

OMAN

Criminal Law on Terrorism

In Oman, acts of terrorism “are considered crimes under article 132 of the Omani Penal Code”. The Omani Penal Code, the Alien Residence Law, the Weapons and Ammunition Law, and the Comprehensive Security Agreement among the States of the Gulf Cooperation Council all have provisions that criminalize terrorist acts, such as the supply of weapons to terrorists. Existing legislation and provisions of the Convention of the Organization of the Islamic Conference on Combating International Terrorism and the Arab Convention for the Suppression of Terrorism prevent terrorists from taking actions against other states: it is prohibited to establish agencies, associations, political parties, or organizations that oppose social or economic systems in force in other countries.

Under the Omani Penal Code, anyone who knowingly conceals a person who has committed a crime, or assists the person in disappearing, “is punishable and is deemed a principal actor in a separate crime.”

Suppression of the Financing of terrorist acts

The Central Bank supervises the activities of commercial banks and money changing shops. The Narcotics and Psychotropic Substances Control Act requires banks and other financial institutions to report questionable operations to appropriate authorities and the Central Bank of Oman; they may be ordered by the Courts to report additional information related to suspicious transactions. The Money-laundering Act also reaffirms the reporting requirement. The banking, finance, and insurance sectors have taken measures aimed at transparency of transactions in order to prevent the misuse of facilities, and encroachment on security. These measures have been detailed in circulars to the appropriate agencies.

Laws in Oman provide that “any person who participates in the financing, arrangement, preparation, perpetration or supporting of terrorist acts shall be brought to justice;” these acts are criminal offenses under the Penal Code. There are laws that allow for confiscation of funds and freezing of assets that are the product of unlawful acts or used to perpetrate terrorist acts. Funds may be confiscated even if the money has been converted or replaced with other assets, commingled with assets derived from legitimate sources, or transferred to a third party.

International Cooperation

Oman has acceded to nine out of 12 of the international conventions related to terrorism. The government is considering to accede to the Vienna Convention on the Physical Protection of Nuclear Material, the International Convention for the Suppression of Terrorist Bombings, the International Convention for the Suppression of the Financing of Terrorism, and the United Nations Convention against Transnational Organized Crime of 2000. Oman has also ratified

the Convention of the Organization of the Islamic Conference on Combating International Terrorism and the Arab Convention for the Suppression of Terrorism. Both include a series of measures to prevent terrorist acts and provide for cooperation between participant States for prevention of crime and terrorism, including exchange of information.

Oman is collaborating with State members of the Gulf Cooperation Council on a strategy “against extremism accompanied by terrorism” and the Riyadh Convention on Judicial Cooperation and of a memorandum of understanding with the Republic of India. Oman is a member of the International Criminal Police Organization (Interpol), and as such, exchanges information pertaining to persons sought by other States, and assisting in arrest if such persons enter Oman. Other agreements also contain provisions aimed at crime prevention through reporting of criminal operations that are being prepared or carried out within or outside member States.

Bibliography

Criminal Law on Terrorism

1. Penal Code, Articles 131, 132, 134, 149
2. Alien Residence Law, Article 31
3. Weapons and Ammunition Law, Article 28
4. Royal decree No. 11/95

International Cooperation

1. Royal decree No. 22/2002
2. Royal decree No. 55/99
3. Royal decree No. 11/95

Suppression of the Financing of terrorist acts

1. Narcotics and Psychotropic Substances Control Act, Articles 41, 60
2. Penal Code, Articles 52, 53, 54, 93, 95, 96
3. Money-laundering Act, Article 4, 6, 9, 13
4. Royal decree No. 34/2002
5. Ministry of Commerce and Industry circular No. 26/2001 of 31 December 2001
6. Capital Market Authority circular No. 38/2001 of 30 December 2001
7. Central Bank of Oman circular No. BDD/CBS/CB/2001/2898 of 27 October 2001