



Rome, 20.12.2024

**To the Hungarian Minister of Judges**  
**Bence Tuzson**

Distinguished Minister,

Dear Minister the European Judges' Association is concerned about an agreement between the Minister of Justice the President of the Curia (Supreme Court), the President of the National Judicial Council and the President of the National Office for the Judiciary on November 22<sup>nd</sup> 2024, thus leading to ongoing (and growing) protest within the judiciary against the signing of an 'agreement' between the Ministry of Justice and the three top leaders of the judicial administration bodies in Hungary, which, in exchange for raise of salaries of judges and judicial staff, provided a blanket approval for undefined, structural reforms capable of undermining judicial independence.

The EAJ feels obliged to inform you of its opinion and its support for the Hungarian judges. In autumn 2023, the Hungarian Judges Association MABIE (Magyar Birói Egyesület) presented a proposal as to how the unsatisfactory judges' compensation could be improved and brought to a suitable level. This proposal was supported by the National Judicial Council and the President of the National Office for the Judiciary.

In 2024 the EAJ analyzed the situation again and passed a resolution on April 22, 2024, in which it held that” the existing remuneration of Judges in Hungary contradicts the international and European standards<sup>1</sup> and conflicts with binding decisions of the CJEU<sup>2</sup>.” The EAJ therefore urged the Hungarian authorities “to ensure that judges in Hungary receive at least the same level of wage increases as decision-

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<sup>1</sup> Recommendation Committee of Ministers Rec(2010)12 para 54, UN Basic Principles on the Independence of the Judiciary para 11 , CCJE Magna Carta of Judges para 4, CCJE Opinion No 1, para 61

<sup>2</sup> CJEU Associaçao Sindical dos Juizes Portugueses 27 February 2018, case C-64/16

makers in other branches of power, and that wages in Hungary are immediately increased by more than the rate of inflation as in other branches of power.” Since then, nothing has happened.

The agreed salary increases in the agreement mentioned above (part II) fall well short of the immediate 35% rate called for previously by the NJC to cover at least part of the inflation of the past two years (in fact the high inflation rate in Hungary has devalued the salaries of judges by 40% in the last 3 years). Therefore, the salary increase does - by far - not meet the requirement of salaries commensurate with their professions and responsibilities of a judge and provides a remuneration, which is still discriminatory compared with other public office holders.

The increase culminating in a plus of 48% is promised as a step-after-step measure within three years. The first step foreseen for 2025 would by far not reach a sufficient adequate level, which was missing already for the last three years. The details of the promised amendments remain unclear.

In part III of the agreement several projects to change the framework of the justice system are listed such as minimum age for appointment and retirement age of judges, court structure, training of judges etc. without explaining the details of these measures.

To make the increase in salaries a condition of the signing of the agreement would not be tolerable and would harm the independence of the judiciary. Financial independence of judges is an essential element of an independent judiciary, which must be safeguarded like other requirements of an independent judiciary. It is not appropriate, even not tolerable to connect the increase of remuneration with other reform steps.

Judicial reforms need careful considerations on every detail and on their impact. The constitutional frame and European standards must be respected, among which are security of tenure, transparent appointments on basis of merits, irremovability of judges, sufficient staffing and providing the necessary budget for the justice system including adequate remuneration and pensions of judges.

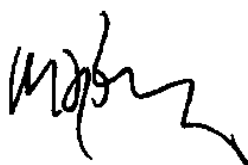
Therefore, it is necessary to intensively involve all stakeholders of the justice system, especially judges and their associations. Such involvement is also mandated by European standards.<sup>3</sup> An agreement on some very general ideas of possible changes certainly does not substitute such involvement.

The EAJ therefore expects that the Hungarian authorities:

- a) immediately provide the judiciary with the long-delayed increase of remuneration to a level which is commensurate with their profession and responsibilities considering the proposals of MABIE;
- b) circumstantially and substantially involve the National Judicial Council and the Hungarian Judges Association in all projects and drafts, which aim to reform the justice system.

The EAJ asks you therefore, distinguished Minister as the competent member of the Hungarian government to turn the developments in this direction.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mikeal Sjöberg', with a stylized flourish at the end.

Mikeal Sjöberg  
President of the EAJ

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<sup>3</sup> CCJE Opinion 10 para 87; CCJE Opinion 23 para 23