



Benedek JÁVOR  
Member of the European Parliament

Frans Timmermans  
First Vice-President  
European Commission

04 May 2017, Brussels,

Dear Vice-President Timmermans,

On 12 April, commenting on two Hungarian legislations, one aiming at to expel the Central European University from the country, the other targeting “foreign-funded” NGOs, you said that, in the Commission’s view, there is “not a systemic threat to the rule of law in Hungary.” On 26 April, in your opening address to the Parliament in the debate on the situation in Hungary, you said that the Commission repeatedly discussed not just the two specific legislations but also the overall state of affairs in Hungary, and “considered that given the wider situation, including the spirit of Article 2 TEU, a broader political dialogue between the Hungarian authorities, other Member States, and the European Parliament and the Commission should take place.”

While I am very appreciative and thankful for the strong stance you have taken in the debate, I feel that there is a tension between these two statements that requires further clarification.

The reference in your address to “the spirit of Article 2 TEU” in relation to your remark about the necessity of a dialogue with the Hungarian government suggests that in your judgment the substantive components of the rule of law need to be discussed. I would like to ask for some clarification as to how such dialogue with the participation of all the mentioned actors will take place.

You also emphasised in your speech on 26 April that Prime Minister Orbán made efforts to comply with community law on certain occasions, in matters on which the Commission initiated a dialogue. Although this is true, in reality it has never altered the general direction of his reforms, which clearly point to the direction of building an autocracy while maintaining the facade of a constitutional democracy. This is the issue at hand. Tolerance toward this by



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the European Commission, apparent also in the first of your two comments referenced above, contributes to the further deterioration of the situation, and, in my view, also risks questioning the seriousness of the commitment of European institutions to stand up for fundamental rights and values when they are challenged. The significance of this goes well beyond the “Hungarian situation,” affecting the essence and the future of European cooperation and undermining the Commission’s role as “Guardians of the Treaty.”

I am, therefore, asking you to reconsider your assessment of the situation regarding the existence of a systemic threat to the rule of law in Hungary. I do believe that this request is backed by the undeniable facts about the developments that took place in our country in the last seven years. Attached to this letter, you find a summary of these developments. This summary is also an argument, put forward in simple English, not in a technical legal jargon, to the effect that these developments amount to “a systemic threat to the rule of law” precisely in the sense of the EU framework to strengthen the rule of law. It was prepared in the hope that it will assist your much-appreciated work. It is also the basis for my stance on the situation, which I have put forward in this letter.

Sincerely yours,

Benedek JAVOR  
Member of the European Parliament