

*Translated from Arabic*

**Government of Yemen response respecting implementation of General Assembly resolution 62/63 concerning the criminal accountability of United Nations officials and experts on mission**

In the Penal Code, article 3, the Yemeni legislator has adopted the territorial principle with respect to crime. All Yemeni nationals working as United Nations officials and experts are therefore subject to all legal precepts should they commit an act that constitutes a crime under the pertinent legal articles. With respect to the immunity enjoyed by such Organization employees, it is limited to any articles or written or oral statements related to their work that they may issue or make in their official capacity. A copy of the relevant article is attached.

**The principle of legality**

Article 2: Criminal responsibility is personal and all crime and punishment is subject to the law.

**The territorial principle**

Article 3: This law shall apply to all crimes that are committed on the territory of the State, whatever the nationality of the perpetrator. The crime shall be considered to have been committed on State territory if any constituent part of it took place on that territory. When the crime is committed wholly or partly on State territory, this law shall apply to anyone who was involved therein, even if their involvement took place abroad.

This law shall also apply to crimes that are committed outside State territory and concern the Yemeni courts, in accordance with the Law of Criminal Procedure.

**Retroactivity of the most appropriate law**

Article 4: The law that was in force at the time when the crime was committed shall be applied, unless one or more laws has been promulgated since the crime took place and before a final judgement has been passed on the crime, when the most appropriate law shall be applied to the suspect. If a law is promulgated after a final judgement has been passed, it shall make the deed for which the criminal was judged unpunishable and implementation of the judgement shall cease and its criminal effect shall end. Nevertheless, if a law is promulgated that criminalizes or outlaws the act or increases the penalty determined for that act, and that law was promulgated within a specific period, then the ending of that period shall not prevent its application to any act that took place in the course of it.

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