

(English version)

**Question for written answer E-001271/25
to the Commission
Damien Carême (The Left), Martin Schirdewan (The Left)
(26 March 2025)**

Subject: Detention and trial of Maja T. in Hungary

In connection with the ongoing trial of German anti-fascist activist Maja T. in Budapest, concerns have been raised about their pre-trial detention conditions, including the fact that they were held in solitary confinement for extended periods. Concerns have also been raised about the fact that they were shackled at the hands and feet and were led into the courtroom on a leash, accompanied by masked, armed officers. On 21 February 2025, the German Federal Foreign Office criticised the ‘strange presentation in court’ in a post on X ⁽¹⁾ and pointed out ‘that the extradition of Maja T. to Hungary was unlawful’.

1. While recognising that detention matters are primarily the responsibility of Member States, what actions is the Commission taking to ensure Hungary’s compliance with EU standards regarding humane detention conditions and procedural rights?
2. Considering the Commission’s commitment to procedural rights, how does it assess the use of physical restraint during the trial in this case, and does the Commission consider this a potential breach of EU law, including Directive (EU) 2016/343?
3. Will the Commission take further steps to monitor both Hungary’s compliance with the 2022 recommendation on pre-trial detention and the transposition of Directive (EU) 2016/343, and will it consider launching infringement procedures if necessary?

Submitted: 26.3.2025

**Answer given by Mr McGrath on behalf of the European Commission
(23 May 2025)**

Directive (EU) 2016/343 ⁽¹⁾ requires Member States to take appropriate measures to ensure that suspects and accused persons are not presented as being guilty, in court or in public, through the use of measures of physical restraint, unless those measures are required for case-specific reasons.

It is the Commission’s priority to ensure that Member States fully and correctly transpose directives in their national legal system. If conformity issues arise, other than those identified in the pending infringement proceedings for incorrect transposition of Directive (EU) 2016/343 against Hungary ⁽²⁾, the Commission will take every appropriate measure to ensure compliance with the directive.

It should be noted that the minimum standards as laid down in the recommendation on the procedural rights of suspects and accused in pre-trial detention and on material detention conditions ⁽³⁾ are not legally binding on the Member States.

However, they will serve as a reference point to improve the situation in prisons within the EU. The Commission will monitor and assess the measures taken by Member States in view of the recommendation and aims to submit a report in the course of 2025.

Moreover, all EU Member States have committed themselves to respecting the standards on this matter drafted by the Council of Europe, such as the 2006 European Prison Rules.

Prison conditions are closely monitored by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment as set up by the Council of Europe.

¹ <https://x.com/auswaertigesamt/status/1892992609104077056>

⁽¹⁾ <https://eur-lex.europa.eu/eli/dir/2016/343/oj/eng>.

⁽²⁾ INFR(2023)2141: https://ec.europa.eu/commission/presscorner/detail/en/inf_23_5380.

⁽³⁾ <https://eur-lex.europa.eu/eli/reco/2023/681/oj/eng>.