

To **Mr Didier Reynders**  
**Commissioner for Justice**  
**European Commission**

Brussels, 7 December 2021

**Ref. Urgent Intervention Required: Hungarian Air Traffic Controller Right to Strike Infringement**

Dear Mr. Reynders,

Thank you for your letter on 3<sup>rd</sup> November 2021, albeit significantly delayed, it was useful to have your input on the situation facing the Air Traffic Controllers in Hungary. I write to you today as the situation has become more serious, and now the Hungarian government is attempting to permanently impede the right to strike of the Air Traffic Controllers by going beyond the implementation of emergency legislation under the 'state of danger regime'.

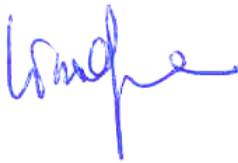
We have been informed by our affiliates MILSz in Hungary that a so-called 'salad-act' intended to modify several acts in one piece of legislation intends to modify the Act on Civil Aviation. Without any consultation, our affiliate has noticed that the proposed bill intends to define a minimum service for air traffic controller by modifying several articles in the Act on Civil Aviation. This will in effect extend the pandemic related ban on strike action to a permanent rule on minimum services effectively removing the ability for our member to freely exercise their right to industrial action.

I would like to remind you that this act originated as a response to the Hungarian courts giving permission to strike to the Hungarian air traffic controllers in line with the law. The response of the Hungarian government was to block this right through COVID-19 emergency legislation. They are now making every effort to enshrine this as national law and permanently implement a law which is directly in conflict with the decision of the Hungarian courts in the first instance.

Most concerning is that this bill was submitted on the 3<sup>rd</sup> of November, the very same day that you responded to our letter stating that the Hungarian government was free to enact such laws against their own courts. It is our view that the Commission has been complicit in allowing the Hungarian government to ignore the rule of law, which has encouraged them to take further action to reduce the rights of workers and has brought us to this position.

We urge you to take immediate action in response to the latest move by the Hungarian government. We expect a vote in the Hungarian parliament on this next week, so your intervention is needed urgently. The workers of Hungary are relying on the Commission to support them as they continue to face sustained attacks from the Hungarian government. Not only has the Hungarian government ignored the rule of law, but it is also slowly making further attempts to infringe on worker's rights, and this must be challenged by the Commission.

Yours Sincerely,



Livia SPERA  
ETF General Secretary