



EUROPEAN PARLIAMENT

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Plenary sitting

8.2.2012

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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and the Commission
pursuant to Rule 110(2) of the Rules of Procedure
on the situation in Hungary (2012/2511(RSP))

**Manfred Weber, Simon Busuttil, Kinga Gál, József Szájer, Marco Scurria,
Salvatore Iacolino**
on behalf of the PPE Group

European Parliament resolution on the situation in Hungary (2012/2511(RSP))

The European Parliament,

- having regard to the European Union’s provisions on fundamental values and fundamental freedoms, and in particular to Articles 2, 3 and 6 of the Treaty on the European Union and Article 130 of the Treaty on the Functioning of the European Union,
 - having regard to Rules 110(2) of its Rules of Procedure,
- A. whereas on 18 April 2011 the Hungarian Parliament adopted the new fundamental law of Hungary, the new Constitution, which was voted into law by 262 members of the 386-seat Parliament;
- B. whereas the new Constitution replaced the communist Constitution, from 1949 and whereas Hungary was the only country in Central Europe which did not adopt a new fundamental law since the fall of communism;
- C. whereas the new Constitution has fully incorporated the Charter of Fundamental Rights and whereas a new, fairer electoral system was established, which offers grants the representation of minorities in Parliament;
- D. whereas the representation of citizens by their Parliament, democratically elected, constitutes one of the essential foundations of European democratic societies and is recognized in the European Treaties and in the EU Charter of Fundamental Rights;
- E. whereas the European Commission has raised issues on aspects of legislation, which have to be clarified;
1. Rejects the unfounded attacks towards Hungary which question the democratic commitments of the Hungarian Government; States that there is a need for a neutral and fact based analysis by the European Commission;
 2. Affirms that Member States have a sovereign competence for establishing their own Constitutions and that this principle corresponds to the sovereignty of people with a view to the auto determination through democracy;
 3. Reiterates that the Union law respects the competence of Member States to adopt their Constitutions in the respect for the principles and values of the EU;
 4. Believes that all Member States have to fully respect the EU law in their legislative and administrative practice, and that any legislation, including the primary law of any country that is Member of the EU or candidate to join the Union, has to reflect and be in accordance with basic European values: democratic principles, the rule of law and fundamental rights;

5. Supports the role of the European Commission in ensuring that national legislations are in conformity both with the European Union Treaties and basic European values and in this context, its current evaluation of the new Hungarian cardinal laws;
6. Invites the Hungarian Government to work closely with the European Commission to ensure that the new national legislation complies with the EU law and, if necessary, to make modifications;
7. Supports, on the basis of the European Treaties, the Commission's recommendations on the new Hungarian cardinal laws' compliance with the EU law, under the control of the Court of Justice of the European Union;
8. Instructs its President to forward this resolution to the Commission, the Council, the Governments and Parliaments of the Member States and the President of the Republic of Hungary.