

Judiciary in Peril in Hungary

Central & Eastern
European Judicial
Exchange Network

10 June 2021,
4pm CET

OVERVIEW

The next session of our Spotlight Webinar Series on “Judiciaries in Peril in Central & Eastern Europe” will focus on Hungary. This series is a project of the CEELI Institute’s ongoing Central and East European Judicial Exchange Network. The series brings judges together and civil society to shine a light on pressing issues challenging judiciaries which deserve broad public attention. Previous episodes have focused on Bulgaria, Poland, Montenegro and Romania.

The series addresses the following themes: How is the judiciary in peril and how is it being undermined? What are the underlying circumstances? What constitutes a threat to judicial independence? What are the trends? Are there any solutions or remedies?

SPOTLIGHT #6

Thursday
10 June 2021,
4pm CET
(80 minutes)

Part 1: Presentations
(55 minutes)

Part 2: Q&A
(25 minutes)

TOPIC:

Judiciary in Peril:
Hungary
Case Study

This session shines a spotlight on the judiciary in Hungary, outlining the challenges being faced since the judicial reform of 2012. The conversation will be led by Andras Kadar, Co-Chair of the Hungarian Helsinki Committee; Judge Viktor Vadász, a member of the National Judicial Council; and Agnes Kovács, Assistant Professor at the Department of Human Rights and Politics at ELTE University (Budapest).

The Spotlight series will be held via Zoom with simultaneous translation available in English and Hungarian.

REGISTER HERE

For further information contact
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SPEAKERS:



Judge Viktor Vadász
Member of the National
Judicial Council



Andras Kadar
Co-Chair, Hungarian
Helsinki Committee



**Professor
Agnes Kovács**
Assistant Professor,
Department of Human
Rights and Politics
at ELTE University

International organizations and NGOs have continuing concerns that judicial independence has been under attack in Hungary. These arose in 2012 after a thorough re-regulation of the administration of courts, which became highly centralized and placed in the hands of the President of the newly established National Judicial Office (NJO), elected by the Parliament and holding excessive powers. These reforms were criticized by the Venice Commission, GRECO, the European Parliament and the European Commission. In 2018–2019, the abuse of powers by the NJO President in relation to judicial leadership appointments resulted in a prolonged conflict between the NJO President and the National Judicial Council (NJC), the judicial self-governing body which is responsible for overseeing judicial administration, under the Hungarian Fundamental Law.

Although the conflict subsided when the NJO President was replaced in late 2019, all of the structural issues that had led to the crisis still prevail, and the provisions that allowed the abuses are still in force. In recent years, NJC members and the Hungarian Judicial Association, as well as individual judges raising their voices in protection of judicial independence have been systematically targeted by government-affiliated media. In addition, high-ranking officials of the government and the incumbent party have made numerous public statements designed to undermine public trust in the judiciary. A law adopted in 2019 opened the way for channeling politically sensitive cases out of the ordinary court system to the Constitutional Court (already packed with pro-government judges), and in 2020, a one-party appointee parachuted to the top of the judicial system when he was elected President of the Kúria (Hungary’s highest court, the successor of the Supreme Court) against manifest opposition by the NJC.

In this Spotlight discussion, our guest speakers will discuss the overwhelming powers of the President of the NJO and the international criticisms levelled at the judicial administration in Hungary. More generally, they will review how the appointment of judges and court presidents can affect the judicial independence, and discuss the ‘chilling effect’ and negative impact on the freedom of speech in the Judiciary while assessing the possible risks of a political influence in the judiciary.

CENTRAL & EASTERN EUROPEAN JUDICIAL EXCHANGE NETWORK

The CEELI Institute Judicial Network, which has been going since 2012, is comprised of some of the best and brightest rising judges from eighteen countries in the region who gather regularly to share best practices on issues of judicial independence, integrity, accountability, and court management. As international in-person meetings are likely to be limited for some time to come, the Spotlight Series ensures that the Network can continue to meet its mandate to improve judicial integrity and court efficiency in Central and Eastern Europe, despite the global lockdowns resulting from the coronavirus pandemic.