

art. 103 –, révolution consistant en l'usage de la force pour modifier les lois constitutionnelles ou pour renverser les autorités politiques instituées – art. 114);

– Des infractions réprimées dans le cadre des atteintes à la sûreté publique (incendies d'habitation, de véhicules de terre, de mer ou de l'air contenant des personnes ou de mines exploitées – art. 227) ou aux biens (destructions d'édifices, ouvrages, navires ou installations – art. 316-2);

– Des incriminations permettant de réprimer des conséquences d'actes de terrorisme dans le cadre général des atteintes à l'intégrité physique des personnes (art. 275 à 281 du Code pénal réprimant le meurtre, l'assassinat, les blessures graves, les coups mortels, les coups avec blessures graves, les blessures simples et les blessures légères).

Toutes ces infractions sont punies de peines allant de la peine de mort à l'emprisonnement à vie ou à de graves peines d'emprisonnement.

En outre, la loi No 2001/019 du 18 décembre 2001 réprime les infractions et actes dirigés contre la sécurité de l'aviation civile. Cette loi introduit de manière expresse dans le champ d'application du droit et de la procédure pénale au Cameroun, l'incrimination du terrorisme. Elle comporte par ailleurs des dispositions spécifiques pour lutter contre les actes d'intervention illicite dirigés contre la sécurité de l'aviation civile. Onze types de comportements allant du détournement d'avions au transport d'explosifs non marqués, sont désormais qualifiés d'actes de terrorisme et punis de l'emprisonnement à vie ou de la peine de mort (art. 4 et 10 de la loi).

XVIII. CAPE VERDE⁴⁶

SUMMARY OF LEGISLATION OF CAPE VERDE RELATED TO TERRORISM

The Aeronautical Code approved by the Legislative Decree nr. 1/2001 establishes, among others, the following criminal penalties:

- (i) Seizure of aircraft (*Article 297*): imprisonment from 5 to 12 years and from 16 to 25 if the offence resulted in injury or death,

⁴⁶ Transmitted to Secretariat on 27 December 2001 (S/2001/1329, enclosure). Information was also provided in respect of Law nr. 78/IV/93, of 12 of July against money laundering.

(ii) Attack against flying aircraft (*Article 297*): imprisonment from 2 to 8 years and from 6 to 12 if the attack provoked injury and from 16 to 25 in case of death,

(iii) Attack against the security of civil aviation (*Article 300*): penalties of 1 to 5 years of imprisonment. In case of injury 2 to 8 years and in case of death 4 to 12 years,

(iv) Carriage of explosives on board of aircrafts (*Article 303*): the person who authorized or allowed unlawfully the entry in the State territory or in its territorial waters as well as the over-flying will be punished with imprisonment from 3 to 6 month. In case of injury 1 to 4 years of imprisonment and in case of death from 4 to 8 years of imprisonment.

XIX. CHILE⁴⁷

SUMMARY OF LEGISLATION OF CHILE RELATED TO TERRORISM

(a) Penal Code

The Penal Code, and in particular Act 18.314 of 17 May 1984, which defines terrorist conduct and establishes penalties. The current situation is as follows:

Recruitment

The recruitment of members of terrorist groups is punished by reason of unlawful association. Recruitment, by its very nature, presupposes the existence of an unlawful association. Within this context, such conduct is unquestionably punishable under that heading on the basis of article 2 (unlawful terrorist association), paragraph 5 of Act No. 18.314, on terrorist offences, in connection with articles 292 et seq. of the Penal Code. See also the remarks given below, in connection with article 294 of the Penal Code and article 8 of the Arms Control Act.

It should be recalled that a person may be held criminally liable not only for unlawful terrorist association but for any form of unlawful association under articles 292 ff of the Penal Code.

⁴⁷ Transmitted to the Secretariat by that Government on 2 January 2002 (S/2002/5, enclosure), on 24 October 2002 (S/2002/1192, annex) and on 29 July 2003 (S/2003/775, appendix). Texts (in the original Spanish) of relevant legislation and draft legislation were also appended to document S/2002/5.