

7.9.2022

A9-0217/4

Amendment 4

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital K a (new)

Motion for a resolution

Amendment

Ka. whereas the Hungarian Parliament adopted a resolution on 19 July 2022 calling for the European Parliament's powers to be limited, and for MEPs to be appointed rather than elected;

Or. en

7.9.2022

A9-0217/5

Amendment 5

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital N

Motion for a resolution

N. whereas on **20 July 2021**, the Commission indicated in the country chapter on Hungary of the **2021** Rule of Law Report that the transparency and quality of the legislative process remain a source of concern, ***although an amendment to the constitution will limit the powers of government as regards the ‘state of danger’ regime after July 2023***; whereas ***concerns have been expressed about newly established private trusts receiving significant public funding, managed by board members close to the current government***;

Amendment

N. whereas on **13 July 2022**, the Commission indicated in the country chapter on Hungary of the **2022** Rule of Law Report that the transparency and quality of the legislative process remain a source of concern, ***and the Government has been using its emergency powers extensively, also in areas not related to the COVID-19 pandemic as initially invoked***; whereas ***the ineffective implementation by state organs of judgments of European and national courts is a source of concern***; whereas ***the public-interest trusts receiving significant public funding and managed by board members close to the current government have become operational***;

Or. en

Amendment 6**Gwendoline Delbos-Corfield**

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report**A9-0217/2022****Gwendoline Delbos-Corfield**

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution**Recital T***Motion for a resolution**Amendment*

T. whereas democratic elections organised on a level playing field are of the utmost importance to the democratic nature of our societies; whereas in response to concerns over the fairness of the elections and appeals from civil society, the OSCE decided to send a full-scale international election observation mission to the general elections and referendum held on 3 April 2022, which is a rare occurrence for EU Member States; whereas in its subsequent statement of preliminary findings and conclusions published on 4 April 2022, the OSCE international election observation mission found that the elections and referendum had been well administered and professionally managed, but marred by the absence of a level playing field; whereas contestants were largely able to campaign freely, but while competitive, the campaign was highly negative in tone and characterised by a pervasive overlap between the ruling coalition and the

T. whereas democratic elections organised on a level playing field are of the utmost importance to the democratic nature of our societies; whereas in response to concerns over the fairness of the elections and appeals from civil society, the OSCE decided to send a full-scale international election observation mission to the general elections and referendum held on 3 April 2022, which is a rare occurrence for EU Member States; whereas in its subsequent statement of preliminary findings and conclusions published on 4 April 2022, the OSCE international election observation mission found that the elections and referendum had been well administered and professionally managed, but marred by the absence of a level playing field; whereas contestants were largely able to campaign freely, but while competitive, the campaign was highly negative in tone and characterised by a pervasive overlap between the ruling coalition and the

government, while the lack of transparency and insufficient oversight of campaign finances further benefited the governing coalition; whereas the manner in which many electoral disputes were handled by electoral commissions and courts fell short of providing effective legal remedy;

government, while the lack of transparency and insufficient oversight of campaign finances further benefited the governing coalition; whereas the manner in which many electoral disputes were handled by electoral commissions and courts fell short of providing effective legal remedy; ***whereas in its final report published on 29 July 2022, the OSCE international election observation mission indicated that many prior ODIHR recommendations remain largely unaddressed, including on suffrage rights, prevention of the misuse of administrative resources and blurring of state and party functions, media freedom, campaign finance, and citizen observation; whereas contrary to international good practice, Hungarian legislation allows for deviations of up to 20 % from the average number of voters per single-mandate constituency, and contrary to national legislation, the Hungarian Parliament did not revise the boundaries of constituencies that exceeded the established deviation limit following the 2018 elections; whereas the unequal distribution of voters among the constituencies, with deviations from the average of up to 33 %, challenges the principle of equality of the vote;***

Or. en

Amendment 7**Gwendoline Delbos-Corfield**

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report**A9-0217/2022****Gwendoline Delbos-Corfield**

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution**Recital Y***Motion for a resolution**Amendment*

Y. whereas on **20 July 2021**, the Commission indicated in the country chapter on Hungary of the **2021** Rule of Law Report that ***the Hungarian justice system performs well in terms of the length of proceedings and has a high level of digitalisation, and that the gradual increase in the salaries of judges and prosecutors continues; whereas***, as regards judicial independence, the ***justice system has been subject to new developments adding to existing concerns: the new rules allowing for the appointment of members of the Constitutional Court to the Supreme Court (Kúria) outside the normal procedure have been put into practice and have enabled the election of the new Kúria President, whose position was also endowed with additional powers and who was elected despite an unfavourable opinion from the National Judicial Council (NJC); whereas the recommendation to***

Y. whereas on **13 July 2022**, the Commission indicated in the country chapter on Hungary of the **2022** Rule of Law Report that, as regards judicial independence, ***concerns expressed in the context of the Article 7(1) TEU procedure initiated by the European Parliament, as well as in previous Rule of Law Reports, remain unaddressed, as was the case for the relevant recommendation made under the European Semester; whereas these concerns relate in particular to the challenges faced by the independent National Judicial Council (NJC) in counter-balancing the powers of the President of the National Office for the Judiciary (NOJ), the rules on electing the President of the Supreme Court (Kúria), and the possibility of discretionary decisions as regards judicial appointments and promotions, case allocation and bonuses to judges and court executives; whereas as regards efficiency and quality,***

strengthen judicial independence, made in the context of the European Semester, remains unaddressed, including the need to formally reinforce the powers of the independent NJC to enable it to counterbalance the powers of the President of the National Office for the Judiciary (NOJ); whereas the nomination of the new Kúria President was rejected by the NJC with 13 votes against and 1 in favour;

the justice system performs well in terms of the length of proceedings and has an overall high level of digitalisation, and whereas the salaries of judges and prosecutors continue to increase gradually; whereas on 26 August 2022, several civil society organisations requested that the minister of justice address problems of the Hungarian judiciary after conducting wide-ranging consultations with the general public and experts, including self-governing and representative organs of the judiciary and the Venice Commission;

Or. en

Amendment 8**Gwendoline Delbos-Corfield**

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report**A9-0217/2022****Gwendoline Delbos-Corfield**

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution**Recital AK***Motion for a resolution**Amendment*

AK. whereas on **20 July 2021**, the Commission indicated in the country chapter on Hungary of the **2021** Rule of Law Report that the implementation of the anti-corruption strategy **is ongoing, but its scope remains limited**, and shortcomings persist as regards political party financing, **lobbying and ‘revolving doors’**; whereas **risks of clientelism, favouritism and nepotism in high-level public administration, as well as risks arising from the link between businesses and political actors, remain unaddressed**, independent control mechanisms remain insufficient **for detecting** corruption, and concerns remain regarding the lack of systematic checks and insufficient oversight of asset and interest declarations; whereas **new criminal law provisions aim to address foreign bribery and informal payments in healthcare; whereas while the indictment rate for corruption cases is high, and some new high-level corruption**

AK. whereas on **13 July 2022**, the Commission indicated in the country chapter on Hungary of the **2022** Rule of Law Report that the implementation of **most measures under the 2020-2022** anti-corruption strategy **has been postponed and that no new strategy has been announced**, and **that** shortcomings persist as regards **lobbying and revolving doors, as well as** political party **and campaign** financing; whereas independent control mechanisms remain insufficient **to detect** corruption, and concerns remain regarding the lack of systematic checks and insufficient oversight of asset and interest declarations **as well as the lack of conflict of interest rules for the public-interest trusts**; whereas **the lack of a robust** track record of **investigations of corruption** allegations concerning high-level officials and their immediate circle remains **a serious concern, although some new high-level corruption cases have been**

cases have been opened since 2020, the track record for the investigation of allegations concerning high-level officials and their immediate circle remains limited;

opened; whereas the lack of judicial review of decisions not to investigate and prosecute corruption remains a cause for concern, in particular in an environment where risks of clientelism, favouritism and nepotism in high-level public administration remain unaddressed;

Or. en

7.9.2022

A9-0217/9

Amendment 9

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital AM

Motion for a resolution

Amendment

AM. whereas in its recommendation of **23 May 2022 for a Council recommendation** on the 2022 National Reform Programme of Hungary and delivering a Council opinion on the 2022 Convergence Programme of Hungary¹⁰, the **Commission** recommended that Hungary should take action to reinforce the anti-corruption framework, including by improving prosecutorial efforts and access to public information, and strengthen judicial independence, as well as to improve the quality and transparency of the decision-making process through effective social dialogue, engagement with other stakeholders and regular impact assessments, and to improve competition in public procurement;

AM. whereas in its recommendation of **12 July 2022** on the 2022 National Reform Programme of Hungary and delivering a Council opinion on the 2022 Convergence Programme of Hungary, the **Council** recommended that Hungary should take action to reinforce the anti-corruption framework, including by improving prosecutorial efforts and access to public information, and strengthen judicial independence, as well as to improve the quality and transparency of the decision-making process through effective social dialogue, engagement with other stakeholders and regular impact assessments, and to improve competition in public procurement;

¹⁰ **COM(2022)0614.**

Or. en

AM\1262614EN.docx

PE733.854v01-00

7.9.2022

A9-0217/10

Amendment 10

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital AP

Motion for a resolution

AP. whereas on 5 April 2022, the Commission President announced that the Commissioner for Budget and Administration, Johannes Hahn, had informed the Hungarian authorities about the Commission's plans to move on to the next step and formally trigger the Rule of Law Conditionality Regulation, mainly over corruption concerns; whereas the Commission finally initiated the formal procedure against Hungary under the Rule of Law Conditionality Regulation by issuing a written notification on 27 April 2022;

Amendment

AP. whereas on 5 April 2022, the Commission President announced that the Commissioner for Budget and Administration, Johannes Hahn, had informed the Hungarian authorities about the Commission's plans to move on to the next step and formally trigger the Rule of Law Conditionality Regulation, mainly over corruption concerns; whereas the Commission finally initiated the formal procedure against Hungary under the Rule of Law Conditionality Regulation by issuing a written notification on 27 April 2022; **whereas on 20 July 2022, the Commission decided to inform Hungary of its intention to make a proposal for a Council implementing decision and give it the opportunity to submit its observations;**

Or. en

7.9.2022

A9-0217/11

Amendment 11

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital AZ

Motion for a resolution

AZ. whereas on **20 July 2021**, the Commission indicated in the country chapter on Hungary of the **2021** Rule of Law Report that ***media pluralism remains at risk and that concerns persist with regard to*** the independence and effectiveness of the Media Authority, ***also in the light of the Media Council's decisions leading to independent radio station Klubrádió being taken off air; whereas while no media support schemes were established to counter the impact of the COVID-19 pandemic on news media outlets***, significant amounts of state advertising ***have continued to permit the government to exert indirect political influence over the*** media; whereas access to public information ***was tightened through emergency measures introduced during the pandemic, making timely access to such information harder for independent media outlets; whereas independent media outlets and journalists***

Amendment

AZ. whereas on **13 July 2022**, the Commission indicated in the country chapter on Hungary of the **2022** Rule of Law Report that the ***functional*** independence and effectiveness of the Media Authority ***needs to be strengthened, and that the continued channelling of*** significant amounts of state advertising ***to pro-government media creates an unlevel playing field in the media landscape;*** whereas ***public service media operates in a complex institutional system, amid concerns over its editorial and financial independence, and media professionals continue to face challenges in exercising their activities, including the surveillance of investigative journalists;*** whereas access to public information ***continues to be hindered under the state of danger;***

*continue to face obstruction and
intimidation;*

Or. en

7.9.2022

A9-0217/12

Amendment 12

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital BA

Motion for a resolution

Amendment

BA. whereas on **2 December 2021**, the Commission decided to **send a reasoned opinion regarding a decision made by** the Hungarian Media **Council** to reject Klubrádió's application for the use of radio spectrum; whereas the Commission concluded that the Hungarian Media Council's refusal to renew Klubrádió's rights were disproportionate and non-transparent, and that the Hungarian national media law had been applied in a discriminatory way in this particular case, in breach of Directive (EU) 2018/1972 establishing the European Electronic Communications Code¹⁶;

¹⁶ OJ L 321, 17.12.2018, p. 36.

BA. whereas on **15 July 2022**, the Commission decided to **refer Hungary to the Court of Justice for breaching EU telecommunications rules with the Hungarian Media Council's decision on highly questionable grounds** to reject Klubrádió's application for the use of radio spectrum; whereas the Commission concluded that the Hungarian Media Council's refusal to renew Klubrádió's rights were disproportionate and non-transparent, and that the Hungarian national media law had been applied in a discriminatory way in this particular case, in breach of Directive (EU) 2018/1972 establishing the European Electronic Communications Code¹⁶ **and the freedom of expression**;

¹⁶ OJ L 321, 17.12.2018, p. 36.

Or. en

7.9.2022

A9-0217/13

Amendment 13

Gwendoline Delbos-Corfield

on behalf of the Verts/ALE Group

Isabel Wiseler-Lima

on behalf of the PPE Group

Bettina Vollath

on behalf of the S&D Group

Ramona Strugariu

on behalf of the Renew Group

Malin Björk

on behalf of The Left Group

Report

A9-0217/2022

Gwendoline Delbos-Corfield

Existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded

(2018/0902R(NLE))

Motion for a resolution

Recital BL

Motion for a resolution

BL. whereas on 4 April 2022, in its statement of preliminary findings and conclusions following the parliamentary elections and referendum, the OSCE international election observation mission stated that the bias and lack of balance in monitored news coverage and the absence of debates between major contestants significantly limited the voters' opportunity to make an informed choice;

Amendment

BL. whereas on 4 April 2022, in its statement of preliminary findings and conclusions following the parliamentary elections and referendum, the OSCE international election observation mission stated that the bias and lack of balance in monitored news coverage and the absence of debates between major contestants significantly limited the voters' opportunity to make an informed choice; ***whereas on 29 July 2022, in its final report, the OSCE international election observation mission highlighted that extensive government advertising campaigns and biased news coverage in public and many private media provided a pervasive campaign platform for the ruling party;***

Or. en