

## Hungary is holding a referendum over the EU's controversial refugee quotas

**Hungary is holding a referendum over the EU's controversial refugee quotas on Sunday, October 2. The referendum question is „Do you want the European Union to be able to mandate the obligatory resettlement of non-Hungarian citizens into Hungary even without the approval of the National Assembly?“**

It has its roots in the EU's migrant and refugee crisis – which saw more than a million people arrive in Europe in 2015. Hungary was considered one of the countries worst-hit by the influx. In a bid to help, Brussels proposed relocating 160,000 refugees from Hungary, Italy and Greece to elsewhere in the European Union. Hungary PM Viktor Orbán refused to take part and is challenging the policy in the European Court. The referendum refers to EU plans to establish a permanent way of relocating refugees from countries who receive a disproportionate number of asylum applications. The proposals could also see member states fined 250,000 euros for each refugee they refuse to take.

Speaking on behalf of the European Commission on 25 February, Natasha Bertaud said the executive body failed to understand "how it would fit into the decision-making process which was agreed to by all member states, including Hungary, under EU treaties".



Later that day, Dimitris Avramopoulos, the EU Commissioner for Migration, Home Affairs and Citizenship in the Juncker Commission, said the referendum "belongs to Hungary's internal affairs", but added "the isolated initiatives do not lead anywhere. At the moment, the unity of the [European] Union and human lives are at stake. [...]".

The referendum takes place in a period of troubled relationships between Hungary and several of the EU institutions. While EU politicians criticise the Hungarian Prime Minister for his disregard of European values, Orbán for his part perceives the European Union as the last check on his political power. Over the past four years Viktor Orbán has become notorious in the international press as the enfant terrible of the European Union.

Sources: <http://www.euronews.com/2016/09/13/hungary-should-be-kicked-out-of-the-eu-says-luxembourg-minister>  
<http://www.policyreview.eu/viktor-orban-and-the-eu-a-fluctuating-relationship/>

## BREXIT: AFTERMATH

The president of the European Parliament has warned the UK it can't pick and choose which parts of the Single Market it wants to keep when it comes to future Brexit negotiations. "The best possible deal – ladies and gentlemen – with the EU, is membership of the EU," Schulz said, to applause as he delivered a speech to the London School of Economics. "Any other arrangement necessarily entails trade-offs. Perhaps it is easier to convey what I'm trying to say in culinary terms. There will be no 'à la carte'. Secondly, on free movement, I see a clear majority in the European parliament for insisting that the fundamental freedoms are inseparable. And especially no freedom of movement for goods, capital and services without free movement of persons." Meanwhile, more than a hundred racist abuse and hate crimes were reported in the immediate aftermath of the referendum with many citing the plan to leave the European Union, with police saying there had been a five-fold increase since the vote.

At EU level, the heads of state or government of the 27 met in Bratislava to begin a political reflection on further development of an EU with 27 member countries. Leaders agreed on the Bratislava Declaration and Roadmap, which set out the objectives for the coming months.

Sources: <http://www.euronews.com/2016/09/23/european-parliament-head-martin-schulz-warns-uk-no-a-la-carte-brexite-menu>  
<http://www.independent.co.uk/news/uk/home-news/brexit-eu-referendum-racial-racism-abuse-hate-crime-reported-latest-leave-immigration-a7104191.html>  
<http://www.consilium.europa.eu/en/meetings/european-council/2016/09/16-informal-meeting>

## European Commission announces up to €108 million in emergency funding to Bulgaria to improve border and migration management

Brussels, 16 September 2016

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Following the announcement made by President Juncker at the press conference after the Informal Meeting of the 27 Heads of State or Government in Bratislava and on-going contacts with the Bulgarian authorities over the past months, the European Commission has decided to respond to requests for emergency funding received last night from the Bulgarian authorities and make available up to €108 million in emergency funding to support border and migration management.

Commissioner for Migration, Home Affairs, and Citizenship Dimitris Avramopoulos said: "From the very beginning already, the Commission has been supporting all Member States to manage the refugee crisis - and Bulgaria is no exception. Bulgaria's efforts and commitments to ensure an efficient management of its external EU border are essential. The fast tracking of the requests received last night from the Bulgarian authorities shows that we are fully committed to providing additional assistance when justified and that Bulgaria, as a frontline Member State guarding our external borders, receives our full support in doing so. This once again proves that the external border of one Member State is the external border of all Member States."

The funding will be used to strengthen the management of migration flows, increase reception capacities and the capacities of the asylum service as well as strengthen border surveillance and border control activities.

Financial and operational support has already been provided by the European Commission and the EU agencies.

[http://europa.eu/rapid/press-release\\_IP-16-3088\\_en.htm](http://europa.eu/rapid/press-release_IP-16-3088_en.htm)

## Roma Holocaust Memorial Day, 2 August 2016: Statement by First Vice-President Timmermans and Commissioner Jourová

Brussels, 2 August 2016

*"On the night of 2 to 3 August 1944, around 3,000 Roma men, women and children from the 'Gypsy family camp' of Auschwitz-Birkenau were murdered in the gas chambers. They were among hundreds of thousands of victims of the Roma genocide, killed by the Nazis and their allies. The Roma were one of many groups who fell victim to the holocaust.*

*It is in memory of all these innocent victims and the horrific injustice they suffered and died from that the European Commission commemorates the Roma Holocaust Memorial Day on 2 August.*

*Against a backdrop of increasingly divisive rhetoric, hate speech and hate crime, it is important to recall these dark moments in our history and learn the lessons of the past. Many people have little or no knowledge that the Roma were targeted by the Nazi regime. The holocaust of the Roma is an under-taught and under-recognised topic. We must not forget that still today there are too many Roma facing discrimination, and who are victims of hate speech and hate crime in Europe.*

*The European Commission recalls its support for the European Parliament's resolution of 15 April 2015 officially recognising Roma Holocaust Memorial Day. We hope that all Member States will recognise it.*

*The European Commission remains committed to improving Roma integration. It will continue to work with all stakeholders to improve the daily lives of Roma."*

[http://europa.eu/rapid/press-release\\_STATEMENT-16-2708\\_en.htm](http://europa.eu/rapid/press-release_STATEMENT-16-2708_en.htm)

## Fight against terrorism: EU strengthens its legal arsenal against ISIL/Da'esh and Al-Qaida

On 20 September 2016, the Council adopted a legal framework which, for the first time, will allow the EU to apply sanctions autonomously to ISIL/Da'esh and Al-Qaida and persons and entities associated or supporting them. Until now sanctions could only be applied to persons and entities listed by the United Nations or by EU member states acting individually.

The EU will be able to impose a **travel ban** on individuals and an **asset freeze** on individuals and entities that are identified as being associated with ISIL (Da'esh)/ Al-Qaida. This means that all their assets in the EU will be frozen and that EU persons and entities will also be prohibited from making any funds available to listed persons or entities.

The individuals and entities targeted include those who have participated in the **planning or perpetrating of terrorist attacks** or have provided ISIL (Da'esh)/ Al-Qaida with **financing**, oil or arms, or have received terrorist **training** from them. Persons or entities could also be listed for activities such as **recruiting; inciting or publicly provoking acts and activities** in support of these organisations, or being involved in **serious abuses of human rights** outside the EU, including abduction, rape, sexual violence, forced marriage and enslavement of persons.

The EU will also be able to impose restrictive measures on individuals **travelling or seeking to travel** both outside the EU, and into the EU, with the aim of supporting, ISIL (Da'esh)/Al-Qaida or receiving training from them. Such measures will target particularly the so-called "**foreign fighters**". As a result the EU will be able to list any person who meets the criteria - including EU nationals who have supported these organisations outside the EU and who then return. The **travel ban** will prevent listed persons from entering any EU member state. In the case of a listed EU national, the travel ban will prevent the listed person from travelling to any EU member state other than the member state of which that person is a national. Upon agreement on listing proposals from member states, persons and entities will be listed through a Council decision and a Council regulation adopted unanimously.

<http://www.consilium.europa.eu/en/press/press-releases/2016/09/20-isil-daesh-al-qaida/>

## Delivering on transparency: Commission proposes mandatory Transparency Register for all EU institutions

The European Commission is today proposing a mandatory Transparency Register covering all three EU institutions – the European Parliament, the Council and the Commission - delivering on a key transparency commitment of the Juncker Commission. The Commission has already led by example in making meetings with its decision-makers conditional upon interest representatives being publicly listed in a Transparency Register. First Vice-President **Frans Timmermans** said: "The EU institutions need to work together to win back the trust of our citizens. We must be more open in everything we do. Today's proposals for a mandatory transparency register covering the Parliament, Council and Commission are an important step in the right direction. Citizens have the right to know who tries to influence EU law-making. We propose a simple rule: no meeting with decision-makers without prior registration. Through the Register, the public will see who is lobbying, who they represent and how much they spend."

## Dublin: Progress on measures to restore Dublin transfers to Greece

The Commission adopted its Third Recommendation on the specific measures that Greece needs to take to have a well-functioning asylum system and fully implement the EU asylum standards that apply to all member States. The objective is to be able, in the future to gradually resume transfers of asylum seekers, on a case by case basis from other Member States under the Dublin Regulation.

## Judgment of the Court of Justice in Case C-294/16, PPU JZ v Prokuratura Rejonowa Łódź-Śródmieście

The Member State that issued a European arrest warrant is required to consider, for the purposes of deducting the period of detention served in the executing Member State, whether the measures taken against the person concerned in the executing State have the effect of depriving a person of liberty. A nine hour daily curfew monitored by means of an electronic tag does not, in principle, have that effect

## Judgment of the Court of Justice in Case C-182/15, Aleksei Petruhin

A Member State is not required to grant every Union citizen who has moved within its territory the same protection against extradition as that granted to its own nationals. However, before extraditing the citizen, the Member State concerned must give priority to the exchange of information with the Member State of origin and allow that Member State to request the citizen's surrender for the purposes of prosecution.

## EU SUSPENDS SANCTIONS AGAINST COLOMBIA'S FARC

The European Union suspended sanctions against the FARC guerrilla movement Tuesday, following the Colombian government's signing of a peace agreement with FARC a day earlier. The 'Revolutionary Armed Forces of Colombia' was also removed from the EU's terrorist list, which established a list of persons, groups and entities involved in terrorist acts and subject to restrictive measures.

The signing of the peace deal on Monday in Cartagena between the Colombian government and the FARC brings to an end more than 50 years of armed conflict. Colombia's President Santos and the leader of FARC Rodrigo Londoño, who signed the historic agreement, were praised by the EU's foreign policy chief Federica Mogherini for turning the page after the 50-year long conflict: "They are giving Colombia the chance to start anew, and they are sending a message of hope to the rest of the globe", she said. A few days earlier in New York, Ms Mogherini had received the text of the peace agreement from the hands of President Santos. Colombians will vote on the peace deal this Sunday. Saying 'yes' to peace would, said Ms Mogherini, "send a positive message through your continent and the entire world. It would send a message of reconciliation. It would send the message that all conflicts can come to an end, when we all contribute to making peace possible." She said the EU would lend its support to the post-conflict program. It is also ready to help Colombia "reap the economic dividend of peace", with a European Trust Fund of almost 600 million euros. The European Parliament this week sends a delegation of MEPs to Colombia to accompany and monitor its referendum on the peace agreement. MEPs have said they "expect and hope" that Colombian voters will back the peace agreement reached by Colombia's government and the FARC.

<http://www.eubusiness.com/news-eu/colombia-farc.27do/>

## CONSTITUTIONAL VALUES OBSERVATORY HIGHLIGHTS

### Collections of Case Law, Volume 1: EU Asylum Policy

The Constitutional Values Observatory of the University Of Macedonia Jean Monnet Centre of Excellence launches a new initiative: a series of electronic publications entitled "Collections of Case law". The series intends to present to the reader summaries of case law on specific EU policies.

The first volume of the series collects the summaries of all the decisions the Court of the European Union regarding the EU Asylum Policy.