Address by Minister of State for European Affairs, Lucinda Creighton TD,

Item: Constitutional Situation in Hungary

European Parliament
Strasbourg
Wednesday, 17th April 2013

SPEAKING POINTS

President, Honourable Members,

The Presidency has been following closely the issue which is the subject of your debate this morning. We are of course very well aware of the concerns which have been expressed by a number of political groups in this House following the amendments to the Hungarian Constitution which were adopted recently by the Hungarian Parliament.

You have requested that the Council participate in this debate, and the Irish Presidency, representing the Council, is happy to do so. However the Council has not discussed the situation in Hungary, nor has it agreed any position on the issue. Since I speak on behalf of the Council, it follows that I am not in a position to make a substantive contribution to this morning's debate. The Commissioner will - I am sure - wish to update us on the latest developments with regard to Hungary, but before that I would like to make a few general comments.

The context to our discussion this morning is of course that the European Union is founded on certain basic values which are set out in the Treaty, and which are also contained in the Charter of Fundamental Rights of the European Union. These rights, freedoms and principles are also enshrined in the constitutional traditions of the Member States and the European Convention on Human Rights to which the European Union will shortly accede and to which all EU Member States are party.

The Council attaches particular importance to ensuring that these rights, freedoms and values are fully respected. And I know that this House shares this view. However this is a matter in the first instance for
the Commission, which is charged with ensuring the application of the treaties and is responsible for promoting the general interest of the Union.

The Commission President has, together with the Secretary-General of the Council of Europe, raised concerns over the amendments introduced to the Hungarian Constitution in relation to the extent to which these respect the principle of the rule of law, EU law and Council of Europe standards.

We are also aware that there have been contacts between the Commission and the Hungarian authorities. I am sure that the Commissioner will have more to say on this in a moment. I note in that regard the commitment of Prime Minister Orban in his letter to President Barroso that he has already initiated the necessary legal steps to follow up on the points raised.

Whilst the Council is always concerned to ensure that that the basic values of the Union are respected, no procedure involving the Council linked to the respect for the values of the Union by Hungary has to date been invoked.

For the Irish Presidency, the promotion of the Rule of Law and the protection of fundamental rights are important priorities. Equality, tolerance, respect for human rights and the rule of law are the values on which our Union is founded.

I wish to mention that the Irish Presidency, in consultation with the Commission, suggested that a mechanism to better support protection of fundamental rights and the Rule of Law in Member States might make a useful contribution.

It could cover sharing of best practice, benchmarking, evaluation of outcomes in an objective way and formulating appropriate recommendations and guidelines for action.

This idea will feature when the Presidency hosts a conference in Dublin on 9 & 10 May to discuss ways to strengthen the protection of fundamental rights and promote the rule of law, in an effort to build understanding and support on this important subject.

President, Honourable Members

I am not in a position to say more at this stage. I speak as Presidency of the Council, and therefore in the name of all of its 27 members. I will however follow this debate closely and can assure Members that I will pay particular attention to the range of views which will doubtless be expressed here this morning.
ENDS