

***An Omani approach for addressing
Piracy off the E.C of Africa***

By

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ABSTRACT

Piracy off the Coast of Somalia is not a new phenomenon, it began in early 1990s and the problem has expanded and become a daily, violent crime which has flourished due to the poor security situation in Somali at the moment. This piracy is affecting all countries around the world whether directly or indirectly.

Somalia's neighbors are extremely impacted by the costs of piracy. This study focuses on piracy off the Coast of Somalia which is taking place right now in the Gulf of Aden and Western Indian Ocean and its impact in the region. Oman has been one of the most affected countries in the region, in terms of hundreds of Somali pirate attacks taking place off its coastline every year.

Included in the study is information about the definitions of piracy as codified by United Nation Convention on the Law of the Sea (UNCLOS) and Suppression of Unlawful Acts of violence against the Safety of Maritime Navigation (SUA Convention), history of piracy, failed and failing States, and the connection between the stability of these States and piracy.

The scope of the research deals with the current political, economic and legal situation of Oman, a detailed analysis of the Piracy situation in Oman in terms of strengths, weaknesses, opportunities and threats, case study of piracy, and recommendations for both Oman alone and in cooperation with other neighboring countries for combating the problem.

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Acronyms

SUA	Suppression of Unlawful Acts against the Safety of Maritime Navigation
EEZ	Exclusive Economic Zone
HSC 1958	High Seas Convention 1958
UNCLOS	United Nations Convention on the Law of the Sea, also known as LOS
O.G.S.O	Gazette of the Sultanate of Oman
LOSC	United Nations Convention on the Law of the Sea
ICU	Islamic Courts Union
TFG	Transitional Federal Government
WFP	World Food Program
GDP	gross domestic product
SHADE	shared awareness and deconfliction
NATO	North Atlantic Treaty Organization
CTF151	Combined Task Forces
UK	United Kingdom
US	United States
UAE	United Arab Emirates
CIA	Central Intelligence Agency
ICCT	International Criminal Court
GMDSS	Global Maritime Distress and Safety System
TRA	Telecommunication Regulatory Authority
LRIT	Long Range Identification and Tracking System
MVS	Monitor Vessel System
SOLAS	International Convention for the Safety of Life at Sea in 1974.
MARPOL	International Convention for the Prevention of Pollution in 1973
ISPS code	International Ships and Ports Security code
STCW	Standards of Training, Certification and the work shifts for seafarers convention
SME	Small Medium Establishments

PDO	Petroleum Development Oman
OPEC	Organization of Petroleum Exporting Countries
ORPC	Oman Refineries and Petrochemicals Company
ITA	Information Technology Authority
CMF	Combined Maritime Forces
GTO	General Telecommunication Organization
EUNAVFOR	European Union Naval Forces
IMB	International Maritime Bureau
PCASP	Private Contracted Armed Security Personnel
RMP	Recognized Maritime Picture
CIS	Commonwealth of Independent States
Km	kilo meter
Nm	nautical mile
Sq km	square kilometer
ABEDA	Arab Bank for Economic Development in Africa
AFESD	Arab Fund for Economic and Social Development
AMF	Arab Monetary Fund
FAO	Food and Agriculture Organization
G-77	Group of 77
GCC	Gulf Cooperation Council
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development (World Bank)
ICAO	International Civil Aviation Organization
IDA	International Development Association
IDB	Islamic Development Bank
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
IHO	International Hydrographic Organization
ILO	International Labor Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
IMSO	International Mobile Satellite Organization

Interpol	International Criminal Police Organization
IOC	International Olympic Committee
IPU	Inter-parliamentary Union
ISO	International Organization for Standardization
ITSO	International Telecommunications Satellites Organization
ITU	International Telecommunication Union
LAS	League of Arab States
MIGA	Multilateral Investment Geographic Agency
NAM	Nonaligned Movement
OIC	Organization of the Islamic Conference
OPCW	Organization for the Prohibition of Chemical Weapons
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNIDO	United Nations Industrial Development Organization
UNWTO	World Tourism Organization
UPU	Universal Postal Union
WCO	World Customs Organization
WFTU	World Federation of Trade Unions
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WTO	World Trade Organization
DGMA	Directorate General of Maritime Affairs

Dedication

For my family and

OMAN

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I would like to express my profound gratitude to the Division for Ocean Affairs and Law of the Sea (DOALOS), Office of Legal Affairs at United Nations and the Nippon Foundation of Japan for giving me this golden opportunity to be one of the 2011-2012 Fellows who came from different Countries around the World.

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Introduction

As a member of the Head Section of Ships and Ports Security in the Directorate General of Maritime Affairs, my duties include responsibility for compliance of the International Ship and Port Facility Security Code (ISPS code), issuance of certificates of compliance for ships and ports, operation of the Long Range Identification and Tracking (LRIT) system, issues related to port security, coordination of all port facility Security Officers, and representation at national and international meetings, seminars and conferences. My lawyer background has facilitated my ability to understand this problem, and led me to apply for the United Nations Fellowship.

The modern day piracy began about twenty years ago, with the downfall of the Somali Government. Piracy broadened to include the western Indian Ocean, the Gulf of Aden, the Arabian Sea and the Sea of Oman. Problems continued to grow until the United Nations issued a legal resolution, giving the States and regional Organizations cooperating with the Transitional Federal Government (TFG) the permission to fight against Piracy and armed robbery at Sea off the Coast of Somalia.

It should be noted that the Security Council has renewed in late 2011 by Resolution 2020 (2011) the authorizations for States and Regional Organizations as set out in paragraph 10 of Resolution 1846 (2008) and paragraph 6 of Resolution 1851 (2008), as renewed by paragraph 7 of Resolution 1897 (2009), and paragraph 7 of Resolution 1950 (2010) for a further period of twelve months from the date of this Resolution.

There have been attempts to fight the piracy problem, including the Code of Conduct and the Best Management Practices, both approved by the United Nations and the International Maritime Organization. However, the problem continues to grow.

In the meantime, there are a number of multi-national task alliances operating in the area to fight piracy. Their goals are to deter, disrupt and suppress piracy so as to bring about security and freedom.

International trade has been greatly affected by piracy, and shipping companies have asked the Governments in the affected area to come up with a plan to stop this problem immediately. In the meantime, they have asked permission to employ private security forces on board their ships.

From 2007 to 2010, attacks increased by 700%, and the pirates doubled their operation area, moving in the direction of Oman. Due to its extensive coastline, Oman is the country most affected. As the pirates have spread their activities, Oman has suffered more attacks and hijackings. These attacks have been on both Omani ships as well as ships from other countries that enter and leave Omani ports. At the present time, Salalah is the port most affected, but it is expected that attacks will increase near other ports as well.

The focus of this Fellowship study is to develop a plan that Oman can implement to combat piracy along its coastline. This plan will be developed in such a manner that it can be adopted by other affected countries. As well, it will outline a plan for regional cooperation between some of the GCC countries as well as other countries in the region that are affected to a lesser degree.

1 Chapter One: Purpose, Methods and Targets

1.1 The purpose of doing this research

The Omani Ministry of Foreign Affairs has been extremely concerned about piracy problem for quite some time. This problem has escalated dramatically in the last five years, and is still a major threat facing Oman today. In the past two years, twenty-five Somali pirates have been prosecuted in Oman. When offered the opportunity to apply for a United Nations Fellowship, this Ministry as well as the Ministry of Transport and Communication jumped at the chance of developing strategies to combat piracy.

The purpose of this study is to develop a plan that can be used by Oman to combat piracy, but also can be implemented by other countries throughout the entire Gulf region either individually or cooperatively.

1.2 Research Methods

Due to the instability in Somalia, it was not possible to carry out onsite research. Instead, research was done by accessing official and credible websites for internationally known organizations such as the United Nations and the International Maritime Organization. Statistics were obtained from various Government departments as well as legal authorities.

Due to the distance and time zone differences, interviews were conducted via the internet, in the form of sending questions to the appropriate authorities. These interviews were carried out with members of the Omani Coast Guard, Navy and Air Force, as well as a number of Omani Government departments. These included Public Prosecution, Ministry of Agriculture and Fishing Wealth, Foreign Affairs and Transportation and Communication.

Thanks to the generosity of Dalhousie University, access was given to the legal library.

1.3 Target Audience

The information in this report is targeted at the following groups in Oman in particular, but also in all GCC countries.

1. Law Enforcement agencies
 - a. Coast Guard
2. Ministry of Defence departments
 - a. Navy
 - b. Air Force
3. Other Government departments
 - a. Public Prosecution
 - b. Ministry of Foreign Affairs
 - c. Ministry of Transport and Communications
 - d. Ministry of Agriculture and Fishing Wealth
 - e. Justice
4. Universities/Educational Institutions
 - a. Law School
 - b. Police Academy
5. Port Authorities

This report will also be of interest to various departments at the United Nations, in particular the Division of Legal Affairs and the Law of the Sea (DOALOS) and the Office of Drugs and Crime (UNODC). As well, the IMO is a target.

1.4 The problem faced during this research.

(Any information related to piracy is top secret)

During this research I have been in contact with some people from Oman who are working in different authorities such as Omani Coast Guard, Omani Navy and the Public Prosecution in order to collect as much information as I could related to the piracy problem. Specifically I wanted to know the current capability of the Omani Navy and how

the Omani forces are dealing with piracy activities right now off the Omani coastline. I have faced some difficulties which have made the research more difficult.

The main difficulty I have faced is that most piracy information is top secret, as some officers of the Omani Navy have informed me.

I am unsure what information related to Piracy is top secret, and how the researchers can go forward with their studies and research the matter deeply without any support or at least guidelines given to them, in order to finalize their studies and make good recommendations. This is especially concerning when you consider that the studies have been approved and funded by Omani official authorities themselves.

I believe that all benefits of this research or any other such studies eventually will definitely go back to my country. I believe at the same time that there is particular information which might be considered top secret for either political or operational reasons. However, we need a specific mechanism that ensures optimal use of this information with the obligation to maintain it confidentially at the same time.

What is needed here is to intensify the communication between the Omani enforcement forces and the Ministry of Transport and Communications as well as Ministry of Agriculture and Fisheries Wealth, in order to act together and liaise against this problem; the communication already exists, but that is still not enough.

It should be noted that the Ministry of Transport and Communications (Directorate General of Maritime Affairs) created a mini operation room dealing with urgent and operational issues such as maritime security, oil spills, maritime accidents and maritime incidents last year. This operation room could be used to coordinate with any Omani security authority, including the Omani Navy, in all issues or concerns, whether they were related to Maritime Security itself or other important issues.

2 Chapter two: Introduction to the problem of Piracy

2.1 Brief overview of Piracy

Piracy itself has existed for thousands of years. For some it was an adventure. In other cases, people were shamed by it. Piracy was carried out by all levels of society. It was a way of life and career of some. Even merchants and well-to-do families often worked in cooperation with pirates to increase their riches.

Piracy events have been recorded since the times of the Roman Empire and the ancient Greeks. Every part of the world has been affected as merchants plied the waters of all of the oceans and seas, and the pirates were waiting for them. Some people even believe that Julius Caesar was captured by pirates in 78 BC, and a ransom had to be paid before he was freed. Piracy continued from Caesar's time until a few hundred years ago. It was very common in the 17th and 18th centuries, and then it slowly decreased and was almost nonexistent by the end of the 19th century. This low level of piracy continued until later in the 20th century, and through these thousands of years, it was considered more of a nuisance problem than a threat to the safety and security of the ships and crew. Movies depict this former act of piracy as a form of romantic adventure.

Major changes took place in the 1970s. In some countries in Africa and the Middle East, many problems such as droughts and famines were taking place. Governments, such as in Somalia, became ineffective and thus were not able to protect their waters. If pirates were captured and apprehended, consequences were minor. Gradually, those waters became a fertile environment for piracy to flourish again, not only in the number of attacks, but also in the violence associated with them.

Pirates are using all modern technology to aid in their apprehension of ships, cargo and crew, making apprehension much more challenging. The amount of violence has drastically increased. The threats to the crew, ship owners and security personnel have increased. The costs to the ship owners have multiplied. The costs of being involved with

piracy have skyrocketed, for both those captured and those fighting against it. Piracy has now become a form of terrorism.¹

2.2 Background to Piracy off the coast of Somalia and Western Indian Ocean

The modern piracy problem in Somalia can be traced back to the fall of the Somali Government in 1991. Foreign fishing ships invaded the territorial waters to ply without the threat of enforcement. European countries were accused of dumping toxic waste off the coast without fear of prosecution. The resulting depleted fishing stocks encouraged the Somalis to take matters into their own hands, and many fishermen began boarding foreign ships and demanding payment for the fish they were taking. These payments were given to residents of fishing villages who were affected by their inability to earn a living fishing.

The results of the tsunami at the end of 2004 brought matters to a head, when broken hazardous waste containers washed up on the Somali coastline, causing many residents to become very ill. As a result, the Somali fishermen increased their attacks on foreign ships both in number and in the level of violence. The piracy came to international attention in 2007 with the takeover of a World Food Programme ship.

The money involved in piracy is significant. A generous estimation of an annual Somali's salary is \$ 600. In 2009, collected ransom totaled more than four times the country's annual budget. Due to the risks involved in sailing in this area, insurance premiums, lost revenues, increased hazard pay for crew and the cost of delays while awaiting navy escorts, costs to shipping companies have skyrocketed.

Piracy is not abating. In 2009, 217 ships were attacked, 47 of those were captured, and 867 hostages were taken. In the first half of 2010, 100 ships were attacked, with 27 of those being captured.

¹ Protection of Foreign Ships against Piracy and Terrorism at Sea: Legal Aspects-H.E. Jose' Luis Jesus-Judge, International Tribunal for the Law of the Sea 2003, Hamburg , <https://wiki.brown.edu/confluence/download/attachments/24806471/Piracy.pdf>

Today's pirates continue to take the point of view that they are trying to make up for lost fishing jobs and revenue. However, they have not only targeted fishing vessels. They have escalated the attacks to include any ship from which they think they can obtain ransom.

2.3 Problems affecting Oman due to piracy

Oman has suffered an increasing number of piracy attacks over the past few years. More and more ships are being attacked and hijacked. The cost of goods has increased due to the increased shipping costs. Livelihoods of fisherman have been negatively affected. The costs of patrolling, apprehending and jailing the pirates have increased.

2.4 Definition of Piracy

2.4.1 Problems with the definition of piracy in Oman penal law

Current definition of piracy

Article (285) of the Omani Penal law states:

He who attacks a ship at sea, despoils her cargo or harms her crew members or passengers, is punishable with life imprisonment. However, the doer is punishable with death sentence, if the act has resulted in the sinking of the ship or the death of any human being.

This definition needs to be clarified.

- What does "at sea" mean? Does it mean the territorial waters, or territorial waters plus the high seas?
- What is the definition of "attack"? Does violence have to be involved for it to be considered an attack?
- Can a person who fraudulently boards a ship and take it over be prosecuted? Is this considered piracy?
- If the crew of a ship takes it over, can they be prosecuted as pirates?

The United Nations Convention on the Law of the Sea in 1983 (UNCLOS) codified Piracy in its article (101) , namely that Piracy refers to activities that occur on the high seas or in

any place outside the jurisdiction of any State. Thus, piracy does not refer to activities inside the territorial waters of any State according to UNCLOS, meaning if such criminal acts occurs within 12 nm of a State, it cannot be called piracy. Such acts are commonly described as Armed Robbery at sea.

The Omani Penal Law, in its article (285), has some contradiction because it defines these kinds of criminal activities as piracy. Activities like these should be named armed robbery at sea as long as they are occurring within the territorial waters. The Penal Law of Oman hasn't made the appropriate separation between the two different kinds of criminal activities. Therefore, it is recommended that the Omani Maritime Authority differentiate between the definitions of "Piracy" and "Armed Robbery at sea" according to the international conventions.

This work is following what the Omani national laws are considering about the criminal activities which take place within its territorial waters, and it should be noted that the use of the Piracy term mentioned in this paper corresponds to the Omani law and not according to the legal definition of Piracy in international law.

2.4.2 Treaties (UNCLOS+ SUA)

The definition of piracy according to:

United Nations Convention on the Law of the Sea in 1983 (UNCLOS)

Article (101) Definition of Piracy

Piracy consists of any of the following acts:

- a) Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
 - On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - Against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

- b) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or Aircraft;
- c) Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

The definition of piracy according to:

Convention for the Suppression of the Unlawful Acts of Violence against the Safety of Maritime Navigation in 1969 (SUA Convention)

ARTICLE 3

Any person commits an offence if that person unlawfully and intentionally:

1. Seizes or exercises control over a ship by force or threat thereof or any other form of intimidation; or
2. performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship; or
3. Destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship; or
4. places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship; or
5. Destroys or seriously damages maritime navigational facilities or seriously interferes with their operation, if any such act is likely to endanger the safe navigation of a ship; or
6. Communicates information which he knows to be false, thereby endangering the safe navigation of a ship; or
7. Injures or kills any person, in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (1) to (6).
8. Any person also commits an offence if that person:
 - a) Attempts to commit any of the offences set forth in paragraph 1; or

- b) Abets the commission of any of the offences set forth in paragraph 1 perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or
- c) Threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (2), (3) and (5), if that threat is likely to endanger the safe navigation of the ship in question.

2.4.3 The Sources of Law in Oman

The Omani legal system will be described below (section 4.7.3) however; at this stage it is important to note that Oman has three basic parallel interrelated sources of law. In the first instance there is the fundamental source, Islamic law, which is derived from the Koran, the Sunna (example or precedent of the Prophet as recorded in the Hadith or tradition), the Ijma (consensus of the scholars) and the Qiyas (reasoning by analogy). Islamic law is applied mainly through a system of Sharia courts, though its application is also found to a limited extent in the commercial secular tribunals in Oman.

Secondly, there is a statutory system of law expressed in Royal Decrees and Ministerial Decisions which are promulgated in the Official Gazette of the Sultanate of Oman (O.G.S.O).

Thirdly, as is the case with any civilized country, Oman recognizes private international law as applied to commercial and financial transactions.

While these systems arise from different sources, they are interdependent rather than independent. The legal system of Oman is being increasingly formalized and in the past decade this effort has been concentrated on promoting a set of legal rules which are fundamental to any system of Government and the administration of justice.²

² The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 pages no 507 and 508, published by Law Journal Library, http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

History of the Legislative Progress in Oman

Oman is in the position of being able to select from several different legal systems in order to forge a body of law suitable for its own purposes with the aim of encouraging rapid but rational progress. Each available system has, of course, advantages as well as limitations which must be evaluated before they are applied to the needs of Oman.

1. Napoleonic Code

The French Napoleonic Code has seen great application in the Middle East having been adopted in such diverse areas as Egypt and Turkey. Thus the merging of this system into the Omani legal framework would have several advantages, namely:

- 1) Since it enjoys a wide recognition in the Middle East, businessmen from other parts of the world would be readily able to understand it and make use of it, with a minimum of modification, as the Napoleonic Code contained a variety of Islamic Rules.
- 2) Consultants, administrators and professionals from Arab countries would be readily available, and able to apply their skills with a minimum of retraining.
- 3) A published law would be more likely to ensure consistency in the theory behind the law as well as its application and practice.

However, the French legal system undoubtedly has certain disadvantages:

- 1) It is based upon a European philosophical, ethical and religious foundation. As such, in many respects, its underlying basis and rationale is alien to an Islamic country such as Oman and accordingly thorough re-evaluation and redrafting would be required to ensure that it would meet the requirements of the Islamic society found in Oman.
- 2) The French system has worked in the context of a fully developed rather than a developing country. Changes in the law in a developing country are not gradual

but occur in quantum leaps requiring constant updating and re-evaluation and thereby imposing an additional burden on modern Governments.

The process of continuous re-evaluation and modification is certain to lead to anomalies and confusion, which is primarily what the law is intended to avoid.

- 3) The administration of such a legal system has historically resulted in the growth of a large bureaucracy. Aside from the financial burdens concomitant with large scale public employment, the growth of regulations, offices, application and licenses attendant to such bureaucracy has had the effect of stifling legitimate private enterprises and initiative.

Furthermore, the concentration of power into many diverse Governmental offices makes control of these offices much more difficult and can lead to corruption and inconsistent application of the laws, especially if the decision maker is not required to adhere to precedent or to give complete justification of his decision.³

Islamic Legislation

The history of Islamic Law is replete with developments inherent in the Omani legal system. An appreciation that certain matters of Government and administration needed precise direction from the Government arose early in the history of Islamic Law. In another sultanate in another time, the preeminent Sultan of the Ottoman Empire was known in the West as Suleiman "The Magnificent." However, in Islam, he is known as Suleiman "The Lawgiver" because of his efforts in codifying the law. The ongoing codification of the law was thus seen in the Islamic world as complementary to the principles of Sharia.

In much the same fashion, H.M. Sultan Qaboos bin Said bin Taimur al Said has presided over the gradual codification of the laws in the Sultanate initiated by the advent of the commercial business laws of Oman (com-prised of the Foreign Business and Investment Law, Commercial Agencies Law, the Commercial Companies Law, the Income Tax

³ The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 pages no 508 and 509, published by Law Journal Library, http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

Decree, the Decree on Contract Signing Procedure for the Sultanate, the Commercial Register Law).

In addition, legislation pertaining to labor, social security, and land, insurance and banking has been promulgated, as well as numerous regulations and procedures in the form of ministerial decisions.

This volume of legislation has proved to be of major importance in that it has facilitated development of the country, its economy, and its people by providing an intelligible and comprehensive legal structure by which the business community has been able to operate with ever increasing sophistication.⁴

Sharia Law

The legal structure in Oman combines a mixture of statutory law, necessitated by the day to day requirements of governmental administration and commercial and private life, and a developing and continuous common law. The trend in the Islamic world, however, is for decision makers to base judgments on "justice, equity and good conscience.

In Oman this trend in the law is reflected even in the Commercial Companies Law which states that the Committee for the Settlement of Commercial Disputes shall rely on and adhere to the following:

- Decrees, laws and regulations in force in the Sultanate;
- The contract between the parties; established commercial practice; and
- Whatever establishes justice and fairness between the parties involved in the dispute and leads to the stabilization and regulation of commercial transactions.⁵

⁴ The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 pages no 509 and 510, published by Law Journal Library, http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

⁵ The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 pages no 510 and 511, published by Law Journal Library, http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

The principles of the Sharia are immutable, based upon the theory that the law is God-given and eternal. The Koran and Hadith form the basis of the Sharia or Holy Law and have been in existence since the beginning of the second century. By utilization of analogical deduction from the Koran and Sunna, in conjunction with the application of principles of equity to avoid injustice, a body of precedent has been established which provides answers to present day legal problems. The history of the Sharia law reveals that it developed in a similar way to the Anglo-American Common Law.

Sharia law has molded the attitudes of Oman's citizens, as well as that of the commercial community, so it can be said that Sharia reflects both the religion and the society prevalent in the country.

One of the difficulties with such a religious structure is that it consists in fact of several different systems. None of these are completely codified and they exist often as the application of customs and values rather than as operative legal requirements. In addition, the judgements of the Sharia court are not publicly available nor do they have any precedential status.

As a result there is much uncertainty as to the application of Sharia law. This can result in increased costs for commercial enterprises in Oman, which may then be passed on to the Government and the consumers.

Sharia courts usually resolve all nature of disputes in the outlying regions. Nearer to the capital, and in major cities, the Sharia Court's jurisdiction has not been restricted but parties have recourse to other forums which they may believe to be more convenient or technically suited for these purposes. Therefore, the Sharia courts in these areas tend to hear cases relating to family law' and minor criminal and commercial cases; in practice the Sharia courts will also generally refuse to hear commercial cases. The Sharia is therefore evolving to integrate with the requirements of modern Oman.⁶

⁶ The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 pages no 510 and 511, published by Law Journal Library, http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

International Law

International law has been, and is, of import in the Islamic legal tradition. Oman, predominantly an Islamic country with a long and preeminent history of international relations, has participated in the community of nations by means of its work in numerous organizations of Gulf and Arabic States, the United Nations, and in international conventions.

Some of the international treaties that the Government of Oman has entered into include the International Organization for Agricultural Development (1974), the World Bank (1971), United Nations Educational Scientific and Cultural Organization (1972), the Convention on the International Maritime Organization (IMO) and the Political and Regional Asylum Treaty.⁷

Conclusion to Chapter 2

In this chapter a general overview of the Piracy problem has been briefed which showed that piracy activities have been recorded from long time ago, background of Piracy off the Coast of Somalia and Western Indian Ocean has been discussed, the legal definition of Piracy according to both the United Nations Convention on the Law of the Sea in 1983 (UNCLOS) and the Convention for the Suppression of the Unlawful Acts of Violence Against the Safety of Maritime Navigation in 1969 (SUA Convention) has been outlined. Problems affecting Oman due to piracy have been clarified as Oman has suffered an increasing number of piracy attacks over the last few years. The current Omani National legislation regarding Piracy is good enough to criminalize piracy and punish pirates, however it does not make correct use of the universal definition of piracy. Armed Robbery at Sea as another kind of criminal activities also needs to be codified along with piracy in the penal Law of Oman. Also, in the section an overview of the Sources Law in Oman has been described.

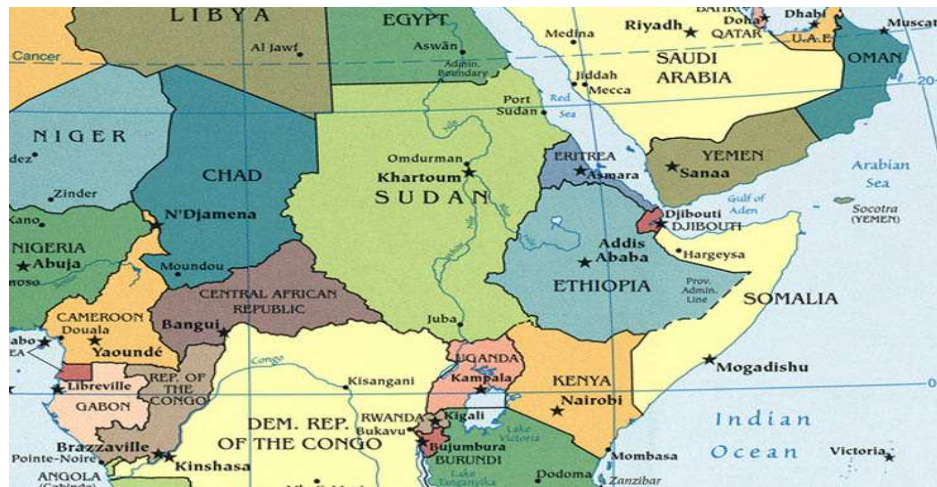
⁷ The Commercial Legal System of the Sultanate of Oman, Hill, Thomas W.Jr. 1983 page no 510, published by Law Journal Library,
http://heinonline.org/HOL/Page?handle=hein.journals/intlyr17&div=38&g_sent=1&collection=journals

3 Chapter three: the description of the region's Countries and failed and failing States in the region.

This section will describe the countries that have been affected by piracy activities in political, economic, legal and military terms. The countries will be analyzed in terms of stability and its connection to piracy in order to find ways to fight piracy collectively.

3.1 *The description of the region Countries (Oman, Saudi Arabia, U.A.E, Kenya, Tanzania, Djibouti, Ethiopia, Eritrea, Yemen and Somalia)*

Map no 1: The map shows the most affected coastal countries of Piracy off the Coast of Somalia presently



Source: east coast of Africa map, <http://www.capitaleritrea.com/wp-content/uploads/Horn-eritrea-map.jpg>

3.1.1 Background of affected countries

Politics

The political systems in all of these Asian countries are quite stable except for Yemen. Recently civil unrest, fueled by recent uprisings in other Gulf countries, has claimed many lives in Yemen, due to complaints of high unemployment, Government corruption and poor economic conditions. The African countries, other than Somalia, are generally fairly stable.

Economy

There is a lot of discrepancy between the Asian countries. Those with a good economic outlook include Oman, Saudi Arabia and the U.A.E. However, the economy of Yemen is in shambles due to the recent violent protests and fighting. The economy of all of the affected African countries is quite poor. A number of the African countries have stable economies, but still are very poor. Many are reliant on help from non Government organizations (NGOs).

Legal System

In the Middle East, Oman and the U.A.E. have a combination of Islamic and civil law. Yemen has a combination of Islamic, civil and customary law, while Saudi Arabia has an Islamic and customary legal system. Of the African countries, Somalia, Eritrea, Djibouti and Kenya all have a combination of civil, Islamic and customary law systems. Ethiopia and Tanzania have a civil law system.

Military

All of the affected countries have Navy and Coast Guard capabilities except Ethiopia. However, Oman, Saudi Arabia and the U.A.E. have the strongest capabilities in personnel and equipment. Though the other countries have some capabilities, they would actually require support from other countries to fight piracy.

3.2 Failed and failing States in the region and the connection between the stability of these States and piracy.

3.2.1 Failed and failing States in the region.

How does the capability of a State affect piracy?

The Failed and Fragile States project that was developed by the Country Indicators for Foreign Policy (CIFP) Fragility project examines State fragility using a combination of extensive structural data and dynamic events monitoring to provide an overall picture of a country's fragility and trend lines. The Fragile States brief provide a comprehensive analysis of the multi-faceted processes related to state fragility in a given country. The

indicators that make up the structural data are divided into six clusters: Governance; Economics; Security and Crime; Human Development; Demography; and Environment. The events monitoring is done using a variety of domestic and international sources and is coded using a database specifically created for the project.⁸

The countries in the following table were classified by their ability to protect themselves if needed, and whether or not they could operate a Government. These Government functions include security, socio-economic welfare and the rule of the law.

In terms of security Factors that were considered were the strength of the military, personnel and equipment, armed conflict within the country presently, standing armed forces and the status of the security system in the country at the present time. Socio-economic welfare was determined by examining the current economic conditions of the country, including the GDP, income, exports, imports, and the presence or absence of a stable currency and economic infrastructure. The rule of the Law was examined in terms of existing anti-piracy laws, history of arrests, charges and punishments for piracy, the justice system, and whether or not the country has a functioning court system.⁹

A score of zero to two was given for each category. A total of five or six was then classed as a stable State. A score of three or four was considered a failing State. A score of less than three was given the classification of failed State.

These are the Factors considered in terms of analyzing the stability of State by another form:

Security

0 = armed conflict (fighting) and no standing armed forces

1 = armed conflict (fighting) and standing armed forces

2 = No armed conflict (fighting) and standing armed forces

⁸ Country Indicators for Foreign Policy, Failed and Fragile States, Carleton University, <http://www4.carleton.ca/cifp/ffs.htm>

⁹ Country Indicators for Foreign Policy, Failed and Fragile States, Indicators Description, Carleton University, http://www4.carleton.ca/cifp/ffs_indicator_descriptions.htm

Socio-economic Welfare

0 = No stable currency, no Government economic management and no national economic infrastructure

1 = lacking one of the key indicators.

2 = stable currency, Government economic management and national economic infrastructure.

Rule of the Law

0 = No justice system and no functional Courts

1 = lacking one of the key indicators

2 = justice system and functional Courts

Analysis of stability of countries:

country	Ability for Security			Ability for socio-economic Welfare			Ability for rule of Law			The total scores
Rating	0	1	2	0	1	2	0	1	2	
Puntland		*			*			*		3
Southern Somalia	*			*				*		1
Yemen		*			*			*		3
Djibouti			*		*				*	5
Kenya			*			*		*		5
Tanzania			*		*				*	5
Eritrea			*		*				*	5
Ethiopia			*		*				*	5
Somaliland			*		*				*	5
Saudi Arabia			*			*			*	6
Oman			*			*			*	6
United Arab Emirates			*			*			*	6

5-6 = stable State

3-4 = failing State

0-2 = failed State

Country	Country stabilities			Persecution of Pirates		Piracy involvement				Country capabilities Navy Forces /Coast Guard	
						UN CONTACT GROUP	CODE OF CONDUCT	SHADE	CTF151		
	stable	failing	failed	yes	no					yes	no
Somaliland	*			*							

Puntland		*		*							
Southern Somalia			*	*							
Somali				*		*	*			*	
Yemen		*		*		*	*	*	None member with stuff presence	*	
Djibouti	*				*	*	*			*	
Kenya	*			*		*	*			*	
Tanzania	*			*			*			*	
Eriteria	*				*		*			*	
Ethiopia	*				*	*	*				*
Saudi Arabia	*				*	*	*	*	*	*	
Oman	*			*		*	*			*	
United Arab Emirates	*			*		*	*	*	*	*	

3.2.2 The connection between the stability of these States and piracy

The analysis showed that the stability of a State is a very important factor in creating opportunities for piracy to flourish. In other words, piracy activities are more likely to exist in failed and failing States than in stable States. The stability of the States directly affects the occurrence of piracy. The lower the score (i.e. the failed and failing States), the higher the incidences of piracy. As can be noted from the table, the analysis of stability of countries shows that there are 3 levels of stability in the region:

1. First level: stable States

Oman, Saudi Arabia, and the United Arab Emirates have the full rating scores of (6) because all of these countries have strong capabilities to deal with piracy individually (without getting help from outside) as well as having the ability to lead regionally in order to repress piracy.

2. Second level: stable States

Djibouti, Kenya, Tanzania, Eritrea, Ethiopia and Somaliland scored (5).

They only have the ability to deal with piracy on their territory waters. They may get assistance from outside, and have the ability to participate in regional framework to prosecute piracy.

3. The third level: failed and failing States

As you can see from the table, Puntland, Southern Somalia and Yemen have got a rating from 1-3.

Yemen is considered a failing State at the moment due to the bad security situation in the country as many demonstrations are taking place in Sana and many other different parts of the country demanding a lot of reforms in some important majors in the Government such as political, economic and finding appropriate and fast solutions for the unemployment.

Puntland is also considered failing State because (security, economic and rule of law) and where the Piracy comes from.

Southern Somalia is considered a failed State because of bad security system, bad economic condition and is home to a lot of.

4 Chapter four: the current situation of Oman with Gulf of Aden with respect to piracy activities

Oman's current situation will be discussed at length in this chapter. This will include the current description of the Omani Navy Forces, geographical and environment information. The socio-economic situation will be presented. The country's political and legal systems will be outlined. Another important factor that will be analyzed the Maritime Authority and its role in respect to piracy activities. The current Omani mechanism to deal with Piracy of Somalia will be identified. Piracy case study from 2010 in Oman will be briefly discussed.

4.1 Description of the Omani Navy Forces

The Omani Navy operates out of three bases. The Navy's headquarters are based in Muaskar al Murtafa. Said bin Sultan in Widam Asahil, houses the main dockyard and ship lift. A third base is located in Ras Musandam. In total, there were 4,200 paid personnel in the Navy in 2010 as well as numerous volunteer personnel.

In terms of ships, the Omani Navy has 13 big ships. One is an amphibian landing ship. Three are Bushra patrol boats. There are four province class fast attack boats, and these are equipped with Exocet missiles and cannons. There are currently two corvettes in service, with another three under construction. These will be in service within the next three years. In addition to these ships there are many other ships owned by the Omani Navy at the moment which gives Oman the capability to fight Piracy. Full description of Omani Navy Forces is provided in annex no 2.

4.2 Environmental /Geographical (Map of Oman)

Oman 's Strategy Location

The Sultanate of Oman is the second largest country of the Arabian Peninsula, occupying its southeastern corner. Its 309,500 KM² offer a variety of landscapes ranging from fertile plains, to desert areas, with rugged mountain ranges in the southern part. Oman shares borders with Saudi Arabia, United Arab Emirates and Yemen. Its 3,165 km of shoreline

overlook the Gulf of Oman and the Arabian Sea. The climate is warm in the winter and very hot and humid in the summer.

Map no 2: The map shows the location of Oman in Arabian Peninsula and on right down the location of Oman in the world



Source: Oman's unique geology, http://www.geotourism-oman.com/resources/800px-Map_of_Oman.svg.png

The Sultanate of Oman occupies the south-eastern corner of the Arabian Peninsula and is located between latitudes 16°40' and 26°20' North and longitudes 51°50' and 59°40' East. It has a coastal line extending almost 3,165 km from the Strait of Hormuz in the North to the borders of the Republic of Yemen, overlooking three seas; the Arabian Gulf, Sea of Oman and the Arabian Sea.

4.3 Political situation of Oman, Oman's Government and the Omani Maritime Authority

The inhabitants of the area of Oman have long prospered on Indian Ocean trade. In the late 18th century, a newly established sultanate in Muscat signed the first in a series of friendship treaties with Britain. Over time, Oman's dependence on British political and military advisors increased, but it never became a British colony. In 1970, QABOOS bin Said Al-Said overthrew the restrictive rule of his father; he has ruled as sultan ever since. His extensive modernization program has opened the country to the outside world while preserving the longstanding close ties with the UK. Oman's moderate, independent foreign policy has sought to maintain good relations with all Middle Eastern countries. Inspired by the popular uprisings that swept the Middle East and North Africa in 2010-11, Omanis

began staging marches and demonstrations - a small number of which turned violent in clashes with Government security forces - to demand economic benefits, an end to corruption, and greater political rights. In February and March 2011, in response to protester demands, QABOOS reshuffled his cabinet, pledged to create more Government jobs, and promised to implement economic and political reforms, such as granting legislative and regulatory powers to the Council of Oman.¹⁰ More information about the features of the Omani Government is provided in annex no 1.

Omani Maritime Authority:

In relation to maritime affairs the Ministry of Transport and Communications is the authority for maritime issues along with roads and the civil aviation sector.

The Ministry of Transport and Communications, one of the Governmental bodies that plays a key role in sustaining the vast economic and social evolution through its specialized departments and ambitious development projects reflected by the plans and schemes undertaken therewith, rendering it actively involved in setting up the nation within an almost perfect work system with the purpose of serving this beloved country, His Majesty the Sultan and the citizens. For now, the Ministry is embarking upon the implementation of major projects related the construction and establishment of roads, seaports and airports as well as the provision of post and communication services utilizing the most sophisticated and State-of-the-art communication systems, for the citizens' benefit.

The regulation of navigation and maritime transport activities in marine areas under the sovereignty and authority of the Sultanate of Oman is assigned to the General Directorate of Maritime Affairs (being the competent maritime authority). This authority encompasses ships flying the flag of Oman, wherever they are in accordance with the Maritime Law of Oman (promulgated by Royal Decree No. 35/81), and any other ships navigating in the territorial waters of Oman (promulgated by Royal Decree No. 98/81). The Directorate is also tasked with adherence to the conventions, treaties and international codes and the application of maritime conventions regarding the requirements for safety of life at sea and protection of marine environment from pollution. The Directorate is also charged with the application of the requirements of security for ships and ports, in addition to the

¹⁰ CIA World fact book, Oman background, <https://www.cia.gov/library/publications/the-world-factbook/geos/mu.html>

investigation of maritime accidents occurring in the territorial sea of Oman. It is also responsible for navigation alerts for ships, control and inspection of foreign ships. The Directorate issues certificates of registration, navigational licenses and certificates of seafarers and the issuance of the sailors. It is also a link between the Government of the Sultanate and the International Maritime Organization (IMO).¹¹

More details regarding the Omani Maritime Authority reported in 2010 is available in annex no 5.

4.4 Economic of Oman

Oman is a middle-income economy that is heavily dependent on dwindling oil resources. Because of declining reserves, Muscat has actively pursued a development plan that focuses on diversification, industrialization, and privatization, with the objective of reducing the oil sector's contribution to GDP to 9% by 2020. Tourism and gas-based industries are key components of the Government's diversification strategy. By using enhanced oil recovery techniques, Oman succeeded in increasing oil production, giving the country more time to diversify, and the increase in global oil prices throughout 2010 provides the Government greater financial resources to invest in non-oil sectors.

Oman's economy has shown steady growth over the past few years. The GDP has risen from almost \$ 72 billion to almost \$ 76 billion in the past three years, and has shown a growth rate of 4.2%. Oman has a healthy labor force at almost a million workers, though 60% of them are non nationals. Budgets have been balanced. The industrial growth rate was 4.5% last year. Oman is also in a very healthy situation in regards to energy sources. Oman is able to produce more electricity than it uses. Only 10 % (84,000 bbl/day) of the oil produced is used domestically, and reserves of 5.5 billion bbl/day have been proven. Natural gas production use and reserves are similarly healthy.¹²

Oman exports account for almost twice the value of its imports. The main export partners are China, South Korea and Japan, selling petroleum, fish, metals and textiles. Machinery and transport equipment, manufactured goods, food and livestock compose the majority of

¹¹ The annual report of the Omani Maritime Authority for 2010, Directorate General of Maritime Affairs, Ministry of Transport and Communications.

¹² Economy Overview of Oman, Ministry of Information ,
<http://www.omanet.om/english/commerce/econ1.asp?cat=comm>

the imports, and come mainly from the U.A.E. and Japan. The exchange rate in terms of the U.S. dollar has remained consistent for the past five years.¹³

In the following pages information about the main merchant ports in Oman will be provided in terms of location, maps, facilities, etc. Types of commercial activities in each individual port will also be presented.

Then, some other important pillars of the Omani economy will be described which are expected to be negatively affected by the piracy problem, including Fisheries, trade and industry.

4.4.1 Ports of Oman

For centuries, Oman's Ports have sheltered and traded with ships from all over the world. Strategically located between the great civilizations of Babilonia, Egypt, Africa, India and the Far East, Oman's history is closely linked with the story of her ports.

The influential northern ports of Qalhat, Muscat and Sohar effectively controlled shipping routes up and down the Gulf. Omani ports rose to prominence in the 10th century when Omani merchant fleets sailed to East Africa and Madagascar to buy ivory, leopard skins, tortoise shell and other exotic goods which were then traded as far away as China in return for spices, silks and porcelain.¹⁴

As it can be seen from the following description of each port, each one of these occupies a significant location and it seems that all of them are under real threat of attack as the phenomena of Somalia Piracy is expanding its operation area to cover the whole of the Indian Ocean and the Gulf of Aden. Each port's authority has to take into account the seriousness of this type of criminal activity and therefore to be prepared to confront this problem at any time if needed.

¹³ Economy Overview of Oman, Ministry of Information ,
<http://www.omanet.om/english/commerce/econ1.asp?cat=comm>

¹⁴ General Background of Oman's Ports, Port Services Corporation website,
<http://www.pscoman.com/marketing/about1.htm#2>

Port Sultan Qaboos

The port Sultan Qaboos, Oman's premier maritime gateway, enjoys a prime location in the politically stable Sultanate of Oman. Situated in a natural harbour 250 kilometers south of the Strait of Hormuz on the Indian Ocean coast of the Arabian Peninsula. Port Sultan Qaboos' location makes it an ideal hub, not only for the Arabian Gulf but also the Indian Sub-continent and markets in East and South Africa.

Map no 3: The map shows the satellite view of Port Sultan Qaboos in Muscat – Oman



Source: World Port Source,
http://www.worldportsource.com/ports/maps/OMN_Port_Sultan_Qaboos_2302.php

Port Sultan Qaboos is the main port for imports and exports in the Sultanate, the first commercial port was opened in November 1974.¹⁵

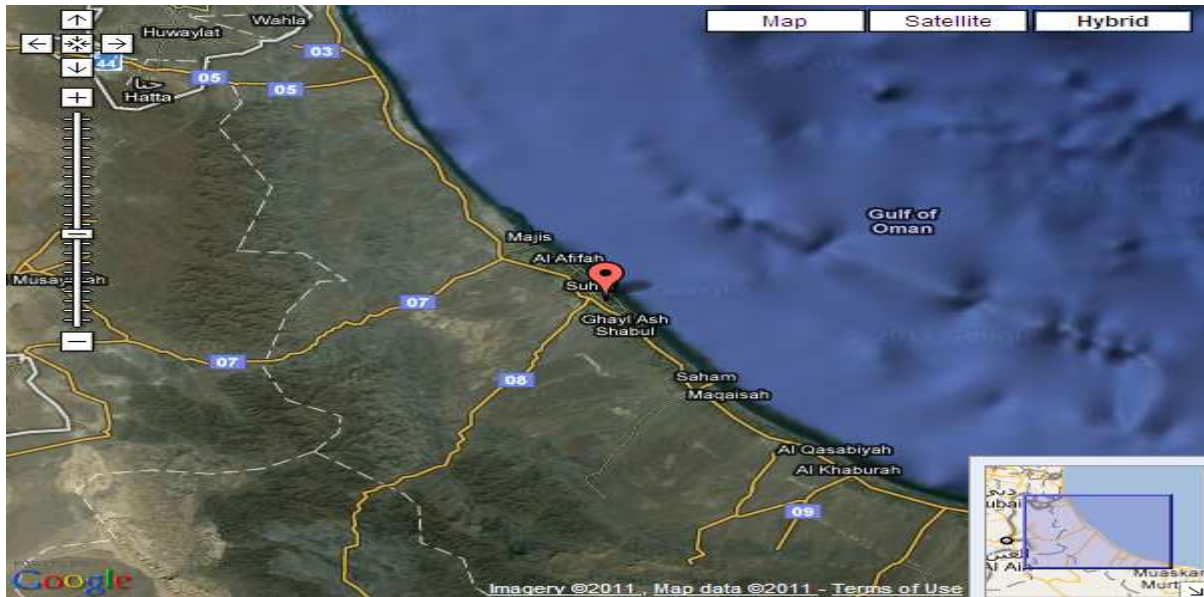
Sohar Industrial port

The construction of Sohar Industrial Port began in 1999, and the port is considered a strategic project that serves the trade and industry together as it relates to large industrial projects enabled it to attract large industrial projects based on an industry oil and gas and petrochemical industries, oil and mining.

¹⁵ Port Services Corporation,(S.A.O.G), Port Sultan Qaboos, <http://www.pscoman.com/about1.htm#1>

Sohar is a deep sea port in the Middle East situated in the Sultanate of Oman, 220km northwest of its capital Muscat. Located just before the Strait of Hormuz, Port of Sohar is within easy reach of the booming economies of the Gulf and the Indian subcontinent and with great connectivity to Abu Dhabi, Dubai, Al Ain and Muscat.¹⁶

Map no 4: The map shows the satellite view of Sohar Industrial Port – Oman



Source: World Port Source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Sohar_2304.php

The Port of Salalah

The port of Salalah is the hub for the distribution and transport of containers in the region, which has a strategic location overlooking the axis of the Indian Ocean, and incidence of international shipping lines. It contains nineteen berths with depths ranging between three and eighteen meters.

Port consists of two main categories:

1. Container Terminal: It is composed of seven berths with a total length of 2428 meters and a depth of between sixteen and eighteen meters; and

¹⁶ About the Port, Port of Sohar website, <http://www.portofsohar.com/about-the-port>

2. General Cargo Terminal: This was established in 1976, and contains the station on 12 berths with depths of three meters, sixteen meters and the total length of 2002 meters.¹⁷

Map no 5: The map shows the satellite view of Salalah Port – Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Salalah_136.php

Mina AL Fahal

Mina al Fahal also known as Miana al Fahl, Saih al Malieh, and Saih al-Malih is a coastal area in the northeast of Oman, near to the country's capital, Muscat. It was renamed from Saih al Maleh as the petroleum processing plant was developed. It is a key area for the country's petroleum operations. Petroleum Development Oman (PDO) is based at Mina al Fahal, and the Oman Refinery Company (ORC) has an 85,000 b/d oil refinery located here. Crude oil and refinery products are loaded on to tankers off Mina Al Fahal by subsea pipeline and SBM (Single Buoy Mooring) Systems. Two of the SBMs are owned by PDO for crude export and the third is owned by SOM (Shell Oman Marketing).

Map no 6: The map shows the satellite view of Mina Al Fahal - Oman

¹⁷ Salalah Port, Directorate General of Ports, Ministry of Transport and Communications, Sultanate of Oman, <http://www.motc.gov.om/tabid/354/Default.aspx>



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Mina_Al_Fahal_3945.php

Qalhat Port

The Qalhat LNG Terminal, which is also known as Port of Qalhat is situated in Ash Sharqiyah Region of Oman near the Sur. This port is owned by Oman LNG LLC S.A.O.C. Osaka Gas has interests in Qalhat LNG along with Itochu Corporation & Mitsubishi Corporation.

Qalhat LNG, a company incorporated in Muscat, Oman is the promoter of the second LNG project in Oman following the Oman LNG project in the country. With the production capacity of 3.3 million tons of LNG per annum, the company has shipped LNG since December 2005. The three Japanese companies have already entered into respective long-term LNG supply agreements with Oman.

Map no 7: The map shows the satellite view of Qalhat Port - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Qalhat_3945.php

Duqm Port and Dry Dock

Duqm – about 700 kms from Muscat – is being conceived as a main maritime gateway that will serve an ambitious industrial and commercial hub. Apart from the strategic location of Duqm, the friendly climate of the area adds to its advantages.

Map no 8: The map shows the satellite view of Duqm Port - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Duqm_2303.php

The purpose behind developing Duqm is to export the Gulf's crude oil from an Omani port. The outline of the plan is to export crude oil, which is produced in the Gulf region and transported through pipelines to Oman. Positioned as it is on the Sea of Oman, with the Strait of Hormuz and the Arabian Sea at its north-eastern end and with its long coastline running south along the Arabian Sea, the Government believes Duqm is strategically the most preferred location for this port.

A dry dock is also being constructed in the port for maintenance and repair of ships of various sizes, including vessels of oil and gas which have a capacity of 600,000 tons. The project consists of dry basins 410 meters long, 95 m and 80 meters high, 14 meters and depth 10 meters and length of berths 2,800 meters, in addition to the creation of buildings, workshops and service facilities required for operation.¹⁸

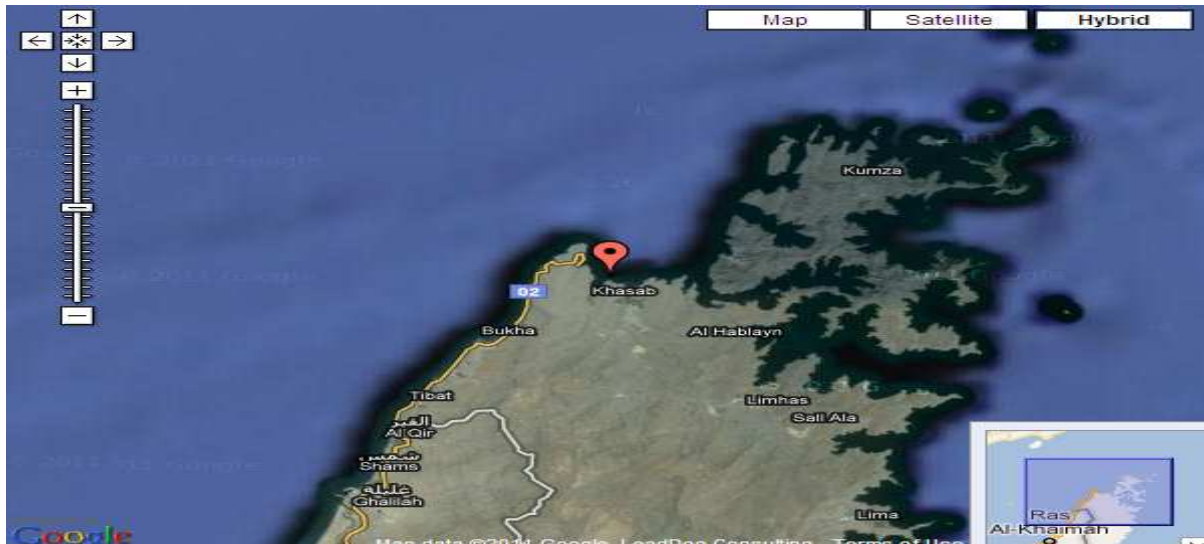
Khasab Port

The importance of the port of Khasab in its proximity to the strategic Strait of Hormuz, has received considerable attention from the Government to encourage commercial traffic in Musandam Governorate and serve the local economy of the province. This area has seen a number of development projects, which began in 2002 with the establishment of two breakwaters 1015 meters and deepen the harbor basin to 10 meters and access channel to 10.5 meters. There is also a Pavement commercial of 300 meters and a berth for the fishermen of 100 meters, as well as the installation of 7 floating berths. The construction of this project has been completed in 2007.¹⁹

Map no 9: The map shows the Satellite view of Khasab Port - Oman

¹⁸ Duqm Port and Dry Dock, Directorate General Of Ports, Ministry of Transport and Communications, Sultanate of Oman, <http://www.motc.gov.om/tabid/359/Default.aspx>

¹⁹ Khasab Port, Directorate General Of Ports, Ministry of Transport and Communications, Sultanate of Oman, <http://www.motc.gov.om/tabid/354/Default.aspx>



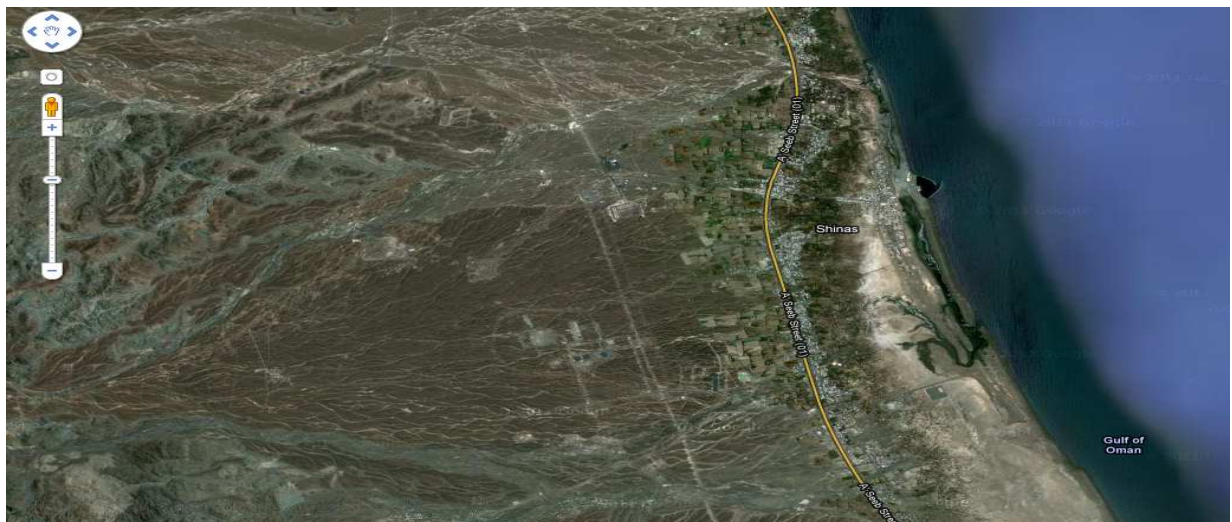
Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Khasab_2303.php

Shinas Port

The port of Shinas serves local commerce among the States of North Batinah in connection with fishing and trade of livestock and agricultural products since 2002.

The company is currently building a floating dock and facilities to receive the fast ferries, the Ministry has also appointed a consultant to prepare a feasibility study and technical development of the port.

Map no 10: The map shows the satellite view of Shinas Port- Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Shinas_2303.php

Other Ports

The port launched development projects in the Central Region to serve tourism and transport citizens to and from the Masirah Island across the harbor. These projects consist in the port construction of a bridge long 1170 meters, a breakwater 370 meters on the long, and quay 318 meters long, was completed in February 2010.

It also initiated the establishment of a maritime port and road network on the Islands Al Hulanyat in Dhofar Governorate. To provide the necessary facilities to receive the fast ferries, are currently coordinating with each other the competent authorities for the preparation of studies and designs necessary to create a new port in Hasik and Al Shawimiah port in the Governorate of Dhofar and the develop ports Lima and Dibba in Musandam Governorate.

More details on the Ports of Oman are provided in annex no 6.

4.4.2 Banking Sector

The banking sector is an important factor in maintaining financial equilibrium and economic stability. The Omani banking sector, which comprises the Central Bank of Oman (CBO) and various commercial and specialized banks operating in the Sultanate, is stable, highly efficient and able to respond to regional and international developments, including the growing trend towards freeing up financial services within the framework of the World Trade Organization (WTO).²⁰

4.4.3 Trade

The Omanis have been traders since ancient times. Their ships and caravans carried Omani goods - including frankincense, dates and limes - across the seas and over the old frankincense and silk routes, promoting ties and cultural exchanges with other peoples. Today, Oman is a member of several economic blocs including the Arab Gulf Cooperation Council (AGCC), the Greater Arab Free Trade Zone, the Indian Ocean Rim Association for Regional Cooperation (IORARC) and the World Trade Organization (WTO).

²⁰ Ministry of Information, Sultanate of Oman, Economy, Banking sector, <http://www.omanet.om/english/commerce/econ3.asp?cat=comm&subcat=comm1>

The Sultanate has upgraded its laws on investment activity and has introduced “One Stop Shop” clearance facilities along with simplified, transparent procedures. There is close coordination between the bodies and authorities involved in providing services for investors, while current moves towards the establishment of e-Government have led to a growing reliance on electronic channels. Commercial laws and regulations are being streamlined, including the Law on Trade Marks, Descriptions, Trade Secrets and Protection against Unfair Competition, the regulation of foreign trade representation offices, the Consumer Protection Law and the Law on the Protection of Intellectual Property. Alongside these measures, the country has also upgraded its ports and established free trade zones in al Mazyounah and Salalah.²¹

4.4.4 Industry

The industrial sector is a cornerstone of the Sultanate’s long-term (1996-2020) development strategy. Industry is not only one of the main sectors involved in diversifying the sources of national income and reducing dependence on oil; it is also capable of helping to meet Oman’s social development needs and generate greater added value for national resources by processing them into manufactured products.

The Eighth Five-Year Development Plan (2011-2015) creates the conditions for an attractive investment climate. Under its strategy for the industrial sector the Government also aims to develop the information technology (IT) and telecommunications industries. The IT infrastructure is already in place; The Knowledge Oasis Muscat (KOM) IT complex has been set up and expanded, and Omani companies are developing their technological potential. An Information Technology Authority (ITA) established in 2006 (under Royal Decree No. 52/2006) will promote infrastructure projects for Oman’s digital advancement and oversee implementation of IT projects in every department of the State’s administrative apparatus. The Rusayl Industrial Estate in the Governorate of Muscat - the Sultanate’s first Industrial Estate - is home to a large number of factories as well as Knowledge Oasis Muscat (KOM).

There is also an industrial estate in Sohar - where the Sultanate’s heavy industries are based - as well as other estates in Sur, Salalah, Nizwa and Buraimi. Natural gas is transported to

²¹ Ministry of Information, Sultanate of Oman, Economy, Trade and Industry, <http://www.omanet.om/english/commerce/econ6.asp?cat=comm&subcat=comm2>

the industrial estates in Sohar and Salalah, helping to promote expansion of those industries that depend on natural gas; the Government grants these industries tax exemptions, as an incentive to encourage their expansion and development. The Sultan's Cup is awarded annually to the top five Omani factories. This event is designed to encourage Omani factories to keep abreast of the latest technology, comply with quality control specifications and increase the percentage of Omanis in their workforce.²²

4.4.5 Fisheries

With a coastline over 3,165 kilometers long, Oman is one of the main fish-producing countries in the region and the fisheries sector is among its most promising sectors. Fishing is one of the country's oldest occupations. Fish farming is now a growing industry and a fish farming centre is currently being set up, while the quality of the catches is being improved, following the creation of the Fisheries Quality Control Centre. Marketing operations have been streamlined across the country and exports are now better regulated, particularly with regard to certain types of rare, high value fish. Fisheries training centers have been established in al Khabourah and Salalah, data and statistics on the fishing industry have been upgraded and new fishing harbours have been built and equipped with modern facilities; today there are fishing harbours along the Omani coast.

The Seventh Five-year Development Plan (2011-2015) is committed to developing and maintaining the Sultanate's aquatic resources, ensuring that the fishing grounds and coastal areas are properly managed, regulated and monitored. The Indian Ocean Rim Association for Regional Cooperation (IORARC)'s Fisheries Support Unit is based in Oman. The unit promotes cooperation between member States in the management of this vital and renewable – resource.²³

²² Ministry of Information, Sultanate of Oman, Economy, Trade and Industry,
<http://www.omanet.om/english/commerce/econ6.asp?cat=comm&subcat=comm2>

²³ Ministry of Information, Sultanate of Oman, Economy, Agriculture and Livestock,
<http://www.omanet.om/english/commerce/econ8.asp?cat=comm>

4.5 Social- Oman's Community

Omani Demographics

The population of Oman was 3,027,959 in July of 2011. Of those, 31.2% were between the ages of 0 and 14, 65.7% were between the ages of 15 and 64, while 3.1% were ages 65 and over. The ratio of male to female is 1.23:1. The population growth rate is 2.023%. 73% of Omanis live in urban communities. Life expectancy is 74.22 years.

There are five main ethnic groups in Oman, including Arab, Baluchi, South Asian (Indian, Pakistani, Sri Lankan, Bangladeshi), and African. Of these, 75% are Ibadhi Muslim, and the other 25% is comprised of mainly Sunni Muslim, Shia Muslim and Hindu. Arabic is the official language, and English, Baluchi, Urdu and Indian dialects are spoken as well.

81% of Omanis over the age of 15 can read and write. Of these, School life expectancy is 12 years for males and 11 years for females.²⁴

4.6 Communications

The Communications Sector is a fast developing sector in the Sultanate and considered as a leading contributor to the country's Economical, Political and Social progress.

During the past years, the Telecom Sector has witnessed major evolutions characterized by a series of consecutive developments such as the establishment of the General Telecommunication Organization (GTO) which was privatized in 1999 vide the Royal Decree No: 46/1999 then transformed into an Omani Joint Stock Company namely the Omani Telecommunication Company. That initiated the process of privatizing the sector. The Sultanate's efforts to enhance this Sector were culminated by issuing the Telecom Regulatory Law and the creations of the Telecommunication Regulatory Authority (TRA) vide the Royal Decree No: 30/2002. The Law created the legal environment for competition in the sector.

²⁴ CIA World fact book, Oman, people and society, <https://www.cia.gov/library/publications/the-world-factbook/geos/mu.html>

Subsequently, the establishments of the Information Technology Authority (ITA) vide the Royal Decree No: 42/2006 highlighted the importance the Government gives to achieving the objectives of the Omani Digital Society.²⁵

Mobile cellular telephone customers outnumber land line users immensely. As of 2009, there were almost four million cellular customers, and just over 300,000 land line users. The telephone system is modern, and consists of open-wire, microwave and radiotelephone communication systems as well satellite systems. Almost one and a half million Omanis are Internet users. Oman has one State run television station. As well, number other TV stations transmit from neighbouring countries. There are several States run radio stations along with an increasing number of privately operated ones.²⁶

Post Sector

In the year 1856, the first post office was opened in Muscat under the supervision of the East Indian Company using the Indian stamps without embroidery. This was continued until 19 December 1947 when the embroidered stamps were used as the Omani Post Service came under the Pakistani Management. In 1949, however, the British Management of Post assumed the responsibility of the Post Agency abroad and used the embroidered British General stamps until 20 April 1966. Thereafter, the Omani Postal Service in Oman was controlled indigenously. The first collection of ordinary Omani Stamps was produced under the names of Muscat and Oman, carrying photographs of the Port, Muscat City and some Historic Forts in addition to the State Emblem.

Under the Royal Decree No: 48/2005 issued on 4-6-2005 and within the scope of the general trend to privatize the Service Sectors, the Postal Sector being part of the Ministry of Transport & Communications, was transformed into a 100% Government Owned Omani Joint Stock Company.

²⁵ Communication sector, Ministry of Transport and Communications, Sultanate of Oman, <http://www.motc.gov.om/tabid/140/Default.aspx>

²⁶ CIA World fact book, Oman, Communication, <https://www.cia.gov/library/publications/the-world-factbook/geos/mu.html>

As part of the Oman Vision 2020, the Sultanate vision for the transition to a knowledge based society was highlighted. In line with this vision the Sultanate has made great strides in the process of liberalizing the telecommunications Sector.²⁷

4.7 The Transportation System

130 airports are located in Oman. 11 of them have paved runways, and 119 have unpaved runways. 3 heliports exist. There is a total of 53,430 km. Of roads in Oman, almost half of which are paved. There are currently 9 ports and terminals in use.²⁸

4.8 Legal-Omani Maritime Laws and Maritime International boundary agreements

4.8.1 Omani Maritime Claims

The following tables show the Omani maritime claims starting with the Territorial Sea, Contiguous Zone ending with the Exclusive Economic Zone.

Oman, by claiming all its legal maritime claims and ratifying them at an early time according to UNCLOS will make its own water green waters away from any disagreements or disputes with any neighboring country.

For getting more benefits, Oman should continue its plan in order to make the appropriate arrangements to delineate its extended Continental Shelf.

More details on the Omani Maritime claims are provided in annex no 3.

²⁷ Communication sector, Ministry of Transport and Communications, Sultanate of Oman, <http://www.motc.gov.om/tabid/140/Default.aspx>

²⁸ CIA World fact book, Oman, Transportation , <https://www.cia.gov/library/publications/the-world-factbook/geos/mu.html>

SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	Feb 81	Royal Decree No. 15/81	12nm	Innocent passage (vice transit passage) through and over international straits.
	Aug 89	Declaration upon Ratification of 1982 LOS Convention	12nm	Innocent passage with prior permission for warships, nuclear-powered ships, submarines and ships carrying dangerous substances.
ARCHIPELAGIC, STRAIGHT BASELINES, &	Jun 82	Notice		Coordinates published.
HISTORIC CLAIMS	Jul 82	Royal Decree No. 38/82		Established straight baselines.
CONTIGUOUS ZONE	Aug 89	Declaration upon Ratification of 1982 LOS Convention	24nm	
CONTINENTAL SHELF	Jul 72	Decree	1958 DEF	
	Feb 81	Royal Decree No. 15/81		Authorized agreements with neighboring States on limits of continental shelf.
FISHING ZONE/EEZ	Feb 81	Royal Decree No. 15/81	200nm	EEZ.
ENVIRONMENTAL REGULATION	Jan 75	Marine Pollution Control Law	38nm	Pollution free zone.

	Feb 82	Royal Decree No. 10/82	200nm	Environmental protection.
MARITIME BOUNDARIES	May 75	Agreement		Continental shelf boundary agreement with Iran EIF. See LIS No. 67.
	Oct 92	Agreement		Boundary agreement (land and maritime) between Oman and Yemen signed.
	Jun 2000	Agreement		Maritime boundary agreement with Pakistan signed.
LOS CONVENTION	Jul 83			Signed Convention.
	Aug 89			Ratified Convention, with Declarations as noted above.
	Feb 97			Bound by Part XI Agreement.

Source: Maritime claims reference manual, Oman, updated on June 2008,
<http://www.jag.navy.mil/organization/documents/mcrm/MCRM.pdf>

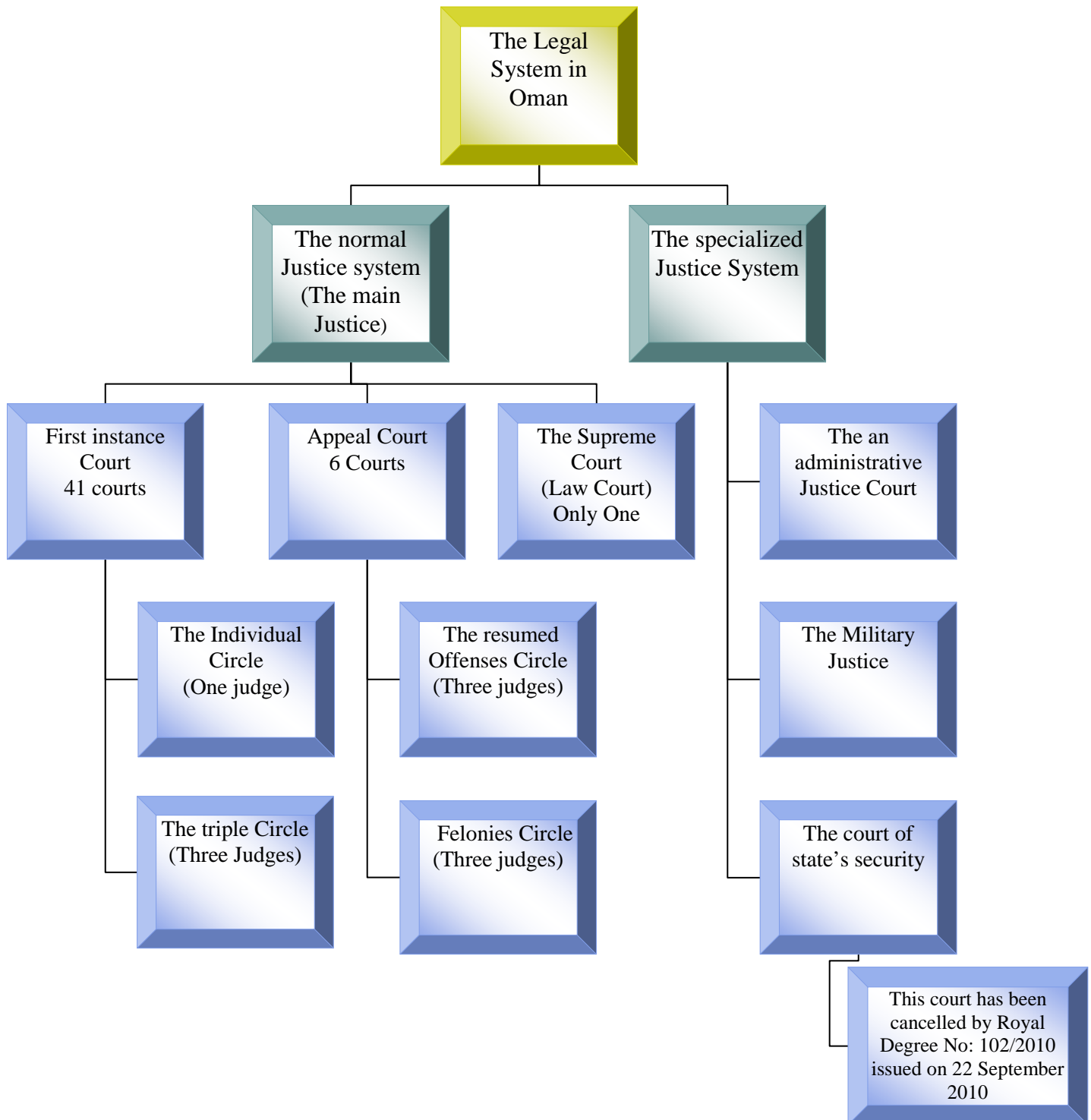
4.8.2 MARITIME BOUNDARY AGREEMENTS

Oman has already signed boundary maritime agreements with its neighbors Iran, Pakistan and Yemen, so we can say that Oman has maintained good relationships with its neighbors by signing these agreements in an early stage.

The Omani boundary maritime agreements are provided in annex no 4.

4.8.3 The legal system in Oman

Sultan Qaboos is the top legal authority in Oman



As can be seen from the chart the normal Justice system consists of the following

Types of Courts:

1. **First instance Courts** are first degree courts. Disputes are presented before it for the first time. They are constituted from one or three judges (tri-circle). Laws of Procedures State the tasks of department. The Royal Decree No (90/99) and amendments there of in article (6) of law which related to judicial authority demonstrate the method of constituting such courts. Each court is constituted of a chief and a sufficient number of judges.

The secretariat of the first instance court consists of the following sections: prosecutions, session affairs, declaration, archive, execution, bequests, financial, and administrative. Two sections are under the direct supervision of the chief judge: one for social investigation and another of coordination.

There are Forty First-instance Courts all over the Sultanate. Article (1) of the Ministerial decision No [119/2001], stated the headquarters and jurisdiction of one-judge first instance courts.

2. Appeal courts are second degree courts

There are six appeal courts. Each court consists of a chief judge and a sufficient number of judges. As necessary, circles are constituted in these courts. A circle is headed by the chief judge, or the senior judge of the circle. Judgments are issued by three judges.

Appeal courts have jurisdiction over appeals against judgments legal permitted to be appealed issued by first instance courts. Disputes are not to be presented before appeal courts for the first time, because appealing is a way for rectifying errors that might occur in first instance court – by presenting the dispute before judges other than the first instance ones.

The secretariat of the courts includes the section: Appeals, Session Affairs, Declaration, Archive, Financial Affairs, and Administrative Affairs. The department of coordinating circles, as well as the chief judge's office is under the direct supervision of the chief judge.

3.The Supreme Court is the top of judicial hierarchy in Oman. It was established according to the law of judicial authority under the Royal Decree No 90/99 and its amendments. It is one court, located in Muscat.

The Supreme Court is concerned with contestations presented against appeal courts judgments, in the following cases:

1. If the judgment was based on violating the law, error in application or interpretation or
2. If the judgment was invalid or procedures invalidity had an impact on the judgment.

According to Article 240 of the same law; the court is authorized to investigate contestations against any final judgment- whatever the court that issued it, in a dispute- other than another issued judgment between the parties that was considered *res judicata*.

According to Article 241 of the same law, The court is authorized to investigate contestations made the Attorney General, for the public interest, against final judgments, regardless of the issuance court if the judgment was based on law, error in application or interpretation in the cases for which law allows parties to contest- or if the parties missed the contestation date, or gave it up.

According to law of the judicial authority, a panel – within the supreme court- is constituted to settle negative or positive disputes on jurisdiction among courts in ordinary courts, administrative courts, etc. this panel is also authorized to settle disputes of conformity to the laws and regulations of the basic system of the State and not breaching its judgments. The Supreme Court consists of the president and a sufficient number of judges and vice-presidents. It consists of departments to decide on contestations presented. Each department headed by the president or one of his deputies. Judgments are issued by 5 judges, according to Article 239 of the Civil and commercial procedures law which enacted by the Royal Decree No 29/2002.

According to the Ministerial Decision No 122/2001, the president of the court has direct supervision over: the technical office, judicial departments coordination section, administrative affairs and calling to account office. The president supports the secretariat

which consists of the following departments: Contestations, Session Affairs, Declaration, Administrative Affairs, and the Archive.

The technical office is responsible for:

1. Drawing legal principles decided by the Supreme Court judgments, provided they are confirmed by the chief judge of the department that issued the judgment;
2. Publishing judgments classified and categorized; as well as indicating the principle(s) drawn;
3. Preparing researches & studies requested by the president;
4. Publishing a journal for selected judgments and researches; and
5. Other tasks requested by the president.²⁹

The specialized Justice System:

Specialist Judiciary Courts (Administrative, Military and State Security)

As the circumstances and public interest warrant, the Judicial System in the Sultanate of Oman consists of two types. One is the Ordinary (Natural) Courts and has General Mandate. The other is the Specialist Judiciary System with authority for ad hoc proceedings and includes three venues namely: the Administrative Courts, Military Courts and State Security Courts.

The 3 types of the specialized Justice System in Oman are:

1. Administrative Judiciary Court

The Administrative Judicial Court was established vide the Royal Decree No: (99/91) issued on 21 November 1991

The establishment of the Administrative Judicial Court is an essential safeguard of the civil rights and public freedoms and embodies the principle of legality. That means the Rule of Law and subjects the administration to all its requirements so that all its positive and negative actions can be kept within the limits of the Legal Order of the State. However, such compliance of the Administration with the Law must not eclipse the merits enjoyed by

²⁹ Omani Courts, Ministry of Justice's website, Sultanate of Oman, <http://www.moj.gov.om/HostedPages?c=ar-OM&PageId=3>

the public bodies, such as the Authority of Free Discretion with regard to many of its actions wherever required within the scope of the public interest and the rules of conduct pertaining to public utilities.

The Administrative Judiciary Court is based in the Governorate of Muscat and consists of a number of Trial and Appeal Chambers. It comes under the direct supervision of the Minister of the Diwan of Royal Court, as specified in Article No. (2) Of the Decree on the establishment of the Administrative Judiciary Court and the issuance of its law.

2. Military Judiciary Court

This is a special judiciary system which exists along with the Ordinary Judiciary Courts. This type of Judiciary Courts deals exclusively with the offenses committed by members of the Armed Forces and other Security Forces and does not extend to the other individuals, except in the case of Martial Law and within the limits prescribed by this particular Law.

3. State Security Court

The Establishment of the State Security Court

The Royal Decree No: (21/2003) cited the establishment of the "State Security Court" whose formation, functions and procedures are to be specified by a Royal Decree.

The State Security Court looks into the crimes prescribed in Sections I and 2, Chapter One of the Omani Penal Law Volume II, in addition to the cases referred to it by His Majesty the Sultan (Article No: 5 of the Law of the State Security Court).

The State Security Court is formed of a President and Vice-president plus a sufficient number of Judges. It has its Headquarters in Muscat but may hold any of its sessions in other premises subject to the decision of the National Security Council on recommendation of the President of the Court (Article 1 of the Law of the State Security Court). Under His Majesty the Sultan's Orders, the case may be set processus at any stage of the investigations, or inquiry to be reopened again.

Article 2 of the Law of the State Security Court, requires the National Security Council to make recommendations to His Majesty the Sultan if the case is to be set processus at any stage of the investigation or if the inquiry to be reopened again.

It should be noted that the authority of His Majesty the Sultan, the Head of the Supreme Judicial Council, is vividly exhibited in this type of courts due to the sensitivity and impact of the crimes dealt with by the State Security Court on the general security of the country.

4.8.4 Further Observations of relevance on the Omani Legal System

1. Appeals and Objections

According to the procedures, rules and terms set forth in the Criminal Procedure Law (Article No:15 of the State Security Court Law), the Public Prosecutor and the Convicted Person may appeal to the Department of Crimes with regard to the judgments passed by the Department of Misdemeanor,

According to the procedures, rules and terms set forth in the Criminal Procedure Law (Article No:16 of the State Security Court Law), the Public Prosecutor and the Convicted Person may also appeal to the Supreme Court by way of Cassation and Reconsideration of the sentences on misdemeanor crimes.

In the case of sentences by death or imprisonment for 15 years and more, the matter must be referred to the Supreme Court automatically even if not so requested by the Convicted. Concurrently, the Public Prosecution should submit the case file to the Supreme Court within thirty (30) days from the date of issuing the sentence and informing the concerned parties. The Supreme Court shall then as a Subject Court, have the jurisdiction to look into the case (Article No: 17 of the State Security Court Law).

2. Ratification of the Sentences

The sentences of the Court are deemed final after being ratified by His Majesty the Sultan. His Majesty has the capacity to overrule, mitigate, stay execution of sentence or pardon the convict, as well as to order a retrial before a Court with other jurisdictions (Article No:18 of the State Security Court Law).

The Law also specifies that the Sentence of Final Acquittal is enforceable without the need for Royal ratification (Article No: 19 of the State Security Court Law).It should be noted

that the State Security Court has been cancelled by the Royal Decree No: (102/2010) issued on 22 September 2010.]

3. Public Prosecution

The Public Prosecution undertakes the cases on behalf of the society, oversees the judicial arrests and ensures the implementation of criminal laws. It also prosecutes the guilty and enforces the sentences, in addition to other jurisdictions determined by the Law. Further it investigates into the cases and takes legal actions such as: stay of judicial investigations or raises the cases to the competent judiciary courts.

Article 5 of the Public Prosecution Law issued under the Royal Decree No: (99/92) arranges the functions of the members of the Public Prosecution as follows: Public Prosecutor, Deputy Public Prosecutor, Assistant Public Prosecutor, Heads of Public Prosecution, Chief Attorney General, Second Attorney General as well as Aide Attorney General.

4. The top legal authority in Oman

The highest legal authority in Oman is the President of Oman. According to the basic legal system in Oman, the Sultan has to approve all provisions issued by the Military court. Therefore without this approval all the provisions issued by the mentioned courts cannot come into effect.

Moreover, with respect to the normal justice system in Oman, the Sultan of Oman has the right to cancel, edit or approve any provision after being resumed to his Majesty.

5. The anti money laundering and combating terrorist financing law of Oman

Without going too deeply, Oman has also issued the anti money laundering and combating terrorist financing law by royal decree no: 79/2010. Charges will be laid against anyone, whether Omani or other nationality, who uses money seized from such activities like piracy and launders it through legitimate sources.

The penalties for breaching this law are severe, and businesses and individuals alike would be well advised to think carefully before engaging in any business which could fall within

the scope of this law. One of the main penalties is, as an example a person who commits or participates in a money laundering crime, or attempts to do so, may be punished with imprisonment for a term ranging between three and ten years and with a fine of 5,000 Omani Rials or greater. Notably, there is no upper limit on the fine element of this penalty except that the fine may not exceed the value of the funds which were the subject of the money laundering crime.³⁰

6. The visit of the IMO s' team to Oman

At the request of the Omani Maritime Authority, a team from the International Maritime Organization visited Oman from 1 to 6 July 2011. The team consisted of two maritime experts who came to Oman specifically to evaluate the current condition of the Maritime Authority of Oman. The objective of the assignment was to assess the existing Maritime Affairs Administration in order to consider how it could be upgraded to enable it to carry out its duties effectively as required by IMO conventions.

The Consultants were instructed to:

- a. Give a presentation to the Omani (Directorate General Of Maritime Affairs) DGMA on the latest developments in connection with the implementation of IMO conventions, the IMO Voluntary IMO Member State Audit Scheme and recent work of the Sub-Committee on Flag State Implementation;
- b. Assess the present structure of the DGMA and examine, with the Authorities any problems and difficulties they may have in the implementation of IMO conventions and in the running of the different departments within the Directorate;
- c. Give advice on the regulatory responsibilities of the Authorities to ensure compliance with international instruments (including port State control, marine casualty investigation and the use of non-Governmental entities, etc.);
- d. Identify, in collaboration with the authorities in Muscat, the improvements necessary to ensure Oman's full compliance with international maritime

³⁰ Article 27 of the anti Omani money laundering and combating terrorist financing Law, General Market Authority of Oman , <http://www.cma.gov.om/template/?c=2&s=559>

instruments and the satisfactory discharge of its national and international obligations; and

- e. Prepare recommendations to the Authorities on a suitable process to be followed by the Administration in order to implement the improvements identified.³¹

The visit was very important as the experts made a comprehensive evaluation report for the current departments and outlined how to assist the Omani authority to go forward by developing its abilities and performance. It should be noted that the Directorate General of Maritime Affairs, after becoming independent in 2009, acted very quickly in performing its maritime duties and improving its performance in all different marine arenas, whether they were within the Sultanate or international.

4.8.5 The current Omani mechanism to deal with Piracy of Somalia.

The Omani Coast Guard is responsible for securing the entire coast of Oman in the territorial waters up to 10 nautical miles from the coastline. It also has responsibility for the security of all ports. The Omani Navy is responsible for the area from 10 to 200 nautical miles off the coast. The Omani Air Force covers the entire area from the coastline to 200 nautical miles out.

Once information has been received regarding pirates entering Omani waters, the Navy moves directly to intercept them, in coordination with the Coast Guard and Air Force. If a ship has been seized, and the ship registry authority or the shipping company is willing to free their ship, the Navy will implement an approved security plan.

This plan is managed by the Commander of the Omani Navy, and involves coordination with the Omani military and security forces. At this time, there is no coordination with other affected groups, such as Combined Task Forces (CTF 151), because Oman is not currently a member of any group of this kind.

If an Omani fishing vessel is seized by pirates in non Omani waters, diplomatic channels are used to request permission for Omani Navy ships to enter foreign waters. Currently

³¹ Report on the needs assessment and fact - finding mission on flag State implementation Muscat , Oman ,1 to 9 July 2011 issued by IMO but its may not be published by IMO for confidential reasons.

there are no existing security agreements between Oman and other countries affected by piracy.

Suggestions to aid in fighting piracy include putting a mechanism in place for faster exchange of security information between all affected countries. Patrols by the Omani Coast Guard and Navy should be increased and intensified. What's more, the Navy should be provided with faster boats.

While I was trying to get as much information as I can related to Piracy of Somalia, I have been in contact with some officers of the Omani Navy Forces, and I asked them several questions. All of these questions were related to the duties of either Omani Navy Forces or Coast Guard and what the current plan for the Omani enforcement in dealing with Somalia Pirates, These questions are as follows:

1. What are the responsibilities of Coast Guard and Omani Navy Forces and how they coordinate between each other during their duties?

The Omani Coast Guard is responsible for securing the whole coast area which is close to the Omani base line as well as the area surrounding the Omani Ports.

The Omani Navy Forces have more responsibilities than the Coast Guard in terms of that the Maritime security issue is related to Omani Navy more than the Coast Guard; therefore, the Omani Navy is responsible for securing the deep Omani Waters which is up to the Omani Exclusive Economic Zone.

2. What are the limits of Coast Guard on doing its Patrols? In other words, how many nautical miles can the Coast Guard go in order to secure the Omani waters?

The Omani Coast Guard's patrols can go up to 10 nautical miles, while the Omani Navy has the ability to cover the entire area up to 200nm in coordination with the Omani Air Forces, which is responsible for covering and securing the air space of the Omani Maritime zones.

3. Do the Omani Navy officers have the full authority to arrest the Pirates during their operations or a police officer has to accompany them to do that on behalf of them on board? If they do, are there any laws or rules which stipulate this?

Yes, they do.

4. Are they trained to do that?

Yes, they are.

5. If you received information of suspected pirates entering the Omani territory waters, how can you act in such situations?

If we received any information indicating that such a suspicious boat has entered the Omani Waters illegally, we move directly to intercept it in coordination with the Coast Guard and the Omani Air Forces. We have a particular mechanism to deal with that.

6. Do you have any plan in place to deal with Somali pirates whenever they enter the Omani Waters and attack any ship in it?

Yes, we do. There is an approved security plan to free any ship attacked or seized by Somali pirates into the Omani Territory Waters headed by the Commander of Omani Navy and there is direct coordination with some military and security authorities in Oman in relation to that.

Eventually, this is the Ship registry authority or the Ship Company's choice if they are willing to free their Ship from the Pirates or not.

7. CTF 151 is a group of an international military ships working together in the Gulf of Aden and Eastern Indian Ocean to prosecute piracy and arrest the pirates. Is there any coordination or cooperation between the Sultanate and this group?

No I don't think so because Oman is not a member in this group.

8. The Omani fishing ship which has been seized recently by the Somali Pirates off the Coast of Mirbat last year entered the Yemeni Territory Waters while one of the Omani Navy Forces Ships named AL MABROOKH trying to restore the Ship from the Pirate's hands, My question is how did they deal with this situation in order to catch the pirates and bring the Omani fishing ship back. Is there any current security agreement between Oman and Yemen dealing with such situations?

In fact I don't have much information about this incident; however, we normally deal with these situations by using diplomatic channels in order to get the permission to enter such State's Territory Water.

Back to your second question I don't think that we have any security agreement between us and Yemen that regulates this kind of situations.

9. What are your comments in this regard meaning what are the missing points in your opinion that the Navy Forces have to do in order to overcome the piracy issue and stop the Somali Pirates from getting close to the Omani Waters?

I think we need the following:

- Get a fast mechanism for security coordination between the security authorities together within the country "the security coordination is so necessary" he added
- Intensify the Patrols of the Omani Coast Guard along the Coastline as well as the patrols of the Omani Navy in the deep Waters.
- Provide the Navy Forces with faster Boats.

4.8.6 Case Study

During the last two years, 25 Somalia pirates have been arrested and jailed in Oman. The following case study provides an important example of how Oman is currently confronting the Piracy problem.

On 30 May, 2010, an Omani fishing ship was boarded by a group of Somalis at approximately 4:00 P.M while it was operated at that time off the coast of Mirbat (Mirbat is one of the ten wilayats of Dofar's Governorate in the south of Oman). A Coast Guard ship was sent to reclaim the ship, but was unable to do so, because it was fired upon with rounds of bullets. An Omani Royal Navy ship that was in the area was sent to claim the fishing ship, which it did at 10:00 A.M. on 31 May, 2010. Then Navy ship then carried the crew of the captured ship to land.

The twelve Somali crew members were charged under Anti-Terrorism Act with charges of kidnapping, attacking a ship at sea for the intention of seizure and theft of its cargo, hostage taking, unauthorized use of firearms and ammunition, and preventing workers from carrying out their job duties. These crimes carry punishments ranging from ten to thirty days imprisonment (preventing an employee from doing his legitimate job) to life imprisonment (terrorism, kidnapping, obstruction, or any act of terrorism).

Despite their claims of being a fishing crew who had been blown off course, they were found to have no fishing gear, food or water on board, but were equipped with automatic weapons. They claimed they were drifting in a southerly direction, while it was proven they had been moving in a northerly direction.

At their November 2010 trial, all twelve men were found guilty of crimes of terrorism, piracy, kidnapping, resistance and unauthorized possession of weapons. They were sentenced to life imprisonment.

More details about this case is provided in annex no 7.

4.9 Analysis of the situation of Oman in regard to Piracy off the Gulf of Aden and the Western Indian Ocean

This chapter will summarize the analysis of the current situation in Oman. It will look at the strength and weaknesses that exist. It will also summarize the potential opportunities to combat piracy, and the threats that continue to exist.

4.9.1 The strengths

Oman is in a very stable situation. It lies in a very important location in terms of the Arabian Peninsula and the Middle East. It has good relationships with neighboring countries. It has a stable political system, and a well functioning legal system. Oman has a strong Navy to aid in fighting piracy.

Oman is a stable country

After His Majesty the Sultan Qaboos deposed his father in 1970, Sultan Qaboos Bin Said opened up the country, embarked on economic reforms and boosted spending on health, education and welfare.

As with other Gulf nations, oil is the mainstay of the economy, providing a large chunk of GDP, but compared to its neighbours Oman is a modest producer. Agriculture and fishing are important sources of income. Tourism, another source of revenue, is on the rise. Oman's attractions include a largely-untouched coastline, mountains, deserts and the burgeoning capital Muscat, with its forts, palaces and old walled city.

Most Omanis follow the Ibadi sect of Islam - the only remaining expression of Kharijism, which was created as a result of one of the first schisms within the religion. The country has so far been spared the militant Islamist violence that has plagued some of its neighbours.³²

Today's Oman is internally stable, economically prosperous, and established as a nation integral to foreign relations in the Middle East and the world.

³² BBC.CO.UK , Middle East Country Profiles, <http://www.bbc.co.uk/news/world-middle-east-14654150>

Oman has good relationship with other countries around the world.

If we start taking about the Omani Foreign Policy you will find out that the Omani foreign policy is based on four principles:

- The development and maintenance of good relations with all Oman's neighbors
- An outward looking and internationalist outlook, as befits Oman's geographic location and longstanding maritime traditions.
- A pragmatic approach to bilateral relations, emphasizing underlying geostrategic realities rather than temporary ideological positions.
- The search for security and stability through cooperation and peace, rather than conflict.

These principles have been consistently applied and have proved both valuable and durable. Oman's adherence to these principles has allowed foreign policy to be flexible and to meet the challenges of the new international environment with confidence. These principles are derived from Islamic and Omani values of tolerance, compassion, consultation and moderation, and Oman actively seeks to promote, through discussion, dialogue and cultural exchange, the fullest possible understanding and mutual respect between the diverse cultural traditions of the world.³³

Rand Corporation Institution, throughout one of their studies has described Oman's Policy as a unique foreign policy and it stated that

“To understand Oman's current foreign policy is to understand how skilled diplomacy works, how balancing interests, tolerance toward differences, and a determined search for mutual benefits can open international doors and keep them open, even during conflict. While other nations in the Middle East have been driven by ideology and short-term gains, the Sultanate of Oman has pursued its own course, holding to the belief that peaceful negotiation is essential to the overall, long-term goals of Omani security and prosperity”.³⁴

³³ Ministry of Foreign Affairs website , Sultanate foreign Policy, Sultanate of Oman, <http://mofa.gov.om/mofanew/index.asp?id=1>

³⁴ Rand corporation research ,(Rand is a nonprofit institution that helps improve public policy through research and analysis, http://www.rand.org/pubs/research_briefs/RB2501/index1.html

Moreover the CIA Fact Book has described the foreign policy of the Sultanate as Oman's moderate, independent foreign policy has sought to maintain good relations with all Middle Eastern countries.³⁵

Oman has a strong regional political position.

The strategic location of the Sultanate in the Arabian Peninsula and the Middle East has made the Sultanate's political position in the region very strong, that can't be ignored. Oman has already helped to solve many conflicts between some Arabian and Gulf Countries through its own foreign policy which means basically that sitting at the negotiations table is the appropriate solution to solve any conflict between countries.

Moreover, the unique foreign policy of the Sultan Qaboos has played a big role in keeping the region peaceful and secure through the wise approach. As an example, through the use of this policy, Oman has maintained very good relations with Iran as well as keeping good ties with United States at the same time.

On Wednesday, 19 October, 2011 it was reported that US Secretary of State Hillary Clinton visited Oman for talks with Sultan Qaboos on rising tensions with Iran over its alleged plot to kill a Saudi envoy. Washington hoped to tap into Oman's relations with Iran and that Oman would share US concerns regarding the situation. Secretary of State Clinton stated that the US expected that Omanis would use their strong relationship with Iran as they have in the past, to foster a mutual understanding amongst all. Clinton also formally thanked the Sultan Qaboos for helping secure the release of US hikers who were jailed in Iran after being arrested near the Iraqi border.³⁶

From this, it is understood that Oman does occupy an influential position in the region and beyond, a position it may use to assist in fostering better relations amongst States.

³⁵ CIA Fact book, introduction ,Background of Oman, https://www.cia.gov/library/publications/the-world-factbook/geos/countrytemplate_mu.html

³⁶ Hillary Clinton in Oman for talks on Iran, Pakistan Today Newspaper, Wednesday 19 Oct 2011 11:32 pm, <http://www.pakistantoday.com.pk/2011/10/hillary-clinton-in-oman-for-talks-on-iran/>

Oman has strategic location of the Arabian Peninsula and the Whole Middle East.

Oman overlooks three important seas: the Arabian Sea, the Sea of Oman and the Arabian Gulf. It also controls the Strait of Hormuz, which is one of the most important facilities in the region, linking the Sea of Oman with the Arabian Gulf. The Strait of Hormuz is also considered as a gateway for all ships coming from the Indian Ocean and Arabian Sea.

Moreover, Oman's approximately 200-mile coastline running from Muscat to the border with the UAE serves as the gateway for maritime trade entering and leaving the Arabian Gulf. Every day, 30-40 percent of the world's oil supplies pass through the Strait of Hormuz. Even more critical, the main deep-water channels and shipping lanes in the strait lie in Omani waters. For all States Oman will remain of key strategic importance to the security of the entire Arabian Gulf.

Oman has strong justice system and functional courts.

As already discussed in section no 4.7.3 (the Legal system in Oman) Oman has a good and well functioning justice system. It consists of two types of justice systems. The first one is the normal justice system, and the second one is the specialized system. Both of them have many functional Courts.

Oman also has established the Public Persecution in order to deal with any case on behalf of the Public.

Moreover, Oman established the high Judicial Institute last year by Royal Degree No: 35/2010 issued on 11 April 2010 in order to prepare the Religious Judges and legal experts that the Courts needs in the next stages of developments. This institute will provide them with practical experiences and professional development as well as equip them with skills and efficiency in the theoretical and analytical scientific research process.

Oman has a powerful Navy Force at the moment that gives it the capability to fight Piracy and arrest the Pirates.

According to TAK Maritime Newspaper no 1116, Oman has the biggest and most powerful maritime power compared with other GCC Countries. However, the most powerful and best equipped Navy Forces around the Middle East Countries without doubt is Iran.

The TAK Maritime Newspaper has also said that Omani Navy Forces, with the current 5 corvettes (3 of them are expected to be delivered to the Omani Navy within the next three years) will have a capable 'green water navy' that will be mostly aimed at the protection of its economical zone but could also be deployed to fight piracy in the area. Oman's navy also owns an amphibian landing ship, the Fulk al Salamah, which is capable of transporting 240 troops but is currently in service in support of the royal yacht Al Said. The Omani navy also deploys four Province class fast attack boats, equipped with Exocet missiles and a 76mm cannon, and three Al Bushra patrol boats. These vessels are used mainly for the protection of coastal waters.³⁷

4.9.2 The Weaknesses

Piracy attacks have increased along Oman's extensive coastline. In this section, points about the problems this has brought about will be discussed. These will include the fact that Oman has the longest coastline of the GCC countries and Yemen, and this has led to Oman being in a weak location in terms of piracy activities.

Factors facilitating piracy activities in the area.

The current insecurity in some Arabian Peninsula countries such as Yemen, Iraq, Somalia, Egypt, Syria and Libya are allowing the pirates to continue undertaking their criminal activities with ease, and this unrest has created a big gap between the contribution of these countries and others in repressing piracy and the increasing piracy attacks in the area.

³⁷ The naval power of balance: The Middle East Gulf (MEG) TAK Maritime Newsflash no 1116, 17/08/2011

* TAK Maritime Newsflash is a bi-weekly digest of news and views on the maritime industries with particular reference to Middle East and Europe, published by TAK Maritime Services LLC & KBL-Shipping GmbH, to contact the editor please contact contact@kbl-shipping.de.

Oman has the longest coast line over the GCC Countries and Yemen.

Oman has a coastal line extending almost 3,165 km, from the Strait of Hormuz in the north to the borders of the Republic of Yemen, overlooking three seas: the Arabian Gulf, Sea of Oman and the Arabian Sea.

Table no 1 shows the length of Coastlines of Yemen and GCC Countries.

County	Oman	Saudi Arabia	UAE	Qatar	Kuwait	Bahrain	Yemen
Coastline	3,165 km	2,640 km	1,318 km	563 km	499 km	161 km	1,906 km

Source: CIA world Fact book

,https://www.cia.gov/library/publications/the-world-factbook/wfbExt/region_mde.html

As table no 1 shows, Oman has the longest coastline of all GCC countries and Yemen. Therefore, it can be expected that Oman will have the most difficulties in covering its entire coastal area with the current enforcement equipment.

Oman's small population

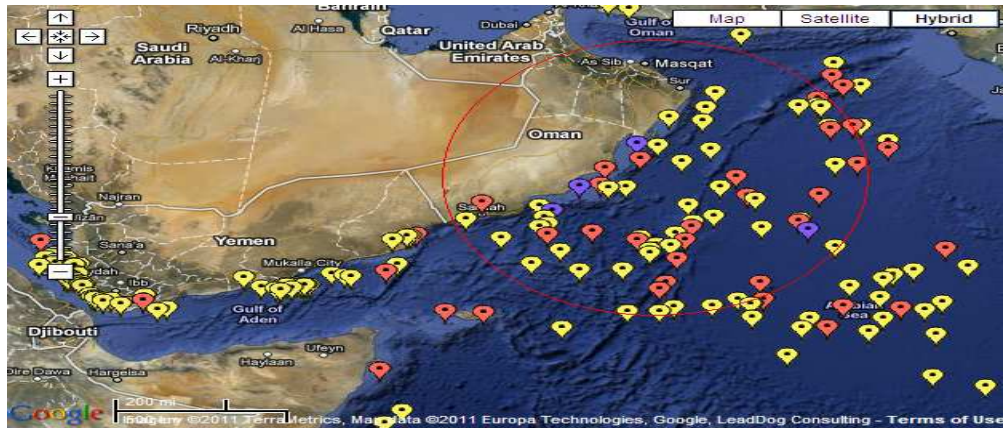
According to the general census of population and housing on July 2011 in Oman the population of Oman was 3,027,959 and includes 577,293 non nationals (Country comparison to the world: 136) so the current population of Oman is small compared with the total land area of the Sultanate which is about 309,500 sq km.³⁸

Oman's weak geographic location with respect to the piracy problem

Oman's Strategic location which overlooks three important seas given it a very weak geographical location in regard to Piracy activities which are taking place right now on the Gulf of Aden and the wide Indian Ocean, and that is because Oman has got a long coastline extending almost 3,165 km starting from the Strait of Hormuz up to the borders of the Republic of Yemen as well as the wide expansive area of the Indian Ocean.

Map no 11: Alive Piracy Map shows the hijackings and attempted Pirates attacks reported off the Omani Coastline

³⁸ CIA world Fact book ,Oman , <https://www.cia.gov/library/publications/the-world-factbook/geos/mu.html>



Source: Live Piracy map provided by International Maritime Bureau (IMB) dated on 20/10/2011

A live piracy map provided by the IMB on its website shows that the lion's share of reports of hijackings, attacks and suspicious ships are being recorded along the Omani coastline and hundreds of kilometers into the open seas of the Indian Ocean.³⁹

Somalia Pirates increased attacks seven-fold between 2007 and 2010 and doubled their area of operation to cover 2.5 million square nautical miles of the whole area of Eastern Indian Ocean, Arabian Sea and the Gulf of Aden where they were trying to go away from coastal countries in order to avoid fighting with military ships. The Sultanate of Oman will be the country most threatened by the Somalia Pirates during the coming years according to what they called the extended coastal area.⁴⁰

4.9.3 The opportunities

Oman has the opportunity to lead the way in fighting piracy. It is a stable country with good relations with other countries affected by piracy. It has a good Armed Force. All of these factors will allow Oman to take a leadership role in working with other countries to end piracy.

³⁹ Piracy wave set to hit households in the GCC, TAK Maritime newsflash no:1116, 29/08/2011

⁴⁰ Rep. Royce, Terrorism Chairman, Statement on Global Maritime Piracy: Fueling Terrorism, Harming Trade, Washington, Jun 15, 2011 ,Royce agency,
<http://www.royce.house.gov/News/DocumentSingle.aspx?DocumentID=246742>

Creation of a very strong security system as well as an increase in security awareness and preparedness with the countries affected by piracy

Oman has the capability of helping to create a strong security system in the area affected by piracy. Its good relations with its neighbors will encourage help and support with each other in many ways. Communication between countries will increase. Best use of available resources will result.

Excellent opportunity for Oman to take leadership of the regional cooperation group

This paper on the piracy problem was developed by an Omani, through the generosity of a UN Fellowship. It has been evaluated and discussed at length within the Omani protection and security organizations. Because of the extended time that Oman has had to absorb and consider this proposal, allowing Oman to take leadership in putting this proposal into practice will save considerable start up time and allow the piracy problem to be addressed much quicker.

Increase in regional cooperation of Navy forces

Currently, all of the naval forces in the Gulf region are operating independently, chasing the same criminals. Having all of the Navy forces work together will make an excellent communication network between all of the Navy Forces in the region in order to act together against the Piracy off Somalia. This cooperative effort will be much more effective in combating the piracy problem.

4.9.4 The threats

Piracy continues to be a problem affecting many countries, and the situation is deteriorating daily. Omani fishing vessels and merchant vessels are in great danger. The cost of fighting piracy is skyrocketing. Safety concerns have been raised regarding plans to develop Sultan Qaboos port as a tourism base. Uprisings in neighboring countries such as Yemen continue to cause security issues.

Republic of Yemen as the second pirate's station very soon

Map no 12: The map shows that Yemen is expected to be the second Pirate's station in the near future and how much Oman is going to be affected by this.



Source: Arabian Peninsula map, http://4flying.com/doc/flyingclip/middle_east_pol_2003.jpg

The unstable security situation in Yemen at the moment will allow the Somali pirates to start thinking about expanding some of their piracy criminal groups and organizations in order to start launching their activities from Yemen against ships which pass through the Gulf of Aden or the wide Indian Ocean, if they haven't already started. As well, this is an excellent way to allow them a very dangerous expansion of piracy in the area.

According to my basic analysis, Yemen will be unprepared if the organized Somalia pirates groups started thinking seriously about shifting and expanding their own criminal activities to this country.

It is commonly recognized that Somalia is divided into 3 different parts (Somaliland, Puntland and Southern Somalia) and this divided system along with the poor security system in this country create an environment for spreading the piracy problem.

According to the history of Yemen, the country was in two parts. Through the 19th century, one part was controlled by the Ottoman Empire and the other was controlled by the British. In 1918, North Yemen became independent of the Ottoman Empire. The British, who had set up a protectorate area around the southern port of Aden, withdrew in 1967 from what became South Yemen. Three years later, the southern Government adopted a Marxist orientation. The massive exodus of hundreds of thousands of Yemenis from the south to the north contributed to two decades of hostility between the States. The two countries were formally unified as the Republic of Yemen in 1990. In 2004, a group called Huthi rebels sought a return to traditional Zaydi Islam, and this resulted in seven rounds of fighting. The last ended in early 2010 with a tentative ceasefire.⁴¹

Due to the history of Yemen and the poor security situation of this country at the moment, there are many protests taking place in Sanaa and many other different parts of Yemen. The protesters are demanding a lot of reforms in some important sectors in the country such as political, economic and unemployment.

Therefore, according to all these reasons it seems that the situation in Yemen is not going to be solved soon. Therefore, for these reasons Yemen will be a very good target for Somali pirates.

If what we expect happens in the near future in the Republic of Yemen, Oman will be the first country which will be affected by this problem, as Oman is the closest country to Yemen. As well, it has a land border and maritime boundary agreement with Yemen.

In this case the Somali pirates will attempt to increase the number of attacks against ships from their second foundation in Yemen, especially Omani ships, as well as most of the ships which travel to and from the Omani ports. We expect that Salalah Port will be the first target to the Somalia pirates. At that time the piracy perpetrators will not have to come from Somalia as there will be a new base for them in Yemen.

It should be mentioned that if what we expect to be happen in the near future does happen, dealing with piracy will be more difficult and Oman will be affected by this problem much more than other countries.

⁴¹ See CIA fact book, Background of Yemen and the political situation of this country, <https://www.cia.gov/library/publications/the-world-factbook/geos/ym.html>,

Oman's situation is worsening daily as Somalia pirates frequently get inside the Omani Waters

Map no 13: The map shows the exact location of the hijacked Indian Tanker inside the anchorage area of Salalah Port.



Source: live piracy map 2011, International Maritime Bureau, <http://www.icc-ccs.org/home/piracy-reporting-centre/imb-live-piracy-map-2010/details/57/328>

A live piracy map provided by the IMB on its website shows that the lion's share of reports of hijackings, attacks and suspicious ships are being recorded along the Omani coastline and hundreds of kilometers into the open seas of the Indian Ocean.⁴²

In addition to the last Somalia armed robbery attacks which were carried out recently inside the Omani territory waters, an Indian chemical tanker was hijacked by the Somali pirates just off Salalah on 22 August 2011. According to an Indian authority, the hijacked chemical tanker was taken to Somalia and is anchored just north of Bandar Beyla. They stated that the hijacking of MT Fairchem Bogey happened under the nose of Salalah port.⁴³

In reaction to this incident the Indian authorities have expressed anger and want to know how the Somalia Pirates can enter the Omani territorial waters and hijack a ship at anchorage off Salalah Port without any action being taken, whether by the Omani Navy Forces or by the Port Authority

⁴² Piracy wave set to hit households in the GCC, TAK Maritime newsflash no:1116, 29/08/2011

⁴³ Crew aboard tanker hijacked in Oman safe, TAK Maritime newsflash no:1116, 23/08/2011

Meanwhile, the Indian authorities are planning to write to the Oman authorities seeking reasons for the major security lapse that led to the hijack of the ship managed by the Indians firm.⁴⁴

An analysis of the hijacking of ships yields many questions which need to be addressed in detail such as:

- What went wrong with this incident, particularly how did the Somali Pirates enter Omani waters safely and seize the Indian vessel?
- Where were the Omani Navy Force patrols at that time?
- Where was the Coast Guard which is supposed to be the guard of the coastal areas and where was the Omani Air Forces as well?
- Where was everybody?

Certainly a big security gap was a major reason which led to the hijacking of the Indian tanker. If the Omani authorities don't react quickly against these incidents which are taking place inside the Omani waters I believe that the situation in Oman will steadily worsen. Consequently, there will be many serious economic implications, such as:

- Economic sector, which is considered the most valuable sector in the country, has been affected
- The relationship between Oman and other countries will be affected, especially these countries which have an economic cooperation and shipping exchange with Oman.
- The shipping insurance premiums and rates will raise insurance to record high levels.

Experts at the International Maritime Bureau said that the cost of GCC household goods may be on the rise as shipping companies pass along to consumers a 300-fold increase in emergency insurance premiums - per voyage - to ply pirate-infested waters.⁴⁵

⁴⁴ Crew aboard tanker hijacked in Oman safe I,TAK Maritime newsflash no 1116, 23/08/2011

⁴⁵ Piracy wave set to hit households in the GCC, 29 Aug 11 - 10:04
safety4sea , <http://www.safety4sea.com/page/6071/21/piracy-wave-set-to-hit-households-in-the-gcc>

Additionally, a rash of attacks on bulk carrier ships by rocket-toting Somali Pirates has prompted London insurance authorities to list the eastern coastal areas of the Arab peninsula as 'war risk' zones, prompting some marine underwriters to boost their insurance coverage from \$500 (Dh1,836) per voyage to GCC countries up to \$150,000 per trip by some accounts.⁴⁶

The Indian tanker pushes the need for a quick and detailed investigations by Omani authorities in order to find out what went wrong with the security, especially in area which off the coast of Salalah.

The piracy problem must be carefully monitored and cannot be delayed any longer to ensure that it does not continue to expand any more into the Sea of Oman. If Somali Pirates continue to spread their criminal activities toward the entire area of the Sea of Oman, other main Omani merchant ports will be under real attack by Somali Pirates such as:

- Sultan Qaboos Port
- Mina Al Fahal
- Qalhat LNG Terminal
- Sohar Industrial Port
- Doqum Port as well as the Omani Dry Dock.
- Kashab Port

Somali Pirates are operating right now in the Indian Ocean and the Gulf of Aden. Many of the Somali attacks have been recorded directly off the Salalah Port, and as mentioned, they are already targeting any ship heading to or leaving from Salalah.

Once the Somali Pirates get more powerful, it is expected that in the near future they will try to cover the area of the Sea of Oman toward the Arabian Gulf. The attacks will be more sophisticated and combating them will be more challenging.

Sultan Qaboos Port as a tourist hub

On the most updated news in Oman regarding ports, on 23 March 2011 as per the Royal Directives of His Majesty Sultan Qaboos, Sultan Qaboos port will be converted from a

⁴⁶ Piracy wave set to hit households in the GCC, TAK Maritime newsflash no:1116, 29/08/2011

commercial port to a fully-fledged tourist hub. All commercial import, export, general cargo and container activities will be shifted to Sohar Industrial Port.

The Ministries of Transport and Communications and Tourism will soon draw up a master plan for the new tourist port. The mechanism for smooth transfer of all the port's activities to Sohar Port will also be worked out to ensure non-conflict with the existing concession agreement for the management and operation of Port Sultan Qaboos. The authorities in Oman recently set up a committee with representatives from airline companies, travel and tour agencies and investors in a move to draw more visitors to the country.

By changing Sultan Qaboos Port from a full commercial port to a tourist hub, Oman's situation for dealing with Piracy must become more sophisticated. That is, because once the port of Sultan Qaboos starts its operations as a tourist port it will start receiving a lot of passenger ships from all over the world. When this happens, the Somali pirates might alter and increase their targets from the merchant ships to start thinking seriously about attacking the passenger ships which normally carry thousands of people on board.

If this happens, the Somali pirates will be in an even more powerful position and once they board the ships, they will use the passengers as human shields in order to gain much more ransom and more violence will be expected at that time. At that time the authorities will not only be concerned about the crew and cargo of the ship, but another concerning issue will be the passengers of the ship.

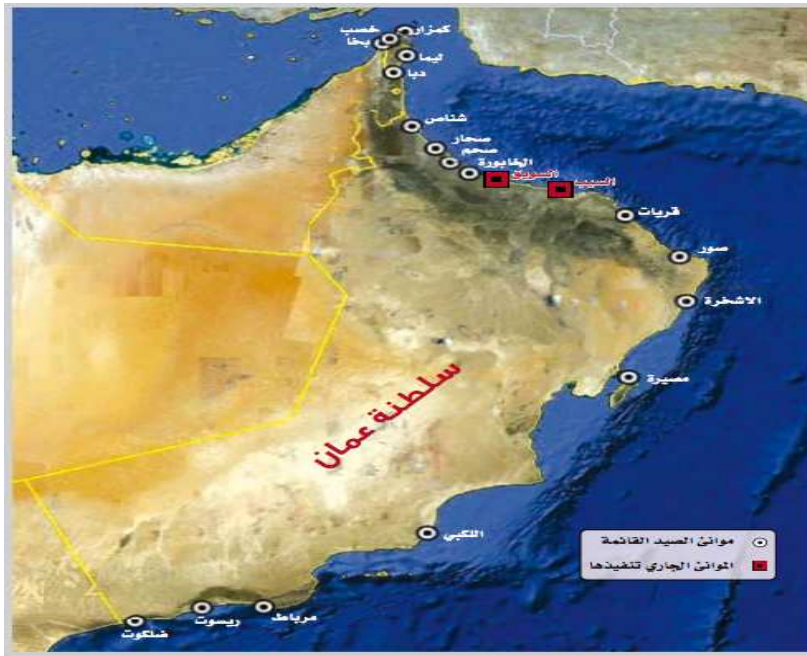
Therefore, it's strongly advised that the Omani authorities ensure the security of the Sultan Qaboos area before they start its operation is imperative. We need to secure the area which surrounds the port first. Then we need to find a good mechanism to ensure that any cruise ship will arrive and leave our port safely.

Omani fishing vessels as a second target to the Somalia pirates

Presently there are 19 fishing Ports used for fishing in different coastal areas in the Sultanate. As well, Nine more fishing ports will be set up in Rakhyut, Taqah, Sadah, Al Shouaimiyah, Mahout, Duqm, Barka, Al Musannah and Liwa according to the current five-year plan, as the Agriculture and Fisheries Minister announced on 2 August 2011.⁴⁷ There

⁴⁷ Minister of Fisheries Wealth and Agriculture announcement at Oman Tribune Newspaper published on 2nd August 2011(<http://www.omantribune.com/index.php?page=news&id=98687&heading=Oman>)

is a total of 28 fishing Ports and the contribution of the fish sector to the GDP is nearly 0.5 per cent, not including the fishing allied activities. Also there are 36,000 Omanis working as fishermen.



This table indicates the number of vessels and boats fishing in 2009.⁴⁸

According to the latest information and developments there are:

⁴⁸ Look at the annual report for the year of 2009 of the Fisheries Wealth sector at Ministry of Fisheries Wealth's website at (<http://www.mofw.gov.om/english/tabid/375/Default.aspx#>)

According to the above statistics, the number of Omani fishing ports will reach 28 very soon. Most of them are under threat by the Somalia pirates as they expand their operation area to cover 2.5 million square nautical miles.⁴⁹

Somali pirates attacked two Omani fishing ships during 2010. The first actual attack was against an Omani fishing vessel while it was operating in the Omani Sea (we don't have enough information on where the attack took place exactly). The ship was seized by the Somali pirates and took it towards Somalia until the vessel's owner was forced to pay the ransom in order to release the vessel and the crew. The ransom paid was US \$54,549,600.⁵⁰

The second attack was inside the Omani territorial waters (8nm) when a group of Somali pirates took over an Omani fishing ship which was located at that time off the coast of Mirbat (Mirbat is one of the ten wilayats of Dofar's Governorate in the south of Oman). One of the Omani Navy ships called Al Mabrookh succeeded in arresting the pirates and took them back to the Police Station so they would stand trial.

On Sunday 28 November 2010, 12 Somalis were sentenced by the Omani Court with life imprisonment after being found guilty of terrorist crimes, piracy, kidnapping, resistance and unauthorized possession of weapons.

Looking back to the above statistics regarding the numbers of Omani fishing vessels and to the last pirates attacks on some Omani fishing ships, we noted that Somali pirates are tending to target the coastal and the commercial vessels more than the small fishing boats , whether they are operating inside or outside the Omani territory waters.

As we can see from the above table, we are not concerned so much about the small fishing boats which normally fish close to the coastal line and far away from the high risk areas, but we are really concerned about the 49 commercial fishing vessels and the 19 coastal fishing vessels. These 68 ships are considered as big fishing ships.

⁴⁹ See Royce statement on global Maritime Piracy at <http://www.royce.house.gov/News/DocumentSingle.aspx?DocumentID=246742>

⁵⁰ This information has been obtained from authority of public prosecution in Oman; the person who I spoke with is the one who has did investigate with the arrested Somalia Pirates in Oman during 2010.

As indicated above, the contribution of the fishing sector to the GDP is important and will be affected directly and strongly if the Somali pirates continue attacking the Omani fishing vessels which they usually operate in deep waters away from the coastal line of the Sultanate.

Ensuring a good mechanism on sharing the information between the Fisheries Department (MVS), Omani Maritime Authority (LRIT) and Omani Navy Forces (RMP)

Monitor Vessel System (MVS)

The Ministry of Agriculture and Fisheries Wealth of Oman (Directorate of Fisheries Development) already has an electronic system named Monitor Vessel System (MVS) to identify the location of any Omani fishing vessel or any foreign vessel which has permission to operate and fish within Omani waters. This system has the ability to monitor these ships at any time and in any place up to the high seas through satellites and devices already installed on the ships.

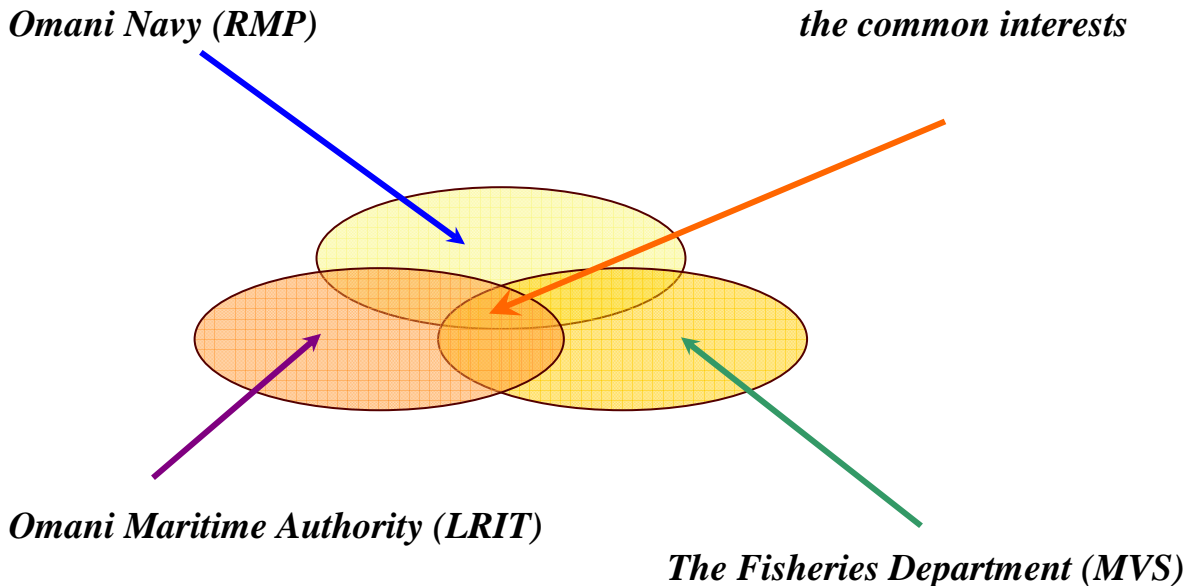
This system allows the Ministry to monitor these ships and know whether they are operating in the right areas specified by the Ministry or if they breaking the rules.

Through this developed system we can ensure the safety of any Omani ship and protect it from piracy. In the case of a ship getting attacked by the Somali pirates, the mechanism to monitor and track it wherever it goes will move smoothly and give the opportunity to identify the exact location of the ship and make the opportunity to free it more likely.

Long Rang Identification and Tracking System (LRIT)

The Ministry of Transport and Communications has already signed an agreement with an international company specialized in this area to install an electronic system called Long Range Identification and Tracking System (LRIT). This system allows the Omani Maritime Authority to identify the exact location of any Omani commercial ship weighing 300 tones and above, and the system is updated every 4 hours. This system has the ability to monitor any ship flying the Omani flag anywhere in the world and any foreign vessels that use the Omani territorial waters.

Therefore, through this qualified system, the Ministry has to intensify its work with the Omani Navy Force and the Omani Coast Guard in order to monitor the Omani commercial ships and make sure that they are operating safely away from the high risk areas.



As you can see from the chart, a communication mechanism should be applied between the Omani Maritime Authority through (LRIT), the Fisheries Department using (MVS) and the Omani Navy Forces through their system of law enforcement forces (RMP).

All these three authorities should work together as follows:

1. The Maritime Authority should provide the Omani Navy access to or updated information about the locations of any Omani commercial vessels through the LRIT system;
2. The Fisheries Department should provide the Omani Navy access to MVS or at least updated data about the locations of any Omani fishing vessel; and
3. The Omani Navy should receive and benefit from the information offered by the LRIT system and the MVS in order to translate it into RMP system. This will allow the identification of the exact locations of all Omani commercial and fishing vessels and protect them from the pirate attacks.

So, as can be seen from the chart, not all information must be released by the Maritime Authority, the Fisheries Department or by the Omani Navy. The only information that we need is “the common interests”.

In this way , we can ensure the confidentiality of any information belonging to any military or civil authority in the Sultanate, while at the same time ensuring a good mechanism to work together in order to protect the Omani ships.

The cost of dealing with piracy is increasing

Piracy in general does not only affect the international community itself. However, damages will be caused to any country dealing with piracy very closely, especially if it's facing the problem continually.

According to TAK Maritime Newsflash no: 1116 piracy is costing the international community from \$ 7 billion to \$ 12 billion a year.⁵¹

For example Oman, who faces piracy continually, has had its socio-economic sector plus the security system affected by this problem in terms of many elements such as:

- The security of Oman has been affected through the frequent Somali pirates attacks off the Omani coastline and inside the Omani territory waters.
- After their arrests, the country has to cover the cost of prosecuting the pirates, keeping them in prison, providing health care for them, etc.
- The maritime trade has also affected
- Shipping insurance has doubled.
- Etc

⁵¹ Piracy wave set to hit Households in the GCC, TAK Maritime Newsflash no: 1116 , 29/08/2011

As can be seen, the cost of dealing with piracy is increasing to record amounts, whether it is internationally or locally. its expected that whenever Oman suffers more Somali pirate attacks in the coming days, the expenses of dealing with this problem definitely will go up.

5 Chapter Five: Recommendations and Conclusion

This chapter will review what has been done to date to combat piracy in the region. It will discuss what Oman can do in conjunction with other affected countries as well as on its own.

5.1 *What has been done to solve this problem?*

Djibouti Code of Conduct

The Djibouti Meeting adopted the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, which was signed on 29 January 2009 by representatives of 18 countries from the 21 eligible to sign the Djibouti Code of Conduct.⁵² It remains open for signature at IMO Headquarters by other countries in the region. The Code, which became effective from the date it was signed (29 January 2009), takes into account and promotes the implementation of those aspects of UN Security Council Resolutions 1816 (2008), 1838 (2008), 1846 (2008) and 1851 (2008) and of UN General Assembly Resolution 63/111, which fall within the competence of IMO.⁵³

In particular, the signatories to the Code have agreed to co-operate, in a manner consistent with international law, in:⁵⁴

- a) The investigation, arrest and prosecution of persons who are reasonably suspected of having committed acts of piracy and armed robbery against ships, including those inciting or intentionally facilitating such acts;
- b) The interdiction and seizure of suspect ships and property on board such ships;
- c) The rescue of ships, persons and property subject to piracy and armed robbery and the facilitation of proper care, treatment and repatriation of seafarers, fishermen,

⁵² Djibouti, Ethiopia, Kenya, Madagascar, Maldives, Seychelles, Somalia, the United Republic of Tanzania and Yemen. Comoros, Egypt, Eritrea, Jordan, Mauritius, Oman, Saudi Arabia, Sudan and the United Arab Emirates have since signed.

⁵³ The Djibouti Meeting adopted the Code of Conduct concerning the Repression of Piracy and Armed robbery , IMO Website at <http://www.imo.org/OurWork/Security/PIU/Pages/DCCMeeting.aspx>

⁵⁴ The Djibouti Meeting adopted the Code of Conduct concerning the Repression of Piracy and Armed robbery ,IMO Website at <http://www.imo.org/OurWork/Security/PIU/Pages/DCCMeeting.aspx>

other shipboard personnel and passengers subject to such acts, particularly those who have been subjected to violence; and

- d) The conduct of shared operations – both among signatory States and with navies from countries outside the region – such as nominating law enforcement or other authorized officials to embark on patrol ships or aircraft of another signatory. In addition, the Code provides for sharing of related information, through a number of centers and national focal points using existing infrastructures and arrangements for ship to shore to ship communications (i.e. the Regional Maritime Rescue Coordination Centre in Mombasa, Kenya and the Rescue Coordination Sub-Centre in Dar es Salaam, United Republic of Tanzania) and the regional maritime information centre, which has been established in Sana'a, Yemen. The signatories also undertook to review their national legislation with a view to ensuring that there are laws in place to criminalize piracy and armed robbery against ships and to make adequate provision for the exercise of jurisdiction, conduct of investigations and prosecution of alleged offenders.

According to its Provisions articles, the Code of Conduct proposes to provide a law or legal framework to counter and repress the Piracy Problem.

Most of the Countries in the region have signed the Code. However, the most important question that needs to be asked is where is the Code of Conduct right now? In other words, what has it achieved so far? How much has it helped in repressing Somali piracy?

Unfortunately, the appropriate answer for all these questions is: not much. Yes, we succeeded in establishing the rescue and sharing information centers and we have started to share and exchange the information. However, has any country started to implement the Provisions of the Code operationally? In other words, how many signatory States have coordinated with others in order to conduct shared operations or nominated such authorized officials to embark on patrol ships or aircraft of another signatory?

What has Oman done in terms of the Code of Conduct?

In the view of Oman, we already have appointed the Coast Guard as the focal point. Our national legislation that already existed was updated, and we started to share information with the Sana'a centre. However, no regional training has been done to date.

However, on the other hand, we have another chance to benefit from this Code as a legal base on what we are going to do to repress Piracy.

We can keep moving forward with this Code and make it more active and powerful. For this, we need to establish a mechanism to implement the provisions of this Code operationally.

Best Management Practice (BMP)

The purpose of the Industry's Best Management Practices (BMP) is to assist ships to avoid, deter or delay piracy attacks off the coast of Somalia, including the Gulf of Aden and the Arabian Sea area. Experience, supported by data collected by Naval forces, shows that the application of the recommendations contained within the BMP booklet can and will make a significant difference in preventing a ship becoming a victim of piracy.

For the purposes of the BMP, the term piracy includes all acts of violence against ships, her crew and cargo. This includes armed robbery and attempts to board and take control of the ship, wherever this may take place.⁵⁵

The presence of Naval/Military forces in the Gulf of Aden has significantly reduced the incidences of piracy attacks in this area.

With Naval/Military forces concentrated in this area, Somali pirate activity has been forced out into the Arabian Sea and beyond. It is important to note, however, that there remains a serious and continuing threat from piracy in the Gulf of Aden.⁵⁶

⁵⁵ Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area, Published in 2010 by Witherby Seamanship International Ltd, 4 Dunlop Square, Livingston, Edinburgh, EH54 8SB, Scotland, UK

⁵⁶ BMP4 to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area, Published on August 2011 by Witherby Seamanship International Ltd, 4 Dunlop Square, Livingston, Edinburgh, EH54 8SB, Scotland, UK

The International Chamber of Shipping (ICS) has issued recently the BMP4, which has some new updates of the guidelines contained within the 3rd edition of BMP document published in June 2010.

On 14 September 2011 the International Maritime Organization (The Maritime Safety Committee), at its eighty-ninth session, adopted resolution number MSC.324(89) to implement the new BMP guidelines.⁵⁷

The Figures from the International Maritime Bureau (IMB) have shown that the anti-piracy measures have been successful in reducing hijacks, although the pirates have attacked more vessels than ever before in the last six months, according to the same source. The International Maritime Bureau's Piracy Reporting Centre said there were a total of 266 attacks in the first half of the year, up from 196 incidents in the same period last year.⁵⁸

The IMB credits this reduction in hijackings to policing and interventions by international naval forces, correct application of the industry's latest Best Management Practice - including the careful consideration of the crews' retreat to a 'citadel' - and other onboard security measures.⁵⁹

It should be noted that all measures and methods published so far to repress piracy and protect global shipping industry from this problem are going smoothly; however, none of these mechanisms have succeeded totally to stop the piracy especially the Somalia pirates from carrying out their criminal activities.

⁵⁷ Best Management Practices for Protection against Somalia Based Piracy (BMP 4) issued. Have a look at IMO's website at <http://www.imo.org/MediaCentre/HotTopics/piracy/Documents/1339.pdf>

⁵⁸ Pirates attack more vessels, but hijack less, Safety for sea weekly newsletter, <http://www.safety4sea.com/page/6506/4/pirates-attack-more-vessels%2c-but-hijack-less>

⁵⁹ Piracy soars but fewer hijacks, Safety4sea weekly newsletter, <http://www.safety4sea.com/page/7256/4/piracy-soars-but-fewer-hijacks>

Private Security Firms on Ships

While the previous measures have not completely succeeded yet in combating the piracy problem, particularly the piracy off Somalia, some States have been looking for other methods which could be more powerful and have more effective influence on repressing this significant issue.

The Federal Government of Germany wants to make legal the use of armed private security teams on German ships, but not to issue any permits for the use of weapons of war.⁶⁰

The Indian Government is thinking along similar lines, while the Prime Minister of the United Kingdom has announced recently that ships sailing under a British flag will be able to carry armed guards to protect them from pirates.⁶¹

The International Maritime Security and Piracy Working Group of the Maritime Safety Committee, which met at IMO Headquarters in London from 13 to 15 September 2011, approved further interim guidelines on the use of privately contracted armed security personnel (PCASP) on board ships to counter Somali-based piracy. As stated in the circulars issued by the IMO, the interim guidelines and recommendations are not intended to endorse or institutionalize the use of armed guards. Therefore, they do not represent any fundamental change of policy by the organization in this regard. It is for each flag State, individually, to decide whether or not PCASP should be authorized for use on board ships flying their flag. If a flag State decides to permit this practice, it is up to that State to determine the conditions under which authorization will be granted.⁶²

However, the big issue is that the United Nation Convention for the Law of the Sea (UNCLOS) has stated clearly in article (107) that only warships or military aircraft, or

⁶⁰ German Government wants to permit private security firms on ships, Safety 4sea weekly newsletter, <http://www.safety4sea.com/page/6450/4/german-government-wants-to-permit-private-security-firms-on-ships>

⁶¹ Armed guards to protect UK ships, security, safety4sea weekly newsletter, <http://www.safety4sea.com/page/7356/4/armed-guards-to-protect-uk-ships>

⁶² Use of privately contracted armed security personnel, <http://www.imo.org/MediaCentre/HotTopics/piracy/Pages/default.aspx>

other ships or aircraft clearly marked and identifiable as being on Government service and authorized to that effect are entitled to seize on account of piracy.⁶³

So it depends on the type the license which a country is going to issue to their ships, because if the license is going to give the Security Personnel the right to deal with piracy and arrest the pirates, this action will be against UNCLOS.

Moreover, licensing ships to carry armed guards could still fall foul of laws in other countries. For example, Egypt recently announced that armed guards would not be permitted on ships sailing through the Suez Canal.⁶⁴

5.2 What could be done better to Oman to repress the Piracy of Somalia?

To begin with, Oman has to make changes.

- 1. Re-revise the article (285) of the Omani Penal Law**
- 2. Armed Robbery at sea as another kind of criminal activity needs to be codified along with Piracy in the Penal Law of Oman**
- 3. Create a specialist Unit within the Omani Navy that follows Maritime piracy and its incidents, deals with different aspects related to Somali pirate attacks in the region, and determines how they can step in to rescue and free the ships which have been seized, whether they are Omani or foreign vessels.**
- 4. Oman should join CTF 151 as a second option if it's not preferred to go ahead with the regional cooperation plan.**
- 5. Sign cooperation security agreements with its neighbors such as United Arab Emirates and Yemen which regulates all security aspects related to prosecuting the Somali pirates and pursues them within their territorial waters.**

⁶³ Article (107) of the United Nation Convention of the law of the Sea(UNCLOS)

⁶⁴ Armed guards to protect UK ships, security, safety4sea weekly newsletter,<http://www.safety4sea.com/page/7356/4/armed-guards-to-protect-uk-ships>

6. Set up a particular mechanism between the Omani Navy Force, the Omani Coast Guard and the Ministry of Agriculture and Fisheries Wealth using the existing information from the MVS (Monitor Vessel System) as well as the Ministry of Transport and Communications through (LRIT) system to protect the Omani commercial and fishing ships during its operations at Omani waters.
7. Emphasize the security and safety of Willyat Salalah (Dofhar Governorate) as this area is the most threatened area by Somali pirates and it has already suffered many piracy attacks. What is needed is to increase the number of patrols by the Omani Navy Force, Omani Air Force and Omani Coast Guard in this area, especially during Khareef (autumn) season in order to secure this area, prevent any Somali pirates from entering the Omani territorial waters, as well as prevent any attacks on any ship which arrives at or leaves Salalah port.
8. Evaluate the security system of Salalah Port urgently in order to enhance the port security system and the whole surrounding area, especially the anchorage area.
9. Provide the Omani Navy Force with better equipments such as faster boats because the pirates are commonly using small high speed boats (up to 25 knots) or Skiffs (usually two) in attacks. The skiffs are frequently fitted with two outboard engines or a larger single 60 hp engine.

5.3 Policy Option to solve the Piracy Problem in general

The piracy issue is huge. No one country can individually bring about an end to piracy. All countries must work both individually and with other countries to bring relief.

Regional Cooperation Plan

We need to establish a plan that involves the participation of all of the countries that have been and are still being affected by piracy. This will be referred to as the “Regional Cooperation Plan”.

As the analysis in Chapter 3 showed, we have three levels of stability in the region. These assessments will determine the level of involvement of each country in the proposed regional cooperation plan.

1. **The first level stable States** (Oman, Saudi Arabia, and the U.A.E.) will form the leadership of this regional cooperation because or due to the fact that each of these countries has a strong capability to lead group of States as they have powerful Navy Forces, thriving economy, and a good security system. These countries will supply the means (warships, equipment, personnel, funds and any other supplies on this side) to cooperate with other countries.
2. **The second level stable States** (Kenya, Tanzania, Djibouti, Ethiopia, Eritrea and Somaliland) will be part of the membership of this regional cooperation Plan. These States will support the plan by supplying what they have in terms of warships, equipments, personnel, etc, and
3. **The Republic of Yemen**, which is considered a failing State at the moment, should be included as a member of the regional group in terms of supplying what it has of warships, personnel, etc, as Yemen has got around 1,700 naval personnel plus 500 marines and it has a well trained staff in it.⁶⁵
4. **The other failed and failing States** (Puntland and Southern Somalia) will be required to cooperate with the other countries in the regional plan and provide what they have of warships, personnel, etc., as well as what the plan needs in terms of information, facilities or supplies.

Necessities to organize the regional cooperation plan

In order for the regional cooperation plan to be organized, a document must be created that deals with regulating all matters relating to this issue in a clear and detailed way. Already in place is the Code of Conduct, which could be used as a basis for the Regional Cooperation Plan. All of the countries that have signed the Code of Conduct will be given the opportunity to join the Regional Cooperation Plan. As well, a State must sign the Code of Conduct in order to be a member of the Regional Cooperation Group.

⁶⁵ Yemen Navy Forces 2010-2011, Janes Fighting Ships 2011

This infrastructure of the Regional Cooperation Plan will include:

1) Legal framework including:

- Laws, functional Courts and Prisons
- Sharing information system (Yemen's sharing information Centre already exists)
- Enforcement Plan (agreement)
- Persecuting Pirates agreement.

2) Focal point for enforcement coordination operation

3) External cooperation team (To deal with some other task Force like CTF151)

Include Iran and India as observers

In order to ensure neighboring States such as Iran and India are aware of the work being done by members of the regional cooperation team, its suggested to give these States an opportunity to join the Anti piracy regional plan as observers.

The regional cooperation plan as a basis for fighting other criminal activities

The regional cooperation plan can also be used as a framework to prosecute other kinds of criminal activities such as:

- 1) Illegal fishing
- 2) Marine Environment Protection
- 3) Smuggling
- 4) Illegal Radio broadcast

THE REGIONAL COOPERATION PLAN

THE LEADERSHIP (THE COACH)



OMAN+SAUDI ARABIA+UAE

+

THE MEMBERSHIP (THE TEAM PLAYERS)



**DJIBOUTI+KENYA+TANZANIA+ERITREA+
ETHIOPIA +SOMALILAND**

+

YEMEN

WHERE THE PIRACY COMES FROM



+

PUNTLAND+ SOUTHERN SOMALIA

=

STOP PIRACY !

International involvement

As a general solution to the piracy off Somalia, all States around the world should stand up and help the Somali Government in order to stop this crime immediately.

As commonly known, piracy is conducted at sea. However, the bottom line is that it is supported from the land, meaning that this problem started and grew from the land. As such, we must work together to look at the particular causes at the root of this problem.

So if the international community wants to fix this problem they must start from the land. They should assist Somalia in establishing a strong Government to deal with this problem quickly, seriously and effectively.

5.4 Conclusion

According to the analysis the situation in Somalia regarding piracy activities will not diminish unless we try to solve the piracy problem from the land. No matter what we do in terms of arresting the pirates, punishing the perpetrators involved, updating our national legislation, and liaising with other countries, all these measures will not lead to solving the problem completely.

The Somali Government needs immediate aid in areas such as:

- 1) Establishing a strong security system in order to assist the Government in handling the bad security situation in Somalia.
- 2) In terms of the economic sector, as Somalia needs real cooperation from the world countries in order to help this country to establish a strong economy, starting with building the main infrastructure and investments, and ending with finding appropriate solutions for the unemployment.
- 3) Revive the social life in this country in terms of creating schools and universities, creating hospitals, etc.

Oman has pursued a different approach in dealing with piracy than other countries in the region. It has continued to deal with the piracy off Somalia individually, without getting involved with any task forces or international military groups who are dealing with the same problem collectively.

The current Omani tactics in dealing with Somali pirates could be based on either political or operational reasons. However, this mechanism to deal with pirates individually no longer works, as Oman is continually confronted with the piracy problem.

The Somalia Pirates are still getting inside the Omani territorial waters far too often, whether with intention to attack Omani ships or any foreign ships which are heading to or leaving the Omani ports. Therefore, Oman has to change its focus and has to coordinate with its neighbors in the region in order to work together against piracy off Somalia.

The Regional Cooperation Plan is the appropriate mechanism to deal with piracy off Somalia. The affected countries need to put their hands together in order to start stop this problem.

The situation cannot just be monitored any longer. We need to act immediately, as piracy is becoming a bigger problem and the pirates are becoming bolder by the day. It is imperative that we take urgent action to stop it.

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7 Appendixes

7.1 Appendix no (1) the features of the Omani Government

Country name	conventional long form: Sultanate of Oman conventional short form: Oman local long form: Saltanat Uman local short form: Uman former: Muscat and Oman
Government type	monarchy
The Emblem	The emblem was adopted during the middle of the eighteenth century .The swords and dagger forming the emblem represent the old traditional weapons of the Omani people.
Capital	name: Muscat geographic coordinates: 23 37 N, 58 35 E time difference: UTC+4 (9 hours ahead of Washington, DC during Standard Time)
Independence	1650 (expulsion of the Portuguese)
National holiday	Birthday of Sultan QABOOS, 18 November (1940)
Constitution	none; note - on 6 November 1996, Sultan QABOOS issued a royal decree promulgating a basic law considered by the Government to be a constitution which, among other things, clarifies the royal succession, provides for a prime minister, bars ministers from holding interests in companies doing business with the Government, establishes a bicameral legislature, and guarantees basic civil liberties for Omani citizens
Legal system	mixed legal system of Anglo-Saxon law and Islamic law
International law organization participation	has not submitted an ICJ jurisdiction declaration; non-party State to the ICCt
Suffrage	21 years of age; universal; note - members of the military and security forces are not allowed to vote
Executive branch	chief of State: Sultan and Prime Minister QABOOS bin Said Al-Said (sultan since 23 July 1970 and prime minister since 23 July 1972); note - the monarch is both the chief of State and head of Government head of Government: Sultan and Prime Minister QABOOS bin Said Al-Said (sultan since 23 July 1970 and prime minister since 23 July 1972) cabinet: Cabinet appointed by the monarch

	elections: the monarchy is hereditary
Legislative branch	bicameral Majlis Oman consists of Majlis al-Dawla or upper chamber (71 seats; members appointed by the monarch; has only advisory powers and Majlis al-Shura or lower chamber (84 seats; members elected by popular vote to serve four-year terms; body has only advisory powers) elections: last held on 27 October 2007 (next to be held in 2011)
Judicial branch	Supreme Court Note: the nascent civil court system, administered by region, has judges who practice secular and sharia law
Political parties and leaders	none
Political pressure groups and leaders	none
International organization participation	ABEDA, AFESD, AMF, FAO, G-77, GCC, IAEA, IBRD, ICAO, IDA, IDB, IFAD, IFC, IHO, ILO, IMF, IMO, IMSO, Interpol, IOC, IPU, ISO, ITSO, ITU, LAS, MIGA, NAM, OIC, OPCW, UN, UNCTAD, UNESCO, UNIDO, UNWTO, UPU, WCO, WFTU, WHO, WIPO, WMO, WTO

7.2 Appendix no (2) the description of the Omani Navy Forces

Country overview:

The Sultanate of Oman is an independent Middle East State extending along the south east coast of the Arabian Peninsula. It is bordered to the south east by the Republic of Yemen ,to the west by Saudi Arabia and to the north west by the United Arab Emirates which separates a small exclave on the Musandam peninsula ,On the south side of the strait of Hormuz from the rest of the country.

Masirah Island and the Khuriya Muriya Islands lie off the south east coast. With an area of 82,030 square miles, it has a 1,129 n m coast line with the Indian Ocean and sea of Oman.

The capital, largest city and principal port is Muscat while there is a further port at salalah .Territorial seas (12 nm) are claimed .An EEZ (200 nm) has been claimed but its limits have only partly by boundary agreements.

Bases:

1. Said bin Sultan,Widam ASahil (main base, dockyard and shiplift)
2. Ras Musandam
3. Muaskar al Murtafa a(headquarters)

Personnel:

- 2010:4,200 officers and men
- Voluntary service

The description

CORVETTES 1 PATROL SHIP (FSH/AXL/AGS)

Name	No	Builders	Commis sioned	Speed, Knots	Complement
AL MABRUKAH	Q30(EX-A1)	Brooke Marine ,lowestoft	1971	12	39(7 officers)plus 32 trainees

2 QAHIR CLASS (FSGMH)

Name	No	Builders	launche d	Commissione d	Speed, Knots	Complement
QAHIR AL AMWAJ	Q31	Vosper Thornycroft,Woolston	21 Sep 1994	3 Sep 1996	28	76 (14 officers) plus 3 spare
AL MUAZZAR	Q32	Vosper Thornycroft,Woolston	26 Sep 1995	13 Apr 1997	28	76 (14 officers) plus 3 spare

0+3 PROJECT KHAREEF (CORVETTES)(FSGHM)

Name	No	Builders	Launche d	Commissi oned	Speed, Knots	Complement
AL SHAMIKH	Q40	BAE Systems Surface Ships,Portsmouth	22 July 2009	2011	25	To be announced
—	—	BAE Systems Surface Ships,Portsmouth	2010	2012	25	To be announced
—	—	BAE Systems Surface Ships,Portsmouth		2011	2013	To be announced

SHIPBORNE AIRCRAFT

Numbers/Type: 16 GKN Westland Super Lynx300

Operational Speed: 120 kt (222 km/h)

Range: 320 nm (3,048m)

3 AL BUSHRA CLASS (PBO)

Name	No	Builders	Launched	Commissioned	Speed, Knots	Complement
AL BUSHRA	Z 1	CMN,Cherbourg/Wud am Dockyard	3 May 1995	15 June 1995	24 Range,nm:2,400 at 15 kt	43 (8 officers)
AL MANSOOR	Z 2	CMN,Cherbourg/Wud am Dockyard	3May 1995	10Aug 1995	24 Range,nm:2,400 at 15 kt	43 (8 officers)
AL NAJAH	Z 3	CMN,Cherbourg/Wud am Dockyard	3 Mar 1996	15 Apr 1996	24 Range,nm:2,400 at 15 kt	43 (8 officers)

PATROL FORCES

4 DHOFAR (PROVINCE) CLASS (FAST ATTACK CRAFT- MISSILE)(PGGF)

Name	No	Builders	Launched	Commissioned	Speed, Knots	Complement
DHOFAR	Z 10	Vosper Thornycroft	14 Oct 1981	7 Aug 1982	38.Range,n m :2,000 at 18 kt	45 (5 officers)plus 14 trainees
AL SHARQIYAH	Z 11	Vosper Thornycroft	2 Dec 1982	5 Dec 1983	38.Range,n m :2,000 at 18 kt	45 (5 officers)plus 14 trainees
AL BATNAH	Z 12	Vosper Thornycroft	4 Nov 1982	18 Jan 1984	38.Range,n m :2,000 at 18 kt	45 (5 officers)plus 14 trainees
MUSSANDAM	Z 13	Vosper Thornycroft	19 Mar 1988	31 Mar 1989	38.Range,n m :2,000 at 18 kt	45 (5 officers)plus 14 trainees

4 SEEB (VOSPER 25) CLASS (COASTAL PATROL CRAFT) (PB)

Name	No	Builders	Commissioned	Speed, Knots	Complement
SEEB	Z 20	Vosper Private ,Singapore	15 Mar 1981	25,8(Cummins diesel)	13
SHINAS	Z 21	Vosper Private ,Singapore	15 Mar 1981	25,8(Cummins diesel)	13
SADH	Z 22	Vosper Private ,Singapore	15 Mar 1981	25,8(Cummins diesel)	13
KHASSAB	Z 23	Vosper Private ,Singapore	15 Mar 1981	25,8(Cummins diesel)	13

AMPHIBIOUS FORCES

Notes: There are also some French-built Haves Mk 8 two-man SDVS in service.

1 LANDING SHIP – LOGISTIC(LSTH)

Name	No	Builders	Commissioned	Speed, Knots	Complement
NASR AL BAHR	A 2	Brooke Marine,Lowestoft	6 Feb 1985	12	104(13 officers)

1 LANDING CRAFT

Name	No	Launched	Speed, Knots	Complement
AL MUNASSIR	A 1	17 May 2006	11	19 plus 56 troops

3 LCMs (LSTH)

Name	No	Builders	Commissioned	Speed, Knots	Complement
SABA AL BAHR	A 8(ex-L 8)	Vosper Private ,Singapore	17 Sep 1981	8	11

AL DOGHAS	A 9(ex-L 9)	Vosper Private ,Singapore	10 Jan 1983	8	11
AL TEMSAH	A 10(ex-L 10)	Vosper Private ,Singapore	12 Feb 1983	8	11

Comment: first one launched 30 June 1981.Second pair of similar but not identical ships launched 12 November and 15 December 1982.Pennant numbers have been changed from L to A.

1 LC (LSTH)

Name	No	Builders	Commissioned	Speed, Knots	Complement
AL NEEMRAN	A 7(ex-L 7)	Lewis Offshore,Stornway	1979	7/8	6

TRAINING SHIPS

1 SAIL TRAINING SHIP (AXS)

Name	No	Builders	Recommissioned	Speed, Knots	Complement
SHABAB OMAN	S 1	Herd and Mackenzie,Buckie ,Scotland	1979	10 (diesels)	20 (5 officers)plus 3 officers and 24 trainees

AUXILIARIES

Notes: In addition to the listed vessels there are four 12 m Cheverton Work boats (W41-44) and eight 8 m Work boats (W4-11).

SUPPLY SHIP (AKS)

Name	No	Builders	Launched	Commissioned	Speed, Knots	Complement
AL SULTANA	T 1(ex-A2,ex-S 2)	Conoship,Groningen	18 May 1975	4 June 1975	11	20

2 FASTTRANSPORT SHIP (AP)

Name	Measureme nt ,tons	Speed, Knots	Range m	Complement	Military Lift	Helicopter
SHINAS	146 dwt	50	450 at 40 kt	12	203 passengers and 56 vehicles including 54 lane- meters of trucks	Platform for 1 medium
HORMUS	146 dwt	50	450 at 40 kt	12	203 passengers and 56 vehicles including 54 lane- meters of trucks	Platform for 1 medium

Comments: Contract signed with Austal Ships on 15 May 2006 for the construction of two multipurpose passengers /Vehicle ferries. They are of a twin-hull catamaran design and of aluminum construction. The vessels act as intra –theatre sealift ships in an emergency and ,at other times, they are used commercially as passenger ferries .The first vessel was launched on 27 September 2007,the second was delivered in July 2008.They are based around the Musandam Peninsula.

ROYAL YACHT I ROYAL YACHT (YAC)

Name	No	Builders	Launched	Commissioned	Speed, Knots	Complement
AL SAID	—	Lurssen Werft,Bremen	10 Sep 2007	20 Mar 2008	18	174(16 officers)

Comment: New construction Royal Yacht which replaced vessel of the same name in 2008.

1 SUPPORT SHIP (AKSH)

Name	No	Builders	Launched	Commissioned	Speed, Knots	Helicopter
FULK AL SALAMAH	—	Bremer- Vulkan	29 Aug 1986	3 Apr 1987	19.5	Up to 2 AS 332C Super Pumas

1 ROYAL DHOW (YAC)

Name	No	Builders	Commissioned	Speed, Knots
ZINAT AL BIHAAR	—	—	1988	11.5

Comment: Three masted wooden sailing vessel built in Oman on traditional lines.

POLICE

Notes:

1. In addition to the Vessels listed below there are several harbour craft including a Cheverton 8 m work boat Zahra24, Zahra16 and a fireboat pennant number 10. There are also two Pilatus aircraft for SAR.
2. 15 FPBs between 11 and 30 m may be ordered in due course. These could be for Navy if it takes over Fishery Protection duties from the Police.

3 CG 29 TYPE (COASTAL PATROL CRAFT) (PB)

Name	Builders	Commissioned	Speed, Knots	Complement
HARAS 7 H 7	Karlskrone Varvet	1981-82	25	13
HARAS 9 H 9	Karlskrone Varvet	1981-82	25	13
HARAS 10 H 10	Karlskrone Varvet	1981-82	25	13

1+2 FAST PATROL CRAFT (PFB)

Speed, knots: 45

Range miles: 1,200 at 30kt

Complement: 12 (2 officers)

Comment: Order placed on 9 June 2005 with United States Marine. Gulfport, Mississippi for three interception craft under the foreign Military Sales programme. With a higher superstructure, the craft are a modified version of the US MK V Pegasus class. The first boat was delivered in January 2008 and the contract includes a training and support package. Roles include anti-smuggling and anti-narcotics.

1 P 1903 TYPE (COASTAL PATROL CRAFT) (PB)

Name	Builders	Commissioned	Speed, Knots	Complement
HARAS 8 H 8	Le Comte ,Netherlands	August 1981	30	10

1 CG 27 TYPE (COASTAL PATROL CRAFT) (PB)

Name	Builders	Completed	Speed, Knots	Complement
HARAS 6 H 6	Karlskron Varvet	1980	25	11

14 RODMAN 58 CLASS (PB)

Name	Builders	Built	Speed, Knots	Complement
HARAS 21-34	Rodman,Vigo	2002-2003	34	5

1 P 2000 TYPE (COASTAL PATROL CRAFT)(PB)

Name	Builders	Delivered	Speed, Knots
DHEEB AL BAHAR	Watercraft Ltd,Shoreham,UK	January 1985	40

2 D 59116 TYPE (COASTAL PATROL CRAFT)(PB)

Name	Builders	Commissioned	Speed, Knots	Complement
DHEEB AL BAHAR 2 Z 2	Yokohama Yacht Co,Japan	1988	36	11
DHEEB AL BAHAR 3 Z 3	Yokohama Yacht Co,Japan	1988	36	11

5 INSHORE PATROL CRAFT (PBI)

Name	Builders	Completed	Speed, Knots	Complement
ZAHRA 14 Z 14	Watercraft,Shoreham,UK	1981	36	5-6
ZAHRA 15 Z 15	Watercraft,Shoreham,UK	1981	36	5-6

ZAHRA 17 Z 17	Watercraft,Shoreham,UK	1981	36	5-6
ZAHRA 18 Z 18	Lecomte	1987	36	5-6
ZAHRA 21 Z 21	Emsworth SB	1987	36	5-6

I DIVING CRAFT (YDT)

Name	Delivered	Speed, Knots	Complement
SABHUR 7	1981	20	4

5 VOSBER 75 ft TYPE (COASTAL PATROL CRAFT)(PB)

HARAS 1-5 H 1 HARAS 2 H 2 HARAS 3 H 3 HARAS 4 H 4 HARAS 5 H 5

Speed, Knots: 24.5

Complement: 11

Comment: First four completed 22 December 1975 by Vosper Thornycraft.Haras 5 commissioned November 1978.

20 HALMATIC COUGAR ENFORCER 33 (FAST PATROL CRAFT)(PBF)

Speed, Knots: 45

Range, n miles: 120 at 45 kt

Comment: Based on Cougar 33 deep Vee hull form, first batch of five craft supplied by Halmatic in March 2003 with further 15 delivered by late 2003 .Deployed in coastal patrol and interception role.

12 SEASPRAY BOATS (PB)

Speed, Knots: 50

Complement: 5

Comment: Abu Dhabi Ship Building awarded contract in January 2004.Designed by SeaSpary Aluminium Boats .To be employed in policing, patrol and interception roles by the navy and police.

2 PATROL AND RESCUE SHIPS (PSO)

Name	Builders	Speed, Knots	Complement	Helicopters
HARAS 1	Rodriguez Cantieri Navali	42	24+ 100 passengers	Platform for one medium

HARAS 2	Rodriguez Cantieri Navali	42	24+ 100 passengers	Platform for one medium
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7.3 Appendix no (3): The Omani Maritime claims

STRAIGHT BASELINE LEGISLATION

Following is the text of a 1 June 1982 Government of Oman Notice specifying straight baseline coordinates.

I, Yusuf Al Alawi Abdullah, Minister of State for Foreign Affairs; In pursuance of the Royal Decree Number 15/81 concerning the territorial sea and economic zone, and the Royal Decree Number 38/82 relating to the application of the straight baseline system for the demarcation of baselines for the territorial sea, the internal waters and the enclosed waters;

Have hereby issued the following notification:

Article 1

By application of Article 2, paragraph (c) of the Royal Decree Number 15/81 referred to above, the fixing of the straight baselines for any part of the Sultanate of Oman and the lines for enclosed waters lying between gulfs and bays and also the waters in between islands and the mainland coast shall be on the following basis:

- (a) The co-ordinates of latitudes and longitudes mentioned below shall determine the positions of points for drawing the straight baselines for the Sultanate of Oman.
- (b) The straight lines joining the points between the co-ordinates of latitudes and longitudes referred to in the preceding paragraph shall determine the straight baselines as provided by the Royal Decree Number 15/81.
- (c) The co-ordinates of latitudes and longitudes referred to shall also be the basis for the demarcation of the internal enclosed waters in the Sultanate:

TABLE NO (1)
OMAN STRAIGHT BASELINE SYSTEM

OMAN STRAIGHT BASELINE SYSTEM		
POINT	LATITUDE NORTH	LONGITUDE EAST
GROUP A		
1.	26°03'04.703"	56°05'01.869"
2.	26°04'04"	56°05'22"
3.	26°13'30"	56°10'52"
4.	26°14'28"	56°11'34"
5.	26°15'08"	56°12'19"
6.	26°22'29"	56°21'02"
7.	26°30'19"	56°30'34"
8.	26°29'50"	56°31'37"
9.	26°29'11"	56°32'14"
10.	26°21'59"	56°32'13"
11.	26°10'32"	56°32'58"
12.	26°05'02"	56°28'34"
13.	25°56'30"	56°28'17"
14.	25°48'32"	56°22'02"
15.	25°45'10"	56°19'55"
16.	25°37'32.345"	56°16'03.950"
GROUP B		
17.	23°46'40"	57°41'38"
18.	23°47'00"	57°46'00"
19.	23°50'28"	57°57'38"
20.	23°51'26"	58°03'41"
21.	23°52'00"	58°06'00"
22.	23°52'06"	58°07'09"
23.	23°50'28"	58°10'33"
24.	23°40'55"	58°29'50"
25.	23°37'38"	58°35'29"
26.	23°31'18"	58°45'09"
GROUP C		
27.	20°57'18"	58°49'00"
28.	20°41'29"	58°54'38"
29.	20°41'08"	58°54'47"
30.	20°30'12"	58°58'39"
31.	20°30'00"	58°57'18"
32.	20°16'29"	58°46'41"
33.	20°12'44"	58°43'20"

OMAN STRAIGHT BASELINE SYSTEM		
POINT	LATITUDE NORTH	LONGITUDE EAST
34.	20°10'36"	58°39'22"
35.	20°09'18"	58°38'18"
36.	20°20'30"	58°19'30"
37.	20°19'12"	57°59'00"
GROUP D		
38.	17°55'02"	56°20'29"
39.	17°30'17"	56°24'02"
40.	17°29'42"	56°02'33"
41.	17°29'12"	55°51'48"
42.	17°27'57"	55°35'03"
43.	17°24'00"	55°17'02"

Article 2

The provisions of this Notice shall come into force from the date of issue of this Notice and it shall be published in the Official Gazette.

GROUP "C" (Along Oman's east coast)		GROUP "D" (Along Oman's southeast coast)	
27-28	16.62	38-39	24.88
28-29	0.38	39-40	20.54
29-30	11.48	40-41	10.29
30-31	1.28	41-42	16.06
31-32	16.76	42-43	17.67
32-33	4.89		
33-34	4.29		
34-35	1.64		
35-36	20.90		
36-37	19.31		

Group "A": Base points 1-5 are located along a smooth coast with no islands thereby not justifying straight baselines. The claimed baselines have little effect on the territorial sea limit. Although point 6 is on an island, segment 5-6 essentially encloses two juridical bays.

Segments 10-11 and 11-12 should be modified to ignore point 11. The Musandam Peninsula is deeply indented here, but the island on which point 11 is situated is the only island in the area, thus it alone would not constitute fringing islands. From point 10 straight lines could be drawn to connect the various headlands of the Musandam Peninsula to point 12.

The coastline from point 12 to point 16 is relatively smooth, with small juridical bays. Instead of claiming straight baselines in this area, several bay closing lines would be more proper.

Group "B": None of the baseline segments in Group "B" meet the requirements for straight baselines. The coastline in the Muscat region is quite smooth and the few small islets situated off the coast do not constitute fringing islands.

Group "C": In Group "C" segment 36-37 properly closes a juridical bay. In this area there is only one large island, Al Masirah, which in itself does not constitute fringing islands. The mainland coast is not deeply indented. Segments 27-28 and 35-36 close off entrances to the Strait of Khawr Al Masirah.

Group "D": The coastline in the area of Group "D" is smooth and the four small islands do not fringe the coast. Thus, this is not a proper place to draw straight baselines.

7.4 Appendix no (4): The Omani boundary maritime agreements

OMAN - IRAN

The following is extracted from the Continental Shelf Boundary Agreement between Oman and Iran (EIF May 1975).

Article 1

The line dividing the continental shelf lying between the territory of Iran on the one side and the territory of Oman on the other side shall consist of geodetic lines between the following points in the sequence hereinafter set out:

Point (1) is the most western point which is the intersection of the geodetic line drawn between point (0) having the coordinates 55° 42' 15" E 26° 14' 45" N and point (2) having the coordinates of 55° 47' 45" E 26° 16' 35" N with the lateral offshore boundary line between Oman and Ras Al-Khaimal.

TABLE NO (2)
OMAN - IRAN CONTINENTAL SHELF BOUNDARY

POINT	LATITUDE	LONGITUDE
2	55 47 45	26 16 35
3	55 52 15	26 18 50
4	56 06 45	26 28 40
5	56 08 35	26 31 05
6	56 10 25	26 32 50
7	56 14 30	26 35 25
8	56 16 30	26 35 35
9	56 19 40	26 37 00
10	56 33 00	26 42 15
11	56 41 00	26 44 15
12	56 44 00	26 41 35
13	56 45 15	26 39 40
14	56 47 45	26 35 15
15	56 47 30	26 25 15
16	56 48 05	26 22 00

POINT	LATITUDE	LONGITUDE
17	56 47 50	26 16 30
18	56 48 00	26 11 35
19	56 50 15	26 03 05
20	56 49 50	25 58 05
21	56 51 30	25 45 20

Point (22) is the most southern point located at the intersection of the geodetic demarcation line drawn from point (21) (specified above) at an azimuth angle of 190° 00' 00" and the lateral offshore boundary line between Oman and Sharjah.

OMAN - PAKISTAN

The following is extracted from the Muscat Agreement on the Delimitation of the Maritime Boundary between Oman and Pakistan, signed 12 June 2000.

The delimitation of the maritime boundary between the exclusive economic zones of the Sultanate of Oman and the Islamic Republic of Pakistan shall be based on the median line principle, in conformity with the UN Convention on the Law of the Sea 1982.

TABLE NO (3)
OMAN - PAKISTAN MARITIME BOUNDARY COORDINATES

POINT	LATITUDE	LONGITUDE
1	23 20 48	61 25 00
2	23 15 22	61 32 48
3	23 11 40	61 38 11
4	22 56 35	62 00 51
5	22 54 37	62 03 50
6	22 05 01	62 25 17
7	22 05 01	63 08 23
8	21 57 13	63 14 21
9	21 47 24	63 22 13

OMAN - YEMEN

The following is extracted from the International Boundary Agreement between Oman and Yemen, signed 1 October 1992.

Article 2

The boundary line between the Sultanate of Oman and the Republic of Yemen begins from the principal point at Ra's Darbat Ali (the Rock), numbered as point No. 1, at the intersection of the geographical coordinates of parallel 16 degrees 39 minutes 3.83 seconds North and meridian 53 degrees 6 minutes 30.88 seconds East, and ends at the principal point numbered as point 8 at the geographic alignment of the intersection of parallel 190 degrees north with meridian 52 degrees East, and the boundary line extends between the two principal points whose coordinates are set forth above passing through points 2, 3, 4, 4a, 4b, 4, 5, 6 and 7, in accordance with the following coordinates:

TABLE NO (4)
OMAN - YEMEN MARITIME BOUNDARY

POINT	LATITUDE	LONGITUDE
2	17 17 7.91 N	52 48 44.22 E
3	17 17 40 N	52 44 45 E
4	17 18 6.93 N	52 44 33.50 E
4a	17 18 8.87 N	52 44 34.24 E
4b	17 18 8.42 N	52 44 35.57 E
5	17 18 15 N	52 45 05 E
6	17 18 21 N	52 45 02 E
7	17 20 59.04 N	52 46 55.83 E

Article 3

The extension of the separating boundary line continues from the extremity of the principal point on the shore (Ra's Darbat Ali) in the direction of the territorial waters until the limit of the economic zone.

7.5 Appendix no (5) The Omani Maritime Authority's Report for 2010.

Introduction

The regulation of navigation and maritime transport activities in marine areas under the sovereignty and authority of the Sultanate of Oman is assigned to the General Directorate of Maritime Affairs (being the competent maritime authority). This authority encompasses ships flying the flag of Oman, wherever they are in accordance with the Maritime Law of Oman (promulgated by Royal Decree No. 35/81), and any other ships navigating in the territorial waters of Oman (promulgated by Royal Decree No. 98/81). The Directorate is also tasked with adherence to the conventions, treaties and international codes and the application of maritime conventions regarding the requirements for safety of life at sea and protection of marine environment from pollution. The Directorate is also charged with the application of the requirements of security for ships and ports, in addition to the investigation of maritime accidents occurring in the territorial sea of Oman. It is also responsible for navigation alerts for ships, control and inspection of foreign ships. The Directorate issues certificates of registration, navigational licenses and certificates of seafarers and the issuance of the sailors. It is also a link between the Government of the Sultanate and the International Maritime Organization (IMO).

The Directorate General of Maritime Affairs consists of the following departments:

1. Department of maritime legislation:

It consists of Department organizations and international maritime conventions and the Department of follow-up to maritime law, the competent department of maritime legislation, including the following:

- Continue to update the Omani maritime law and the law of navigation and the issuance of rules and regulations, decisions and legal interpretations, technical and business for them first hand in coordination with the concerned authorities.

- Work on the development of legislation and the issuance of interpretations of laws and recommendations and distributed to companies, organizations and relevant authorities.
- Coordination with other regional and international marine in the area of jurisdiction and that the Sultanate is a party.
- Study international maritime conventions and opinion in preparation for accession and to prepare proposals for fees waterways and maritime accidents, according to the provisions of maritime law in Oman.
- Establish a data base of the conventions, laws and legislation and follow-up updated.
- Participation in meetings of local, regional and international marine legislation.

2.The Registrar of Ships:

It consists of Supervision and registration of ships, Department of certificates and documentation, Department of Registration of Ships in Port Sultan Qaboos, Department of Registration of Ships in Port of Salalah and the Department of Registration of Ships in Sur. The department specializes in the following:

- Registration and under vessels and maritime units Omani and foreign licensing and certification necessary and everything related to renewal, cancellation, mortgage cancellation, inspection procedures and ensure its compliance with laws and compliance with the conditions necessary for it.
- Inventory of ships and offshore units and other marine transport vessels, classification, registration and follow-up activities in accordance with the permits granted, assessment and reporting.
- Issuance of licenses to companies and individuals wishing to run a new shipping lines and limit the fees to do so in accordance with the regulations and conditions adopted.
- Oman's maritime law enforcement and the law of navigation, as amended, rules and regulations and decisions issued in this regard.
- Develop a database of national maritime fleets and registration under the flag of Oman and the Omani sailors, certificates and other marine documentation.

- Conduct annual inspections of ships and boats for the issuance of licenses and certificates shipping in coordination with the competent authorities.
- Participation in meetings and regional conferences and international relationship.
- Coordination with the Information Center for Arab Gulf States on the inspection and control of ships and other centers of the relationship and that the Sultanate is a party.
- Version of the identity of the sailors and in accordance with regulations issued in this regard and the laws of the Sultanate.
- Registration under the marine and foreign units, issuance of permits necessary for sailing in the territorial waters of the Sultanate.
- Establishment of fees and fines for ships and sailors and all related services provided by the Directorate in accordance with the Maritime Law of Oman and the Regulation of navigation and the decisions and regulations issued in this regard.

3. Head Department of Navigation and Maritime Safety:

It consists of the Department of Inspection and Control of Ships, Department of Maritime Navigation and the Department of the security of ships and ports. Specializes Chamber shall:

- Coordination with the competent authorities on the management and operation of the system of the Maritime Distress and Safety (GMDSS).
- Proposing plans and emergency programs and coordination with the concerned authorities with regard to maritime accidents and search and rescue.
- Receipt and dissemination of warnings, marine vessels in coordination with the competent authorities.
- Participate in special commissions to accidents, safety, security and marine environment of emergency and everything related to impact the safety of navigation in the territorial sea of Oman.
- Coordination with the TRA on the RF communications equipment and licenses to the Navy.
- Participation in meetings, seminars and regional and international conferences.
- Participate in the shifts of emergency incidents and marine pollution with the concerned authorities.

Current projects:

1. Document of the Sea (marine passport)

The Ministry has contracted with a company specialized in the production of a document of the sea high security specifications. Moreover, the document of the Sea of the most important documents carried by sea in employment or training on board ships, as well as it enables him to enter the ports of other countries instead of using ordinary passports, is a version of this document from the international requirements and that are performed for the first time in the Sultanate.

2. Tracking system for ships and remote control ships (LRIT)

The Ministry has signed an agreement with an international company specialized in this area and in implementation of the IMO resolution (**IMO**), which provides for obliging the States that have the same installation of a tracking system to monitor ships from a distance. Where the system allows the Department of the Navy to know the path and all the flight data for any vessel flying the Omani flag anywhere in the world and also learn foreign vessels that use of the territorial sea of Oman.

3. Reload maritime law of Oman in 1981

The Ministry representative of the Directorate-General for Maritime Affairs in agreement with the International Maritime Organization (**IMO**) drafted a new Code into Arabic, and during 2009 a committee was formed by the ministry to review and update of maritime law to include the new law, many legal articles and provisions governing the commercial aspects marine and technical aspects and procedures of maritime safety and the registration of ships and sailors, control and inspection of foreign vessels in order to cope with the maritime transport sector is witnessing the development.

4. Electronic system for the registration of ships:

The presence of the electronic system for registration of ships of the most important aspects that facilitate the process of certification of vessels and licenses navigational and permissions navigational and certificates of cancellation of ships and mortgages, and

certificates of competency for seafarers and warnings and navigational certificates manning safe for ships and net of fees and fines electronically, it is hoped to be operational by 2010.

The activities of the Directorate

1. International and regional conventions and bilateral

Signed the Sultanate more than (22) International Convention on maritime related to maritime affairs, especially maritime conventions issued by the International Maritime Organization and International Hydrographic Organization and the Organization of the United Nations. Recall, for example, without limitation: Convention on the Safety of Life at Sea (**SOLAS**) and the Convention on the prevention of pollution the output of the marine ships (**MARPOL**) and the Convention on Standards of Training, Certification Marine (**STCW**) And the International Code for Ship and Port Security (**ISPS code**).

By the General Directorate of Maritime Affairs to prepare a study for the establishment of the Council of Maritime Transport for the CIS countries bordering the Indian Ocean, which have gained acceptance from Member States; in order to develop and strengthen trade relations and cooperation in the field of maritime trade between the countries bordering the Indian Ocean.

In the month of May 2008 by the International Maritime Organization (**IMO**) the inclusion of the Sultanate of Oman within the so-called white list of the Convention on Standards of Training, Certification and the work shifts for seafarers (**STCW**) Joined by Oman, under the Royal Decree No. (65/90) The inclusion of the Sultanate in this list recognition from the Organization for the efficient management of marine and emphasis on the clarity of procedures for the issuance of accreditation granted by IMCO or any college other sea within the Sultanate.

With regard to the memoranda of understanding regional control and inspection of ships, Valstunp a member of the memorandum of understanding Riyadh supervision and inspection of ships, and the memorandum of understanding of the Indian Ocean for the control of ships, where the exchange of information and data on the ships that are inspected

between Member States in these letters note that the seat Secretariat and Information Centre Riyadh, a Memorandum of Understanding is in the Sultanate.

The ministry is currently studying certain international conventions such as the Convention on the water balance (**Ballast water Management**) the Maritime Labour Convention, and some of the conventions emanating from the Secretariat of the League of Arab States.

Oman has also signed several bilateral agreements with each of: Republic of Yemen, Syrian Arab Republic, Jordan and the Islamic Republic of Iran in the field of maritime transport and ports. The company is currently preparing to sign bilateral agreements with the Kingdom of Morocco, Tunisia and the Republic of Algeria and the Arab Republic of Egypt and the Turkish Republic, in order to promote cooperation between the Sultanate and these countries in the field of maritime transport and ports.

2. Control and inspection of ships

Oman is a member of a memorandum of understanding Riyadh supervision and inspection of ships, and the memorandum of understanding of the Indian Ocean for the control of ships, where the exchange of information and data on ships that are inspected between Member States in these letters note that the location of the Secretariat and Information Centre Memorandum of Understanding Riyadh, located in the Sultanate. In the 2009 inspected on a number of foreign ships at commercial ports in the Sultanate in order to ensure their safety and suitability for navigation.

3- Marine navigational aids

The Ministry of Transport and Communications on July 23, 2003 a franchise agreement for marine pilotage services in the territorial sea of Oman with the company (Omna) under Royal Decree No. 81/2003 CE.

Under the agreement, the company's installation and maintenance of marine navigational aids such as: Bouys , paints, lights and navigational beacons guidance of ships in maritime ports and the entrance to the breakwater and the installation of the new buoy for ports and marine projects and new coastal and other navigational aids.

4. Ship and Port Security

The Directorate issued certificates of compliance for ships and ports, according to the requirements of the International Code for the Security of Ships and Port Facilities (ISPS code), after a field visit to the port facilities for all entities requesting a certificate and having examined the security plan and contingency plan of the port and stand on the port facilities will be issued a certificate of compliance, which will be renewed annually and periodically.

During the 2009 renewal of the Directorate to adopt a number (7) certificates of compliance to port facilities.

5. Navigational warnings

The Directorate is the organization of shipping traffic of ships sailing into and out of ports of the Sultanate in the territorial sea of Oman and through the issuance of warnings, maritime shipping to select routes and sea lanes safe and to clarify areas that prevents sail them, and pilotage in the territorial sea of Oman and between the ports of the Sultanate and in coordination with the competent authorities , The number of navigational warnings issued by the Directorate through in 2009 (56) warning pilots.

6. Registration of ships and offshore units under the flag of Oman

The General Directorate of Maritime Affairs registration and inspection of ships Omani and foreign various kinds of yourself (fishing, tourism, excursion, service, logistics, diameter, oil and gas tankers, ferries, etc.) and through the offices of the registration of ships in each of the Port Sultan Qaboos and Salalah Port .

During in 2009 were registered (197) ship and a naval unit in addition to the renewal of a number (961) marine license, and were issued (667), then navigation of foreign ships to operate in the territorial sea of Oman, was adopted certificates (33) of the sailors working on ships flying the flag of Oman.

Vision of the sector of Maritime Affairs

- Provision of navigational movement achieved where the elements of the safety of lives and ships and protecting the marine environment in the territorial sea of Oman.
- Ensure the safety of ships and Omani sailors wherever they are in the seas and oceans of the world.
- Application requirements for the security of ships and port facilities in the ports of Oman and Omani ships.
- The provision of sophisticated electronic system to provide services of Maritime Affairs.
- Attract ship owners and provide facilities for the registration of ships under the flag of Oman.
- Ensure the efficiency of maritime education and training for seafarers.

A statistical report on the activities of the Directorate General of Maritime Affairs in 2009 during

1 - Issuing certificates of registration and naval units

The total number of ships and marine units that were recorded during the 2009 number (197) naval unit compared to the number (200) and a Marine unit during 2008, a decline of approximately (1.5%).

2 - Issuing licenses Shipping

The total number of licenses Maritime offshore units Omani and foreign, which were renewed during the 2009 number (961) marine license compared to the number (662) through the marine license in 2008, a rise of about (45%).

3 - Issuing certificates of registration for mortgage / decoding mortgage

The total number of registered mortgages and mortgages that have been canceled for the same number (43) mortgage comparison Number (51) during the mortgage in 2008, a decline of about (15.6%).

4 - To issue certificates of ownership of the vessel modified

Has been modified a number (151) property in 2009 compared to the number (117) changed ownership through in 2008, a rise of (29%) for 2008, in addition to issuing a certificate to change (69) engine and (93) Career Modify the name of the owner.

5 - Certification of write-off vessels

Was deletion of a number (28) and naval unit during 2009 compared to the number (26) Certificate of cancellation naval unit of the Ministry's records in 2008 during a rise of (7.6%).

6 - Issuing permits for foreign vessels to work in the territorial sea of Oman (permissions shipping)

Were issued (667) permit navigation temporary foreign ships to operate in the territorial sea of Oman in 2009 compared to the issuance of (727) permit navigation in 2008, a decline of about (8%) as well as it has been modified number (27), then shipping due to the change the number of crew members for a number of foreign vessels, in addition to the version number (18) Replacement.

7 - Certification of seafarers and other certificates

Have been issued for the first time certification recognition for certificates of competency for seafarers number (33) certification through in 2009.

Were issued (7) exemption certificate for ships flying the flag of Oman in 2009 during the exemption from the safe manning certificate, certificate of exemption from the Radio communication and certificates of exemption from the Department of Safety.

International maritime conventions, regional and joined by the Sultanate in the field of Maritime Affairs

Date of accession of the Sultanate	Name of the Convention
Royal Decree No. 63/2004 CE	1. International Code for the Security of Ships and ports. (ISPS CODE)
Royal Decree As of 09/01/2005	2. Riyadh, a Memorandum of Understanding for Control and inspection of ships (RIYADH MOU)
Royal Decree As of 25/01/2003	3. Indian Ocean Memorandum of Understanding control and inspection of ships (IOMOU)
Royal Decree No. 66/2006 CE	4. Memorandum of Understanding on cooperation in the field of maritime transport in the Arab Middle East (ESCWA)
Royal Decree No. 61/90	5. International Convention for the define lines of freight in 1966 (Load Line)
Royal Decree No. 60/84 m	6. International Convention on the rules for the prevention of collisions in 1972. (COLREG)
Royal Decree No. 60/1984 CE	7. International Convention for the Safety of Life at Sea in 1974. (SOLAS)
Royal Decree No. 25 / 1991	8. International Convention for the Prevention of Pollution in 1973. (MARPOL)
Royal Decree No. 26/81	9. International Convention for the Prevention of dumping in 1972 (London Convention)

Royal Decree 93/84	10. International Convention on Civil Liability for in 1976 (CLC).
Royal Decree No. 94/1984 CE	11. International Convention on the establishment of the International Compensation Fund in 1971 (FUND)
Royal Decree 57 / 1987	12. International Convention on the hydrographic survey in 1967.
Royal Decree No. 67/1989 CE	13. United Nations Convention on the Law of the Sea in 1983 . (UNCLOS)
Royal Decree No. 61/1990 CE	14. The International Convention on Tonnage Measurement of Ships in 1969 (Tonnage)
Royal Decree No. 64/1990 CE	15. United Nations Convention on registration of ships in 1969. (UNREG)
Royal Decree No. 65/1990 CE	16. International Convention on standards of training and certification in 1978. ((STCW
Royal Decree No. 66/1990 CE	17. International Convention on the suppression of acts against the safety of navigation in 1969. (SUA)
Royal Decree No. 22/1993 CE	18. International Convention for Search and Rescue in 1990. (SAR)
Royal Decree No. 36/1991 CE	19. Protocols relating to the safety of life and Shipping Lines for in 1974.
Royal Decree No. 30/1991 CE	20. International Convention on Salvage 1989. (SALVAGE)
Royal Decree	21. International Convention on Preparedness, Response and

No. 39/2008 CE	Cooperation in reducing oil pollution (OPRC)
Royal Decree 92/1984 m	22. International Convention on Intervention on the High sailors (INTERVENTION)
30/01/1974	23. The Convention on the International Maritime Organization (IMO)

Favorite Navy ship classification bodies accredited to the Ministry of Transport and Communications

1.	Lloyds Register Of Shipping	The British classification
2.	Pureau Veritas Francious	French rating agency
3.	American Bureau Of Shipping	Rating Agency of America
4.	Germanesscher Lloyds	German rating agency
5.	Det Norsk Veritas	Rating Agency Norwegian
6.	Registro Navale Italiano	Rating Agency Italy
7.	Nippon Kaiji Kyokai	Japanese rating agency
8.	International Register Shipping	International Commission for the registration of ships

7.6 Appendix no (6): Ports of Oman

Ports of Oman

For centuries, Oman's Ports have sheltered and traded with ships from all over the world. Strategically located between the great civilizations of Babilonia, Egypt, Africa, India and the Far East, Oman's history is closely linked with the story of her ports.

The influential northern ports of Qalhat, Muscat and Sohar effectively controlled shipping routes up and down the Gulf. Omani ports rose to prominence in the 10th century when Omani merchant fleets sailed to East Africa and Madagascar to buy ivory, leopard skins, tortoise shell and other exotic goods which were then traded as far away as China in return for spices, silks and porcelain.

The Port Sultan Qaboos, Oman's premier maritime gateway, enjoys a prime location in the politically stable Sultanate of Oman. Situated in a natural harbour 250 kilometers south of the Strait of Hormuz on the Indian Ocean coast of the Arabian Peninsula. Port Sultan Qaboos' location makes it an ideal hub, not only for the Arabian Gulf but also the Indian Sub-continent and markets in East and South Africa.

Map no 3: The map shows the satellite view of Port Sultan Qaboos in Muscat – Oman



Source: World Port Source,
http://www.worldportsource.com/ports/maps/OMN_Port_Sultan_Qaboos_2302.php

Port Sultan Qaboos is the main port for imports and exports in the Sultanate, the first commercial port was opened in November 1974.

There are 13 berths ranging in length between the 122 meters to 490 meters and a depth ranging from 4 meters 13 meters.

The following table shows general information about the port:

Data	Sultan Qaboos Port		
	Number	Length (m)	Depth (m)
Container berth	2	366	- 10,9
General cargo berth & bulk berth	3	594	- 9.6 to - 11
Multi-purpose berth	2	470	- 13
Government berth	4	842	- 4
Service berth	1	122	- 4
passenger berth	1	198	- 9,6
Total	13	2592	
Land area (km2)			1,2
Sea area (km2)			25,5
Total area (km2)			26,7
Length break water (m)			1200
Depth approach channel (m)			- 13

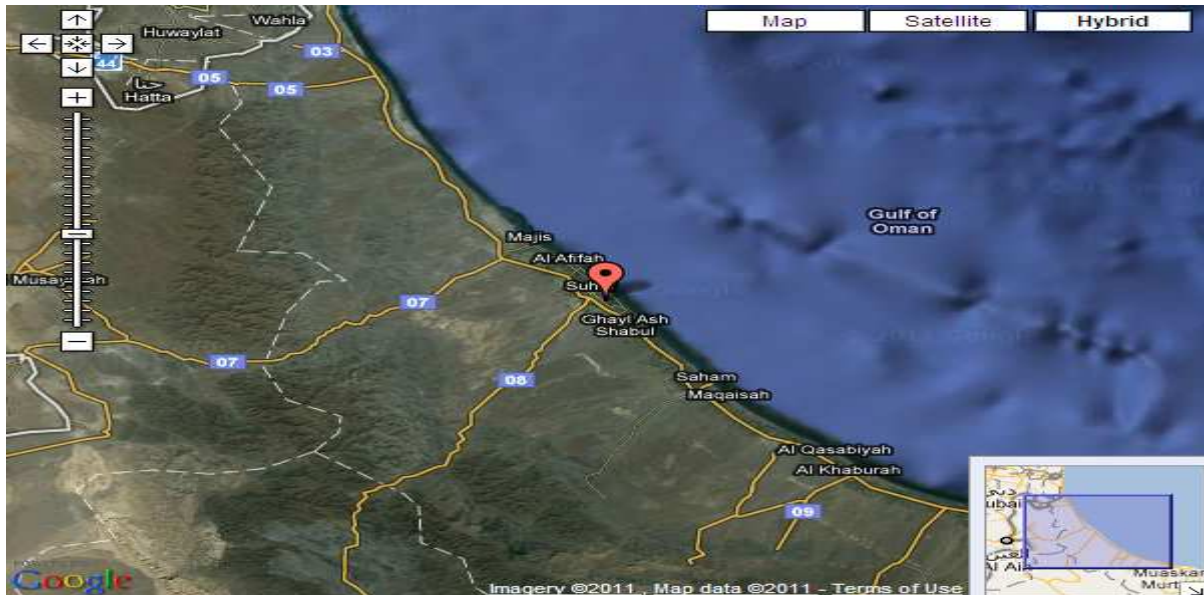
Sohar Industrial port

The construction of Sohar Industrial Port Began in 1999, and the port is considered a strategic project that serves the trade and industry together as it relates to large industrial projects enabled it to attract large industrial projects based on an industry oil and gas and petrochemical industries, oil and mining.

It contains the port on the twenty-one berths with depths ranging between sixteen and twenty-five meters and the total length of 6270 meters And given the Government of the Sultanate's development and management of the Port of Sohar Industrial Port Company Sohar industrial contribution of both the Government of the Sultanate and the Port of Rotterdam authority.

Sohar is a deep sea port in the Middle East situated in the Sultanate of Oman, 220km northwest of its capital Muscat. Located just before the Strait of Hormuz, Port of Sohar is within easy reach of the booming economies of the Gulf and the Indian subcontinent and with great connectivity to Abu Dhabi, Dubai, Al Ain and Muscat.

Map no 4: The map shows the satellite view of Sohar Industrial Port – Oman



Source: World Port Source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Sohar_2304.php

The following table shows general information about the port:

Data	Sohar Industrial Port		
	Number	Length (m)	Depth (m)
Container berth	2	520	- 16
General cargo berth	2	700	- 16
Multi-purpose berth	6	1670	- 16 to - 19
Service berth	1	560	- 8
Liquid berth	6	1560	- 16
Special berth	4	1260	- 16 to - 25
Total	21	6270	
Land area (km2)			20,6

Sea area (km2)	24,5
Total area (km2)	45,1
Length break water (m)	5000
Depth approach channel (m)	- 19

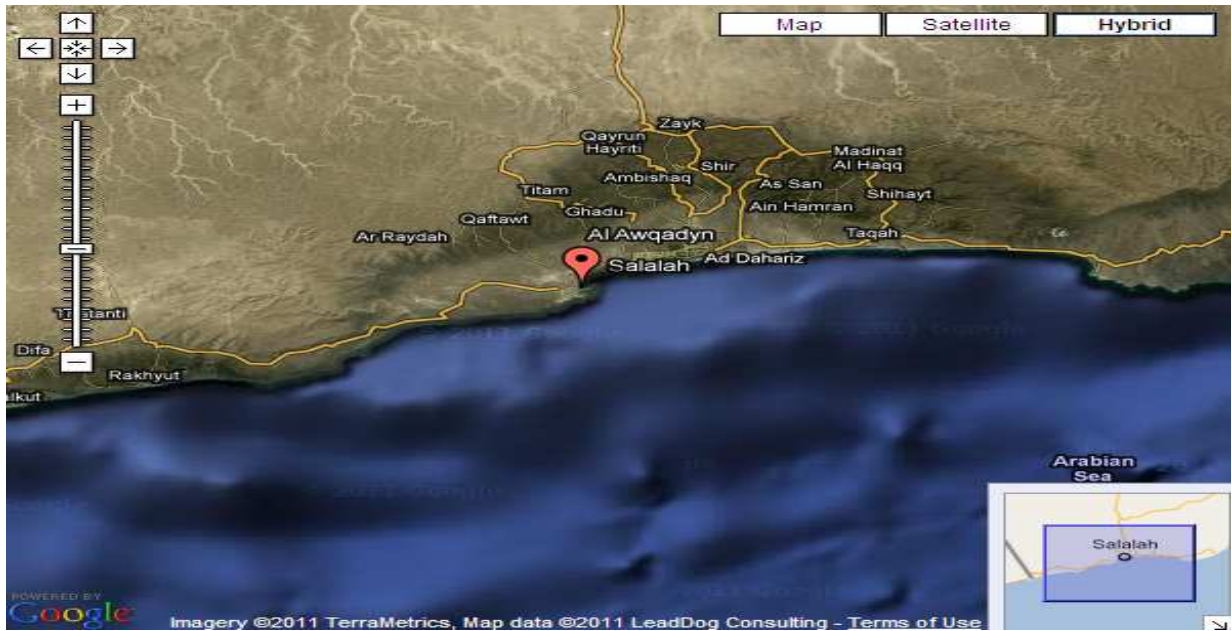
Among the projects being implemented:

- The completion of projects associated with the movement of traffic from the port, and to it such as bridges and temporary roads associated with them.
- As was the recent completion of the project area to reduce the bridge and the road leading from the port to the aluminum smelter and highways leading to the port.
- Complete the procedures for the establishment by the South Breakwater, which serves the port and the manufacture of liquid.
- And the ministry is currently preparing designs for the completion of the infrastructure at the port, including the project design security gates and automated access system, and completes the project parking and the roads leading to the administration building.

The Port of Salalah

The Port of Salalah is the hub for the distribution and transport of containers in the region, which has a strategic location overlooking the axis of the Indian Ocean, and incidence of international shipping lines It contains nineteen berths with depths ranging between three and eighteen meters.

Map no 5: The map shows the satellite view of Salalah Port – Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Salalah_136.php

Port consists of two main categories:

- Container Terminal: It is composed of seven berths with a total length of 2,428 meters and a depth of between sixteen and eighteen meters; and
- General Cargo Terminal: This was established in 1976, and contains the station on 12 berths with depths of three meters, sixteen meters and the total length of 2002 meters.

The following table shows general information about the port:

Data	Salalah Port		
	Number	Length (m)	Depth (m)
Container berth	7	2428	- 16 to - 18
General cargo berth	10	1827	- 3 to - 16
Service berth	2	175	- 3 to - 10
Total	19	4430	
Land area (km2)			4,76
Sea area (km2)			5,95
Total area (km2)			10,71

Length break water (m)	2850
Depth approach channel (m)	- 18,5

Projects under implementation:

The ministry in May 2010 launched a public tender to create a pavement material liquid and another for general cargo length of 1200 meters and a depth of 18 meters. Discussions are currently underway to prepare the necessary studies for the establishment of coral 7-8-9 and the ministry in coordination with the competent authorities for the establishment of reception facilities fast ferries and are currently being updated technical aspects of project implementation.

Mina AL Fhal

Mina al Fahal also known as Miana al Fahl, Saih al Malieh, and Saih al-Malih is a coastal area in the northeast of Oman, near to the country's capital, Muscat. It was renamed from Saih al Maleh as the petroleum processing plant was developed. It is a key area for the country's petroleum operations. Petroleum Development Oman (PDO) is based at Mina al Fahal, and the Oman Refinery Company (ORC) has an 85,000 b/d oil refinery located here. Crude oil and refinery products are loaded on to tankers off Mina Al Fahal by subsea pipeline and SBM (Single Buoy Mooring) Systems. Two of the SBMs are owned by PDO for crude export and the third is owned by SOM (Shell Oman Marketing).

Map no 6: The map shows the satellite view of Mina Al Fahal - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Mina_Al_Fahal_3945.php

The following table shows general information about the port:

Port Authority	Petroleum Development (Oman) LLC
Country	Oman - OM
State	Muscat
Latitude	23° 38.0' N
Longitude	058° 30.0' E

Qalhat Port

The Qalhat LNG Terminal which is also known as Port of Qalhat is situated in Ash Sharqiyah Region of Oman near the Sur. This port is owned by Oman LNG LLC S.A.O.C. Osaka Gas has interests in Qalhat LNG along with Itochu Corporation & Mitsubishi Corporation.

Qalhat LNG, a company incorporated in Muscat, Oman is the promoter of the second LNG project in Oman, following the Oman LNG project in the country. With the production capacity of 3.3 million tons of LNG per annum, the company has shipped LNG since

December 2005. The three Japanese companies have already entered into respective long-term LNG supply agreements with Oman

Map no 7: The map shows the satellite view of Qalhat Port - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Qalhat_3945.php

The following table shows general information about the port:

Port Authority	Oman LNG LLC
Country	Oman - OM
State	Ash Sharqiyah
Latitude	22° 40.0' N
Longitude	059° 25.0' E

Duqm Port and Dry Dock

Duqm – about 700 kms from Muscat – is being conceived as a main maritime gateway that will serve an ambitious industrial and commercial hub. Apart from the strategic location of Duqm, the friendly climate of the area adds to its advantages.

Map no 8: The map shows the satellite view of Duqm Port - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Duqm_2303.php

The purpose behind developing Duqm is to export the Gulf's crude oil from an Omani port. Outline of the plan is to export crude oil, which is produced in the Gulf region and transported through pipelines to Oman. Positioned as it is on the Gulf of Oman, with the Strait of Hormuz and the Arabian Sea at its north-eastern end and with its long coastline running south along the Arabian Sea, the Government believes Duqm is strategically the most preferred location for this port.

The Port of Duqm of strategic projects, task, and consists of two breakwaters with length of 8.7 kilometers and commercial berths long of 2,250 meters and depth of 18 meters. The Government & services 's berths which is about 980 meters long and depth of 10 meters, is expected to be completed Marine of the port at the end of 2012.

A dry dock is also being constructed in the port for maintenance and repair of ships of various sizes, including vessels of oil and gas which have a capacity of 600,000 tons, The project consists of dry basins 410 meters long, 95 m and 80 meters high, 14 meters and depth 10 meters and length of berths 2,800 meters, in addition to the creation of buildings, workshops and service facilities required for operation.

The following table shows general information about the port:

Data	Duqm Port		
	Number	Length (m)	Depth (m)
Container berth & General cargo berth	8	2250	- 18
Dry dock berth	6	2800	- 10
Service berth & Government berth	4	980	- 10
Total	18	6030	
Land area (km2)			60
Sea area (km2)			75
Total area (km2)			135
Length break water (m)			8700
Depth approach channel (m)			- 19

Khasab Port

The importance of the port of Khasab in its proximity to the strategic Strait of Hormuz, has received considerable attention from the Government to encourage commercial traffic in Musandam Governorate and serve the local economy of the province. This area has seen a number of development projects, which began in 2002 with the establishment of two breakwaters 1015 meters and deepen the harbor basin to 10 meters and access channel to 10.5 meters. There is also a Pavement commercial of 300 meters and a berth for the fishermen of 100 meters, as well as the installation of 7 floating berths. The construction of this project has been completed in 2007.

Map no 9: The map shows the Satellite view of Khasab Port - Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Khasab_2303.php

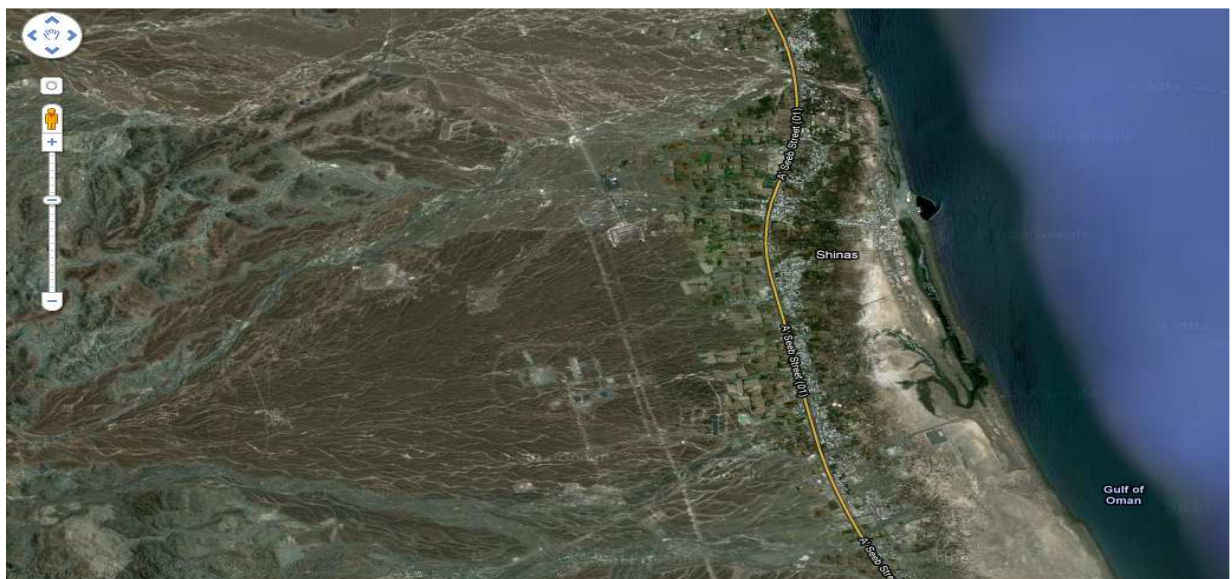
Projects being implemented:

- Underway to implement the establishment of facilities for fast ferries.

Shinas Port

The port of Shinas serves the local commerce among the States of North Batinah in connection with fishing and trade of livestock and agricultural products.

Map no 10: The map shows the satellite view of Shinas Port- Oman



Source: world port source, http://www.worldportsource.com/ports/maps/OMN_Port_of_Shinas_2303.php

Projects being implemented:

- The company is currently building a floating dock and facilities to receive fast ferries, the Ministry has also appointed a consultant to prepare a feasibility study and technical development of the port.

Other Ports

The port launched development projects in the Central Region to serve tourism and transport citizens to and from the Masirah Island across the harbor. These projects consist in the port construction of a bridge long 1170 meters, a breakwater 370 meters on the long, and quay 318 meters long, was completed in February 2010.

It also initiated the establishment of a maritime port and road network on the Islands Al Hulanyat in Dhofar Governorate. To provide the necessary facilities to receive the fast ferries, are currently coordinating with each other the competent authorities for the preparation of studies and designs necessary to create a new port in Hasik and Al Shawimiah port in the Governorate of Dhofar and the develop ports Lima and Dibba in Musandam Governorate.

7.9 Appendix no (7): Case Study

Facts:

The case events Return of that on 31/5/2010 Mirbat police station received a tip from a citizen (m. P. P) that he had received a call from the captain of his fishing vessel and then which located off the coast of Mirbat and told him that a group of pirates seized his own fishing vessel, and immediately one of the Coast Guard force Ships which had been present in the region stepped in and tried to restore the ship, but the perpetrators beat the shot and had to retreat, and the perpetrators forced the captain of a fishing vessel Oman to go out around the shores of Africa, then stepped in one of the ships the Navy Royal Oman and intercepted a fishing vessel seized by pirates and forced them to surrender and took them to the Raysut police station, the next day go public prosecutors to conduct the necessary inspections and offered defendants Interrogation hem then commissioned experts in their

respective fields, and the investigation concluded that the defendants resorted to pretending that their boat crashes at sea and asked for assistance from the Omani fishing vessel. Once stopped, they allowed the two apparent pirates on the surface of a boat to appear from inside the boat. Ten armed pirates managed to seize the fishing vessel, intending hijacking and the kidnapping of its sailors to their country to force the ship owner to pay the ransom for the ship and them.

After completion of the investigations, the prosecution of all defendants felonies

1. The kidnapping and transport of water in order to commit a terrorist crime, and resistance to the Omani authorities in the course of their job in restoring the ship from their control
2. Attack the Omani fishing vessel at sea with a view to seizing it and its cargo
3. Kidnap victims (Omani fishing vessel crew of seven) by deception, threat and force, And misdemeanors:
 1. Possession of firearms, automatic and semi-automatic and ammunition without a license from the competent authority
 2. Resistance of staff resistance, he stopped work they are doing legitimate

The criminal offenses, respectively, to Article (9) of the Anti-Terrorism Act, and Article (285) of the Penal law in terms of the articles (1, 18 / a) of the Anti-Terrorism Act, and Article (258/2/4) of the Penal law in terms of the Articles (1 18 / a) of the Anti-Terrorism Law and Article (20) of the Arms and Ammunition Act and Article (171) of the Penal law. And hearing the trial held on 24/10/2010 M. defendants denied the crimes against them and pushed they took the ship to escape from death after being stranded reasons at sea.

Legal bases:

Terrorism, piracy, kidnapping and possession of weapons of resistance and without a license in accordance with the meaning of Articles (93) and (94) of the Penal Code.

1. Article (9) of anti-terrorism law promulgated by Royal Decree No. (8 / 2007) "Punishable by life imprisonment of absolute or temporary for a period of not less than ten years each of the kidnapped in any way and means of air transport or land or water in order to commit a terrorist crime, and punishment shall be life imprisonment if resisted the offender by force and violence by public authorities during the performance and function to restore the means of control".
2. Article (285) of the Penal law in terms of the articles (1, 18 / a) of the Anti-Terrorism Act.

Article (285) on the "punished with life imprisonment for each person attacked ship at sea in order to seized it or seize its cargo or with intent to harm the crew or passengers, and the perpetrator punished by death if the act of piracy led t of the Penal law Article (285) on the "punished with life imprisonment for each person attacked ship at sea in order to seized it or seize its cargo or with intent to harm the crew or passengers, and the perpetrator punished by death if the act of piracy led to the sinking of the ship or to kill any human being who fly them," o the sinking of the ship or to kill any human being who fly them,"

Article (1) of anti-terrorism law known as terrorism as "every act of violence or the threat of it is the implementation of the project individual or collective criminal and a terrorist purpose, and the purpose of terrorism if intended to sow panic among the people or intimidate them by harming or endangering their lives or freedoms or security, honor or rights of the danger, or damage to the environment or one of the facilities or public or private property, seized, or exposing a national resource for risk, or threatening the stability, regional peace to the Sultanate or political unity or sovereignty, prevent, or obstruct public authorities from exercising business or disable the application of the provisions of the Statute of the State or the laws or regulations. "

The article followed the definition of the crime of terrorism as "any act or attempted or committed to participate therein for purposes of terrorism."

Article (18 / a) of the Terrorism Act states that "Without prejudice to the provisions of this law are considered crimes under the law of the Omani Penal law or any other terrorist

crimes if committed for the purpose of a terrorist and is punishable by penalties instead of the following penalties to her:

- If the death penalty for the crime of life imprisonment.
3. (258/2/4) of the Penal law in terms of the articles (1, 18 / a) of the Anti-Terrorism Act
Text of the article "Any hijacker sentenced to not less than fifteen years if:
- If signed by force or threat of kidnapping or deception.
 - If the intention of kidnapping was funds kidnapped or forced others to pay ransom it.
4. Article (20) of the Arms and Ammunition Act issued by Royal Decree No. (36/90)
The text of the article "shall be punished by imprisonment for not more than three years and a fine of not more than one thousand Omani Rials, or either anyone who possesses without authorization a weapon from the weapons provided for the list (2) annexed to this Act or a parts master or ammunition, and with the exception of conventional weapons referred to in Article (4) of this law."
5. Article (171) of the Penal law and provides that "all resistance was effectively stopped or negative in accordance with legal staff is doing their duties punished with imprisonment of ten days to a month and a fine up to twenty riyals."

Evidence of the involvement of the defendants in the case of piracy:

1. The defendants hijacked an Omani fishing vessel and at the same time means of transport of water ready and fit for that, in order to commit a terrorist offense; because the purpose of implementation of a terrorist as a matter of fact that the criminal enterprise of the accused was aimed at putting the lives of the victims (the sailors), and their security and their rights (especially the owner of the vessel) risk,
2. This criminal act has caused damage of a public property (boat Coast -Guard Guard 18) as has been shots accused of firearms, and specially (fishing vessel was hijacked hit of damage, during the process of recovery from the hands of pirates).

3. Project resulted in the accused to threatening the stability and territorial integrity of the Sultanate; he hailed the form of a blatant attack on the State of stability, which incurs Omani State pay millions of their resources in their territories for promoting the air, land and sea to enjoy the shadow citizen and resident.
4. Perpetrators took the ship from 4 o'clock afternoon on 30/5/2010 CE, and settled her possession of the resistance after the Coast Guard at about five that afternoon, until the ship of Omani Royal Navy stepped at ten in the morning 31/5/2010 m, which makes the incident they had gained full possession of the ship and calm at sea, and has thus exceeded the limit initiation.

There is no doubt will make the range of those who wanted to go down to the sea or investment, or adjust with visits and this sense of awe is a place of protection intended by the legislator in the subject of the previous constraint and therefore humbly believe that the legal description first report by the perpetrators in accordance with applicable restrictions as advanced.

5. The devious intentions of the pirate ships deduce from the presumption, equipped with automatic weapons, and the navigation device a sophisticated positioning (GPS), and free their boat from the fishing gear and their dependence on the trick to seize the Omani ship, and they are from different regions of Somalia, the opposite of what be the fishermen usually they are from one village, the evidence together is essential to make evidence of criminal enterprise and determination it.
6. Explicit recognition of the defendants that they took the Omani fishing vessel by force, and they forced the captain to go to Somalia at gunpoint.
7. Crime of piracy is also fixed against them, claiming the criminals they are hunters came out of Somalia for the purpose of fishing off the coasts and the water swept them in most of the ten days around the shores of Mirbat as a lie their version of reason and logic, starting, and the report of the Coast Guard ended when proved that the direction of the wind at the time the incident was about Pakistan, If we know that Somalia is located south West of Oman, , it is impossible that the boat is drifting toward the north shores of Mirbat, not to mention that it was unreasonable for the life of the accused without food or water for ten days.

8. As for the crime of possession of firearms without a license it is fixed right, taking recognition of each other, and depending on the testimonies of victims who said all of them, that all the defendants were armed with rifles, read together with the report of the Forensic Laboratory Moorish discovery of the effects of gunpowder in the swabs of cotton brought from the hands of all the accused are except for (VI), which is likely he took care of washing his hands of the sea at the surrender, but he admitted possession of a firearm, and he confirmed most of the users is that it is the captain of the ship its arms to move toward Somalia.
9. The evidence for resistance to the accused is taken from the minutes of hard ship preview Coast Guard (Guard 18) read together with its captain Lt. certificate, and the rest of the victims, and defendants' confessions that they said ship shot fire when she tried to stopping them.

Text of the provision

On Sunday 28/11/2010 Omani Court in Salalah has issued a provision that sentenced 12 Somalis after being convicted of crimes of terrorism, piracy, kidnapping and possession of weapons of resistance without a license by life imprisonment.