

2. The activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law are not governed by this Convention, and the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention.

3. The provisions of paragraph 2 of the present article shall not be interpreted as condoning or making lawful otherwise unlawful acts, or precluding prosecution under other laws.

4. This Convention does not address, nor can it be interpreted as addressing, in any way, the issue of the legality of the use or threat of use of nuclear weapons by States.

Article 5

Each State Party shall adopt such measures as may be necessary:

- (a) To establish as criminal offences under its national law the offences set forth in article 2;
- (b) To make those offences punishable by appropriate penalties which take into account the grave nature of these offences.

Article 6

Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

2. Denne konvention gælder ikke for væbnede styrkers aktiviteter under en væbnet konflikt, sådan som disse udtryk forstås efter den humanitære folkeret, som gælder derfor, eller for aktiviteter foretaget af en stats militærstyrker under udøvelse af deres officielle hverv, for så vidt andre bestemmelser i folkeretten gælder derfor.

3. Bestemmelserne i stk. 2 skal ikke fortolkes som en godkendelse eller lovliggørelse af ellers ulovlige handlinger eller som en udelukkelse af retsforfølgning efter anden lovgivning.

4. Denne konvention beskæftiger sig ikke på nogen måde med spørgsmålet om lovligheden af staters brug eller trussel om brug af atomvåben og kan ikke fortolkes således.

Artikel 5

Enhver kontraherende stat skal vedtage sådanne foranstaltninger, som måtte være nødvendige:

- a) for at fastsætte, at det er en strafbar handling i henhold til national ret at handle som nævnt i artikel 2,
- b) for at fastsætte passende straffe for sådanne forbrydelser under hensyntagen til deres alvorlige karakter.

Artikel 6

Enhver kontraherende stat skal vedtage sådanne foranstaltninger, som måtte være nødvendige, herunder efter behov national lovgivning, for at sikre, at straffbare handlinger inden for denne konventions rammer, især hvis de er beregnet eller egnet til at fremkalde en terrorstilstand blandt den brede befolkning eller hos en gruppe personer eller bestemte personer, ikke under nogen omstændigheder er berettiget af politiske, filosofiske, ideologiske, race-mæssige, etniske, religiøse eller andre lignende grunde, og at de straffes i overensstemmelse med deres alvorlige karakter.