

## XLIV. GUINEA-BISSAU<sup>126</sup>

### SUMMARY OF LEGISLATION OF GUINEA-BISSAU RELATED TO TERRORISM

Terrorist acts considered as offences under the Penal Code at Guinea-Bissau may be related to terrorism indirectly through attacks on the life and liberty of individuals (for example, abduction and kidnapping carry penalties of 2 to 10 years' and 2 to 8 years' imprisonment, respectively) or directly through crimes against the peace and public order (for example, participation in a terrorist organization is punishable by 5 to 20 years' imprisonment (art. 204), hostage-taking by 10 to 25 years' imprisonment (art. 204), diversion or hijacking of a ship or aircraft by 2 to 10 years' imprisonment (art. 205), possession of illegal weapons by up to 3 years' imprisonment or a fine and by 2 to 8 years' imprisonment in the case of weapons of war (art. 206) and consorting with criminals by 3 to 10 years' imprisonment (art. 207)).

Article 203 of the Penal Code, in the chapter on crimes against the peace and public order, states that anyone who promotes, establishes, finances, heads or leads a terrorist group, organization or association shall be sentenced to between 5 and 20 years' imprisonment.

Article 206 of the Penal Code provides that anyone who illegally manufactures, imports, transports, sells or transfers to another person firearms, chemical weapons, ammunition or any form of explosive shall be sentenced to up to three years' imprisonment or a fine. In the case of weapons of war, the sentence is increased to between two and eight years' imprisonment.

While there is no legislation which specifically prohibits recruitment to terrorist groups, article 203, headed "Terrorist conspiracy", criminalizes the act of promoting, establishing, financing, heading or leading a terrorist group, organization or association; prohibition of these acts under the law also implies the prohibition of recruitment. In addition, paragraph 3 of this article states that anyone who is a member of a terrorist group, organization or association or who in any other way commits or assists in the commission of a terrorist act shall be sentenced to between 3 and 15 years' imprisonment.

The Penal Code criminalizes not only the act of consorting with terrorists, but also the taking of hostages (art. 204) and the diversion or hijacking of a ship or aircraft (art. 205); the attempted commission of such acts is also punishable.

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<sup>126</sup> Transmitted to the Secretariat by that Government on 24 March 2003 (S/2003/361, enclosure).