

The Res Iudicata - Judges for Social Awareness Association regarding the events and the news of the last few days wishes to express the followings:

At the meeting of the 20th November 2024, the National Council of Judges authorised its President to stipulate an agreement between the Ministry of Justice, the National Office for the Judiciary, the Curia and the Council. The quadripartite agreement aims to improve the efficiency of the judiciary by a 48% increase of the average salary in 3 years, accompanied by an overall reform affecting every level of the judicial system and the fundamental elements of the judicial career path. The judiciary was informed about the existence of the agreement by the press two days before the meeting. Although the meetings of the National Council of Judges are open to the members of the judiciary, the place of the meeting to discuss the draft of the agreement was Gyula, a city difficult to reach for most of the judges and therefore to attend the meeting personally. Our association, together with others, asked the Council - which by the time of its election emphasised the importance of transparency and cooperation - to provide the possibility of online participation for the interested colleagues, but we haven't received any reply. However, the summary of the meeting proves that the colleagues who have consultative right joined the meeting online. The text of the agreement became available on the Council's website during the meeting.

In our opinion there are several issues that need to be reformed to solve the current problems regarding the salaries of judges and judicial staff, the economical functioning of the judicial system, and the improvement of the quality of judgments to guarantee judicial independence and the dignity of our profession. But this can be achieved only after a broad consultation with legal professionals, which clarifies the details of the concept and the reform proposals and takes in consideration the opinion of the judiciary.

We would like to emphasise, that the current remuneration system of judges is not substantially affected by the agreement, and it does not guarantee the separation of powers. There is not such an automatic system in the establishment of the remuneration of judges, which is based on an objective and verifiable criterion, independent of the executive and the legislature and free from arbitrary interference. A fair remuneration is one of the fundamental guarantees of judicial independence, which cannot be the condition of any reform. We consider unacceptable that the agreement refers to a three-year protracted salary increase, which is still below the rate of inflation of the recent years, as something that the government will only guarantee if other elements of the reform are adopted. For this reason, the negotiating parties were not able to examine the details of the reform proposal, which was conditioned, because the entire judiciary highly expects for a long time the increase of the salary.

We highlight that the National Council of Judges, a body elected by us, their peers, in derogation of its duties defined in the Act CLXI of 2011 on the Organisation and Administration of the Courts is participating, without informing the judiciary, in the stipulation of an agreement that will fundamentally influence the whole judicial system, and the life of the present and future judges.

In our view the National Council of Judges has exceeded its powers by stipulating the agreement. We call on the President of the National Council of the Judiciary to refrain from signing the agreement and to initiate a professional dialogue to develop a well-founded judicial reform.

Budapest, 21 November, 2024.

The Board of the Res Iudicata Association