

(Questionnaire on the settlement of international disputes to which international organizations are parties)

1- What types of disputes/issues (see paragraphs 6,7) have you encountered?

- (Disputes related to the Headquarters of international organizations) are settled in the Sultanate of Oman, in accordance with the written headquarters agreements and the previously agreed upon mechanism for resolving such disputes.

- (Disputes to which private parties file lawsuits against international organizations) "International organizations and Bodies enjoy privileges and immunities in accordance with Article (105) of the Charter of the United Nations." As for the disputes of international organizations related to real estates, commercial and civil lawsuits, or list of successions and inheritance; they are excluded from diplomatic immunity and deemed as diplomatic Missions, which was organized by the Vienna Convention on Diplomatic Relations of 1961, and are subject to the local jurisdiction.

- (Disputes brought by international organizations against private parties) are subject to the local laws of the State.

2. What methods of dispute settlement (see paragraph 9 above)? have been resorted to in cases of disputes with other international organizations, States or other private parties? Please provide any relevant case law, or a representative sample thereof. If you cannot provide such information for confidentiality reasons, could you provide any such decisions or awards of redacted form, or generic description/digest of such decisions?

- The Sultanate of Oman pursues the settlement of disputes related to international organizations - if any - in accordance with a prior agreement stipulated in writing for the Mechanism of resolving these disputes, and is usually settled through political negotiations.

3. In your dispute settlement practice, for each of the types of disputes/issues, please describe the relative importance of negotiation, conciliation, dispute resolution, or other informal consensual dispute settlement and/or third-party dispute resolution, such as arbitration or judicial settlement.

- There is no participation in practice of settling a dispute, but the Sultanate of Oman is aware of the importance of negotiation in resolving all disputes, and always seeks reconciliation, in order to reach a possible settlement, either amicably, or through diplomatic or judicial means.

4- Which methods of dispute settlement do you consider to be most useful? Please indicate the preferred methods of dispute settlement (see paragraph 9 above), for different types of disputes/issues (see paragraphs 6 and 7 above).

- Negotiation and amicable settlement are among the most important means proposed for settling disputes that may arise against international organizations, since that help facilitate and expedite settlement, considering the esteemed status of international organizations and the lofty objectives which, they are constantly seeking to pursue.

5- From a historical perspective, have there been any changes or trends in the types of disputes arising, the number of such disputes, and the methods of settlement used?

- None.

6- Do you have suggestions for improving the methods of dispute (that you have used in practice)?

- We propose that prior coordination and agreement, be made to settle disputes, if such disputes take place between international organizations and the host country or the countries that practice their activities through those organizations, either by peaceful means via diplomatic channels or the appropriate mechanism agreed upon, or resorting to international arbitration.

7 Are there types of disputes that remain outside the scope of dispute settlement methods?

- None.

8. Does your organization have a duty to make provision for appropriate settlement of disputes arising out of contracts or other disputes of a private law character under the Vienna Convention on the Privileges and Immunities of Specialized Agencies of 1947, or an equivalent treaty? How in practice has your organization interpreted and applied the relevant provisions?

- Lawsuits related to real property, or commercial and civil lawsuits, estates and inheritance, do not include diplomatic immunity in accordance with the Vienna Convention of 1961, and are subject to local laws and the local jurisdiction, such as (the Civil and Commercial Procedure Law and the Personal Status Law).

-As for the Convention on Privileges and Immunities for Specialized Agencies of 1947, the Sultanate of Oman is in the process of acceding to this Convention soon.

-However, the Sultanate of Oman concludes several agreements and mutual memorandums of understanding with international organizations that regulate all agreed issues and activities.

9- Are there a standard/ model clauses concerning dispute settlement in your treaty and/or contractual practice? Please provide representative examples.

-An example of one provision of the articles of bilateral agreements that regulate the issue of disputes: (Any dispute arising out of the implementation of this agreement or any of its articles shall be settled amicably between the two parties through diplomatic channels).

10- Does "other disputes of a private law character" (see paragraph 8 above) encompass all dispute, other than those arising from contracts? If not, which categories are not included? What has been the practice of your organization in determining this? What methods of settlement have been used for "other disputes of a private law character" and what has been regarded as the applicable law?

-It is not clear to us at present that there are disputes related to a private law, and the categories excluded from these international agreements. As for the local laws that regulate these practices; they include as stated above: the Civil and Commercial Procedure Law and the Personal Status Law.

11- Have you developed a practice of agreeing to methods of dispute settlement (arbitration or adjudication) for third-parties, or waiving immunity in cases where disputes have already arisen and cannot be settled otherwise, for example, because no treaty/contractual disputes settlement has been provided for?

-No incident has occurred regarding the aforementioned to date, but in the event that it does occur, the Government of the Sultanate of Oman has the competence to deal with it in accordance with the provisions of international law, and local government committees are usually established so that disputes are studied and discussed extensively, in order to reach appropriate solution, either through arbitration or amicable settlement.