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ABSTRACT OF THE DOCTORAL THESIS

Dr. Dóra Kardos PhD

Károli Gáspár University of the Reformed Church in Hungary
Faculty of Law
2021. Budapest

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I. Description of the pursued research

As my thesis will reveal, the legislator implemented the principles of judicial practice regarding the imposition of sentences interspersed between the provisions of substantive criminal law and procedural criminal law. Otherwise, there is no exhaustive list of the mitigating and aggravating circumstances – the examination of which is an emphasised goal of this thesis – that have to be assessed in the scope of imposing the sentence. Other than an Opinion of the Criminal Law Division of the Curia (formerly called Supreme Court) issued in 2007 – which is not binding to the courts –, we can only identify these by further analysing the judicial practice and exploring the positions taken by the relevant legal literature.

Having regard to the foregoing, in my opinion it is reasonable to ask whether the scope and system of the principles of sentencing is suitably defined, clear and can be applied consequently. Does the regulation presented in the Opinion of the Criminal Law Division serve the consistency of sentencing appropriately, and do judges observe and apply it? To what extent does the guidance set out therein appear in the reasoning of sentences and in the judicial practice? In addition to those set out in the Opinion of the Criminal Law Division (hereinafter referred to as: "CLD Opinion"), what other principles concerning the imposition of sentences are prevalent in the practice of the courts, and how? In my thesis, I aim to answer these and other similar questions.

The complexity of the system of criteria of sentencing is clearly evidenced, among others, by the fact that its practice is not only governed by national rules and other requirements, but other requirements set out in international documents clearly have an effect on it as well. The importance and significance of the consistency of sentencing was, for example, already emphasised in Recommendation No. R (92) 17 of the Committee of Ministers of the Council of Europe concerning consistency in sentencing.

If we assume that in order to ensure the consistency of law, it is necessary to establish the principles applied in the practice of sentencing in a binding manner, the question of whose responsibility this is arises. Section 25(3) of the Fundamental Law of Hungary specifies the ensuring of the uniformity of the application of law as one of the most important responsibilities of the Curia. Act CXXVII of 2019 Amending Certain Acts Concerning the Establishment of Single-Instance Procedures of the District Offices also amended Act CLXI of 2011 on the Organisation and Governance of Courts (hereinafter referred to as: "Courts Governance Act"), placing specifically the provisions concerning the Curia partially on new grounds.
It should be emphasised that the Curia operates a Jurisprudence Analysis Group. The Jurisprudence Analysis Group prepares a summarising opinion on the results of its research. The summarising opinion prepared is then discussed by the division of the Curia competent in

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the subject-matter, and if they agree with it, the head of the group publishes the findings of the opinion on the Curia's website. If the relevant requirements are met, the head of the division of the Curia, based on the summarising opinion, may propose that a procedure for the harmonisation of law be initiated, or turn to the President of the Hungarian National Office for the Judiciary via the President of the Curia in order to request legislative measures in the matter.

The proposal of the Curia's group, however, did not propose a procedure for the harmonisation of law in the summarising opinion concerning the examination of the nationwide practice of sentencing. Before the summarising report, several stakeholders investigated the uniformity and methodology of sentencing, emphasising various case groups. The evaluation of the research found the practice of sentencing to have been differentiated, but not to an extent where it would have justified more serious steps for ensuring the uniformity of the application of sentencing.

In my thesis, I examine the principles of sentencing, as well as the system and enforcement thereof, from several perspectives. Among these, I will examine said principles in the context of the CLD Opinion. In this scope, I intend to assess whether regulating the aggravating and mitigating circumstances considered by the court against or in favour of the defendant in the scope of sentencing in a CLD Opinion is suitable from the aspect of legal certainty. Another question that arose with regard to the judicial practice is whether the courts take into account and apply the contents of this CLD Opinion. In the scope of the assessment of the empirical study concerning 100 cases included at the end of this thesis, I will sum up the conclusions of my research also with regard to these aspects.

Since the factors influencing the imposition of sentences are set out in a Division Opinion, I deem it necessary to briefly sum up the advantages and disadvantages of this solution with regard to the principles and practice of sentencing.

In order to ensure the uniformity of judicial practice, the Curia's division monitors the jurisprudence of the courts and expresses its opinion in matters where the application of the law is disputable. The Division Opinion has no effect on the parties and the defendant, and its contents are not binding to the courts either.

CLD Opinion no. 56/2007 of the Curia provides guidance regarding the factors that can be taken into account in the scope of sentencing. Said CLD Opinion was published in issue 3 of volume 2008 of "Bírósági Határozatok" (Court Decisions), and is applicable as of 14 November 2007. Its current text has been in force since 8 November 2013, but we can also establish that the content of the CLD Opinion has not changed since 2007.

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Given that more than a decade has passed since 2007, I deem it necessary to revise the role of the CLD Opinion and the requirements set out therein in the practice of sentencing. Having regard to the societal changes that have taken place since then, I also deem it timely to examine to what extent the approach of summarising mitigating and aggravating circumstances in a CLD Opinion is useful, and whether it is sustainable. I will also examine whether it would be necessary to set out the aggravating and mitigating circumstances summed up in the CLD Opinion in another form, with binding force. For example, would it be necessary to specify the factors that can be assessed in the scope of sentencing in a leading decision binding to the judges, which could then be used by the legal practice?

My preliminary opinion is that if it is necessary to change, amend or raise to a legislative level the contents of the CLD Opinion, this should not be done by the legislator, but rather the supreme judicial body responsible for the uniformity of the application of law, i.e. the Curia, in the form of a leading decision. Obviously, it is the courts applying the factors that can be assessed in the scope of sentencing, i.e. in concreto the supreme judicial body, that is able to formulate, interpret and review these concepts, and establish clear criteria for the lower courts.

It required complex analytic work to formulate an answer to all these questions, however, and this is what I undertook to do in this thesis. It is my opinion that after identifying the theoretical fundamentals, the correct answers can be reached through a complex assessment of the factors that can be assessed in the scope of sentencing, including whether it would be justified to unify this area of legal practice in a stricter and binding manner.

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II. Description of the research, examination, analysis, recording of the method and inventory of sources

1. Description of the research conducted

In the first substantive chapter of the thesis, I summarise the fundamental principles of sentencing. The imposition of sentences is a complex balancing and creative judicial activity, an approach whose exact system of reference consists of the rules of sentencing set out in the law and of the principles established by the related jurisprudence. The legal literature is yet to define the priorities of sentencing to an adequate extent, but – concurring with Ágnes Pápai-Tarr[1] – the following division seems natural with regard to the systematic categorisation of these fundamental principles:

- the system of the principles of sentencing set out in the criminal laws,
- the principles of sentencing established in the jurisprudence,
- the principles of sentencing established by the legal literature.

In this scope, I will examine these in a historical context, and then review and analyse the principles of sentencing established by the criminal codes, the jurisprudence and the legal literature. I will present all this in a systematic manner, and attempt to draw some conclusions by assessing and organising them.

With respect to the purpose of punishment, we have to note that the Hungarian criminal law follows the principle of liability proportional to the act. The most important requirement towards the punishment in order for it to fulfil its purpose is therefore proportionality. The requirement of proportionality is a complex concept, which primarily means proportionality to the act, but also to the perpetrator's personality, the danger posed by the act to society, and, where there is more than one perpetrator, internal proportionality relative to each other. The educational purpose is less pronounced, in the service of a proportional and just punishment.

The objective severity of the crime was already evaluated by the legislator when it determined the type and range of the punishment. The objective severity of the realised act, however, has to be determined by the court in the scope of imposing the sentence.

Guiltiness is an essential condition of criminal liability. The degree of guiltiness is considered by the legislator in terms of that negligent commission of an offence constitutes an exceptional

[1] Ágnes Pápai-Tarr: Alapelvek a büntetéskiszabásban (*Fundamental principles in sentencing*), Magyar Jog, vol. 2008 issue 2, p 106-116

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category, and that where negligent commission of an offence is also punishable, the punishment is less severe. There are two degrees of intentionality (dolus directus, dolus eventualis), as well as of negligence (luxuria and negligentia), the assessment of which differences, along with such circumstances as the intensity and persevering nature of the intention, is the responsibility of the judge.

When assessing the danger posed by the perpetrator to society, the examination focuses on the perpetrator's personality. This includes, for example, the perpetrator's attitude towards the offence.

Of the principles of sentencing set out in the criminal codes, I deem aggravating and mitigating circumstances worthy of separate analysis. In my opinion, these circumstances, as well as their definition and application can have a particular significance in the process of sentencing. Having regard to this, I will present in detail the historic development and changes of the specific aggravating and mitigating circumstances, as well as the scope of circumstances established by the current legal environment and the jurisprudence.

In the next chapter, I undertake to present the factors that can be assessed in the scope of sentencing. These are the subjective and objective factors that affect the punishment – both in qualitative and quantitative terms – in certain cases. It therefore appears necessary to list them in order to expand upon all aspects of my chosen topic.

In the scope of the principles of sentencing set out in law, it is also necessary to discuss the principle of "median punishment". The implementation of the principle of median punishment gave rise to numerous concerns, namely that it restricts the independence of judges, that the legislator subverts the balance of powers thereby, and that it renders the position of the defendant more disadvantageous and results in the imposition of more severe punishments.

The principles of sentencing set out in the criminal codes – in force at the time of commission and adjudication of the act – set out criteria that are binding to the judges. In this scope, after properly identifying the offence committed and the guiltiness of the defendant, the judge proceeding must assess – having regard to these criteria – the following when choosing the type of punishment/measure and determining its extent: the circumstances that arise, the objective severity of the case, the social risk arising in the course of commission of the offence, and on the subjective side, the danger posed by the defendant to society, the role of individual and general prevention, and the individualised and correct balance between education and retribution.

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All these constitute a complex task, in the course of which, the selection of a correct sanction that is suitable both with regard to society and the convict can be facilitated by the years of experience acquired as a judge to a significant extent.

We also have to note, however, that not even a punishment imposed in an excellently reasoned judgment that is based on thorough examination can guarantee that the purpose of the sentence will be fulfilled. In my opinion, all these do not reduce the significance of the aspects of sentencing. By applying them in an appropriate manner, we can ensure that the punishment imposed fully meets the individual and societal, legal and sociological, or any other expectations that may be posed. Appropriate application, in turn, requires a long and meticulous process of analysis and assessment. This necessarily requires sufficiently deep knowledge of the aforementioned principles of sentencing set out in the criminal codes.

This comprehensive, descriptive, analytical and comparative chapter is followed by the identification and presentation of the international requirements having relevance with regard to the imposition of sentences. In addition to the context of compliance with the international requirements, I will examine in a separate chapter the aspects of sentencing in the European Union, and provide some examples from the solutions of other national legal systems. There are significant differences between the rules and practices of the European states (whether they are Member States of the Council of Europe or the European Union) concerning the imposition of sentences. For example, it would be difficult to fully merge and consolidate the German or Spanish way of imposing sentences with the Anglo-Saxon practice. This is due to historical, cultural and legal reasons rooted deep in the specific legal systems.

The practice of imposing sentences changed from numerous aspects over time, and these changes bear the mark of how each state responded to fundamental questions related to criminal law as they arose throughout their history. Naturally, the legal system of each particular state has a kind of internal coherence, so it is not possible to compare the specific legal approaches without placing them in the context of the legal system of the given state.

Regardless of the foregoing, however, both the Council of Europe and the EU have been striving to unify the practice of sentencing in the Member States for almost three decades. As also supported by the findings of the present chapter, the number of comprehensive international documents concerning the unification of sentencing is low. In the text of certain international documents fundamentally prepared in other topics, however, one can find guidelines that also influence the international practice of sentencing, and consequently facilitate the consolidation of the individual solutions.

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In the scope of sentencing, one of the fundamental constitutional requirements based on the internationally accepted principle of nulla poena sine lege is that the punishment imposed for any given offence must be based on pre-defined principles and therefore be foreseeable. The particular nation states strive to achieve this, though the same intention can be observed in federal systems such as the Council of Europe, the European Union or the USA.

The principles and methodology of sentencing, however, vary between the states to such a significant extent that unification, as also explained in this chapter, is only possible up to a certain level at this point of our historical development.

The international outlook is followed by the identification, summary, analysis and assessment of the domestic requirements concerning the imposition of sentences. In the scope of the system of these requirements, I will first present the principles that emerged in the jurisprudence of the Constitutional Court with regard to the imposition of sentences. With regard to the jurisprudence of the Constitutional Court, based on my investigation, I concluded that the constitutional aspects of sentencing do not play a particularly significant role in the practice of this body, and it is rare for a case requiring specifically the examination of matters concerning sentencing to be referred to the Constitutional Court. Despite this, by researching the case law and the practice of the Constitutional Court, I was able to recognise and identify several constitutional requirements that are also relevant from the aspect of sentencing. In this scope, I can mention requirements arising from the principle of legal certainty, and from the right to fair procedure as well. And in the scope of the sub-rights associated with this latter fundamental right, one should mention in particular the right to judicial ruling and the requirement of adjudication within the reasonable period of time. The requirements established in the practice of the Constitutional Court and presented in this chapter are also relevant in the assessment of the relevant regulations and the sentencing practice of the courts, providing a kind of background for the imposition of sentences in terms of fundamental rights.

After that, I will examine the context of unification of the jurisprudence by overviewing the relevant guidances of the Curia. In the context of sentencing, the similarly significant role of the Curia stems – albeit from a different aspect – from its role as being the most important body responsible for the unification of the application of law. In a state based on the rule of law, it is a fundamental requirement towards the judicial system that the courts and other bodies applying the law within the state adjudicate similar cases similarly. A lack of predictable application of the law by the courts based on a uniform interpretation of the law can therefore, in exceptional cases, even result in infringement of the right to fair procedure both in the jurisprudence of the ECHR and the Constitutional Court. It follows from the requirement of the rule of law that the interpretation of the law cannot become a means for the body applying the law to be able to pass arbitrary and subjective decisions. Otherwise, the requirement of legal

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certainty – i.e. that the decisions of the bodies applying the law must be predictable and foreseeable – would not be met.

The value of these constitutional aspects must not be brought down even where the court has such a significant elbow room in making a decision as in the scope of sentencing. Consequently, it is a reasonable expectation that there be no significant statistical differences between the sentencing practices of the particular courts, as that, in addition to infringing the requirements arising from the Fundamental Law, could also weaken the trust put in the courts.

Having set out this framework, I deemed it important to examine certain circumstances of sentencing more deeply in order to point out that the imposition of a sentence is not merely a mechanical act, but rather a complex logical and analytical activity, in the course of which the courts must be aware of special rules too. With this method, I will interpret the special circumstances in the context of criminal proceedings against young people, presenting the special problems of sentencing associated with this procedure, as well interpreting the aim of the punishment in such proceedings as I understand it. These special aims require a particularly thorough examination of the factors that can be assessed in the scope of sentencing, i.e. the proceeding judge has exceptional social responsibility in deciding whether, based on his or her long-term prognosis – which must also be supported with especially sound reasoning –, the punishment/measure is actually appropriate to cause the young person to develop in the correct direction.

In my opinion, in criminal proceedings against young people, one must attribute increased significance to enforcing the requirements arising from the Fundamental Law and the aspects of the unification of the application of law than one does in general. Based on my examination of the enforcement of the peculiar criteria applicable to this type of procedure and the case files I have reviewed, I agree with the notion that it would be necessary to create an individual criminal code for young people, as well as that cases involving young defendants should be handled by appropriate judges having special qualifications and adequate experience. I deem all these to be necessary in order to ensure that the special criteria of sentencing can be fully enforced in criminal proceedings against young people.

I also deem it important to support the notions formulated in my thesis through empirical research. Having regard to this, in a later chapter I sum up the results of the empirical studies conducted in the topic earlier, and then analyse and evaluate the experiences of a study I myself conducted. In the scope of the research I conducted earlier, I summarised the course of the selection, indication and justification of the specific mitigating and aggravating circumstances based on interviews conducted with judges adjudicating cases at the first and second instance, highlighting the best practices and the theoretical and practical problems that arose in

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connection with this. I deemed it important to present the results of this research of mine because they make it possible to expand the criteria identified in the course of the examination of the legislative environment and the professional literature with experiences and solutions derived from the practical side of things.

Finally, in conclusion of the thesis, I will sum up and dram my conclusions on what specific requirements can be posed towards the sentencing on the basis of my investigation – for example, in what scope, with what substance and at which institutional level can it be unified in order to ensure that the requirement of judicial independence and legal certainty laid down in the Fundamental Law, as well as the need for the uniform application of law is fulfilled.

2. Presentation of the methodology and sources used for preparing this thesis

While preparing the thesis, I applied the traditional methodology of research used in legal literature. The sources used for the research were, one the one hand, Hungarian and foreign legal materials, the associated laws and their reasoning, and on the other hand, Hungarian and – to a smaller extent – foreign scientific works and research results. In the course of my research of the topic, I examined the concepts and fundamental principles related to sentencing via the methodology of concept analysis. For the examination of the legislative background of sentencing, I chose the dogmatic method.

In alignment with the peculiarities of my chosen topic, I analysed and assessed the Hungarian legal literature, and then prepared summaries and drew conclusions with regard to the given topic. In the course of examining the history of law and the rules currently in force, I researched the decisions of the Constitutional Court, the Curia and the European Court of Human Rights, as well as the relevant international documents. For the part of the thesis presenting international legal standards, I used theoretical analysis as my research method, and I assessed and drew conclusions based on the provisions of the legislative texts and the international documents.

For the last part of the thesis, I used an empirical research methodology to present the jurisprudence. This is because a research into the practice of sentencing goes beyond the traditional limits of dogmatic legal science, and requires the use of empirical methods. Having regard to that my goal was to achieve reliable and valid results, I used these methods together in my thesis. With the empirical research method, I examined the Hungarian practice of sentencing through analysing the factors of sentencing laid down in the judgments.

In the part of my thesis examining the practice of sentencing through statistics, which contains mathematical results, I used a quantitative methodology, while in the part examining the

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circumstances of sentencing based on court judgments, regarding whether the reasoning of a specific judgment had taken into account the prevailing jurisprudence, I used a qualitative methodology.

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III. Summary of the results of the thesis

The creation of a binding leading decision set out in legislative form and providing a unified system of concepts and interpretation would therefore make the practice of sentencing more unified. So what am I founding my position on? A leading decision would enable accountability for what the factors that influenced the court in determining the extent of the punishment were, and what weight they had in it. This would make it easier to retrace the process of imposition of the sentence and the reasoning of the punishment imposed in the end.

In order for the judges to fulfil the requirements arising in the course of their analytic-evaluating activity, full knowledge of the potential factors that may influence the sentence is necessary. For this, we must obviously rely both on the aspects that have emerged in the course of the historical development and the earlier jurisprudence. In my opinion, as long as judgments only contain list-like provisions regarding sentencing, without actual reasoning attached, further requirements, such as the principle of clarity, cannot be met either.

It is therefore my definite position that judges should be trained in the theoretical and practical aspects of sentencing during their period of traineeship prior to their appointment, in order to ensure that clearly explained and reasoned judgments – making it clear why a given sanction is imposed on the defendant(s) – be made in the future. This, however, requires access to a knowledge base that clarifies the concepts and fundamental principles and facilitates the unification of the application of law, which, in my opinion, also has to be comprehensible, followable and verifiable.

In the general part of the substantive criminal law, Chapter IX of Act C of 2012 (hereinafter referred to as: "Criminal Code") provides for the imposition of sentences. In order to unify the practice of sentencing, the legislator sets out the key factors of this quite complex task and the fundamental principles of sentencing in Section 80 of the Criminal Code.

The special part setting out the specific offences, however, also sets out limits for the judge, since it defines the minimum and maximum limits of the judgement, as well as the type and quantitative aspects of the punishment.

Act XC of 2017 on Criminal Procedure (hereinafter referred to as: "Criminal Procedure") introduced into its provisions the long duration of the proceeding as a mandatory substantive element of the judgment, which must therefore be included in the judgment as a mitigating circumstance (where applicable in the case concerned).

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In connection with this legal provision concerning the imposition of sentences, I consider it a clear fact that the punishment, in itself, cannot be the subject of revision, and therefore neither can the manner in which the courts take into account the aim of the punishment, the principles of sentencing and CLD Opinion No. 56 on the factors that can be evaluated in the course of sentencing (either as mitigating or aggravating circumstances).

At the same time, however, Section 649(1) and (1)(b)(ba) of the Criminal Procedure provides that revision is possible where an unlawful sentence was imposed due to the unlawful qualification of the offence or the violation of other rules of the Criminal Code.

Fair procedure also requires that the courts impose nearly identical punishments for the same offence. As I have pointed out in my research, the various courts of the country set out the aggravating and mitigating circumstances arising in a given case mostly identically, but there are differences in the severity of the punishment.

The mitigating and aggravating circumstances are set out in CLD Opinion No. 56/2007 and the Court Decisions ("Bírósági Határozatok"), neither of which are binding to the courts.

It is without doubt that the mitigating or aggravating nature of a given circumstance must be evaluated individually in each case, as well as that due to the principle of the independence of the judiciary and the separation of powers, it is obviously not within the legislator's competence to establish the unity of the factors of sentencing.

In my opinion, it is both necessary and possible to set out the factors of sentencing in a legislation that unifies the application of law in the scope of sentencing too.

The Fundamental Law of Hungary specifies the ensuring of the uniformity of the application of law as one of the most important responsibilities of the Curia. According to the recommendation of the Jurisprudence Analysis Group of the Curia, the CLD Opinion must be reviewed from time to time, and judges must be encouraged to adopt a unified approach. I fully agree with the proposal – and the results of my research of the case files only confirmed my opinion – that judges should be trained in the theoretical and practical aspects of sentencing during their period of traineeship prior to their appointment, and even the first period of their activity as judges, potentially through mentorships. I, however, do not agree at all with the notion that the factors that can be evaluated in the course of sentencing continue to be set out in Opinions of the Criminal Law Division.

Since CLD Opinion No. 56/2007 has been adopted by the judiciary nationwide, this could constitute the basis of a leading decision. In contrast, whether these factors fit the present time

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must be reviewed, since the changes of society and science resulted in the emergence of new criminal offences and life situations that had not existed previously. Among these, I would like to mention the newly established aggravating circumstance associated with fraudulent bankruptcy, i.e. where the offence affects the life of several persons.

If we examine the CLD Opinion thoroughly, we can immediately see an aggravating circumstance – namely, frequent occurrence – that, while listed, is also continuously criticised for being included among the factors having an influence on sentencing. As the examination of the case files and the interviews have confirmed, "frequent occurrence" is not an exact concept, and it cannot be measured objectively either.

The leading decision is already binding, and therefore this standard has stepped up a level, having been granted the status of legislation.

My final conclusion is that the practice of sentencing is not unified across the country, and the punishments imposed for identical criminal offences vary by region. Publishing the factors of sentencing and the related concepts and interpretations in the form of a leading decision in order to make the practice of sentencing more uniform would, due to its binding nature, lead to a higher degree of uniformity at least in the scope of the aggravating and mitigating circumstances that have been established already. A leading decision can be revised, expanded, modified or amended, and in this manner, the protector of the uniformity of the application of the law, i.e. the Curia itself could interpret the law for the courts in this regard.

The creation of a binding leading decision set out in legislative form and providing a unified system of concepts and interpretation would therefore make the practice of sentencing more unified. So what am I founding my position on? A leading decision would enable accountability for what the factors that influenced the court in determining the extent of the punishment were, and what weight they had in it. This would make it easier to retrace the process of imposition of the sentence and the reasoning of the punishment imposed in the end.

At the same time, however, it is a fundamental requirement for the courts to provide detailed reasoning – in accordance with the specific facts of the case – regarding the factors of sentencing taken into account by them and the weight assigned thereto. To sum up: why does it consider the specific type and severity of punishment to be capable of fulfilling the purpose of the punishment in the given case.

In my opinion, a leading decision adopted in this scope would ensure accountability as regards the process of sentencing and the evaluation and reasoning of the aggravating and mitigating circumstances, and on the other hand, the judicial practice could be oriented in the second-

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instance proceedings conducted by the courts of second instance, but also the notes of the President of the Chamber and the assessments of judges.

In addition, while I agree that aggravating and mitigating circumstances cannot be listed in an exhaustive manner, the CLD Opinion has resulted in the emergence of a judicial practice that could serve as the basis of a leading decision; not to mention the fact that a leading decision can be revised and amended.

IV. The list of publications in the topic of the dissertation:

1. Kardos Dóra: Az időszerűség elve a terhelt beszámítási képességének kérdésköre kapcsán
In: Bragyova András (szerk.): Miskolci Doktorandusz Konferencia Tanulmánykötet
Miskolc, Bíbor Kiadó (2017) 304 p. pp. 1-8., 8 p.
(The principle of timeliness as regards the matter of the accountability of the defendant. Study collection by the Miskolc Conference of Doctoral Candidates)

2. Kardos Dóra: Tisztesség és etika a büntetőeljárásban - a tisztességes eljárás és részjogosítványai
KRE-DIT: A KRE-DOK online tudományos folyóirata 2018/1. Paper: 2630-8711 (2018)
(Fairness and ethics in criminal proceedings – Fair procedure and the associated sub-rights. KRE-DIT online scientific journal)
http://www.kre-dit.hu/tanulmanyok/kardos-dora-tisztesseg-es-etika-a-buntetoeljarasban-a-tisztesseges-eljaras-es-reszjogositvanyai

3. Kardos Dóra: Az időszerűség és közvetlenség elvének biztosítása a tagállamokban párhuzamosan folyó büntetőeljárások kapcsán
In: Fejes Zsuzsanna (szerk.): Jog határok nélkül
Szeged, University of Szeged, Faculty of Law and Political Sciences, Graduate School (2018) 451 p. pp. 1-8., 8 p.
(Ensuring the principle of timeliness and directness as regards criminal proceedings conducted simultaneously in multiple Member States. Publication from the Law Without Borders conference)

4. Kardos Dóra: A beszámíthatóság megléte: avagy a tény- és jogkérdés határai
In: Rimaszécsi János (szerk.): Jogalkotás és jogalkalmazás a XXI. század Európájában
Budapest, Doktoranduszok Országos Szövetsége (DOSZ) (2018) 183 p. pp. 75-86., 12 p.
(The existence of accountability, i.e. the limits of factual and legal issues. Legislation and application of law in 21th century Europe. Edit: János Rimaszécsi, Budapest, Association of Hungarian PhD and DLA Candidates)

5. Kardos Dóra: A büntetéskiszabás speciális elveinek és céljának érvényesülése a fiatalkorúakkal szemben lefolytatott büntetőeljárásban
In: Miskolczi Bodnár Péter (szerk.): XII. Jogász Doktoranduszok Országos Szakmai Találkozója
Budapest, Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar (2018) 450 p. pp. 119-134., 16 p.

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(Enforcement of the special principles and purpose of sentencing in criminal proceedings conducted against young persons. Publication from the 12th National Professional Meeting of Law Doctoral Candidates)

6. Kardos Dóra: A büntetőeljárás elhúzódásának értékelése, mint az ügydöntő határozatok kötelező tartalmi eleme
In: Czine Ágnes; Lukács Krisztina (szerk.): Időszerű kérdések a büntetőeljárásban
Budapest, Károli Gáspár Református Egyetem, Állam- és Jogtudományi Kar (2020) 110 p. pp. 65-77., 13 p.
(Evaluation of the long duration of the criminal proceeding as a mandatory substantive element of final decisions. In: Current issues of criminal procedure)

7. Kardos Dóra: Education instead of retaliation: Thoughts on the aim of imposition of a sentence against juvenile offenders
(Vol 5, issue 6/2020 of the Prosecutors' Journal)

8. Kardos Dóra: A büntetéskiszabás elvei kóros elmeállapotú vádlott esetén
Issue 4/2020. Prosecution Inspection 2020/4 pp. 1-8., 8 p. (2020)
(Principles of sentencing for mentally ill defendants.)

9. Kardos Dóra: A büntetést befolyásoló fontosabb alanyi tényezők bemutatása
(Presentation of the major subjective factors affecting the punishment. Vol 6, issue 1/2021 of the Prosecutors' Journal p. 14.)