



PERMANENT MISSION OF HUNGARY  
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The Permanent Mission of Hungary to the United Nations presents its compliments to the Office of Legal Affairs of the Secretariat of the United Nations and, with reference to latter's note No. LA/COD/59/1 of 31 December 2012, has the honour to transmit the comments of the Government of Hungary on "The scope and application of the principle of universal jurisdiction:

*"The principle of universal jurisdiction is defined in the provisions of Subparagraph c) of Paragraph (1) of Article 4 of the effective Act IV of 1978 on the Criminal Code (hereinafter: effective Criminal Code) and item ac) of Subparagraph a) of Paragraph (2) of Article 3 of Act C of 2012 on the Criminal Code (hereinafter: new Criminal Code) coming into effect on 1<sup>st</sup> July 2013, respectively.*

*Pursuant to Subparagraph c) of Paragraph (1) of Article 4 of the effective Criminal Code Hungarian law shall be applied to any act committed by non-Hungarian citizens in a foreign country, if it is a crime against humanity (Chapter XI) or any other crime that is to be prosecuted under an international treaty. In the cases specified in Paragraph (3) of Article 4 the indictment shall be ordered by the Prosecutor General.*

*Pursuant to item ac) of Subparagraph a) of Paragraph (2) of Article 3 of the new Criminal Code Hungarian law shall be applied to any act specified in Chapters XIII and XIV, respectively or to any other crime that is to be prosecuted under an international treaty. Chapter XIII of the new Criminal Code is on crimes against humanity, Chapter XIV is on war crimes. Pursuant to Paragraph (3) of Article 3 of the new Criminal Code the commencement of criminal proceedings shall be ordered by the Prosecutor General.*

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*Pursuant to the cited regulations of the effective and of the new Criminal Code, the specified crimes or any act to be pursued under an international treaty shall be prosecuted under Hungarian law, irrespective of the fact whether under the criminal law of the country of the place of perpetration it qualifies as an act of crime or not. The proceedings specified in both the effective and the new Criminal Code and instituted by the Hungarian authorities to prosecute the crime committed by non-Hungarian citizens in a foreign country are also further conditioned (by the decision made by the Prosecutor General), because the prosecution of crimes committed by a foreign citizen or a stateless person by the Hungarian authorities may affect the international relationships of Hungary. In every case it is to be examined if the conditions for conducting the criminal proceedings in Hungary are effectively satisfied."*

The Permanent Mission of Hungary to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs the assurances of its highest consideration.