

HUNGARY

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RULES/GENERAL LAWS

General	1. Act CXIII of 2011 on the home defence and on the Hungarian Defence Forces, and on the measures to implement in special legal orders (Defence Act).
	2. Act CCV of 2012 on the status of the military personnel (Status Act).
	3. Act C of 2012 on the Criminal Code.
	4. Act XIX of 1998 on the Criminal Procedure.
SEA: military offence?	There is no specific military legislation dealing with sexual exploitation and abuse, the national (civilian) Criminal Code is applicable to all matters relating to sexual exploitation and abuse.
Powers of the Commanding Officer (CO)	The Commanding Officer has disciplinary powers under the Status Act.

INVESTIGATION

Who can investigate?	1. The Commanding Officer is authorised to investigate disciplinary offences.
	2. The Chief of General Staff is authorised to investigate offences relating to unworthiness cases.
	3. Military prosecutor for criminal offences.
National Investigation Officer (NIO)	National Investigation Officers are deployed under the subordination of the Commanding Officer. Their activities are directed by the Commanding Officer, or by the military prosecutor, if necessary.

PROSECUTION

Referral	Referral depends on the nature of the offence. In disciplinary cases, the national investigation officers report to the Commanding Officer. In criminal cases, the Commanding Officer is authorized to refer the case to the Military Prosecutor's Office. The Military Prosecutor's Office investigates independently.
Who can charge?	Military prosecutors are authorised to bring criminal charges against military personnel.

JUSTICE

Military justice	Hungary military justice system operates within the civil justice system, in a special organisational framework. As a result the military councils operate within the civil criminal courts, and the military prosecutors operate within the civilian prosecutors system under the direction of the head of civilian prosecutor's office.
Deployable Court Martial?	Hungary does not have a deployable court martial system in peacetime, only in cases of declared special legal order (e.g.state of emergency law).

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