Resolution on the recent political developments in Hungary

2012/2511(RSP) - 16/02/2012 - Text adopted by Parliament, single reading

The European Parliament adopted by 315 votes to 263 against with 49 abstentions a resolution on the recent political developments in Hungary.

The resolution was tabled by the S&D, ALDE, Greens/EFA and GUE/NGL groups.

It expresses **serious concern at the situation in Hungary** in relation to the exercise of democracy, the rule of law, the respect and protection of human and social rights, the system of checks and balances, equality and non-discrimination. Members recall that Parliament in its resolution of 5 July2011 criticized certain provisions of Hungary's new constitution which was adopted on 18 April 2011. They note that the adoption of the cardinal laws raised concerns in a number of fields, notably the independence of the judiciary, the independence of the central bank, the independence of the data protection authority, fair conditions of political competition and political alternation, as well as the so-called stability law subjecting the income tax system to a two-thirds majority and the cardinal laws giving exclusive right to the current majority to appoint officials for an unusually long term, thus affecting the ability of future governments to govern.

In the joint interest of Hungarian citizens and the European Union, Parliament **calls on the Hungarian Government to comply with the recommendations, objections and demands of the European Commission, the Council of Europe and the Venice Commission** regarding the aforementioned issues and amend the laws concerned, respecting the basic values and standards of the European Union.

It calls on the European Commission as guardian of the Treaties to monitor closely the possible amendments and the implementation of the said laws and their compliance with the letter and spirit of the European Treaties and **to conduct a thorough study to ensure**:

- the full independence of the judiciary, in particular ensuring that the National Judicial Authority, the Prosecutor's Office and the courts in general are governed free from political influence, and that the mandate of independently-appointed judges cannot be arbitrarily shortened;

- that the regulation of the Hungarian National Bank abides by European legislation;

- that the institutional independence of data protection and freedom of information is restored and guaranteed by the letter and the implementation of the relevant law;

- that the right of the Constitutional Court to review any legislation is fully restored, including the right to review budgetary and tax laws;

- that the freedom and pluralism of the media is guaranteed by the letter and the implementation of the Hungarian Media Law, especially with regard to the participation of civil and opposition representatives in the Media Council;

- that the new electoral law meets European democratic standards and respects the principle of political alternation;

- that the right to exercise political opposition in a democratic way is ensured both within and outside institutions;

- that the law on churches and religious denominations will respect the basic principles of the freedom of conscience;

- and refrain from subjecting the registration of churches to the approval of a two-thirds majority in the Hungarian Parliament.

Members want the European Parliament's Committee on Civil Liberties, Justice and Home Affairs, in cooperation with the European Commission, the Council of Europe and the Venice Commission, to follow up the issue of whether and how the recommendations of the Commission and the European Parliament set out above have been implemented and to present its findings in a report. Furthermore, Parliament instructs its own Conference of Presidents to consider whether to activate necessary measures, including measures pursuant to Article 74e of the Rules of Procedure and Article 7(1) TEU, which is used to determine whether there is a clear threat of a **serious breach of the common values of the EU.**

Lastly, Parliament calls on the European Commission to request the opinion of the Venice Commission on the legislative package consisting of the new Constitution, the Transitional Provisions and the cardinal laws as a whole and continue working together on these matters with the Council of Europe.