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Federal Act on the Proscription of the Groups “Al-Qaeda” and “Islamic State” and Associated Organisations

of 12 December 2014 (Status as of 1 January 2019)

The Federal Assembly of the Swiss Confederation,
based on Articles 54 paragraph 1 and 173 paragraph 2 of the Federal Constitution¹,
and having considered the Federal Council Dispatch of 12 November 2014²,
decrees:

Art. 1 Proscription

The following groups and organisations are proscribed:

- a. the group “al-Qaeda”;
- b. the group “Islamic State”;
- c. cover and successor groups to “al-Qaeda” or the “Islamic State” and organisations and groups that correspond in their leadership, aims and methods to “al-Qaeda” or the “Islamic state” or which act on their behalf.

Art. 2 Criminal provisions

¹ Any person who on Swiss territory participates in a group or organisation proscribed under Article 1, supports such a group in human resources or material terms, organises propaganda campaigns for them or for their aims, recruits for them or promotes their activities in any other way shall be liable to a custodial sentence not exceeding five years or to a monetary penalty.

² Any person who commits any of the foregoing acts abroad also commits an offence if he or she is arrested in Switzerland and not extradited. Article 7 paragraphs 4 and 5 of the Swiss Criminal Code³ apply.

³ The prosecution and adjudication of the acts described in paragraphs 1 and 2 are subject to federal jurisdiction.

AS 2014 4565

¹ SR 101

² BBI 2014 8925

³ SR 311.0

Art. 3 Forfeiture of assets

The general provisions of the Criminal Code⁴ on the forfeiture of assets apply, and in particular Articles 70 paragraph 5 and 72.

Art. 4 Referendum, commencement and term of validity

¹ This Act is declared urgent (Art. 165 para. 1 Federal Constitution). It is subject to an optional referendum (Art. 141 para. 1 let. b Federal Constitution).

² It comes into force on 1 January 2015 and applies until 31 December 2018.

³ The term of validity of this Act shall be extended until 31 December 2022.⁵

⁴ SR 311.0

⁵ Inserted by No I of the FA of 15 June 2018, in force since 1 Jan 2019 (AS 2018 3345; BBl 2018 87)..