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*Plenary sitting*

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**B9-0223/2024**

19.4.2024

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on ongoing hearings under Article 7(1) TEU regarding Hungary to strengthen the rule of law and its budgetary implications  
(2024/2683(RSP))

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**Anna Júlia Donáth, Katalin Cseh, Sophia in 't Veld, Ramona Strugariu, Moritz Körner**

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on behalf of The Left Group

**B9-0223/2024**

**European Parliament resolution on ongoing hearings under Article 7(1) TEU regarding Hungary to strengthen the rule of law and its budgetary implications (2024/2683(RSP))**

*The European Parliament,*

- having regard to the Treaty on European Union (TEU), in particular Articles 2, 4(3) and 7(1) thereof,
- having regard to the Charter of Fundamental Rights of the European Union (the Charter),
- having regard to the European Convention on Human Rights and the protocols thereto,
- having regard to the Universal Declaration of Human Rights,
- having regard to the international human rights treaties of the United Nations and of the Council of Europe,
- having regard to the Rule of Law Checklist adopted by the Venice Commission at its 106th plenary session in Venice on 11 and 12 March 2016,
- having regard to its resolution of 12 September 2018 on a proposal calling on the Council to determine, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded<sup>1</sup>,
- having regard to Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget<sup>2</sup> (Rule of Law Conditionality Regulation),
- having regard to Commission Decision C(2023) 8999 of 13 December 2023 on the reassessment, on the Commission's initiative, of the fulfilment of the conditions under Article 4 of Regulation (EU, Euratom) 2020/2092 following Council Implementing Decision (EU) 2022/2506 of 15 December 2022 regarding Hungary,
- having regard to its resolution of 15 September 2022 on the proposal for a Council decision determining, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded<sup>3</sup>,
- having regard to its resolution of 24 November 2022 on the assessment of Hungary's compliance with the rule of law conditions under the Conditionality Regulation and

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<sup>1</sup> OJ C 433, 23.12.2019, p. 66.

<sup>2</sup> OJ L 433I, 22.12.2020, p. 1.

<sup>3</sup> OJ C 125, 5.4.2023, p. 463.

- state of play of the Hungarian RRP<sup>4</sup>,
- having regard to its resolution of 1 June 2023 on the breaches of the Rule of Law and fundamental rights in Hungary and frozen EU funds<sup>5</sup>,
  - having regard to its resolution of 18 January 2024 on the situation in Hungary and frozen EU funds<sup>6</sup>,
  - having regard to the country chapters on Hungary in the Commission’s annual rule of law reports,
  - having regard to the Opinion of the Venice Commission on Hungary’s Act LXXXVIII of 2023 on the Protection of National Sovereignty, adopted at its 138th plenary session in Venice on 15 and 16 March 2024,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as set out in Article 2 TEU and as reflected in the Charter and embedded in international human rights treaties; whereas these values, which are shared by the Member States, constitute the foundation of the rights enjoyed by those living in the EU;
- B. whereas any clear risk of a serious breach by a Member State of the values referred to in Article 2 TEU does not concern solely the individual Member State where the risk has materialised, but has an impact on the other Member States, on mutual trust between them and on the very nature of the EU and its citizens’ fundamental rights under EU law;
- C. whereas the scope of Article 7 TEU is not confined to the obligations under the Treaties, unlike Article 258 of the Treaty on the Functioning of the European Union (TFEU), and whereas the EU can assess the existence of a clear risk of a serious breach of the common values in areas falling under Member States’ competences;
- D. whereas in 2018, upon a proposal of the European Parliament, the Council initiated the procedure laid down in Article 7(1) TEU with a view to addressing a clear risk of a serious breach by Hungary of the values referred to in Article 2 TEU; whereas six hearings on the situation in Hungary under the Article 7(1) TEU procedure have taken place in the Council since the start of the procedure, but the Council has not yet attempted to determine whether such risk exists, and has not addressed any recommendations to the Government of Hungary;
- E. whereas the Rule of Law Conditionality Regulation is of utmost importance as it is the instrument enabling the protection of EU funds in an effective manner;
- F. whereas the Commission decided to grant Hungary EUR 0.9 billion in pre-financing

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<sup>4</sup> OJ C 167, 11.5.2023, p. 74.

<sup>5</sup> OJ C, C/2023/1223, 21.12.2023, ELI: <http://data.europa.eu/eli/C/2023/1223/oj>.

<sup>6</sup> Texts adopted, P9\_TA(2024)0053.

under REPowerEU; whereas such pre-financing may come without conditions, but not without checks;

- G. whereas in its resolution of 15 September 2022, Parliament assessed that since the launch of the procedure under Article 7(1) TEU, multiple concerns with respect to Hungary's compliance with the values enshrined in Article 2 TEU had persisted or substantially worsened, including as regards the independence of the judiciary, corruption, conflicts of interest, media independence and pluralism, the functioning of the constitutional and electoral system, and in the civic space;
- H. whereas since the adoption of this resolution, the situation in some of these areas has shown limited improvement, in most areas it has remained alarming, and in some others it has deteriorated further; whereas new serious problems have emerged as a result of the Hungarian Government's actions;
- I. whereas in April 2024, tens of thousands of Hungarians took to the streets to protest against state capture and corruption;
- J. whereas in 2023, the Hungarian Government adopted a legislative package of judicial reforms in order to improve certain aspects of the independence of the judiciary, which included strengthening the independence of the National Judicial Council (NJC); whereas the non-exhaustive list of serious deficiencies related to the rule of law in the justice system that remain unaddressed includes:
- rules related to the irremovability of the current president of the Curia, Hungary's supreme court,
  - a lack of meaningful safeguards and guarantees of the independence of the Curia,
  - a lack of transparency and automatised in the case allocation system in the Curia and lack of transparency with respect to rules on composition of the panels,
  - political and administrative pressure on the independence of the NJC and its members, including by way of smear campaigns,
  - rules related to the appointment, promotion and irremovability of judges,
  - a lack of meaningful safeguards and guarantees of the independence of judges reviewing administrative decisions,
  - a growing number of obstacles to preliminary referrals to the Court of Justice of the European Union (CJEU),
  - deficient rules on immunity and disciplinary proceedings against prosecutors and judges,
  - political interference in the work of the prosecutorial services and individual prosecutors,
  - a lack of efficient support services for victims of crime;

- K. whereas the non-exhaustive list of persisting serious deficiencies related to anti-corruption and conflict of interest includes:
- the absence of a track record of investigations, prosecutions and final judgments concerning high-level corruption cases,
  - the absence of stringent regulations on lobbying, revolving doors and effective oversight on asset declarations,
  - a lack of sufficient competence, empowerment, access to information and adequate resources at the Integrity Authority,
  - a lack of public consultation and debate on anti-corruption measures,
  - a lack of accountability of the prosecutorial services, including in cases of negligence, breaches of duty and criminal behaviour,
  - political interference in the work of the prosecutorial services tracking high-level corruption and criminal cases;
- L. whereas the non-exhaustive list of persistent serious deficiencies related to media freedom and pluralism includes:
- a lack of functional independence of the media authority and of the digital services coordinator,
  - a lack of editorial and financial independence of public service media and a lack of pluralism of political views in public service media, which is used by the ruling majority for political propaganda,
  - the abuse of state advertising in pro-government media outlets and a lack of rules and transparency on this matter,
  - smear campaigns against independent journalists and media,
  - a growing number of restrictions on access to public information,
  - a lack of meaningful investigation into the deployment of spyware targeting investigative journalists and media professionals,
  - concentration of the media market and excessive influence of the government over the media landscape (including through the Central European Press and Media Foundation, or KESMA in its Hungarian acronym),
  - the potential subjection of media outlets and journalists to investigations by the Sovereignty Protection Office (SPO);
- M. whereas the non-exhaustive list of persistent serious deficiencies related to the constitutional and electoral system, as well as checks and balances, includes:
- the absence of equitable campaign conditions during elections at local and national

level, and frequent changes to the electoral code,

- insufficient transparency and accountability in the process of preparing and enacting laws,
- the continuation of the official ‘state of danger’ granting the government extensive emergency powers and allowing it to override higher-level laws in emergency decrees,
- the absence of a meaningful public consultation process with respect to important bills,
- the disempowerment of independent bodies and pressure on their independence,
- the use of omnibus bills to amend various laws;

N. whereas the non-exhaustive list of persistent serious deficiencies related to the functioning of civil society includes:

- the chilling effect of various laws aiming at restricting the existence and functioning of independent civil society organisations, such as the law on the transparency of organisations receiving foreign funds and the law on the protection of national sovereignty,
- smear campaigns and harassment against representatives of civil society organisations,
- a lack of public funding for independent civil society organisations, and financial support for pro-government organisations, or for organisations with ties to the government,
- the potential subjection of civil society organisations and their representatives to surveillance and investigations by the SPO;

O. whereas the non-exhaustive list of persistent serious deficiencies related to the protection of the financial interests of the EU includes:

- the functioning of authorities implementing the EU budget,
- systemic irregularities, deficiencies and weaknesses in public procurement, including a high share of tender procedures with single bids and a lack of competition in the public procurement system,
- weaknesses in the audit and control mechanisms to guarantee the sound use of EU funds,
- inadequate capacity to prevent and punish fraud, corruption or other breaches of EU law relating to the implementation of the EU budget or to the protection of the financial interests of the EU,
- inadequate application of the ARACHNE tool,
- a lack of transparency in the use of EU funds by public interest asset management foundations,

- the failure of Hungary to join the European Public Prosecutor’s Office (EPPO);
- P. whereas the non-exhaustive list of persistent serious deficiencies related to compliance with the single market principles and rules includes:
- discriminatory practices against companies operating in fields defined as having strategic interest for the Hungarian Government,
  - the abuse of public and legislative power and the use of intimidation techniques against economic actors operating in fields defined as having strategic interest for the Hungarian Government;
- Q. whereas the Hungarian Government has also failed to address other concerns identified in the Parliament resolution of 15 September 2022 that relate to fundamental rights, such as:
- academic freedom,
  - freedom of religion,
  - the right to equal treatment, including LGBTIQ rights,
  - the rights of persons belonging to minorities, including Roma and Jews; protection against hateful statements against minorities,
  - the fundamental rights of migrants, asylum seekers and refugees,
  - economic and social rights;
- R. whereas the Protection of National Sovereignty Act came into force on 23 December 2023; whereas, as a result, the new SPO was set up and the Criminal Code has been amended to prescribe, among other things, a prison sentence for using funding from abroad for political campaigns; whereas in her statement of 27 November 2023, the Commissioner for Human Rights of the Council of Europe indicated that the draft of that act posed a significant risk to human rights and should be abandoned; whereas in its opinion of 18 March 2024, the Venice Commission noted that restrictions on foreign funding for political parties and election campaigns were usual and, in principle, in line with international best practices and standards, but that the legal amendments failed to clearly define what kind of campaign activities were prohibited and how to establish that they have been financed by foreign funds; whereas the Venice Commission also noted in its opinion that the amendments did not take into account cooperation of political parties at international level, exclude funding by international organisations, or provide for the respect of international obligations, among which the obligations ensuing from EU membership; whereas on 7 February 2024, the Commission decided to open an infringement procedure against Hungary, as it considered that the legislation violated several provisions of primary and secondary EU law, including the democratic values of the EU, the principle of democracy and the electoral rights of EU citizens, and several fundamental rights enshrined in the Charter, such as the right to respect for private and family life, the right to protection of personal data, freedom of expression and information, freedom of association, the electoral rights of EU citizens, the right to

an effective remedy and to a fair trial, the privilege against self-incrimination and the legal professional privilege, the requirements of EU law relating to data protection and several rules applicable to the single market;

- S. whereas since the adoption of the Interim Report, the CJEU declared in its judgment in Case C-823/21<sup>7</sup>, *Commission v Hungary*, that by making an application for international protection subject to a declaration of intent at a Hungarian embassy located in a third country, Hungary has failed to fulfil its obligations under EU asylum law;
- T. whereas in the European Court of Human Rights (ECtHR) judgments of 10 November 2022 in the case of *Bakirdzi and E.C. v Hungary* (49636/14 and 65678/14), which became final on 3 April 2023, and of 30 March 2023 in the case of *Szolcsán v Hungary* (24408/16), which became final on 30 June 2023, the ECtHR found violations with regard to the voting rights of national-minority voters and with regard to the education of Roma children in segregated classes or schools without adequate measures being taken to correct inequalities;
- U. whereas in its decisions concerning the pending enhanced supervision of the execution of the ECtHR judgments in the cases and groups of cases of *Szabó and Vissy v Hungary*<sup>8</sup>, *Gazsó v Hungary*<sup>9</sup>, *Ilias and Ahmed v Hungary*<sup>10</sup> and *Baka v Hungary*<sup>11</sup>, the Committee of Ministers of the Council of Europe reiterated its concerns about the non-execution of these judgments;
- V. whereas in its evaluation report of the fifth evaluation round on Hungary, the Group of States against Corruption (GRECO) expressed numerous concerns regarding the effectiveness of the framework in place in Hungary to prevent corruption among persons with top executive functions and members of the Hungarian National Police and of the National Protective Service; whereas GRECO indicated that a common and general feature of public administration and law enforcement agencies in Hungary is that most integrity and corruption prevention measures target low and mid-level officials, but the integrity framework applicable to persons with top executive functions is very weak and the conditions for the appointment of senior managers in the police and the National Protective Service carry risks of politicisation;
- W. whereas in its report, the European Commission against Racism and Intolerance welcomed some positive developments in Hungary, but expressed concerns about the abolishment of the Equal Treatment Authority, the stigmatisation of students from underprivileged backgrounds and low-income families, such as Roma students, the significant deterioration in the human rights of LGBTI persons, increasingly xenophobic public discourse and political speech particularly targeting refugees, asylum seekers and migrants, Muslims and LGBTI persons, the extremely limited effectiveness of the legal framework on hate speech, the non-implementation of the national social inclusion strategies, the termination of state integration support for refugees and persons

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<sup>7</sup> Judgment of the Court of Justice of 22 June 2023, *Commission v Hungary*, C-823/21, ECLI:EU:C:2023:504.

<sup>8</sup> ECtHR judgment of 12 January 2016, *Szabó and Vissy v Hungary*, 37148/14, which became final on 6 June 2016.

<sup>9</sup> ECtHR judgment of 16 July 2016, *Gazsó v Hungary*, 48322/12, which became final on 16 October 2015.

<sup>10</sup> ECtHR judgment of 14 March 2017, *Ilias and Ahmed v Hungary*, 47287/15.

<sup>11</sup> ECtHR judgment of 23 June 2016, *Baka v Hungary*, 20261/12.



granted subsidiary protection and curtailed access to asylum in the country;

- X. whereas in its concluding observations, the UN Committee on the Elimination of Discrimination against Women expressed concerns about sexual and reproductive health and rights and the fact that Hungary's equality policy is based exclusively on the concept of family and considers a woman's primary role as being a wife and a mother, and recommended that Hungary take measures to address anti-gender public discourse;
- Y. whereas in her statement following an official visit to Hungary, the Organization for Security and Co-operation in Europe Representative on Freedom of the Media stated that when looking at the media freedom situation in Hungary, a picture arises of a systemic approach in which some voices do not enjoy the same basic conditions to be heard;
- Z. whereas in its recommendation on the 2023 National Reform Programme of Hungary and delivering a Council opinion on the 2023 Convergence Programme of Hungary (COM(2023)0617), the Council recommended that Hungary take action to improve the adequacy of the social assistance system, improve access to effective active labour market measures, ensure effective social dialogue, and improve the regulatory framework and competition in services in line with the principles of the single market and of the rule of law;
- AA. whereas the Hungarian Government has failed to implement multiple judgments of the Hungarian Constitutional Court, the CJEU and the ECtHR related to violations by Hungary of values enshrined in Article 2 TEU and has not followed up on the large majority of the recommendations contained in the 2023 Commission Rule of Law Report or the recommendations of other international bodies such as GRECO, the Venice Commission and others;
  - 1. Is appalled by the persistent systemic and deliberate breach of democracy, the rule of law and fundamental rights in Hungary, for which the Hungarian Government bears responsibility;
  - 2. Highlights that respect for the values enshrined in Article 2 TEU has substantially deteriorated in Hungary since the triggering of Article 7(1) TEU and expresses deep regret that the lack of decisive action by the Commission and the Council has contributed to a breakdown in democracy, the rule of law and fundamental rights in that country, turning it into a hybrid regime of electoral autocracy, according to the relevant indices;
  - 3. Condemns the adoption of the Protection of National Sovereignty Act and the creation of the SPO with extensive powers and a strict system of surveillance and sanctions, which fundamentally violates standards of democracy such as the principle of free and fair elections, the rule of law and fundamental rights, and breaches multiple EU laws; welcomes the Commission's infringement procedure against Hungary on this matter; calls on the Hungarian Government to repeal the act immediately;
  - 4. Deplores the inability of the Council to make meaningful progress in the ongoing Article 7(1) TEU procedure and reiterates its call to improve the situation by holding regular hearings, rapidly addressing longstanding and new problems affecting the rule

of law, democracy and fundamental rights and issuing concrete recommendations with deadlines for implementation; calls on the Council to publish comprehensive minutes and conclusions after each hearing; insists that in all proceedings related to Article 7 TEU Parliament should be able to present its reasoned proposal to the Council, to attend Article 7 TEU hearings and to be promptly and fully informed at every stage of the procedure; calls on the Commission and the Member States to initiate the procedure under Article 7(2) TEU and on the European Council to determine whether Hungary has committed serious and persistent breaches of EU values under Article 7(2) TEU, should there be no progress before the end of the Belgian Presidency; underlines that the Council shares responsibility for protecting the values enshrined in Article 2 TEU and that failure to protect them would have long-lasting and potentially damaging consequences;

5. Underlines the important role of the presidency of the Council in driving forward the Council's work on EU legislation, ensuring the continuity of the EU agenda and representing the Council in relations with the other EU institutions; reiterates its concern that the Hungarian Government will not be able to credibly fulfil this task in 2024 in view of its non-compliance with EU law and the values enshrined in Article 2 TEU, as well as with the principle of sincere cooperation; regrets that the Council has not yet found a solution to this problem, and that representatives of the Hungarian Government would chair the Council's meetings concerning democracy, the rule of law and fundamental rights, including meetings related to protecting the EU's financial interests and budget; underscores that this challenge comes at the crucial moment of the European elections and the formation of the Commission; deplores the failure to find a solution and reiterates its readiness to take measures to defend the credibility of the Union with respect to the values enshrined in Article 2 TEU as regards cooperation with the Council;
6. Calls on the Council and the Commission to devote more attention to tackling the systemic dismantling of the rule of law, as well as to the interplay between the various breaches of values identified in its resolutions; stresses that the EU should defend all of the values enshrined in Article 2 TEU with equal determination, and that failure to do so undermines democratic institutions and ultimately affects the human rights and lives of everyone in countries where those values are violated;
7. Reiterates its call on the Commission to make full use of the tools available to address the clear risk of a serious breach by Hungary of the values on which the EU is founded, in particular expedited infringement procedures, applications for interim measures before the CJEU and actions regarding the non-implementation of the CJEU's judgments; recalls the importance of the Rule of Law Conditionality Regulation and welcomes the Commission Decision of 13 December 2023 confirming that the risk to the Union budget has remained unchanged since December 2022, leading to prolonging the measures adopted under the regulation; calls on the Commission to take immediate action under the regulation as regards other breaches of the rule of law;
8. Reiterates, in this context, its serious concerns about the decision, considering that the horizontal enabling condition of the Charter had been fulfilled in relation to judicial independence, which enabled the Hungarian authorities to submit reimbursement claims of up to EUR 10.2 billion without adequate control mechanisms or public procurement

procedures in place to guarantee sound financial management or the protection of the EU budget; recalls Parliament's application with a view to reviewing the legality of Decision C(2023) 9014 before the CJEU, in accordance with Article 263 TFEU, which was lodged on 25 March 2024; looks forward to a speedy resolution to the matter; reiterates its calls on the Commission to re-assess its decision, particularly in the light of the national measures taken since its adoption and the leaked revelations by Hungary's former minister of justice implying a lack of independence of the prosecution and political interference in criminal proceedings; calls on the Commission to refrain from disbursing any funds until all of the relevant legislation has been fully implemented, the adopted measures have proven their effectiveness in practice and Hungary has implemented all of the relevant judgments of the CJEU and ECtHR; asks the Commission to thoroughly control pre-financing granted under EU financing to ensure that funds are implemented in line with the objectives of the respective legislation; reiterates its call on Hungary to join the EPPO as a matter of urgency;

9. Insists that the measures required for the release of EU funding, as defined by the relevant decisions taken under the Common Provisions Regulation<sup>12</sup> (CPR), the Recovery and Resilience Facility (RRF) Regulation<sup>13</sup> and the Rule of Law Conditionality Regulation, must be assessed in a coherent manner as an integral package and that no payments should be made even if progress is made in one or more areas but deficiencies still persist in another; stresses that it is incomprehensible to release funds under the CPR citing improvements to the independence of the judiciary, while funds under the RRF and the conditionality mechanism remain blocked due to ongoing deficiencies pertaining to the independence of the judiciary;
10. Takes note of the establishment of the Integrity Authority as one of the remedial measures to be implemented in the framework of the Rule of Law Conditionality Regulation; is of the opinion that the mere setting up of the institution cannot be deemed as being sufficient to address current concerns and believes that the fulfilment of the respective remedial measures should be assessed on the basis of the functioning in practice of that institution; believes that, if provided with adequate prerogatives and implementing powers, the Integrity Authority has the potential to address some of the concerns related to the rule of law situation in Hungary, in particular the fight against corruption; expresses, nevertheless, the concern that it lacks, in practice, the competence and prerogatives to adequately fulfil its tasks, as evidenced during the first year of its operations; insists that it be granted further powers and that these powers be implementable, in particular through granting it adequate access to relevant databases, strengthening its investigative powers and making the adoption of its recommendations mandatory;
11. Underlines that compliance with EU law, including with single market rules, represents

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<sup>12</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy, OJ L 231, 30.6.2021, p. 159.

<sup>13</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, OJ L 57, 18.2.2021, p. 17.

a core pillar of the rule of law principle; calls on the Commission to include an assessment of the situation of the single market in a Member State in the evaluation of the rule of law situation in each Member State; is concerned about the abuse of power and systemic discriminatory practices applied by the Hungarian authorities against companies operating in fields defined as having strategic interest to the Hungarian Government and oligarchs; stresses that this has led to an environment of discrimination and fear that contradicts the pillars of the single market and puts some companies and their legitimate business interests at severe risk and de facto forces them out of the Hungarian market; calls on the Commission to place a special focus on the compliance with the rules of the single market when assessing the situation of the rule of law in Hungary; calls on the Commission to examine whether the laws regarding fields defined as having strategic interest for the Hungarian Government are in line with current European law; stresses that the Commission has the duty to swiftly follow up on complaints filed by companies that are systematically targeted by the Hungarian authorities and to bring relevant cases to the CJEU;

12. Deplores the fact that Hungary has abused its veto power in the Council, preventing essential aid from being granted to Ukraine, thus undermining strategic interests of the EU; condemns the Hungarian Government's general policy towards Russia;
13. Reiterates its call on the Commission to ensure that the final recipients or beneficiaries of EU funds are not deprived of these funds, as set out in the Rule of Law Conditionality Regulation; calls on the Commission to find ways to distribute EU funds via local and regional authorities and civil society if the government concerned does not cooperate regarding deficiencies in the implementation of the rule of law;
14. Underlines that the Hungarian authorities must guarantee transparency and equal opportunities to individuals, companies, civil society, non-governmental organisations and local and regional authorities wishing to access EU funding and must ensure independent judicial oversight, as well as impartial and effective complaint mechanisms; condemns the reported systemic discriminatory practices used against academia, journalists, political parties and civil society, as well as companies in certain sectors;
15. Calls on the Commission to support independent civil society in Hungary which safeguards the values enshrined in Article 2 TEU, in particular by using the Citizens, Equality, Rights and Values Programme; reiterates its call on the Commission to adopt a comprehensive civil society strategy for the protection and development of civic space within the EU that integrates all current tools and outlines a set of specific measures to protect and strengthen civic space;
16. Reiterates its call on the Commission and the Council to immediately enter into negotiations with Parliament on an EU mechanism on democracy, the rule of law and fundamental rights in the form of an interinstitutional agreement, and on including a permanent policy cycle among the EU institutions;
17. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organization for Security and Co-operation in Europe and the United Nations.