

opportunities presented by reporting lines, **the President of the NOJ held back the nominations of the organs of judicial self-governance and thereby prevented the NJC from exercising the right conferred upon it in a cardinal act** [Section 103(3) g) of the OACH]. In addition to **depriving the NJC of its power, the inaction of the President of the NOJ also threatens the uninterrupted operation of the service courts.**

- Section (1) of **Article 26 of the Fundamental Law** enshrines the **legal guarantees of judicial independence**, and judges are only **subordinated to law, they shall not be given instructions as to their adjudication activities and may only be removed from office for the reasons and in a procedure specified in a cardinal act.** The **operation of appropriately staffed courts** of judicial discipline with competence over any disciplinary and compensation cases involving judges and the legal disputes arising from the professional evaluation of court managers is one of the **significant guarantees of judicial independence** (p. 19 of the report).

6 The Association of Hungarian Judges (MABIE) and the NOJ

1400 out of 2791 judges are members of the Hungarian Judges Association (Magyar Bírói Egyesület (MABIE), which is member of IAJ since 1991. At the election of the board in 2018 Dr. Judit OLTAI was elected new President of the association. Dr.Sandor SZABO remained secretary general, who at this time was also member of the new composed Council, which started its work in January 2018, and became president of the Council from July 2018 onwards.

Before 2018 there were no serious conflicts between the office and the association. At the time when mysteriously several members and substitute members resigned from their mandate in the Council Sandor SZABO was called by the President of the Notional Judicial Office (NJO) Hando Tünde twice and demanded to step down from his mandate in the Council otherwise a disciplinary procedure might be initiated against him.

When after the assembly to elect new members and substitute members of the Council , which took place in October 2018 the association protested against the termination of the election process, which it considers as illegal, and published a resolution on its website, which was signed by hundreds of colleagues, within a month, the attacks against the association intensified. The President of the National Office closed the headquarter of the association, which was in a building belonging to the NJO. With the help of the bar association, who provided an intermediate seat it could be avoided that this loss of the headquarter caused the illegality of the association, because according to Hungarian law an association without a seat is classified as illegal. The possibilities to hold meetings in court buildings were reduced. No support was provided. In 2018 the association did not get any contribution out of the 5 Mio Forint, which were foreseen for associations, which work in connection with the judiciary, The application of this year was answered with the proposal to get 700000 Forint under conditions, which were not acceptable for the association, namely that the President of the Office could participate in and speak at certain meetings of the association and would be provided with certain information.

