MOTION FOR A RESOLUTION

further to Question for Oral Answer B8-1110/2015

pursuant to Rule 128(5) of the Rules of Procedure

on the situation in Hungary
(2015/2935(RSP))

Timothy Kirkhope, Beatrix von Storch, Angel Dzhambazki, Helga Stevens, Jussi Halla-aho, Branišlav Škripek, Zdzisław Krasnodębski on behalf of the ECR Group
European Parliament resolution on the situation in Hungary
(2015/2935(RSP))

The European Parliament,

– having regard to the provisions on fundamental values and fundamental freedoms in the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),

– having regard to the EU Guidelines on the Death Penalty, adopted by the Council in 1998,

– having regard to the Treaties, in particular Articles 2, 3 and 6 of the TEU and Article 2(2) of the Charter of Fundamental Rights of the European Union,


– having regard to its plenary debate of 19 May 2015 on the situation in Hungary;

– having regard to its resolution of 10 June 2015 on the situation in Hungary\(^1\),

– having regard to the Commission’s reply of 5 November 2015, following Parliament’s resolution of 10 June 2015,

– having regard to its debate of 2 December 2015 on the situation in Hungary;

– having regard to the question to the Commission on the situation in Hungary: follow-up to the European Parliament resolution of 10 June 2015 (O-000140/2015 – B8-1110/2015),

– having regard to Rules 128(5) and 123(2) of its Rules of Procedure,

A. whereas a preliminary assessment by the Commission revealed that some elements of Hungarian legislation raised questions of compatibility with the EU’s asylum and borders acquis and the Charter of Fundamental Rights of the European Union;

B. whereas a reply from the Hungarian authorities was received on 4 November 2015;

C. whereas the Commission, in its reply to Parliament’s oral question submitted by the LIBE Committee on 10 November 2015, stated that the conditions for activating the Rule of Law Framework as regards Hungary are not met at this stage;

D. whereas the Commission is actively monitoring the situation in Hungary and has already pursued infringement and pre-infringement procedures in cases where it deemed it necessary;

\(^1\) Texts adopted, P8_TA(2015)0227.
E. whereas the Commission has repeatedly informed Parliament that it is ready to use all means at its disposal to ensure that Hungary complies with its obligations under EU law;

F. whereas the Rule of Law Framework is intended to address emerging systemic threats to the rule of law in a Member State before they reach levels where recourse to Article 7 TEU would prove necessary;

1. Notes that all Member States are required to respect EU law, and that the legislation of a Member State should be compatible with the rule of law and fundamental rights;

2. Notes that Member States also have a sovereign competence for establishing their own laws and for holding their own democratic debates and consultations with the electorate at a national level; stresses that this principle upholds the sovereignty of a democratically elected government;

3. Supports the role of the Commission as guardian of the Treaties in ensuring that national legislation, including that of Hungary, remains in conformity with both the Treaties and basic European democratic values and human rights;

4. Stresses that any evaluation and analysis carried out by the Commission and Parliament on the situation in individual Member States should be fact based and balanced;

5. Notes the Commission’s guarantee to Parliament that it will continue to monitor the situation in Hungary;

6. Invites the Hungarian Government and the Commission to work closely and cooperatively together on any future issues which they feel may require further evaluation or analysis;

7. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and the President of Hungary.