

## **CXIII. SUDAN<sup>118</sup>**

### **SUMMARY OF LEGISLATION OF THE SUDAN RELATED TO TERRORISM**

#### **(a) Terrorism (Combating) Act 2000**

The Sudan promulgated the Terrorism (Combating) Act of 2000, Chapter II of which contains provisions relating to terrorist offences, the direction of terrorism organizations and the criminalization of acts such as the hijacking of aircraft and means of sea, river or land conveyance; the detention of or causing of injury to persons; and environmental offences.

Under the Act, the following are considered terrorist offences subject to the application of the Act even if perpetrated for political motives: (i) murder; (ii) theft accompanied by coercion against individuals, authorities or means of conveyance or communication; (iii) acts of sabotage against public property or property earmarked for public use, even if owned in the Sudan by another State; (iv) the crimes of manufacture, smuggling or possession of arms, munitions, explosives or other materials prepared for the commission of terrorist offences.

The Act also provides that any act causing physical damage to the environment or jeopardizing the lives of persons shall be deemed a terrorist act and shall be punishable, upon a verdict of guilty, by imprisonment for a term not exceeding 20 years and a fine.

Moreover, the Act specifically and categorically prohibits engaging in terrorism within Sudanese territory or directing, instigating, attempting, participating in or facilitating, by word, deed or publication, in any manner whatsoever, the direction of an organized network used for committing any terrorist offence or offences in such a way that its operation poses a threat to persons, property or the public tranquillity, irrespective of whether such network operates within or outside the Sudan.

The Act also provides that it is applicable to any person suspected of committing, attempting to commit or inciting a terrorist offence either within or outside the Sudan. It also applies to any person who commits, attempts to commit or abets the commission of a terrorist offence against any alien in the Sudan or

---

<sup>118</sup> Transmitted to the Secretariat by that Government on 27 December 2001 (S/2001/1317, enclosure), on 25 July 2002 (S/2002/865, enclosure) and on 11 August 2003 (S/2003/837, enclosure). Information was also provided in respect of the following: the Banking Regulation Act, 1991; the Arms, Ammunition and Explosives Act, 1986; the Customs Act, 1986; the Narcotic Drugs and Psychotropic Substances, Act 1994; the Sudanese Regulation of Asylum Act (Asylum (Control) Act); the Passport and Migration Act, 1993; the Extradition and Return of Offenders and Wanted Persons Act, 2000; the Passport and Migration Act, 1993; the Civil Aviation Act, 1999; the Evidence Act, 2000; and the Legal Representation Act, 1993.

legally resident there and to any person suspected of committing, attempting to commit or inciting a terrorist offence, provided that the terrorist act is punishable under both Sudanese law and the law of the State in which it was committed and that State agrees to the application of the Terrorism (Combating) Act in the Sudan.

The Act further makes it compulsory to deport any alien convicted of committing, attempting to commit, inciting or providing financing or technical assistance for a terrorist offence, who must be expelled from the country or extradited in accordance with the law to any country injured by the terrorist offence. It also gives the authorities the power to expel any alien concerning whom there is evidence that he entered the country for the purpose of committing a terrorist offence, within a period not exceeding two weeks.

The Act provides a number of penalties for terrorist offences, including the seizure and confiscation of money, property and equipment used in terrorist offences; termination of residence and deportation, in the case of aliens; punishments including imprisonment for a term of as much as 20 years or life, depending on the magnitude of the offence committed, a fine, or both; and in some cases, execution..

Chapter IV of the Act deals with general provisions on the seizure of property and equipment used in terrorist offences, including the confiscation of real estate and other property, equipment, arms, means of conveyance or other things proved to have been used in committing or attempting to commit, or in facilitating or assisting in the commission of, terrorist offences or in concealing those who plot, perpetrate, instigate or encourage such offences, etc., in addition to any other penalty imposed by the competent court.

It also deals with the seizure of terrorists' assets and of any property, real estate, equipment or funds owned by them and their deprivation of any benefit or utilization of any other resources, funds or property, whether in the Sudan or abroad.

#### (b) Penal Code

The Penal Code of 1991 criminalizes terrorism and terrorist organizations, inasmuch as article 65 of the Code provides that anyone who establishes or directs an organization that plans to commit any crime or anyone who wilfully participates in or assists such an organization, whether operative in the Sudan or outside, shall be punished by imprisonment. If the crime planned by the organization is that of waging war or looting or is an offence punishable by death, or terrorism involving a threat to the public or the public authority, the penalty shall be imprisonment for a term not exceeding 10 years and may also be punished by a fine.

In addition, article 144 of the Code provides as follows:

“(i) The perpetrator of the crime of terrorism is one who:

“a. Addresses to any person a threat to harm him or to harm any other person important to him for the purpose of intimidating him or inducing him to do what he need not do according to law or not to do what he is permitted to do by law;

“b. Makes a movement or exhibits readiness to act, intending thereby to use unlawful force or knowing that he is thus likely to make any person present believe that he is about to use such force against him;

“(ii) The crime of terrorism shall be punishable by imprisonment for a term not exceeding six months or a fine or both.”

(c) National Security Act 1999 as amended in 2001

The National Security Act of 1999, as amended in 2001, provides the death penalty or life imprisonment for any member who intentionally commits or refrains from an act for the purpose of imperilling the internal or exterior security of the country (article 44), and a penalty of imprisonment for a term no greater than 10 years or a fine or both for unlawfully having at one's disposal, or permitting another to have at his disposal, any weapons, munitions or matériel.

## **CXIV. SWEDEN<sup>119</sup>**

### **SUMMARY OF LEGISLATION OF SWEDEN RELATED TO TERRORISM**

(a) International conventions

Sweden has ratified all the international criminal law conventions for the suppression of terrorism. Thus, Sweden has ratified and implemented all the conventions and protocols listed in the annex to the International Convention for the Suppression of the Financing of Terrorism. It has also ratified the International Convention for the Suppression of the Financing of Terrorism. All acts which constitute an offence within the scope of and defined in the international criminal law conventions for the suppression of terrorism are therefore classed as crimes in Sweden.

---

<sup>119</sup> Transmitted to the Secretariat by that Government on 20 December 2001 (S/2001/1233, enclosure) and on 19 June 2002 (S/2002/691, enclosure). Information was also provided in respect of the Aliens Act (1989) and the Special Control of Foreigners Act.