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## Use of Weapons Prohibited by International Treaty

### Section 160/A<sup>1</sup>

(1) Any person who uses or orders the use of a weapon or instrument of war prohibited by international treaty in a theater of military operation or in an occupied territory against the enemy, civilians or prisoners of war commits a felony offense and shall be punishable with imprisonment between ten to fifteen years or life imprisonment.

(2) Any person who makes preparations for the use of a weapon prohibited by international treaty commits a felony offense and shall be punishable with imprisonment of up to five years.

(3) For the purposes of Subsections (1)-(2) the following shall be construed as weapons prohibited by international treaty:

a) asphyxiating, poisonous and other gases and bacteriological methods of warfare as set forth in the protocol signed at Geneva on 17 June 1925 on the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, as promulgated by Law-Decree 20 of 1955,

b) the following weapons listed in the protocols to the convention signed at Geneva on 15 October 1985 on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects, as promulgated by Law-Decree 2 of 1984:

1. weapons causing injury by fragments which cannot be detected by X-ray, as specified in Protocol I,

2. mines, remotely-delivered mines, anti-personnel mines, booby-traps and other devices specified in Points 1-5 of Article 2 of the Amended Protocol II, as promulgated by Act CXXXIII of 1997,

3. incendiary weapons specified in Point 1 of Article 1 of Protocol III,

4. blinding laser weapons specified in Article 1 of the Supplementary Protocol IV,

c) chemical weapons and chemical instruments of war specified in Points 1 and 7 of Article 2 of the convention signed at Paris on 13 January 1993 on Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, as promulgated by Act CIV of 1997,

d) anti-personnel mines specified in Point 1 of Article 2 of the convention signed at Oslo on 18 September 1997 on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, as promulgated by Act X of 1998.

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## **Violation of a Duty Based on International Law**

### **Section 261/A<sup>1</sup>**

(1) The person who violates an economic, commercial or financial prohibition pronounced on the basis of an international law obligation of the Republic of Hungary, if a separate Act orders the punishment of the violation of the prohibition, commits a felony, and shall be punishable with imprisonment of up to five years.

(2) The punishment shall be imprisonment from two years to eight years, if the violation of an international law duty is committed

a) with violence;

b) in the quality of an official person.

(3) The punishment shall be imprisonment from five years to ten years, if the violation of an international law duty is committed

a) in connection with the trade of fire arms, ammunition, explosives, blasting-agent or an apparatus serving for the utilization thereof, or of any product designed for military utilization;

b) in an armed manner.

(4) The person who perpetrates the preparation of the violation of an international law duty, shall be punishable for a felony with imprisonment of up to three years.

(5) The person who credibly learns that the violation of an international law duty is prepared and fails to report that to the authorities as soon as he can, commits a misdemeanour, and shall be punishable with imprisonment of up to two years.