

**FINAL**

**MOTION**  
**Human Rights and Democratic Constitutions**

**For the EDS Council meeting April 9, 2011 in Budapest (Hungary)**  
***Presented by PWG Human Rights***

The transition to democracy in Central Eastern Europe had three main dimensions: a political, an economic and a moral one. Politically, most post-communist countries in the Central and Eastern European region are fully functioning democracies. From the perspective of the economy, they all are well-working market economies. But from the moral side, and also from the political perspective, some of these countries still face a post-communist nomenclature and even more, a communist constitution.

We recognise the achievements of the transition countries, but on the other hand, acknowledge the basic democratic right of the people to live in a democratic order they have opted for and to describe Human Rights as well as the functioning of their state in the framework of modern and sustainable constitutions.

In the transition years, all of the newly free countries gave themselves new constitutions that replaces the old, communist one: Croatia 1990, Slovenia 1991, Slovakia, the Czech Republic, Estonia and Lithuania in 1992, the Ukraine in 1996, Poland in 1997, etc. Only one country, blocked by a persistent post-Soviet nomenclature and high majority requirements could not accomplish this historical mission: Hungary.

Possessing today a democratically elected Parliament and government, the Republic of Hungary has now reached a stage where the population chose cooperation and consensus; thus opted for a coalition government willing and able to give the country a new constitution. This will be based on the best practices of several European constitutions, including a strong protection of Human Rights. The new constitution would also:

- replace the soviet constitution of 1949;
- define and specify the functions of the most important institutions of the Hungarian state;
- express the cohesion of the nation;
- reflect national heritage and current objectives;
- promote the values that serve as a basis for the future activities of state ;
- throw obstacles in the way of excessive indebtedness of the country.

For this very reason European Democrat Students:

- Acknowledges the situation of transition countries in Central Eastern Europe;
- Welcomes and supports Hungary's new constitution, to be adopted 18th April 2011.