



27.6.2024

## NOTICE TO MEMBERS

**Subject:** Petition No 0105/2024 by P. T. (Hungarian), on behalf of the association ‘Polgárok a Pályán az Élhető Környezetért Egyesület, POPÉK’ (Citizens ‘on the Track’ for the Livable Environment Association), on alleged irregularities in the EU-funded expansion of the Budapest rail network in Hungary

### 1. Summary of petition

According to the petitioner, the ‘Southern Circle Rail’ project (the extension of the Budapest railway section between Kelenföld and Ferencváros) has faced legal challenges and had its license revoked twice by Hungarian courts. Despite this, the Hungarian government allegedly reissued the license and amended laws to proceed with the project before court rulings. According to the petitioner, these amendments restrict the rights of local governments and citizens and designate civilian infrastructure, such as the railway project, as military objects. According to the petitioner, the railway project receives funding from several EU sources and the Hungarian government is seeking co-financing from the EU’s Connecting Europe Facility 2 (CEF2). The petitioner argues that the Hungarian government’s actions violate EU law, including the principles of the rule of law, environmental protection, and the right to an effective remedy and a fair trial.

### 2. Admissibility

Declared admissible on 30 April 2024. Information requested from Commission under Rule 227(5) (New Rule 233(5)).

### 3. Commission reply, received on 27 June 2024

*The Commission’s observations*

The "Southern Circle Rail" (the extension of the Budapest railway section between Kelenföld

and Ferencváros) project is part of the Trans-European network for Transport with a deadline of completion in line with the standards as indicated in the TEN-T (Trans-European Transport Network) regulation 1315/2013 by 2030. The project is not currently funded by CEF (Connecting Europe Facility) (neither has been funded by CEF in the past).

The evaluation of the proposals submitted under the 2023 CEF-T MAP Call for Proposals has not yet been finalised, we cannot disclose any information about the submitted projects. In the evaluation and selection process, the European Commission has to assess whether the projects proposed for selection can be expected, based on sufficient evidence, to be realised within the foreseen timeframe and in line with the milestones included in the project proposal.

During this process, the Commission also verifies whether projects have duly carried out the necessary preparations and evaluations and whether they have received the relevant environmental permits.

### *Conclusion*

The European Commission cannot and will not finance any infrastructure project, which has not duly carried out the necessary preparations and evaluations and has not received the relevant environmental permits.