

**Question for written answer E-002208/2017  
to the Commission**

Rule 130

**Csaba Molnár (S&D)**

Subject: Hungary's withdrawal from the European Convention on Human Rights

A background institution of the Hungarian Government, the Centre for Fundamental Rights, and several Hungarian pro-government members of parliament have recommended that Hungary should withdraw from the European Convention on Human Rights following the European Court of Human Rights' ruling against Hungary due to its violation of the Human Rights Convention. The ECHR disputed certain provisions of Hungary's Refugee Act, which not only breaches EU and international law, but also violates fundamental human rights. Withdrawing from the Convention would mean that Hungary does not consider itself bound by the provisions of the Human Rights Convention, i.e. provisions relating to human rights. This would also entail withdrawal from the Council of Europe and would call into question Hungary's ability to guarantee fundamental human rights. All EU Member States are parties to the Convention. In Europe, only Belarus is not party to it. Withdrawing from the Convention would not only raise doubts about the observation of fundamental human rights and the fundamental rights of the European Union, but also Hungary's membership of the EU.

Does the Commission believe that if a Member State decides to withdraw from the European Convention on Human Rights it can be guaranteed that this Member State will fully protect fundamental rights?

What effect would withdrawal from the European Convention on Human Rights have on the EU membership of the Member State in question and could it lead to the procedure under Article 7 of the Treaty on European Union being triggered?

In the light of this, what is the Commission's assessment of human rights protection in Hungary?