



VIKTOR ORBÁN MUST NOT CHAIR THE COUNCIL OF THE EUROPEAN UNION

Based on the schedule of presidencies of the Council of the European Union, the Hungarian government of the autocrat Viktor Orbán is set to chair the intergovernmental meetings—from July 1st to December 31st, 2024 — in the framework of the program of the current "trio" consisting of the Spanish, Belgian, and Hungarian governments, with the exception of the European Council, the Council of Foreign Ministers, the Defense Ministers Council, and the Eurogroup.

We firmly believe that the Hungarian government—which has self-defined itself as an "*illiberal democracy*"—must not chair the intergovernmental structures of the European Union. Below, we explain the reasons for this and issue an urgent appeal to those who can influence and those who have the power to decide so that this assault on European common values does not occur.

As we know, both the Spanish and Belgian governments have not played an active role in initiating the reform of the European Union. The first decided to bypass the mid-December European Council despite the report voted on by the European Parliament on November 22nd regarding the revision of the Lisbon Treaty. The second avoided placing the future of Europe at the center of intergovernmental meetings, despite the task of cooperating with the President of the European Council to ensure the preparation and continuity of the work of Heads of State and Government through the General Affairs Council, namely the ministers of European affairs.

As far as we know, the Strategic Agenda 2024-2029, which should be adopted solely by the European Council at the end of June, will contain nothing more about the future of Europe than the vague statements adopted by the Heads of State and Government in Granada last October. There, the emphasis was on policies but not on their democratic governance (politics), as Mario Draghi announced at the La Hulpe Social Summit, "*we cannot afford the luxury of waiting for treaty reform to continue the path of European integration.*"

Furthermore, French President Emmanuel Macron, the originator of the idea of an unprecedented Conference on the Future of Europe that was supposed to apply the method of deliberative democracy, did not even mention the reform of the European Union in his lengthy recent speech at the Sorbonne.

From July 1st, Viktor Orbán and his twelve ministers (including only one woman!) are supposed to coordinate the action of the twenty-seven European governments in specialized councils—namely, the General Affairs Council, Ecofin (excluding the Eurogroup); Justice and Home Affairs (i.e., the "police ministers" who should govern migration policies); Employment, Social Policy, Health, and Consumers; Competitiveness (internal market, industry, and research); Transport, Telecommunications, and Energy; Agriculture and Fisheries, Environment; Education, Youth, and Culture—in meetings of ambassadors, in the numerous committees responsible for the control and decision-making functions of national bureaucracies (knowing that this is where the bureaucratic weight lies in the European Union, not in the European civil service), and in informal meetings that

"enrich" each six-month presidency by cooperating with the President of the European Council in the preparation and continuity of the work of Heads of State and Government.

The Council of the European Union shares legislative and budgetary powers with the European Parliament (see Articles 14.1 and 16.1 TEU) and is required, in the exercise of these functions, to promote respect for the founding values of the European Union.

Hungary has been under surveillance procedure (Article 7.1 TEU) initiated by the European Parliament for years due to a clear risk of serious violation of common values, and it is also subject to the budgetary conditionality procedure aimed at protecting the respect for EU fundamental rights and values.

Therefore, it is reasonable that on April 24th, with a large majority, the European Parliament declared *"...its concern that the Hungarian government will not be able to credibly perform this task (the presidency of the Council of the Union) in 2024, considering its non-compliance with EU law values enshrined in Article 2 TEU and the principle of loyal cooperation; deplores the fact that the Council has not yet found a solution to this problem and that representatives of the Hungarian government will chair Council meetings on democracy, rule of law, and fundamental rights, including meetings related to the protection of EU financial interests and budget; emphasizes that this challenge comes at a crucial time of European elections and the formation of the Commission; regrets the inability to find a solution and reaffirms its willingness to adopt the necessary measures to defend the credibility of the Union regarding the values enshrined in Article 2 TEU regarding cooperation with the Council;"*¹

In this perspective, the President of the European Parliament, Roberta Metsola, should communicate the text of the Assembly to the European Council at its meeting on 17 and 18 June, asking it to amend its decision of 2009² by a qualified majority, clarifying that, in the interest of the smooth functioning of the European Union and the principle of loyal cooperation (Article 4.2 TEU), the Presidency of the Council of the Union cannot be held by countries for which a procedure under Article 7.1 TEU is pending and/or which are subject to budgetary conditionality.

We also address this appeal to the President of the Court of Justice, Koen Lenaerts, who has on several occasions stated that the promotion of founding values is part of the constitutional identity of the European Union, as well as to the President of the European Council, Charles Michel, and to the President of the European Commission, Ursula von der Leyen, and to the Prime Minister of Belgium, Alexander De Croo, who are preparing the resolutions of the European Council.

The European Council cannot allow a Member State that challenges the smooth functioning of the European Union daily and resorts to the right of veto to block unanimous decisions to undermine the remaining credibility of European institutions by chairing meetings of the Council of the Union and managing legislative and budgetary negotiations with the European Parliament.

¹ See European Parliament resolution of 24 April 2024 on ongoing hearings pursuant to Article 7(1) TEU concerning Hungary to strengthen the rule of law, and on the related budgetary implications. ([2024/2683\(RSP\)](#)).

² Based on Articles 16.9 TEU and 236 TFEU, the European Council adopted Decision 2009/881/EU on December 1, 2009, regarding the exercise of the Council Presidencies (OJ 2009 L 315/50). This Decision was further implemented on the same day by a Decision of the Council of the European Union, 2009/908/EU (subsequently amended by Decision (EU) 2016/1316 of July 26, 2016, OJ L 208, 2.8.2016).



By amending the Decision of the European Council and that of the Council of the Union which implements it, it would instead send a strong signal to European citizens as they go to the European polls and would strengthen in Hungarian citizens the belief that membership in the European family is truly based on the principle of representative democracy (Article 10 TEU) and the rule of law (Articles 2, 7, and 19 TEU).

European Movement in Italy, in France and in Spain

Rome-Paris-Madrid, 24th May 2024