

Article 149: Any person who commits an attack in Omani territory against the life, safety or liberty of a foreign head of State shall be liable to the death penalty and if the attack is not life-threatening to 3 to 15 years' imprisonment.

Article 199: "Forgery" means the deliberate distortion of the accuracy of facts and data the authentication of which is sought through a document or any other written instrument constituting a document where such distortion may result in a material, moral or social benefit for oneself or damage to a third party.

Article 200: Any person who knowingly uses a forged instrument shall be liable to the penalties to which a forger is liable.

Article 201: If a forgery is perpetrated or a forged instrument used with the intention of establishing the truth the sentence shall be reduced pursuant to article 109 of this Law.

(b) Weapons and Ammunition Law, promulgated by Royal Decree No. 36/90

Article 28: Any person having a permit to possess, import, export, trade in or repair weapons or ammunition shall be required to protect them, to take reasonable precautions to prevent them from being lost or stolen and to prevent anyone not lawfully entitled to possess them from obtaining them at any time. He shall also be required to report immediately to the nearest police station any loss, theft or destruction thereof and to exhibit his permit and such weapons and ammunition to police officers on request.

LXXXVII. PAKISTAN⁶⁰

SUMMARY OF LEGISLATION OF PAKISTAN RELATED TO TERRORISM

In 1997, the Anti-Terrorism Act was adopted with the aim of preventing terrorist acts, sectarian violence and in order to ensure speedy trials of those involved in heinous offences. In August 2001, the Act was further amended to enlarge its scope.

⁶⁰ Transmitted to the Secretariat by that Government on 27 December 2001 (S/2001/1310, enclosure), 11 July 2002 (S/2002/797, enclosure) and 25 February 2003 (S/2003/307, enclosure). Information was also provided in respect of the Extradition Act, 1972, and the Surrender of Illicit Arms Act 1991.

Under the amended Act, terrorism is a punishable offence and abetting terrorism, including membership, recruitment, and support for terrorist groups, is an offence.

The following acts of terrorism have been criminalized in the Act:

Section 6

- (1) In this Act, “terrorism” means the use or threat of action where:
 - (a) the action falls within the meaning of sub-section(2), and
 - (b) the use of threat is designed to coerce and intimidate, to overawe the Government, public, or a section of the public, community, or sect, or create a sense of fear or insecurity in society; or
 - (c) the use of threat is made for the purpose of advancing a religious, sectarian or ethnic cause.
- (2) An “action” shall fall within the meaning of sub-section (1), if it:
 - (a) involves doing anything that causes death;
 - (b) involves grievous violence against a person or grievous bodily injury or harm to a person;
 - (c) involves grievous damage to property;
 - (d) involves the doing of anything that is likely to cause death or endangers a person’s life;
 - (e) involves kidnapping for ransom, hostage-taking or hijacking;
 - (f) incites hatred and contempt on religious, sectarian or ethnic basis to stir up violence or cause internal disturbance;
 - (g) involves stoning, brick-battling or any other form of mischief to spread panic;
 - (h) involves firing on religious congregations, mosques, ‘inambargahs’, churches, temples and all other places of worship, or random firing to spread panic, or involves any forcible takeover of mosques or other places of worship;
 - (i) creates a serious risk to safety for the public or a section of the public, or is designed to frighten the general public and thereby prevent them from coming out and carrying on their lawful trade and daily business, and disrupting civic life;

- (j) involves the burning of vehicles or any other serious form of arson;
 - (k) involves extortion of money (“bhatta”) or property;
 - (l) is designed to seriously interfere with or seriously disrupt a communications system or public utility service;
 - (m) involves serious coercion or intimidation of a public servant in order to force him to discharge or to refrain from discharging his lawful duties; or
 - (n) involves serious violence against a member of the police force, armed forces, civil armed forces, or a public servant.
- (3) The use or threat of use of any action falling within sub-section (2) which involves the use of firearms, explosives or any other weapon is terrorism, whether or not sub-section 1(c) is satisfied.
- (4) In this section “action” includes an act or a series of acts.
- (5) In this Act, terrorism includes any act done for the benefit of a proscribed organization.
- (6) A person who commits an offence under this section or any other provision of this Act, shall be guilty of an act of terrorism.
- (7) In this Act, a “terrorist” means:
- (a) a person who has committed an offence of terrorism under this Act, and is or has been concerned in the commission, preparation or instigation of acts of terrorism:
 - (b) a person who is or has been, whether before or after the coming into force of this act, concerned in the commission, preparation or instigation of acts of terrorism, shall also be included in the meaning given in clause (a) above.

In accordance with Section 11A, an organization is considered to be involved in terrorism if it:

- (a) commits or participates in acts of terrorism;
- (b) prepares for terrorism;
- (c) promotes or encourages terrorism;
- (d) supports and assists any organization concerned with terrorism;

- (e) aids and assists in the incitement of hatred and contempt on religious, sectarian or ethnic lines that stir up disorder;
- (f) fails to expel from its ranks or ostracize those who commit acts of terrorism and presents them as heroic persons; or
- (g) is otherwise involved in terrorism.

Section 11B allows the Federal Government to proscribe an organization concerned with terrorism.

Section 11D allows the Federal Government to place an organization under observation where it has reason to believe that it is concerned with terrorism.

The Act also contains the following provisions for suppressing the financing of terrorism:

Section 2(aa) gives a definition of “terrorist property”.

Section 11E(2) requires a proscribed organization to submit all accounts of its income and expenditure for its political and social welfare activities and disclose all funding sources to the competent authority designated by the Federal Government.

Section 11F(5) makes it an offence for a person to solicit, collect or raise funds for a proscribed organization.

Section 11H provides as follows:

- (1) A person commits an offence if he:
 - (a) invites another to provide money or other property; and
 - (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purpose of terrorism.
- (2) A person commits an offence if he:
 - (a) receives money or other property, and
 - (b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.
- (3) A person commits an offence if he:
 - (a) provides money or other property, and

(b) knows or has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

(4) In this Section a reference to a provision of money or other property is a reference to its being given, lent or otherwise made available, whether or not for consideration.

Section 11I provides as follows:

A person commits an offence if:

(1) he uses money or other property for the purposes of terrorism; or

(2) he:

(a) possesses money or other property; and

(b) intends that it should be used, or has reasonable cause to suspect that it may be used, for the purposes of terrorism.

Section 11J provides as follows:

A person commits an offence if he:

(a) enters into or becomes involved in an arrangement as a result of which money or other property is made available or is to be made available to another person, and

(b) has reasonable cause to suspect that it will or may be used for the purposes of terrorism.

Section 11K provides as follows:

(1) A person commits an offence if he enters into or becomes involved in any arrangement which facilitates the retention or control, by or on behalf of another person, of terrorist property:

(a) by concealment;

(b) by removal from the jurisdiction;

(c) by transfer to nominees, or

(d) in any other way.

(2) A defence for a person charged with an offence under sub-section (1) is to prove that he did not know and had no reasonable cause to suspect that the arrangement related to terrorist property.

Section 110 of the Act contains the provisions for provisional seizure of assets likely to be used in the commission of offences relating to terrorism and its financing. It also contains the provisions for forfeiture of assets after the conviction of an offence related to terrorism.

LXXXVIII. PANAMA⁶¹

SUMMARY OF LEGISLATION OF PANAMA RELATED TO TERRORISM

(a) Penal Code

The following penalties for terrorist activities and the supply of weapons to terrorists are contained in Section III, entitled "Offences against the international community", of the Penal Code established by Act No. 18 of 22 September 1982:

Article 311

Anyone who participates in the destruction, in whole or in part, of a specific group of human beings, on grounds of their nationality, race or religious or political beliefs, shall be subject to 15 to 20 years' imprisonment.

The same penalty shall apply to anyone who, in order to destroy, in whole or in part, a specific group of persons and for the reasons described in the previous paragraph, commits any of the following acts:

1. Causes bodily or mental harm to members of those groups;
2. Places such groups at risk.

Article 312

Anyone who recruits persons, stockpiles weapons or carries out other hostile acts not approved by the Government and undertaken within the territory of the Republic or abroad against another State, thereby exposing Panama to the risk of war or the breaking-off of international relations, shall be subject to three to six years' imprisonment.

⁶¹ Transmitted to the Secretariat by that Government on 16 January 2002 (S/2002/76, appendix) 14 October 2002 (S/2002/1184, appendix), and 7 July 2003 (S/2003/701, appendix).