

Decision 3324/2022 (VII. 21.) AB
on rejecting a constitutional complaint

In the subject-matter of a constitutional complaint, the plenary session of the Constitutional Court has adopted the following

decision:

The Constitutional Court rejects the constitutional petition aimed at establishing a conflict with the Fundamental Law and annulling the judgement No. Pfv.IV.20.849/2021/4 of the Curia.

Reasoning

I

[1] 1 The petitioner, through its legal representative (Dr. Tibor Lajos Sepsi, attorney-at-law), submitted a constitutional complaint under section 27 of the ACC requesting the Constitutional Court to declare the judgement No. Pfv.IV.20.849/2021/4 of the Curia unconstitutional, as the court judgement violates Article IX (1) and (2) of the Fundamental Law.

[2] According to the facts of the case underlying the complaint, on 17 August 2020, Bence Tordai, Member of Parliament for the Párbeszéd Magyarországért Party (hereinafter: PM), held a press conference on the sale of a hotel in Visegrád (the area was owned by a limited liability company, the majority shareholder of which was the plaintiff in the main case), where he announced that he would report a criminal offence in the case (for misappropriation of funds causing significant financial loss). A video of the press conference was also made available on the PM's Facebook page and shared by the PM with several media outlets (including the petitioner), by attaching a report of criminal offence addressed to the Central Investigating Chief Prosecutor's Office (hereinafter: CICPO). On 17 August 2020, an article titled "Párbeszéd files a report of criminal offence regarding the Visegrád luxury hotel" was published on the petitioner's website. In this article, the petitioner disclosed information on what was said at the PM's press conference: the fact of filing the report of criminal offence, the nature of the suspected crime, the content of the report sent to the CICPO, Bence Tordai's information and opinion about the area and the case. The plaintiff in the main proceedings applied to the petitioner for a press rectification in respect of the article,

but the petitioner failed to comply with the request within the time-limit, and the plaintiff therefore brought an action before the Budapest-Capital Regional Court (hereinafter: "court of first instance"), requesting that the court of first instance order the petitioner to publish a rectification notice. In its counterclaim, the petitioner relied primarily on Article IX (2) of the Fundamental Law and on the fact that it had only provided information on what had been said at the press conference and that its actions were in accordance with the case-law of the Constitutional Court.

[3] The plaintiff's action was dismissed by the court of first instance. According to the reasoning of the judgement, it follows from Article IX of the Fundamental Law, the related case-law of the Constitutional Court, and the provisions of the Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (hereinafter: "Press and Media Act") that a press organ is entitled to provide authentic and accurate information about a press conference (if the subject-matter of the conference concerns public affairs), and if it does not add anything to the content of the conference and gives the opportunity for reflection, it is not liable for the statements made there. In its decision, the court of first instance also took into account the resolutions Nos 12 and 14 PK. On the basis of these, the court of first instance concluded (relying to a large extent on the case-law of the Constitutional Court) that the plaintiff's action was unfounded on the basis of the freedom to discuss public affairs and the role of the press disputes of public life.

[4] 2 The plaintiff appealed against the decision of the court of first instance to the Budapest-Capital Regional Court (hereinafter: "court of second instance"), in which he claimed, among others, that he was not a public figure according to an earlier decision of the Curia, and therefore the starting point of the judgement of the court of first instance was already wrong. The court of second instance upheld the judgement of the court of first instance. In the reasoning of its judgement, the court of second instance emphasized that it agreed with the decision of the court of first instance, but on different legal grounds. According to the court of second instance, all the allegations covered by the application for rectification were factually verifiable and some of the allegations did not even relate to the plaintiff, and therefore his status as a public figure was irrelevant either.

[5] 3 The plaintiff filed a request for review against the final judgement to the Curia, which partially annulled the decision of the court of second instance, partially reversed the judgement of the court of first instance and ordered the petitioner to publish a statement of rectification.

[6] In the reasoning of its judgement, the Curia emphasised that the enforcement of the right and obligation of the press to provide adequate information is not unlimited. According to the Press and Media Act and the case law of the Constitutional Court, all

press releases should be examined in their entirety and evaluated on the basis of their actual content. In addition, the internal context of the communication and the public perception formed in the society shall be taken into account. According to the case-law of the Constitutional Court, the first question to be decided in this context is whether the communication was a statement made in public affairs or whether it constituted a position expressed in a debate of public interest. It must then be examined whether the person concerned by the communication qualifies as a public figure, and then whether the statement was a value judgement or a statement of fact. The Curia held that the content of the report was partly a matter of public interest and that the petitioner was reporting on a press conference of a public figure, a member of parliament. However, the courts of first and second instance did not take into account that the sale of the hotel on which the report is based has no connection with public funds and that the person of the plaintiff does not directly or indirectly create such a connection. According to the Curia, the plaintiff is not a public figure, but because of his role in the economy he is subject to a higher duty of tolerance, however, this is limited to the possibility that questions may be put to him. The statements made in the article were, according to the Curia, statements of fact and the petitioner is not exempted from the burden of proof simply because it has conveyed the ideas of others. It is also objectionable that the article did not contain a rebuttal by the plaintiff (nor was the possibility of making a rebuttal offered to the plaintiff), which is not in line with the case-law of the Constitutional Court.

[7] 4 Then the petitioner turned to the Constitutional Court. In its constitutional complaint, the petitioner requested the annulment of the Curia's judgement, as – according to the petitioner – it violated Article IX (1) and (2) of the Fundamental Law. In its opinion, the question of the obligations of the press in reporting on the statements of political parties and politicians is of fundamental constitutional importance in the case. In addition, in its view, the Curia also misinterpreted the relevant case-law of the Constitutional Court, and, therefore, there is an infringement of the Fundamental Law materially affecting the decision. According to the petitioner, the requirements stemming from Article IX (1) and (2) of the Fundamental Law (as confirmed by the case-law of the Constitutional Court) entitle the press to provide information without comment on a press conference held by a public figure on matters of public importance. In his opinion, the fact that it did not offer the plaintiff to make a rebuttal is not contrary to the case-law of the Constitutional Court, since the constitutionality of this may also be justified by the Constitutional Court's decision 3217/2020 (VI.19) AB. In its view, the judgement of the Curia is also unconstitutional because it failed to take into account the constitutional role of the press organ, failed to properly assess the evolving case-law of the Constitutional Court in relation to the absence of refutation, interpreted the concept of public affairs narrowly and misinterpreted the status of the plaintiff as a public figure. In addition, it

unconstitutionally placed the responsibility for the investigation on the press organ. On the basis of the above, the Curia's judgement violates Article IX (1) and (2) of the Fundamental Law.

II

[8] The affected provisions of the Fundamental Law:

"Article IX (1) Everyone shall have the right to freedom of expression.

Hungary shall recognise and protect the freedom and diversity of the press, and shall ensure the conditions for the free dissemination of information necessary for the formation of democratic public opinion."

III

[9] 1 The Constitutional Court established primarily on the basis of Section 56 (2) of the ACC that the constitutional complaint fulfilled the formal and substantial requirements laid down in the ACC with respect to Section 27 of the ACC.

[10] 2 According to Section 27 of ACC, persons or organisations affected in an individual case may submit a constitutional complaint to the Constitutional Court against a judicial decision contrary to the Fundamental Law, if the decision adopted in the merits of the case or another decision terminating the judicial proceedings violates the petitioner's right granted in the Fundamental Law and the possibilities for legal remedy have already been exhausted by the petitioner or no possibility for legal remedy is available for him or her.

[11] The constitutional complaint was received by the court in due time.

[12] In the present case, the constitutional complaint was lodged by the defendant in the underlying proceedings against the judgement of the court which closed the case on the merits, and there is no further legal remedy against it.

[13] 3 In its constitutional complaint, the petitioner also invoked the violation of the right to freedom of expression declared in Article IX (1) of the Fundamental Law. In this respect, however, it can be noted that the petitioner, as a press organ, did not publish its own position (opinion) in its article, but reported on a press conference, therefore, in this respect, the decision of the Curia did not affect Article IX (1) of the Fundamental Law. In the grounds of its constitutional complaint, the petitioner also referred primarily to Article IX (2) of the Fundamental Law. In view of this, it can be concluded that the petitioner did not submit an independent, substantive constitutional argument with

regard to Article IX (1) of the Fundamental Law, and therefore the Constitutional Court did not examine the merits of the part of the petition relating to Article IX (1).

[14] 4 The constitutional complaint in the context of Article IX (2) of the Fundamental Law complies with the statutory requirements – on the explicit request – laid down in section 52 (1b) of the ACC. The petition indicated the petitioner's entitlement and the statutory provision justifying the Constitutional Court's competence [section 51 (1) and section 52 (1b) (a) of the ACC], requesting the procedure of the Constitutional Court in the competence laid down in section 27 of the ACC. The petitioner also indicated the judicial decision to be reviewed by the Constitutional Court [section 52 (1b) (c) of the ACC], and the violated provisions of the Fundamental Law [section 52 (1b) (d) of the ACC]. The petitioner provided a detailed justification for filing the petition, by giving details of the violation of the rights granted in the Fundamental Law [section 52 (1b) (b) of the ACC]. The petitioner formed an explicit request for the annulment of the judicial decision [Section 52 (1b) (f) of the ACC].

[15] In accordance with section 29 of the ACC, a further condition of the admissibility of a constitutional complaint is that it has to raise a concern of a conflict with the Fundamental Law substantially influencing the judicial decision or a constitutional issue of fundamental importance. These two conditions are of alternative character, thus the existence of either of them shall form the basis of the Constitutional Court's procedure in the merits of the case {for the first time, see: Decision 3/2013. (II. 14.) AB, Reasoning [30]}.

[16] In this regard, the Constitutional Court found that the case raises the doubt of the infringement of the Fundamental Law affecting the scope and limits of the right to freedom of the press guaranteed by Article IX (2) of the Fundamental Law, which has a material impact on the judges' decision. It must therefore be examined, in the context of the constitutionality of the judgement of the Curia, whether the Curia interpreted the constitutional requirements governing the reporting of press releases in relation to the article published by the petitioner in accordance with Article IX (2) of the Fundamental Law and, in so doing, took into account its obligation under Article 28 of the Fundamental Law in reaching its decision.

[17] In the light of the above, the Constitutional Court examined the merits of the constitutional complaint under section 31 (6) of the Rules of Procedure, without ruling on the admissibility of the complaint, in relation to Article IX (2) of the Fundamental Law.

IV

[18] The constitutional complaint is unfounded.

[19] 1 According to the consistent judicial practice of the Constitutional Court, on the basis of a constitutional complaint it shall "examine the compatibility with the Fundamental Law of the interpretation of law found in the judicial decision, i.e. whether the court enforced the constitutional content of the rights granted in the Fundamental Law. If the court acts without paying due attention to the fundamental rights affected by the relevant case and if the interpretation of the law developed by the court is not compatible with the constitutional content of this right, then the adopted judicial decision is contrary to the Fundamental Law" {Decision 3/2015. (II. 2.) AB, Reasoning [18]} Nevertheless, the Constitutional Court may not distract the power of the adjudicating courts to comprehensively assess the elements of the facts of the cases before them, it may only review whether the interpretation of the law underlying the weighing was in compliance with the Fundamental Law, and whether the constitutional criteria of weighing were complied with.

[20] In this context, the Constitutional Court also considers it necessary to point out that Article 28 of the Constitutional Court lays down as a constitutional requirement for the courts in the course of the application of law to interpret the laws primarily in accordance with the Fundamental Law {e.g. Decision 7/2013. (III. 1.) AB, Reasoning [33]; Decision 28/2013. (X. 9.) AB, Reasoning [29]; Decision 3/2015. (II. 2.) AB, Reasoning [17]}. The court must therefore identify the fundamental rights implications of the case before it within the framework of interpretation provided by the legislation, and interpret the legislation applied in the judicial decision in the light of the constitutional content of the fundamental right concerned. Accordingly, the Constitutional Court reviewed, on the basis of the constitutional complaint, whether the Curia had correctly assessed the relation between the current case and the freedom of the press.

[21] 2 In examining the above question, the Constitutional Court considered it important to reiterate what can be considered the primary role of the press in the functioning of a democratic state under Article IX (2) of the Fundamental Law.

[22] 2.1 According to Article IX (2) of the Fundamental Law, Hungary shall recognise and protect the freedom and diversity of the press. In the Decision 7/2014. (III.7.) AB, the Constitutional Court summarised and reinforced its case-law stating that "the freedom of speech and the freedom of the press have a twofold justification, i.e. they are equally important with regard to both the individual self-expression and the democratic operation of the political community. Reinforcing this twofold justification in the Fundamental Law means that the former interpretation about the special place of the freedom of speech among the fundamental rights shall remain valid" {Decision 7/2014. (III.7.) AB, Reasoning [23]}. This decision also pointed out that "the freedom of the press – encompassing the freedom of all media types – is an institution of the freedom of expression. Indeed, press – despite of its activity being more and more complex and diverse – is first of all a tool for expressing opinion, shaping opinion and

obtaining information indispensable for forming opinion. The exceptional character of the freedom of speech is in this respect applicable to the freedom of the press as well, just as the twofold justification of this freedom: the importance of the freedom of the press is justified both by being a subjective fundamental right and a constitutional institution of the democratic public opinion. Accordingly, Article IX (2) of the Fundamental Law not only acknowledges the freedom of the press but it also provides about securing the conditions of free information necessary for the development of democratic public opinion" {Decision 7/2014. (III.7.) AB, Reasoning [40]}. Article IX (2) of the Fundamental Law therefore considers freedom of the press as a guarantee of free information necessary for the creation of democratic public opinion. This information serves the informational interest of "democratic public opinion": to allow the public to obtain data, information and related opinions on facts and events of relevance to it {see: Decision 26/2019. (VII.23.) AB, Reasoning [24]}. Without the freedom and diversity of public debates, there is no free public opinion and no democratic rule of law {Decision 7/2014. (III.7.) AB, Reasoning [39]}.

[23] Thus a media service provider shall exercise its constitutional right when it covers events challenging the public interest. This freedom shall also include deciding about which events to cover in what depth and with what content. If exercising the freedom of the press violates another's fundamental right or a constitutional objective, the Constitutional Court should decide in the particular case whether to grant more space to exercising the freedom of the press or to the objective restricting it {Decision 23/2019. (VII. 8.) AB, Reasoning [19]}.

[24] 2.2 To sum up, it can be reiterated that the Constitutional Court in its case-law considers the freedom of the press to be a constitutional interest of paramount importance. The press indeed offers "a forum for the freedom of speech and for the free discussion of public affairs that plays a key role in making those who exercise public authority or undertake public offices accountable by the public and by the politicians. The citizens may only form opinions freely about the performance, the effectiveness and the quality of the work of those who exercise public authority, if they are in the possession of such information. The controllability of State bodies offers a chance for democratic self-governance of the citizens, therefore, the citizens have a fundamental right to obtain information about the questions that affect public affairs" {see among others: Decision 13/2014. (VI.18.) AB, Reasoning [25]; and Decision 3002/2018. (I.10.) AB, Reasoning [55]}.

[25] 3 In addition to the above, the Constitutional Court also considered it appropriate to provide an overview of its case-law in relation to the objective responsibility of the press in the context of press releases.

[26] 3.1 It is clear from the above that the press has a key role to play in conveying political debates to the electorate. Indeed, communicating to the public the events of public life is an essential element of the activity of the press playing a central role in forming democratic public opinion. Media is the main safeguard of publicity in the modern age, and without the media it would be absolutely impossible to operate a democratic consultation within the society. The communication of information in the public interest, including the statements made and the positions taken by public figures, is the primary constitutional duty of the press. The fact that the spreading of information related to discussing public affairs is the constitutional mission of the press, and that the other participants of the democratic debate are entitled to receive such information, are both important factors. Therefore, it is of special importance that the press should be as free as possible with regard to giving account of the relevant aspects of the public debate {Decision 34/2017. (XII.11.) AB, Reasoning [41]}.

[27] Nevertheless, of course, the freedom of the informative activity of the press is not unlimited, as it is subject to obligations that secure the enforcement of other fundamental rights or constitutional values. The Constitutional Court has found, in several cases, that provisions applicable to the information provided by the media are constitutional. {See the Decision 1/2007. (I. 18.) AB and Decision 3096/2014. (IV. 11.) AB; similar arguments can also be found in the Decision 3/2015. (II. 2.) AB, Reasoning [22]}. However, exercising the freedom of the press shall not, in itself, include the disclosure of false information, and indeed, the verification of the authenticity of the news and information communicated is one of the journalists' main responsibilities. This, however, does not mean that the question of liability for false statements of facts should be assessed on the basis of the same criteria in each case, and that there is no need for the weighing of concerns of constitutionality in this respect. The interest in the flow of information on public affairs and the relation of the press to the statements it has disclosed are undoubtedly two of these concerns. In the case of covering a press conference held by public figures, these factors shall have a special weight {Decision 34/2017. (XII.11.) AB, Reasoning [42]}.

[28] 3.2 The Constitutional Court also emphasized in its Decision 3/2017. (II.25.) AB that "for the sake of the appropriate constitutional protection of the freedom of the press, during the adjudication of the debate before them, courts should examine the totality of the situation affected by the reporting" {Decision 3/2017. (II. 25.) AB, Reasoning [24]} In a case underlying a political (public affairs) debate, the liability of the press covering a press conference held by public figures, in addition to its undoubtedly close relation to the public debate, it is also an important factor that in such cases – in contrast with several other manifestations of public journalism – the journalists do not present their own statements or opinions to the public, they do not attempt to influence the wider public through their own thoughts. In the opinion of the Constitutional Court, the

liability for false statements of the press spreading the statements made by public figures should be assessed according to a standard different from the one used in the cases when the editors and journalists define the content of the media solely along with their own ideas and advance decisions. In such cases, the operation of the press shall focus on the timely and authentic channelling of the manifestations made by other participants of the social consultation, rather than enriching or influencing the public debate through their own arguments. With regard to covering press conferences, the accurate disclosure of what has been stated at the press conference in line with the actual news is the essential interest of the public debate {Decision 34/2017. (XII.11.) AB, Reasoning [44]}. The restricted nature of the liability of the press disclosing the statements made by others is in particular applicable when the media is spreading the statements made by politicians who are active in the frontline of the public debate (as it also happened in the present case). Indeed, in such cases one should not disregard that "any criticism and qualification about their personality are handled differently by the public, regarding it as a necessary element of democratic debates, typically as a piece of information to be interpreted in the framework of different political interests. In the past period of time in Hungary the operational features of plural political publicity have been developed, thus the society is capable of interpreting with due circumspection the expressions made in the course of public debates. {Decision 7/2014. (III.7.) AB, Reasoning [57]}. As a common element of this circumspection, those who follow political debates, would surely expect that after an offending statement made by one of the actors, the affected party will soon disclose to the public the relevant reply, rebuttal.

[29] As emphasized by the Constitutional Court in its Decision 34/2017 (XII.11.) AB, moreover, in the case of reporting about press conferences, the liability of the media is a special one regarding not only the content of the communication, but – peculiarly – also with respect to the way they are conveyed to the wide public. In these cases, the public figures themselves actually raise and organise the attention of the press, with the obvious intention of gaining wide-scale attention for their communications, statements. Here the media is much more an intermediary tool of the statements of opinions, rather than an independent actor of the public debate {Decision 34/2017. (XII.11.) AB, Reasoning [46]}. Based on the above, it is an essential element of the liability of the press reporting about the communications of others that the journalist shall faithfully communicate to the public the statements made by others, by clearly indicating the identifiable source of the statement, without adding any own evaluation. In this respect, a misuse could clearly be established, if the title of the reporting about the press conference was misleading with regard to the sources or the nature of the statements, pretending that their content were the media content provider's own statements or not debated communications. {Decision 34/2017. (XII.11.) AB, Reasoning [48]}. At the same time, the Constitutional Court also holds that the activity of a media

content provider truly reporting, without own value judgement, on the statements made at a press conference by public figures about each other in the scope of a debate of public affairs, by clearly indicating the identifiable sources of the statements, and also offering a place for refuting by the person who might be affected by any statement of facts violating his or her good reputation (or providing a chance for reply) shall fulfil its constitutional mission protected under the freedom of the press, therefore, this activity may not be regarded as dissemination that justify sanctions under civil law for the infringement of personality rights. {Decision 34/2017. (XII.11.) AB, Reasoning [50]}.

[30] 3.3 The test developed in the Decision 34/2017 (XII.11.) AB has been further developed by the Constitutional Court in its subsequent case-law. The Constitutional Court held in the Decision 3217/2020. (VI.19.) AB that the content of a communication, including a press article, should be assessed in its entirety, and its embeddedness in the political debate should also be taken into account in connection with its content. If the discussion underlying an article on a news report does not appear exclusively in the article in question, and the other party has the opportunity to present its own position in several other places in the discussion and thus to react to the criticisms voiced in the discussion, then the press conference report meets the constitutional requirements even if the other party's position or at least the invitation to give a rebuttal does not appear in it {Decision 3217/2020. (VI. 19.) AB, Reasoning [46]}.

[31] 4 Regarding the present case, on the basis of the above, the Constitutional Court has ruled as follows.

[32] 4.1 The petitioner, as a press organ, has the undisputed right and duty to inform its readers about public events, including the press conference of a Member of Parliament (especially in light of the fact that it was also reported by Hungarian News Agency). In this context, it can be established beyond any doubt that the petitioner exercised its right under Article IX (2) of the Fundamental Law to publish the article challenged in the litigation, in which it described what the Member of Parliament of the PM party had said, in relation to a topic that was part of the public discourse.

[33] 4.2 Contrary to the judgements of the first and second instance, the judgement of the Curia challenged in the petition held that the petitioner had acted unlawfully and was therefore obliged to publish the rectification notice. It should be underlined in this respect that the article published by the petitioner quoted a Member of Parliament, the content of which originated from an economic operator whose name and interests had appeared repeatedly in the press. Consequently, the content of the article was about a matter of public interest. It is also important to point out that the petitioner did not add any further assessment to what the Member of Parliament of the PM party said at the press conference, and the source of the statements found in the article was clearly identifiable. In this respect, it can therefore be concluded that the article

published by the petitioner provided factual information about the statements made at the press conference.

[34] However, there is also no doubt that the article did not contain any rebuttal by the plaintiff concerned, indeed, it can clearly be inferred that the petitioner did not give the petitioner the opportunity to do so before the article was published (this was also expressly confirmed by the petitioner). Thus, in the present case, the Constitutional Court had to primarily examine [taking into account that the article published by the petitioner met the requirements of the test established in the Decision 34/2017 (XII.11.) AB] whether the Curia had adopted its decision in accordance with Article IX (2) of the Fundamental Law when it attached importance to the fact that the petitioner did not provide the plaintiff in the main case with the opportunity to refute the statements published in the article and made at the press conference of the PM's politician. According to the Decision 34/2017 (XII.11.) AB, a missing rebuttal, or at least the lack of the possibility to provide one, may in itself justify the responsibility of the press organ concerned. However, in its Decision 3217/2020 (VI.19.) AB, the Constitutional Court added to this condition that if the debate underlying an article on a news report does not appear exclusively in the article contested, and in this debate the other party has the opportunity to present its own position in several other places and thus to react to the criticisms voiced in the debate, then the press conference report meets the constitutional requirements. However, according to the case-law of the Constitutional Court, this criterion is primarily applicable to debates between politicians and, more broadly, public figures, where there is a wider opportunity to react to each other's positions. In the present case, the main question is therefore whether the defendant in the main proceedings can be included in the category of persons defined in the Decision 3217/2020 (VI.19.) AB [because then the absence of a rebuttal would also be compatible with Article IX (2) of the Fundamental Law].

[35] In this regard, the Constitutional Court held that the plaintiff in the main proceedings is an economic operator who does not take a political or public stance and cannot therefore be considered to fall within the category of persons defined in the Decision 3217/2020 (VI.19.) solely because of his various economic interests and family ties. It can also be stated that the plaintiff in the main proceedings, as an economic operator, cannot be expected to provide an independent rebuttal to the criticisms levelled at him or to the reports of those criticisms in the press. On the basis of all the above, it can be concluded that the test applicable to the plaintiff in the main case and the petitioner's article in the present case was the one set out in the Decision 34/2017 (XII.11.) AB (i.e. the petitioner should have provided the plaintiff in the main case with the opportunity to provide a rebuttal), which was applied by the Curia in its judgement in accordance with Article IX (2) of the Fundamental Law.

[36] 5 Based on the above, the Constitutional Court found that the judgement of the Curia assessed the constitutional criteria governing the disclosure of press releases in accordance with Article 28 of the Fundamental Law, and thus the contested judgement is in line with the criteria arising from Article IX (2) of the Fundamental Law. On these grounds, the Constitutional Court rejected the petition.

Budapest, 28 June 2022.

Dr. Tamás Sulyok,
President of the Constitutional Court

Dr. Egon Dienes-Oehm, Justice of the
Constitutional Court

Dr. Tünde Handó, Justice of the
Constitutional Court

Dr. Attila Horváth, Justice of the
Constitutional Court

Dr. Ildikó Hörcherné dr. Marosi, Justice
of the Constitutional Court

Dr. Tamás Sulyok, President of the
Constitutional Court on behalf of
Justice *dr. Imre Juhász* unable to sign

Dr. Miklós Juhász, Justice of the
Constitutional Court

Dr. Zoltán Márki, Justice of the
Constitutional Court

Dr. Tamás Sulyok, President of the
Constitutional Court on behalf of
Justice *dr. Béla Pokol* unable to sign

Dr. László Salamon, Justice of the
Constitutional Court

Dr. Balázs Schanda Justice of the
Constitutional Court, rapporteur

Dr. Marcel Szabó, Justice of the
Constitutional Court

Dr. Tamás Sulyok, President of the
Constitutional Court on behalf of
Justice *dr. Péter Szalay* unable to sign

Dr. Mária Szívós, Justice of the
Constitutional Court