



Council of the European Union

PRESS
EN

BACKGROUND¹
Brussels, 26 May 2023

General Affairs Council **Brussels, 30 May 2023**

Chair: Jessika Roswall, Minister for EU Affairs of Sweden

The meeting will begin at 10.00.

Ministers will start preparations for the European Council meeting on 29-30 June 2023.

As part of the Article 7(1) TEU procedure, the Council will hold hearings on rule of law in Poland and respect for the EU values in Hungary.

A press conference will take place after the meeting (+/- 16:15).

* * *

[General Affairs Council, 30 May 2023 - meeting page](#)

[Press conferences and public events by video streaming](#)

[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

* * *

¹ This note has been drawn up under the responsibility of the press office.

June European Council

The Council will start preparations for the European Council meeting on 29-30 June 2023 by discussing an annotated draft agenda.

At their meeting in June, EU leaders will address Russia's war of aggression against Ukraine and the EU's continued support to Ukraine and its people.

The European Council will follow up on its conclusions on industrial policy, the single market and Europe's long-term competitiveness and productivity. It will address the EU's economic security and resilience, the economic situation and economic governance reform. It is also expected to endorse the integrated Country-Specific Recommendations and conclude the 2023 European Semester.

On security and defence, the European Council will take stock of progress in the implementation of its previous conclusions and give further guidance on the EU's security and defence capacity, in particular as regards procurement, investment and production. It will also address EU-NATO cooperation ahead of the NATO Summit in Vilnius.

EU leaders will hold a strategic discussion on China and prepare the upcoming EU-CELAC summit.

The Council Presidency and the Commission will inform the European Council on progress in the implementation of its recent conclusions on migration.

The President of the European Council will inform EU leaders on the process towards the Strategic Agenda 2024-2029.

[Annotated draft agenda](#)

Rule of law in Poland

As part of the Article 7(1) TEU procedure regarding Poland, the Council will hold a hearing.

This will be the sixth hearing of Poland as part of this procedure. It will cover all the issues raised in the Commission's reasoned proposal, which triggered the procedure. The aim is to provide the Council an up-to-date picture of the situation in Poland.

The five previous hearings of Poland were held in the Council on 26 June 2018, 18 September 2018, 11 December 2018, 22 June 2021 and 22 February 2022.

In its reasoned proposal, presented on 20 December 2017, the Commission addressed various issues regarding the independence of the Polish judiciary and recommended that the Polish authorities:

- restore the independence and legitimacy of the Constitutional Tribunal;
- publish and implement fully the judgments of the Constitutional Tribunal;
- amend four recently adopted laws (on the Supreme Court, the Ordinary Courts Organisation, the National Council of the Judiciary and the National School for the Judiciary) in order to ensure their compliance with the requirements relating to the independence of the judiciary, the separation of powers and legal certainty;
- ensure that any justice reform is prepared in close cooperation with the judiciary and all interested parties, including the Venice Commission;
- refrain from any action that could undermine the legitimacy of the judiciary.

In its latest rule of law report, issued on 13 July 2022, the Commission considered that serious concerns related to judicial independence persisted in Poland.

The report notes that in its Recovery and Resilience Plan, which includes milestones to be fulfilled before any disbursement of funds under the Recover and Resilience Facility, Poland committed to undertake reforms of the disciplinary regime regarding judges, to dismantle the Disciplinary Chamber of the Supreme Court, and to create review proceedings for judges affected by decisions of that Chamber.

The reforms were approved by the Polish parliament on 8 February 2023. They have been sent to the Constitutional Tribunal for review.

The Commission's report also highlights that serious concerns remain as regards the independence of the National Council for the Judiciary, the independence of the Constitutional Tribunal and the functioning of the prosecution service in Poland.

[Reasoned proposal triggering the Article 7 procedure for Poland](#)

[Standard modalities for hearings referred to in Article 7\(1\) TEU](#)

[2022 Rule of Law Report - Country Chapter Poland](#)

Respect for the EU values in Hungary

As part of the Article 7(1) TEU procedure regarding Hungary, the Council will hold a hearing.

This will be the sixth hearing of Hungary as part of this procedure. It will cover all the issues raised in the European Parliament's reasoned proposal, which triggered the procedure. The aim is to provide the Council an up-to-date picture of the situation in Hungary.

The five previous hearings of Hungary were held in the Council on 16 September 2019, 10 December 2019, 22 June 2021, 23 May 2022 and 18 November 2022.

In its reasoned proposal, adopted on 12 September 2018, the European Parliament describes several issues that, in its view, justified the triggering of the Article 7 procedure:

- (1) the functioning of the constitutional and electoral system,
- (2) the independence of the judiciary and of other institutions and the rights of judges,
- (3) corruption and conflicts of interest,
- (4) privacy and data protection,
- (5) freedom of expression,
- (6) academic freedom,
- (7) freedom of religion,
- (8) freedom of association,
- (9) the right to equal treatment,
- (10) the rights of persons belonging to minorities, including Roma and Jews, and protection against hateful statements against such minorities,
- (11) the fundamental rights of migrants, asylum seekers and refugees, and
- (12) economic and social rights.

On 15 September 2022, the European Parliament adopted an interim report, in which it finds that in all 12 areas of concern highlighted in its original reasoned proposal either serious issues remain to be solved or further issues have arisen.

In its latest rule of law report, issued on 13 July 2022, the Commission also highlights shortcomings in Hungary in all the areas covered in the report, including as regards judicial independence, anti-corruption framework, media pluralism and media freedom, and the transparency and quality of the legislative process.

As part of the budget conditionality procedure, the Hungarian government has committed to adopting and implementing remedial measures to address serious shortcomings in the areas of anti-corruption, audit and public procurement.

In its Recovery and Resilience Plan, which includes 27 so-called 'super-milestones' to be fulfilled before any disbursement of funds under the Recover and Resilience Facility, Hungary also committed to undertake a set of judicial reforms, corresponding to four of the super-milestones. On 3 May 2023, the Hungarian parliament adopted a bill concerning these judicial reforms. The Commission will assess the reforms once in force.

[Reasoned proposal triggering the Article 7 procedure for Hungary](#)

[Interim report of the European Parliament](#)

[Standard modalities for hearings under Article 7\(1\) TEU](#)

[2022 Rule of Law Report - Country Chapter Hungary](#)
