– COMPLIANCE –

REPORTING FORMS

pursuant to the Decision of the Third CCW Review Conference on the establishment of a Compliance mechanism applicable to the Convention, as contained in its Final Declaration, Annex II, Paragraph 5 (CCW/CONF.III/11, Part II)

COVER PAGE

NAME OF THE HIGH CONTRACTING PARTY: Hungary

PARTY TO:
☒ Protocol I (Protocol on Non-Detectable Fragments)
☒ Protocol II (Protocol on Mines Booby-Traps and Other Devices)
☒ Amended Protocol II (amended Protocol on Mines Booby-Traps and Other Devices)
☒ Protocol III (Protocol on Incendiary Weapons)
☒ Protocol IV (Protocol on Blinding Laser Weapons)
☒ Protocol V (Protocol on Explosive Remnants of War)

ACCEDED TO:
☒ The amendment to Article 1 of the Convention

DATE OF SUBMISSION: 17/03/2015
(dd/mm/yyyy)

(NOTE: the recommended deadline for submission of the national reports was fixed by the 2007 Meeting of the High Contracting Parties at 1 October of each calendar year)

NATIONAL POINT(S) OF CONTACT: (Organization, telephones, fax, e-mail):

<table>
<thead>
<tr>
<th>Name</th>
<th>Ministry of Foreign Affairs of Hungary, phone: +36 1 4581588 or +36 1 4581105; fax: +36 1 457 5039; e-mail: <a href="mailto:szbalazs@mfa.gov.hu">szbalazs@mfa.gov.hu</a>.</th>
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<tbody>
<tr>
<td>Dr. Dávid PUSZTÁI, Permanent</td>
<td>Permanent Mission of Hungary to the UN Office and Other Organizations in Geneva, phone: +41 22 3460323; e-mail: <a href="mailto:dpusztai@mfa.gov.hu">dpusztai@mfa.gov.hu</a></td>
</tr>
<tr>
<td>Mission of Hungary</td>
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</table>

This information can be available to other interested parties and relevant organizations

☐ NO

☐ Partially, only the following forms: A ☐ B ☐ C ☐ D ☐ E ☐

NOTE: unless otherwise indicated all reports will be made public.

Note: Pursuant to paragraph 5 of the above Decision the High Contracting Parties have agreed “to provide information to the Secretary-General in advance of the Meeting, which will be circulated by the Secretary-General to all the High Contracting Parties, on any of the following matters:

1 Please indicate individually for the CCW and each Protocol (if different).
(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;

(c) Legislation related to the Convention and its annexed Protocols;

(d) Measures taken on technical co-operation and assistance; and

(e) Other relevant matters.”

Each of the items listed above are provided as separate individual forms to be filled out by each High Contracting Party accordingly.
Reporting period: from 01/01/2014 to 31/12/2014

Form A: Dissemination of information:
- changed
- unchanged
  (last reporting year:)

Form B: Technical requirements and relevant information:
- changed
- unchanged
  (last reporting year:)

Form C: Legislation:
- changed
- unchanged
  (last reporting year:)

Form D: Technical cooperation and assistance:
- changed
- unchanged
  (last reporting year:)

Form E: Other relevant matters:
- changed
- unchanged
  (last reporting year:)

NOTE: This Summary Sheet may be used only after the High Contracting Party has submitted its first national report pursuant to the Decision of the Third CCW Review Conference. Only the reporting forms which are indicated as „changed“ have to be submitted thereafter together with the Cover page and the Summary Sheet.
FORM A: Dissemination of information

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;”

High Contracting Party: Hungary

Reporting period: from 01/01/2014 to 31/12/2014

☐ additional information of dissemination of information on CCW Amended Protocol II to armed forces and civilian population is contained in the National Annual Report provided in accordance with paragraph 4(a) of Article 13 of Amended Protocol II for the year: [dd/mm/yyyy]

☐ additional information on dissemination of information on CCW Protocol V is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: [dd/mm/yyyy]

Information to the armed forces, including the extent to which the CCW and its Protocols are part of military manuals and the training curriculum of its armed forces:

The dissemination of information on the Convention and its annexed Protocols within the Hungarian Defence Forces is part of the curriculum of education and training.

All relevant provisions are or will be incorporated in the curriculum of Hungarian institutions of higher military education.

Education programmes for officers and civil servant trainees include international law. Interpretation and implementation of disarmament and non-proliferation treaties, conventions and regimes etc. are discussed at courses at the University of National Public Administration organised for would be public servants.

At the level of military units the above-mentioned topics are addressed in practice so as to ensure that soldiers can successfully cope with all related tasks. There is a special emphasis on international treaties and obligations in the training of peacekeeping personnel.

Information to the civilian population, including information on any programs, courses or documentation to disseminate the CCW to non-military audiences:

The Convention and its protocols were officially promulgated and hence incorporated into Hungarian law.

The civil population has access to the legal norms that are made available to the public through their publication in the Official Hungarian Gazette.

Any other relevant information:

The designated unit of the HDF, the 1st EOD and Warship Regiment regularly holds trainings and demonstrations for civilian organisations, primary and secondary schools.
FORM B: Technical requirements and relevant information

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;”

<table>
<thead>
<tr>
<th>High Contracting Party:</th>
<th>Hungary</th>
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<tr>
<td>Reporting period:</td>
<td>from 01/01/2014 to 31/12/2014</td>
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</tbody>
</table>

☐ additional information on steps taken to meet technical requirements of Amended Protocol II and other relevant information pertaining thereto is contained in the National Annual Report provided pursuant to paragraph 4(c) of Article 13 of Amended Protocol II for the year: ________

☐ additional information on steps taken to meet technical requirements of Protocol V and other relevant information pertaining thereto is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year: ________

Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols:

The agencies entrusted with military research, development and military procurements for the Hungarian Defence Forces are fully aware of and apply the provisions of the Convention and its annexed Protocols. For this reason the fulfilment of all technical requirements and provisions set out in the Convention is guaranteed.

Any other relevant information:

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FORM C: Legislation

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(c) Legislation related to the Convention and its annexed Protocols;”

High Contracting Party: Hungary

Reporting period: from 01/01/2014 to 31/12/2014

[dd/mm/yyyy]

Additional information of legislation related to Amended Protocol II is contained in the National Annual Report provided pursuant to paragraph 4(d) of Article 13 of Amended Protocol II for the year

Additional information on legislation related to Protocol V is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year:

Legislation, including the status and content of national legislation to prevent and suppress violations of amended Protocol II:

  1984. évi 2. törvényerejű rendelet a "Mértéktelen sérülést okozónak vagy megkülönböztetés nélkül hatónak tekinthető egyes hagyományos fegyverek alkalmazásának betiltásáról, illetőleg korlátozásáról" szóló, Genfben, az 1980. évi október hó 10. napján kelt egyezmény és a hozzá csatolt jegyzőkönyvek kihirdetéséről - EGYEZMÉNY a mértéktelen sérülést okozónak vagy megkülönböztetés nélkül hatónak tekinthető egyes hagyományos fegyverek alkalmazásának betiltásáról, illetőleg korlátozásáról. /Law Decree 2 of 1984
  Signature: 10.10.1980
  Entered into force: 02.12.1983

  1984. évi 2. törvényerejű rendelet/Law Decree 2 of 1984
  Signature: 10.10.1980

  1984. évi 2. törvényerejű rendelet/Law Decree 2 of 1984
  Signature: 10.10.1980

Hungary has enacted various legislative measures to implement the Convention and its Annexed Protocols.

Under national procedures criminal law regulations are the appropriate means for penalising and thereby (inherently) prohibiting acts by non-state actors deemed socially harmful, potentially dangerous for the community of people. In this connection the Hungarian Penal Code/Act C (2012) forbids non-State actors the commission of acts described in and prohibited under the above international treaties, by classifying them as punishable felonies.

According to Section 155 of the Hungarian Penal Code:

"(1) Any person who uses or orders the use of a weapon or instrument of warfare prohibited by international convention in a theater of military operations or in an occupied territory is guilty of a felony punishable by imprisonment for ten to twenty years or life imprisonment.

(2) Any person who engages in preparations for the criminal act referred to in Subsection (1) is punishable by sonishment between one to five years."
Any other relevant information, including the regulations and policies (other than national legislation) adopted to implement the CCW's obligations and ensure compliance with its Protocols:

According to Section 326 of the Penal Code, the abuse of weapons prohibited by international conventions is also be considered as a felony.
"(1) Any person who:
   a) develops, manufactures;
   b) obtains, uses or possesses, or decommissions without authorization;
   c) transfers to a person without proper authorization, imports or exports, or transports in transit through the territory of Hungary;
   weapons prohibited by international convention is guilty of a felony punishable by imprisonment between five to fifteen years.
(2) Any person who constructs or operates a facility for the production of weapons prohibited by international convention without authorization, or does so in derogation from the authorization, or converts an existing facility for the production of such weapons shall be punishable according to Subsection (1).
(3) Any person who:
   a) provides technical assistance for the development, manufacture, assembly, quality control, operation, maintenance or repair of weapons prohibited by international convention;
   b) misleads the body or person vested with authority for the authorization prescribed by law for the operation of a facility designed for the production of weapons prohibited by international convention;
   shall be punishable by imprisonment between five to ten years.
(4) The penalty shall be imprisonment between five to fifteen years if the criminal offense defined in Subsection (3) is committed:
   a) on a commercial scale;
   b) in criminal association with accomplices; or
   c) by a public official.
(5) The penalty shall be imprisonment between ten to twenty years or life imprisonment if:
   a) the criminal offense defined in Subsection (1) is committed on a commercial scale; or
   b) the criminal offenses defined in Subsections (1)-(2) are committed with accomplices or by an public official.
(6) Any person who engages in preparations for criminal offenses with weapons prohibited by international convention is punishable by imprisonment between one to five years.
(7) Any person who commits the criminal offense defined in Subsection (2) by way of negligence shall be punishable for misdemeanor by imprisonment not exceeding two years.

Hungary promulgated the Arms Trade Treaty/Act V (2014). The purpose of this Act is:
– To establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms;
– Prevent and eradicate the illicit trade in conventional arms and prevent their diversion;
for the purpose of:
– Contributing to international and regional peace, security and stability;
– Reducing human suffering;
– Promoting cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties.

The title of the Appendix to the Service Regulation of the Hungarian Defence Forces Ministerial Decree No. 24 of 2005. (VI. 30.) reads as follows: “The obligations of the soldiers in relation to obey the fundamental rules of warfare and of the international humanitarian law concerning the protection of the victims of war”. This Appendix contains a reference to the provisions of the Convention in general terms and gives details on the elements applicable to the rules of war.
FORM D: Technical cooperation and assistance

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(d) Measures taken on technical co-operation and assistance;”

High Contracting Party: Hungary

Reporting period: from 01/01/2014 to 31/12/2014

☐ additional information of measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance is contained in the National Annual Report provided in accordance with paragraph 4(c) of Article 13 of Amended Protocol II for the year:

☐ additional information on measures taken on international technical cooperation and assistance is contained in the National Report provided pursuant to paragraph 2 (b) of Article 10 of Protocol V for the year:

International technical co-operation, including relevant experiences in seeking or providing technical assistance and cooperation:

None during the time period of the report.

International technical assistance:

Any other relevant information:
FORM E:  Other relevant matters

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(e) Other relevant matters.”

High Contracting Party: Hungary

Reporting period: from 01/01/2014 to 31/12/2014

☐ additional relevant information is contained in the National Annual Report provided pursuant to paragraph 4(a) of Article 13 of Amended Protocol II for the year: 2014

☐ additional relevant information is contained in the National Report provided pursuant to paragraph 2(b) of Article 10 of Protocol V for the year: 2014

Other relevant matters: