

(Prevention and Repression of Piracy and Armed Robbery at Sea)

The Foreign Ministry would like to notify that the Sultanate of Oman, and in order to impose effective measures to combat piracy crimes and other illegal maritime activities and protect ships, is making sure to implement the national legislation and international agreements related to the prevention and suppression of piracy and armed robbery at sea. And that, those involved in such activities are brought to the judicial authorities, in accordance with legal requirements.

In fact, the Omani Penal Code issued by the Royal Decree no. 7/2018, included specification of some crimes related to piracy and armed robbery. Moreover, the Sultanate of Oman has acceded to a number of agreements related to these crimes, as follows:

Firstly: The Penal Code promulgated by Decree No. 7/2018:

The Penal Code, in Chapter Two of Part Three thereof (piracy and assault on means of transportation and public utilities), defines some crimes related to piracy, and sets penal penalties for the perpetrators. Article (160) stipulates that:

“Whoever attacks a means of public transportation by any means shall be punished by imprisonment for a term not less than (5) five years and not exceeding (10) ten years.

The penalty shall be imprisonment for a term not less than (10) ten years and not exceeding (15) fifteen years, if the act is committed with the intent to seize such means of transportation, or all, or some of the goods they carry, or with the intent to harm or detain one or more persons on them, or with the intention of diverting them.

The penalty shall be life imprisonment, if the act is committed by a person on board that vehicle, or if the act leads to its destruction.

If the offender returns the means of transport immediately after seizing it, and his/her act did not result in harming such means of transport, or the goods it carries, or harming the persons on it; the court may sentence imprisonment for a term of not less than (3) three years and not more than (5) five years”.

Article (161) of the aforementioned Penal Code stipulates that:

“The punishment shall be imprisonment for a term of not less than (3) three years and not more than (5) years for anyone who commits one the following acts:

A- Deliberately endangering- in any way whatsoever- the safety of any means of public transportation.

B- Committing an act of violence against a person on board a means of transport, if such act would endanger it.

C- Providing information that the individual knows to be false, and that would threaten the safe navigation of any means of transportation”.

Article (162) of the same law stipulates that:

“Life imprisonment shall be imposed on whoever:

A- Any person who places a bomb or any dangerous material on a means of transport in a way that leads to its destruction or damage to it, its passengers or its cargo.

B- Destroying a navigational facility, whether by sea, air or land, or seriously damages it”.

Article (163) of the law stipulates that:

“Whoever commits intentionally- and unlawfully- while carrying a weapon, shall be punished by imprisonment for a term not less than (10) years and not exceeding (15) fifteen years:

A- Violence against people at an airport, port or public transport station if it results in serious injury.

B- Serious damage to the facilities of airports or seaports or the means of transport located therein, or impeding their work.

Article (164) of the same law stipulates that:

“In all the cases stipulated on the previous articles of this chapter, the penalty shall be death or life imprisonment, if the committed act results in the death of a person”.

Rather, threatening to commit any of the aforementioned crimes is deemed as a crime, whose perpetrator is punished under Article (168) of the same Penal Code, with imprisonment for a term of not less than one year and not more than (3) three years.

In this regard, it should be noted that Ministerial Decision no. (127/2016), issuing a regulation on the organization of procedures for qualifying, training and licensing seafarers working on board ships at sea, has included on Appendix no. (1) attached to the text that seafarers must obtain a certificate of maritime aptitude related to the task or responsibility, and that they should be trained to perform security functions, including anti-piracy, armed robbery and related activities.

Secondly: The conventions to which the Sultanate of Oman has acceded, relating to piracy and armed robbery at sea:

1. The United Nations Convention on the Law of the Sea of year 1982, to which the Sultanate of Oman acceded under Royal Decree No. (67/89).
2. The Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, and the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed

Platforms Located on the Continental Shelf, to which the Sultanate of Oman joined pursuant to Royal Decree No. (66/90).

3. The Djibouti Code of Conduct, concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden of year 2009, and the amendments to the Jeddah Meeting in 2017.

4. The Arab Convention Against Transnational Organized Crime, which was ratified by the Sultanate of Oman under Royal Decree No. (6/2015).

There is also a continuous cooperation between the Sultanate of Oman and the regional and international organizations with regard to combating piracy and armed robbery at sea, through the exchange of relevant information by the Oman Maritime Security Center (MSC).