



Brussels, 13 November 2023

Subject: Lack of willingness of the Spanish Presidency of the Council to move forward on the Article 7(1) TEU procedure towards Hungary

Dear State Secretary Navarro Ríos,
Dear Ambassador Alonso,

As the European Parliament rapporteur and shadow rapporteurs on the rule of law situation in Hungary, we are writing to express our utmost disappointment about the Spanish Presidency of the EU's reluctance to make progress on the Article 7(1) TEU procedure towards Hungary.

Indeed, it came as a surprise that the agenda of the General Affairs Council (GAC) taking place on Wednesday 15 November 2023 **only foresees a state of play** of the values of the Union in Hungary, and not an Article 7(1) TEU hearing.

In its resolutions of 16 January 2020¹, 5 May 2022² and 15 September 2022³, the European Parliament urged the Council to ensure that hearings take place a minimum of once per Presidency and are organised in a structured, open manner.

Since the triggering of the Article 7(1) TEU procedure by the European Parliament on 12 September 2018, the majority of EU Presidencies were up to the task and organised Article 7(1) TEU hearings of the Hungarian government. These hearings have proven to be crucial to maintain a constructive dialogue with the Hungarian government, as well as to address issues of concern falling under the Article 7 proceedings, such as the independence of the judiciary, anti-corruption, media freedom and the rights of LGBTIQ+ people.

In parallel, there do not seem to have been any developments which justify the backtracking of the Spanish Presidency towards the Hungarian government. On 1 June 2023, the European Parliament once again expressed its strong concerns about the further deterioration of the rule

¹ European Parliament resolution of 16 January 2020 on ongoing hearings under Article 7(1) of the TEU regarding Poland and Hungary (2020/2513(RSP))

² European Parliament resolution of 5 May 2022 on ongoing hearings under Article 7(1) TEU regarding Poland and Hungary (2022/2647(RSP))

³ European Parliament resolution of 15 September 2022 on the proposal for a Council decision determining, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded (2018/0902R(NLE))



of law and the fundamental rights situation in Hungary since its resolution of 22 September 2023.

Just last week, Hungarian civil society once again [expressed their concerns](#) regarding the fundamental deficiencies of the Hungarian judicial reform and the failure of the government to fulfil the related Super Milestones.

For the abovementioned reasons, we are urging you to **amend the GAC agenda and organise a hearing of the Hungarian government on Wednesday 15 November 2023.**

As we are still waiting for the Council to respond to the European Parliament's concerns on the credibility of the Hungarian government to take up the EU Presidency in its resolution of 1 July 2024⁴, any further delay would amount to a breach of the rule of law principle by the Council itself, with long-lasting and potentially damaging consequences.

Seven months before the next EU elections, not only are the respect of our common values at stake, but also, the credibility of the EU as a whole. We trust you will use your commitment to these values to leverage concrete action in the future.

Sincerely yours,

MEP Gwendoline Delbos-Corfield (Greens/EFA)

European Parliament Rapporteur on the situation in Hungary

MEP Isabel Wiseler-Lima (EPP)

European Parliament Shadow Rapporteur on the situation in Hungary

MEP Thijs Reuten (S&D)

European Parliament Shadow Rapporteur on the situation in Hungary

MEP Ramona Strugariu (Renew)

European Parliament Shadow Rapporteur on the situation in Hungary

MEP Malin Björk (The Left)

European Parliament Shadow Rapporteur on the situation in Hungary

⁴ European Parliament resolution of 1 June 2023 on the breaches of the Rule of Law and fundamental rights in Hungary and frozen EU funds (2023/2691(RSP))