

- Administrative Order No. 344 creating the National Organizing Committee for the World Forum to combat international drug trafficking, money laundering, terrorism and organized crime;
- Executive Order No. 30 dated 30 September 1998 providing logistical support to NACAHT.

In addition, the Philippines Anti-Money Laundering Act of 2001 (Republic Act 9160)⁶⁶ was enacted to help prevent the flow of funds to terrorist groups through greater transparency and accountability in the banking and financial sectors of the economy. It is aimed at combating transnational crimes such as terrorism, money laundering and cross-border securities fraud. The Act provides the authority to freeze accounts and assets at banks and financial institutions.

Moreover, there are two pending bills at the Philippine Senate that seek to address domestic and international terrorism and provide severe penalties for such acts: Senate Bill No. 264, entitled “An Act to Protect the State Against Aliens and Organizations Engaged in International Terrorism (Amending the Philippine Immigration Act of 1940), and Senate Bill No. 1353, entitled, “The Anti Terrorism Act”.

XCII. POLAND⁶⁷

1. SUMMARY OF LEGISLATION OF POLAND RELATED TO TERRORISM

(a) The Constitution

In accordance with Article 91 of the Constitution, ratified international treaties, including all anti-terrorist conventions and protocols to which Poland is party, enjoy a privileged position of the sources of law in Poland. They are applied in the same way as domestic law and have priority over executive acts and administrative measures. In case of discrepancies between a treaty and international law, the priority of the former is indisputable.

⁶⁶ The Anti-Money Laundering Act took effect on 7 October 2001.

⁶⁷ Transmitted to the Secretariat by that Government on 21 December 2001 (S/2001/1275, enclosure), 14 June 2002 (S/2002/677, enclosure) and 30 January 2003 (S/2003/271, enclosure). Information was also provided in respect of the Penal Proceeding Code, Law of 21 May 1999 on arms and munitions, Law of 22 June 2001 concerning the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons, Law of 29 November 2002 on external trade in goods, technologies and services of strategic importance for both state security and the keeping of the international peace and security.

(b) Penal Code

Article 120 makes it unlawful to use weapons of mass destruction prohibited by international law.

Article 121 makes it unlawful to manufacture, collect, acquire, sell, store, transport or transmit weapons of mass destruction or develop them.

Article 134 stipulates that a person who commits an attempt on the life of the President of the Republic of Poland, shall be sentenced to imprisonment for a time not shorter than 12 years, for 25 years or for life.

Article 136 makes it unlawful to commit an active assault against or insult accredited diplomatic personnel or person entitled to similar protection by virtue of laws, agreements and generally accepted international customs.

Article 140 makes it unlawful to commit violent assault against a unit of the Armed Forces of the Republic of Poland, destroy or damage an object or facility with defence significance.

Article 148 applies to crimes against life and health.

Article 163 makes illegal for any person to cause event which poses threat to life or health of many persons or to property on a large scale, in the form of:

- 1) fire,
- 2) destruction of a building, deluge, landslide, or avalanche,
- 3) explosion of explosive or flammable materials or other violent release of energy, proliferation of poisonous, toxic or blistering substances,
- 4) violent release of nuclear energy or release of ionizing radiation,

Article 165 declares it illegal for any person to cause an event which poses threat to the life or health of many people or to property on a large scale by:

- 1) causing epidemiological threat or proliferation of contagious disease or epidemic,
- 2) manufacturing or introducing to trade substances harmful to health, food or other articles of common use or pharmaceutical means which do not meet quality standards in force,
- 3) causing damage to or immobilisation of a facility in public use, in particular of a facility supplying water, light, heat, gas,

- 4) **disturbing, hindering or otherwise affecting automatic processing, collecting or transfer of information, and**
- 5) **acting otherwise in especially dangerous circumstances.**

Article 166 makes it unlawful for any person to use violence against a person or threat of direct use of such violence, take over the control of a vessel or an aircraft.

Article 167 makes it unlawful to place on a vessel or an aircraft any device or substance posing threat to safety of persons or property with significant value. Furthermore, it is also illegal to destroy, damage or make unserviceable navigation equipment or to prevent its use if this may pose threat to the safety of people.

Article 171 makes it unlawful for any person, without required permission, to process, collect, possess, use or trade explosive substances or equipment, radioactive material, facility releasing ionising radiation or other object or substance that may pose threat to the life or health of many people or property on a large scale.

Article 172 declares it illegal to hinder the action undertaken with the aim to prevent danger to the life or health of many people or to property at a large scale.

Articles 173 to 175 apply to crimes against transportation safety.

Article 258 makes it illegal for any person to participate in an organised group or association whose aim is to commit crimes.

2. ACT OF 16 NOVEMBER 2000: COUNTERACTING INTRODUCTION OF PROPERTY VALUES DERIVED FROM ILLEGAL OR UNDISCLOSED SOURCES INTO FINANCIAL CIRCULATION AND COUNTERACTING THE FINANCING OF TERRORISM.

CHAPTER 1

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Article 2

Whenever this Act refers to:

...

(7) act of terrorism - it shall mean crimes against peace, mankind and war crimes, offences against public safety and offences set forth in Article 134 and 136 of the Penal Code.