

**TITLE 15 – ANTI- TERRORISM LAWS
CHAPTER 1 - COUNTER-TERRORISM**



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

COUNTER-TERRORISM ACT 2002

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COUNTER-TERRORISM ACT 2002

AN ACT for the prevention and combating of terrorism in the Republic of the Marshall Islands, for international cooperation to combat threats to international peace and security caused by terrorist acts, and for related purposes.

Commencement:

November 11, 2003

Source:

P.L. 2002-65

P.L.2020-05

PART I – PRELIMINARY

§101. Short Title.

This Act may be cited as the Counter-Terrorism Act, 2002.[P.L. 2002-65, §1]

§102. Commencement

This Act shall come into effect on the date of certification in accordance with Article IV, section 21 of the Constitution.[P.L. 2002-65, §2]

§103. Purpose

The purpose of this Act is to implement ways for prevention, repression and elimination of terrorism, for international cooperation to combat threats to international peace and security caused by terrorist acts, and for related matters.[P.L. 2002-65, §3]Amended by P.L.2020-05]

§104. Application, jurisdiction and enforcement.

- (1) The Attorney-General shall have primary enforcement authority for this Act.
- (2) This Act shall apply in respect of any crime established by this Act when the offense is committed:
 - (a) in the Marshall Islands;
 - (b) by a citizen of the Marshall Islands;
 - (c) on board an aircraft or ship:
 - (i) registered under the laws of the Marshall Islands at the time the offense was committed;
 - (ii) operating under or flying the Marshall Islands flag;
 - (iii) which lands in the territory of the Marshall Islands with the alleged offender on board;
 - (iv) leased or chartered without a crew to a lessee who has his principal place of business in the Marshall Islands, or who is a habitual resident of the Marshall Islands;
 - (d) against or on board a fixed platform while it is located on the Marshall Islands' continental shelf;
- (3) This Act shall apply in respect of any crime established by this Act when the offense:
 - (a) was directed toward or resulted in the carrying out of a crime against a citizen of the Marshall Islands, or during the commission of which a citizen of the Marshall Islands was threatened, injured or killed;
 - (b) was directed towards or resulted in the carrying out of a crime against the government of the Marshall Islands or a facility, diplomatic or consular premises of the government of the Marshall Islands abroad;
 - (c) was directed towards or resulted in a crime committed in an attempt to compel the Marshall Islands to do or abstain from doing any act; and
 - (d) was committed by a stateless person who has his or her habitual residence in the Marshall Islands.

- (4) Where a person is suspected to have engaged in terrorism and the alleged offender is present in the Marshall Islands, in a case where the Marshall Islands has jurisdiction, and the alleged offender is not extradited to a foreign country that has established jurisdiction over the offense or the alleged offender, the Attorney-General shall whether or not the offense was committed in the Marshall Islands, have authority to prosecute the person in accordance with any law that is for the time being in force in the Marshall Islands.
- (5) Application of any provisions of this Act, relating to or implementing the provisions of any international terrorism convention or protocol, shall conform to and meet the requirements of the particular convention or protocol, and shall be subject to the exclusions and jurisdictional requirements contained therein.[P.L. 2002-65, §4]

§105. Interpretations In this Act, unless the contrary intention appears:

- (1) **“alleged offender”** means a person as to whom there is sufficient evidence to determine prima facie that such person has engaged in terrorism;
- (2) **“Attorney-General”** means the Attorney-General of the Marshall Islands, and includes the Deputy Attorney-General or any Assistant Attorney-General to whom the Attorney -General delegates authority to carry out the duties and responsibilities of the Attorney-General established under this Act;
- (3) **“biological agent”** means any micro-organism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bio-engineered component of any such micro-organism, virus, infectious substance, or biological product, capable of causing:
 - (a) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism; or
 - (b) deterioration of food, water, equipment, supplies, or material of any kind; or
 - (c) deleterious alteration of the environment;
- (4) **“biological weapon”** means the following, together or separately, a:
 - (a) biological agent; and/or
 - (b) toxin; and/or