



# Internal regulation and practice of press and communication activities 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!**

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