Situation in Hungary

2017/2131(INL) - 04/07/2018 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted a report (Initiative - Rule 45 and 52 of the Rules of Procedure) by Judith SARGENTINI (Greens/EFA, NL) on a proposal calling on the Council to determine, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded.

The Union is founded on **the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights,** including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

The EU has the task of **safeguarding these common values** by making use of the process under Article 7 TEU. It can assess the existence of a clear risk of a serious breach of the common values in areas falling under Member States' competences.

The committee considered that **Hungary is at risk of seriously breaching the values of the European Union.** This motion for a resolution sets out a series of facts and trends which, taken together, represent a systemic threat to the values of Article 2 of the EU Treaty and constitute a clear risk of serious breach of it.

The Hungarian authorities have consistently been ready to discuss the legality of any specific measure but failed to take all the actions recommended in Parliament's previous resolutions. In its resolution of 17 May 2017 on the situation in Hungary, Parliament stated that the current situation in Hungary represents a clear risk of a serious breach of the values referred to in Article 2 TEU and warrants the launch of the Article 7(1) TEU procedure.

Members consider that it is necessary to request the Council to come forward with appropriate measures to restore inclusive democracy, the rule of law and respect for fundamental rights in Hungary. Accordingly, they propose that the European Parliament submit **a reasoned proposal to the Council, inviting the Council to determine whether there is a clear risk of a serious breach by Hungary of the values referred to in Article 2 TEU** and to address appropriate recommendations to Hungary in this regard.

Their main concerns relate particularly to the following:

- the functioning of the constitutional and electoral system;
- the independence of the judiciary and of other institutions;
- the rights of judges;
- corruption and conflicts of interest;
- privacy and data protection and freedom of expression;
- academic freedom;
- freedom of religion;
- the right to equal treatment;
- the rights of persons belonging to minorities, including Roma and Jews, and protection against hateful statements against such minorities;
- the fundamental rights of migrants, asylum seekers and refugees;
- economic and social rights.

The draft resolution recalled that the accession of Hungary, which requires respect for and the promotion of the values referred to in Article 2, was a voluntary act based on a sovereign decision, with a broad consensus across the Hungarian political spectrum.