

Future Generations Ombudsman

| Hungary |


CONVERGE

OVERVIEW

To a large extent as a result of advocacy and lobbying from a Hungarian non-profit organization called Védegylet (Protect the Future), and strong support from the then president of the country, László Sólyom, the office of the Parliamentary Commissioner for Future Generations was established in Hungary in 2007 when the Hungarian Parliament adopted an amendment to the bill of the 1993 Act on the Parliamentary Commissioner for Civil Rights (the 'Ombudsman Act'). The first ombudsman was elected in May 2008 and his office of about 40 people was fully set up by December 2008.

However, the status of the Future Generations Ombudsman changed as of 1st January 2012 as a result of the 2011.CXI. act on the commissioner for fundamental rights (see details below). In the following description we describe the situation as it was till 31 December 2011.



CONTEXT: THE PERCEIVED PROBLEM

The Hungarian NGO Protect the Future started its advocacy work to establish a high-level office for protecting the rights of future generations in 2000 as a solution to the absolute lack of representation and protection of the rights of future generations in Hungarian policy making.

INITIATIVE SOLUTION AND PROCESS

The primary task of the Ombudsman is to act as a kind of independent watchdog (i.e. a Parliamentary body that is independent from the Government, with no administrative power but with full access to any administrative information) to handle constitutional complaints which relate to the constitutional rights of all Hungarians to environmental protection and a healthy environment. The second task is parliamentary advocacy of public concerns. Thirdly, the office of Ombudsman is able to conceive and conduct research and studies on topics that are of potential importance to future generations, which may include sustainability-related issues. In summary, the Future Generations Ombudsman's tasks are: investigation, policy advocacy, strategy-making and research on matters of inter-generational interest.

CONTRACTION AND CONVERGENCE ELEMENTS

CONTRACTION:

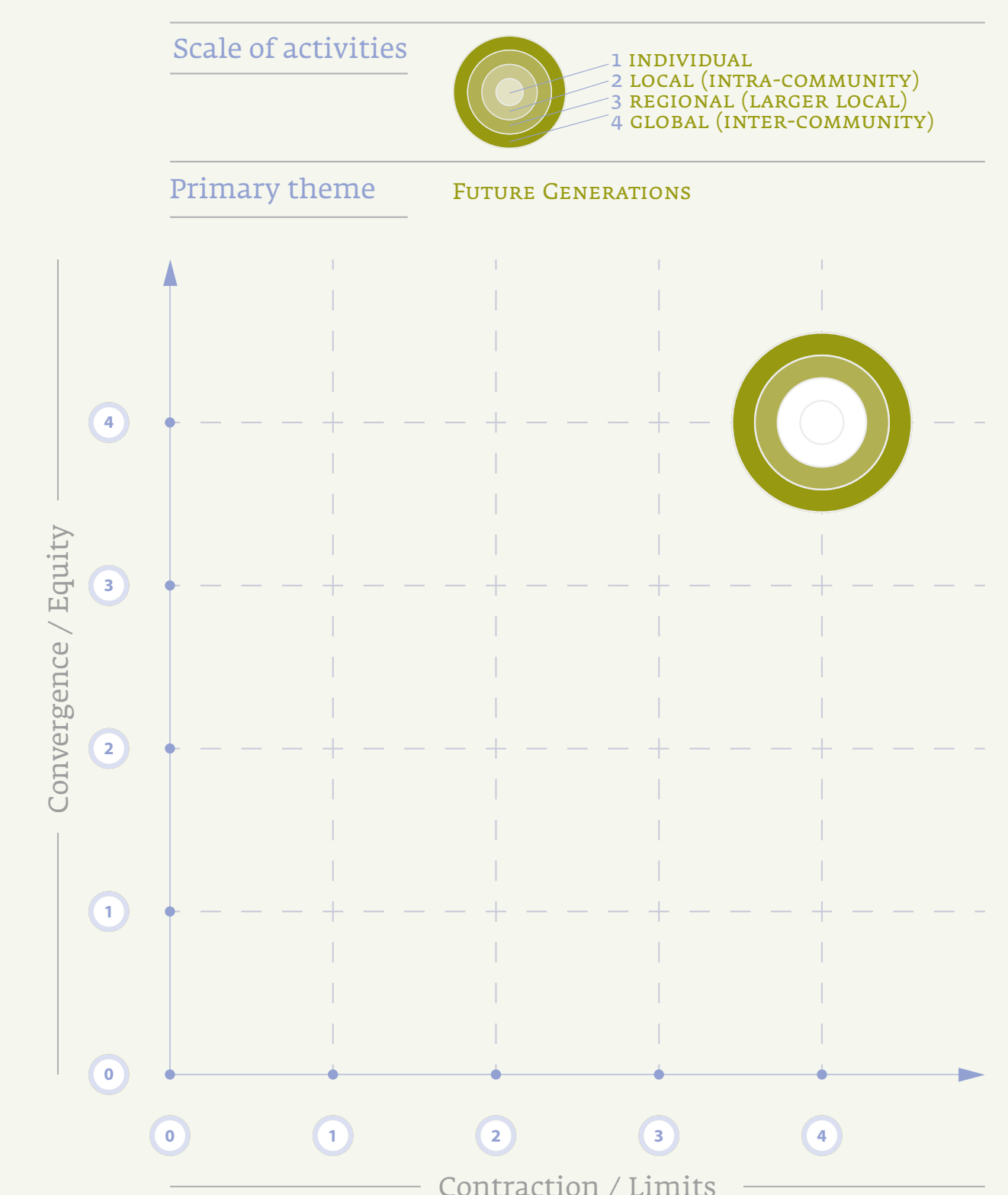
The Future Generations Ombudsman annual report for 2010 explicitly recognizes ecological limits (see REF 3 on pg. 9.). The office also initiated research into the development of ecological capital in Hungary. And although the report does not provide concrete contraction targets (indirectly, however, its major program "sustainable local communities" involves activities connected to 'smaller scale' production and consumption), it, and the activities of the office in general, actively promote the concept of resource limits and targets. They promoted the concept of "green minimums", or environmental limits that were calculated based on scientifically available data and should not be transgressed under any circumstances (see REF 2).

In order to "be the change that they want to see in the world", employees of the Future Generations Ombudsman's office monitored its environmental, social and economic performance. For example, they run a green office programme, and have proposed that an energy efficiency plan for the office be implemented that would result in the reduction of their own CO₂ emissions.

CONVERGENCE:

This initiative is explicitly focused around the principle of promoting intergenerational equity (with a specific focus on environment and sustainability) and is thus an unusual and landmark example of the intergenerational equity principle being formalised through a legal structure awarded with state-supported rights, resources and responsibilities.

Indicators have also been used to monitor the performance of the office, and several of these are related to convergence (e.g. the number of complaints dealt with, the number of legal proceedings initiated, the number of events held and initiated on the topic, the number of research projects commissioned to promote and investigate issues related to future generations, etc.).



CURRENT STATUS

As stated above, according to a new law, the ombudsman's office for future generations ceased to exist from 1st January 2012. Instead, it became part of the commissioner for fundamental rights' office. The former future generations ombudsman is now the deputy commissioner for protecting the rights of future generations and has a reduced staff of 4 people.

IMPACT

The office has had a limited impact in Hungary in so far as managing to assert influence in establishing legislation to protect the rights of future generations is concerned. However, it is a very young position and office (only 4 years "old" - and by 2012 its status had changed, as detailed above). It has nonetheless managed to investigate a great number of cases and initiate lots of activities (e.g. rejecting the privatization of public water utilities, avoiding the violation of the rights to public participation, see more details in REF 2 and 3.).

At the international level, Hungary has served as a good example according to C. Pearce at the World Futures Council, which is leading a campaign for better representation of future generations at all levels in the run up to the Rio+20 summit in 2012. The Council's proposal for "Ombudspersons for Future Generations" is partly included in the Zero Draft of the conference's outcome document. Furthermore, some countries (for example, in the UK the Environmental Law Association) have conducted studies into how the Hungarian example could serve as a model for them.

REFERENCES AND FURTHER READING:

1. Initiative website: Archived (showing the situation till 31st December 2011): <http://jno.hu/en/> Current: <http://www.obh.hu/index.htm>
2. Fülöp, S. 2011. Beszámoló a jövő nemzedékek országgyűlési biztosának 2010. évi tevékenységéről. [Report of the Hungarian Parliamentary Commissioner for Future Generations] 350 p. Available from: http://beszamolo2010.jno.hu/JNO_beszamolo_2010.pdf (Last accessed 25th April 2012)
3. Fülöp, S. 2011. Comprehensive Summary of the Report of the Hungarian Parliamentary Commissioner for Future Generations 2010. 45 p. Available from: http://jno.hu/report2010/jno_report_2010.pdf (Last accessed 25th April 2012)