The Official Position of Hungary

regarding the report adopted by OGP’s Criteria and Standards Subcommittee under the Response Policy

The Criteria and Standards Subcommittee of OGP adopted its report and recommendations under the Response Policy at the end of June 2016. The report presents in detail the claims made in the letter of concern that was submitted by four non-governmental organizations. However, the Government’s more than 20 page response letter that thoroughly examined legal and procedural questions as well is only briefly mentioned in the report. Moreover, at times the report cites statements that were not part of the Government’s response letter or takes statements from the response letter deliberately out of context.

Although several sources are referenced, the report bases its findings mainly on the letter of concern and the IRM report, furthermore, some cited sources are taken out of context. Intentionally misleading statements such as “*investigative bodies demanding access to financial and other documents and threatening sanctions for failure to cooperate*” further undermine objectivity. During an investigation or an administrative proceeding, the authorities can order evidence to be handed over or be granted access to, and the law ensures cooperation with the authorities by establishing sanctions. The same applies in every single county since the success of investigations cannot be ensured by relying on voluntarily cooperation.

For the above reasons, the report inevitably reached an unsubstantiated and one-sided, and therefore an erroneous conclusion.

The response letter previously sent to OGP explained the Government’s position on the letter of concern and the response policy in detail. But since the report almost completely overlooked the Government’s response letter, we see no reason to refute the statements of the report which were taken from the letter of concern once again.

The recommendations of OGP’s Criteria and Standards Subcommittee, similarly to its report, regrettably were not adopted as a result of a dialogue, but were proclaimed unilaterally and ultimatum like, and without justification.

Hungary joined OGP soon after it was established and has been actively participating in OGP ever since. We developed the national action plans in accordance with the relevant OGP guideline and in a timely manner, and adopted them with real commitment. Because of this and the above objections, we refuse the findings of the report. Hungary is ready to participate in a dialogue aimed at good governance, but it has to be factual, substantiated, and truly serve the purpose of good and open governance.