

Foreword

In 2014, the European Law Institute (ELI) and the International Institute for the Unification of Private Law (UNIDROIT) started a joint project, From Transnational Principles to European Rules of Civil Procedure. Its aim is to adapt the American Law Institute (ALI) and UNIDROIT Principles of Transnational Civil Procedure from a European perspective in order to develop European Rules of Civil Procedure. The work was organised in five working groups, each corresponding with a topic selected as the initial focus of the project: Service and Due Notice of Proceedings; Provisional and Protective Measures; Access to Information and Evidence; Res Judicata and Lis Pendens; and Obligations of the Parties, Lawyers and Judges. In November 2015, the ELI-UNIDROIT Steering Committee made a decision to establish two further working groups, on Costs and on Judgments.

In 2014, almost simultaneously with the ELI-UNIDROIT joint project, the codification of the new Hungarian Civil Procedure Act had commenced. The main committee for codification had set up working committees on codification of legislation comprising Hungarian lawyers, judges, attorneys and university professors. As a consequence of their work, the Hungarian Government accepted the proposal for the new Civil Procedure Act in 2015. The proposal gave serious consideration to ideas of modernity and respect for new international and foreign solutions. At the end of February 2016 the Code was developed and undergone a professional debate. In November 2016 the Hungarian Parliament adopted the new Act which enters into force at 1st January, 2018.

The International Conference on the New Hungarian Civil Procedure Act and the Development of European Rules of Civil Procedure took place in Budapest, 30–31. May, 2016, organised by ELI, Hungarian Academy of Sciences Institute for Legal Studies and National Office for the Judiciary. It aimed at achieving two goals: providing in-depth information about the new Hungarian Civil Procedure Act to the international and national experts in the field and introducing the ELI-UNIDROIT project From Transnational Principles to European Rules of Civil Procedure to Hungarian lawyers. The structure of the Conference had been organised along the five initial topics of the ELI-UNIDROIT project and envisaged presentations of the speakers representing the ELI-UNIDROIT working parties. Materials presented at the Conference are expected to prove beneficial for the Hungarian and foreign experts working in the field and will provide insight into how the concepts developed within the ELI-UNIDROIT project could be applied to a new national civil procedure act.

I owe much to many people who helped organising the conference and made possible to publish the lectures. First of all I would like to say thank you to Diana Wallis, President of ELI, Andras Jakab, Director of HAS Institute of Legal Studies and Tünde Handó, President of National Office for the Judiciary for their generous support. I'm especially thankful for the speakers and chairs of the conference, they made both days memorable. I'm much obliged to Éva Jakab, editor-in-chief, Fruzsina Gárdos-Orosz, managing editor, and Viktor Lőrincz, editor of *Acta Juridica Hungarica*, without their remarks and assistance this volume would have always remained unfinished.

March 2017, Budapest

András Osztovits
editor

ABBREVIATIONS

BH = Selected Curia decision
BDT = Selected court decision
EBH = Court decision of principle