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„No one will be left behind” – Hungarian Ombudsman for Future Generations’ General Opinion about the Sustainable Development Goals implementation in Hungary

Abstract:

The United Nations has adopted the Sustainable Development Goals (SDGs) in 2015. The 17 Goals and 169 targets should be achieved with regards to the principles of „no one will be left behind” and „reach the furthest behind first”. This exceptionally ambitious development programme connects with human rights on several levels. The knowledge and experience of the National Human Rights Institutions (NHRIs) may prove to be highly valuable for political decision-makers when executing the SDGs; it may help to designate the right directions of development. Such NHRI in Hungary is the ombudsman and their deputies. The Commissioner for Fundamental Rights and their deputies may initiate inspections and conduct examinations on the basis of individual complaints. The revealed constitutional breaches and conclusions are published in reports. They may suggest legislative proposals and issue an informational statement to raise the awareness of the concerned public or the press. The legal basis of the operation of the Ombudsman for Future Generations, one of the deputies of the Commissioner for Fundamental Rights, is laid down in the Fundamental Law of Hungary: in Article P) – obligation to preserve the common heritage of the nation (natural resources, biodiversity, cultural heritage), Article XX (right to physical and mental health) and Article XXI (right to healthy environment). The main goal of the Ombudsman for Future Generations is to represent and protect the interests of future generations. In my article I will analyse the connection between the SDGs and human rights and also I would

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like to present a suitable practice of how NHRI can be helpful in the implementation of the SDG.

Key words: Sustainable Development Goals (SDG), National Human Rights Institutions, Hungarian Ombudsman for Future Generations

1. Introduction²

The United Nations has adopted the Sustainable Development Goals (SDGs) in 2015. The 17 goals and 169 targets should be achieved with regards to the principles of „no one will be left behind” and „reach the furthest behind first”. This exceptionally ambitious development programme connects with human rights on several levels. The knowledge and experience of the National Human Rights Institutions³ (NHRIs) may prove to be highly valuable for political decision-makers when executing the SDGs; it may help to designate the right directions of development. In this article I would like to present the Hungarian institutional protection of the rights of future generations. I would like to share our good practice regarding the SDG implementation in Hungary, in line with the SDG’s 17.14 point: „Enhance policy coherence for sustainable development”⁴. First I introduce the connections between human rights and the SDGs, after which I review the Hungarian ombudsman system and the legal basis. In the following part I deal with our work regarding the General Opinion of the Hungarian Ombudsman for Future Generations. Finally I present a suitable practice of how NHRI can be helpful in the implementation of the SDGs.

² There has not been many academic research up till now conducted in Hungary or in general in the theme of Sustainable Development Goals and the implementation of SDGs. One of the existing examples is the HOFG’s General Opinion, which is basically the original GAP Analysis. In this topic see also J. Zlinszky, B. Hidvéghiné Pulay, M. Szigeti Bonifert, *Implementation of the Sustainable Development Goals – experience transfer from central and eastern european countries to the EU*, Iustum Aequum Salutare 2018, XIV, 4, p. 141–155, http://ias.jak.ppke.hu/hir/ias/20184sz/11_Zlinszky_etalii_IAS_2018_4.pdf, 29.07.2019; L. Pintér, D. Almássy, E. Antonio, S. Hatakeyama, I. Niestroy, S. Olsen, G. Pulawska, *Sustainable Development Goals and Indicators for a Small Planet, Part I: Methodology and Goal Framework*, Singapore 2014, https://www.asef.org/images/stories/publications/ebooks/ASEF_Report_Sustainable-Development-Goals-Indicators_01.pdf, 27.07.2019; L. Pintér, D. Almássy, S. Hatakeyama, *Sustainable Development Goals and Indicators for a Small Planet Part II: Measuring Sustainability*, Singapore 2014, https://www.asef.org/images/stories/publications/documents/ENVforum-Part_II-Measuring_Sustainability.pdf, 27.07.2019.

³ National Human Rights Institutions (NHRIs) are state-mandated bodies, independent of government, with a broad constitutional or legal mandate to protect and promote human rights at the national level. NHRIs address the full range of human rights, including civil, political, economic, social and cultural rights. In 1993 adopted The United Nations’ the Paris Principles. This Principles set out the minimum standards required by national human rights institutions to be considered credible and operate effectively. See the Paris Principles: <https://www.un.org/ruleoflaw/files/PRINCI~5.PDF>, 24.07.2019. See more about NHRI: <https://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>, 27.07.2019.

⁴ *Transforming our world: the 2030 Agenda for Sustainable Development* (in following: Agenda 2030), https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E, 27.06.2019.

2. Development

2.1. The right to healthy environment at international level

When reflecting on human rights and environmental protection, it is important to realise one significant deficiency in the international regulation: namely, that the right to a healthy environment was not included in the international human rights treaties. In cases concerning applications with the subject of environmental harms the European Court of Human Rights derives its decision from the right to life, the protection of property and private home. This is represented very well in the case *Lopez Ostra versus Spain*. In this case the Court referred, among others, to the Article 8 of the Convention, which provides: „1. Everyone has the right to respect for his private and family life, his home and his correspondence. 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others”⁵.

51. „Naturally, severe environmental pollution may affect individuals’ well-being and prevent them from enjoying their homes in such a way as to affect their private and family life adversely, without, however, seriously endangering their health. In both contexts regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole, and in any case the State enjoys a certain margin of appreciation”.

58. „Having regard to the foregoing, and despite the margin of appreciation left to the respondent State, the Court considers that the State did not succeed in striking a fair balance between the interest of the town’s economic well-being – that of having a waste-treatment plant – and the applicant’s effective enjoyment of her right to respect for her home and her private and family life”⁶.

Among others, thanks to the active role of the European Court of Human Rights, the human rights guarantees have been a useful legal tool in the enforcement of environmental protection since the 1990s. Nowadays, we can see that the right to a healthy environment can benefit people in the present (individually and collectively) and future generations⁷.

2.2. The SDGs

Since 1987 it has been unquestionable that sustainable development⁸ needs human rights as prerequisites. The concept of the sustainable development is an international

⁵ European Convention on Human Rights, Rome, 4th November 1950.

⁶ *Lopez Ostra vs. Spain*, 41/1993/436/515, Application no. 16798/90.

⁷ *Human Rights and Sustainability – Moral responsibilities for the future*, ed. G. Bos, M. Düwell, London and New York 2016, p. 47.

⁸ „Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs” – Brundtland Report, *Our Common Future*.

construction, firstly appeared in international law⁹. Vice-President Weeramantry’s Separate Opinion in *Gabcikovo – Nagymaros case* stated: „The principle of sustainable development is thus a part of modern international law by reason not only of its inescapable logical necessity, but also by reason of its wide and general acceptance by the global community”¹⁰. The development then will be sustainable, if intergenerations (environmental protection) and intragenerations (fair economy and social development) equity is insured¹¹. Furthermore, environmental protection is a prerequisite to every human right and to the wider concept of human dignity. These thoughts were also instrumental in the concept of the 2030 Agenda for Sustainable Development. The Agenda 2030, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 SDGs, which are an urgent call for action by all countries – developed and developing – in a global partnership. They recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests. The 17 goals and 169 targets should be achieved with regards to the principles of „no one will be left behind” and „reach the furthest behind first”. This exceptionally ambitious development programme connects with human rights on several levels. This Agenda is determined to end poverty and hunger, in all their forms and dimensions, and to ensure that all human beings can achieve their potential in dignity and equality, and in a healthy environment¹². It is also determined to protect the planet from degradation, including through sustainable consumption and production, sustainably managing its natural resources and taking urgent action on climate change, so that it can support the needs of the present and future generations¹³. The interlinkages and integrated nature of the SDGs are of crucial importance in ensuring that the purpose of the new Agenda is realized. This Agenda has a transformational vision¹⁴. It is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome. It is informed by other instruments such as the Declaration on the Right to Development¹⁵. This Agenda reaffirms the outcomes of all major United Nations conferences and summits, which have laid

⁹ G.M. Durán, E. Morgera, *Environmental Integration in the EU’s External Relations*, Hart Publishing, 2012, p. 34–35.

¹⁰ International Court of Justice Reports of Judgments, Advisory Opinions and Orders Case Concerning The Gabcikovo-Nagymaros Project (Hungary/Slovakia) Judgment of 25th September 1997, *Republic of Hungary vs. Slovak Republic*, Separate Opinion of Vice-President Weeramantry, p. 92.

¹¹ V. Barral, *Sustainable Development in International Law: Nature and Operation of an Evolutive Legal Norm*, The European Journal of International Law 2012, vol. 23, no. 2, p. 380.

¹² Agenda 2030, Preamble/ People.

¹³ Agenda 2030, Preamble/ Planet.

¹⁴ Agenda 2030, Preamble/ Partnership.

¹⁵ Agenda 2030, Declaration 10 (Our shared principles and commitments).

a solid foundation for sustainable development and have helped to shape the new Agenda. These include the Rio Declaration on Environment and Development, the World Summit on Sustainable Development, the World Summit for Social Development, the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the United Nations Conference on Sustainable Development¹⁶. The governments have the primary responsibility for follow-up and review made in implementing the SDGs until 2030. The Governments must make a Voluntary National Review to the High-level Political Forum¹⁷. The indicators are also important to assist the executing work. Quality, accessible, timely and reliable disaggregated data will be needed to help with the measurement of progress and to ensure that no one is left behind¹⁸.

2.3. Hungarian ombudsman system and the legal basis

The knowledge and experience of the NHRIs may prove to be highly valuable for political decision-makers when executing the SDGs; it may help to designate the right directions of development. Such NHRI in Hungary is the ombudsman and their deputies. The mandate of the Commissioner for Fundamental Rights and their office is determined by Article 30 of the Fundamental Law of Hungary adopted in 2011 and based on Act CXI of 2011 on the Commissioner for Fundamental Rights (in following: Act), both having entered into force on 1st January 2012. Based on 2. § (2) of the Act the Commissioner for Fundamental Rights in the course of their activities shall pay special attention, especially by conducting proceedings ex officio, to the protection of the rights of the child, the values determined in Article P) of the Fundamental Law (hereinafter referred to as „the interests of future generations”), the rights determined in Article XXIX of the Fundamental Law (hereinafter referred to as „the rights of nationalities living in Hungary”) and the rights of the most vulnerable social groups. Based on 18. § (1) of the Act anyone can turn to the Commissioner for Fundamental Rights if, in their judgment, the activity or omission of among others the public administration organ, the local government, the public body with mandatory membership and an organ performing public services („authority”) infringes a fundamental right of the person submitting the petition or presents an imminent danger thereto („impropriety”), provided that this person has exhausted the available administrative legal remedies, not including the judicial review of an administrative decision, or that no legal remedy is available to them.

As stated in 18. § (3) of the Act the Commissioner may not conduct inquiries into the activities of the Hungarian Parliament, President of the Republic, Constitutional Court, State Audit Office, courts and Prosecution Service, with the exception of its investigative service.

¹⁶ Agenda 2030, Declaration 11 (Our shared principles and commitments).

¹⁷ Agenda 2030, Declaration 47 (Follow-up and review).

¹⁸ Agenda 2030, Declaration 48 (Follow-up and review).

The Commissioner can conduct *ex officio* proceedings in order to terminate such improprieties related to fundamental rights, which have arisen in the course of the activities of the authorities. *Ex officio* proceedings may be aimed at conducting an inquiry into improprieties affecting not precisely identifiable larger groups of natural persons, or at conducting a comprehensive inquiry into the enforcement of a fundamental right, under 18. § (4) of the Act.

Based on 2. § (2) of the Act the Commissioner gives an opinion on the draft rules of law affecting their tasks and competences; on long-term development and land management plans and concepts, and on plans and concepts otherwise directly affecting the quality of life of future generations. The same section says that the Commissioner also makes proposals for the amendment or making of rules of law affecting fundamental rights and/ or the recognition of the binding nature of an international treaty. Based on 2. § (3) of the Act the Commissioner may initiate the review of rules of law at the Constitutional Court as to their conformity with the Fundamental Law. In the course of their activities, the Commissioner cooperates with organisations aiming to promote of the protection of fundamental rights, as stated in 2. § (5) of the Act. Furthermore, the Commissioner participates in the preparation of national reports based on international treaties, relating to their tasks and competences, and monitors and evaluates the enforcement of these treaties under Hungarian jurisdiction, pursuant to 2. § (4) of the Act.

Sustainable Development relies on responsibility to equity with future generations¹⁹. The cost and benefits of every project depends of the perspective of the present generations²⁰. In these days most legal systems recognize that the future generations have rights too, these rights have meaning only if we, the living, respect them²¹. The theory of intergenerational equity based that all generations have an equal place in relation to the natural system, and that there is no claim for preferring past, present or future generations in relation to the system²².

There are three normative principles of intergenerational equity. First, each generation must conserve options. (...) Second, each generation should be required to maintain the quality of the planet so that it is passed on in a condition no worse than that in which it was received. (...) The same notion underlies the difference here. Third, each generation should provide its members with equitable rights of access to the legacy of past generations and conserve this access for future generations²³.

This principle mean guidance but do not assess how each generation should manage its resources²⁴. Among others based on this principles somehow is necessary appearer

¹⁹ E. Brown Weiss, *In Fairness To Future Generations and Sustainable Development*, American University International Law Review 1992, vol. 8, issue 1, p. 19.

²⁰ *Ibidem*.

²¹ *Ibidem*, p. 20.

²² *Ibidem*, p. 20.

²³ *Ibidem*, p. 22–23.

²⁴ *Ibidem*, p. 23.

the viewpoint of future generations in the legal system. In the protection of future generations' interest the diversity of forms and causes of short-termism invites a diversity of institutional answers²⁵. In Hungary this mission belongs to the Hungarian Ombudsman for Future Generations (HOFG). The Commissioner has two deputies, one of which is the HOFG. The HOFG is entrusted with a number of special powers provided under the Act to foster the interests and needs of future generations. Its constitutional mandate has two main pillars: the human right to a healthy environment²⁶, the right to physical and mental health²⁷ and a novel provision under Article P)²⁸ enshrined in the Fundamental Law since 2011 stipulating the 'common heritage of the nation'. It provides that „all natural resources constitute the common heritage of the nation and thus shall be preserved, maintained and protected by the state and by every citizen for the benefit of future generations”. Based on such constitutional language, in the practice of the HOFG the „interests of future generations” are understood as issues relating to mainly environmental interests and cultural heritage protection²⁹. Based on 3. § (1) of the Act the HOFG is responsible for the protection of the interests of future generations, shall monitor the enforcement of the interests of future generations, and shall regularly inform the Commissioner, the institutions concerned and the public of their experience regarding the enforcement of the interests of future generations. The HOFG shall draw the attention of the Commissioner, the institutions concerned and the public to the danger of infringement of rights affecting a larger group of natural persons, the future generations in particular. The HOFG may propose that the Commissioner instituted proceedings *ex officio*. The HOFG shall participate in the inquiries of the Commissioner and may propose that the Commissioner turned to the Constitutional Court. The HOFG shall monitor the implementation of the sustainable development strategy adopted by the Parliament, and may propose the adoption, amendment of legislation on the rights of future generations. Last but not least the HOFG shall promote, through their international activities, the presentation of the merits of domestic institutions related to the interests of future generations.

As we see, the powers of HOFG include conducting investigations into maladministration complaints and environmental nuisance claims on the basis of citizen's

²⁵ *Institutions for Future Generations*, ed. A. Gosseries, I. Gonzalez-Ricoy, Oxford, New York 2017, p. 7.

²⁶ See Fundamental Law Article XXI.

²⁷ See Fundamental Law Article XX.

²⁸ „(1) Natural resources, particularly arable land, forests and water resources, as well as biological diversity, in particular native plant and animal species and cultural values shall comprise the nation's common heritage; responsibility to protect and preserve them for future generations lies with the State and every individual.

(2) The regulations relating to the acquisition of ownership of arable land and forests, including the limits and conditions of their use for achieving the objectives set out under Paragraph (1), and the rules concerning the organization of integrated agricultural production and on family farms and other agricultural holdings shall be laid down in an implementing act”.

²⁹ Based on Fundamental Law Article P, Article XX and Article XXI.

complaints or by launching ex officio investigation into environmental pollution cases. The HOFG’s proceedings are concluded with a report containing recommendations to the public authority for the sake of full compliance with the constitutional provisions. Noncompliant authorities would be listed in the Annual Report of the Ombudsman, which is submitted to the Parliament. The HOFG may submit legislative proposals to the legislature suggesting new laws or amendments to existing ones. The HOFG may also intervene in court proceedings concerning the judicial review of environmental permits. They can issue general opinions to promote the effective realization of the interests of future generations. Lastly, the HOFG may propose the Commissioner for Fundamental Rights to challenge the constitutionality of any act that is believed to be in violation of the right to a healthy environment or Article P) of the Fundamental Law.

2.4. The HOFG’s General Opinion

The HOFG uses a General Opinion as a tool for investigating and analysing a systemic problem or challenging matter and raising public attention to such. The HOFG’s involvement in the SDG implementation process stems from the fact that the Ombudsman’s reports are relevant for the national implementation in many ways.

Firstly, due to its human rights based mandate, the HOFG has experience with translating general human rights objectives to specific recommendations, an exercise which is an essential feature of the implementation of the SDGs as well³⁰. It is important to see, just like human rights standards, the Agenda also sets aspirational and often abstract goals while the national implementation of the SDGs calls for exact, well-defined measures³¹. The HOFG’s recommendations can assist the government in translating holistic SDG objectives into exact implementation steps, since it expressly identifies those policies that are necessary in order to fully observe human rights standards and corresponding SDGs³².

Secondly, the recommendations of the HOFG can help the government to identify those vulnerable groups that should be first targeted in the SDG’s implementation process³³. Taking into account the HOFG’s recommendations can ensure that the national implementation of the SDGs complies with the Agenda’s requirement to „reach out for the furthest behind first”³⁴.

Thirdly, the national implementation of the Agenda ultimately calls for new legislation or changes in the ways in which existing laws are applied by public authorities³⁵.

³⁰ Summary of the Hungarian NHRI’s engagement with the SDGs Promoting Ambitious National Implementation of the SDGs by the Hungarian Ombudsman for Future Generations, p. 2 (in following: HOFG’s General Opinion), www.ajbh.hu/documents/14315/2872607/Summary+of+HNHRI+-+OFG+engagement+with+the+SDGs/937ca9ea-cdf8-81f6-a245-1cc5302e4c68, 28.06.2019.

³¹ HOFG’s General Opinion, p. 2.

³² HOFG’s General Opinion, p. 2.

³³ HOFG’s General Opinion, p. 2.

³⁴ HOFG’s General Opinion, p. 2.

³⁵ HOFG’s General Opinion, p. 2.

In its reports, the HOFG makes recommendations exactly to that effect: they can recommend legislative steps or advocate for changes in the interpretation and the application of existing laws³⁶. Hence, the HOFG's recommendations can be seen as readily available guidelines for the Government in selecting necessary implementation steps³⁷. Against this background, at the end of 2017 the HOFG issued a General Opinion aiming to support the effective and ambitious implementation of the SDGs in Hungary³⁸. The General Opinion emphasized that national SDG implementation should be inextricably linked to constitutional human rights standards to be in line with the spirit of Agenda 2030³⁹. The HOFG summarized the most relevant recommendations from their case practice to serve as a guideline for the Government in designing ambitious targets and the overall focus of the national implementation of the SDGs⁴⁰. The General Opinion also offers new national indicators to many Goals to assist in the measurability of the implementation⁴¹.

As to its scope, this General Opinion zoomed in on the goals that were in the focus of the 2018 session of the HLPE, which goals coincide with the special expertise of HOFG in the field of environmental advocacy: Goal 6 (ensure availability and sustainable management of water and sanitation for all), Goal 7 (ensure access to 3 affordable, reliable, sustainable and modern energy for all), Goal 11 (make cities and human settlements inclusive, safe, resilient and sustainable), Goal 12 (ensure sustainable consumption and production patterns) and Goal 15 (protect, restore and promote sustainable use of terrestrial ecosystems).

The General Opinion identifies ca. 60 measures and policy changes that are most urgent for realizing the above goals in an ambitious way. These recommendations have been included in previous reports of the HOFG addressed to various authorities or agencies. The General Opinion reiterates them and links each of them to a specific SDG target to reveal the interrelations of the SDGs and domestic human rights requirements⁴². It also highlights when a certain recommendation relates to more than one SDG target thereby raising awareness on the interconnectedness of the SDGs⁴³. The General Opinion also identifies a handful of possible new, national human rights-based indicators, which could measure the progress of national implementation⁴⁴. The table on page 102 provides one example of a summary of the most important recommendations as to the key steps needed in the national implementation.

³⁶ HOFG's General Opinion, p. 2.

³⁷ HOFG's General Opinion, p. 2.

³⁸ HOFG's General Opinion, p. 2.

³⁹ HOFG's General Opinion, p. 2.

⁴⁰ HOFG's General Opinion, p. 2.

⁴¹ HOFG's General Opinion, p. 2.

⁴² HOFG's General Opinion, p. 3.

⁴³ HOFG's General Opinion, p. 3.

⁴⁴ HOFG's General Opinion, p. 3.

The identification of groups left behind is a clear objective and guaranteed outcome of the daily work of the Hungarian NHRI⁴⁵. It is important to mention that in an effort to reach out and allow for a direct submission of citizens complaints of potential human rights infringements, the Hungarian NHRI holds on-site events in the countryside for those citizens who are restricted in the enforcement of their rights (on account of their financial position, age, level of education or some kind of disability, etc.) several times a year⁴⁶.

The HOFG stressed that in selecting the focus areas for national implementation, the Government should consider the following aspects:

- a) beside short-term policies, it is essential to prepare comprehensive action plans, which can yield long-term positive changes⁴⁷,
- b) when designating priority areas for national implementation, it is important to have a systematic approach, i.e. targeting Goals that can trigger a positive snowball effect arising from the holistic nature of the SDGs⁴⁸,
- c) the Agenda puts a lot of emphasis on monitoring the progress of the implementation. Effective monitoring can only be carried out if we have accurate data and knowledge about the starting situation as well as the problems to be solved, hence data collection and maintenance by national authorities is essential⁴⁹.

In the preparation of the General Opinion, the HOFG consulted with the Chair of the National Statistical Office⁵⁰ (who was closely involved in the preparation of the UN Global Indicator List being a co-chair of the UN High-level Group for Partnership, Coordination and Capacity-Building for post-2015 monitoring) and in the General Opinion the global indicators were also taken into account when formulating suggestions regarding potential national indicators. The report was sent to the National Statistical Office, the State Audit Office (which was preparing to conduct an internationally

⁴⁵ Summary of the Hungarian NHRI’s engagement with the SDGs, for GANHRI upon its request for identifying NHRIs experiences, best practices and challenges in SDG implementation, monitoring and measurement, with a focus on Goal 16, p. 3 (in following: NHRIs experiences, best practices and challenges in SDG implementation), <https://www.ajbh.hu/documents/14315/2872607/Summary+of+the+Hungarian+NHRI%27s+engagement+with+the+SDGs/e3aa1667-4c81-cd5a-2571-ba4a80a978e1>, 28.06.2019.

⁴⁶ NHRIs experiences, best practices and challenges in SDG implementation, p. 3.

⁴⁷ NHRIs experiences, best practices and challenges in SDG implementation, p. 5.

⁴⁸ NHRIs experiences, best practices and challenges in SDG implementation, p. 5.

⁴⁹ NHRIs experiences, best practices and challenges in SDG implementation, p. 5.

⁵⁰ The Hungarian Central Statistical Office (HCSO) is a government office. Main task of the HCSO is designing and conducting surveys, recording, processing and storing data, data analyses, and dissemination, protection of individual data. The HCSO provides data for the parliament and public administration, social organizations, local authorities, scientific bodies, economic organizations, the general public and the media as well as for international organizations and users abroad. Official data regarding the socio-economic situation as well as the changes in the population of the country are published by the HCSO. The President of the HSCO is dr. Gabriella Vukovich. The legal basis of the HCSO is the Act CLV of 2016 on Official Statistic.

coordinated performance audit on the preparatory works for the national implementation of the SDGs), various Ministries, including the Ministry of Foreign Affairs.

See we one example from the General Opinion:⁵¹

SDG TARGET 12 – ENSURE SUSTAINABLE CONSUMPTION AND PRODUCTION PATTERNS –
RECOMMENDATIONS AS TO THE IMPLEMENTATION STEPS NEEDED
(BASED ON THE OMBUDSMAN’S PRACTICE)⁵²

12.4. By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment.	<p>1. In the case of the universal environmental licensing procedure, for activities involving hazardous substances, the County Disaster Management Directorate, in cases of exceeding the threshold, the National Directorate General for Disaster Management should be involved in the permitting process.</p> <p>2. The existing legal obligation to provide collateral security or the liability insurance system should be effectively implemented and enforced.</p>
12.5. By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse.	<p>1. The framework for applicable fines relating to illegal waste dumping should be transparent, immediate and of an amount capable of having a deterrent effect.</p> <p>2. The legislator should create consistency between the various types of fines relating to illegal waste dumping.</p> <p>3. A ministerial decree on the payment of public utilities in waste management should be enacted, in which the amount of the fee is proportional to the amount of waste produced.</p>
12.7. Promote public procurement practices that are sustainable, in accordance with national policies and priorities.	<p>1. Green public procurement procedure should be developed, implemented and operated.</p>
12.8. By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature.	<p>1. The amount of food additives should also be indicated on food labels, next to their name and category.</p> <p>2. To facilitate the realization and promotion of a sustainable consumer lifestyle, awareness campaign and educational trainings should be put in place.</p>

⁵¹ See more Goals: HOFG’s General Opinion.

⁵² The table is own editing.

2.5. The NHRIs involvement in the VNR process

In March 2018 the Government asked for the HOFG’s input in the VNR process, undertaken by Hungary for the HLPF’s session in July 2018. The HOFG prepared a summary report which later formed an annex to the Government’s VNR report in which it summarized the most important recommendations that were stressed in the General Opinion. Also worth mentioning is that the Government reiterated our main message stressing the importance of building the SDGs and targets on the principles of guaranteeing human rights, solidarity and global partnership. The HOFG emphasized that as a part of SDG implementation in Hungary, in addition to the short-term public policies bearing fast and spectacular results, those long-term strategic steps that require more comprehensive modifications being independent from government election terms should also be prepared⁵³. He also highlighted that Agenda 2030 lays great emphasis on the measurability of progress, calling attention to the importance to have accurate data and knowledge on the initial situation and the problem to be solved⁵⁴.

The HOFG hosts the secretariat of the Network of Institutions for Future Generations (NIFG), an independent, non-formal network of national institutions worldwide working to protect the interests of future generations. A report of the former UN Secretary General, Ban Ki-moon, issued in 2013, entitled *Intergenerational Solidarity and the Needs of Future Generations*⁵⁵, listed 8 national institutions aimed at safeguarding the interest of future generations as noteworthy model institutions, which report inspired communication between such institutions and the establishment of NIFG. NIFG was founded in 2014 in Budapest by the institutions highlighted in the UN Secretary General’s 2013 report as ‘model institutions’ working to realise intergenerational equity in everyday policy-making. NIFG works towards ensuring that the interests, rights and well-being of future generations are endorsed by decision-makers; it shares best practices among existing institutions and grassroots initiatives, and strives to build capacity and promote the establishment of similar local, regional and national institutions. In June 2019 NIFG published a Discussion Paper entitled *Looking to 2030 and Beyond – How Institutions for Future Generations Can Assist in SDG Implementation*⁵⁶. NIFG would like to highlight how various institutions representing the interests, rights and well-being of future generations are unique and important assets in national and international long-term governance as well as how they can specifically be useful enablers in the implementation of the SDGs.

⁵³ *Report on the Activities of the Commissioner for Fundamental Rights and his Deputies 2018*, p. 54 (in following: Report), www.ajbh.hu/documents/14315/2993057/Report+on+the+Activities+of+the+Commissioner+for+Fundamental+Rights+and+his+Deputies+2018/ef5f4ffa-ef99-8cf8-e4d3-47ebb39b1026, 28.06.2019.

⁵⁴ Report, p. 54.

⁵⁵ <https://sustainabledevelopment.un.org/content/documents/2006future.pdf>, 28.06.2019.

⁵⁶ *Looking to 2030 and Beyond – How Institutions for Future Generations Can Assist in SDG Implementation*, <http://futurroundtable.org/documents/2238847/3008114/SDG+Policy+Paper/88e3ec40-c4ae-9f93-1c94-b2862121c593>, 28.06.2019.

3. Conclusion

The goal of the execution of Agenda 2030 is to transform our world, reduce inequalities within and between countries. It is now clear that our current tendencies are unsustainable, hence the need to put humanity on a more sustainable track in economic, environmental and social sense as well. The National Human Rights Institutions, such as the Ombudsman, are highly suitable to help enforce the SDGs, because the protection of the most vulnerable groups is one of its basic tasks. Therefore they are well placed to identify these groups, on which the national governments should focus in the course of the implementation. They can actively contribute to the implementation of an SDG, as demonstrated by our national example. Sharing experiences has a major role to play, as it contributes greatly to the successful implementation of the goals. It is no coincidence that the OECD devotes attention and reports to promote a coherent political attitude to sustainable development⁵⁷.

The intention of this article was to present the Ombudsman for Future Generations and the Commissioner for Fundamental Rights in Hungary in general, as well as to demonstrate a good practice, namely the contribution to the Voluntary National Review.

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„Nikt nie zostanie pominięty” – opinia węgierskiego Rzecznika Praw Przyszłych Pokoleń na temat implementacji na Węgrzech Celów Zrównoważonego Rozwoju

Organizacja Narodów Zjednoczonych przyjęła Cele Zrównoważonego Rozwoju (Sustainable Development Goals, SDG) w 2015 r. 17 celów i 169 zadań należy osiągnąć w odniesieniu do zasad „nie pominąć nikogo” i „dotrzeć w pierwszej kolejności do tych, którzy najbardziej tego potrzebują”. Ten wyjątkowo ambitny program rozwoju powiązany jest z prawami człowieka na kilku poziomach. Wiedza i doświadczenie krajowych instytucji praw człowieka (National Human Rights Institutions, NHRI) mogą okazać się bardzo cenne dla decydentów politycznych podczas realizacji celów zrównoważonego rozwoju; mogą pomóc w wyznaczeniu właściwych kierunków rozwoju. Taką instytucją na Węgrzech jest rzecznik i jego zastępcy. RPO i jego zastępcy mogą inicjować inspekcje i przeprowadzać kontrole na podstawie indywidualnych skarg. Ujawnione naruszenia konstytucyjne i wnioski są publikowane w sprawozdaniach. RPO i zastępcy mogą zasugerować propozycje legislacyjne i wydawać oświadczenia informacyjne w celu podniesienia świadomości zainteresowanej opinii publicznej lub prasy. Podstawa prawna działania Rzecznika Praw Przyszłych Pokoleń, jednego z zastępców RPO, została ustanowiona w węgierskiej ustawie zasadniczej: w art. P – obowiązek zachowania wspólnego dziedzictwa narodu (zasoby naturalne), różnorodność

⁵⁷ Policy Coherence for Sustainable Development 2018 – Towards Sustainable and Resilient Societies, Published on 28th May 2018, <http://www.oecd.org/about/sge/policy-coherence-for-sustainable-development-2018-9789264301061-en.htm>, 22.06.2019; Policy Coherence for Sustainable Development 2017 – Eradicating Poverty and Promoting Prosperity, Published on 29th May 2017, <https://www.oecd.org/publications/policy-coherence-for-sustainable-development-2017-9789264272576-en.htm>, 22.06.2019.

biologiczna, dziedzictwo kulturowe, art. XX – prawo do zdrowia fizycznego i psychicznego i art. XXI – prawo do zdrowego środowiska. Głównym celem Rzecznika Praw Przyszłych Pokoleń jest reprezentowanie i ochrona interesów przyszłych pokoleń. W moim artykule przeanalizuję związek pomiędzy Celami Zrównoważonego Rozwoju a prawami człowieka. Chcę również przedstawić odpowiednią praktykę, w ramach której krajowe instytucje praw człowieka mogą być pomocne we wdrażaniu Celów.

Słowa kluczowe: cele zrównoważonego rozwoju (SDG), krajowe instytucje praw człowieka, węgierski rzecznik praw obywatelskich dla przyszłych pokoleń