



The Greens | European Free Alliance
in the European Parliament

José Manuel Barroso
President
European Commission

Brussels, 20 December 2011

Dear Mr Barroso,

It was with the greatest concern that we received the latest, alarming news from Hungary. It now seems all too clear that Viktor Orbán's government is determined to take the country in a direction that is far from the core values on which the European Union is built.

As we have learned, the governing majority in the Hungarian Parliament is set to adopt rules this Friday, 23rd December 2011 that would mean the factual end of democracy and rule of law. The governing majority intends to:

- Change the house rules to allow the government's 2/3 majority to table, without any restrictions, amendments to any law up to one hour before the final vote, rendering any meaningful debate in Parliament and society about the proposals impossible.
- Change the house rules to allow the government's 2/3 majority to push, per season, a certain number of legislative proposals (including on major subjects like the budget) through the parliament in a rapid procedure that allows the final vote to take place 24 hours after the proposal was introduced to parliament.
- Adopt a law that will require a 2/3 majority to make changes to the tax code, thereby taking away the most fundamental rights of citizens to decide, by simple majority, about the budget of their country.
- Adopt a law that will merge the Hungarian National Bank with the Hungarian Financial Supervisory Authority, thereby ending the independence of the last institution in the country that is not governed by a Fidesz-appointee.
- And last, but not least, adopt an electoral code that not only increases the disproportionate distribution of mandates to the benefit of relatively large parties (thus ignoring a ruling of the Hungarian Constitutional Court that asked parliament to make the system more proportional), but that will also redraw constituency boundaries in a way that significantly reduces their size in areas where Fidesz usually does well in elections and increases their size in areas where Fidesz has tended to be rather weak. These proposals, if enacted, would therefore increase the possibility of Fidesz remaining in power at the next elections, and even if a clear majority of voters were against this.

In recent months, the governing parties have already done serious damage to democracy in Hungary, repeatedly harming the principle of rule of law, and restricting the basic freedoms of speech and of the media, by, for example:

- Changing the electoral law for local elections to disproportionately favour the largest party;
- Radically reducing budgets and competencies of local governments, in harsh contradiction to the principles of subsidiarity and local self-determination.
- Introducing new media laws that subject the entire public and private media to rigid control by the state, overseen by a single authority that is chaired by a Fidesz-appointee, leading to politically motivated lay-offs on a massive scale, as well as to a succession of scandals where facts were clearly presented in a falsified way in state media.

- Forcing a new Constitution through the Parliament in the timeframe of just five weeks with no imminent need for their partisan view to be imposed on the country's political architecture and with no time allowed for the text to be examined and debated in depth by the opposition and civil society.
- Creating, with the new constitution, the possibility of subjecting basic parliamentary prerogatives, such as decisions about tax or pensions, to the requirement of a 2/3 majority, depriving citizens of their fundamental right to decide on these issues at election time.
- Significantly decreasing the rights of the Constitutional Court by removing laws concerning, among other things, budgetary issues, from its jurisdiction and abolishing the right of citizens to appeal to the Court.
- Radically increasing the requirements for a valid referendum at both local and national levels.
- Significantly decreasing the retirement age for judges and state prosecutors and subordinating the entire judicial system to Fidesz-appointees, allowing the government to appoint hundreds of new judges and prosecutors and to decide about the allocation of cases on a political basis, thus seriously harming the independence of the judiciary.

The European Parliament has repeatedly condemned, in very clear terms, the attempts by the government of Viktor Orbán to cement his rule with illegitimate, undemocratic methods. However, citizens are beginning to doubt that the EU is taking its own principles seriously.

We, in the name of the Greens/EFA Group in the European Parliament, call upon the European Commission, as the Guardian of the Treaties, to investigate, impartially but thoroughly, as to whether Hungary is still adhering to the core values upon which the European Union was established. Should the investigation have any doubts on this, we expect the Commission to act accordingly, in an unequivocal manner, and to do everything in its power to bring Hungary back on the path of the Union's basic principles.

Yours sincerely,



Rebecca Harms



Daniel Cohn-Bendit

Co-Presidents
Greens/EFA Group in the European Parliament

CC: Jerzy Buzek, President of the European Parliament
Joseph Daul, President of the EPP Group
Martin Schulz, President of the S&D Group
Guy Verhofstadt, President of the ALDE Group
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