



OPEN SOCIETY
EUROPEAN
POLICY
INSTITUTE



Brussels, 6 December 2018

Open Letter to the General Affairs Council and Member States regarding the situation in Hungary

Dear Minister,

On 11 December, the General Affairs Council will discuss the Article 7.1 TEU procedure on Hungary for the third time since the historic vote in the European Parliament on 12 September.

While the situation in Hungary continues to deteriorate, discussions in the Council have focused almost exclusively on the procedural aspects of Article 7.1 TEU. It is high time for member states' governments to take a stance on the substantive situation of the rule of law and fundamental rights in Hungary.

To this end, the Council can rely on: 1) the political support from elected representatives across Europe who voted overwhelmingly for the activation of Article 7; 2) a thorough assessment by the European Parliament of how the Hungarian government is undermining the values enshrined in Article 2 TEU. Action by the Council is eagerly awaited by those affected by numerous legislative reforms and the repressive measures taken by the Hungarian government in violation of EU and international standards.

Since the European Parliament vote, the Hungarian government has confirmed its determination to trample independent and dissenting voices in society. The calculated indifference towards legal certainty and academic freedom have forced the Central European University out of Hungary. The ban of gender studies has been put in place and further steps to limit resources for scientific research are underway. Arguments by the Hungarian government in favour of reforming the administrative court system, have not lifted concerns about the impact of the appointment modalities of judges on increased political interference in the work of the judiciary including in taxation, public procurement and elections cases. Smear campaigns against civil society organisations are continuing. The government has shown no intention to remove its controversial laws against freedom of expression and association, while new laws came into force introducing new restrictions on the freedom of assembly and criminalising homelessness. Further concerns have been raised about press freedom over a new centralised structure, the Central European Press and Media Foundation (CEPMF), which will bring together some 500 pro-government media outlets.

Political pressure from peers is urgently needed in addition to the legal action by the European Commission and European Courts.

Our organisations urge Member States' governments to:

- Voice clear support for the European Parliament report.
- Take the next step of Article 7.1 TEU and call for a hearing of the Hungarian authorities in the Council.
- Collaborate with all EU institutions to form a united front in defending the founding principles of the EU and support the people of Hungary in their effort to maintain a society in which these are upheld.

We call on the upcoming Romanian presidency of the EU Council to show leadership and take a proactive role in designing recommendations that would hold the Hungarian government to account.

We look forward to your response and we stand ready to provide any further information you may require.

Yours sincerely,

Amnesty International, FIDH (International Federation for Human Rights), Human Rights Watch, Open Society European Policy Institute, Reporters Without Borders (RSF)