



Brussels, 4 April 2019

RE: General Affairs Council's response to the situation in Hungary

Dear Minister,

On 9 April, the General Affairs Council will hold another exchange of views on the state of play of the Article 7(1) TEU procedure concerning Hungary. It will be the fifth time the Council addresses the situation in Hungary in this format since the adoption of the [European Parliament's reasoned proposal](#) on 12 September 2018. However, no discussion has been held to date on the substantial matters raised therein.

Given that the situation in Hungary continues to deteriorate, but Member States have yet to take any tangible steps to address the issues that warranted the activation of the Article 7(1) TEU procedure, we urge your government to move the procedure forward by calling for the timely organisation of formal hearings in the Council with the participation of the Hungarian authorities. It is high time to hold the government of Hungary to account in front of its peers for its actions undermining the principles enshrined in Article 2 TEU, which all Member States have pledged to respect and uphold when acceding to the EU and which are essential to the good functioning of the Union.

We call upon you to ensure that such hearings are held in a format that allows for an in-depth scrutiny of the situation in Hungary in the Council. To this end, we recommend thematic discussions focusing on the different issues of concern identified in paragraph 1 of the European Parliament's reasoned proposal. The Council should seek the input of international and regional expert bodies with a view to ensuring an effective, thorough and impartial examination of the issues at stake.

The Romanian EU Presidency is responsible for the continuity of the EU's work in the Council and, therefore, should enable the institutional process to continue by securing a structured follow-up of the European Parliament's report.

The EU Council's Presidency should further elaborate recommendations on actions the government of Hungary should take, building on the European Parliament's reasoned proposal and on the hearings to be held by the Council.

We are concerned that, by delaying the hearing process, the Council is leaving important concerns raised by the European Parliament unaddressed. At the same time, those issues continue to affect the full exercise of rights by the people in Hungary, meanwhile new measures taken by the Hungarian authorities have further eroded the rule of law in the country.

Over the past two years, the government of Hungary has adopted several laws that negatively impact the capacity of non-governmental organisations (NGOs) to operate or receive funding without fear of reprisals and sanctions, in breach of Hungary's regional and international obligations to respect the freedom of association. Government officials and leading politicians from the ruling party have further continued to smear independent NGOs working on rule of law and human rights issues or exposing high-level corruption, thus creating a hostile environment for NGOs and delegitimising their work. In 2018, the government forced the Central European University out of Hungary, feigning ignorance about the university's efforts to comply

with the Hungarian legislation. In the last month, renewed attacks on academic freedom have also targeted the Hungarian Academy of Sciences.

In December 2018, the Hungarian government increased restrictions on the right to protest while strengthening the grip of the ruling party on the media. The Hungarian government has side-stepped competition and monopoly laws to enable the merger of more than 400 media outlets into one media conglomerate that is loyal to the government – further limiting media pluralism in the country and curbing their independence. Also in December 2018, the government adopted a law for a new administrative court system which will come into force on 1 January 2020. The new courts will adjudicate on claims against those same government authorities responsible for their appointment, which creates a serious risk of political interference in its proceedings and undermines checks and balances. Concerns over these judicial reforms were reflected in the recent [Opinion from the Council of Europe's Venice Commission](#) but the Hungarian government has given no signs that it will give any more than simple lip service to the recommendations it has already ignored in the past.

Ahead of the European elections in May 2019, the principled leadership of your government is much needed to affirm its commitment to the principles enshrined in Article 2 TEU and to demonstrate that the EU is willing to stand up for those principles and protect the rights of everyone in the EU.

We look forward to your response and we remain available to provide any further information you may need.

Yours sincerely,

Amnesty International

International Federation for Human Rights (FIDH)

Human Rights Watch

Open Society European Policy Institute

Reporters Without Borders (RSF)