



SUPPLEMENTARY INFORMATION
Appendix FC- 2B
Decree Law No. 58 (2006)



**LAW NO. 58 OF 2006 WITH RESPECT TO PROTECTION OF THE
COMMUNITY AGAINST TERRORIST ACTS**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain,

Having reviewed the Constitution,

And Law No. 3 of 1975 with respect to Public health, as amended,

And the Penal Code promulgated by Legislative Decree No. 15 of 1976, as amended,

And Legislative Decree No. 16 of 1976 with respect to Explosives, Weapons and Ammunition, amended by Legislative Decree No. 6 of 1996,

And Legislative Decree No. 21 of 1996 with respect to the Environment, which is amended by Legislative Decree No. 8 of 1997,

And Legislative Decree No. 15 of 1998 with respect to Ratifying the Arab Agreement for Combating Terrorism,

And Legislative Decree No. 4 of 2001 with respect to Prohibition and Combating Money Laundering,

And Legislative Decree no. 26 of 2002 with respect to Approving the Accession to the Treaty of the Islamic Conference Organisation's Convention for Combating International Terrorism,

And the Judicial Authority Law promulgated by Legislative Decree No. 42 of 2002,

And Law No. 9 of 2004 with respect to Accession by the Kingdom of Bahrain to the International Convention for Suppression of Terrorist Attacks by Bombs,

And Law no. 43 of 2005 with respect to the Ratification of the GCC Agreement for Combating Terrorism,

The Shura Council and Council of Representatives approved the following Law which we ratified and enacted:



Article 1:

In the application of the provision of this Law, the following words shall have the meanings assigned against each:

“Terrorism” means the use of force or threatening to use it or any other unlawful means constituting a crime legally punishable by law resorted to by a perpetrator for the execution of an individual or collective criminal plan with the aim of disrupting public order or threatening the Kingdom’s safety and security or damaging national unity or security of the international community if this would result in harming persons terrorizing and intimidating them and endangering their lives, freedoms or security or causing damage to the environment, public health, national economy or public utilities, facilities or properties or seizing them and obstructing the performance of their business activities, preventing or obstructing the government authorities, places of workshop or academic institutions from carrying out their activities.

“Terrorist Crimes” mean the crimes provided for in the Penal Code or any other law if the purpose of committing them is a terrorist one.

“Public Properties” mean properties and movables owned by the government, public institutions or public corporate entities where they are intended for benefit of the public.

“Public Utilities” mean the projects established by the Government or whose management is supervised thereby and the services and activities provided with the intent to achieve any of the purpose of public benefit.

“Property” means all the items of value regardless of the type, description or nature thereof whether they are movable or immovable, tangible or intangible and include but are not limited to the following:

- a) National and foreign currencies, bills of exchange, securities, negotiable or payable instruments or endorsed for the bearer.
- b) Currency notes, deposits and accounts with banks and other financial institutions.
- c) Works of art, jewellery, precious metals and other property.
- d) Real estate, funds and rights related thereto whether they are personal or in-kind.



Article 2:

The penalties provided for in Article of this Law shall be applicable to any of the following crimes if they are deliberately committed for the implementation of a terrorist purpose:

1. Assault against persons' lives, safety or freedoms.
2. Imitating common seals and marks or forging currencies, promoting forged currencies or forging cheques or any other payment vehicle.
3. Sabotage, destruction or setting fires.
4. Theft or stealing monies.
5. Manufacture, import, possession, transport or using conventional and non-conventional weapons, explosives or ammunition in branch of the provisions of the Penal Code and the Law with respect to Explosives, Weapons and Ammunition.
6. Trespass against information technologies automated processing systems.
7. Forging official or legal documents or the use thereof.
8. Money laundering crimes.
9. Concealing items acquired from a terrorist crime.
10. Crimes related to religions.

Article 3:

The crimes provided for in Article (2) of this Law shall be punishable by the following penalties instead of the penalties prescribed in other laws unless this Law provides for another penalty:

1. Death or life sentence if the penalty prescribed for the crime is a life sentence.
2. Life sentence or temporary imprisonment if the crime prescribed for the crime is a temporary imprisonment.
3. Imprisonment for a period of no less than 15 years if the crime prescribed for the crime is imprisonment for a period of no less than 10 years.
4. maximum limit of the penalty prescribed for he crime if such penalty is imprisonment for a period of no less than 10 years.
5. The maximum limit of the penalty prescribed for the crime shall be doubled if the penalty is imprisonment.

Article 4:

Life imprisonment or imprisonment for a period of no less than 10 years shall be inflicted upon everyone who enters into the country or puts in the ground or water or spreads in the air a material intended to endanger the life and health of man, animal or natural environment if this is for the implementation of a terrorist purpose.



Article 5:

Life imprisonment shall be the penalty of every person who deliberately causes a disaster in any of the methods of public air, sea or land transport or causes damage or destruction thereof or causes failure of their equipment, threatens their safety or that of their passengers, damages, harms or causes the break down of the air or sea navigation facilities or utilities, land transport or telecommunication facilities or undermines their safety or that of their passengers for the implementation of a terrorist purpose.

The same penalty shall be applicable to everyone who kidnaps for the implementation of a terrorist purpose any of the transportation facilities provided for in the preceding paragraph or takes their passengers or crew as hostages or resists with the use of force or violence the public authorities in the course of performing their duties for recovery of the facility or hostages from his control.

The penalty shall be imprisonment if the subject of the crime provided for in the aforesaid two paragraphs is a private transportation facility.

Article 6:

Life imprisonment shall be the penalty for everyone who forms, establishes, organizes or operates, contrary to the provisions of the law, a society, association, organization, group, gang or a branch of any of the above or undertakes the leadership or command thereof for the purpose of calling for obstructing the enforcement of the provisions of the Constitution or the laws or preventing any of the government organizations or public authorities from carrying out their activities or infringes upon the citizen's personal freedom or other freedoms or public rights secured by the Constitution, the law or undermines national unity if terrorism is one of the methods used in the realization or implementation of the purposes called for by the society, association, organization, group or gang or any of their branches.

Imprisonment for a period of no less than 10 year shall be inflicted upon any person who supplies them with weapons, ammunition, explosives, supplies, machinery or information or provides them with premises, accommodation or facilities to cover up, shelter or boarding facilities or conceals or damages items, properties or weapons that may have been used or intended for use in their activities or produced therefrom while being aware of what they call for and their methods in the realization or implementation thereof.

A prison sentence for a period of no less than 5 years shall be inflicted upon anyone who joins any such societies, associations, organizations, groups or any of their branches or participates in their activities in any manner while being aware of their terrorist objectives.



Article 7:

Life imprisonment or imprisonment for a period of no less than 5 years shall be inflicted upon every person who forces a person to join any of the societies or organizations provided for in Article 6 of this Law or prevents him from withdrawing therefrom.

Article 8:

Life imprisonment or imprisonment for a period of no less than 7 years shall be inflicted upon every person who trains one person or more on the use of weapons and explosives or such other items with the intent of using them in committing any of the crimes provided for in this Law.

Imprisonment for a period of no less than 5 years shall be inflicted upon every person who is trained on the use of weapons, explosives or such other training with the intent of committing any of the crimes provided for in the preceding Paragraph.

Article 9:

A prison sentence shall be the penalty for each one who runs an organization, society, institution or association established according to the law and exploits his management thereof to advocate the commission of any of the crimes provided for in this Law.

Article 10:

A prison sentence shall be the penalty for everyone who causes an explosion with the aim of terrorizing innocent people whatever may be the type or form of such explosion.

Article 11:

A prison sentence and a fine of no less than BD2,000 and no more than BD5,000 shall be the penalty for each one who promotes any activities that constitute a crime for implementing a terrorist objective.

A penalty of imprisonment for a period not exceeding 5 years shall be inflicted upon everyone who holds or possesses personally or through another person a document or publication containing the aforesaid promotion where it is intended to be distributed and also upon everyone who holds or possesses any means of printing, recording or publicizing regardless of the type thereof whether used or intended for use even on a temporary basis for printing, recording or broadcast of such promotion.



Article 12:

A prison sentence shall be the penalty to be inflicted upon everyone who solicits any society, association, organization, group or gang that carries on a terrorist activity where it is based outside the country or communicates therewith or with any person who acts to serve the interest of any such groups to commit either personally or through others terrorist activities against the Kingdom of Bahrain or undertakes any terrorist activity against the interests of a foreign country inside the Kingdom or against the country's properties, resources, organizations or facilities abroad or its delegations, missions, diplomatic representatives or citizens during their stay out of the country.

The penalty shall be life imprisonment if the crime subject to solicitation or communication is committed. A penalty of imprisonment for a period of no less than 5 years and a fine of no less than BD3,000 and no more than the amount requested, accepted or promised shall be inflicted upon everyone who request or accepts for himself or another any gift, benefit or promise of any of the above or through any of the aforesaid organizations or anyone who acts in the interest thereof to commit any of the acts referred to in the first Paragraph. The penalty shall be doubled if the offender is a civil servant or person charged with a public service.

A penalty of imprisonment for a period of no less than 5 years and a fine of no less than BD2,000 and no more than the amount given, promised, accepted or offered shall be inflicted upon everyone who gives, promises, accepts or offers any of the above with the intent of committing any of the acts referred to in the first Paragraph without accepting his offer.

Article 13:

Imprisonment for a period of no more than 5 years shall be inflicted upon every citizen who co-operates or joins any society, association, organization, gang or group that is based outside the country and uses terrorism or training upon it as a method for achieving its objectives where its activities are directed against the Kingdom of Bahrain.

The penalty shall be imprisonment for a period of no less than 5 years if he receives military or intelligence training or any other training or participates in terrorist operations.

Article 14:

Imprisonment shall be the penalty for everyone who conceals, embezzles or damages items, property, weapons or machinery used or intended for use in any of the crimes provided for in this Law or committed as a result thereof while being aware of that.



Article 15:

A prison sentence for a period of no less than one year and no more than 5 years shall be the penalty for each one who commits an assault against the officers in charge of enforcing the provisions of this Law or resists him by force, violence or threat in the course of carrying out his job duties or by reason thereof.

The penalty shall be imprisonment for a period of no less than 5 years if the assault or resistance results in permanent disability or if the offender carries a weapon or kidnaps or takes hostage any of the officers in charge of enforcing the provisions of this Law, his spouse, in-laws, offsprings or a relative up to the first degree of relationship.

Article 16:

A prison sentence shall be inflicted upon everyone who helps by any method a person arrested in connection with any of the crimes provided for in this Law to escape while being aware thereof.

Article 17:

A prison sentence for a period not exceeding 5 years shall be inflicted upon everyone who incites another to commit a crime for the implementation of a terrorist objective even though his acts shall be of no effect.

Article 18:

A penalty of imprisonment or a fine shall be inflicted upon everyone who is aware of the commission of a crime for a terrorist purpose, conspiracy, plot or acts aimed at committing such crime without reporting it to the public authorities when he becomes aware thereof.

The provision of this Article shall not be applicable to the spouse of any person involved in such crime, conspiracy, plot or acts nor to his blood relatives and offsprings. The Court may grant an exemption from the penalty to his relatives and in-laws to the fourth degree of relationship unless they are punished pursuant to another provision of the Law.

Article 19:

A penalty shall be the death sentence or life imprisonment if the offender's act in any of the crimes provided for in this Law results in the death of one person or more.



Article 21:

Without prejudice to the liability of a natural person according to the provisions of this Law, a corporate person shall be punished by payment of a fine of no less than BD50,000 and no more than BD100,000 if it commits any crime for the implementation of a terrorist purpose in its name or for its account where this is the result of agreement or knowledge of Board members or proprietor of the business or its owner.

In case of a judgement of conviction, the Court shall order the deprivation of the corporate person from participation in public projects or closing the premises in which the crime has been committed, its dissolution and closing all its offices temporarily or permanently.

Article 22:

In addition to the judgement for the prescribed penalty, it shall be permitted in the events provided for in this Law to adopt one or more of the following measures:

1. Prohibiting residence in a particular place or specific area.
2. Obliging to have residence in a particular place.
3. Prohibiting visits to certain places or premises.

In all cases, the period of the said measure shall not be more than 3 years.

Anyone who violates the conditions of the adjudged measure shall be liable for imprisonment for a period not exceeding 3 months.

Article 23:

An exemption from the penalties prescribed for the crimes referred to in this Law shall be granted to each of the offenders who reports to the public authorities prior to committing the crime. The court may reduce the penalty if the report is given upon completion of the crime and prior to the start of the investigation. This shall be possible if the offender enables in the investigation the public authorities to arrest the other perpetrators of the crime or the perpetrator of another crime similar in type and seriousness.

Article 24:

A judgement shall be handed down for the seizure of the properties, weapons, tools, machinery and documents apprehended that have been used or intended for use in any of the crimes to which the provisions of this Law apply or which arise therefrom while complying with the rights of non-bona fide persons.



Article 25:

The provisions with respect to the lapse of a criminal case and forfeiture of the penalty with the lapse of time stipulated in the Criminal Procedure Law or any other law shall not be applicable to the crimes set forth in this Law.

Article 26:

In investigating the crimes provided for in this Law, the Public Prosecution shall in addition to the powers vested therein be empowered to issue an order of rendering in custody by the Attorney General or whoever acts for him for a period or for successive periods not exceeding sixty days in total.

Article 27:

If sufficient evidence is available for indictment of a person of committing one of the crimes provided for in this Law, the judicial arrest officer shall be empowered to detain the accused for a period not exceeding five days. Where necessary he shall be empowered to request the Public Prosecution for permission to extend the detention period. In such case, the Public Prosecution shall be empowered to extend the detention period and its action shall be substantiated and shall be necessitated by the investigation requirements and may grant permission for continuation of the detention of the accused for a period not exceeding a further 10 days.

The judicial arrest officer shall hear the statements of the arrested accused and shall refer him to the Public Prosecution upon the expiry of the period referred to in the preceding Paragraph.

The Public Prosecution shall interrogate him within 3 days from the date of his reference thereto and then shall order his detention in custody or his release.

Article 28:

Information submitted by the security sources for obtaining an extension of the detention period provided for in the first Paragraph of Article 27 of this Law shall remain confidential with the Public Prosecution. Such information shall not be disclosed nor shall the names of their providers be divulged without prejudice to the provisions of Article 61 of the Criminal Procedure Law.

Article 29:

The Attorney General or whoever acts for him shall be empowered to order the seizure of mail of all kinds, publications, parcels and telegrams, the surveillance of communications by all methods and recording of everything that takes place in public or private premises where this is useful for uncovering the truth in crimes to which the provisions of this Law applies.



In all cases, the seizure, surveillance or recording order shall be substantiated and for a period not exceeding sixty days. Such period shall not be extended except by an order of the High Court.

Article 30:

The Public Prosecution shall order proceeding with access or obtaining any data or information related to the accounts, deposits, trusts or safe deposit boxes with banks or other financial institutions or the transactions related thereto if this is deemed necessary for revealing the truth in any of the crimes provided for in this Law. For taking such actions, a prior permission shall be obtained from the High Court judge.

Article 31:

The Public Prosecutor shall where necessary and if there is evidence of the seriousness of an indictment in any of the crimes provided for in the Law order a travel ban upon the accused in the course of the investigation or to order temporarily for prohibiting him from disposing or managing his properties or such other precautionary actions.

It is permitted that the prohibition order against disposal or management shall apply to the properties of the accused's spouse and his minor children if it is proved that such properties have devolved upon them from the accused with the aim of obstructing the execution of the prohibition order.

The prohibition order against management shall include the appointment of a manager of the properties held in custody and the Public Prosecutor shall in all cases refer the prohibition order to the High Criminal Court within a maximum of 7 days from the date of its issue to seek a judgement for prohibition against disposal or management otherwise the action shall be deemed null and void.

Article 32:

The Ministers, each in his respective capacity, shall implement this Law which shall come into effect on the day following the date of its publication in the Official Gazette.

**Signed: Hamad bin Isa Al Khalifa,
King of the Kingdom of
Bahrain**

Issued at Rifa'a Palace
On: 18th Rajab, 1427 Hijra,
Corresponding to. 12th August 2006

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