

Procedure file

Basic information		
INL - Legislative initiative procedure	2017/2131(INL)	Procedure completed
Situation in Hungary See also resolution 17/05/2017 2017/2656(RSP)		
Subject 1.10 Fundamental rights in the EU, Charter 3.30.08 Press, media freedom and pluralism 8.30.10 Principles common to the Member States, EU values		
Geographical area Hungary		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 DELBOS-CORFIELD Gwendoline	04/09/2019
		Shadow rapporteur	
		 METSOLA Roberta	
		 SPUREK Sylwia	
		 WIŚNIEWSKA Jadwiga	
		NI FERRARA Laura	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Budgetary Control	 GRÄSSLE Ingeborg	28/09/2017
	 Culture and Education	 KAMMEREVERT Petra	21/06/2017
 Constitutional Affairs	 PAGAZAURTUNDÚA Maite	04/09/2017	
 Women's Rights and Gender Equality	 NOICHL Maria	30/11/2017	

Key events

06/07/2017	Committee referral announced in Parliament		
25/06/2018	Vote in committee		
04/07/2018	Committee report tabled for plenary	A8-0250/2018	Summary
11/09/2018	Debate in Parliament		
12/09/2018	Results of vote in Parliament		
12/09/2018	Decision by Parliament	T8-0340/2018	Summary
12/09/2018	End of procedure in Parliament		

Technical information

Procedure reference	2017/2131(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Legislative initiative
	See also resolution 17/05/2017 2017/2656(RSP)
Legal basis	Rules of Procedure EP 46
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/10381

Documentation gateway

Committee opinion	AFCO	PE615.423	26/03/2018	EP	
Committee draft report		PE620.837	12/04/2018	EP	
Committee opinion	CONT	PE615.392	26/04/2018	EP	
Committee opinion	CULT	PE618.171	17/05/2018	EP	
Committee opinion	FEMM	PE619.174	17/05/2018	EP	
Amendments tabled in committee		PE622.145	17/05/2018	EP	
Amendments tabled in committee		PE622.146	25/06/2018	EP	
Committee report tabled for plenary, single reading		A8-0250/2018	04/07/2018	EP	Summary
Text adopted by Parliament, single reading		T8-0340/2018	12/09/2018	EP	Summary
Commission response to text adopted in plenary		SP(2018)829	11/03/2019	EC	

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 Parliaments 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.

Situation in Hungary

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.