

Council of Europe
The Secretary General

Strasbourg, 11 January 2012

Dear Minister,

Thank you for your letter dated 6 January 2012 which I have read carefully. I am grateful that you keep me up to date in this manner about important developments in your country.

While the volume of legislative and constitutional changes in a rather short period of time is indeed unusual, it is not this pace that I am to address now. I would rather like to draw your attention to the obligation flowing from your membership of the Council of Europe: not only respecting the human rights, democracy and rule of law both in the course of the legislative process and in its results, but respecting the underlying principles of democracy, the "checks and balances" ensured through the proper functioning of independent institutions also.

As you mention, there are a lot of discussions in Europe about the situation in Hungary and serious concerns have been expressed.

Your letter addresses some of these concerns and provides arguments in this respect.

I would therefore suggest that the different pieces of legislation recently adopted in order to implement the new Constitution are examined in detail by competent Council of Europe experts in order to provide a fair and balanced assessment.

As referred to in your letter, the Venice Commission - which has already provided an opinion on a new Constitution - stands ready to carry out such an assessment.

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Mr János Martonyi
Minister of Foreign Affairs of Hungary

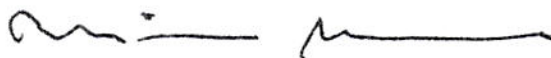
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A way forward could be that you consider requesting that the Venice Commission provide opinions on laws relevant for the independence of the judiciary, religious freedom and elections to Parliament. I would also invite you to request the expertise of the Council of Europe on the media law.

Yours sincerely,



Thorbjørn Jagland