(English version)

Question for written answer E-002697/24

to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

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(28 November 2024)

Subject: Blatant disregard of International Criminal Court decisions by the Hungarian Prime Minister

On 22 November 2024, the Hungarian Prime Minister stated that he would extend an invitation to his Israeli counterpart to visit Hungary, asserting that the country would not recognise or enforce the arrest warrant issued by the International Criminal Court (ICC) against Netanyahu.

According to Article 21 of the Treaty on European Union (TEU), the EU's action on the international scene should be guided by the principles that inspired its own creation, including, among others, the respect for the principles of the UN Charter and international law, and work for a high degree of cooperation in order to support the rule of law and the principles of international law.

According to Article 24(3) TEU, Member States should refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.

Considering that ICC decisions are binding upon the parties concerned, including Hungary, will the VP/HR as Commission Vice-President and Chair of the Foreign Affairs Council:

1. swiftly and immediately condemn the statement by the Prime Minister of Hungary, which currently holds the presidency of the Council;

2. abide by the role of the Commission as guardian of the Treaties and demand that the Council and all Member States unequivocally cooperate with the ICC and enforce the arrest warrant?

Supporters ([1])

Submitted: 28.11.2024

Answer given by High Representative/Vice-President Kallas on behalf of the European Commission

(6 February 2025)

The EU does not comment on the positions of national officials in relation to the decisions of the International Criminal Court (ICC) and their execution.

The position of the EU is clear. The EU consistently recalls that Member States, as states parties to the Rome Statute of the ICC, have an obligation to cooperate fully with the ICC in the investigation and prosecution of crimes within its jurisdiction, including in the prompt ([1]) execution of outstanding arrest warrants.

In this regard, the EU recalls that any instance of non-compliance hinders the ICC in the exercise of its functions and emphasises the need to fully implement the International Court of Justice orders ([2]).

The EU is committed to the effective functioning of the ICC ([3]) and will continue to cooperate in the framework of their Agreement on cooperation and assistance ([4]), including, pursuant to Article 6 of the Agreement, by adopting initiatives to promote the dissemination of the principles, values and provisions of the Statute.

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[1] [1]This question is supported by Members other than the authors: Nikos Pappas (The Left), Dario Nardella (S&D), Elio Di Rupo (S&D)

([1]) Council conclusions on the International Criminal Court on the occasion of the 25th anniversary of the adoption of the Rome Statute, 26 June 2023.

([2]) European Council conclusions, 17 October 2024.

([3]) Council conclusions on the International Criminal Court on the occasion of the 25th anniversary of the adoption of the Rome Statute, 26 June 2023.

([4]) Agreement between the International Criminal Court and the European Union on cooperation and assistance, of 28.04.2006 (OJ L 115/50).

The EU will continue to fully support the ICC through the means at its disposal, and to double efforts to identify new avenues for strengthened cooperation with the ICC, which is essential for it to fulfil its mandate.