



Human Rights Council, 33rd Session

Agenda Item 6: Universal Periodic Review of Hungary (21 September 2016)

Mr President,

The International Bar Association's Human Rights Institute commends the Government of Hungary on its engagement with the Universal Period Review process and consideration of recommendations on the independence of the judiciary, which is the bedrock of the promotion and protection of human rights.

To this end, we welcome the Government's support for the recommendations to 'Take concrete measures to ensure the independence of the Constitutional Court' and to 'Continue to pursue implementation of the UN Basic Principles on the Independence of the Judiciary and repeal all provisions of national law that restrict the Constitutional Court's jurisdiction'.

While we welcome Hungary's efforts to tackle inefficiencies in the ordinary courts, in order to safeguard against improper influences on the judiciary, we urge the Government to review the procedure for the selection, appointment and promotion of judges to ensure that both the independence and the appearance of independence are guaranteed.

We also call on Hungary to respect judicial security of tenure and freedom of expression, noting the recent judgment of the European Court of Human Rights, which are core tenants of judicial independence.

In order to 'Reduce the length of the initial pre-trial detention phase', we note the Government's measures to reduce and implement alternative measures to pre-trial detention, but urge a reinstatement of a *de jure* limit on pre-trial detention.

Finally, we are encouraged by the Government's acceptance of the recommendation to improve dialogue and public consultation with civil society, including on proposed human rights legislation.

We urge such consultation to be broad and inclusive and for the Government to ensure a safe and enabling environment for civil society organisations.

Thank you Mr President.

This statement was delivered by:

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In 2015, the IBAHRI published the report: '*Still under threat: the independence of the judiciary and the rule of law in Hungary*'. This is available at: <http://tinyurl.com/z9atpes>