



Draft

Title: **No EU money for autocrats - protect Europe's rule of law!**

Tabled by: Bündnis 90/Die Grünen

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1 Democracy and the rule of law in Europe are in danger. The Hungarian government
2 is systematically dismantling democracy in Hungary. Prime Minister Viktor Orbán
3 bases his power in part on corruption and nepotism. Media freedom and the rights
4 of minorities and refugees have been severely restricted. He uses his veto power
5 as a nationalist instrument and thus restricts the European Union's unity and
6 ability to act. In recent years, similar attempts to threaten free media or
7 attack the judiciary have also been observed in other EU Member States.

8 In recent years, the Polish ruling party PiS embarked on a similar political
9 course that undermines judicial independence. Judgments of the European Court of
10 Justice (ECJ) are regularly ignored. The PiS party has attacked the rights of
11 women, members of the LGBTQI community, refugees and many others. EU
12 governments, which do not respect the rule of law and democratic values, should
13 face financial and political consequences. However, activation of the Article 7
14 mechanism, which can result in the withdrawal of voting rights for Member
15 States, is blocked in the Council as it requires a unanimous vote. The fight
16 against corruption and the misuse of EU funds must now be a top priority.

17 Linking the disbursement of EU funds to rule-of-law principles is the EU's most
18 important contribution to preventing Member States from drifting away from the
19 common consensus on values. EU funds must not be misused to undermine the rule
20 of law.

21 The European Commission and its President Ursula von der Leyen are the guardians

22 of the EU Treaties; the Commission is obliged to defend democracy and the rule
23 of law. It must use the necessary instruments to do so. We welcome the fact that
24 the EU Commission has now applied the conditionality regulation for the first
25 time
26 and wants to freeze €7.5 billion in EU funding to Hungary. It is very important
27 that this new instrument is used in an absolutely legally sound and court-proof
28 manner and will not be damaged.

29 Via the Recovery and Resilience Facility (RRF), a further €35.4 billion could
30 flow into Poland and €7.2 billion into Hungary. The responsible Council of EU
31 ministers conditionally approved the Polish recovery plan in June,
32 without the Polish government having carried out any significant judicial
33 reforms. If corresponding milestones are met, the €35.4 billion can now be
34 disbursed to the Polish government in tranches. However, these milestones are
35 controversial. Negotiations between the Commission and the Hungarian government
36 on the approval of Hungary's recovery plan are ongoing.

37 Europe must defend EU citizens' fundamental rights in all EU countries. We must
38 ensure that EU funds serve to strengthen prosperity, democracy and the rule of
39 law and do not disappear into the pockets of autocrats and their friends.

40 We demand:

41 - The EU Commission presses ahead with the suspension of EU funds in the ongoing
42 rule-of-law proceedings against the Hungarian government and decides to suspend
43 further payments in the event of continued violations of the rule of law;

44 - EU Member State governments actively advocate in the Council for such action
45 by the EU Commission to restore the rule of law and the independence of the
46 judiciary in Hungary;

47 - The Commission and the national governments only approve payment requests by
48 the Polish government under the RRF if the agreed milestones are met and the
49 related ECJ rulings are implemented;

50 - The Commission only approves the Hungarian recovery plan on the condition that
51 the rule-of-law violations documented by the Commission are remedied;

52 - The national governments in the Council only approve the Hungarian recovery

53 plan if it has fully remedied all documented rule-of-law deficiencies;

54 - The European Commission, as guardian of the Treaties, uses the existing rule-
55 of-law instruments consistently and in a timely manner, and enforces the ECJ's
56 rulings.