



Hungarian Helsinki Committee

TIMELINE OF UNDERMINING THE INDEPENDENCE OF THE JUDICIARY IN HUNGARY 2012–2019

Judicial independence has been under constant threat and has been systematically undermined by the governing majority in Hungary since 2011–2012. Steps threatening judicial independence included the centralisation of the administration of courts, the lowering of the mandatory retirement age of judges, terminating the mandate of the Supreme Court’s President prematurely, attempting to set up a heavily government-controlled administrative court system, and exerting pressure on critical judges. Below, we outline the most important events of the past seven years in this regard.

2012

1 January 2012	<p>The Fundamental Law, the Transitional Provisions of the Fundamental Law, Act CLXI of 2011 on the Organisation and Administration of Courts and Act CLXII of 2011 on the Legal Status and Remuneration of Judges enter into force. These laws bring along fundamental changes with regard to the Hungarian judiciary:</p> <ul style="list-style-type: none"> • The administration of courts becomes centralised: the former self-governing judicial body in charge of court administration is replaced by a one-person decision-making mechanism, the President of the newly established National Judicial Office (NJO, Országos Bírósági Hivatal), elected by the Parliament. The law also establishes the National Judicial Council (NJC, <i>Országos Bírói Tanács</i>), a judicial self-governing body comprised of judges elected by their peers and vested with the task of supervising the President of the NJO. The new laws grant extensive powers to the President of the NJO over the court administration (e.g. recruitment and promotion of judges, management of the court system’s budget, etc.). • The Transitional Provisions remove András Baka, the President of the Supreme Court from his office as of 1 January 2012, even though he was elected by the Parliament in 2009 for six years. The explanatory memorandum of the Transitional Provisions explains his removal three and a half years before the end of his regular term with the “changes affecting the judicial system”. The new laws also remove prematurely the Vice-President of the Supreme Court. All other judges of the Supreme Court remain in office as judges of the newly established Curia (<i>Kúria</i>), the successor of the Supreme Court.
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	<ul style="list-style-type: none"> The new laws lower the mandatory retirement age of judges to the general retirement age (i.e. from 70 to 62 years) as of 1 January 2012, and it is set forth that tenure of judges who on 1 January 2012 are older than the general retirement age shall be terminated by 30 June 2012. This affects hundreds of judges, many of them in leading administrative positions (e.g. court presidents and vice-presidents).
12 January 2012	The Council of Europe Commissioner for Human Rights voices concerns over the changes affecting the judiciary: "the Commissioner has noted steps taken in Hungary which might undermine the independence of the judiciary. As a consequence of the lowering of the retirement age for judges, more than 200 new judges will now have to be appointed. This measure has been accompanied by a change in the procedure for such appointments, which now rests on the decision of a single politically appointed individual. Moreover, the Commissioner considers it unfortunate that [...] the mandate of the President of the Supreme Court has been terminated before the end of the regular term. The approach whereby judges are appointed by the President of the National Judicial Office, who is nominated by the government for nine years, gives rise to serious reservations."
17 January 2012	The European Commission launches an accelerated infringement proceeding against Hungary over lowering the mandatory retirement age for judges, prosecutors and public notaries , arguing that it has not found any objective justification for treating judges, prosecutors and public notaries differently than other groups.
20 January 2012	The Minister for Foreign Affairs of Hungary requests the Venice Commission to provide an opinion on the Hungarian laws concerning the judiciary.
14 March 2012	The former President of the Supreme Court, András Baka, lodges an application with the European Court of Human Rights . He alleges that he has been denied access to a tribunal to contest the premature termination of his mandate as President of the Supreme Court. He also claims that his mandate has been terminated as a result of the views and positions that he had expressed publicly in his capacity as President of the Supreme Court concerning legislative reforms affecting the judiciary, which is a violation of his freedom of expression .
16 March 2012	The Minister of Administration and Justice submits a Bill to the Parliament on the amendment of the new laws on the judiciary, i.e. Act CLXI of 2011 on the Organisation and Administration of Courts and Act CLXII of 2011 on the Legal Status and Remuneration of Judges.
19 March 2012	The Venice Commission issues its first opinion on the new laws on the judiciary in Hungary (Act CLXI of 2011 on the Organisation and Administration of Courts and Act CLXII of 2011 on the Legal Status and Remuneration of Judges). Concerns voiced by the Venice Commission include the following: <ul style="list-style-type: none"> In the Venice Commission's view, the "main problem is the concentration of powers in the hands of one person, i.e. the President of the NJO", who is "indeed the crucial decision-maker of practically every aspect of the organisation of the judicial system and he or she has wide discretionary powers that are mostly not subject to judicial control". The opinion points out that the NJC "has scarcely any significant powers and its role in the administration of the judiciary can be regarded as negligible. [...] In contrast, the President of the NJO has abundant competences [...]. Since the President of the NJO is elected by Parliament, i.e. an external actor from the viewpoint of the judiciary, it cannot be regarded as an organ of judicial self-government."

	<ul style="list-style-type: none"> • According to the opinion, the “major points which need revision” include e.g. “the strong influence of the President of the NJO on the appointment of court presidents and other senior judges,* [...] the transfer of cases by the President of the NJO to another court as such, but especially the absence of objective criteria for the selection of cases to be transferred and the court to which the cases are to be transferred, [and] the regulation on early retirement of judges.” (*Selecting court presidents is a strong power of the NJO President, because court presidents have broad authority over judges and the allocation of cases of their courts.) • The Venice Commission also points out that the new laws “established a new criterion for the election of the new President, which leads to the ineligibility of the former President of the Supreme Court as President of the Curia”. According to the opinion, since the law “might be understood as an attempt to get rid of a specific person who would be a candidate for the President, [...] the law can operate as a kind of a sanction of the former president of the Supreme Court. Even if this is not the case, the impression, that this might be the case, bears the risk of causing a chilling effect, thus threatening the independence of the judiciary.”
2 July 2012	The Hungarian Parliament amends the new laws on the judiciary by adopting Act CXI of 2012 on Amending Act CLXI of 2011 on the Organisation and Administration of Courts and Act CLXII of 2011 on the Legal Status and Remuneration of Judges. The amendment transfers certain competencies of the NJO President to the NJC, and provides the NJC veto powers over the NJO President’s certain decisions in judicial appointment procedures. However, at the same time, it grants the President of the NJO the power to annul applications for judicial and judicial leadership positions (e.g. court president and vice-president positions) by declaring the application proceedings unsuccessful without the consent of any judicial body , even in instances when there are candidates for the position who are supported by their peers. (Candidates are heard and voted upon by a panel of judges in the course of the application process.)
16 July 2012	The Constitutional Court of Hungary rules in Decision 33/2012. (VII. 17.) that the provisions of Act CLXII of 2011 on the Legal Status and Remuneration of Judges that lowered the mandatory retirement age of judges to the general retirement age as of 1 January 2012 are unconstitutional . The decision of the Constitutional Court annuls the respective provisions retroactively, as of 1 January 2012, but does not reinstate the legal relationship of already dismissed judges.
10 September 2012	The International Bar Association’s Human Rights Institute (IBAHRI) issues a report on the state of the judiciary in Hungary, and voices concerns, among others, over the premature termination of the mandate of the President of the Supreme Court and the lowering of the mandatory retirement age of judges.
15 October 2012	The Venice Commission issues its second opinion on the new laws on the judiciary, as amended in July 2012. <ul style="list-style-type: none"> • The Venice Commission welcomes the amendments that “result in an improved accountability of the President of the NJO”. Nevertheless, it concludes that “the powers of the President of the NJO remain very extensive to be wielded by a single person and their effective supervision remains difficult” and so the “amendments do not fully dispel the Venice Commission’s concerns”. • The opinion lists a number of outstanding issues considered problematic, such as the procedure of the transfer of cases by the NJO President from the court of general competence to another court. The Venice Commission also

	recommends that “the possibility for the President of the NJO to declare the appointment procedure unsuccessful should be removed” .
6 November 2012	The Court of Justice of the European Union (CJEU) concludes that “by adopting a national scheme requiring compulsory retirement of judges, prosecutors and notaries when they reach the age of 62 – which gives rise to a difference in treatment on grounds of age which is not proportionate as regards the objectives pursued – Hungary has failed to fulfil its obligations” under Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

2013

11 March 2013	As a response to the decisions of the Constitutional Court and the CJEU on the lowering of the mandatory retirement age for judges, the Parliament adopts Act XX of 2013, amending the respective laws. The new provisions introduced offer judges who were dismissed due to the lowering of the mandatory retirement age compensation or reinstatement into their judicial status, but reinstatement into leading administrative positions is not guaranteed . As a result, many former judicial administrative leaders do not return to the judiciary, and so as an ultimate result of the rules that were found to be in breach of both the EU non-discrimination acquis and the Fundamental Law, close to 90% of judicial administrative leaders over the age of 62 are removed from the system .
11 March 2013	The Parliament adopts the Fourth Amendment to the Fundamental Law , which, among other amendments, raises the position of the President of the NJO to a constitutional level . Furthermore, it does not only uphold the NJO President’s right to transfer cases from one court to another, but abolishes the transitional character of the system of transferring cases, in contradiction with the standpoint of the Venice Commission.
1 August 2013	Act CXXXI of 2013 enters into force, which abolishes the NJO President’s right to transfer cases from one court to another. The law does not offer any solution or remedy for the violation of the principle of the lawful judge with regard to cases that the President of the NJO already transferred earlier on.
16 September 2013	The Parliament amends the Fundamental Law for the fifth time. The Fifth Amendment aligns the Fundamental Law with lower ranking legislation already in force: it removes the NJO President’s right to transfer cases from the Fundamental Law and names the NCJ as the supervisory body of the President of the NJO.

2014

27 May 2014	The Chamber of the European Court of Human Rights finds in the <i>Baka v. Hungary</i> case that Hungary has violated András Baka’s right of access to a tribunal competent to examine the premature termination of his mandate as President of former President of the Supreme Court , as guaranteed by the European Convention on Human Rights. The Court also considers that the facts of the case and the sequence of events has showed that the early termination of Mr Baka’s mandate had not been the result of restructuring the supreme judicial authority, as the Government had contended, but a consequence of the views and criticisms he had publicly expressed in his professional capacity . Accordingly, the Court finds that Mr Baka’s right to freedom of expression has been violated. It also reiterates that the fear of sanction has had a “chilling effect” on the
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	exercise of freedom of expression and, in particular, risked discouraging judges from making critical remarks about public institutions or policies.
27 August 2014	The Government requests the referral of the <i>Baka v. Hungary</i> case to the Grand Chamber of the European Court of Human Rights.
15 December 2014	The European Court of Human Rights grants the Hungarian Government's request to refer the <i>Baka v. Hungary</i> case to the Grand Chamber of the European Court of Human Rights.

2015

22 July 2015	Council of Europe's GRECO publishes its Evaluation Report on Hungary finding that "the NJC is still rather dependent on the [President of the] NJO in many ways. For example, it is up to the [President of the] NJO to ensure the operational conditions of the NJC and the [President of the] NJO attends the meetings of the NJC, although only with a consultative status. [...] [M]ore could be done to better balance the powers within the judiciary in favour of a stronger collective approach to this administration, for example, to give the NJC a decisive mandate in the procedures concerning appointments and promotions of judges". GRECO recommends, among others, that "the powers of the President of the National Judicial Office to intervene in the process of appointing and promoting candidates for judicial positions be reviewed in favour of a procedure where the National Judicial Council is given a stronger role".
10 December 2015	The IBAHRI issues another report on the judiciary in Hungary, and concludes that the independence of the judiciary is still under threat in Hungary. The report considers it problematic that "the NJC's decision-making powers and effectiveness remain limited by legislative and practical impediments", and, therefore, "contrary to international standards, the administration of justice is not governed by an independent authority with a substantial representation of the judiciary". The IBAHRI recommends, among others, "further reform to ensure that the NJC membership can fulfil its role as Hungary's independent body of judicial self-government", and the reviewing the judicial appointments procedure.

2016

23 June 2016	<p>The Grand Chamber of the European Court of Human Rights affirms the Chamber's judgment in the <i>Baka v. Hungary</i> case, and rules that the early dismissal of Mr Baka as President of the Supreme Court has violated his rights under the European Convention on Human Rights:</p> <ul style="list-style-type: none"> • Since "the premature termination of the applicant's mandate as President of the Supreme Court was not reviewed, nor was it open to review, by an ordinary tribunal or other body exercising judicial powers", Hungary "impaired the very essence of the applicant's right of access to a court". • The freedom of expression of Mr Baka was also violated, because the early dismissal of Mr. Baka as President of the Supreme Court was "prompted by the views and criticisms that he had publicly expressed in his professional capacity" on constitutional and legislative reforms affecting the judiciary. The Court adds that "the premature termination of the applicant's mandate undoubtedly had a 'chilling effect' in that it must have discouraged not only him but also other judges and court presidents in future from participating in public debate on legislative reforms affecting
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2018

15 January 2018	New members are elected to the NJC after the mandate of the previous members expires, who pledge to exercise more rigorous scrutiny over the administration of courts, i.e. the President of the NJO.
January 2018	Two courts initiate an investigation into why the President of the NJO annuls applications for judicial and judicial leadership positions (e.g. regional court president and vice-president positions) by declaring the application proceedings unsuccessful in instances when there are candidates who are supported by their peers. The NJC is obliged to launch an investigation into the issue and so sets up a committee of inquiry.
19 April 2018	Five members and 12 substitute members of the NJC resign , reportedly citing “existing executive duties” and “family matters”. It is reported that several members were allegedly pressured into resigning either by the NJO President or by court leaders who had been appointed by the NJO President.
24 April 2018	The NJC submits to the President of the NJO the report of the committee of inquiry set up upon the request of lower level court on her appointment practices.
27 April 2018	The President of the NJO informs the NJC in writing that she will not attend the NJC’s next meeting, claiming that the “lawful operation” of the NJC is not guaranteed in her view, thus, practically declares the NJC illegitimate . As a basis for that, the President of the NJO argues that the number of NJC members had decreased to 11, which is below the statutory number of NJC members (15) and that administrative and labour courts are no longer represented in the NJC due to the resignations.
2 May 2018	The NJC ascertains that the President of the NJO has unlawfully declared several application proceedings for judicial and judicial leadership positions unsuccessful , and annulled these without proper justification (or without any justification at all).
9 May 2018	The UN Human Rights Committee issues its concluding observations on the sixth periodic report with Hungary, and voices concern over “transferring administrative authority over the judicial system from the National Judicial Council to the National Judicial Office”, and the “premature termination of the mandate of the former President of the Supreme Court, Judge Baka, allegedly for having criticized reforms of the judiciary”. It recommends Hungary to “take measures to guarantee and protect the full independence and impartiality of the judiciary by, inter alia, ensuring that judges operate without pressure and interference from the executive branch or other outside influences”.
16 May 2018	The NJC declares that it rejects the NJO President’s position that the NJC is “illegitimate” because of the vacant seats, arguing that the NJO President may not unilaterally declare the NJC’s operation unlawful, and, furthermore, there is no minimum number of members for the NJC to remain in operation. (This view is supported by the President of Curia, the Minister of Justice and the Hungarian Bar Association, all of whom continue to participate at NJC sessions.) Furthermore, the NJC calls upon the President of the NJO to fulfil her statutory obligations vis-à-vis the NJC , to submit the necessary motions, answer the requests of the NJC in substance, and provide the NJC with the information necessary for supervision, but

	to no avail. The NJO President has been refusing to cooperate with the NJC ever since.
29 May 2018	The Minister of Justice submits a Bill to the Parliament on the Seventh Amendment to the Fundamental Law of Hungary, which, among others, would establish the system of separate administrative courts.
2 June 2018	The government-friendly newspaper <i>Magyar Idők</i> (a newspaper that openly declared that it is “pro-government”) falsely states that NJC members have denounced the Hungarian Government before the European Network of Councils for the Judiciary (ENCJ).
14 June 2018	National media reports that disciplinary proceedings have been initiated against three judges who requested files on the practice of the NJO President with regard to the appointment of judges and judicial administrative leaders.
17 June 2018	The President of the NJO calls some NJC members traitors of the homeland in a radio interview on national broadcast: she says that she finds it “regrettable [...] that some fellow judges – forgetting about themselves and their duties and responsibility for the community – run abroad and betray our country”.
17 June 2018	In an interview to <i>Magyar Idők</i> , the President of the NJO repeats her statements about the illegitimate functioning of the NJC, she alleges that certain NJC members are “evading” disciplinary proceedings by using their immunity as NJC members, and repeats the allegation that some NJC members are denouncing the Hungarian Government abroad.
20 June 2018	<i>Magyar Idők</i> publishes an article about the President of ENJC with the title “Mineworking of some judges together with Soros-network”. The newspaper alleges a link between George Soros, the Polish Helsinki Foundation for Human Rights and ENCJ, and names an NJC member as someone who was involved in this international “conspiracy” against the Hungarian Government.
21 June 2018	<i>Magyar Idők</i> names an NJC member as someone who “discredits Hungary in various international forums”, calls his activity in the social media unethical, and links him to the “Soros-network”.
22 June 2018	<i>Magyar Idők</i> targets five members of the NCJ, stating that the NCJ is politically biased against the Government in various ways, which could be deduced from court decisions NJC members were involved in as acting judges in the past.
28 June 2018	The Parliament adopts the Seventh Amendment to the Fundamental Law of Hungary. The amendment, among others, introduces the new system of administrative courts into the Fundamental Law , including the Administrative High Court (<i>Közigazgatási Felsőbíróság</i>) to take over all of the powers of the Curia (Hungary’s highest judicial forum, the Supreme Court) in administrative cases. The Seventh Amendments also sets out that the starting point for judges when interpreting the law has to be the explanatory memorandum attached to legislative proposals.
30 August 2018	It is reported that the President of the NJO sent a letter to the presidents of the regional courts of appeals and tribunals whose appointment is within her powers that they had to find at least three violations of the law in the functioning of the NJC.
12 September 2018	The European Parliament adopts a resolution on Hungary, calling upon the Council of the European Union to determine, pursuant to Article 7(1) of the Treaty on European Union , the existence of a clear risk of a serious breach by Hungary of the

	values on which the EU is founded. The independence of the judiciary and the rights of the judges is one of the topics featured in the related EP report .
20 September 2018	Minister of Justice László Trócsányi announces that the Ministry of Justice is going to submit a Bill to the Parliament on the establishment of administrative courts before the end of the year.
3 October 2018	The NJC requests the President of the NJO to propose amendments of the law on the administration of courts to the Ministry of Justice, but to no avail. (Under the law, the NJC does not have the right to propose legislation to the Minister of Justice directly, but only to recommend that to the NJO President.)
9 October 2018	The NJO President finally convenes an assembly for electing the missing members of the NJC after a five-month delay , but the election is declared unsuccessful and no new members are elected. According to reports of judges who took part in the assembly, several procedural rules are violated , including the requirement of a secret ballot vote. Many judges report these irregularities in open letters, and some claim that court leaders who have been directly appointed by the NJO President have conspired or have been pressured to obstruct and boycott the election.
6 November 2018	The Government submits a Bill to the Parliament that would establish the new system of administrative courts on a statutory level.
12 December 2018	The governing majority passes Act CXXX on Administrative Courts, setting up a separate administrative court system to have jurisdiction over environmental protection, taxation, public procurement, elections, freedom of assembly, asylum, and other human rights issues.
14 December 2018	The Commissioner for Human Rights of the Council of Europe calls on Hungary's President to return to the Parliament the legislative package on administrative courts. The Commissioner says that she is "concerned by the strong powers this reform of the judiciary confers on the Minister of Justice in the future administrative court system" , which in her view "raises issues about the independence of the judiciary". She also finds it "regrettable that the Hungarian Government and the Parliament did not wait for the Venice Commission to issue an Opinion on the legislative package which was requested by the Minister of Justice", and remarks that public consultation on the initiative in the country was very limited.

2019

7 January 2019	The NJO communicates to the NJC that it does not agree to the draft budget of the NJC as proposed by the NJC, citing the illegitimacy of the NJC. (The NJO President's agreement is a requirement for the budget to take effect.)
28 January 2019	The NJC adopts a report on the conduct of the President of the NJO, concluding that "by deeming the NJC non-existent", the President of the NJO "exercises her powers without constitutional oversight , contrary to the principle of checks on power enshrined in the Fundamental Law".
26 February 2019	Media reports that members of the Hungarian Association of Judges (MABIE , which has also raised a critical voice with regard to the NJO President) have been listed at one of the county-level courts, and that the president of this county-level court disseminated this list at a meeting for district (local) court president and implicitly pressured district court presidents to press judges to terminate their membership in MABIE.

18 March 2019	The Commissioner for Human Rights (the Ombudsperson of Hungary), upon the motion of the NJO President, initiates the interpretation of the Fundamental Law with regard to the operationality of the NJC. One of the questions is the following: "As long as a legitimacy issue emerges because of the composition and membership of [the NJC], is there any such constitutional body in place which may act in order to ensure the lawful operation of this body?" The NJC argues that the Constitutional Court should reject the question or rule that the NJC is fully functional. (The case is pending.)
19 March 2019	The Venice Commission issues its opinion on Act CXXX on Administrative Courts, and finds that the "major drawback" with regard to the new law is "that very extensive powers are concentrated in the hands of a few stakeholders and there are no effective checks and balances to counteract those powers" in the system.
5 April 2019	The UN Special Rapporteur on the independence of judges and lawyers issues a statement saying that " more needs to be done to bring legislation on administrative courts in line with international standards ".
24 April 2019	László Kövér, Speaker of the Parliament says in his opening remarks at a conference of the Curia that the judiciary is "neither is a counterbalance of executive power, nor the rectifier of real or presumptive errors of the legislative power, neither a restrainer of the strong, nor a supporter of the weak".
3 May 2019	The European Association of Judges (EAJ) issues its report on its fact-finding mission to Hungary, which concludes, among others, that " the Hungarian Judiciary is facing a kind of 'constitutional crisis' since May 2018 due to the activity of the President of the [NJO] who denies any collaboration with the [NJC] ".
8 May 2019	As a measure of last resort, the NJC requests the Parliament to remove Tünde Handó from her position as NJO President , on the basis that she has breached her duties for more than 90 days and became unworthy of the office. According to the NJC's motion, the NJO President, in contradiction with the law, <ul style="list-style-type: none"> ● declared judicial and judicial leadership application proceedings unsuccessful without reasoning or with inadequate reasoning; ● did not take any steps to investigate or prevent the illegal reappointment of the President of [one of district courts], despite the NJC's warning; ● refused to cooperate with the NJC's in ensuring access to documents and thus undermined effective control over court administration; ● prevented the NJC from appointing service court judges who have jurisdiction over judges' disciplinary and other internal cases; ● prevented judges from electing members to the NJC to fill the missing seats; ● circumvented the NJC's right to comment on the proposal for the courts' budget and failed to submit a report on the execution of the budget; ● refused to sign the NJC's budget thus blocked the effective financial functioning of the NJC; ● did not submit internal regulations (orders) to the NJC for consultation prior to their publication; ● failed to inform the NJC on a 6-monthly basis, which is mandatory under the law.
16–17 May 2019	The NJO claims in a press release that the report by the EAJ contains falsehoods and complains about not being granted an opportunity to comment on the draft of the report. A co-author of the report responds that the President of the NJO insisted on her pre-written speech praising the NJO during the EAJ's visit, and denied any opportunity to EAJ representatives to pose questions regarding the subject of the report being prepared by the EAJ.

<p>30 May 2019</p>	<p>The head of the Prime Minister's Office, Gergely Gulyás announces that the Government indefinitely postpones to set up the new administrative courts. The related communiqué of the Government issued on the same day says the following: "In order to ensure that the further progress of the process of establishing the separate administrative court system does not hinder the reassuring settlement of the debates around the baseless rule-of-law-related criticisms against Hungary, the Government submits a Bill postponing the entering into force of the law on administrative courts. Following the settlement of these disputes [on rule of law], the work aiming to improve administrative justice can be continued." The respective Bill is submitted to the Parliament the same day.</p>
<p>11 June 2019</p>	<p>The majority of the Fidesz-dominated Justice Committee of the Parliament votes not to remove the President of the NJO. Subsequently, the plenary sitting of the Parliament also dismisses the NJC's motion to remove the NJO President with 120 votes to 54, i.e. with the votes of ruling majority. The motion is dismissed without any substantial discussion of the issue raised about the NJO President's activities being unlawful. The Parliament spends altogether three minutes on the topic, including the vote.</p>
<p>11 June 2019</p>	<p>The President of the NJO declares the call for applications for the President of the Metropolitan Court unsuccessful. The NJO claims that the sentiment of the application and the hearing of the only applicant, Viktor Vadász (an NJC member critical of the NJO President, recently elected to the Executive Board of the ENCJ) has carried a spirit of "fight", and the applicant has failed to elaborate on his vision regarding the strengthening of the court system. Vadász was supported by the judges of the Metropolitan Court by 374 votes to 95 against.</p>
<p>19 June 2019</p>	<p>An article in the government-friendly <i>Magyar Nemzet</i> claims that the report on the fact-finding mission of the EAJ has condemned Hungary in an unfair proceeding, based on political motivations. The article also names several NJC members and claims that they have attacked the Hungarian judiciary on the basis of their politically biased personal opinions.</p>
<p>2 July 2019</p>	<p>The Parliament adopts Act LXI of 2019 on Postponing the Entry into Force of the Act on Administrative Courts, which prevents Act CXXX of 2018 on Administrative Courts, i.e. the law establishing the administrative courts on a statutory level, from entering into force. (The Fundamental Law is not amended, and so it continues to contain a reference to administrative courts and the Administrative High Court.)</p>
<p>5 July 2019</p>	<p>After an academic lecture given at the Hungarian Academy of Science, an NJC member is called politically biased by the newspaper <i>Magyar Idők</i> because he expressed his opinion on the necessity of legal amendments to solve the critical situation of the NJC.</p>
<p>8 July 2019</p>	<p>In its country-specific recommendations within the European Semester, the Council of the European Union notes the following: "Checks and balances [...] are seen to be under further pressure within the ordinary courts system. The National Judicial Council faces increasing challenges in counter-balancing the powers of the President of the [NJO]. Questions have been raised regarding the consequences of this for judicial independence."</p>
<p>9 July 2019</p>	<p>Speaker of the Parliament László Kövér says that the plans for establishing a separate administrative court system was taken off the agenda only temporarily, until the international disputes around Hungary's rule-of-law situation settle: "If the time is right for it, we can reinvigorate it. But we do not plan to do so within one year."</p>

15 July 2019	The Hungarian Bar Association confirms that in its view, the operation of the NJC is lawful and that it will continue to participate at its sessions.
17 July 2019	Judge Csaba Vasvári (member of the NJC) suspends a case before him and refers preliminary questions to the Court of Justice of the European Union (CJEU) in relation to judicial independence in Hungary. The questions concern the appointment practice of the President of the NJO and the salary situation of Hungarian judges.
19 July 2019	The Chief Prosecutor of Hungary challenges before the Curia the order of judge Vasvári suspending a case before him with a view to the referring questions to the CJEU, and asks the Curia to pronounce the order unlawful.
31 July 2019	In an editorial of a government-friendly newspaper, judge Vasvári is accused of misusing his right to refer questions for a preliminary ruling to the CJEU, and is labelled a Trojan horse of human rights watchdogs, such as the Hungarian Helsinki Committee, and of George Soros.
1 August 2019	The latest, December 2018 GRECO report on Hungary gets public. In it, "GRECO notes with concern the developments in Hungary since the adoption of the Compliance Report [in June 2017], including allegations of pressure on members of the [NJC] and challenges that have reportedly been made to the legitimacy of the [NJC]." GRECO also notes that "no further progress has been reported" regarding its non-implemented recommendations pertaining to judges since June 2017; and that "GRECO's findings on the powers of the President of the National Judicial Office (both as regards the process of appointing or promoting candidates for judicial positions and the process of re-assigning judges) remain of special significance".
21-22 August 2019	It is reported that the National Authority for Data Protection and Freedom of Information has imposed a fine on a county-level court after its president had the members of the Hungarian Association of Judges (MABIE) listed, and, by disseminating the list at a meeting of district court presidents, revealed their personal data without justification. The NJO President initiated a disciplinary proceeding regarding the matter, but refused to disclose the findings. Furthermore, the NJO replied to an inquiry of a news outlet that one single mistake like this "obviously" cannot result in the termination of the respective court president's mandate.
3 September 2019	The Commissioner for Human Rights of the Council of Europe takes note of her concerns about the effects of a number of legislative measures taken in the 2010s on the powers and independence of the judiciary in Hungary. She stresses the need to observe checks and balances in the administration of the judiciary and warns against the risk of its politicisation, her key recommendation being to strengthen collective judicial self-governance.
10 September 2019	The Curia accepts the reasoning put forth by the Chief Prosecutor in his appeal against judge Vasvári's order requesting a preliminary ruling from the CJEU concerning the state of judicial independence in Hungary, finding the request submitted to the CJEU unlawful.
18 September 2019	It is published on the court intranet that the NJO is planning to initiate an amendment to the law on the organization and administration of courts, and a draft proposal is published in that regard. In parallel to that, judges are asked to fill in an online questionnaire which poses questions in relation to the NJC, including the question whether the current members of the NJC should be allowed to fill out their mandate.

23-25 September 2019	In its capacity of supervising the execution of the judgment of the European Court of Human Rights in the <i>Baka v. Hungary</i> case, the Committee of Ministers of the Council or Europe issues a decision saying that it “noted with grave concern the reports suggesting that the ‘chilling effect’ of the violation found by the Court under Article 10 [of the European Court of Human Rights on freedom of expression] and affecting the freedom of expression of judges and court presidents in general has not only not been addressed but rather aggravated ”.
31 October 2019	Minister of Justice Judit Varga announces that the Government has decided to abandon the idea of a separate administrative court system for good.
4 November 2019	The current President of the NJO, Tünde Handó is elected by the Parliament as a Constitutional Court judge , meaning she has to resign from her position as President of the NJO.
12 November 2019	The Ministry of Justice submits the Parliament a 200-page long “omnibus bill” (Bill T/8016), amending various legal provisions pertaining to the court system and the status of judges . The Bill is submitted without any prior consultation with the public, in violation of the law.
28 November 2019	The Commissioner for Human Rights of the Council of Europe issues a statement saying that Bill T/8016 “in its current form may have a negative effect on the internal independence of courts and judges and fair trial guarantees for individuals ”, and urges the Hungarian Parliament to modify it.