



Hungarian Helsinki Committee

UNFETTERED FREEDOM TO INTERFERE

RULING PARTY POLITICIANS EXERTING UNDUE INFLUENCE ON THE JUDICIARY IN HUNGARY 2010–2020

EXECUTIVE SUMMARY

Excessive public criticism of judicial acts and decisions by ruling party politicians threatens the ability of Hungarian courts to perform their duties free from undue external influence. For a decade, Hungarian judges have been facing increasing pressure in the form of comments by ruling party officials from both the legislative and the executive branch. Several individual cases from the past decade prove that there is significant political pressure on judges. This pressure is paralleled by the extremely centralized administration of the courts and by the chilling effect of retaliatory measures against judges publicly voicing criticism in relation to the independence of the judiciary. Fair and impartial adjudication is especially jeopardized in cases where judges must take unpopular decisions in protection of vulnerable minorities. Instead of protecting the judiciary from outside pressure by the general public, the government acts as an opinion leader and manipulates public opinion to legitimize interference with judicial decision making. In order to ensure respect for human rights and to guarantee independence of the judiciary as enshrined in the Fundamental Law and international standards, leading politicians and officers of Hungary must strictly abstain from the excessive criticism of the judiciary and ensure by law that judges are adequately shielded from external pressure.

INTRODUCTION

In 2010, the Fidesz-KDNP coalition gained supermajority in the parliamentary elections of Hungary and started to build up the “illiberal state”. Along this process of systematically undermining democratic institutions and the rule of law, the independence of the judiciary was attacked in several significant ways.

The judicial reform introduced in 2011 resulted in an overly centralized court administration that is incompatible with international standards and apt to exert undue internal pressure on judges. In addition to working in an organizational structure that enables internal influence through hierarchy, individual judges must also bear increasing external pressure in the form of publicly communicated expectations, recommendations and criticism by politicians.

Below we have gathered the most important cases of the past ten years, where public and media statements of high-ranking politicians from both the executive and legislative branch amounted to undue interference with judicial independence. In the first few years, media statements were used to put under pressure individual judges dealing with pending court cases triggering public attention, whereas more recently, more general statements supporting the government’s efforts to limit judicial independence and to discredit the judiciary as a whole have become more frequent. This rhetoric has reached the point where high ranking politicians of the incumbent parties claim that judicial independence is merely a “liberal requirement” and the “separation of powers is dumb”.

The judiciary is considered as the last line of defense of the rule of law values in Hungary. The intensified criticism of recent times is expected to serve as a means to create a general sentiment in which attempts to undermine judicial independence are not faced with extensive public dissent.

THE GENERAL PRINCIPLE OF FREEDOM FROM UNDUE EXTERNAL INFLUENCE

Under international law standards, freedom from undue external influence constitutes a well-recognized element of judicial independence.

- (i) According to the UN Basic Principles on the Independence of the Judiciary, “the judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason,” and “there shall not be any inappropriate or unwarranted interference with the judicial process [...]”.¹
- (ii) Recommendation CM/Rec(2010)12 of the Committee of Ministers of the Council of Europe expressly claims that “judges should act and be seen to act without any improper external influence on the judicial proceeding”. “If commenting on judges’ decisions, the executive and the legislative powers should avoid criticism that would undermine the independence of or public confidence in the judiciary.”²
- (iii) The Magna Carta of Judges sets out that “in the exercise of their function to administer justice, judges shall not be subject to any order or instruction, or to any hierarchical pressure, and shall be bound only by law”.
- (iv) In accordance with the above, Article 10 of the European Convention of Human Rights expressly allows restrictions of freedom of expression for the purpose of „maintaining the authority and impartiality of the judiciary.”

Although the Fundamental Law of Hungary recognizes judicial independence,³ the current Hungarian legislation does not ensure by law the protection of judges against those instances of undue external influence that take the form of statements aimed at pressurizing judges adjudicating politically sensitive individual cases. Fair and impartial adjudication is protected against the most evident forms of undue interference: both bribery and intimidation are penalized by the Criminal Code. Nevertheless, judges remain unprotected against pressure from other branches of state power. The examples below demonstrate that in the absence of a general culture of safeguarding freedom from undue external influence, the Hungarian judges are in practice exposed to pressure from both the executive and the legislative branch.

1. INTERFERENCE IN PENDING CASES AND UNDERMINING THE CREDIBILITY OF INDIVIDUAL JUDICIAL DECISIONS

1.1. Political pressure against acquittal – the toxic red sludge disaster

One of the court cases where undue political pressure was repeatedly exerted is the toxic red sludge case of 2010, in which an industrial disaster (the spillage of toxic red sludge) caused the death of ten persons and significant material damages.

„We hope that the prosecutors will end the criminal proceeding by submitting a bill of indictment to the court. The issue at this moment is, who else is responsible in this case – the chief executive officer, and who else?”

(Sándor Pintér, Minister of Interior, 2010)

After PM Viktor Orbán announced in the Parliament that the chief executive officer of the company managing the toxic sludge had been detained and the police had initiated his pre-trial detention, Sándor Pintér, the Minister of Interior claimed: “I don’t want to make statements in advance, or decide in advance what kind of punishment shall be applied [...], the Ministry of Interior does not want to pre-judge. We will investigate what has happened

¹ Basic Principles on the Independence of the Judiciary adopted in 1985 and endorsed by General Assembly resolutions 40/32 of 29 November 1985, section 2. and 4.

² Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on „Judges: independence, efficiency and responsibilities” (adopted on 17 November 2010 at the 1098th meeting of the Ministers’ Deputies), section 18 and 60.

³ Article 26(1) of the Fundamental Law

exactly, and take measures and make proposals to the prosecution in light of what happened, and we hope that the prosecutors will end the criminal proceeding by submitting bill of indictment to the court. The issue at this moment is, who else is responsible in this case - the chief executive officer, and who else? This is what the police are investigating, successfully, we hope."⁴ By this statement, the Minister of Interior has not only prejudged the criminal responsibility of the chief executive officer, but also expressed the expectations of the government towards the prosecution and courts to find people who can be held responsible for the disaster.

Later, in 2016, after the first instance court acquitted the defendants, politicians of the government have fiercely criticized the acquittal of all 15 defendants in the case.

"The truth shall be revealed."

(Bence Tuzson, State Secretary of the Prime Minister's Office, 2016)

Bence Tuzson, State Secretary for Government Communication of the Prime Minister's Office, reacted publicly to the ruling of the Veszprém Tribunal, saying that "the cabinet finds it outrageous that no one is held responsible for a case of such weight as the toxic sludge disaster, which claimed ten human lives" in 2010. Tuzson said that the cabinet "strongly urges" the authorities to appeal the verdict because "the truth shall be revealed",⁵ suggesting that the judgment was biased and not delivered on the basis of the facts.

"Liberal requirement of judicial independence"

(Szilárd Németh, Fidesz MP, deputy chairman of Fidesz' parliamentary group, 2016)

In connection with the toxic red sludge case and a high profile misappropriation case, involving the former Socialist deputy mayor of Budapest, Miklós Hagyó, in which the none of the defendants were sentenced to effective imprisonment at first instance, Szilárd Németh, Fidesz MP, told the press that ordinary people are "justifiably outraged" by both verdicts, and although Fidesz respected the "liberal requirement of judicial independence", they would also intend to give effect to such democratic principles as transparency and the accountability of judges.⁶

"Judges shall be independent, but not independent from reality."

(János Lázár, head of the Prime Minister's office, 2016)

After the president of the Kúria rejected public criticism by high-ranking officials, and reminded that external influence on jurisprudence undermines the rule of law, János Lázár replied: "[j]udges shall be independent, but not independent from reality. The judgments delivered in the toxic red sludge case and the Hagyó case damage the sense of justice of the society, and ruin the trust in the justice system. People perceive that nobody is responsible for anything, and this perception is strengthened by such judgments. [...] The president of the Kúria may not forbid people to discuss the judgments: such discussion does not constitute an influence, as it is about a judgment that has already been delivered. This is a social issue, and not a political one."⁷ It must be pointed out that although the statements were indeed made about verdicts that had been delivered, both cases were still pending at the time when the politicians criticised the judgments, thus expressing their wish as to how the cases should be decided eventually.

Following the above statements, the toxic sludge decision was appealed by the prosecution and after the annulment of the first instance verdict by the court of appeal in 2017, in the repeated first instance process, the court found 10 out of 15 defendants guilty.⁸ In December 2019, the second instance court further aggravated the penalties imposed.

⁴ Transcript available [here](#).

⁵ <https://24.hu/belfold/2016/01/28/kozolte-a-kormany-hogy-kellene-a-birosagnak-dontenie/>

⁶ <https://444.hu/2016/01/31/nemeth-szilard-elszamolatna-a-birosagokat> and https://index.hu/belfold/2016/01/31/fidesz_vita_orzaggyules_igazsaguysi_bizottsag_hagyo_miklos_uqye/

⁷ <https://index.hu/belfold/2016/02/04/kormanyinfo/>

⁸ https://index.hu/belfold/2019/12/13/qyori_itelotabla_vorosiszap_per_itelet/

The above interference of the government is in clear contradiction with international standards and recommendations on judicial independence.

1.2. Pressure for more rigorous penalties – the Cozma case

Similarly to the toxic red-sludge case, the government exerted undue pressure on courts in the Cozma case, in which Marian Cozma, the national handball team-player of Romania and player of the Hungarian team MKB Veszprém became victim of a murderous assault by knife in a fight before a bar in Veszprém.

"[a]djust jurisprudence to the expectations of the society"
(Tibor Navracsics, Minister of Public Administration and Justice, 2012)

In 2012, as a result of a different qualification from that of the first instance court, the court of second instance applied a more lenient penalty than the first instance judgment in the Cozma case. This triggered extensive public outcry. When asked by an MP in Parliament about the "outrageous" leniency of the sentence the Prime Minister said that "face to face he would say to the MP that he agrees with what he had just said, but he could not do it in public", because that would give the impression that the government was trying to influence the courts in an individual case.⁹

However, not long after this, Tibor Navracsics, the Minister of Justice turned to the president of the Kúria (the supreme court of Hungary) in a letter, the subject of which was a "proposal on the review of the jurisprudence". In his letter, the Minister asked the head of the highest court "with respect to recently delivered sentences in resounding cases – primarily the homicide in Veszprém, causing the death of Marian Cozma – whether he finds the rigor and consistency on the part of the judiciary satisfactory" and called him "to take measures to ensure coherence of the judicial practice and adjust jurisprudence to the expectations of the society".¹⁰ Although the case was concluded with a final and binding judgment at this stage, a review by the Kúria was still available for the prosecution, so the Minister sent a letter requiring stricter verdicts to the very judicial body that was vested with the task of reviewing the criticized judgment.

In his response, the president of the Kúria claimed, that he does not see any possibility to comply with the request of the Minister, and stated that he will take all measures in order to ensure coherent jurisprudence in accordance with the Fundamental Law and other legislation, but with respect to the letter of the Minister and, respectively, the Cozma-case mentioned in it, there is no need for an action.¹¹

Upon the prosecution's request, the Kúria finally reviewed the judgment, but upheld most of it and aggravated the punishment of only one of the defendants.¹²

1.3. Demanding pre-trial detention – the case of Eva Rezešová

The Kyiv Recommendations expressly claim that judges need to gain real discretion in reviewing requests for approval of the pre-trial detention.¹³ In the Rezešová case, the government openly interfered with the freedom of the courts to decide on pre-trial detention in accordance with their conscience and subject only to the law, and indirectly accused the courts with corruption.

"Treated favourably because of her rich family background"
(Antal Rogán, Fidesz MP, chairman of the Fidesz' parliamentary group, 2013)

In December 2013, Antal Rogán, leader of the Fidesz' parliamentary faction raised objections in a public video-message against the court's decision to place into house arrest (instead of pre-trial detention) Eva Rezešová, a wealthy Slovakian woman, who caused the death of four people in Hungary in a serious car accident while

⁹ https://index.hu/belfold/2012/05/14/navracsics_a_fobirohoz_fordul_a_cozma-itelet_miatt/

¹⁰ https://hvg.hu/itthon/20120516_navracsics_tibor_kuria

¹¹ <https://helsinkifigyelo.blog.hu/tags/Cozma-ugy>

¹² https://index.hu/belfold/2012/10/01/cozma_kuria_vegzes/

¹³ Kyiv Recommendations, Part III. Section 34.

driving intoxicated. He called on the parliamentary committee dealing with legal matters and on the minister of justice to investigate the reasons of the house arrest, and if necessary, modify laws in order to avoid the occurrence of such "an outrageous incident".¹⁴

Within four hours after publication of the message, the second instance court amended the first instance decision and placed Rezešová in pre-trial detention. As a response to the objections raised by court leaders, Rogán replied that "after the first decision delivered in the Rezešová case, not only me, but a large number of people had the impression that she was treated favourably because of her rich family background. In my opinion, this is the real problem that needs to be addressed by court leaders." When commenting on the case, Tibor Navracsics, Deputy Prime Minister, claimed, that "the Hungarian judiciary has only corrected its own error".¹⁵ Although both MABIE (the Hungarian Association of Judges) and the Hungarian Bar Association raised objections, Rezešová remained in pre-trial detention.

1.4. Attacking judgment protecting minority rights – the Gyöngyöspata segregation case

One recent example for political interference in an ongoing case concerns the Roma segregation trial of Gyöngyöspata. In a final and binding judgment of 2015, the Kúria established that Roma pupils in the elementary school of Gyöngyöspata had been educated in a segregated manner. In each grade there were two classes: one with practically only Roma pupils and one with hardly any Roma children. Roma and the non-Roma classes were separated physically too, and the Roma children were provided with lower quality education than their non-Roma peers. Based on the former judgment, in 2016, more than 60 former Roma pupils initiated a lawsuit for damages against the school and the Municipality of Gyöngyöspata and the state body as managers of the school. In September 2019, the court of second instance delivered a final and binding ruling according to which nonpecuniary damages were to be paid to the victims of segregation. While the respondents requested an extraordinary review from the Kúria, thus the case was still pending, government politicians, including the Prime Minister openly criticized the ruling and questioned its legitimacy.

"The judgment may be in accordance with the law, but it is unjust, biased, excessive and destructive."

(László Horváth, Fidesz MP, 2020)

Governmental criticism started on 4 January 2020 with the Facebook post of László Horváth, Fidesz MP from the region of Gyöngyöspata, according to which "[t]he court decision may be in accordance with the law, but it is unjust, biased, excessive and destructive. [...] With the millions [of HUF] thrown among the Roma families, the past years' continuous [...] development, the hardwon peace may disappear. Gyöngyöspata refuses to become a battlefield [...]."¹⁶ In his post, the Fidesz MP also claimed to have turned to the government for help.

"It can't stay this way. We need to give justice to the people of Gyöngyöspata."

(Viktor Orbán, Prime Minister, 2020)

Five days later, at an international press conference, the Prime Minister said that the Gyöngyöspata judgment violated Hungarian people's sense of justice. "I'm not from Gyöngyöspata, but if I were to live there, I would ask how it is possible that members of an ethnic group who live with me in the same community receive a significant amount of money without performing any work while I'm working my butt off all day." In his opinion, this is an unfair situation, which must be remedied somehow: "I don't know yet exactly what to do, but it can't stay this way. We need to give justice to the people of Gyöngyöspata."

"There is a line that Hungarians feel should never be crossed: to give money for nothing"

(Viktor Orbán, Prime Minister, 2020)

¹⁴ <http://hungarianspectrum.org/2013/12/05/political-interference-with-the-hungarian-judiciary/>

¹⁵ https://index.hu/belfold/2013/12/05/rogan_visszaszolt_a_biraknak/

¹⁶ <https://444.hu/2020/01/04/a-fideszes-kepviselo-szerint-gyongyospatan-a-roma-csaladok-koze-dobott-milliokkal-az-elmult-evek-folyamatos-kizamithato-fejlodes-e-es-a-nehezen-kivivott-nyugalom-valhat-semmive>

On 17 January, 2020 in his weekly radio interview, the Prime Minister said the following: "My starting point is the Hungarians' sense of justice. [...] The Hungarians accept if we provide working opportunities instead of social aid. If we spend the taxpayers' money on kindergartens which provide catching up programs, free meals [...]. The Hungarians are not racists, they do not automatically reject the Roma", but "there is a line that Hungarians feel should never be crossed: to give money for nothing". It is possible that there was segregation or "a failed catch up attempt", but "we cannot remedy the trouble by giving money". It is better "to provide services, instead of giving money into their [the Gyöngyöspata Roma's] hands, which the Hungarians will never accept". Orbán reiterated that the Soros-network was behind the case: "I think this whole thing is just provocation".¹⁷

"The order must be restored."

(Gergely Gulyás, head of the Prime Minister's Office, 2020)

On 12 February 2020, the Prime Minister announced at a closed meeting of the Fidesz-KDNP faction the launching of a new "national consultation" concerning, amongst other issues, "the questions raised by the Gyöngyöspata case". The Prime Minister stated that former national consultations initiated by the government had "verified the force of the consent of the nation".¹⁸ The next day, Gergely Gulyás, head of the Prime Minister's Office informed the public of the planned national consultation and justified it saying that "[t]he order must be restored". On 17 February 2020, in his annual State of the Nation Address, the Prime Minister accused the court of turning "the Roma and non-Roma people of Gyöngyöspata against each other".¹⁹

A couple of days later, in a video published on Facebook, László Horváth, Fidesz MP announced that the government had decided to pose two questions in the national consultation regarding the Gyöngyöspata case: (i) whether the claim for compensation can be considered as just, and (ii) if the claim for compensation can be considered as just, how should the government provide reparation for the damages. Mr. Horváth also added that the government prefers in-kind compensation, and expressed that "as is known, the Roma have launched the action for damages at the initiative of a foreign-funded organization".²⁰

When finally on 12 May 2020, the Kúria upheld the second instance decision, László Horváth made a statement that a wrong and unjust judgment had been handed down which would upset social peace and punishes a whole town indiscriminately and excessively for the – alleged or actual – grievances of a minority.²¹ Three days later the Prime Minister commented that it was unacceptable that the majority must feel like aliens in their own homeland. He stated that as someone who has a law degree he must say that the judgment "is unjust as it is", and that the Kúria cannot see the justice of Gyöngyöspata from its downtown Budapest offices, but he will find that justice for the town through amending laws to make sure that not another similar judgment could be made.²²

2. ERODING PUBLIC CONFIDENCE IN THE JUDICIARY AS A WHOLE

2.1. Questioning the professional competence of the Kúria

"The Kúria has not intellectually grown up to this task."

(Bertalan Havasi, spokesman of the Prime Minister, 2018)

In April 2018, the Kúria upheld the decision of the National Election Committee certifying the results of absentee ballots casted by mail-in in the parliamentary elections and found that 4,360 ballots were invalid. If the contested ballots had been counted, it would have resulted in one additional seat for Fidesz in the Parliament,

¹⁷ <https://hungarianspectrum.org/2020/01/17/in-hungary-it-is-viktor-orban-who-has-the-final-word-on-the-law/> and <https://www.kormany.hu/hu/a-miniszterelnok/beszedekek-publikaciok-interjuk/orban-viktor-a-kossuth-radio-jo-reggelt-magyarorszag-cimu-musorabandsds>

¹⁸ <https://magyarnemzet.hu/belfold/ujabb-nemzeti-konzultaciott-jelentett-be-orban-viktor-7773275/>

¹⁹ <https://index.hu/english/2020/02/17/hungary-viktor-orban-state-of-the-nation-2020/>

²⁰ <https://www.facebook.com/120370174702378/posts/3518017078270987/?v=eh&d=n>

²¹ <https://24.hu/belfold/2020/05/12/gyongyospata-kuria-fidesz-horvath-laszlo/>

²² <http://www.atv.hu/belfold/20200515-orban-viktor-kokemenyen-nekiment-a-kurianak>

strengthening the constitutional majority of the ruling party. On 5 May 2018 the spokesman of the Prime Minister communicated Viktor Orbán's statement: "I think the Kúria has taken away one mandate from our voters with this decision. The Kúria has clearly and seriously interfered with the elections. After reading the decision of the Constitutional Court, it is obvious that the Kúria has not intellectually grown up to this task."²³ The case was later cited by the government-aligned media as the decision of the Kúria that "took one parliamentary mandate away from Fidesz" and named Péter Darák, the President of the Kúria personally responsible for the judgment.²⁴

A few weeks after the judgment, the proposal for setting up a separate administrative court system controlled by the Minister of Justice was lodged to the Parliament, according to which administrative courts would have gained competence to rule in matters related to election without the possibility of the Kúria to review decisions.

2.2. Blaming the Kúria

The government used a tragic family drama that evolved at the end of 2019 in Győr for once again discrediting the Kúria. The case, in which a man, who was on conditional release from jail for attacking his wife, brutally killed two of his children before committing suicide, gave further basis for openly questioning the professional competence of the courts.

"The Kúria shall be responsible for the delivery of sufficiently rigorous judgments, because today judges hand down extremely lenient verdicts."

(Gergely Gulyás, head of Prime Minister's Office, 2019)

Immediately after the incident, Gergely Gulyás, the head of the Prime Minister's Office stated at a government press conference that the judiciary was mistaken in both instances when deciding on the conditional release. "The rigorous penal policy is present in the legislation in vain, if the judges are reluctant to apply it. The Kúria shall be responsible for the delivery of sufficiently rigorous judgments, because today judges hand down extremely lenient verdicts. [...] If that man had not been released from jail, the kids would still be alive today." The government also requested the Kúria to apply utmost rigor in such cases and suggested that professional competences of judges shall be monitored and qualified on an ongoing basis. To that end, the Minister of Justice initiated with the president of the Kúria the revision of the jurisprudence in order to examine whether judges take adequately rigorous actions, and whether they enforce the median punishment throughout imposing penalties in crimes against life.²⁵

2.3. Softening the requirement of an independent judiciary

"Judges can be independent only to the extent that the Hungarian state is independent."

(László Kövér, Speaker of the Hungarian Parliament, 2019)

In April 2019, László Kövér, the Speaker of the Hungarian Parliament in a speech held in front of judges of the Kúria, senior prosecutors, attorneys-at-law and lawyers, on the occasion of the 150th anniversary of the act guaranteeing the independence of the judiciary, expressly addressed the issue of independence of the judiciary. According to Kövér "150 years ago the question was whether the Hungarian state wants to guarantee the independence of the judges. Today the question is whether the Hungarian judges want to ensure the independence of the state. [...] Judges can be independent only to the extent that the Hungarian state is independent." He added that "contrary to all kinds of wrenched state-theories, the judiciary is not an external attachment, but an internal component of the state, judicial power is a manifestation of and always shares the fate of the state power. Judicial power can never be independent from either the state, because it is part of it, or from justice, because it is destined for serving it." The independence of the Hungarian state is being threatened by "the messianic pursuits of the age of globalization. The globalist forces with legal instruments ceaselessly seek to weaken the competence of states with democratic legitimacy." In Kövér's eyes, their goal is the elimination of nation states and the creation of supranational power centers, which will lead straight to

²³ <http://hungarianspectrum.org/2018/05/07/selected-examples-of-nonsense-from-hungary/> and <http://www.miniszterelnok.hu/a-kuria-sulyosan-bevatkozott-a-valasztasokba/>

²⁴ <https://www.magyaridok.hu/velemenyeqgy-mandatmot-elvett-a-kuria-3086536/>

²⁵ <https://www.kormany.hu/hu/igazsagugyi-miniszterium/hirek/a-gyori-kettos-gyermekgyilkossagrol-keszult-jelentes>

"abnormality, a complete loss of values, the denial of the natural order, the aggressive implementation of liberalism, and the spread of human rights. [...] Lawyers and politicians of today must decide by their own, what values they defend and who they take sides with: those who protect and build the state, or those who attack and destroy it?"²⁶

"[T]he system of checks and balances is dumb [...], forget about it."

(László Kövér, Speaker of the Hungarian Parliament, 2019)

In October 2019, in a talk held at the National University of Public Service, László Kövér, the Speaker of the Hungarian Parliament told his audience that "[T]he system of checks and balances, I don't know what you learned, but it is dumb, forget about it. It has nothing to do with either the rule of law or with democracy. [...] The problem is that some people seriously think that a government needs checks after being established as a result of the democratic expression of the people's will. They think that constantly putting spokes in the wheel constitutes democracy."²⁷

RECOMMENDATIONS

In order to prevent the judiciary from improper external influence and guarantee the fundamental right to an independent and impartial tribunal as enshrined in the Fundamental Law we believe that the members of the Hungarian government and the National Assembly of Hungary should strictly abstain from any public critique, recommendations, suggestions or solicitations regarding the outcome of court cases, as those may constitute direct or indirect influence into pending court proceedings or otherwise undermine the independence of individual judges in their decision-making.

Furthermore, they should abstain from making public statements that are capable of questioning the importance of judicial independence and undermining public trust in the justice system.

²⁶ <https://444.hu/2019/04/24/a-termeszet-rendjet-tagado-liberalis-veszely-miatt-a-biraknak-el-kell-donteniuk-hogy-az-allamot-epitok-vaqy-rombolok-oldalara-allnak>, <https://hungarianspectrum.org/2019/04/24/soon-enough-hungarian-judicial-independence-will-exist-only-in-history-books/> and https://nepszava.hu/3033652_kover-laszlo-a-biroi-fuggetlenseg-napjan-kovetelt-engedelmesseget-a-biroktol

²⁷ https://index.hu/english/2019/10/25/laszlo_kover_checks_balances_dumb_forget_it_rule_of_law_hungary_fidesz/