

PACE 081 (2013)

PACE committee recommends monitoring of Hungary

Strasbourg, 25.04.2013 – The Monitoring Committee of the Parliamentary Assembly of the Council of Europe (PACE) has recommended that the Assembly should open a “monitoring procedure” in respect of Hungary, citing deep concerns at “the erosion of democratic checks and balances” as a result of the new constitutional framework in the country.

In an opinion, the committee said there are “serious and sustained concerns” about the extent to which Hungary is complying with the obligations it took on when it joined the Council of Europe to uphold the highest standards on democracy, human rights and the rule of law.

In the light of the Monitoring Committee’s written opinion, the Assembly’s Bureau will now express itself on whether to open a monitoring procedure. Subsequently, the text shall be included on the agenda of the next Assembly session.

The opinion lists a number of concerns, including that:

- Hungary’s constitution and related cardinal laws “were adopted in a hasty and opaque manner” which was “not based on a consensus between the widest possible range of political forces in Hungarian society”
- the excessive use of, and wide range of subjects regulated by, cardinal laws and provisions “runs counter to democratic principles”
- the ruling coalition used its two-thirds majority in parliament to “circumvent Constitutional Court decisions”
- the constant changing of the Constitution for narrow party political interests undermines the required stability of the constitutional framework

The committee also regretted the “recent adoption of the so-called Fourth Amendment to the Constitution against [...] the explicit advice of Hungary’s international partners”, saying it was “unacceptable” that this contained provisions previously declared unconstitutional or at variance with European principles and norms, and called for detailed changes to a number of recently adopted laws.

The text states: “Each of the concerns outlined in this decision is inherently serious in terms of democracy, the rule of law and respect for human rights. Taken separately, they would already warrant close scrutiny by the Monitoring Committee. In the present case, however, what is striking is the sheer accumulation of reforms that aim at establishing political control of most key institutions while in parallel weakening the system of checks and balances.”

[Opinion of the Monitoring Committee](#)
[Further information on the monitoring procedure](#)

Ten of the Council of Europe’s 47 member states are currently subject to the Assembly’s monitoring procedure (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Republic of Moldova, Montenegro, Russian Federation, Serbia and Ukraine) and four are subject to “post-monitoring dialogue” (Bulgaria, Monaco, “the former Yugoslav Republic of Macedonia” and Turkey).

The monitoring procedure involves regular visits to the monitored country to assess progress and engage in dialogue with the authorities, political forces, judiciary and civil society, as well as periodic evaluations debated by the Assembly.



The Assembly brings together 318 members from the national parliaments of the 47 member states.
President: Jean-Claude Mignon (EPP/CD) - Secretary General of the Assembly: Wojciech Sawicki.
Political groups: EPP/CD (Group of the European People's Party); SOC (Socialist Group);
EDG (European Democrat Group); ALDE (Alliance of Liberals and Democrats for Europe);
UEL (Group of the Unified European Left).