

**LAW N° 46/2018 OF 13/08/2018 ON  
COUNTER TERRORISM**

**TABLE OF CONTENTS**

**CHAPTER ONE: GENERAL  
PROVISIONS**

**Article premier: Purpose of this Law**

**Article 2: Definitions**

**CHAPTER II: PREVENTION AND  
PROSECUTION OF TERRORIST ACTS**

**Section One: Cordoning off an area  
suspected of terrorist acts**

**Article 3: Cordoning off and those  
responsible to do so**

**Article 4: Protection of a cordoned off area**

**Section 2: Arrest, search and provisional  
detention**

**Article 5: Authority competent to issue an arrest or search warrant**

**Article 6: Entry and search of a building**

**Article 7: Search of motor vehicles and passengers on board**

**Article 8: Search of pedestrians**

**Article 9: Use of experts**

**Article 10: Seizure of evidence from a search**

**Article 11: Arrest of a suspect**

**Article 12: Duration of arrest and provisional detention of a suspect of terrorist act**

### **CHAPTER III: INVESTIGATIVE RESTRICTION MEASURES**

**Article 13: Imposing residence restriction on a suspect**

**Article 14: Travel restrictions**

**Article 15: Electronic communication devices restriction**

**Article 16: Association restriction**

**Article 17: Monitoring of restriction measures**

## **CHAPTER IV: ACTS OF TERRORISM AND PENALTIES**

**Article 18: Membership of a terrorist group**

**Article 19: Committing and participating in terrorist acts**

**Article 20: Conspiracy and incitement to commit a terrorist act**

**Article 21: Giving orders in a terrorist act**

**Article 22: Concealing information regarding money or other property suspected to have resulted from a terrorist act**

**Article 23: Terrorist acts against aircraft, vessel or another means of transport**

**Article 24: Illegal use of explosives or any noxious substance in a public place**

**Article 25: Demolishing buildings or means of transport for the purpose of terrorism**

**Article 26: Taking a person hostage**

**Article 27: Terrorism against an internationally protected person**

**Article 28: Entering State, Embassy or International Organizations premises for the purpose of a terrorist act**

**Article 29: Possessing or manufacturing chemical weapons for the purpose of committing a terrorist act**

**Article 30: Use of toxic chemicals for the purpose of committing a terrorist act**

**Article 31:** Use of, threat or conspiracy to use nuclear weapons

**Article 32:** Donating, receiving or inciting to receive proceeds from terrorism

**Article 33:** Terrorism for political purposes

**Article 34:** Terrorism for religious or any other ideological purpose

**Article 35:** Obstructing the protection of evidence and the provision of information on a terrorist act

**Article 36:** Non-compliance with investigative restrictions

**Article 37:** Penalty for terrorist acts causing death

**Article 38:** Mitigating circumstances

**CHAPTER V: MISCELLANEOUS AND  
FINAL PROVISIONS**

**Article 39: Seizure of property**

**Article 40: Cooperation with other  
countries in conducting investigation**

**Article 41: Publication of the list of  
terrorists and terrorism financiers**

**Article 42: Drafting, consideration and  
adoption of this Law**

**Article 43: Repealing provision**

**Article 44: Commencement**

**LAW N° 46/2018 OF 13/08/2018 ON  
COUNTER TERRORISM**

**We, KAGAME Paul,**  
President of the Republic;

**THE PARLIAMENT HAS ADOPTED  
AND WE SANCTION, PROMULGATE  
THE FOLLOWING LAW AND ORDER  
IT BE PUBLISHED IN THE OFFICIAL  
GAZETTE OF THE REPUBLIC OF  
RWANDA**

**THE PARLIAMENT:**

The Chamber of Deputies, in its session of 30  
May 2018;

Pursuant to the Constitution of the Republic of  
Rwanda of 2003 revised in 2015, especially in  
Articles 64, 69, 70, 88, 90, 91, 106, 120 and  
176;

Pursuant to the Convention on the Physical  
Protection of Nuclear Material and Nuclear  
Facilities adopted in Vienna on 26/10/1979 as  
ratified by Presidential Order n° 45/01 of  
14/04/2002;

Pursuant to the International Convention against the Taking of Hostages adopted by the United Nations General Assembly on 17/12/1979 as ratified by Presidential Order n° 41/01 of 14/04/2002;

Pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction adopted in Paris, France, on 13/01/1993, as ratified by Presidential Order n° 32 ter/01 of 17/10/2003;

Pursuant to the International Convention for the Suppression of Terrorist Bombings adopted by the United Nations General Assembly Resolution on 15/12/1997 as ratified by Presidential Order n° 40/01 of 14/04/2002;

Pursuant to the OAU Convention on the Prevention and Combating of Terrorism signed at Algiers on 13/07/1999 as ratified by Presidential Order n° 39/01 of 14/04/2002;

Pursuant to the International Convention for the Suppression of the Financing of Terrorism adopted by the United Nations General



Assembly on 09/12/1999 as ratified by  
Presidential Order n° 43/01 of 14/04/2002;

Having reviewed Law n° 45/2008 of  
09/09/2008 on counter terrorism;

**ADOPTS:**

**CHAPTER ONE: GENERAL**  
**PROVISIONS**

**Article premier: Purpose of this Law**

This Law aims at fighting and punishing acts  
of terrorism.

**Article 2: Definitions**

For the purposes of this law, the terms below  
have the following meanings:

1 ° **public place:** part of any building, part of  
land, roads, airspace, waterway or other  
location that is accessible or open to  
members of the public, whether  
continuously, periodically or  
occasionally, including a commercial,  
business, cultural, historical, educational,

religious, governmental, entertainment, recreational or similar place that is so accessible or open to the public;

**2 ° electronic communication device:** tool that is capable of storing, transmitting or receiving images, sounds or information by electronic means;

**3 ° toxic chemical:** any chemical product which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals;

**4 ° terrorist act:**

- a) any deliberate act which is a violation of the criminal laws and which may endanger the life, physical integrity or freedoms of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property,

natural resources, environmental or cultural heritage and is calculated or intended to:

- i) intimidate, put in fear, force, coerce or induce any government, body, institution, the general public or any segment thereof, to do or abstain from doing any act or to adopt or abandon a particular standpoint or to act according to certain principles;
- ii) disrupt any public service, the delivery of any essential service to the public or to create a public emergency;
- iii) create general insurrection in a State;

- b) any promotion, sponsoring, contribution to, command, aid, incitement, teaching, training, attempt, encouragement, threat, conspiracy, organizing or procurement of any person, with the intent to commit any act referred to in point a).

**5 ° explosive device:**

- a) explosive, non-explosive or incendiary weapon or device that is designed or has the capability to cause death, serious bodily injury or substantial material damage;
- b) weapon or device that is designed or has the capability to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents, toxins or similar substances or radiation or radioactive material.

**6 ° motor vehicle:** any device designed for transporting persons and goods and which uses an engine;

7 ° **nuclear weapon:** weapon whose destructive power comes from a nuclear energy;

8 ° **chemical weapons:** the following elements, together or separately:

- a) toxic chemicals and their precursors, except where intended for purposes not prohibited under the Convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, as long as the types and quantities are consistent with such purposes;
- b) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in sub-item a), which would be released as a result of the employment of such munitions and devices;
- c) any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in sub-item b);

**9 ° internationally protected person:**

- a) a Head of State, including any member of a collegial body performing the functions of a Head of State under the constitution of the State concerned, a Head of Government or a Minister for Foreign Affairs, whenever any such person is in a foreign State, as well as members of his family who accompany him;
- b) any representative or official of a State or any official or other agent of an international organization of an intergovernmental character who, at the time when and in the place where a crime against him, his official premises, his private accommodation or his means of transport is committed, is entitled pursuant to international law to special protection from any attack on his person, freedom or dignity, as well as members of his or her family forming part of his or her household;

**10 ° pedestrian:** person traveling on foot or using any means other than a motor vehicle;

**11 ° terrorist group:** structured group of persons acting in concert and with intent to commit terrorist acts;

**12 ° travel document:** person's passport, identification card, ticket or other document that permits the person to make a journey from the specified area to another;

## **CHAPTER II: PREVENTION AND PROSECUTION OF TERRORIST ACTS**

### **Section One: Cordoning off an area suspected of terrorist acts**

#### **Article 3: Cordoning off and those responsible to do so**

When there are reasons for suspecting terrorist acts or incitement to commit terrorism, the Rwanda Investigation Bureau may cordon area suspected.

**Article 4: Protection of a cordoned off area**

For the purposes of protection of a cordoned off area, a competent organ to cordon may:

- 1 ° order a person to immediately vacate the cordoned off area;
- 2 ° prevent or prohibit pedestrians or motor vehicles from entering into the cordoned off area.

**Section 2: Arrest, search and provisional detention**

**Article 5: Authority competent to issue an arrest or search warrant**

A warrant to arrest or search a terrorist suspect is signed by a prosecutor empowered to do so by the Prosecutor General.

If authorisation to arrest and search is given verbally, the grantor must confirm it in writing in a period not exceeding twenty-four (24) hours, even though such an act may have been completed.



**Article 6: Entry and search of a building**

An officer authorised to search enters and searches a building suspected of terrorist acts in accordance with relevant laws. If necessary, he or she may forcefully enter and search such a building.

**Article 7: Search of motor vehicles and passengers on board**

Defence and security organs or the Rwanda Investigation Bureau have the right to arrest and to search:

- 1 ° a motor vehicle;
- 2 ° a driver of such a vehicle;
- 3 ° a passenger on board;
- 4 ° any object in such a vehicle.

The search warrant indicates the place or a certain area in which such a search is conducted.

**Article 8: Search of pedestrians**

Defence and security organs or the Rwanda Investigation Bureau have the right to arrest

and search a pedestrian who is suspected of a terrorist act.

**Article 9: Use of experts**

Whenever deemed necessary in search, an expert may be consulted in accordance with relevant laws.

**Article 10: Seizure of evidence from a search**

An officer responsible for a search may, with sufficient grounds, seize any object found that may suggest that the person has committed or attempts to commit a terrorist act and hands it over to the nearest office of the organ in charge of criminal investigation in a period not exceeding forty-eight (48) hours.

**Article 11: Arrest of a suspect**

Defence and security organs or the Rwanda Investigation Bureau, in possession of an arrest warrant and who have grounds to suspect that a person has committed a terrorist act, may for investigation purposes, arrest such a person suspected of a terrorist act .

When such a person is arrested by an organ other than the Rwanda Investigation Bureau, the organ that arrested him/her immediately hands him/her over to the Rwanda Investigation Bureau.

**Article 12: Duration of arrest and provisional detention of a suspect of terrorist act**

An officer in charge of criminal investigation draws up a statement of arrest and provisional detention of the suspect of terrorist act with a validity of fifteen (15) days which is renewable upon approval by the Chief Prosecutor at the Intermediate Level. The renewal of such a period must be subjected to grounds indicating the stage of investigation and purpose of such a renewal.

However, such a period shall not exceed ninety (90) days.

**CHAPTER III: INVESTIGATIVE  
RESTRICTION MEASURES**

**Article 13: Imposing residence restriction  
on a suspect**

The Rwanda Investigation Bureau may order a suspect:

- 1 ° to reside at a specified residence;
- 2 ° to remain at a specified place.

**Article 14: Travel restrictions**

The Rwanda Investigation Bureau may impose on the terrorist suspect:

- 1 ° not to leave a specified area without the permission of this Bureau;
- 2 ° to give notice to this Bureau before leaving a specified area;
- 3 ° not to possess, control or seek to obtain any travel document without the permission of this Bureau;

4 ° to surrender any travel document that is in his or her possession or control.

**Article 15: Electronic communication devices restriction**

The Rwanda Investigation Bureau may impose on the terrorist suspect the following requirements:

- ° not to possess or use electronic communication devices without the permission of this Bureau;
- ° to comply with specified conditions for use of an electronic communication device.

**Article 16: Association restriction**

The Rwanda Investigation Bureau may impose restrictions on the terrorist suspect's association or communication with other persons, whether directly or indirectly.

**Article 17: Monitoring of restriction measures**

The Rwanda Investigation Bureau may impose requirements for the person to co-operate with specified arrangements for enabling the person's movements, communications or other activities to be monitored by electronic or other means.

The Rwanda Investigation Bureau may, in particular, impose upon the terrorist suspect to wear or otherwise use apparatus specified or approved in accordance with the specific arrangements and to maintain such apparatus in a prescribed manner.

**CHAPTER IV: ACTS OF TERRORISM AND PENALTIES**

**Article 18: Membership of a terrorist group**

A person who is member of a terrorist group or accepts to join a terrorist group or who deliberately participates in the acts of a terrorist group or a group which contributes to the capacity-building of another terrorist group, commits an offence. Upon conviction,

he or she is liable to imprisonment for a term of not less than fifteen (15) years but not more than twenty (20) years.

**Article 19: Committing and participating in terrorist acts**

A person who commits, attempts to commit, participates in or supports terrorist acts commits an offence.

Upon conviction, he/she shall be liable to imprisonment for a term of not less than fifteen (15) years but not more than twenty (20) years.

If the offence referred to in Paragraph One of this Article involves a leader of the group or any other person who played a role in its formation, the penalty is an imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 20: Conspiracy and incitement to commit a terrorist act**

A person who conspires, incites others to commit a terrorist act directly or indirectly, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not

less than twenty (20) years but not more than twenty-five (25) years.

**Article 21: Giving orders in a terrorist act**

A person who orders another person, directly or indirectly, to act under orders or in collaboration with a terrorist group, for the purpose of supporting a terrorist group or in its interests, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 22: Concealing information regarding money or other property suspected to have resulted from a terrorist act**

A person who fails to notify competent authorities of any information he or she has obtained which causes him or her to suspect or to confirm that:

1° money or any other property belongs to a terrorist or results from terrorist acts;



2° an agreement or a transaction in which he or she entered into or participated in good faith involves money or any other property belonging to a terrorist or resulting from a terrorist act, commits an offence.

Upon conviction, he or she is liable to imprisonment for a term of not less than five (5) years but not more than seven (7) years.

**Article 23: Terrorist acts against aircraft, vessel or another means of transport**

A person hijacking of an aircraft, a vessel or another means of transport, commits an offence.

Upon conviction, he/she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

The penalty referred to in Paragraph 2 of this Article also applies to any person who commits or attempts to commit any of the following acts:

1° to transport another person aboard an aircraft, a vessel or another means of

transport without his or her consent to a place other than the scheduled destination;

2° to abduct a person aboard the aircraft, the vessel or another means of transport for ransom or forced labour;

3° to take hostage persons aboard an aircraft, a vessel or another means of transport;

4° to demolish the aircraft, the vessel or another means of transport;

5° to cause insecurity of people aboard an aircraft, a vessel or another means of transport.

**Article 24: Illegal use of explosives or any noxious substance in a public place**

A person who illegally gives, plants, throws or explodes an explosive or any other device with noxious substance in a public place for terrorist act purposes, commits an offence.

Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 25: Demolishing buildings or means of transport for the purpose of terrorism**

A person using means other than explosives or noxious substance for terrorist purposes, who wilfully destroys or demolishes the following:

- 1 ° public or private infrastructure and building or a means of transport;
- 2 ° any other infrastructure or building used or which should be used by an internationally protected person, his or her means of transport or property;

commits an offence.

Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 26: Taking a person hostage**

A person who takes a person hostage with intention to use force against the State, international organization or a leader or any other person with a threat to kill, injure or continue to take him or her hostage in case of failure to give or fulfil his or her demand, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than fifteen (15) years but not more than twenty (20) years.

**Article 27: Terrorism against an internationally protected person**

A person who kidnaps an internationally protected person or attacks him or her for terrorist purposes, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 28: Entering State, Embassy or International Organizations premises for the purpose of a terrorist act**

Any person who unlawfully enters or attempts to enter a house or premises used by or where

the Government or an Embassy and International Organizations operate, with the purpose of a terrorist act, forcing, intimidating or harassing, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than fifteen (15) years but not more than twenty (20) years.

**Article 29: Possessing or manufacturing chemical weapons for the purpose of committing a terrorist act**

A person who possesses chemical weapons, documents on how they are used or materials used to manufacture such weapons for the purpose of committing a terrorist act, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than fifteen (15) years but not more than twenty (20) years.

A person who develops or makes chemical weapons or attempts to manufacture them in industries, for the purpose of committing a terrorist act, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of more than twenty (20) years but not more than twenty-five (25) years.

**Article 30: Use of toxic chemicals for the purpose of committing a terrorist act**

A person who, for the purpose of committing a terrorist act, commits any of the following acts:

1 ° to put a toxic substance or any other thing with toxic substance in a certain place;

2 ° to send a toxic substance or any other thing with toxic substance from one place to another by use of postal service or any other means;

commits an offence.

Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 31: Use of, threat or conspiracy to use nuclear weapons**

A person who uses threatens, attempts to conspire or conspires to use nuclear weapons, commits an offence.

Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 32: Donating, receiving or inciting to receive proceeds from terrorism**

A person who donates or receives financial support or any other assets while believing or having grounds to believe that they result from a terrorist act or may be used for terrorist purposes, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than ten (10) years but not more than fifteen (15) years.

A person who incites another person to donate or receive financial support or any other assets while believing or having reasonable grounds to believe that they results from terrorist acts or may be used for terrorist purpose, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of more than fifteen (15) years but not more than twenty (20) years.

**Article 33: Terrorism for political purposes**

A person who commits any terrorist act for political purposes, with intent to destabilize public organs or cause to change their functioning, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 34: Terrorism for religious or any other ideological purpose**

A person who intentionally commits a terrorist act for religious or any other ideological purpose, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than twenty (20) years but not more than twenty-five (25) years.

**Article 35: Obstructing the protection of evidence and the provision of information on a terrorist act**

A person who does not respect instructions relating to an area cordoned off for the purpose of evidence protection or exerts pressure on another person preventing him or her from



providing information about terrorist acts, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than seven (7) years but not more than ten (10) years.

**Article 36: Non-compliance with investigative restrictions**

Any person who violates investigative restrictions provided for under this Law, commits an offence. Upon conviction, he or she is liable to imprisonment for a term of not less than three (3) years but not more than five (5) years.

**Article 37: Penalty for terrorist acts causing death**

If the acts referred to under this Law result in death, the offender is liable to life imprisonment.

**Article 38: Mitigating circumstances**

Subject to the provisions of other laws, penalties provided for offences referred to in this Law may be reduced if the accused provides information which would have been inaccessible by other means and that help to prevent or reduce the effects of the offence, to identify or take the offender to courts, to obtain

evidence or to prevent terrorist acts provided for under this Law.

## **CHAPTER V: MISCELLANEOUS AND FINAL PROVISIONS**

### **Article 39: Seizure of property**

During investigation, Rwanda Investigation Bureau may seize movable or immovable property, freeze an account of a terrorism suspect and seize his or her shares as well as other sources of his or her revenues in accordance with relevant laws.

### **Article 40: Cooperation with other countries in conducting investigation**

Investigative and trial measures are executed in accordance with the laws of Rwanda unless the competent authorities of another State requires that it be proceeded according to a specific form compatible with the laws of Rwanda.

A judge or a civil servant sent by the State

requesting cooperation may attend to the enforcement of measures referred to in Paragraph One of this Article, depending on whether they are executed by a judge or a civil servant.

**Article 41: Publication of the list of terrorists and terrorism financiers**

Rwanda Investigation Bureau draws up the list of terrorists and terrorism financiers.

Upon receiving a list of terrorists and terrorism financiers, the Minister in charge of justice immediately publishes the list.

The list published is regularly updated on basis of new information received.

**Article 42: Drafting, consideration and adoption of this Law**

This Law was drafted in English, considered and adopted in Ikinyarwanda.

**Article 43: Repealing provision**

Law n° 45/2008 of 09/09/2008 on counter terrorism and all prior provisions contrary to this Law are repealed.

**Article 44: Commencement**

This Law comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 13/08/2018

(sé)

**KAGAME Paul**  
President of the Republic

(sé)

**Dr. NGIRENTE Edouard**  
Prime Minister

**Seen and sealed with the Seal of the  
Republic:**

(sé)

**BUSINGYE Johnston**  
Minister of Justice/Attorney General