

I. ALGERIA¹

1. SUMMARY OF ALGERIAN LEGISLATION ON TERRORISM

The Algerian Government has promulgated a new law to strengthen efforts to combat terrorism. Accordingly, the Penal Code and the Code of Penal Procedure have been amended to meet the requirements of public safety in Algeria.

Article 87 bis of the Penal Code, which concerns the characterization of acts of terrorism, defines as terrorist or subversive all acts intended:

- To spread fear throughout the population and to create a climate of insecurity by causing individuals mental anguish or physical injury, or by endangering their lives, freedom, safety or property;
- To impede traffic or freedom of movement on roads or to occupy public places by mob action;
- To attack symbols of the nation and of the Republic or to desecrate cemeteries;
- To interfere with the communications media, the transport system or public and private property, to take possession of them or to occupy them unlawfully;
- To harm the environment or to introduce in the atmosphere, on land, under ground or in the water, including the territorial waters of the ocean, any substance that might endanger the health of persons or animals or the natural environment;
- To interfere with the actions of public authorities, freedom of religion or civil liberties, or with the operations of establishments that serve the public;
- To interfere with the operations of public institutions or to attack the lives or property of their agents, or to hinder the enforcement of laws and regulations.

The purpose of these provisions is to define and characterize terrorist acts in an appropriate manner in order to prevent them from being carried out, and to stipulate the penalties and sanctions which those convicted of committing such acts could expect to incur. To this end, the Algerian legislature has judged it necessary and advisable to impose stiffer penalties, which shall henceforth correspond to the gravity of the terrorist acts committed. Heavy deterrent penalties are envisaged for any Algerian national who agitates for or enrolls abroad in a

¹ Transmitted to the Secretariat by that Government on 12 September 1995.

terrorist or subversive association, group or organization, whatever its structure or designation, even if its operations are not directed against Algeria. Penalties are also envisaged for any person involved in the manufacture, purchase, sale and importation of weapons and explosives intended for use in terrorist acts.

II. AUSTRALIA²

1. CRIMES (INTERNATIONALLY PROTECTED PERSONS) ACT 1976³

An Act relating to the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents

Short title

1. This Act may be cited as the Crimes (Internationally Protected Persons) Act 1976.

Commencement

2. (1) Subject to subsection (2), this Act shall come into operation on the day on which it receives the Royal Assent.

(2) Section 11 shall come into operation on a date to be fixed by Proclamation, being a date not earlier than the date on which the Convention enters into force for Australia.

Interpretation

3. (1) In this Act, unless the contrary intention appears:

"Australia" includes:

- (a) all the Territories; and

² Transmitted to the Secretariat by that Government on 1 September 1999. The following pieces of legislation have also been provided by the Government to the Secretariat and are available for consultation from the Codification Division, Office of Legal Affairs: the Crimes (Biological Weapons) Act 1976, the Chemical Weapons (Prohibition) Act 1994 and the Weapons of Mass Destruction (Prevention of Proliferation) Act 1995.

³ The Act has been amended by the Overseas Missions (Privileges and Immunities) (Consequential Amendments) Act 1995. The Schedule to the Act reproducing the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents has not been reproduced. The full text of the Act is available for consultation from the Codification Division, Office of Legal Affairs.