

His Excellency Mr. Jan Anthonie Bruijn
President of the Senate of the Kingdom of the Netherlands

The Hague

Budapest, 4 April, 2020

Honourable Mr President,

The COVID-19 pandemic has posed an unprecedented challenge to the European Union and all its Member States. We live in unprecedented times, which call for special measures. Today, the most important task for all Member States is to protect human life and put a halt to the outbreak, in accordance with our constitutional provisions.

According to the Fundamental Law of Hungary, special measures adopted by the Government during an emergency remain in force for 15 days, unless extended by the Government, based on the authorisation of the National Assembly. On March 30, 2020, the National Assembly passed a bill by the qualified majority enshrined in the Fundamental Law, authorising the Government to extend the special measures for the duration of time necessary to combat the outbreak. Act No. XII of 2020 was promulgated on March 30 and entered into force on March 31. Since its adoption, the Act has been the subject of sharp criticism. Concerned voices warn that the Hungarian Government has, so to say, 'taken full control of the country indefinitely, and democracy is at stake'.

I can assure you that these concerns are unfounded. On the one hand, the Act criticised by many without being aware of the facts and its adoption are fully in line with Hungary's Fundamental Law, and, secondly, it does not give the Government unlimited powers in terms of its duration or the nature of measures that may be taken. Thirdly, even the government's increased room for manoeuvre, facilitated by this emergency mandate, does not reach the extent of measures available to the Governments of some Member States of the European Union outside an emergency. The powers granted to the Government are limited, as it may only take proportionate and necessary special measures exclusively in the context of the COVID-19 pandemic, with a view to protecting the life, health and safety of citizens and economic stability. As soon as the emergency passes, the special measures will cease.

The National Assembly is, and will remain in control of the situation. It holds regular sessions and monitors the actions taken by the Government during the emergency. The Act does not restrict the powers of the National Assembly. On the contrary, this is the only special measure in Europe that increases the powers of the National Assembly vis-à-vis the Government. The National Assembly holds the power to decide on withdrawing the effects of the Act once the emergency passes. The Act clearly confirms the right of the National Assembly to revoke, in whole or in part, the mandate given to the Government, at any time. The National Assembly retains its full controlling and regulatory powers. Under the Act, at the sessions of the National Assembly, the Government regularly reports on the measures taken to resolve the emergency or, in the absence of sessions, informs the Speaker of the National Assembly and the Heads

of parliamentary factions. Regardless of the existence of an emergency, the National Assembly continues its work in the usual manner, including its legislative responsibilities and the oversight of Government. The only departure from the status quo has been introduced at the suggestion of the opposition, whereby the time usually available for interpellations is now reserved for prompt questions to members of the Government, so that in the current, rapidly evolving situation, MPs wishing to ask questions do not need to formulate their queries 4 days prior to putting them forth in the National Assembly, as normally required by the rules governing interpellations.

The National Assembly is a well-functioning and sovereign institution, not limited in the exercise of its powers, which makes its decisions with the interests of the Hungarian people in mind, to whom it has sole responsibility. It has all the means required to protect its powers, and therefore it does not need unsolicited outside intervention to be able to do so. The rule of law prevails: all institutions continue to operate within the constitutional and legal framework. The Constitutional Court holds regular sessions, and its operation is supported by special procedural rules.

However, seeing the continuous political attacks on Hungary going on since 2019 under various pretexts, naturally I have little hope, that the political groups interested in the failure of the current Hungarian Government, which has so far been given democratic authorisation with convincing majority on three consecutive occasions, will be limited in their on-going, almost war-like hysteria-mongering by the knowledge of facts. Nevertheless, I have the duty to express the disappointment of the majority of Hungarians that even in this time of to dispense crisis, some European political figures are unable and focus on combating the common threat, with their personal prejudices or ideological obsessions. Whilst we wish to thank those who turn to us in good faith, for their helpful intentions, we call on everyone else to at least not exacerbate the damage if they cannot help us overcome the difficulties caused by the pandemic.

In Europe, we must all focus on combating the outbreak as swiftly as possible, without wasting precious time and energy on useless and harmful struggles between each other.

In this endeavour, I count on your support and co-operation.

May I request that you send my letter to Your fellow parliamentarians as well.

Finally permit me – in these extraordinary circumstances – to wish You a blessed Easter, as well as a lot of strength, patience and wisdom for the struggle You face.

Yours sincerely,

László Kövér
Speaker of the National Assembly