

HUNGARY

Act XXXIX of 1996

on the fulfilment of obligations deriving from the Statute of the International Tribunal established for punishing the serious violations of international humanitarian law

committed in the territory of the former Yugoslavia

The Parliament creates the following Act on the fulfilment of obligations deriving from the Statute of the International Tribunal established by Resolution 827 (1993) of the United Nations Security Council for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal"):

Article 1

(1) Criminal proceedings being pursued in Hungary in consequence of criminal acts as established in Articles 2-5 of the Statute should be suspended at the request of the International Tribunal; in such a case proceedings cannot be instigated following the request.

(2) The suspended criminal proceedings can only be continued, or the proceedings can only be started if

(a) the International Tribunal has established that it has no jurisdiction

(b) the Prosecutor has not brought an indictment

(c) the indictment of the Prosecutor has been dismissed by the acting Trial Chamber of the International Tribunal.

(3) In Hungary no person shall be tried, and ongoing criminal proceedings including those suspended under paragraph (1) should be stopped if the International Tribunal has passed a final judgement against the same person, for the same act.

Article 2

(1) The requests of the International Tribunal are received and carried out by the Attorney General. In the course of this procedure the provisions of the Act on International Criminal Legal Assistance should be applied *mutatis mutandis*, unless the Statute of the International Tribunal indicates otherwise.

(2) The Attorney General will inform the International Tribunal on the fulfilment of the request or the obstacles to it.

Article 3

The Annex contains the original English text of the Statute and its official Hungarian translation.

Article 4

The expenses incurred in Hungary concerning the application of this Act shall be borne by the State.

Article 5

The present Act shall come into force on the 15th day of the month following its promulgation, however, its provisions should be applied for the fulfilment of the requests transmitted by the International Tribunal prior to the coming into force of the Act.

Árpád Gönez Dr. Mária Kórodi

President of the Republic Vice-President of the Parliament