

**Priority question for written answer P-000216/2024
to the Commission**

Rule 138

Daniel Freund (Verts/ALE)

Subject: Construction materials market in Hungary – infringement proceedings

On 9 July 2021, the Hungarian Government issued four decrees affecting foreign-owned companies in the construction sector.

On 6 April 2022, the Commission decided to open an infringement procedure (INFR(2022)4009)¹ against Hungary, requesting it to comply with EU law and single market rules in relation to national rules affecting the construction sector. In particular, these rules fix prices for specific raw materials and establish rules requiring economic operators to maintain certain output levels even if they are economically unsustainable.

These measures are part of ‘systemic discriminatory practices against companies in Hungary in certain sectors’ as laid down in paragraphs 6 and 7 of Parliament’s resolution of 1 June 2023².

In the 2023 Rule of Law Report’s chapter on Hungary, these emergency measures are indicated as raising concerns as to their necessity and proportionality, forcing cement producers to realise a negative profit margin (p. 31 and footnote 222).

On 14 July 2023, Commission decided to refer Hungary to the Court of Justice of the European Union (CJEU).

1. Has the Commission already initiated the announced CJEU proceedings?
2. Does the Commission share my concerns that ongoing proceedings against Hungary for violations of fundamental internal market freedoms must be accelerated immediately in order to prevent the Hungarian Government from continuously and systematically breaching European law?

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¹ [https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=EN&typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR\(2022\)4009&decision_date_from=&decision_date_to=&title=&submit=Search](https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=EN&typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR(2022)4009&decision_date_from=&decision_date_to=&title=&submit=Search).

² European Parliament resolution of 1 June 2023 on the breaches of the Rule of Law and fundamental rights in Hungary and frozen EU funds (OJ C, C/2023/1223, 21.12.2023, ELI: <http://data.europa.eu/eli/C/2023/1223/oj>).