

LAW NO. (58) OF 2006

WITH RESPECT TO PROTECTING THE SOCIETY FROM TERRORIST ACTS¹

We, Hamad Bin Isa Al Khalifa, King of Bahrain Kingdom.

Having reviewed the Constitution,

The Law no. (3) of 1975 with respect to Public Health, as amended,

The Penal Code promulgated by Legislative Decree no. (15) of 1976, as amended,

The Legislative Decree no. (16) of 1976 with respect to Explosives, Weapons and Ammunition, as amended by the Legislative Decree no. (6) of 1996,

The Legislative Decree no. (21) of 1996 with respect to Environment, as amended by the Legislative Decree no. (8) of 1997,

The Legislative Decree no. (15) of 1998 on Ratifying the Arab Anti-Terrorism Agreement,

The Legislative Decree no. (4) of 2001 with respect to Prohibiting and Combating Money Laundering,

The Legislative Decree no. (26) of 2002 on Approving the Accession to the Convention of the Organization of Islamic Conference (OIC) on Combating International Terrorism,

The Judiciary Law promulgated by the Legislative Decree no. (42) of 2002,

The Criminal Procedures Law promulgated by the Legislative Decree no. (46) of 2002,

and the Law no. (9) of 2004 on Approving the Accession of the Kingdom of Bahrain to the International Convention for the Suppression of Terrorist Bombings,

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

Article (1)

For the purposes of implementing this Law, the following terms shall have the meanings set out for each term hereunder:

Terrorism: use of force, the threat of using it, or any other illegal means that constitutes a punishable crime that the perpetrator may resort to in execution of individual or collective criminal undertaking with the aim of disturbing the public order, endangering the Kingdom's safety and security, or prejudicing national unity or the security of the international community.

¹ "This is unofficial translation, in case of a difference between the Arabic and the English text, the Arabic text shall prevail" Update on 22/8/2019.

This is when such acts lead to harm, horrify or terrify people, endanger their lives, freedoms or security, harm the environment, public health, national economy, facilities, institutions, or public property, seizing them or impeding proper functioning thereof, or prevent or obstruct public authorities, worship houses, or academic institutions from executing their works.

Terrorist crime: Felonies stipulated in the Penal Code or any other law, if it was committed for a terrorist purpose.

Public Property: real estate and movable properties owned by the State, institutions or public legal persons, that are dedicated for public benefit.

Public utilities: Projects established or supervised by the Government, and the services and activities that it provides for the purpose of achieving public benefit.

Property: all valuables of any kind, description or nature, whether movable or immovable, tangible or intangible, including, for example:

A-National or foreign currencies, bills of exchange, securities, traded instruments, and negotiable instruments including those payable or endorsed to bearer.

B-Banknotes, deposits, and accounts with banks and other financial institutions.

C- Works of art, jewellery, precious metals and other items of value.

D- Real estate, property and the rights related thereto, whether personal or real.

Article (2)

Penalties stipulated in Article (3) of this Law shall be applicable to the following crimes if willfully committed in execution of a terrorist purpose:

1- Aggression against people's lives, safety or freedoms.

2- Imitating seals and public indications (marks), counterfeiting currency, advocating counterfeited currency, forging checks, or any other discharging instrument.

3- Acts of sabotage, damaging or blazing fire.

4- Robbery or property usurpation.

5- Manufacturing, importing, possessing, transporting, advocating or using conventional and non-conventional weapons, explosives, or ammunition in violation of the Penal Code, and Law on Explosives, Weapons and Ammunition.

6- Attacks against automated data processing systems.

7- Forgery or use of official or unofficial instruments (documents).

8- Money Laundering crimes.

9- Concealing the proceeds obtained from a terrorist crime.

10- Crimes related to religions.

Article (2)- bis

The provisions of this Law shall apply to every citizen or foreigner who has committed outside the Kingdom of Bahrain an act which makes him/her a perpetrator or an accomplice in any of the crimes stipulated in this Law.²

Article (3)

Crimes stipulated in Article (2) herein shall be punishable by the following penalties instead of those stipulated thereto in the other Laws, unless the present Law otherwise stipulates another penalty:

- 1- Death penalty, if the penalty set for the crime is life imprisonment.
- 2- Life or temporary imprisonment, if the penalty set for the crime is temporary imprisonment.
- 3- Imprisonment for a period not less than fifteen years, if the prescribed penalty is imprisonment for a period not less than ten years.
- 4- The maximum penalty set for the crime, if such penalty is the imprisonment for a period less than ten years.
- 5- Double the maximum penalty set for the crime, if the penalty is detention.

Article (4)

Life imprisonment or imprisonment for a period not less than ten years shall be the penalty inflicted on whoever brings into the country, put in the land or water, or spread in the air a substance to endanger the life and health of humans, animals or natural environment in an execution of a terrorist purpose.

Article (5)

Life imprisonment shall be the penalty inflicted on whoever intentionally causes a disaster to any of the public transportation means, be it air, water or land, damages or defects it, break down its equipment or endanger its safety or the safety of people on board, or damages, defects or disrupts the institutions or facilities of air and maritime navigation, land transportation or communication means, or endangered their safety or the safety of people on board in an execution of a terrorist purpose.

² Amended by Legislative Decree no.(68) of 2014.

Same penalty shall be inflicted on whoever hijacks in execution of a terrorist purpose any of the transportation means stipulated in the previous paragraph, holds its passengers or crew as hostages, or resists by force or violence the public authorities during the performance of their duties in retrieving the transportation means or the hostages from his/her control.

Imprisonment shall be the penalty if the subject matter of the crime stipulated in the previous two paragraphs is a mean of private transport.

Article (6)

Life imprisonment shall be the penalty inflicted on whoever establishes, founds, organizes or runs, in a manner contrary to the provisions of the law, an association, corporation, organization, group, gang or a branch of any of them, or takes the leadership or command in any of them, for the purpose of which is to call by any mean for interrupting the provisions of the constitution or laws, preventing any of the State's institutions or public authorities from exercising its works, encroaching on the personal freedom of a citizen or other freedoms and public rights as guaranteed by the constitution or law, or prejudicing the national unity, if terrorism is one of the means used to achieve or execute the purposes called for by the association, corporation, organization, group, gang or any of their branches.

Imprisonment for not less than ten years term shall be the penalty inflicted on whoever provides such association, corporation, organization, group, gang or any of their branches with weapons, ammunition, explosives, missions, equipment, property or information, manages to provide locations, residences or places for them to hide, shelter or means of living, or hides or damages objects, property or weapons that were used or prepared to be used in its activities or were the proceeds of such activities, knowingly of what it calls for and its means in achieving or executing that.³

Imprisonment for not less than five years term shall be the penalty inflicted on whoever joins any of such associations, corporations, organizations, groups, gangs or any of their branches, or participated in its activities in any form, knowingly of its terrorist purposes.

Article (7)

Life imprisonment or imprisonment for not less than five years term shall the penalty inflicted on whoever compels a person to join any of the associations, corporations, organizations, groups or gangs stipulated in article (6) herein, or prevents a person from separation there from.

³ Amended by Legislative Decree no.(20) of 2013.

Article (8)

Life imprisonment or imprisonment for not less than seven years term shall be the penalty inflicted on whoever trained one or more persons on manufacturing or using weapons, explosives or others, or on facilitated or processed works for their use, for the purpose of using such person in perpetrating one of the crimes stipulated in this law.

Imprisonment for not less than five years term shall be the penalty inflicted on whoever received training on manufacturing or using weapons, explosives or others, or on facilitated or processed works for their use, for the purpose of perpetrating any of the crimes stipulated in this law.

Same penalty stipulated in the previous paragraph shall be inflicted on every citizen who commits abroad acts of collective violence or combat operations that are not directed to the Kingdom, or participated in it in any way.⁴

Article (9)

Imprisonment shall be the penalty inflicted on whoever runs a private organization, association, institution or corporation established under the Law and made use of it in calling for committing any of the crimes stipulated in this law.

Article (10)

Imprisonment for not less than ten years term shall be the penalty inflicted on whoever causes an explosion or attempts to cause an explosion, or tries to do so with the intention of executing a terrorist purpose, no matter the type or the form of such explosion.

Death penalty or life imprisonment shall be the penalty inflicted if the explosion resulted in the death or injury of a person.

Imprisonment shall be the penalty inflicted on whoever puts or carries in public or private places, for the intention of executing a terrorist purpose, mock models or structures simulating explosives or may be thought to be explosives.⁵

Article (11)

Detention and a fine of not less than two thousand Dinars and not exceeding five thousand Dinars shall be the penalty inflicted on whoever advocates any actions that constitutes a crime in execution of a terrorist purpose.

⁴ Amended by Legislative Decree no.(68) of 2014.

⁵ Amended by Law no.(20) of 2013.

Imprisonment for a term not exceeding five years shall be the penalty inflicted on whoever personally or through an intermediary holds or acquires written documents or printed matters comprising advocacy of any of the foregoing if they are prepared for distribution, and whoever holds or acquires any means of printing, recording or publicizing of any kind which is used or prepared to be used, even if temporarily, for printing, recording or broadcasting such advocacy.

Article (12)

Imprisonment shall be the penalty inflicted on whoever endeavor with an association, corporation, organization, group or gang which exercises terrorist activities, whose headquarters are seated abroad, or communicates with any of those working in the interest of any of them, to undertake, personally or through a third party, terrorist acts against the Kingdom of Bahrain, or to undertake inside Bahrain any terrorist activity against the interests of a foreign country or against the Kingdom's properties, resources, institutions, delegations, missions, diplomatic representatives or citizens abroad.

Life imprisonment shall be the penalty if the crime of the endeavor or communication is committed. Imprisonment for not less than five years term and a fine of not less than three thousand Dinars and not exceeding the amount solicited, accepted or promised shall be the penalty inflicted on whoever solicits or accepts, either for himself or for any other person, a grant or benefit or a promise of such, even if it is through an intermediary, from any of the foregoing bodies or anyone who works for their interest to execute any acts stipulated in the first paragraph. Life imprisonment shall be the penalty doubled if the perpetrator is a public servant or assigned for delivering a public service.

Imprisonment and a fine of not less than one thousand Dinars and not exceeding the amount given, promised, accepted or offered shall be the penalty inflicted on whoever gives, promises, accepts, or offers any of the above for the purpose of committing any of the acts referred to in the first paragraph herein without the acceptance of the offer.

Article (13)

Imprisonment not exceeding five years shall be the penalty inflicted on each citizen who cooperates or joins any association, corporation, organization, gang or group, whose headquarters are seated abroad, and which takes terrorism or training it as a mean to achieve its purposes, if its acts are not directed towards the Kingdom of Bahrain.

Imprisonment for a period of not less than five years term shall be the penalty inflicted on each citizen who received military or intelligence training or any other training whatsoever, or participated in its terrorist operations.

Article (14)

Imprisonment shall be the penalty inflicted on whoever knowingly conceals, embezzles or damages objects, property, weapons or equipment used, prepared to be used or derived from in any of the crimes stipulated in this law.

Article (15)

Imprisonment shall be the penalty inflicted on whoever assaults any one of those assigned to the execution of the provisions of this law or resists such execution by force, violence or threat, while or because of performing the respective duties of their position.

Imprisonment for not less than seven years term shall be the penalty inflicted if the assault or resistance caused permanent disability without the intention to do so, or if the perpetrator was carrying a weapon or abducted or detained any of those assigned to the execution of the provisions of this law or his/her spouse, ascendants, descendants, or relatives up to the fourth degree.

Article (16)

Imprisonment shall be the penalty inflicted on whoever knowingly enables by any means whatsoever any person who is arrested in connection with any of the crimes stipulated in this law to escape.

Article (17)

Imprisonment shall be the penalty inflicted on whoever abets others to commit a crime in execution of a terrorist purpose, even if such abetment resulted in no effect.⁶

Article (18)

Detention and a fine shall be the penalty inflicted on whoever knew about a crime occurrence in execution of a terrorist purpose, or of a conspiracy, scheme or acts aiming to committing such crime and does not report it to the public authorities immediately.

The provision of this Article shall not apply to the spouse of any person involved in the crime, conspiracy, scheme or acts, nor to his/her ascendants and descendants, and the court may exempt

⁶ Amended by Legislative Decree no.(20) of 2013.

from the penalty his/her relatives and in-laws up to the fourth degree unless they are punished under another provision in the Law.

Article (19)

Detention for not less than one year term and paying a fine of not less than one thousand Dinars and not exceeding five thousand Dinars shall be the penalty inflicted on whoever falsely reports information regarding to the occurrence of an act or a crime of any of the crimes stipulated in this law knowingly that the act did not occur or the crime was not committed.

Article (20)

Death penalty or life imprisonment shall be the penalty inflicted if the perpetrator's act in any of the crimes stipulated in this law caused the death of one or more persons.

Article (21)

Without prejudice to the responsibility of the natural person in accordance with the provisions of this Law, the legal person shall be punished by a fine of not less than 50,000 Dinars and not exceeding 100,000 Dinars if any of the crimes is committed in execution of a terrorist purpose in this person's name or interest, and was as a result of an agreement or knowledge of the institution's board of directors, holders or owner.

In case of conviction, the court shall order depriving the legal person from taking part in public projects, closure of its premises where the crime was committed, dissolution of such legal person or closing down all its premises temporarily or permanently.

In all cases, the court shall order the confiscation of property, objects, instruments and documents that might have been used or prepared to be used in committing the crime or derived from it, and that is without prejudice to the rights of other bona fide parties.

Article (22)

In the cases stipulated in this law, in addition to the sentence of the specified penalty, the court may sentence a ruling with one or more of the following measures:

- 1- Prohibiting residence in a certain place or zone.
- 2- Compulsory residence in a certain place.
- 3- Prohibiting frequentation of specific places or locations.

In all cases, the term of any of those measures shall not exceed three years.

Detention for a term not exceeding three months shall be the penalty inflicted on whoever violates the conditions of the measure ruled by the court.

Article (23)

Whoever of the perpetrators took initiative to notify the public authorities before the execution of the crime begins shall be exempted from the penalties stipulated in this law. The court may mitigate the penalty if the notification is made after the completion of the crime and before the investigation begins, and may also do so if the perpetrator enables the authorities during the course of investigations to arrest other perpetrators of that crime or the perpetrators of another crime similar in type and danger.

Article (24)

The court shall rule the confiscation of seized property, weapons, instruments, equipment and documents which were used or prepared to be used in any of the crimes subject to the provisions of this law or derived from it, with observance to the rights of other bona fide parties.

Article (24)- bis

Annulled⁷

Article (25)

Provisions with respect to the lapse of the criminal proceeding and the lapse of the penalty according to the period stipulated under the Criminal Procedures Law or any other law shall not be applicable to the crimes stipulated in this Law.

Article (26)

A prosecution shall be established called "The Prosecution of Terrorist Crimes" whose members are appointed by a Royal Order upon the presentation of the Attorney General. This Prosecution is competent to investigate the crimes stipulated in this law, and may issue a detention order in such crimes by the Advocate General or the Acting Advocate General for a period or consecutive periods of not more than six months in total.⁸

Article (27)

The Investigation Officer may, if adequate evidences are available to substantiate the accusation of a given person of committing any of the crimes stipulated in this law, hold the accused for a period not exceeding twenty-eight days.

⁷ Annulled by the Decree-Law No. (16) of 2019 with respect to amending certain provisions of the Bahraini Nationality Act of 1963.

⁸ Amended by Legislative Decree No.(68) of2014.

The investigation officer shall hear the sayings of the held accused, and shall send him/her to the Prosecution of Terrorist Crimes subsequent to the expiry of the term referred to in the preceding paragraph.

Such prosecution shall question the accused within three days as of presenting him/her, and then order either remand in detention or release thereof.⁹

Article (27)- bis

The Investigation Officer in case of a terrorist crime or adequate evidences are available of the probability of its occurrence shall take, within the spatial scope of the crime, any of the following procedures for the purpose of arresting the perpetrator or preventing the crime's occurrence:

1. Inspect persons whom there is sufficient evidence to indict them and inspect their luggage.
2. Stop and inspect public and private vehicles.
3. Prohibit the mobility of transport and communication means and pedestrians.
4. Disconnect communications and correspondence about the spatial scope of the crime and locations where anti-terrorism procedures are taken, for a period not exceeding twelve hours. The specified period may be extended by a decision of the Prosecution of Terrorist Crimes for a period of maximum twenty-four hours.
5. Prevent anyone with strong evidence of involvement in a terrorist activity from entering certain areas or places in specific times or days by an order of the Chief of Public Security for a period not exceeding fifteen days. The order may be appealed before the competent court, and the court shall rule on the appeal within three days from the date of its submission.¹⁰

Article (28)

Information provided by the security sources regarding the crimes stipulated in this law shall remain confidential at the Prosecution of Terrorist Crimes, and shall not be disclosed or the names of persons who provided it, without prejudice to the provisions of article (61) of the Criminal Procedures Law.¹¹

⁹ Amended by Legislative Decree No.(68) of 2014.

¹⁰ Amended by Legislative Decree No.(68) of 2014.

¹¹ Amended by Legislative Decree No.(68) of 2014.

Article (29)

The Advocate General or the Acting Advocate General may order to seize letters of all types, publications, parcels and telegrams, monitor all means of communication, and record incidents occurring in public or private places whenever such procedures are useful in revealing the truth regarding the crimes subject to the provisions of this Law.

In all cases, the order of seizure, monitoring or recording shall be reasoned and for a period not exceeding sixty days. This period shall not be extended except by an order issued by the High Court.

Article (30)

The Prosecution of Terrorist Crimes¹² may directly order to review or obtain any data or information related to accounts, deposits, trusts or safes at banks or other financial institutions or the relevant transaction, if this is proved necessary to reveal the truth regarding the crimes stipulated in this law.¹³

Article (31)

The Attorney General may when necessary, if evidences established the seriousness of the accusation in any of the crimes stipulated in this law, order to ban the accused from travel during the investigation, or order temporarily to ban the accused from disposing or managing his/her property or any other precautionary measures.

The order may include banning the disposition or managing of the spouse's property and the minor children of the accused if such property proved to be transferred to them from the perpetrator with the intention of obstructing the implementation of the banning order.

The order to ban property management shall include the assignment of a person to manage the property. In all cases, the Attorney General shall submit the banning order to the High Criminal Court within seven days at most as of the date of its issuance, requesting a judgment of banning the disposition and management or otherwise the order shall be repealed.

¹² Amended by Legislative Decree No.(68) of 2014.

¹³ Amended by Legislative Decree No.(20) of 2013.

Article (32)

Ministers, each in his respective capacity, shall implement this law, which shall come into force from the day following the date of its publishing in the Official Gazette.

King of the Kingdom of Bahrain

Hamad bin Isa Al Khalifa

Issued at Riffa Palace

On: 18 of Rajab 1427 Hijra

Corresponding to: 12th of August 2006.