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President of Renew Europe Group
European Parliament
WIB 05M003, B-1047

Brussels, 27 June 2021

Mrs Ursula von der Leyen,
President of the European Commission
European Commission
Rue de la Loi/Wetstraat 200
1049 Brussels

Madame President,
Dear Ursula,

We are writing to voice our concerns.

Before the 12th of July you will have to ‘approve’ Viktor Orbán’s recovery plan. Hungary is eligible to receive up to 7 billion euros. And yet you will have very little means to make sure this money does not end up in the wrong pockets — as you know, the Orbán regime does not recognise the jurisdiction of the European Public Prosecutor Office.

Fraud in Viktor Orbán’s Hungary is endemic — or to quote the Commission: it is ‘systemic’. In 2020, your services found that Hungary’s anti-corruption framework is inadequate and that “investigation and prosecution appears less effective in Hungary than in other Member States” and “determined systematic action to prosecute high-level corruption is lacking”¹.

In 2019 and 2020, the Commission issued sets of ‘country-specific recommendations’ where you asked the Hungarian government to “reinforce the anti-corruption framework, including by improving prosecutorial efforts and access to public information, and strengthen judicial independence”² as well as “improve competition in public procurement”³.

We remind you that those country-specific recommendations are among the criteria a Member State must meet to access the EU’s recovery funds under the Recovery and Resilience Facility (RRF) regulation⁴. You have leverage here, and we ask you to use it.

Madame President, we urge you not to approve Viktor Orbán’s plan until:

¹ Hungary’s 2020 country-specific recommendations, [paragraph 32](#).

² Hungary’s 2019 country-specific recommendations [number 4](#).

³ To be found in both country-specific recommendations for 2019 ([CSR number 3](#)) and 2020 ([CSR number 4](#))

⁴ [Article 17 of the RRF](#) on eligibility: “The recovery and resilience plans shall be consistent with the relevant country-specific challenges and priorities identified in the context of the European Semester”.

1. *The Hungarian recovery plan grants the European Anti-Fraud Office (OLAF) access to the list of all final beneficiaries of recovery funds and includes, in its so-called ‘milestones’⁵, a legal obligation to feed into the EU’s database of beneficiaries, also known as ‘Arachne’.*
2. *The Hungarian plan includes, as a milestone, the adoption of laws to ensure that persons and entities with a record of serious financial irregularities or conflicts of interests found by OLAF will be debarred from receiving RRF funds and contracts. (This would ensure that applicants like Viktor Orbán's son-in-law, who keeps securing large EU grants despite his record of serious irregularities and conflicts of interest, would be prevented from accessing RRF funds).*
3. *The Hungarian plan also commits to repeal or revise domestic laws⁶ that were identified by the Commission⁷ as hindering investigative journalists and civil society organisations from accessing public information.*

We are not saying that Hungary as a country should not get its fair share of the EU’s recovery funds. But we think those funds should benefit all Hungarians, not just a few politically-connected ones. We therefore ask you to send the Hungarian government back to the drawing board.

Madame President, you have endeavoured to travel around Europe to physically deliver the Commission’s seals of approval of the national recovery plans. You took pictures with every leader whose plan was rated positively by your services. When you go to Budapest, we want you to be able to shake Viktor Orbán’s hand, knowing that his cronies are not rubbing theirs together with glee.

Yours sincerely,

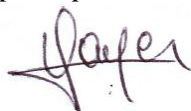
Dacian CIOLOȘ
President



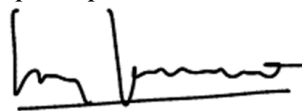
Katalin CSEH
Vice-President



Valérie HAYER
Spokesperson on budgetary affairs



Luis GARICANO
Spokesperson on economic affairs



⁵ RRF grants are disbursed upon achievement or ‘targets and milestones’ identified in the national recovery plans.

⁶ Act XCI of 2013 (‘Lex Átlátszó’) prevents ‘abusive’ information requests and Government Decree 301/2016 of 30 September 2016 empowers public institutions to require the reimbursement of the costs incurred by the requests of access to public information.

⁷ 2020 Commission [Rule of Law Report](#) mentions “restrictions to media freedom, a hostile environment for civil society organisations and constant new challenges in the application of the transparency and access to public information rules further weaken the anti-corruption framework”.