



## Opening remarks of First Vice-President Frans Timmermans in the European Parliament debate on Hungary

Brussels, 26 April 2017

Recent developments in Hungary have got many people worried in the EU but also in the outside world. We share those worries and concerns. Questions have been asked about the compatibility of certain actions of the Hungarian authorities with EU law and with our shared values. Also these questions were raised by this Parliament with the Commission.

That is why the College decided to discuss the overall situation in Hungary in two recent meetings, on 12 April and today. The discussions allowed us to assess all the issues, in an objective, facts-based and law-based manner.

We also considered that given the wider situation, including the spirit of Article 2 TEU, a broader political dialogue between the Hungarian authorities, other Member States, and the European Parliament and the Commission should take place. That is why I welcome the debate in the plenary today, which is part of that broader political dialogue with participation of the Hungarian authorities at the highest level.

The recently adopted Hungarian Higher Education Law is perceived by many as an attempt to close down the Central European University, which I think is a pearl in the crown of post-divided, free and whole Europe. The Commission's analysis of the law confirmed our concerns with regard to its compatibility with internal market freedoms and the Charter of Fundamental Rights. The College has therefore decided today to launch infringement proceedings against Hungary, by sending a letter of formal notice, and we await a reaction from the Hungarian authorities within a month.

The draft legislation tabled to the Hungarian Parliament at the beginning of the month by members of the governing party on the funding of so-called 'foreign' Non-Governmental Organisations is also on our radar screen. If adopted, it could raise concerns as regard the compatibility with the EU's internal market rules, in particular the free movement of capital, and the EU Charter of Fundamental Rights, including the freedom of assembly.

Civil society is the very fabric of democratic societies. We would not be democracies without strong and free civil societies. I would therefore deeply regret any action by the Hungarian authorities aimed at shrinking the space of civil society organisations, or any attempt to control or stigmatise their work. Yes NGOs need to be transparent about their finance. But the Commission will continue to follow the draft legislation closely and will express its concerns on the draft law in the context of the broad political dialogue.

We also spoke in the College about asylum, and respect for the values of human dignity, freedom, and respect for human rights, tolerance and solidarity. The Commission has already expressed its concerns about the existing Hungarian law. The new asylum law adopted at the end of March raises serious doubts about compatibility with EU law. Commissioner Avramopoulos has launched discussions on these issues with the Hungarian authorities. If these discussions do not produce timely results, the Commission will not hesitate to take further action.

The protection of pregnant working women is another area we have raised formally with the Hungarian authorities and as our concerns remain unanswered, the College will shortly decide on the need for further action to ensure full compliance with EU rules on maternity leave and gender equality in employment.

Let me here make a general point. Where the Hungarian authorities engage in a dialogue with the Commission, good progress can be made. And I want to be crystal clear about that. Whenever we ask for a dialogue with the Hungarian authorities, they always oblige and start a dialogue. Let there be no misunderstanding about this. I want to mention two examples where we have made good progress:

With regard to transposition of the Framework Decision on racism and xenophobia, we are pleased to see that in our discussions with the Hungarian authorities, our concerns have been addressed in recently adopted amendments to the Hungarian Criminal Code. However, practical implementation of national legislation is key and hate crime cases need to be investigated in practice. We will continue to monitor the situation on the ground.

As regards the values of equality and non-discrimination, the College continues to be attentive to the situation of the Roma in Hungary, and in particular, to the discrimination against Roma children in education. Here we also had a lot of discussion and dialogue, and following our technical discussions with the Hungarian authorities, the Commission is awaiting for Hungary to notify the recently proposed legislative amendments in this field.

You will all be aware of the Hungarian Government's 'Stop Brussels' consultation. I am pleased to announce that the Commission has decided to make public its own response, in order to dispel misunderstandings and perhaps get the facts straight.

The European Union is not and has never been about "Brussels". The European Union is a project driven and designed by its Member States, each of which has decided unilaterally and democratically that this is the path they wish to adopt. This includes Hungary. Each and every one of those Member States, including Hungary, takes both the responsibility and the credit for the decisions taken collectively. Each and every one of those Member States, including Hungary, undersigned the rules of the "club".

Several of the claims and allegations made in the consultation need correction.

- o For instance, and I quote, "*Brussels wants to force Hungary to abolish the reduction in public utility charges*". The reality however is that the Commission shares the Hungarian government's objective to have affordable energy for households. The best way to achieve this is to establish competitive energy markets and promote energy efficiency and innovation and to work together at European level to ensure security of supply. That's at the core of the Energy Union proposals.

- o Another allegation: "*Brussels wants to force Hungary to let in illegal immigrants*". Again, the reality is that the European Union is fighting irregular migration and is actively helping Member States to manage their external borders and return irregular migrants who have no right to stay in the EU. But irregular migration needs to be distinguished from seeking asylum. We have a shared responsibility to live up to our international obligations to protect people fleeing war and persecution and treat them fairly and with dignity.

- o Let me be very clear. Hungary in 2015 was under incredible pressure which was extremely difficult to manage. Given those exceptional pressures in 2015, the Commission proposed in September of that year to relocate up to 54,000 asylum applicants from Hungary to other Member States. But this proposal was opposed by the Hungarian Government. Hungary is therefore asked to accept a very limited number of asylum seekers, 1294 - these are not "illegal immigrants" - from the two most overburdened member States, Greece and Italy. These are asylum seekers they can select themselves, they are not shoved down their throats.

- o Another allegation "*Illegal immigrants heading to Hungary are encouraged to illegal acts by not just the human traffickers but also by some international organizations*". Let me be very clear: The European Union has zero tolerance for human trafficking and has taken action for many years to combat this heinous crime. Saving lives at sea and looking after vulnerable people who are in need of international protection is not the same thing as promoting irregular migration. There is no evidence whatsoever of NGOs working with criminal smuggling networks to help migrants enter the EU.

- o A fourth claim: "*More and more organizations supported from abroad operate in Hungary with the aim to interfere in Hungarian internal affairs in a non-transparent manner*", I have already indicated the Commission's position earlier: while the conditions under which Non-Governmental Organisations (NGOs) carry out their activities are in principle a matter of national law, those conditions must be in line with EU law and the Union's values. The European Union, for its part, has strict rules on transparency and lobbying of the European institutions.

- o The fifth allegation is that "*Brussels is attacking Hungary's job-creating measures*". The opposite is true. The EU is massively supporting job creation in Hungary. The Hungarian authorities themselves have reported that this contributed to creating more than 150,000 jobs.

- o The last issue on the questionnaire is that "*Brussels is attacking our country because of tax cuts*". The fact of the matter is that EU taxation rules must be agreed by all Member States unanimously. The EU has agreed only minimum VAT levels. It is the Hungarian government that has decided to set the rate at 27% – which is the highest in the EU.

Honourable Members, on 25 March 2017, the Leaders of 27 Member States and of EU institutions, including the Prime Minister of Hungary, stated in their Rome declaration, and I quote: "*Sixty years ago, recovering from the tragedy of two world wars, we decided to bond together and rebuild our continent from its ashes. We have built a unique Union with common institutions and strong values, a community of peace, freedom, democracy, human rights and the rule of law*"

I have to add to this on a personal note. As a young man I travelled regularly to Hungary, and I remember very well the sense of oppression I felt at crossing the border from Austria into Hungary -

the barbed wire, the watchtowers, the oppressive feeling in Budapest you had all the time. The single biggest miracle in my lifetime is the fall of the Berlin Wall, the Iron Curtain, and that Hungary became one of the democratic nations of Europe. That is not something the EU should claim credit for. That is something that was done by the Hungarian people themselves, striving for freedom. Protecting their freedom however is now a common European task.

How does one reconcile this with a campaign to "Stop Brussels"? The fact that only one month after this declaration we are having today's debate on the situation in Hungary, gives us all the more reason to seek clarifications about the intentions of the Hungarian government.

Let me say in conclusion conclude that I strongly thank Parliament for supporting us. But I also want to express my gratitude to Prime Minister Orban for coming here today and having this debate with us. Dialogue is the European way. Dialogue to solve misunderstandings. Dialogue when we disagree. That is the European way.

SPEECH/17/1118

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