Situation in Hungary

2017/2131(INL) - 12/09/2018 - Text adopted by Parliament, single reading

The European Parliament adopted by 448 votes to 197, with 48 abstentions, a resolution 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 European Union is based on common values enshrined in Article 2 of the EU Treaty and reflected in the EU Charter of Fundamental Rights. These values include respect for democracy, equality, the rule of law and human rights, including the rights of persons belonging to minorities.

The European Union's mission is to **safeguard these common values** through the process provided for in Article 7 of the EU Treaty. This is the preventive phase of the procedure, which provides for a dialogue with the Member State concerned and is intended to avoid possible sanctions.

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. While the Hungarian authorities have consistently been ready to discuss the legality of any specific measure, the situation has not been addressed and many concerns remain.

This resolution lists a series of facts and trends that constitute a **clear risk of a serious breach of the Union's values**. Consequently, Parliament submitted to the Council, in accordance with Article 7(1) of the Treaty on European Union, a **reasoned proposal** 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.

The 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.

Parliament recalled that the accession of Hungary to the EU, 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.