

Actions against Hungary over its Rule of Law violations and threats to Ukraine

Proposed by: YFG Ireland

Supported By: JSD Portugal, JM Switzerland, UHL, JONG CD/&V, YDA Ukraine, KNL
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Recognising:

- The importance of upholding the principles of democracy, human rights, and the rule of law as fundamental values of the European Union, as proudly championed by the Youth of the European People's Party (YEPP).
- That the Hungarian government, under the leadership of Prime Minister Viktor Orbán, has been engaged in a series of actions that raise significant concerns about its commitment to democratic principles, human rights, and the rule of law within the European Union and wider European neighbourhood.
- That Orbán blackmailed the European Council and held up the €50 billion of aid funding to Ukraine, essential funding for Ukraine's chances of winning the war against Russia and protecting its citizens, in an unsuccessful bid to release funding for its own government.
- The erosion of judicial independence through measures leading to the early retirement of judges has created an atmosphere of uncertainty regarding the impartiality and fairness of legal proceedings, threatening the very essence of the rule of law.
- Manipulation of media freedom, including the concentration of media ownership and control over public media, poses a threat to pluralism and the free exchange of ideas. This undermines the democratic foundation of open discourse and the public's right to diverse and unbiased information.
- The adoption of legislation restricting LGBTQ+ rights, particularly the controversial "Anti-LGBT Law," infringes upon fundamental freedoms and fosters

discrimination, thereby contradicting the core human rights principles that the European Union upholds.

- Reports of the Hungarian government using its diplomatic influence to block initiatives related to Ukraine, linking support to demands concerning the rights of the Hungarian minority, reveal a troubling trend of prioritising narrow national interests over EU cohesion.
- Imposing restrictions on non-governmental organisations (NGOs), coupled with changes to the electoral system, raises concerns about the fairness and transparency of democratic processes, threatening the legitimacy of political representation and citizen participation.
- The existence of Article 7.2 of the Treaty on European Union, which allows the European Council to determine the existence of a serious and persistent breach of EU values by a Member State and take appropriate measures.

Acknowledging:

- **Blackmailing the European Commission:**
Orbán blocked a €50 billion four-year funding package to the war-torn country in December — a move he was able to make because it needed unanimous support from the EU's 27 governments — before u-turning in February.
- **Interference with Judicial Independence:**
The Hungarian government, through legislative changes, mandated the early retirement of judges, creating a situation where a significant number of experienced jurists were removed from their positions. This has raised concerns about the government's influence over the judiciary and its ability to make impartial decisions.
- **Manipulation of Media Freedom:**
Media ownership in Hungary has become increasingly concentrated in the hands of entities aligned with the government, limiting the diversity of voices and perspectives. Additionally, the government's control over public media outlets has raised questions about their independence. The allocation of advertising revenue has been criticised for disproportionately benefiting outlets with favourable government stances, further compromising media pluralism.
- **LGBTQ+ Discriminatory Legislation:**
Hungary has implemented legislation that limits the visibility and representation of LGBTQ+ issues in various contexts, including educational materials, media

content, and advertising. The legislation has faced criticism for perpetuating discrimination and contributing to a hostile environment for the LGBTQ+ community, hindering the promotion of diversity and inclusivity.

- **Use of Diplomatic Influence for National Agenda:**

Reports suggest that Hungary has leveraged its influence within the EU to obstruct initiatives related to Ukraine, conditioning its support on concessions regarding the rights of the Hungarian minority. Such actions raise concerns about the misuse of diplomatic power for national interests, potentially undermining EU solidarity and the pursuit of collective objectives.

- **Restrictions on NGOs and Civil Society:**

Hungary has passed laws imposing onerous restrictions on NGOs, particularly those that rely on foreign funding. These laws have been criticised for hindering the work of civil society organisations and limiting their ability to advocate for human rights, democratic values, and social justice. The restrictions contribute to a shrinking space for civic engagement and dissent.

- **Undermining the Constitutional Court:**

Legislative changes in Hungary have resulted in limitations to the powers of the Constitutional Court. Such restrictions diminish the court's ability to act as an effective check on government actions, undermining the constitutional balance of powers and weakening a crucial institution tasked with upholding the rule of law.

YEPP calls on:

1. **Initiating Article 7.2 Proceedings:**

- The European Council to commence Article 7.2 proceedings against Hungary, as outlined in the Treaty on European Union.
- The European Council to recognize and address Hungary's rule of law deficiencies, suspending its voting rights at the Council of the European Union until such concerns are adequately addressed.

2. **Investigation into stricter frameworks.**

- While Hungary asserts compliance with the Rule of Law and has taken steps in that direction, as stated by EU officials¹, it is crucial to explore whether existing frameworks within the Treaty² need to be tightened or

¹ <https://www.politico.eu/article/hungary-rule-of-law-eu-summit-viktor-orban-brussels/>

² <https://eur-lex.europa.eu/EN/legal-content/glossary/suspension-clause-article-7-of-the-treaty-on-european-union.html>

quicker activated. This would enable quicker sanctions against member states, with specific attention to Hungary, particularly in areas such as press freedom, minority rights, academic freedom, or countering blackmail. Additionally, investigations must be conducted to determine if measures like suspension can be implemented more swiftly. Taking a pause, like a bathroom stop, to reach unanimity for support funds isn't future proof.

2. Inquiry into Commission's Decision and Legal Proceedings:

- The European Parliament to launch an inquiry to investigate the legality of the Commission's decision to unfreeze Hungarian funds.
- Considering the findings of the inquiry, the European Parliament should explore the possibility of initiating legal proceedings before the EU Court of Justice if it determines that the decision was not in line with EU principles and regulations.

This resolution aims to address the serious challenges to democracy, human rights, and the rule of law within Hungary and underscores the commitment of YEPP to upholding the core values of the European Union.