

## 18. Hungary

Statement made in the Sixth Committee, Sixty-seventh session (2012), 20th meeting, 2 November 2012:<sup>37</sup>

*[Reference to the practice of the European Union:]*

[D]uring the last decade the number of international treaties containing provisional application clauses has substantially increased. This also applies to Hungary which as a member of the European Union has become a party to numerous multilateral international treaties which were concluded between the EU, its member states and third countries. These treaties would usually enter into force after all parties have ratified them. This would normally require twenty-nine ratifications, but to reduce the time before the full application, these treaties in almost every case include a provisional application clause.

Statement made in the Sixth Committee, Sixty-eighth session (2013), 18th meeting, 29 October 2013:<sup>38</sup>

In Hungary the relevant domestic law, namely Act 50 of 2005 on the conclusion of international treaties, contains detailed rules on the provisional application of international treaties. According to these rules the provisional application has to be decided by the same entity which is authorised to give Hungary's consent to be bound by a treaty. In Hungary only the Parliament and the Government has the power to express this consent. The Parliament gives its authorisation in the form of an act and the Government in the form of a government decree. In these very same laws, if necessary, the Parliament or the Government can decide on the provisional application of the treaty as well.

In case the termination of such a provisional application is necessary it is done in the same manner, namely in the respective act or decree. Since the respective laws in which the Parliament or Government agrees to the provisional application of a treaty also contain the text of the international treaty, in the Hungarian legal system the provisional application of a treaty has the same effect as the entry into force of the said treaty, and therefore Hungary has to comply with the articles of the provisionally applied treaty.

---

<sup>37</sup> Full text available at: <https://www.un.org/en/ga/sixth/67/pdfs/statements/ilc/hungary.pdf>.

<sup>38</sup> Full text available at: <https://www.un.org/en/ga/sixth/68/pdfs/statements/ilc/hungary.pdf>.