

ABSTRACTS

ESSAYS

Gábor Mészáros examines how the emergency powers have been changed in the United States after the Supreme Court's *Boumediene* decision. The author outlines that the Trump administration and especially the president has started to use emergency powers in order to gain more political power and has already used extra-legal measures without serious threat. President Trump's wall is becoming a symbolic element of populism in the United States of America.

FÓRUM 1 - CHANGE OF REGIME

On the occasion of the 30th anniversary of Hungary's democratic transition we asked Zoltán Balázs, Gábor Halmai and Júlia Szalai what has and what hasn't been achieved from the original ideas of the regime change. We have been curious about the possible the possible internal and external reasons of the failures? What should have been done differently, and whether there is any causal relationship between the failures and the 'illiberal' turn, and there is a way back to the original ideas of 1989?

FÓRUM 2 - CONSTITUTIONAL COMPLAINT

Based on the recent jurisprudence of the European Court of Human Rights, all three forms of the Hungarian constitutional complaint are considered to be effective remedies which need to be exhausted before individuals may have recourse to the Strasbourg-based control mechanism. We have invited our authors to write a reflection not only on the relevant decisions of the ECtHR, but also on the nature of the Hungarian constitutional complaint mechanism from theoretical and practice-oriented perspectives.

DOCUMENTS AND COMMENTARIES

Tamás Gyulavári comments on the changes of the Labour Code during the COVID-19 emergency situation. These changes, he asserts, represent an unnecessary return to the mid-19th century labor law thinking option that provides an unlimited freedom of contract, which in practice means that the unilateral power of the employer has been fulfilled. This regulatory concept, the commentary argues is questionable and very dangerous for maintaining constitutionally protected labour right.

Marija Daka outlines some of the key features of the recently introduced advisory opinion procedure established under the auspices of Council of Europe, more specifically Protocol no.16 to the European Convention on Human Rights. The review article critically evaluates the Protocol's aim to reduce the European Courts of Human Rights caseload. In addition the article analyses the first advisory opinion delivered by the ECtHR and compares the newly introduced non-contentious procedure to preliminary ruling procedure, a well-established instrument of the European Union legal order. The article concludes that the two non-contentious procedures before supranational courts do not have much common features. Lastly, the review article briefly evaluates the relationship of two human rights protection systems by contextualizing the currently existing predominantly informal links of the relationship.

AFTER DECISION

In this column summaries of some of the recent decisions of the European Court of Human Rights and the Court of Justice of the European Union are presented.

E SZÁMUNK SZERZŐI

BALÁZS ZOLTÁN
politológus-közgazdász
BCE, ELKH TK PTI

KANJO MIRJAM
PhD-hallgató
ELTE TáTK

LUKONITS ÁDÁM
PhD-hallgató
ELTE ÁJK

DAKA MARIJA
PhD-hallgató
PTE ÁJK

KÁDÁR ANDRÁS KRISTÓF
jogász
Magyar Helsinki Bizottság

MÉSZÁROS GÁBOR
jogász
PTE ÁJK

DUDÁS DÓRA VIRÁG
jogász
bíró, európai jogi szaktanácsadó

KÁLLAI PÉTER
PhD-hallgató
ELTE TáTK

MOLNÁR NOÉMI FANNI
jogász

GYULAVÁRI TAMÁS
jogász
PPKE JÁK

KARSAI DÁNIEL
jogász, ügyvéd

NASZLADI GEORGINA
jogász
bírószáki titkár, Kúria

HALMAI GÁBOR
jogász
European University Institute

KÓCZIÁN SÁNDOR
jogász

SZALAI JÚLIA
szociológus
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Az emberi jogok folyóirata

AZ ELTE TÁRSADALOMTUDOMÁNYI KAR LAPJA

XXIV. évfolyam 1. szám

Nemzetközi tanácsadó testület: Andrew Arato, Bódig Mátyás, Catherine Dupré, Gyórfi Tamás,
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Korábbi szerkesztők: Balogh Lídia, Bodnár Kriszta, D. Tóth Balázs, Javorniczky István, Kardos Gábor, Kovács Kriszta,
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Kiadja az Emberi Jogi Információs és Dokumentációs Központ Alapítvány • Felelős kiadó: Majtényi Balázs • A szerkesztőség és a kiadó címe:
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Honlap: <http://www.fundamentum.hu> • Lapterv: Pintér József • Tördelte: Compositio Libri Kft.

ISSN 1417-2844