



Brussels, 25 June 2018

CALL ON THE LIBE COMMITTEE MEMBERS TO ADOPT A STRONG RESOLUTION ON THE SITUATION IN HUNGARY

Dear MEP,

On 20 June 2018, on the World Refugee Day, the Hungarian Parliament adopted two draft legislative packages:

- **Constitutional amendments limiting the judicial independence and restricting the freedom of judges to interpret the law.** The new amendments provide that a new court that may be dominated by judges arriving from the state's public administration will rule on cases involving elections, taxes, and public procurement, among many other key issues. Its head will be a political appointee selected by Parliament. The

subordination of the judiciary to both the executive and legislative powers deeply undermines the rule of law.

- **A package of laws criminalising the work of NGOs who help asylum-seekers and migrants.** The new legislation, which may come into force as early as 1 July, criminalizes a range of activities, including distributing information on migration-related matters, providing advice to migrants and refugees, and conducting human rights monitoring at borders. The authorities will be able to arrest, charge and immediately remove from Hungary's border area with non-Schengen countries any lawyer, adviser, volunteer or legally resident family member suspected of helping a person to make an asylum claim or obtain a residence permit, or of providing other legal or humanitarian assistance.

The latest developments in Hungary triggered immediate and strong reactions from the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein and the Council of Europe through Yves Cruchten, rapporteur of the Parliamentary Assembly of the Council of Europe (PACE) on new restrictions on NGO activities in Council of Europe member States. While Zeid stated that the "*Parliament's decision is an attack on fundamental human rights and freedoms in Hungary. The constant stoking of hatred by the current Government for political gain has led to this latest shameful development, which is blatantly xenophobic and runs counter to European and international human rights standards and values*", Cruchten declared that "*the new law criminalises a range of lawful activities by grass-roots activists and NGOs in support of asylum-seekers, refugees and migrants and will seriously impede their work. It is problematic from the point view of international human rights standards, and especially the freedoms of association and expression*".

On 25 June, the LIBE Committee will vote on Judith Sargentini's report on a proposal calling on the Council to determine, 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.

As Member of the LIBE Committee, we urge you to attend the voting session on Monday and vote in favour of the report. We urge you to show your support to civil society, press freedom, academic freedom, the independence of the judiciary, the rule of law and fundamental rights.

The changes introduced by Hungary's government are not a matter of national discretionary power: the European Union has to take a strong stance, as the UN and Council of Europe did. The European Union can no longer afford to lag behind and stay silent. Fundamental freedoms, human rights, separation of powers are principles that should always be placed above any kind of short-term political considerations.

Yours sincerely,

Signatories

1. AEDH – European Association for the Defence of Human Rights
2. European Civic Forum
3. EuroMed Rights
4. FIDH – International Federation for Human Rights
5. The Hungarian Helsinki Committee
6. Latvian Human Rights Committee

7. Statewatch
8. La Cimade
9. Asociación Pro Derechos Humanos de Andalucía
10. Italian Federation for Human Rights
11. AMERA International
12. European Association for the Defence of Human Rights - Bulgaria
13. Arci - Associazione Ricreativa Culturale Italiana
14. Finnish League for Human Rights
15. Liga Portuguesa dos Direitos Humanos – CIVITAS
16. KISA – Action For Equality, Support, Antiracism
17. Hellenic League for Human Rights
18. Greek Council for Refugees
19. Action
20. Luxembourg Ouvert et Solidaire - Ligue des Droits de l'Homme
21. Polish Society of Anti-Discrimination Law
22. LVRM - Dutch League for Human Rights
23. AITIMA
24. Internationale Liga für Menschenrechte
25. Lithuanian NGO Information and Support Centre
26. Italian Council for Refugees
27. Academia Cidadã
28. Ligue des droits de L'Homme - Belgique
29. Mirovni inštitut/Peace Institute
30. LIDU - Lega Italiana dei Diritti dell'Uomo
31. New Europeans
32. Pro asyl
33. Ligue des droits de l'Homme - France
34. CIVICUS
35. Human Security Collective
36. European Humanist Federation
37. Young European Federalists
38. Malta Association of Human Rights
39. Comité pour le Respect des Libertés et des droits de l'Homme en Tunisie
40. Civil Society Development Foundation - Romania