



Internal regulation and practice of press and communication activities of the Constitutional Court of Hungary

Botond BITSKEY

Secretary General of the Constitutional Court of Hungary



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1. Constitutional Court (CC) – Special character comparing to ordinary courts

- Not part of the judiciary system
- Not adjudicate in civil, administrative or criminal proceedings
- Practices constitutional justice, with special competences:
 - *ex post* and *ex ante* normative control
 - adjudication of individual constitutional complaints
 - *erga omnes* interpretation of the constitution
- Sits *in camera*
- Annuls the examined acts and ordinary court's decisions if found unconstitutional
- Decisions have often political effects and consequences

2. The functions of publicity

- Access to the data of public interest
- Inform petitioners on the state of their cases
- Inform public on the law, rules of process and client's procedural rights
- Inform public and media on actualities (new decisions, sittings etc.)
- As no any direct political control, transparency and publicity have major role in the context of checks and balances
- Predictability of the practice of the CC in the context of legal certainty
- Professional and international reputation
- PR and image

3. **Publicity in practice**

- On-line access to the details of the cases
- On-line access to the agenda of the sittings of the CC
- Access to the decisions of the CC, also dissenting and concurring opinions (on-line and printed form)
- Public announcement
- New forms of communication ("client gate", Facebook etc.)
- Communication with professionals, conferences, international relations
- PR-publications, visits the CC
- Press contact and appearance in the media (cont.)

3. **Publicity in practice (cont.)**

- PR-publications, visits the CC
- Press contact and appearance in the media
 - Press releases
 - Press conferences, declarations and public announcement of the decisions
 - Personal contacts with correspondents (informal meetings, email, phone etc.)
 - Interviews (President, Judges, Secretary General)
 - Publications

4. The rules and roles in the communication

- No separate regulation on the communication activities
- Rules in the Act, in the Rules of Procedure and other internal regulation
- Roles in the communication
 - The President
 - The Secretary General and the Press referee
 - The Judges
 - The Councillors

4. The rules and roles in the communication (cont.)

- The President
 - represents the CC (before organs and generally in the public)
 - issues declarations in the name of the CC
 - gives interviews
- The Cabinet of the President
 - Organise and coordinate the public roles of the President
 - Consider the events, opinions and the press concerning the President
 - Give advise to the President about public issues
 - Outsourced PR expert

4. The rules and roles in the communication (cont.)

- The Secretary General
 - Represents the CC in the public, issues communiques
 - Keeps contact with the media
 - Edits the website of the CC
 - Observes the daily and weekly press
 - Prepares and plans the printed and electronic publications
 - Ensures the access to the data of public interest
 - Press referree
 - an outsourced expert
 - helps the Secretary General in media and press issues

4. The rules and roles in the communication (cont.)

- The Judges
 - Represent the CC only if the President delegates it
 - Notify the President prior to any public appearance as a Judge
- The Councillors
 - General ban on issuing declarations about the ongoing cases
 - Notify the President prior to any public appearance



The difference between success and failure is the capacity of communicating clearly and efficiently.

(Aram Bakshian Jr.)

Thank you for your attention!

Botond BITSKEY
Secretary General of the Constitutional Court of Hungary
bitskey@mkab.hu

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