



Hungarian Helsinki Committee

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Budapest, 25 July 2019

The European Commission sides with refugees and civil society

The Hungarian Helsinki Committee welcomes the decision of the European Commission to refer Hungary to the Court of Justice of the European Union (CJEU) for what the Hungarian government calls the 'Stop Soros' act. The Commission also decided to launch a new infringement procedure for withholding food from those detained in the transit zones. These decisions provide a chance to asylum-seekers, many of whom are victims of torture, children, pregnant women, that their application will be dealt in a fair procedure.

Over the course of one year, the Hungarian authorities withheld food in 16 separate cases from 25 individuals detained in the transit zones. Each time, the Hungarian Helsinki Committee turned to the European Court of Human Rights (ECtHR). In each case, the ECtHR ordered the Hungarian authorities to immediately start providing food to the applicants. The Hungarian government refers to domestic legislation, as if those would make it impossible to provide food to the detained who are, in the majority of cases fathers and mothers with children. The European Commission found this situation untenable and sent today a formal notice to the Hungarian government. With this, a new infringement procedure begins.

The infringement procedure that started in July 2018 against Hungary concerning the so-called 'Stop Soros' legislation reached its final stage today. The European Commission decided to take Hungary to the CJEU, as the Hungarian government failed to provide acceptable arguments as to why it has to threaten those that provide assistance to asylum-seekers with prison, as well as why it introduced an inadmissibility ground in asylum procedures that deprive practically all asylum-seekers of a fair procedure.

Márta Pardavi, co-chair of the Hungarian Helsinki Committee welcomed the Commission's decision by saying: "***The starvation of those detained in the transit zones, the threats against civil society, and the cessation of fair asylum procedures are incompatible with the rule of law. These EU procedures show once again the weaknesses of the Hungarian rule of law, as the regulations in question should not have been adopted at all in the first place, and once they were adopted, should have been annulled by Hungary. Although we are disappointed that none of this had happened in Hungary, this important action by the Commission demonstrates its commitment to protect human rights and civil society. We at the HHC have been working hard for a year now to ensure that authorities conduct fair procedures and those in need of protection benefit from it. Today's decisions provide a chance to asylum-seekers, many of whom are torture victims, children, pregnant women, that their application will be dealt in a fair procedure.***"