



安全理事会

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安全理事会第 1540(2004) 号决议 所设委员会

2018 年 10 月 20 日匈牙利常驻联合国代表团给委员会主席的普通照会

匈牙利常驻联合国代表团向安全理事会第 1540(2004) 号决议所设委员会主席致意, 并谨随函转递匈牙利共和国关于第 1540(2004) 号决议执行情况的国家报告(见附件)。



2018 年 10 月 20 日匈牙利常驻联合国代表团给委员会主席的普通照会的附件

匈牙利关于安全理事会第 1540(2004) 号决议执行情况的报告

2004 年 4 月 28 日一致通过安全理事会第 1540(2004) 号决议是一个历史性事件，这是安理会为消除大规模毁灭性武器及其运载工具扩散，特别是非国家行为者进行扩散对国际和平与安全构成的威胁而通过的第一份决议。安理会第 1977(2011) 号决议将安全理事会第 1540(2004) 号决议所设委员会的任务期限延长了 10 年，至 2021 年 4 月 25 日。

匈牙利已经采取了一系列立法和行政措施，确保遵守第 1540(2004) 号决议，并不断审查我国的政策，以确定可能需要采取的进一步行动。我们充分支持委员会确保在全球执行该决议的工作，包括酌情向他人提供援助或咨询。

单独提交的欧洲联盟的报告涵盖了欧洲联盟和欧洲共同体与第 1540(2004) 号决议有关的权限和活动，应结合本报告阅读。

立法行动

匈牙利制定了广泛的立法措施，防止大规模毁灭性武器的扩散和使用，包括非国家行为者的扩散和使用。这一立法框架的核心内容如下：

匈牙利放弃以战争作为解决国家间争端的手段，并避免使用武力和威胁使用武力来侵犯其他国家的独立或领土完整。匈牙利的法律制度接受公认的国际法原则，并使我国国内法与根据国际法承担的义务相协调。普遍接受的国际法原则，如第 1540(2004) 号决议规定的原则，是匈牙利法律的一个组成部分，无需正式纳入。鉴于上述情况，将对相关的国内法条例加以解释，以确保这些原则得到有效实施。

相关国际条约通过各种法案和法令纳入匈牙利法律，并向公民提供，还提供了指定负责执行这些条约的主管当局的手段。在使我国国内法与根据不扩散大规模毁灭性武器国际条约承担的义务相协调的过程中，对匈牙利《刑法》(2012 年 C 号法令)作了相应修正。根据国家程序，刑法的各项条款构成适当的处罚手段，从而(隐含地)禁止被认为对社会有害或对社区有潜在危险的非国家行为者的行为。

执行行动和执法工作

根据第 2016/1999 号政府令设立的部际不扩散委员会负责按照匈牙利在不扩散条约、制度和各种国际倡议中作出的承诺采取行动。除其他职能外，委员会讨论了与不扩散有关的问题并发布了意见，并为各个部委的工作重点提供了指导。不扩散委员会负责审查和协调匈牙利国际不扩散承诺的执行和实际落实情况。根据第 171/2010 号政府令，该委员会于 2010 年被终止。目前，就相同/类似问题成立新的委员会的谈判正在进行中。

匈牙利贸易许可证办公室于 2017 年 1 月 1 日与首都布达佩斯政府办公室合并。法定继承组织是首都布达佩斯政府办公室的贸易、国防工业、出口管制和贵金属分析局(www.mkeh.gov.hu)。该部门在财政部的监督下运作,直到 2018 年 5 月 21 日,此后隶属于创新与技术部。与其前身一样,该局是《关于禁止发展、生产、储存和使用化学武器及销毁此种武器的公约》的国家管理机关,还负责《关于禁止发展、生产和储存细菌(生物)及毒素武器和销毁此种武器的公约》的国家执行工作。

贸易、国防工业、出口管制和贵金属分析局也是指定的对外贸易许可证颁发机构,在该机构的主持下,两个单独的单位为常规军事装备和技术的贸易以及两用物品、软件和技术,包括过境和经纪活动颁发许可证。这两个单位都负责执行联合国、欧洲联盟和欧洲安全与合作组织实行的禁运和国际贸易限制措施。(关于指定首都布达佩斯政府办公室为某些工商事务的主管部门,以及区域计量和技术安全主管部门的第 365/2016 号政府令;关于两用货物对外贸易许可证的第 13/2011 号政府令、关于确立国防相关活动许可证和企业认证详细规则的第 156/2017 号政府令)。

匈牙利原子能管理局(www.haea.gov.hu)承担与和平、安全 and 有保障地使用原子能有关的监管任务,特别是核设施、放射性废物储存库的核安全和安保、发射电离辐射的设备的安全和安保、防止核武器扩散的活动、核应急管理和相关的公共信息活动。(1996 年关于原子能的第 CXVI 号法令;第 112/2011 号政府令,内容涉及原子能管理局与其国际义务,包括对欧洲联盟的义务相关的活动范围、其权力和惩罚权限、其共有权力责任以及协助原子能管理局活动的科学委员会,原子能协调理事会的活动。该法令规制授权制度、运营者的责任、检查和执行活动。)

国家税务和海关管理局(<https://nav.gov.hu>)负责防止无证货物的进出口、调查犯罪并采取适当行动(2010 年第 CXXII 号法令)。国家安全局在发现和防止非法贩运国际管制产品和技术方面发挥着关键作用(1995 年第 CXXV 号法令)。

在欧洲联盟

匈牙利以欧洲联盟成员国的身份,完全支持题为“在一个更美好的世界中建立一个安全的欧洲”的《欧洲安全战略》(欧洲理事会 2003 年 12 月 12 日通过),以及题为“共同愿景、共同行动:建设一个更强大的欧洲”的《欧洲联盟外交和安全政策全球战略(2016 年 10 月通过)》,其宗旨是加强对欧洲联盟及其公民的保护,帮助各国政府共同建设军事能力,并制定更好的危机应对措施。

国际文书

匈牙利是《不扩散核武器条约》、《化学武器公约》和《生物武器公约》等有关国际条约的缔约方。匈牙利签署并批准了《全面禁止核试验条约》和《制止核恐怖主义行为国际公约》(2005 年 4 月 13 日在纽约签署并于 2007 年批准)。匈牙利自 1957 年以来一直是国际原子能机构(原子能机构)的成员国,并缔结了原子能机构保障监督协定及其附加议定书。匈牙利批准了《核材料实物保护公约》以及将其更名为《核材料和核设施实物保护公约》的 2005 年修正案。

匈牙利是下列出口管制制度的参与国：导弹技术控制制度、核供应国集团、桑戈委员会、澳大利亚集团、《关于常规武器和两用物品及技术出口控制的瓦森纳安排》和《防止弹道导弹扩散海牙行为准则》。匈牙利曾主持 2008 年担任海牙行为准则全体会议、2009 年担任核供应国集团会议、2013 年生物武器公约缔约国年度会议和 2016 年生物武器公约缔约国第八次审议大会。

匈牙利全力支持不扩散安全倡议的目标，并参加了在该框架内组织的实际工作。该倡议旨在帮助防止国家和非国家行为者贩运大规模毁灭性武器和相关材料。2003 年 9 月 4 日在巴黎商定的该倡议的《拦截原则声明》表明，所有行动都将符合国家立法和国际法律框架。2007 年，匈牙利加入了俄罗斯联邦和美利坚合众国发起的打击核恐怖主义全球倡议。匈牙利参加了不扩散安全倡议的高级别政治会议，包括最近于 2018 年 5 月在巴黎举行的会议，并赞同该会议通过的所有四项联合声明。匈牙利还支持不扩散安全倡议伙伴 2018 年 1 月支持安全理事会第 2375 (2017) 号和第 2397 (2017) 号决议的联合声明。

向其他国家提供的技术援助

匈牙利认识到，一些国家可能需要援助，以在其领土内执行第 1540 (2004) 号决议的规定。在这方面，匈牙利愿意酌情向缺乏履行决议规定所需的法律和监管基础设施、执行经验的国家提供援助。贸易、国防工业、出口管制和贵金属分析局的专家通过欧洲联盟和美国的各种外联任务和援助方案，协助其他国家发展法律框架和行政能力。

2005 年至 2007 年，在澳大利亚集团出口管制制度的框架内，匈牙利与保加利亚一起，为西巴尔干的五个国家提供了关于各自国家出口管制制度的立法背景和政治运作能力建设方面的培训和援助。

匈牙利自豪地主办了 2007 年 10 月 21 日至 11 月 2 日在索尔诺克和塔博尔法尔瓦为签署国专家举办的全面禁止核试验条约组织现场视察高级培训班。

2010 至 2017 年，在国家税务和海关管理局的协调下，美国能源部组织了多次核、化学、生物和两用物品商品识别培训。培训班为海关官员检查和识别为用于恐怖主义行为而研究、开发和生产的材料和产品提供了有用的背景知识。

匈牙利是原子能机构国际核安全培训和支助网络中心的成员。匈牙利为其他国家提供了核安全援助。

对第 1540 (2004) 号决议所载具体问题的评论

在第 1 段中，安全理事会：

决定各国应不向企图开发、获取、制造、拥有、运输、转移或使用核生化武器及其运载工具的非国家行为者提供任何形式的支持；

匈牙利政府完全奉行这项原则，不向企图开发、获取、制造、拥有、运输、转让或使用国际条约禁止的武器的非国家行为者提供任何形式的支持。匈牙利刑

法惩处，从而(隐含地)禁止上述行为。实施这种行为的人，包括教唆犯和共犯，将受到严惩。此外，出口管制框架和机构设置确保这项原则得到遵守。

在第 2 段中，安全理事会：

又决定各国应按照本国程序，通过和实施适当、有效的法律，禁止任何非国家行为者，尤其是为恐怖主义目的而制造、获取、拥有、开发、运输、转移或使用核生化武器及其运载工具，以及禁止企图从事上述任何活动、作为共犯参与这些活动、协助或资助这些活动的图谋；

采取的行动：

通过颁布关于《不扩散核武器条约》的第 12/1970 号法令、关于《生物武器公约》的第 11/1975 号法令和关于《化学武器公约》的 1997 年第 CIV 号法令，将上述国际条约纳入了匈牙利法律。

自上次报告提交以来，匈牙利《刑法》几经修改，其结构已完全改变。

此外，根据欧洲议会和理事会 2008 年 11 月 19 日关于通过刑法保护环境的第 2008/99/EC 号指令，通过 2010 年的一项修正案，将“处置”作为《刑法》中新的罪行列入关于滥用放射性物质的第 250 项第(1)分项。

应该指出的是，在 2013 年 7 月 1 日生效的新的《刑法》中，一些修正案与第 1540(2004)号决议所载义务的履行相关。最重要的修正案包括：

(1) 使用国际公约禁止的武器(第 155 项)被列入关于战争罪的第十四章。犯罪要件没有改变，但是刑罚提高到 10 至 20 年监禁。

(2) 滥用有毒物质(第 188 项)载于关于威胁健康罪的第十七章，这是一项附属罪行，意味着只有在没有实施更严重的罪行时才能认定。非法使用有毒物质是一种新罪行，刑罚为监禁。

(3) 违反废物管理条例(第 248 项)、滥用放射性物质(第 250 项)、非法操作核设施(第 251 项)、涉及核能的罪行(第 252 项)被列入关于危害环境和自然的罪行的第二十三章。犯罪要件没有改变，但刑罚提高到一至五年监禁。法律明确了危险放射性物质的定义。

(4) 恐怖主义行为(第 314 至 316 项)、不举报恐怖主义行为(第 317 项)、资助恐怖主义(第 318 项)和关于“恐怖主义团体”的定义的条款(第 319 项)载于关于危害公共安全罪的第三十章。

(5) 涉及国际公约禁止的武器(第 326 项)、违反国际经济限制措施的行为(第 327 项)、不举报违反国际经济限制措施的行为(第 328 项)、滥用军用物品和服务(第 329 项)和滥用两用物品和技术(第 330 项)被列入关于违反基于国际义务实行的经济条例的罪行的第三十一章。

以非法手段使武器失效是一种与国际公约禁止的武器犯罪(第 326 项)有关的新的罪行。分销这种武器也是一种新的罪行，而不是交易行为。该法增加了三

种新的加重处罚情节，即如果犯罪行为是作为商业活动的一部分与人共谋或由官方人员实施，可处 10 至 20 年监禁。进行犯罪准备可处 1 至 5 年监禁。

关于违反国际经济限制措施的行为(第 327 项)，刑罚提高到一至五年监禁。有两种新的加重处罚情节，即如果犯罪行为是作为商业活动的一部分实施，或者与 2005 年 6 月 27 日欧洲理事会关于可用于死刑、酷刑或其他残忍、不人道或有辱人格的待遇或处罚的某些货物的贸易的第 1236/2005 号条例附件二所列货物的贸易有关。

滥用军用物品和服务(第 329 项)和滥用两用物品和技术(第 330 项)列在单独的条款中。国内分销是一种新列罪行，第 329 条提高了进行犯罪准备的刑罚。对滥用军用物品和服务的处罚改为一至五年监禁。有两种新的加重处罚情节，即如果所实施的犯罪涉及《化学武器公约》关于化学品的附件 B 部分所列的化学物质和滥用两用物品。

(6) 违反流行病控制条例(第 361 项)载于关于违反行政程序罪的第三十四章。刑罚为监禁。

为打击资助大规模毁灭性武器扩散行为，作为执行欧洲联盟法律的一部分，通过了关于执行欧洲联盟和安全理事会实行的金融和资产限制措施的 2017 年第 LII 号令。

国家税务和海关管理局下属的匈牙利金融情报股是执行欧洲联盟内部通过的金融限制措施的主管机构。受 2017 年第 LII 号令约束的个人或组织以及负责财产登记的部门有义务向匈牙利金融情报股报告数据、事实和情况，表明受金融限制措施约束的个人或组织在匈牙利境内拥有金融限制措施涵盖的资产或经济资源。

此外，匈牙利原子能管理局为用于核技术的两用物品的匈牙利出口商、进口商和分销商组织了一次会议，以使他们熟悉匈牙利对原子能机构保障监督的支持方案，并鼓励他们参与其中。自 2011 年以来，匈牙利一直参与旨在收集和分析核贸易相关信息的方案。

在第 3 段中，安全理事会：

还决定各国应采取和实施有效措施，建立国内管制，以防止核生化武器及其运载工具的扩散，包括对相关材料建立适当管制，并为此目的应：

(a) 制定和保持适当、有效的措施，对生产、使用、储存或运输中的这种物项进行衡算和保安；

采取的行动

颁布关于《不扩散核武器条约》的第 12/1970 号法令、关于《生物武器公约》的第 11/1975 号法令和关于《化学武器公约》的 1997 年第一百零四号法案，将所引述国际条约纳入匈牙利法律。为执行这些法令，匈牙利通过了关于执行《关于禁止发展、生产、储存和使用化学武器及销毁此种武器的公约》规定义务和监督

组织的第 212/1998 号政府令，以及关于执行《生物武器公约》规定义务和监督组织的第 21/2013 号政府令。就《公约》而言，匈牙利提交了关于化学品的年度强制性报告和关于生物制剂和毒剂的建立信任和安全措施年度自愿报告。

1996 年关于原子能的第一百一十六号法案宣布了一条基本原则，即匈牙利应通过国际合作促进原子能的和平安全利用(法案第 3 条)。该法案规定了一个含有保障监督措施的全面控制制度，并建立了相关的体制框架。还应注意第 112/2011 号政府令，涉及匈牙利原子能管理局与其国际义务、职权和惩罚权有关的活动范围，其共享职权的职责以及协助管理局活动的科学委员会的活动。在国家层面，管理局与技术支持机构合作，对所有与核相关的材料进行核查。(后一法令经第 112/2011(VII.4.)号法令修正。)]

自 1999 年以来，原子能机构检查员定期核查国家记录。

1972 年 3 月 30 日，与原子能机构签署了与《不扩散核武器条约》有关的《保障监督协定》(由第 9/1972 号法令颁布)。1998 年，双方签署了《协定》附加议定书(由 1999 年第九十号法案颁布)，该议定书为长期项目、研究和开发以及与核燃料循环、核场址和其他设施有关的制造和进出口活动建立了国家记录系统和数据控制制度。匈牙利暂停了这份议定书，缔结了欧洲原子能共同体-原子能机构-匈牙利政府三边保障协定和附加议定书，由 2006 年第八十二号法案颁布。

自 2004 年 5 月 1 日以来，匈牙利一直是《建立欧洲原子能共同体条约》的缔约方，该条约第 7 章述及核保障监督问题。这些保障措施由欧洲联盟委员会执行，该委员会根据《条约》的授权，核实民用核材料不被转用于非申报用途。比利时、丹麦、德国、爱尔兰、意大利、卢森堡、荷兰、欧洲原子能共同体和原子能机构执行《不扩散核武器条约》第三条第 1 和第 4 款的协定及其附加议定书由 2006 年第八十二号法案颁布。

在核安全领域，相关立法包括司法部颁布的关于核材料衡算和控制系统的第 7/2007 号政府令，关于监管核物资和核两用品对外贸易的第 144/2011 号政府令，关于原子能各种应用的实物保护要求以及相应许可、报告和检查制度的第 190/2011 号政府令，国家发展部颁布的关于放射性材料衡算和控制规则以及相应数据规定的第 11/2010 号政府令，关于失踪、被发现和被没收核物质和其他放射性物质的通知和干预措施，以及关于在通知核物质和放射性物质之后所应采取其他措施的第 490/2015 号政府令。

2000 年关于化学品安全的第二十五号法案规定了登记(衡算)、安全储存、安全运输、安全包装危险物质和制剂方面的义务。贸易、国防工业、出口管制和贵金属鉴定部作为《化学武器公约》的国家主管机构，登记、控制和许可与化学剂和化学物质有关的转让(关于执行《化学武器公约》规定义务和监督组织的第 212/1998 号政府令)。

人力能力部颁布的保护工人免受与生物制剂有关风险的第 61/1999 号政府令，该法令除其他外，作出了登记、强制医疗监督和控制方面的规定，并针对接触生物制剂的工业和实验室设施/流程出台了适当的保护措施。

《刑法典》相关规定包括关于滥用有毒物质的第 188 条、关于违反废物管理规定的第 248 条，以及关于违反流行病和控制规定的第 361 条；

欧洲联盟法规包括关于应用欧洲原子能共同体保障监督措施的欧盟委员会 2005 年 2 月 8 日第 302/2005 号条例；关于协调统一危险物质分类、包装和标签有关条例和行政规定的欧盟理事会 1967 年 6 月 27 日第 67/548/EEC 号指令；关于保护工人健康安全不受化学制剂危险影响的 1998 年 4 月 7 日欧盟理事会第 98/24/EC 号指令；关于保护工人不受生物制剂危险影响的欧洲议会和欧盟理事会 2000 年 9 月 18 日第 2000/54/EC 号指令；关于协调统一成员国危险品运输法律的欧盟理事会 1994 年 11 月 21 日第 94/55/EC 号指令以及关于内陆危险品运输的欧洲议会和欧盟理事会 2008 年 9 月 24 日第 2008/68/EC 号指令；

纳入匈牙利法律的其他国际协定的例子包括《生物多样性公约卡塔赫纳生物安全议定书》(2004 年第一百零九号法案)；《关于在国际贸易中对某些危险化学品和农药采用事先知情同意程序的鹿特丹公约》(第 266/2004 号政府令)；欧洲关于公路、铁路和内陆水路危险品运输的协定 (第 19/1979 号法令，这些欧洲协定的各附件已被纳入匈牙利法律，如第 177/2017 号政府令(内陆水运)、第 178/2017 号政府令(公路运输)和第 179/2017 号政府令(铁路运输))。

1971 年建立了核材料衡算制度的法律框架。自 1972 年以来，国家核材料衡算制度一直符合原子能机构的要求。原子能机构《保障监督协定》的实施受关于衡算和控制核材料制度的司法部 7/2007 号政府令监管。

自 2004 年匈牙利加入欧洲联盟以来，地方一级的衡算制度受关于应用保障措施的 2005 年 2 月 8 日欧洲原子能共同体第 302/2005 号条例监管。在加入欧盟后，匈牙利还继续维持其核材料的国家衡算制度该制度由匈牙利原子能管理局运营维护。

匈牙利根据原子能机构保障监督协定附加议定书所作的申明载有数据，说明与核燃料循环有关的十年计划、研发、制造和核出口进口活动以及场址上的所有建筑物。

原子能机构检查员对匈牙利核材料国家衡算工作进行国际核查，直到匈牙利 2004 年加入欧洲联盟。之后，欧洲原子能共同体检查员也参与进来。

核材料衡算是促进核安保的一项关键要素。匈牙利认识到这一点的重要性，一贯强调需要有运作良好的核材料国家衡算和控制系统。除遵守国际保障监督义务外，匈牙利的制度还包括一份国家集中登记册，登记所有超过豁免水平的放射性材料和废物。此外，核材料所有人或被许可人的所有详细行政资料均予以登记。在匈牙利，核控系统由匈牙利原子能管理局实施，它与国际组织并行或独立进行核查。

2011 年，匈牙利开始对其核设施进行全面保障监督核查。核查的目的是审查设施的保障监督制度是否遵守现行有关法律文书。主要工具包括审查设施的所有

保障措施相关程序，评价程序是否保证各级保障监督制度的可持续性，评估是否取得改进，主要重点是评估管理部门是否履行保障监督义务。

匈牙利启动了一项旨在加强国际原子能机构保障监督制度的支持方案。在这一方案的框架内，开发了若干工具，用于核查核材料是否含有裂变成分，或者是否不存在核材料。

在全球减少威胁倡议方案的框架下，受美国能源部协助，匈牙利原子能管理局提高了匈牙利境内 30 多个 I 类或 II 类放射源的实体安保。匈牙利原子能管理局(欧洲核安保监管机构协会成员)积极参与国际实物保护咨询服务，向其访问团提供专家。

匈牙利认同，妥善处理用于核武器的裂变材料问题，可以为加强国际和区域安全作出重要贡献。匈牙利明确优先重视立即开始并早日完成《禁止生产用于核武器或其他核爆炸装置裂变材料条约》(《裂变材料禁产条约》)裁军谈判会议的谈判。

计划采取的行动

进一步加强核设施的核安全与核安保文化。

在第 3 段中，安全理事会：

还决定各国应采取和实施有效措施，建立国内管制，以防止核生化武器及其运载工具的扩散，包括对相关材料建立适当管制，并为此目的应：

.....

(b) 制定和保持适当、有效的实物保护措施；

采取的行动

匈牙利通过颁布第 8/1987 号法令推行《核材料实物保护公约》，并于 2008 年 12 月 4 日通过 2008 年第六十二条法案批准了 2005 年公约修正案。

自 2008 年以来，匈牙利根据原子能机构新的《原子能机构核保安丛书》改革了其核设施、核材料和其他放射性材料实物保护的法律和监管框架。1996 年关于原子能的第一百一十六号法案于 2011 年经过修正，涵盖了关于核安全和实物保护的基本规定。匈牙利还通过了关于原子能各类应用实物保护要求的第 190/2011 号政府令和相应的许可、报告和检查制度。2013 年，在国际实物保护咨询服务处主持下，原子能机构专家全面修订了核安保方面的监管制度。2017 年，匈牙利邀请国际实物保护咨询服务处进行后续访问，以便评价对国际实物保护咨询服务处初次访问最后报告中各项建议的履行情况。

除《核材料和核设施实物保护公约》规定外，放射材料和不含放射材料但发射电离辐射的设备(如 X 光机、加速器)也在匈牙利国家法律框架的覆盖范围内。

匈牙利负责设立法律和体制框架，应对超过设计基准威胁规定水平的行动。匈牙利原子能管理局负责界定设计基准威胁，国家警察总部、宪法保护办公室和

军队国家安全办公室以及反恐中心参与其中。管理局和国家警察总部负责发放实物保护计划的许可，并检查其实施情况。许可证持有者负责实施实物保护计划所说明的系统。

根据国家条例，放射源和废物的持有者以及无放射源产生电离辐射的设备的使用者应遵守规定的要求，这些要求考虑到实物保护的基本原则(即深度保护、平衡保护、部件失效最小后果)。所需的实物保护水平(即 A、B、C、D)与核材料和其他放射性材料的类别有关。这些材料按《核材料实物保护公约》和《放射源安全和保安行为准则》分类。核设施的被许可人应根据与设施有关的具体设计基准威胁(基于表现的要求)，提供适当保护，还应遵守上述原则。

处罚和禁止与实物保护有关行为的条文包括以下各项，见《刑法典》2012 年 C 法案相关节选：

- 关于滥用放射性物质的第 250 条：(1) 任何人未经适当授权，生产、获取、拥有、分发、加工或以其他方式使用危害健康或环境的放射性物质或制剂，或将其转让给未经授权的人，即犯有重罪，可判处五年以下监禁。(2) 任何人违反法律义务，生产、储存、运输或处置放射性物质，应依据第(1)款受到处罚。
- 关于非法运营核设施的第 251 条：(1) 任何人未经法律规定授权，或在不符授权规定的情况下经营核设施，即犯有重罪，可判处 5 年以下监禁。(2) 第(1)款所规定罪行的从犯，应处以 2 至 8 年监禁。
- 关于与核能有关罪行的第 252 条：(1) 任何人为获得法律规定的使用核能授权而误导拥有决策权的机构或个人，即犯有重罪，可判处五年以下监禁。(2) 凡不履行法律规定的与应用核能有关的通知义务者，应处以三年以下监禁。
- 国家立法包括关于核设施核安全要求和匈牙利原子能管理局核安全监管事项程序的第 118/2011 号政府令；关于监测灾难和修订有关法案的 2011 年第一百二十八号法案；关于遏制涉及危险物质事故后果的第 219/2011 号政府令。

匈牙利科学院作为研究机构的主管部门，推出了涉及与《生物武器公约》有关多种活动的规则和条例。通过了生物安全总则，随后在各种情况下根据各个机构的具体条件和要求加以修改。已采取特别措施，确保研究机构得到实物保护，防止有人未经许可进入实验室和从实验室取出致病物质或有毒物质。这些物项的运输、存储和销毁也得到仔细监督。通过相关程序规则和不断培训实验室工作人员，确保生物安全和安保。研究机构必须制订妥善的应变计划，以便能够有效地应对紧急情况。科学院还设有一个负责核安保问题的系。

关于微生物或其他生物制剂和毒素实物保护的国家规则和条例是以世界卫生组织(世卫组织)和美国疾病控制和预防中心制定的规范为基础的。根据 1997 年关于管理和保护健康相关数据和有关个人数据的第四十七号法案，针对生物病原

体和毒素引起的传染病案件(例如疾控中心规定的甲类传染病或生物恐怖主义制剂和炭疽或鼠疫等疾病)规定了报告义务。第 385/2016 号政府令规定了政府办公室和地方(地区)办公室的职责和任务,并指定了公共卫生主管部门。

作为国防部发起的生物安全方案的一部分,在 1999 年建立了一个可快速部署的 3 级生物安全军队实验室(流动生物实验室成套设施)。实验室能够对生物恐怖主义制剂进行侦察和识别。它的主要任务是提供安全条件,以进行样本处理、有效样本制备及清洁样本操作。在约两小时十五分钟内实验室即可开始运作。

在国防部的监管下,匈牙利国防军医疗中心的任务是在实地环境发现并识别潜在的生物恐怖或生物战剂,生物安全等级最高可达 3 级。

国家安全实验室(安全实验室)成立于 2006 年,它是国家公共卫生中心的组成部分,目的是参与保护申根地区边界。它运行 3 级和 4 级生物安全实验室,针对的是对公共健康而言很重要的 3 级和 4 级病原体风险和生物恐怖主义,所采用的是广谱分子方法和经典微生物学方法。相关法律规定,国家安全实验室是匈牙利独一无二的对高风险病毒和细菌进行甄别的机构,世卫组织则作为基准实验室提供支持。匈牙利的大部分基准实验室归国家公共卫生中心领导。安全实验室的甄别能力通过欧洲联盟和国际能力测试不断受到检验,实验室工作人员也经常参加国际研讨会和培训。安全实验室也是秘书长调查涉嫌使用化学武器和生物武器的机制网络的一部分。

匈牙利生物技术协会是由匈牙利若干人类生物技术公司所建立,目的是促进匈牙利生物技术部门的发展和利益。该协会严厉谴责任何形式的可能有助于大规模毁灭性生物和毒素武器发展或扩散的研究和开发。

规定了相关义务的国际条约包括:《生物多样性公约卡塔赫纳生物安全议定书》(2004 年第 CIX 号法令);1994 年 9 月 20 日在维也纳签订的《核安全公约》(1997 年第 I 号法令);1980 年 3 月 3 日在维也纳和纽约签订的《核材料实物保护公约》(第 8/1987 号法律命令)及其 2005 年修正案(2008 年第 LXII 号法令)。

在第 3 段中,安全理事会:

还决定各国应采取和实施有效措施,建立国内管制,以防止核生化武器及其运载工具的扩散,包括对相关材料建立适当管制,并为此目的应:

.....

(c) 制定和保持适当、有效的边境管制和执法努力,以便按照本国法律授权和立法,并遵循国际法,包括必要时通过国际合作,查明、阻止、防止和打击这种物项的非法贩运和中间商交易。

国家课税与海关总局的 2010 年第 CXXII 号法令、《联盟海关法》和关于在匈牙利执行《联盟海关法》的 2017 年第 CLII 号法令使主管机构和官员能够行使必要的行政权力,有效侦察、截获和没收违禁物项。

贸易、国防工业、出口管制和贵金属检测局对匈牙利生产商、出口商和学术机构进行遵守规则视察(关于两用物品外贸许可证制度的第 13/2011 号政府令)。第 364/2016 号政府令责令首都布达佩斯市政府办公室对不遵守既定规章的情况施以行政罚款。匈牙利国家安全局在侦察和防止国际出口管制制度管制清单所列物项和技术的非法贩运方面发挥关键作用(1995 年第 CXXV 号法令)。

《刑法典》第 329 和 330 条对违反有关转让军事装备与服务、两用物品和技术之规章的情况作了惩处规定。

此外，匈牙利原子能管理局积极参加事故与非法贩运数据库方面的活动。管理局支持开发该数据库的一个网络版，这样可确保能够实时使用数据库。

根据在 2011 年修订的 1996 年第 CXVI 号法令，核安全要素包括：

- (1) 防止未经许可处置核材料和其他放射性材料，未经许可使用放射性材料、以核材料或其他放射性材料施行破坏、恶意行为和损害环境；
- (2) 根据界定的威胁程度提供实物保护，防止未经许可处置、使用、储存或运输核材料和其他放射性材料，并防止破坏活动；
- (3) 侦察用核材料和其他放射性材料犯下的恶意行为、损害环境以及滥用放射性材料行为；
- (4) 实行紧急和全面措施，以查明失踪或被盗核材料或其他放射性材料的下落，并酌情重新加以管控；
- (5) 减轻或尽量减少以核材料或其他放射性材料施行破坏、恶意行为和损害环境行为造成的后果。

在第 3 段中，安全理事会：

还决定各国应采取和实施有效措施，建立国内管制，以防止核生化武器及其运载工具的扩散，包括对相关材料建立适当管制，并为此目的应：

.....

(d) 对这些物项的出口和转口建立、制定、审查和保持适当、有效的国家管制，包括适当的法律和条例，以管制其出口、过境、转口和再出口，管制为这种出口和转口提供资金和服务，例如有助于扩散的融资和运输，以及建立最终用户管制；并对违反这种出口管制法律和条例的行为制订和实施适当的刑事或民事惩罚。

立法包括关于两用物品外贸许可证制度的第 13/2011 号政府令；关于核和核两用物品外贸规定的第 144/2011 号政府令；关于指定首都布达佩斯市政府办公室为负责某些工业和商业事项的主管当局以及关于指定区域计量和技术安全主管当局的第 365/2016 号政府令。

贸易、国防工业、出口管制和贵金属检测局是匈牙利负责发放进出口许可证的主管当局，在它之下有两个股负责颁发常规军事装备和技术两用产品交易、

包括转运和中介活动的许可证。该局的出口管制股负责两用产品出口和进口的许可证(第 13/2011 号政府令)。

根据第 144/2011 号政府令，匈牙利原子能管理局是特许证的发放机构。核材料和核相关两用物品的出口、进口和转运均须得到许可并作登记。

相关的欧洲联盟举措包括：理事会 2009 年 5 月第 428/2009 号(欧共体)条例(设立了关于两用物品出口、转让、中介和过境管制的共同体制度)；欧洲议会和理事会 2013 年 10 月 9 日第 952/2013 号(欧盟)条例(制定了《联盟海关法》)；题为“共同愿景，共同行动：一个更强大的欧洲”的《欧洲联盟外交与安全政策全球战略》(2016 年 10 月通过)。

《刑法典》第 329 和 330 条对违反有关转让军事装备与服务、两用产品和技术之规章的情况作了惩处规定。

计划采取的行动

通过所参与的政府机构更好的协调，加强现行法律的执行。

在第 5 段中，安全理事会：

决定对本决议所规定任何义务的解释均不得抵触或改变《不扩散核武器条约》、《化学武器公约》和《生物及毒素武器公约》缔约国的权利和义务，或者改变国际原子能机构或禁止化学武器组织的责任。

匈牙利是下列条约的缔约国：《不扩散核武器条约》；《化学武器公约》；《生物武器公约》。

匈牙利签署了原子能机构《保障监督协定》及其附加议定书。

匈牙利是原子能机构和禁止化学武器组织(禁化武组织)的成员。

2011-2013 年，匈牙利是原子能机构理事会成员。

在第 6 段中，安全理事会：

确认有效的国家管制清单对执行本决议的作用，呼吁所有会员国必要时尽早拟订此种清单。

匈牙利采用直接适用并具有约束力的欧洲联盟管制清单(理事会第 428/2009 号条例，附件一)，该清单统一了匈牙利和其他欧洲联盟成员国参加的多边出口管制制度所采用的若干管制清单。

在第 7 段中，安全理事会：

确认有些国家为在其境内执行本决议的规定可能需要援助，请有此能力的国家根据那些缺乏执行上述规定所需的法律和管制基础结构、执行经验和(或)资源的国家提出的具体请求酌情提供协助。

匈牙利认识到有些国家为在其境内执行本决议的规定可能需要援助。匈牙利愿意分享其在制定和维持对核、生物、化学材料以及两用物品和技术进行有效管制的经验。

在第 8 段中，安全理事会：

吁请所有国家：

(a) 促进普遍批准、全面执行以及必要时加强旨在防止核生化武器扩散的其为缔约方的各项多边条约。

为此，匈牙利参与实施相关的欧洲联盟共同立场和联合行动，促进各国普遍加入和全面遵守主要多边不扩散文书(包括《化学武器公约》、《生物武器公约》和《不扩散核武器条约》)。

2011 年，匈牙利作为合作伙伴，在欧洲联盟资助下，由匈牙利原子能管理局及其技术支持组织为埃及国家核安全和辐射控制中心的专家们举办了一个核保障监督讲习班。制定了一个关于为发展和加强埃及原子能管理局及其国家核安全和辐射控制中心的能力的初步合作措施提供协助的项目，该项目也是由欧洲联盟资助。匈牙利向埃及提供援助，以帮助其改进核材料衡算活动并制定国家管制保障监督制度。遵守原子能机构保障协定附加议定书的重要意义也得到强调。

在第 8 段中，安全理事会：

吁请所有国家：

.....

(b) 如果尚未颁布国家规章和条例，则应颁布这种规章和条例，以确保遵守主要的多边不扩散条约所规定的义务。

已采取的行动

采取的行动包括：根据匈牙利刑法(212 C 法令)处罚并从而(默示)禁止非国家行为体违反有关国际条约的行为；关于匈牙利批准并随后颁布《不扩散核武器条约》的第 12/1970 号法律命令；关于批准并随后颁布《化学武器公约》的 1997 年第 CIV 号法令；关于批准并随后颁布《生物武器公约》的第 11/1975 号法律命令；

其他例子包括：关于原子能的 1996 年第 CXVI 号法令；关于颁布匈牙利与原子能机构签署的适用有关《不扩散核武器条约》保障监督的协定的第 9/1972 号法律命令；关于缔结一份适用该协定的附加议定书(于 1998 年签署)的 1999 年第 XC 号法令；关于两用物品外贸许可证制度的第 13/2011 号政府令；关于核和核两用物品外贸规定的第 144/2011 号政府令；颁布欧洲原子能共同体-原子能机构-匈牙利三边保障协定和议定书以及关于执行《不扩散核武器条约》第三条第 1 和第 4 款的协定和附加议定书的 2006 年第 LXXXII 号法令。

在第 8 段中，安全理事会：

吁请所有国家：

.....

(c) 重申和履行进行多边合作的承诺，尤其是在国际原子能机构、禁止化学武器和生物武器公约组织的框架内，这是谋求和实现不扩散领域内共同目标和促进为和平目的开展国际合作的重要途径。

已采取的行动

匈牙利作为缔约国和理事会成员，继续全力支持原子能机构的目标和活动。匈牙利启动了一项支助方案，旨在加强原子能机构保障监督制度。作为缔约国和特定时期的执行理事会成员(例如 2001-2003 年、2011-2013 年)，它继续全力支持禁化武组织的目标和活动。匈牙利还全面致力于加强《生物武器公约》并积极参与了制定旨在促进关于推动该公约核查进程谈判的后续进程。匈牙利是第七次《生物武器公约》缔约国审查会议副主席并主持了第八次审查会议。匈牙利长期以来在大会第一委员会提交关于《生物武器公约》的决议草案。匈牙利担任 2008 年《海牙行为守则》全体会议主席和 2009 年核供应国集团会议主席。

在第 8 段中，安全理事会：

吁请所有国家：

.....

(d) 拟订适当的方式同产业界和公众一道努力，并周知它们本国根据此种法律承担的义务。

已采取的行动

采取的行动包括：通过政府和产业委员会以及举办提高认识讨论会和讲习班，与产业界建立密切的工作关系。政府向产业界和学术界提供咨询和帮助，使之了解如何履行国家的国际条约义务给它们带来的义务。通过政府网站、出版物和传单定期传播信息。匈牙利参与实施欧洲联盟防止大规模毁灭性武器扩散的战略。

此外，匈牙利原子能管理局和贸易、国防工业、出口管制和贵金属检测局都与主要核出口和进口许可证持有者和其他利益攸关方，如大学和研究实验室，保持经常的接触。

在第 9 段中，安全理事会：

吁请所有国家促进关于不扩散的对话与合作，以应对核生化武器及其运载工具的扩散所构成的威胁；

匈牙利在一系列论坛继续促进关于不扩散的对话与合作，以应对核生化武器及其运载工具的扩散所构成的威胁；

在第 10 段中，安全理事会：

吁请所有国家按照本国法律授权和立法，并遵循国际法，采取合作行动，防止非法贩运核生化武器及其运载工具和相关材料；

已采取的行动

匈牙利与其他国家及其相关机构保持经常和直接的接触，并与它们合作，以实现安全理事会第 1540(2004)号决议规定的目标。在 2012 年首尔核安全峰会上，匈牙利表示愿意同原子能机构协作，提供关于核设施以及核材料和其他放射性材料实物保护的实践培训课程，以此作为一份“宅礼”。

2014 年匈牙利积极参与了世界海关组织管理和推出的战略贸易管制项目。Cosmo 行动侧重于加强战略物资(两用物品和常规武器)国际贸易管制、促进跨国界海关国际对话以及提供途径以就各种挑战、主要结论和最佳做法开展讨论。

匈牙利政府执行安全理事会第 1540(2004)号决议的更多资料见本文件所附的汇总表(见附文)。

* 附文只以来件所用语文分发，未经正式编辑。

Enclosure

Approved 1540 Committee matrix of Hungary

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions [1540 \(2004\)](#), [1673 \(2006\)](#), [1810 \(2008\)](#) and [1977 \(2011\)](#). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

			State:	Hungary
			Date	(date)
<i>Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.</i>	<i>YES</i>	<i>If YES, relevant information (i.e. signing, accession, ratification, etc)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>	
1 Nuclear Non-Proliferation Treaty (NPT)	X	Deposit: 27 May 1969		
2 Nuclear Weapons Free Zone/Protocol(s)				
3 Convention for the Suppression of Acts of Nuclear Terrorism	X	Signature: 14 Sep 2005		
4 Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit: 04 May 1984		
5 2005 Amendment to the CPPNM	X	Ratification: 04 Dec 2008		
6 Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit: 13 July 1999		
7 Chemical Weapons Convention (CWC)	X	Deposit: 31 October 1996		
8 Biological Weapons Convention (BWC)	X	Deposit: 27 December 1972		
9 Geneva Protocol of 1925	X	Deposit: 11 October 1952		
10 Other Conventions/Treaties	X	1. EURATOM Treaty 2. More 12 UN Conventions and Protocols on Terrorism 3. Global Initiative to combat Nuclear Terrorism 4. Amendment to the Convention of the Physical Protection of Nuclear Material 5. State party to 14 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004) : a. International Convention for the Suppression of Terrorist Bombings (13 November 2001) b. International Convention for the Suppression of the Financing of Terrorism (14 October 2002)		

<i>Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.</i>		<i>YES</i>	<i>If YES, relevant information (i.e. signing, accession, ratification, etc)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>
11	International Atomic Energy Agency (IAEA)	X	Since 8 August 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribe: 25 November 2002	
13	Other Arrangements	X	1. NSG since 1978 2. MTCR since 1993 3. ZC 1974 4. AG since 1992 5. WA since 12 December 1995 6. Proliferation Security Initiative 31 May 2003 7. Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	Is a party to the NPT, CWC, BWC as a non-possessor State	
15	General statement on commitment to disarmament and non-proliferation	X	National Security Strategy EU Strategy for Preventing the Proliferation of WMD	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any form of support to non-State actors	
17	Other ¹	X	1. Outer Space, deposit: 26 June 1967 2. Sea-Bed Treaty, deposit: 18 November 1975 3. Open skies, deposit: 24 March 1992 4. Organisation for Security and Cooperation in Europe (OSCE) 5. European Union (EU) 6. Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) 7. INTERPOL	

<i>Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.</i>	<i>YES</i>	<i>If YES, relevant information (i.e. signing, accession, ratification, etc)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>
		8. World Customs Organization (WCO), and signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards)	

¹ Including, as appropriate, information with regard to membership in relevant international, regional or subregional organizations.

OP 2 — Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

					State:		Hungary			
					Date		(date)			
Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				
		YES			If YES, source document of national implementation law	YES			If YES, source document	Remarks
		NW	CW	BW		NW	CW	BW		
1	manufacture/ produce	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3); Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 11/1975 on BWC (This order to be followed for fields below)	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison) (This order to be followed for fields below)	
2	acquire	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3); Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?				National legal framework				Enforcement: civil/criminal penalties and others				Remarks
YES				YES								
NW	CW	BW	If YES, source document of national implementation law	NW	CW	BW	If YES, source document					
							NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)					
							CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)					
3	possess	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3); Law-Decree 12/1970 on NPT	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention,) Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services)			
					CW: Act CIV of 1997 on CWC							
					BW: Law-Decree 11/1975 on BWC							
									NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance)			
									CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)			
4	stockpile/store	X	X	X	NW: Law-Decree 12/1970 on NPT				NW, CW, BW: Penal Code (Act C of 2012), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism)			
					CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC							
					BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC				NW: Penal Code Section 250 (Misuse of Radioactive Substance), Section 326 (Crimes with Weapons Prohibited by International Convention)			

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
5	develop	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
6	transport	X			NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC, Law-Decree 12/1970 on NPT CPPNM	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
7	transfer	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
8	use	X	X	X	NW: Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services) NW: Penal Code Section 252 (Crimes in connection with nuclear energy), Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
9	participate as an accomplice in above-mentioned activities	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 12-14 (Perpetrator is a person who realizes the legal facts of a crime. Coprincipals are the persons who jointly realize the legal facts of an	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework						Enforcement: civil/criminal penalties and others						Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document					
		NW	CW	BW		NW	CW	BW						
					intentional crime, in awareness of each other's activities. Abettor is a person who intentionally persuades another person to perpetrate a crime. Accessory is who intentionally grants assistance for perpetration of a crime. The item of punishment established for the perpetrators shall also be applied for accomplices.)				(Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism) NW: Section 250 (Misuse of Radioactive Substance) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)					
10	assist in above-mentioned activities	X	X	X	NW: Fundamental Law of Hungary, Article Q (2), (3) NW, CW, BW: Penal Code (Act C of 2012) Section 12-14 (Perpetrator is a person who realizes the legal facts of a crime. Coprincipals are the persons who jointly realize the legal facts of an intentional crime, in awareness of each other's activities. Abettor is a person who intentionally persuades another person to perpetrate a crime. Accessory is who intentionally grants assistance for perpetration of a crime. The item of punishment established for the perpetrators shall also be applied for accomplices.) CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions) Penal Code Section 329 (Criminal Misuse of Military Items and Services). CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)					

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES				
		NW	CW	BW		NW	CW	BW	If YES, source document	
11	finance above-mentioned activities	X	X	X	NW, CW, BW: Act LII of 2017 on the implementation of financial and asset restraint measures imposed by the European Union and the UN Security Council NW: Law-Decree 12/1970 on NPT	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism)	
12	above-mentioned activities related to means of delivery ²	X	X	X	NW: Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Fundamental Law of Hungary, Article Q (2), (3), Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	
13	involvement of non-State actors in above-mentioned activities	X	X	X	NW: Law-Decree 12/1970 on NPT CW: Fundamental Law of Hungary, Article Q (2), (3), Act CIV of 1997 on CWC BW: Law-Decree 11/1975 on BWC	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention) Section 327 (Violation of International Economic Restrictions), Section 314–315 (Act of Terrorism), Section 318 (Financing Terrorism), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual Use Items) CW, BW: Penal Code (Act C of 2012) Section 188 (Misuse of Poison)	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework					Enforcement: civil/criminal penalties and others					Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document			
		NW	CW	BW		NW	CW	BW				
14	Other		X	X	CW: Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision BW: Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision NW, CW, BW: Government Decree 13/2011 on the licensing of foreign trade in dual-use goods, Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings, Act CIX of 2005 on the licensing of the production of military goods and of military service provision		X	X	CW, BW: administrative, financial penalty: Government Office of the Capital City Budapest as authority			

² Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) — Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

		State:				Hungary					
		Date				(date)					
Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others					
		YES				YES					
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	Remarks	
1	Measures to account for production	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) 3.) Ministerial decree 11/2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material CW: 1. Act XXV of 2000 on Chemical Safety	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations), Section 189 (Misuse of noxious articles), 2. Government Decree 212/1998. (XII. 24.) on the "Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical		

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
				2. Act CXXVII. of 2011 on prevention of catastrophes				Weapons and on their Destruction and the Order of Supervision	
				3. Government Decree 212/1998. (XII. 24.) on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision				BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project	
				BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC), Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data and coordinate public health services surveillance network				1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations)	
				2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents				2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases	
				3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and designation of the public health authority				3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites	
								4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision (This order to be followed for fields below)	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
2	Measures to account for use	X	X	X	<p>4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision</p> <p>(This order to be followed for fields below)</p> <p>NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§</p> <p>2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement)</p> <p>3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions</p> <p>4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material</p>	X	X	X	<p>NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance),</p> <p>Section 251 (Illegal Operation of Nuclear Facilities),</p> <p>Section 252 (Crimes in Connection with Nuclear Energy)</p> <p>2. Act CXVI of 1996 on Atomic Energy</p> <p>3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement)</p> <p>CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations), Section 189 (Misuse of noxious articles)</p>	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
				<p>CW: 1. Act XXV of 2000 on Chemical Safety</p> <p>2. Act CXXVII. of 2011 on prevention of catastrophes</p> <p>3. Government Decree 212/1998. (XII. 24.) on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision”</p> <p>BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC), Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data and coordinate public health services surveillance network</p> <p>2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents</p> <p>3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and</p>				<p>2. Government Decree 212/1998. (XII. 24.) on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision”</p> <p>BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project</p> <p>1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control Regulations)</p> <p>2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases</p> <p>3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites</p> <p>4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision</p>	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
					designation of the public health authority					
					4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision					
3	Measures to account for storage	X	X	X	NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§ 2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA’s activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) 3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy) 2. Act CXVI of 1996 on Atomic Energy 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA’s activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement) CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison), Section 248 (Violation of Waste Management Regulations), Section 361 (Violation of Epidemic Control	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
				4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material CW: 1. Act XXV of 2000 on Chemical Safety 2. Act CXXVII. of 2011 on prevention of catastrophes 3. Government Decree 212/1998. (XII. 24.) on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision” BW: 1. Regulation (EC) 851/2004 of the European Parliament and the Council of 21 April 2004 on establishing the European Center for Disease Prevention and Control (ECDC), Article 3 defines the mission to include identification and assessment of emerging threats, including the collection of relevant data and coordinate public health services surveillance network 2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories,				Regulations) Section 189 (Misuse of noxious articles) 2. Government Decree 212/1998. (XII. 24.) on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision” BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) 2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases 3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites 4. Government Decree 21/2013 on the Implementation Declaration Obligations	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks	
		YES			If YES, source document	YES			If YES, source document		
		NW	CW	BW		NW	CW	BW			
4	Measures to account for transport	X	X	X	venues and processes dealing with biological agents					Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision	
					3. Government Decree 385/2016 on the duties and tasks of the government offices and local (district) offices and designation of the public health authority						
					4. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision						
					NW: 1.) Act CXVI of 1996 on Atomic Energy, Section 16§	X	X	X	NW: 1. Penal Code Section 250 (Misuse of Radioactive Substance), Section 251 (Illegal Operation of Nuclear Facilities), Section 252 (Crimes in Connection with Nuclear Energy)		
					2.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing an authorization system, responsibilities of the operator, inspection and enforcement)				2. Act CXVI of 1996 on Atomic Energy		
					3.) Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of				3.) Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity (Regulation for establishing		

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					transport, telecommunication and energy on the rules of accountancy for and control of radioactive materials, and on the corresponding data provisions 4.) Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material CW, BW: Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008 5.) Governmental Decree 34/2009. promulgated the provisions of Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel				an authorization system, responsibilities of the operator, inspection and enforcement) CW, BW: Party to ADR and RID agreements	
5	Other measures for accounting	X		X	NW: 1. Council Directives 2003/122/EURATOM 2. Directive 96/29/EURATOM BW: 1. Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision	X			BW: Government Decree 21/2013 on the Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision	
6	Measures to secure production	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
				<p>2. <i>Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection</i></p> <p><i>CW: 1. Act XXV of 2000 on Chemical Safety</i></p> <p>2. <i>Act CXXVII. of 2011 on prevention of catastrophes</i></p> <p><i>BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents</i></p> <p>2. <i>Act CXXVII. of 2011 on prevention of catastrophes</i></p>				<p>Section 252 (Misuse of the application of nuclear energy)</p> <p>2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act.</p> <p><i>CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles)</i></p> <p><i>BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project</i></p> <p>1. <i>Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations)</i></p> <p>2. <i>The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases</i></p> <p>3. <i>The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites</i></p>	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES			If YES, source document	YES			If YES, source document	
	NW	CW	BW		NW	CW	BW		
7 Measures to secure use	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32 2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection CW: 1. Act XXV of 2000 on Chemical Safety 2. Act CXXVII. of 2011 on prevention of catastrophes BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents 2. Act CXXVIII of 2011 on prevention of catastrophes	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and Section 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act. CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles) BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) 2. The public health authority monitors and evaluates the state of public health and epidemiology of communicable and non-communicable diseases 3. The Hungarian Academy of Science has introduced rules and regulations to ensure the	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
8	Measures to secure storage	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy, Section 17 and Sections 30–32 2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection CW: 1. Act XXV of 2000 on Chemical Safety 2. Act CXXVII. of 2011 on prevention of catastrophes BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents 2. Act CXXVIII of 2011 on prevention of catastrophes	X	X	X	1. Penal Code, Sections 250 (Misuse of radioactive substances), Section 251 (Misuse of the operation of nuclear facilities) and Section 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act. CW: 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) Section 189 (Misuse of noxious articles) BW: The ECDC has established a biorisk export group project in addition to coordinating “laboratory biosafety and biosecurity efforts across Europe” as part of its Microbiology Cooperation — Biosafety mission and project 1. Penal Code (Act C of 2012) Section 188 (Misuse of Poison) Section 248 (Violation of Waste Management Regulations) Section 361 (Violation of Epidemic Control Regulations) 2. The public health authority monitors and evaluates the state of public health and	physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
9	Measures to secure transport	X	X	X	NW: 1. Council Directives 94/55/EEC and 96/49/EEC 2. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection NW, CW, BW: Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008 CW, BW: 1. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents 2. Act CXXXVIII of 2011 on prevention of catastrophes	X	X	X	epidemiology of communicable and non-communicable diseases 3. The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites NW: 1. Penal Code, Sections 250 (Misuse of radioactive substances) NW, CW, BW: Party to ADR and RID, IATA agreements	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					CW: Regulation (EC) 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures					
10	Other measures for securing		X		CW: Government Decree 18/2006 on the containing of the fallout from accidents involving dangerous substances BW: Act XIVII of 1997 on the management and protection of health relevant data and personal data			X	BW: Army Mobile Biological Laboratory Complex biosafety level 3 laboratory National Safety Laboratory: public health laboratory dealing with risk group 2/3/4 pathogens of public health importance and bioterrorism.	
11	Regulations for physical protection of facilities/materials/transport	X	X	X	NW: 1. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection 2. Government Decree 118/2011 on the nuclear safety requirements for nuclear facilities CW: Government Decree 219/2011 on the containing of the fallout from accidents involving dangerous substances BW: 1. Directive (EC) 68/2008 of the European Parliament and the Council of 24 September 2008 2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for	X		X	NW: 1. Penal Code, Section 251 (Misuse of the operation of nuclear facilities) 2. Act CXVI of 1996 on atomic energy, Section 50. It will not be qualified as nuclear damage, and the licensee shall be liable for it in accordance with the Civil Code, if the damage a) was caused to the condition of the nuclear facility or to any property on the site of that facility, which is used or intended to be used in connection with that facility; b) was caused to the means of transport upon which the given nuclear material was placed at the time of the nuclear accident. BW: The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents 3. Act CXXVIII of 2011 on prevention of catastrophes				removal of pathogenic or toxic material from laboratory sites	
12	Licensing/ registration of installations/ facilities/ persons/entities/ use/handling of materials	X	X	X	NW: 1. Council Directive 2006/117/Euratom of 20 November 2006 on the supervision and control of shipments of radioactive waste and spent fuel 2. Act CXVI of 1996 on atomic energy, Section 17, and Sections 30–32 3. Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA’s activity 4. Ministerial decree 7/2007. (III. 6.) IRM on the rules of accountancy for and control of nuclear material 5. Ministerial decree 11 /2010. (III.4.) KHEM issued by the Minister of transport, telecommunication and energy on the rules of accountancy for and	X		X	NW: 1. Penal Code, Sections 250 (Misuse of radioactive substances), 251 (Misuse of the operation of nuclear facilities) and 252 (Misuse of the application of nuclear energy) 2. Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act BW: The Hungarian Academy of Science has introduced rules and regulations to ensure the physical protection of the research institutes and to prevent unauthorized access and removal of pathogenic or toxic material from laboratory sites	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties and others				Remarks
	YES				YES				
	NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
				control of radioactive materials, and on the corresponding data provisions					
				CW: Government Decree 212/1998 on the “Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision”					
				BW: 1. Directive (EC) 2000/54 of the European Parliament and the Council of 18 September 2000					
				2. Decree 61/1999 issued by the Ministry of Health on the protection of workers from the risks related to biological agents contains provisions for registry, obligatory medical supervision and control, appropriate protective measures for industry and laboratories, venues and processes dealing with biological agents					
				3. Government Decree 21/2013 on Implementation Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and the Order of Supervision					

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
13	Reliability check of personnel	X			NW: Act CXVI of 1996 on atomic energy, Section 10. (1) Users of atomic energy are responsible for the safe application of atomic energy and compliance with safety requirements. (2) The licensee — in its scope of activity — is obliged to provide the technical, technological, financial and personnel conditions required for the safe use of atomic energy and for maintaining and developing safety)	X			NW: Act CXVI of 1996 on atomic energy, Section 48. (1) The licensee of a nuclear facility shall be liable for all nuclear damage defined pursuant to this Act	
14	Measures to account for/secure/physically protect means of delivery	X	X		NW: Act CXVI of 1996 on atomic energy Sections 30–32 CW: Act CIV of 1997 on CWC					

³ Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument)).

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials (NW specific)

State: **Hungary**
Date: (date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
1	National regulatory authority	X	NW: Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity	X	NW: Hungarian Atomic Energy Authority Government Decree 112/2011. (VII. 4.) on the scope of activities of the Hungarian Atomic Energy Authority in connection with its international obligations including the European Union, its authority and penalizing rights, the assignments of its co-authorities and on the Scientific Committee assisting the HAEA's activity	
2	IAEA safeguards agreements	X	NW: 1. Safeguards Agreement in force 30 March 1972 2. Additional Protocol in force 04 April 2000 (Act XC of 1999) 3. The application of safeguards in Hungary under the bilateral NPT safeguards agreement INFCIRC/174, INFCIRC/174 Add.1. were suspended on 1 July 2007, on which date the agreement of 5 April 1973 between the non-nuclear-weapon States of EURATOM, EURATOM and the Agency (INFCIRC/193), to which Hungary had acceded, entered into force for Hungary.	X	NW: 1. Safeguards Agreement Accession 1 July 2007 — INFCIRC/193/Add.15 2. Additional Protocol Accession — 1 July 2007 INFCIRC/193/Add.16	
3	IAEA Code of Conduct on the Safety and Security of Radioactive Sources	X	NW: Notification pursuant to GC(47)/RES/7.B		NW: Point of Contact for Import and Export — Hungarian Atomic Energy Authority (HAEA)	

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		NW: Notification pursuant to GC(48)/RES/10.D		NW: Point of Contact for Import and Export — Hungarian Atomic Energy Authority	
5	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	NW: IAEA information system on illicit trafficking and other unauthorized activities involving nuclear and radioactive materials	X	NW: State participating in the program, Point of Contact — Hungarian Atomic Energy Authority (HAEA)	
6	Other Agreements related to IAEA	X	NW: 1. Act LXXVI of 2001 promulgating joint convention on the safety of spent fuel management and on the safety of radioactive waste management 2. INFCIRC/254/Rev.9/Part 1* November 7, 2007 Nuclear Export Guidelines			
7	Additional national legislation/regulations related to nuclear materials including CPPNM	X	NW: 1. Act I of 1997 promulgating the Convention on Nuclear Safety opened for signature in Vienna on September 20, 1994 2. Act LXXIV of 1999 on the organizational framework and supervision of catastrophe prevention and containment of the fallout from serious accidents involving dangerous substances 3. Government Decree n. 2 of 2001 on the containment of the fallout from serious accidents involving dangerous substances			

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	If YES, source document	YES	If YES, source document	
		4. Government Decree 190/2011. (IX. 19.) on physical protection requirements for various applications of atomic energy and the corresponding system of licensing, reporting and inspection			
8 Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials (CW specific)

		State:		Hungary		
		Date		(date)		
Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		
		YES	If YES, source document	YES	If YES, source document	Remarks
1	National CWC authority	X	1. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities 2. Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision	X	Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision	X	1. Act CIV of 1997 on CWC 2. Government Decree 212/1998 on the Implementation of Declaration Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision	
3	Account for, secure or physically protect “old chemical weapons”					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials (BW specific)

State: **Hungary**
Date: (date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
1	Regulations for genetic engineering work	X	1. Council Directive 90/219/EEC 2. Act 27 of 1998 on biotechnology activity	X	1. <i>Penal Code (Act C of 2012) Section 168 (Intervention into Human genome)</i> 2. The Hungarian Biotechnology Association condemns any form of research and development, which could potentially contribute to the development or proliferation of biological and toxin weapons of mass destruction.	
2	Other legislation/ regulations related to safety and security of biological materials	X	Council Directive 89/2016/EC Council Directive 89/391/EC			
3	Other					

Paragraph 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear weapons, chemical weapons and biological weapons, including related materials

State: Hungary

Hungary

Date

(date)

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
1	Border control	X	X	X	NW, CW, BW: 1. Union Customs Code 2. Act CXXII of 2010 on the National Tax and Customs Administration 3. Government Decree 13 /2011 on the licensing of foreign trade in dual-use goods (transit) 4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings (This order to be followed for fields below)	X	X	X	NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions) 2. Act CXXII of 2010 on the National Tax and Customs Administration (This order to be followed for fields below)	
2	Technical support of border control measures				Union Code					
3	Control of brokering, trading in, negotiating, otherwise	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer,	X	X	X	NW, CW, BW: Government Decree 13/2011 on the licensing of foreign trade in dual-use goods CW: Government Decree 212/1998 on the Implementation of Declaration	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
	assisting in sale of goods and technology				brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings				Obligations Arising from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and the Order of Supervision	
4	Enforcement agencies/ authorities	X	X	X	NW, CW, BW: 1. Act CXXII of 2010 on the National Tax and Customs Administration 2. Act CXXV of 1995 on national security services	X	X	X	NW, CW, BW: 1. National Tax and Customs Administration 2. National security services	
5	Export control legislation in place	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as	X	X	X	NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 330 (Criminal Misuse of Dual-Use Items and Technology), Section 329 (Criminal Misuse of Military Items and Services) 2. Act CXXII of 2010 on the National Tax and Customs Administration 3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 4. Government Decree 156/2017 on detailed rules of licensing defence-	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities				related activity and certification of undertakings	
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
					NW: 1. Act CXVI of 1996 on Atomic Energy					
					2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods					
6	Licensing provisions	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Act CXXII of 2010 on the National Tax and Customs Administration	
					3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional				3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	
									4. Government Decree 156/2017 on detailed rules of licensing defence-	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					metrology and technical safety authorities				related activity and certification of undertakings	
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
					5. Act CIX of 2005 on the licensing of the production and provision of military technology products and services					
					NW: 1. Act CXVI of 1996 on Atomic Energy					
					2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods					
7	Individual licensing	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Act CXXII of 2010 on the National Tax and Customs Administration	
					3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as				3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities				4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
					NW: 1. Act CXVI of 1996 on Atomic Energy					
					2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods					
8	General licensing	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW, CW, BW: 1. Penal Code (Act C of 2012) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 327 (Violation of International Economic Restrictions), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Act CXXII of 2010 on the National Tax and Customs Administration	
					3. Government 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial				3. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	
									4. Government Decree 156/2017 on detailed rules of licensing defence-	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					matters, and on the regional metrology and technical safety authorities				related activity and certification of undertakings	
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
					NW: 1. Act CXVI of 1996 on Atomic Energy					
					2. Government Decree 144/2011 on the regulation of foreign trade in nuclear and nuclear dual-use goods					
9	Exceptions from licensing	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items)	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items)	
					NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items				NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					3. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities					
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
10	Licensing of deemed export/ visa	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) NW, CW, BW: 1. Council Joint Action 401/2000 of 22 June 2000 on the control of technical assistance related to certain military end-uses 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					activity and certification of undertakings					
11	National licensing authority	X	X	X	NW: Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items (Import and export controls of nuclear material and items) NW, CW, BW: 1. Government Decree 365/2016 on the designation of the Government Office of the Capital City Budapest as authority acting in certain industrial and commercial matters, and on the regional metrology and technical safety authorities 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	X	X	X	NW: Hungarian Atomic Energy Authority CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
12	Interagency review for licenses		X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer,		X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
					brokering and transit of dual-use items				exports, transfer, brokering and transit of dual-use items	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	
					3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings				3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
					NW: Act CXVI of 1996 on Atomic Energy					
13	Control lists	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items		X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	
					2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings				2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
14	Updating of lists		X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items		X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	
									2. Directive 2009/43/EC of the European Parliament and of the Council of the European Union simplifying	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					2. Directive 2009/43/EC of the European Parliament and of the Council of the European Union simplifying terms and conditions of transfers of defence-related products within the Community				terms and conditions of transfers of defence-related products within the Community 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
15	Inclusion of technologies	X	X	X	NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
16	Inclusion of means of delivery	X	X	X	NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention)	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					control of exports, transfer, brokering and transit of dual-use items					
					2. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
17	End-user controls	X	X	X	NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 329 (Criminal Misuse of Military Items and Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
18	Catch all clause	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention)	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
					control of exports, transfer, brokering and transit of dual-use items				Section 326 (Crimes with Weapons Prohibited by International Convention)	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods					
19	Intangible transfers	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention) Section 326 (Crimes with Weapons Prohibited by International Convention), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods					
20	Transit control	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods				2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	
					3. Government Decree 156/2017 on detailed rules of licensing defence-related				3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
21	Trans-shipment control	X	X	X	activity and certification of undertakings NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Union Customs Code 4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	X	X	X	4. Act CXXII of 2010 on the National Tax and Customs Administration NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods 3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings 4. Union Customs Code 5. Act CXXII of 2010 on the National Tax and Customs Administration	
22	Re-export control	X	X	X	NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of	X	X	X	NW: 1. Government decree 144/2011. (VII. 27.) on the regulation of international transfer of nuclear and nuclear dual use items NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items 2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods	

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					foreign trade in dual-use goods				3. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings	
					3. Union Customs Code				4. Union Customs Code	
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings				5. Act CXXII of 2010 on the National Tax and Customs Administration	
23	Control of providing funds								1. Regulation 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community	
									2. Act XLVIII. of 2007 on the implementation of Regulation 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community	
									3. Act CXXII of 2010 on the National Tax and Customs Administration	
24	Control of providing transport services									
25	Control of importation	X	X	X	NW: 1. Act CXVI of 1996 on atomic energy (licensing of nuclear exports and imports prior to undertaking of such activities)	X	X	X	NW, CW, BW:	
					2. Government decree 144/2011. (VII. 27.) on the regulation of international				1. Penal Code (Act C of 2012) Section 155 (Use of Weapons Prohibited by International Convention), Section 326 (Crimes with Weapons Prohibited by International Convention), Section 329 (Criminal Misuse of Military Items and	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW	If YES, source document	NW	CW	BW	If YES, source document	
					transfer of nuclear and nuclear dual use items				Services), Section 330 (Criminal Misuse of Dual-Use Items and Technology)	
					NW, CW, BW: 1. Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items				2. Act CXXII of 2010 on the National Tax and Customs Administration	
					2. Government Decree 13/2011 on the licensing of foreign trade in dual-use goods					
					4. Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings					
26	Extraterritorial applicability	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 3–4 (Territorial and Personal Effect)	X	X	X	NW, CW, BW: Penal Code (Act C of 2012) Section 3–4 (Territorial and Personal Effect)	
27	Other									

OP 6, 7 and 8 (d) — Control lists, Assistance, Information
**State:
Date**
**Hungary
(date)**
Can information be provided on the following issues? Yes
Remarks

1	Control lists — items (goods/equipment/materials/ technologies)	X	<i>Council Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for control of exports, transfer, brokering and transit of dual-use items</i> <i>Government Decree 156/2017 on detailed rules of licensing defence-related activity and certification of undertakings</i>
2	Control lists — other	X	Use of Catch-all, no list
3	Assistance offered	X	Legal, Licensing, safeguards, security expertise
4	Assistance requested		
5	Point of Contact for assistance	X	Ministry of Foreign Trade and Affairs, Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency
6	Assistance in place (bilateral/multilateral)		
7	Work with and inform industry	X	Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency
8	Work with and inform the public	X	Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency
9	Point of Contact	X	Ministry of Foreign Trade and Affairs, Government Office of the Capital City Budapest, Hungarian Atomic Energy Agency
10	Other ⁴		

⁴ Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.