European Parliament: Resolution on the Recent Political Developments in Hungary

IRIS 2012-4:1/4

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On 16 February 2012, the European Parliament adopted a resolution on the recent political developments in Hungary. The resolution indicates as main topics of concern the independence of the judiciary and the political implications of a number of provisions in the underlying laws to the Hungarian Constitution, adopted in April 2011. Also, the freedom and pluralism of the media and the quality of democracy in general in Hungary are mentioned as areas of concern (for more information on the Hungarian situation see IRIS 2012-2/25, IRIS 2011-5/100, IRIS 2011-5/2, IRIS 2011-4/7, IRIS 2011-4/2, IRIS 2011-3/24, IRIS 2011-2/30, IRIS 2011-2/3, IRIS 2011-1/37, IRIS 2010-9/6 and IRIS 2010-8/34).

In this resolution, the European Parliament refers in particular to the resolution on the media law in Hungary adopted in March 2011 in which the European Parliament urged Hungary to further align its media law with EU law. The Parliament shared the concerns of the Commission, for example with regard to the compliance of the media law with the Audiovisual Media Services Directive and the general acquis communautaire with regard to the obligation to offer balanced coverage applicable to all audiovisual media service providers. Respect for the fundamental right to freedom of expression and information and the politically homogenous composition of the Media Authority and the Media Council were amongst the other matters of concern that were raised in that resolution.

Before the adoption of the resolution on the recent political developments in Hungary, the Committee on Civil Liberties, Justice and Home Affairs held a public hearing with representatives of the Hungarian Media, civil society and government. One of the focuses of the hearing was the media law in Hungary. At that occasion, the Vice-President of the Commission Neelie Kroes emphasized the importance of media freedom, both as a fundamental right and also “because private investors and international institutions need to know they have full access to independent media analysis”.

The resolution was adopted against the background of the implementation of the Basic Law of Hungary (the new Constitution), which was adopted on 18 April 2011, and the Transitional Provisions of this Basic Law, which were adopted on 30 December 2011. According to the resolution, the implementing laws give rise to concern in several areas in particular with regard to the exercise of democracy,

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the rule of law, respect and protection of human and social rights, the system of checks and balances, equality and non-discrimination. The freedom and pluralism of the media in Hungary is also an area of concern.

In its recommendations, the European Parliament calls on the Hungarian Government to comply with the recommendations, objections and demands of the European Commission, the Council of Europe and the European Commission for Democracy through Law on these issues, and consequently amend the laws in question. In its main recommendation, the Parliament calls on the Commission to monitor closely potential amendments to and the implementation of the laws concerned, and to carry out a thorough study to ensure, amongst other things, that the freedom and pluralism of the media is guaranteed by the letter and implementation of the Hungarian Media Law, especially regarding the participation of civil and opposition representatives in the Media Council. Apart from this study, the Parliament also requests a report from the Committee on Civil Liberties, Justice and Home Affairs, which should follow up on the Hungarian matter together with the European Commission, the Council of Europe and the European Commission for Democracy through Law and monitor the implementation of the Parliament's recommendations. Finally the Parliament calls on the Conference of Presidents to consider whether Article 7 (1) of the EU Treaty (used in case of a clear risk of serious breach of EU common values) should be activated.

European Parliament resolution of 16 February 2012 on the recent political developments in Hungary 2012/2511 (RSP)

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