



# Official Gazette of Iraq

Al-Waqai' Al-Iraqiyya

الوقائع العراقية

وهقايعى عىراقى

الجريدة الرسمية لجمهورية العراق

رؤژنامهى فهرمى كؤمارى عىراق



تصدر عن وزارة العدل

وهزارهتى داد دهرى دهكات

Legislation

No. 13

## Anti-Terrorism Law

No. (13) of 2005

قانون مكافحة الإرهاب

Translated in

Ministry Of Justice

Iraqi Official Gazette Department

Translation Section

2019





## Laws

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### Resolution no (14)

#### **In the name of people Presidency Council**

In accordance with what the National Assembly had approved, pursuant to Article (33), the paragraphs (a) and (b) of Law of Administration of the Iraqi State for the transitional period, and in accordance with provisions of Article (37) of mentioned law;  
The presidency council, in its session concluded on 7/ 11/ 2005, decided to promulgate the following law:

### Law No (13) of 2005 Anti-Terrorism Law

#### **Article 1**

#### **Definition of terrorism**

Every criminal act done by a person or organized group targeting individual(s), groups, or official or unofficial institutions makes damages in public or private properties with the intention of disturbing the security situation, stability, national unity, spreading the panic, fear or frightening among people or provoking the chaos to achieve terrorist purposes.



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### Article 2

The following acts shall be considered as terrorism acts:

1. Violence or threat that aims to casting terror among people, endangering their lives, freedoms and security or exposing their money and properties to damage for whatever are its motives or purposes in implementation of organized terrorist project by group or individual.
2. Sabotaging, destroying or damaging, with violence and threat purposely, public buildings or properties, governmental interests, facilities, governmental bodies, state offices and private sector, public utilities and places intended for public use, public-frequented gathering places or public assets or trying to seize, occupy, endanger or prevent them from using for their intended purposes to destabilize the public security and stability.
3. Leading, organizing or heading a terrorist armed gang exercising and planning for terrorism, as well as contributing and participating in this act.
4. Provoking, with violence and threat, the sectarian tumult, civil war or sectarian fighting by arming citizens or getting them to arm each other by incitement or finance.
5. Assaulting by firearms on the departments of army or police, recruitment centres or security services or the attack on the national military sectors or its supplies, communication lines or their camps and bases for terrorist motives.
6. Assaulting by firearms, with terrorist motives, the embassies and diplomatic bodies all over Iraq, as well as all Iraqi institutions and Arab and foreign institutions and companies and intergovernmental and non- governmental organizations that operating in Iraq under valid agreement.



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7. Using, with terrorist motives, the explosive or incendiary devices designed for killing and have ability to do so or to spread horror among people or by exploding or deploying them, planting, booby-trapping machines or objects, by effect of toxic chemicals, biology factors or similar substances, radioactive materials or toxicants.
8. Kidnapping or restricting the freedom of individuals or detaining them or money-getting extortion for the purposes of political, sectarian, national or religious nature or profitable element that would threaten the security and national unity and encourage terrorism.

### Article 3

The following acts shall be considered as state security crimes in particular:

1. Every act has a terrorist motives would threaten national unity and safety of the community and affect the security of the state and its stability or undermine the ability of the security forces to defend and save the security of citizens and their property and state borders and its institutions, whether by armed collision against the state forces or any form outside of the freedom of expression guaranteed by the law.
2. Every act that involves an attempt of forces or violence to overthrow the regime or form of the state approved in the constitution.
3. Whoever who takes over, for a criminal purpose, the leadership of a section of the armed forces, military base, port, airport or any military or civilian land without a mandate by government.
4. Whoever who proceeds to lead an armed rebellion against an existing authority established by the constitution or takes part in a plot or a gang formed for this purpose.



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5. Every act done by the person has an authority over members of armed forces and asks or tasks them to disrupt the government orders.

### Article 4

#### The Penalties

1. Whoever perpetrates, as an original actor or partner in any of the terrorist deeds mentioned in the article (2) and (3) of this law, shall be penalized by death, and the instigator, financier and every one helps the terrorists committing crimes mentioned in this law shall be punished with the actual actor's penalty.
2. Whoever conceals intentionally any terrorist deed or shelters terrorist person with a view of covering him/ her up shall be penalized by life imprisonment.

### Article 5

#### Exemption, Legal Excuses and Mitigated Judicial Circumstances

1. Whoever informs the competent authorities before discovering the crime and when planning it and his/ her information leads to arrest the criminals and prevents carrying out the deed shall be exempted from the penalties mentioned in this law.



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2. It shall be considered a penalty-mitigating excuse of the crimes stipulated in the Article (2) of this law for the person who provides voluntary information to the competent authorities after happening or discovering the crime by the authorities and before arresting him/ her, and that this information lead to arresting other crime partners, and the penalty shall be the imprisonment.

### Article 6

### The Final Provisions

1. The crimes mentioned in this law shall be considered as normal dishonourable crimes.
2. All seized money and materials and criminal means paving for carrying out the criminal deed shall be confiscated.
3. The provisions of the valid Penal Law shall be applied to whatever is not mentioned in a text in this law.
4. This law shall be entered into force from date of its publishing in the official gazette.

Jalal Talabani  
The president

Adil Abdul Mahdi  
The vice president

Ghazi Ageel Al-yawir  
The vice president