

## Hungary in surprise ranking on EU justice scoreboard

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BRUSSELS - The European Commission unveiled a justice scoreboard on Wednesday (27 March) that ranks judicial systems in non-criminal cases across individual member states.

Hungary's judicial system ranks higher in some categories when compared to other member states in a surprise challenge to the commission's earlier concerns over its independence.

The commission in 2012 launched legal actions against Budapest for imposing a mandatory early retirement on judges.

The Brussels-executive also red flagged the additional powers of the President of the National Judicial Office (NJO) to designate a court in a given case and the transfer of judges without consent.

The NJO president manages the central administration of the courts and is elected by a two-thirds majority of the members of the Hungarian parliament.

But Hungary's parliament is dominated by prime minister Viktor Orbán's centre-right Fidesz party and has been accused of planting officials sympathetic to the party line in key institutional posts where independence is presupposed.

EU justice commissioner Viviane Reding told reporters in Brussels the scoreboard's data is from 2010, before Hungary reformed its constitution, and does not wholly reflect Hungary's current judicial system.

"From the efficiency point of view, things were going rather well. So you can ask yourself why it was suddenly indispensable to start all these reforms on the judiciary in Hungary," she said.

The scoreboard ranks Hungary's rate of resolving cases within the top half of other member states.

It also has a relatively low number of pending litigious civil, commercial, and administrative cases.

Perceptions of Hungary's judicial independence remained near the bottom but still above the Czech Republic, Lithuania, Greece, Bulgaria, Romania and Slovakia (the worst).

"I suppose if you were to measure this now, the trend will be dramatically aggravated and the perceived independence of the judiciary would even fall," said Reding.

Hungary's parliament voted in additional constitutional reforms on 11 March despite criticism from civil liberty groups and staged walkouts from minority opposition party groups.

The Hungarian Helsinki Committee and the Hungarian Civil Liberties Union said the latest constitutional additions would further weaken the control exercised by the constitutional court over parliament.

The same concerns were addressed to Orbán in a joint-letter sent by European Commission president Jose Manuel Barroso and the Council of Europe's secretary general Thorbjørn Jagland.

For his part, Orbán said the amendment had been publicly debated for weeks leading up to the vote and described the new constitution as "solid as granite."

Reding recently threatened to invoke EU treaty rules on suspending a member states' voting rights if they trample on EU values.

But she noted on Wednesday that the scorecard is just an intermediary step on the path towards any voting sanctions.

Data is compiled and received primarily from member states but also from other sources like the World Bank.

But data gaps exist making overall comparisons questionable.

"In addition to the difficulty to obtain comparable data, some data are missing for nearly all member states," notes the report.

Several member states provided no data at all in a number of categories.

Belgium, Czech Republic, Denmark, Ireland, Italy, Austria, Portugal and the UK provided no data in the category 'time needed to resolve administrative cases'.

The commission says its will address the data gap by examining ways to improve data collection.

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