

Ladies and Gentlemen,

Honourable Chief Justices,

Dear Conference Participants,

I feel very honoured to have the opportunity to welcome the Seventh Conference of Chief Justices of Central and Eastern Europe in Budapest and I extend my thanks to all the distinguished guests who have accepted my invitation and attend this conference.

In my Opening Address I would like to recall the justice-related aims of the CEELI Institute, which are to advance the rule of law in all regions. This is to protect fundamental rights and individual liberties, and to encourage the peaceful resolution of disputes. I also recall the goal of the series of the Chief Justices Conferences, which is to realise the above aims with a special focus on supreme courts and chief justices.

For supreme courts can do a lot to achieve those goals. As Mr. János Áder, President of Hungary, has pointed out, no rule of law and legal equality can be maintained without judicial independence. Safeguarding that independence is an obligation for each supreme court.

As Mr. László Trócsányi, Minister of Justice of Hungary has emphasised in one of the Yearbooks of the Curia, judicial independence may best be guaranteed by the separation of state powers. The separation of state powers and the resultant concept of judicial independence are among the greatest achievements of European legal and political thinking, While judicial independence is an indispensable element of the administration of justice, uniform court jurisprudence – which is to be guaranteed by the Curia of Hungary as the supreme judicial forum of the country – is the core element of the adjudicative activities of the courts.

Both of them – judicial independence and uniform court jurisprudence – have an essential role in ensuring the credibility, predictability and transparency of the adjudication process. And credibility, predictability and transparency are necessary prerequisites for public trust in the courts, in the administration of justice and, ultimately, in the rule of law.

The independence of the judiciary, however, may not entail complete isolation from the other branches. In parliamentary systems of governance there is also a dialogue and co-operation between the separated powers.

The Hungarian supreme judicial forum has gone a long way during its history and has done a lot to strengthen and protect these principles and values.

The 1990 democratic transition opened a new chapter in the history of the Hungarian judicial system. In the three decades since, the institutional framework of the judiciary has been modernised and renewed, and the continuity of legal development has been re-established via comprehensive judicial reforms. This process symbolically ended with the “re-establishment” of the Curia – the historic highest-level judicial forum – in 2012.

The significant renewal of the Hungarian legal system prompted by the country’s social and economic transition necessitated the adoption of many new laws, whose practical operation required clarification and interpretation – including interpretation by the supreme judicial forum. The process reached a new phase in the years of 2013 and 2014, when two basic Codes were adopted in Criminal and Civil law. The most important procedural codes have also been or are still being re-codified. The 2010 reforms have imposed considerable responsibility on the supreme judicial forum. Because of these changes, uniformity instruments had to provide guidance to the lower courts and they had to be screened and checked for their conformity with the new laws.

Twenty-first century law – and particularly the practical application of that law by the courts – plays an increasingly important role in settling and resolving social conflicts, in Hungary, as elsewhere. Judges’ ability to give adequate responses to the challenges that constantly emerge in the ever-changing world around them is a measure of the quality of judicial adjudication. Continuous changes in written law, Hungary’s accession to the European Union, multi-level fundamental rights protection, constitutional control over court decisions and, last but not least, society’s increased demand for quick and high-standard adjudication pose constant challenges.

Therefore the Curia drafted a Strategic Plan – which I will present in greater detail later on in a session discussion. This Strategic Plan specifies both general and specific ends and means.

In order to achieve the goals set forth in the Strategic Plan, the Curia ensures uniform jurisprudence by regularly analysing court decisions and by maintaining close contacts with the lower courts. The Curia has reinforced professional connections with the domestic legal practitioners, representatives of academia and the Constitutional Court. This kind of partnership-approach cannot stop at the borders of the country. Therefore the Curia actively participates in international cooperation between supreme courts and international judicial forums. For instance, recently we have finished a common European Union project with the Supreme Courts of Latvia, Lithuania and Spain as well as two universities. The project looks at the supreme courts as guarantees, of judicial effectiveness.

For centuries, the Curia has not only carried out top-level adjudication but has also functioned as a creator of Hungarian legal traditions, a think tank from which legal ideas emanate and develop. Its authority and respect derives from the role it has played in shaping Hungarian law. This means striving truth, protecting the stability of the country's legal order, and guaranteeing internal peace of our nation. In our everyday adjudication we may rely on and draw strength from these noble traditions. The most important question, however, is how the Curia can and will be able to ensure uniform jurisprudence at present and in this new century.

I am convinced that meeting these challenges depends not only on the letter of the law but also on how humbly we, judges, perform our professional role.

Ladies and Gentlemen,

Thank you for your attention. Let's have a fruitful and successful Conference.