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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Values of the Union - Hungary - Article 7 (1) TEU Reasoned Proposal -
scope of the hearing of Hungary on 10 December 2019

1. On 12 September 2018, the European Parliament adopted a Reasoned Proposal for a Council decision determining, pursuant to Article 7(1) of the TEU, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded¹.
2. The provisional agenda for the Council meeting (General Affairs) on 10 December 2019 includes an item "Values of the Union - Hungary - Article 7 (1) TEU Reasoned proposal - Hearing of Hungary in accordance with Article 7(1) TEU".
3. On 18 July 2019, the Council approved standard modalities for hearings referred to in Article 7(1) TEU². These modalities set out that the substantive scope of the issues to be covered by a hearing shall be agreed by Coreper in keeping with the scope of the issues raised in the Reasoned Proposal triggering the procedure of Article 7(1) TEU.

¹ 12266/1/18 REV1 + ADD1

² 10641/2/19 REV2

4. Hungary was heard by the Council for the first time on 16 September 2019 and this introductory hearing covered all the issues raised in the Reasoned Proposal by the European Parliament.
5. It is therefore suggested that the second hearing of Hungary focuses on three issues only, in order to allow the Council to have an in-depth assessment of the situation in Hungary as regards those elements.
6. In view of the above, Coreper is requested to approve the issues to be covered by the hearing of Hungary on 10 December 2019, as set out in the Annex to this note.

Issues to be covered by the hearing of Hungary on 10 December 2019, as presented in the annex to the resolution of the European Parliament 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 (2017/2131(INL) (doc 12266/1/18 REV1, 12266/18 REV1 COR1 and 12266/18 ADD1)

- (1) independence of the judiciary and of other institutions and the rights of judges;
- (2) freedom of expression;
- (3) academic freedom.