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Fundamental Rights and the new Commission

Same old story, or less talk and more action?

Plenary speech from Judith Sargentini

For several years now there have been signals that Hungary is moving away from the core values of the European Union. This was affirmed this year by Hungarian Prime Minister, Viktor Orbán, when he openly admitting his wish to build an [illiberal state](#). Combined with his government's actions from a [clampdown on NGOs](#) to restrictions on [media freedom](#), we are witnessing a worrying move away from the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, that are enshrined in article 2 of the Treaty on European Union (TEU). The European Commission is the guardian of the treaty and of these values but its efforts to date have [failed to tackle the bigger picture](#). Will we witness the same from the incoming Commission, or will effective action to protect fundamental rights replace the old story? Since the 2010 elections the current governing party in Hungary, Fidesz, has systematically pursued constitutional and legislative changes that have reduced the independence of the judiciary and media freedom. Journalists in Hungary are now operating under a climate of [self-censorship and fear](#). As a result, the Commission sent [letters](#) of formal notice of infringement proceedings to the Hungarian authorities. Additionally, the out-going Commissioner in charge of the Digital Agenda for Europe, Neelie Kroes [stressed](#) in July of this year that "media freedom remains under threat in Hungary." The European Parliament has also been deeply concerned by the measures taken in Hungary. It concluded last year in its [report](#) on the situation of fundamental rights that "unless corrected in a timely and adequate manner - this trend [of repeatedly modifying the constitutional and legal framework in a short time-frame and considering the content of the modifications] will result in a clear risk of a serious breach of the values referred to in Article 2 TEU." Recommendations to the Hungarian authorities were made and there was a call to monitor the improvement of the situation. A new '[rule of law-mechanism](#)' requiring 'the emergence of a systemic threat' was created by the Commission to address 'internal problems' affecting fundamental rights in the EU so that formal, Article 7, infringement procedures could be avoided. However, the monitoring concept did not take place and no Article 7 procedures have been threatened. Since then further worrying measures have been taken by the Hungarian government including the recent [crackdown on NGOs](#). As the vote for the new Commissioners takes place, will we have a Commission that is more active and employs the measures it has at its disposal? During the hearing of First Vice-President designate, Frans Timmermans, the issue of Member States moving away from core EU principles and values, in particular Hungary, was raised a couple of times, including by Green MEP Judith Sargentini. Timmermans stressed that he will have to look into the legal facts and at the merits of the case, and have a

debate and dialogue with Hungary to find specific solutions, if necessary. For how long are we going to have discussions and debates, without any progress? When will there be firm action instead of just observations and reports? Clearly, the Greens and the European Parliament as a whole remains sceptical as it rejected Hungarian Commissioner-designate, Tibor Navracsics, as unsuitable for education and culture which are initially parts of his portfolio. This signalled that it is still concerned about the wrong direction being taken by one of our own Member States. We urge the new Commission to step up and take action to ensure our own core principles are respected and that fundamental rights are respected everywhere in the EU.

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