

2023 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

address: rule-of-law-network@ec.europa.eu.

[1] For the consultation for the 2022 Report, see https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[1])

Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☒ Other

If "Other", please specify

The President of the Kúria of Hungary

* Organisation name

250 character(s) maximum

The Kúria of Hungary

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

The organisation's official website is as follows: <https://kuria-birosag.hu/>. The Kúria of Hungary is the supreme judicial forum of the country, having competence in civil, economic, labour, criminal and administrative cases.

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark

- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☒ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon

- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania

- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu

- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

András Zs.

Surname

Varga

Email Address of the organisation (this information will not be published)

[REDACTED]

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2023 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[list of topics 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022^[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[1] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☒ Hungary
- ☐ Ireland
- ☐ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

3000 character(s) maximum

The Kúria of Hungary is the country's supreme judicial forum that has no legislative powers. The recommendations provided by the 2022 Report in respect of the justice system in Hungary are essentially to be implemented by the Hungarian legislature, thus, such measures can be taken only by the Parliament. The observations previously made by the Kúria on the 2022 Report's findings have been made available to the Kúria's various foreign partner institutions as well as to the European Commission, but the latter has rather disregarded them. Please find attached the Kúria's observations on the 2022 Report's findings in respect of the justice system of Hungary.

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid, subject to some updates indicated in the Kúria's attached observations on the 2022 Report's findings in respect of the justice system of Hungary.

In July 2022, the National Judicial Council and, consequently, the European Commission criticised the practice of the President of the Kúria in respect of the appointment of Kúria judges. Nevertheless, the President of the Kúria has been following the same practice in the evaluation of the 2021 calls for applications as it had always been done in the previous decade. The only difference is that the National Judicial Council, which had found this practice to be regular in all previous years, changed its position in 2022 and found firstly the procedure of the President of the Kúria and then secondly that of the President of the National Office for the Judiciary (regarding not only the Kúria but all the Hungarian courts) to be irregular. However, the position of the National Judicial Council is only an opinion and not a legally binding decision. Nor could it be, because that position was not formulated as a result of a due process of law by an administrative or judicial authority. At the heart of the debate is the question of how to assess applications when there are calls for applications for several vacancies at the same time. The usual practice, and the one followed by the President of the Kúria in 2021, is to always accept the application of the highest ranked and appointable candidate in the order of ranking established by the Kúria's Judicial Council. If, in the case of multiple applications evaluated at the same time, an application has already been accepted for a judicial post, then the applicant is no longer eligible for appointment to subsequent posts. The legality of this practice is confirmed not only by the fact that this has always been the practice, which the National Judicial Council earlier found to be regular, but also by the fact that no successful or unsuccessful applicant has challenged the assessment of their application before the Service Court, although they had the right to do so. The reason for the foregoing is that the President of the Kúria has supported only those candidates who had won by being first in the ranking or by obtaining the first position in the ranking because their competitors being in a higher position in the ranking had already won other judicial posts. The procedure is in line with the preliminary position of the Kúria's bodies that are to give their opinion on the candidates and has been reported, in detail, by the President of the Kúria to the Full Bench of the Kúria.

As regards the secondment of judges to the Kúria, it has to be stressed that from 16 July 2022 no seconded judges have been adjudicating cases at the Kúria, and from that date on the secondment of judges to the Kúria has ceased.

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid, subject to some observations made by the Kúria on the 2022 Report's findings. The Kúria's observations can be found in the attached document.

Promotion of judges and prosecutors (incl. judicial review)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Allocation of cases in courts

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid, subject to some updates indicated in the Kúria's attached observations on the 2022 Report's findings in respect of the justice system of Hungary.

In addition, it has to be noted that the current and automated case allocation order of the Kúria, entered into force on 1 January 2023, which contains not only a set of predetermined, objective criteria for the allocation of cases, but also the composition of the Kúria's adjudicating panels, was unanimously supported by all of the Kúria's three chambers during the month of October 2022, and was also agreed on by the Judicial Council of the Kúria.

Moreover, it has to be emphasised that there has been a change at the Kúria from the system of three member adjudicating panels to that of five member adjudicating panels from Spring 2022 in respect of administrative cases, and from 1 January 2023 regarding criminal and civil cases as well.

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid, subject to the Kúria's attached observation on the 2022 Report's relevant finding.

In addition, as regards the eventual disciplinary liability of a Hungarian judge who initiated a reference for a preliminary ruling to the European Court of Justice and whose reference was reviewed by the Kúria as a result of a petition in the interest of legality submitted by the Prosecutor General, it has to be pointed out that, under the European Convention on Human Rights and the European Court of Human Rights' established case law [see, in that regard, the judgement in the case of *Matthews v. the United Kingdom* (application no. 24833/94) and the Grand Chamber judgement in the case of *Bosphorus Airways v. Ireland* (application no. 45036/98)], Contracting States, such as Hungary, remain responsible for ensuring that Convention rights are duly guaranteed even in the case of the Contracting States' compliance with their obligations originating from their membership in a supranational organisation such as the European Union. Consequently, the Hungarian State is to remain responsible for guaranteeing the right of an accused person to have his/her criminal case be heard within a reasonable time and without the unnecessary protraction of the national judicial proceedings, which may result from the national court's unjustified decision to make a reference for a preliminary ruling to the European Court of Justice.

Furthermore, the Kúria is not aware of any Service Court decision establishing the disciplinary liability of a Hungarian judge for making a reference for a preliminary ruling.

Referring to the European Court of Justice's relevant judgment (judgement in case C-564/19, IS), the statistics published by the European Court of Justice do not show any chilling effect, the development of the number of preliminary ruling procedures initiated by Hungarian judges is in line with the trend of previous years (in 2016: 15; in 2017: 22; in 2018: 29; in 2019: 20; in 2020: 18; in 2021: 17) and these figures are still outstanding compared to those of several other countries that joined the EU in 2004 (such as the Czech Republic and Slovakia).

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Judicial salaries have been increased in three phases, in 2020, 2021 and 2022, resulting in a total salary increase of more than 60 percent. In addition to the judges' already existing entitlement to jubilee bonuses after 25, 30, 35 and 40 years of service, from the year 2022 judges have become entitled to a jubilee bonus after 45 years of service as well.

Independence/autonomy of the prosecution service

3000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

3000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid, subject to some updates included in the Kúria's attached observations on the 2022 Report's findings in respect of the justice system in Hungary.

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Resources of the judiciary (human/financial/material)

(Material resources refer e.g. to court buildings and other facilities)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

3000 character(s) maximum

On a national level, it is the Hungarian Academy of Justice, operated by the National Office for the Judiciary, that provides compulsory and optional in person or online trainings for the members of the judiciary. In addition, there are a number of foreign and European training initiatives and organisations (such as the European Judicial Training Network, the European University Institute or the European Academy of Law) that invite Hungarian judges and judicial employees to participate in international seminars, webinars and conferences.

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

3000 character(s) maximum

Please note that the answers provided for the 2022 Report’s consultation are still valid. According to the new regulation, from 1 March 2022 the Regional Appellate Court of Budapest has exclusive jurisdiction to hear appeals against the decisions of the high courts in administrative matters. As from 1 March 2022, the Regional Appellate Court of Budapest is to decide on the exclusion of high court judges from court proceedings, on the designation of the competent administrative body to proceed, on conflicts of territorial competence and on objections lodged on the basis of a high court’s failure to act. At the same time, the scope of decisions that can be challenged in judicial review proceedings falling within the Kúria’s jurisdiction is extended in administrative matters: a petition for judicial review may be submitted not only against the final judgment, but also against the court order rejecting the statement of claims or terminating the proceedings. From 1 March 2022, the Kúria is to act in the form of a judicial panel composed of five professional judges instead of three of them in administrative cases. The alleviation of the excessive workload of the Kúria’s Administrative Chamber allows the latter chamber to concentrate its resources on its judicial review and jurisprudence harmonisation tasks. The uniformity of the courts’ case law is guaranteed by the Kúria through the uniformity procedure and the uniformity complaint procedure. The former has been integrated into the latter, based on the model of the European Court of Justice’s preliminary ruling procedure. Two permanent uniformity complaint panels have been established at the Kúria as of 1 January 2022. These panels have a large number of members, they may include a maximum of 21 members (they shall include, by virtue of the law, the Kúria’s President and a minimum of 8 additional members, there are currently two permanent uniformity complaint panels, each of them has 21 members, however, they may also be supplemented by the members of the Kúria’s relevant chamber, by the members of the Kúria’s several or all chambers or by the members of the Kúria’s Full Bench), and are composed of the Kúria’s heads of panels and senior court leaders. The heads of panels are assigned to the two uniformity complaint panels in the alphabetical order of their surnames within the panels. The allocation of cases is automatic, the two uniformity complaint panels take it in turns to receive their cases. Both panels are chaired by the Kúria’s President. The Vice President of the Kúria in charge of ensuring uniform jurisprudence is a member of both panels. The decision on the admissibility of a complaint is to be taken by the full board of the respective panel. In 2022, the Kúria heard 41 uniformity complaint cases, 23 of them were dealt with on their merits, 16 of them were rejected without any substantive examination and 2 of them were reregistered. In 2022, the Kúria delivered 12 uniformity decisions.

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section

2)

Length of proceedings

3000 character(s) maximum

Please note that the answers provided for the 2022 Report’s consultation are still valid.

It has to be emphasised, once again, that, as regards efficiency and quality, the Hungarian justice system performs well in terms of the length of proceedings and has a high level of digitalisation.

The EU Justice Scoreboard shows that Hungary is among the best performing Member States regarding the timely adjudication of administrative cases.

In civil cases, based on the provisions of Act. no. XCIV of 2021 that entered into force on 1 January 2022, the parties may request pecuniary compensation for the unreasonable protraction of their civil court proceedings. The Act sets a number of deadlines within which first instance, second instance and judicial review proceedings should be reasonably concluded. Failure to do so by the courts entitles the parties to the proceedings to request pecuniary compensation, which certainly has a positive impact on the reduction of the number of lengthy civil court proceedings.

Other - please specify

3000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

3000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

3000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

3000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

3000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

3000 character(s) maximum

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

3000 character(s) maximum

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

3000 character(s) maximum

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

3000 character(s) maximum

Any other relevant measures to prevent corruption in public and private sector

3000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

3000 character(s) maximum

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)

3000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

3000 character(s) maximum

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

III. Media Freedom and Pluralism

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

3000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

3000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

3000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

3000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

3000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

3000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

3000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

3000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

3000 character(s) maximum

The Kúria of Hungary is the country's supreme judicial forum that has no legislative powers. The recommendations provided by the 2022 Report in respect of the system of checks and balances in Hungary, however, are essentially to be implemented by the Hungarian legislature, thus, such measures can be taken only by the Parliament.

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] This includes also the consultation of social partners

3000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

Regime for constitutional review of laws

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

3000 character(s) maximum

Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

3000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

3000 character(s) maximum

Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid. Furthermore, see in detail the answers given under the title "Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization".

The judicial review of administrative decisions is regulated by Act no. I of 2017 on the Code of Administrative Litigation, which provides a set of specific rules that derogate from the general regime of judicial review, included in Act no. CXXX of 2016 on the Code of Civil Procedure.

In administrative lawsuits, any person whose rights or lawful interests are injured by an administrative action or the situation brought about by it may request immediate legal protection from the competent administrative court in order to eliminate the directly threatening disadvantage, temporarily resolve the legal relation made disputed or invariably maintain the condition providing grounds for the legal dispute. Within the framework of immediate legal protection, it is possible to request a) the ordering of suspensory effect, b) the relieving of suspensory effect, c) temporary measures, or d) the ordering of the provision of preliminary evidence.

Administrative court decisions may be declared provisionally enforceable, and thus they may be enforced prior to the date when they become final. The administrative court shall ex officio declare a decision provisionally enforceable, if it is ordered by law. By request, the administrative court shall declare its decision provisionally enforceable by applying the rule of immediate legal protection *mutatis mutandis*. The ordering of provisional enforceability may be made subject to granting security. The security shall be returned when the decision becomes final or the provisional enforceability is terminated.

Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

3000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

3000 character(s) maximum

Please note that the answers provided for the 2022 Report's consultation are still valid.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

3000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

3000 character(s) maximum

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

3000 character(s) maximum

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

