

Question for written answer P-008383/2012
to the Commission
Rule 117
Bernd Posselt (PPE)

Subject: The Benes Decrees and the EU Charter of Fundamental Rights

As guardian of the Treaties (including the Lisbon Treaty and the EU Charter of Fundamental Rights), is the Commission still of the view that the Benes Decrees, which deprived Germans and Hungarians of their collective rights in post-World War II Czechoslovakia, have become null and void on accession to the EU, or does it now share the opinion of Czech President Václav Klaus that the decrees and associated laws remain necessary in order to defend the 'Czech national interests', with the result that he is trying to obtain an opt-out clause from the Charter of Fundamental Rights? Does the Commission believe that there is a legal connection between the 'Klaus clause' and the Benes Decrees? Would such an opt-out clause not simply restrict the enforceability of social and other fundamental rights for Czech citizens, as Czech opposition politicians maintain?