

Translated from Arabic

Information from the Government of Kuwait regarding the implementation of General Assembly resolution 70/114 on criminal accountability of United Nations officials and experts on mission

I. Holding accountable Kuwaiti nationals who commit crimes of a serious nature while working for the United Nations

In respect of criminal accountability, the Penal Code of Kuwait treats this group of persons in the same manner as any other Kuwaiti who commits a crime abroad. Article 12 of the Penal Code, promulgated by Law No. 16 of 1960, provides that “those provisions shall apply to any Kuwaiti person who commits an act that is punishable under the present Law and pursuant to the laws that are in force in the place where the act was committed, if the person returns to Kuwait without having been cleared by the foreign courts of the charges against him”.

The above is sufficient to ensure the criminal prosecution of any Kuwaiti who commits a crime while working for the United Nations when it is not possible to prosecute that person in the country in which he works because he enjoys diplomatic immunities. The individual will be prosecuted when he returns home to Kuwait.

II. Jurisdiction

Jurisdiction shall be exercised when the above-mentioned crimes are committed. No court rulings have yet been issued in that regard.

III. Other aspects of resolution 70/114

The relevant laws and the bilateral agreements concluded between the Government of Kuwait and other States in relation to legal assistance are sufficient to implement the other provisions of resolution 70/114.