



NATIONAL JUDICIAL COUNCIL

The electoral assembly for substitute Council-members is declared unsuccessful

2018.10.09.

According to data available, the electoral assembly organized for the election of substitute members to the National Judicial Council declared the election unsuccessful today. The candidates, whose names were on the list of preliminary candidates did not undertake the nomination, while the others who would have undertaken the candidacy were prevented from becoming a candidate. Therefore, several electors called the Council Members to resign.

In relation to this we draw attention to the following.

The extraordinary electoral assembly's only task and aim is the election of substitute members, which is necessary since after the resignations back in this spring the number of the substitute members fell below 5 people. It is not the task of the electoral assembly to evaluate or to criticize the Members of the Council, moreover according to Article 110 Section 2 of Act CLXI of 2011 the Members of the Council cannot be called back.

Many participants expressed their concern about the lack of secret voting and appropriate vote count, which endangered the democratic election.

The electors were elected in July 2018 by regional judicial assemblies. By that time, it was perfectly known for the elector-candidates that are the Members of the Council, therefore it is incomprehensible why they were willing to undertake the electoral mandate since they originally knew that they do not want to get Council membership. It is also hard to understand why the people that would have undertaken the candidacy were not allowed to get voted.

The National Judicial Council (OBT) acts as a body, in which the appearance of concurring opinions is useful and constructive. Therefore, we cannot understand that if someone does not want to take part in the work of the Council, because they don't agree with its operation to date, albeit as a Member they could influence the directions of the operation.

It cannot be a coincidence either that more than one-third of the participants of the unsuccessful electoral assembly are court presidents, vice-presidents or collegium leaders, directly appointed by OBH-President Tunde Hando, and they also had a majority compared to the „normal“ judges. The presidents were on the candidate list but did not undertake the candidacy, whilst other judges were blocked from being a candidate. We recall that based on the Constitution the National Judicial Council is obliged to supervise the activities of that person who is the employer of these court presidents. That was the reason why the OBT suggested a conflict of interest rule to be accepted.

The National Judicial Council has its quorum with its remaining 11 members and will continue its work in the future.