

LXXIII. MONGOLIA⁴⁰

SUMMARY OF LEGISLATION OF MONGOLIA RELATED TO TERRORISM

According to the 1992 Constitution of Mongolia, “the international treaties to which Mongolia is a Party become effective as domestic legislation upon the entry into force of the laws on their ratification or accession” (Article 10.3).

On 3 January 2002, the State Great Khural of Mongolia (Parliament) adopted the new Criminal Code. The following provisions of the Criminal Code pertain to terrorist activities:

CHAPTER 4 - OFFENCES AGAINST PUBLIC ORDER

- *Article 81* (Serious bodily harm to and killing of the President, members of Parliament, ministers etc.)
- *Article 83* (Coup d'état)
- *Article 84* (Sabotage)
- *Article 86* (Intended damages to national integrity)

CHAPTER 16 - OFFENCES AGAINST INDIVIDUALS AND PERSONAL REPUTATION

- *Article 112* (Kidnapping)

CHAPTER 21 - OFFENCES AGAINST PUBLIC SECURITY

Article 177 (Terrorist acts) - *Article 177 (1)* of the Criminal Code stipulates that a person who employs or threatens to employ means that are dangerous to the public, thereby putting pressure on authorized organizations or individuals, in order to compel directly or indirectly certain decisions to be made or not made or to be issued or not issued, is to be sentenced to no less than 10 years but not more than 15 years of imprisonment. *Article 177 (2)* stipulates that if such actions are perpetrated by a dangerous criminal (criminal of an organized group), or criminal group and it leads to the death of people and harm to the public,

⁴⁰ Transmitted to the Secretariat by that Government on 10 November 2001 (S/2001/1135 enclosure) and 4 October 2002 (S/2002/1152, enclosure). Information was also provided in respect of the Law of Mongolia on its nuclear-weapons free status adopted in 2000 and Resolution No. 226 on the Support of the Anti-Terrorist Coalition adopted by the Government on 10 October 2001.

the perpetrators are to be sentenced to no less than 20 years but not more than 25 years of imprisonment, or given the death penalty.

- *Article 179* (Acts causing public disorders)

- *Article 182* (Organized crime)

- *Article 188* (Illicit arms trafficking) - *Article 188 (4)* provides that if an organized or criminal group illicitly imports or exports firearms, weaponry, narcotic drugs, poisonous, radioactive or explosive substances (implying the criminal responsibility of individuals or groups of individuals who commit, participate in, plan, prepare, assist and perpetrate the crime of terrorism), the perpetrators are to be sentenced to no less than 20 but not more than 25 years of imprisonment.

CHAPTER 30 - CRIMES AGAINST HUMANITY

- *Article 302* (Ethnic cleansing)

- *Article 303* (Training terrorists)

LXXIV. MOROCCO⁴¹

1. ELEMENTS DU DISPOSITIF LEGISLATIF ET REGLEMENTAIRE DU MAROC

Le droit marocain ne donne pas une définition précise du terrorisme, les actes terroristes et qualifiés comme tels par les législations étrangères et les instruments juridiques internationaux sont considérés comme des actes criminels et sont passibles des peines les plus sévères. Ainsi, les actes terroristes sont sanctionnés par le Code pénal marocain comme des infractions de droit commun. Les peines prévues s'échelonnent de cinq ans de prison à la peine de mort. Elles ont fait l'objet des articles ci-après du Code pénal:

- Articles 163 à 207 relatifs aux «crimes et délits contre la sûreté de l'État»;
- Articles 293 à 299 concernant «l'association de malfaiteurs et de l'assistance aux criminels» ;

⁴¹ Transmitted to the Secretariat by that Government on 24 December 2001 (S/2001/1288, annex) and 10 July 2002 (S/2002/777, enclosure). Information was also provided in respect of: le Dahir du 21 mai 1974 relatif aux stupéfiants et le Dahir du 2 septembre 1958 concernant les armes, munitions et explosifs.