

Permanent Mission of the Sultanate of Oman to the United Nations

5223/25220/2212/130

The Permanent Mission of the Sultanate of Oman to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations, and has the honour to refer to the latter's note referenced: LA/COD/50/1 dated 5 January 2023, regarding the General Assembly resolution no. 77/98 of 7 December 2022, entitled "Criminal accountability of United Nations officials and experts on mission".

In this context, the Permanent Mission of Oman has further the honour to attach herewith the report of the Government of the Sultanate of Oman with respect to implementing the above-mentioned resolution.

The Permanent Mission of the Sultanate of Oman to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

28 March 2023

The Report of the Government of the Sultanate of Oman

The content of the United Nations General Assembly resolution indicates that it is related to implementing the jurisdiction of States over their citizens, who work for the United Nations and commit crimes in the countries in which they are present, and, they enjoy the immunities and privileges according to the norms of International Law. On the other hand, their criminal acts adversely impact the trust and credibility of international organizations, and that they must not escape punishment.

In this regard, the Omani legislation regulated its jurisdiction over such groups, regardless of the type of post or the entity for which they work for, as long as that entity considers the act to be a criminal offense, on the Penal Law promulgated by Royal Decree No. (7/2018), as Article (18) stipulates that:

“The provisions of this law shall apply to every Omani citizen, who commits an act abroad that is deemed as a felony or a misdemeanor under this law, if he/she returns to the country, and such act is punishable by imprisonment for a period of no less than one year in the State in which it was committed, even if he/she lost the Omani citizenship or acquired it after committing that crime, unless it is proved that he/she was tried abroad, his/her innocence or conviction was proven, and he/she served the sentence, or it was waived from him/her, or the lawsuit lapsed”.

In reference to the obligation of United Nations staff and experts on missions respecting the national laws of the host country, and the right of the host country exercising its criminal jurisdiction, in accordance with the relevant rules of International Law and the Agreements governing the operations of United Nations missions; the Sultanate of Oman supports the right of the host country to exercise its jurisdiction, particularly in serious crimes of a criminal nature, and coordinate with his/her country to try him/her upon returning to it.

-End-