

Jordanian terrorism offences and extraterritorial jurisdiction

In Jordan, terrorism offences are contained in the Anti-Terrorism Law No. 55 of 2006, which defines a terrorist act as:

‘Every intentional act, committed by any means, that causes death or physical harm to a person or damage to public or private properties or to means of transport, infrastructure, international facilities or diplomatic missions and is intended to disturb public order, endanger public safety and security, suspend the application of the provisions of the Constitution and laws, affect the policy of the State or the government or force them to take an action or refrain from the same, or disturb national security by means of threat, intimidation or violence’.

The legislation then goes on to list, on a non-exclusive basis, a number of acts that are considered as terrorist acts. According to Article (3) of the law (as amended in 2014), these are:

1. Directly or indirectly providing, collecting or raising funds for the purpose of committing a terrorist act, whether performed inside the Kingdom or against its citizens or interests abroad;
2. Committing acts that would subject the kingdom to hostilities, harm its relations with a foreign state or subject Jordanians or their property to the dangers of retaliation.
3. Joining or attempting to join any armed groups or terrorist organizations, recruiting or attempting to recruit people to join such groups or organizations or training such persons for the said purpose, whether inside or outside the kingdom.
4. Establishing or joining an association, group, or organization for the purpose of committing terrorist acts, whether inside the kingdom or against its citizens or interests abroad.
5. Using information systems, the internet or any means of publishing or media, or establishing a website, in order to facilitate terrorist acts, support a group, organization, or association that carries out terrorist acts, promote its ideas or fund it, or carrying out any actions that may subject Jordanians or their property to the risk of hostile or retaliatory acts.
6. Possessing, procuring, manufacturing, importing, exporting, transporting, selling or delivering explosive, toxic, chemical, biological, radiological, flammable, or incendiary materials or similar substances, weapons, or ammunition; or the handling of any of the foregoing in any manner with the intent to use them for the purpose of committing terrorist acts or for any illegal purpose.
7. Assaulting the king’s life or his freedom, the queen, the heir to the throne, or any of the guardians of the throne.
8. Any act that is deliberately committed with the intention of triggering armed insurrection against current constitutional authorities, preventing such authorities from performing their constitutional functions or of changing the constitution in illegitimate ways.
9. Forming gangs for robbing passers-by, assaulting people or property or committing any other acts of thievery.

Extraterritorial jurisdiction

The Anti-Terrorism Law is subject to the Penal Code No. 16 of 1960. Article 10 of the Penal Code applies extra-territorial jurisdiction to all acts that are considered as felonies under Jordanian law, including the acts provided for under the Anti-Terrorism Law, where such acts are committed by a Jordanian citizen or foreigners residing in Jordan, even if they take place outside Jordan.