

**Question for written answer E-003855/2021
to the Commission**

Rule 138

Jean-Paul Garraud (ID)

Subject: Outsourcing of asylum applications by Hungary in view of the health crisis

On 15 July 2021, the Commission referred Hungary to the Court of Justice of the European Union on the pretext that it is unlawfully restricting access to the asylum procedure established by Directive 2013/32/EU by outsourcing applications for asylum in the country.

Battling with COVID-19 and anxious to protect itself from any possibility of the virus being imported into the country from outside of the EU, Hungary has introduced measures making the right to enter the country subject to a preliminary application for asylum – which must be made at a Hungarian embassy in a non-EU country.

This adjustment to the law is intended to limit the risk of the virus circulating, both in Hungary and in the rest of Europe.

1. Given these circumstances, does the Commission not consider that this referral to the Court of Justice looks like harassment of a Member State that remains free and sovereign in the face of an EU diktat?
2. Does it plan to refer Denmark to the Court of Justice, as this country also wishes to outsource asylum applications, but with the aim of reducing the pressure it is under from migration?
3. Does the Commission believe it should be possible for migrants to enter illegally anywhere in the EU, regardless of the health, financial or security situation in their State of destination?