
Foreword: 15 Years in the European Union – The Experience of Hungarian Courts

It is well-known that, following the change of regime in the Eastern European region in the early 1990s, all countries applied for membership of the European Union almost immediately. European economic integration was already visible in the way the internal market was functioning: in EU Member States, in Western European countries; economic development and the emergence of social welfare were also desirable goals for Eastern European countries. The Association Agreements were concluded within a few years, but accession negotiations were delayed, and Europe was reunited almost a decade and a half later, on 1 May 2004.

Since then, the experience and learning gained in the course of fifteen years has been interpreted in many ways. Different questions and answers arise when looking at this period from a political, economic or legal point of view. In this celebratory edition, we intended to analyse the role of the third branch of power, the Hungarian judicature. First, this was done by examining what issues arose in the field of EU law interpretation in different court divisions in Hungary, and what answers were provided by the Hungarian high courts.

In labour disputes, the prohibition of discrimination and the requirement of equal treatment came up for the very first time and then repeatedly appeared later on. The studies written by Szilvia Halmos and Éva Gellérné Lukács illustrate this process, with a view to identify the established opinions in legal literature.

A paper written by András Kovács together with Gergely Barabás reveals that, since Hungary's accession to the EU until now, most EU law-related issues have arisen in administrative cases, also shown by the fact that most questions referred for preliminary ruling were initiated by administrative courts.

EU law has also transformed the regulation of and judicial practice in Hungarian private international law and civil law; the former is analysed by Tamás Szabados, while Bálint Kovács presents the latter. Following the entry into force of the *Treaty of Lisbon*, there has also been a spectacular development in the area of judicial cooperation in criminal matters as a result of the change in EU law-making. By presenting a specific legal institution, Balázs Elek takes a look at the dogmatic difficulties of EU legal harmonization in the field of criminal law.

The authors of this thematic publication include both judges and academics. The judge authors are members of the European Law Advisors Network (ELAN), set up by the President of the National Office for the Judiciary. In addition to their judicial work, members of the ELAN receive regular training on EU law and they – on a voluntary basis – assist their colleagues in answering EU law-related questions. The academic authors are all faculty members at the ELTE Faculty of Law and they have been teaching, observing, documenting and analysing EU-related issues in Hungarian case law since the accession.

Our aim was to present the most important and interesting questions in EU law that have arisen in the course of the first 15 years in a documentary volume, reflecting the Hungarian judicial system and Hungarian legal literature. We hope that, after reading these studies, you will agree with us that the experiences of these years may be summed up in line with Walter Hallstein's idea: 'He who is not optimistic about European things is not realistic.'

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