



**VĚRA JOUROVÁ**  
VICE-PRESIDENT OF THE EUROPEAN COMMISSION

Rue de la Loi, 200  
B-1049 Brussels  
Tel. +32-2 295 51 44  
cab-jourova-contact@ec.europa.eu

Brussels, 14/01/2020  
SC/jr/Ares (2020) 5416702

Dear Mr Nyirati,

*Thank you very much for your letter of 20 September 2020 in which you express your serious concerns about the challenges currently faced by civil society organisations in Hungary. You refer in particular to the fact that Hungary is disregarding the judgment of the Court of Justice of the European Union (CJEU) in case C-78/18. You affirm that no steps have been taken to repeal Law No LXXVI of 2017 on the Transparency of Organisations which Receive Support from Abroad, which has been found to be breach of EU law. You also point to the rejection of the application of your organisation for an Erasmus+ grant, based on the non-compliance with that law. In your view, this is contrary to the principle of primacy of EU law, and you ask the Commission to investigate and to ensure the respect of the EU values when disbursing EU funds.*

*The Commission is concerned about the pressure and challenges currently experienced by civil society organisations in Europe, including in Hungary. Civil society organisations play a key role in upholding our common values, including fundamental rights, democracy, and the rule of law. A strong independent civil society is necessary to foster an open and pluralist space for debate and citizens' participation in the democratic life of the EU and to engage further in the promotion of the rule of law culture.*

*For these reasons, the Commission attaches great importance to having a vibrant civil society as well as regular and transparent engagement with civil society actors. The Commission will continue to pay special attention to attempts to pressurise civil society in any Member State and will continue to support their work.*

./..

*Mr András Nyirati  
President of the Board of Trustees  
Az emberség erejével – Cum Virtute Humanitatis Alapítvány*

*E-mail: [emberseg.erejevel@gmail.com](mailto:emberseg.erejevel@gmail.com)*





*As you mention in your letter, in its judgment of 18 June 2020, in case C-78/18, the CJEU ruled that, by adopting the provisions of Law No LXXVI of 2017, Hungary failed to fulfil its obligations under Article 63 of the Treaty on the Functioning of the European Union (TFEU) – Free movement of capital – and under Articles 7, 8 and 12 of the Charter of Fundamental Rights of the European Union – right to respect for private life, right to protection of personal data, and right to freedom of association.*

*Pursuant to Article 260(1) TFEU, if the CJEU finds that a Member State has failed to fulfil an obligation under the Treaties, the State shall be required to take the necessary measures to comply with the judgment of the CJEU.*

*The Commission is in contact with the Hungarian authorities on the implementation of the CJEU judgment in case C-78/18.*

*As regards specifically the rejection of your organisation's application for a grant under Erasmus+ funds on the grounds that it did not comply with the requirements of Law No LXXVI of 2017, the Commission is investigating the situation and is in contact with the National Agency Tempus Public Foundation to receive clarifications about its approach.*

*Once the Commission assesses the information received as a follow-up to these contacts, it will decide on next steps as appropriate, in line with its role of Guardian of the Treaties.*

*Please be assured that, as underlined by the President of the European Commission, Ursula von der Leyen in her political guidelines, the Commission is firmly committed to defending the core values on which the EU is founded and to upholding the rule of law and the protection of fundamental rights, also by ensuring an environment where civil society can thrive.*

*Yours sincerely,*

Věra Jourová

