítvány)

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