

The Permanent Mission of the Sultanate of Oman to the United Nations Office and other International Organizations in Geneva presents its compliments to the Special Procedures Branch of the OHCHR and following the letter of Mr. Ariel Dulitzky, Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances (letter ref. no. G/SO 217/1 Oman dated 19 December 2014), and the Press release from the special rapporteur on the rights to freedom of peaceful assembly and of association, regarding Mr. Said Ali Said Jadad, has the honour to submit the views of the government on this case and press release.

The Permanent Mission of the Sultanate of Oman avails itself of this opportunity to renew to the Special Procedures Branch of the OHCHR the assurances of its highest consideration.



Special Procedures Branch of the OHCHR

OHCHR - Palais des Nations

CH-1211 GENEVE 10

Copy to :

- H.E United Nations High Commissioner for Human Rights

OHCHR REGISTRY

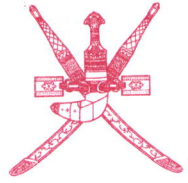
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Recipients :.....

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الرقم: ٢٠١٥/٢٠٦/١٤٠٠٠/٣٣٠٠ التاريخ ٢٨ -- جمادى الأول -- ١٤٣٦ ١٨/٢/٢٠١٥ الصفحة: ١



The Response of the Sultanate of Oman

G/SO 217/1 Oman & Press Release

The arrest of Mr. Said Ali Said Jadad did not occur for the reasons mentioned in your Urgent Action, but because of violation of laws and regulations. Mr Jadad was arrested according to the applicable law in this country, and his disappearance was not involuntary as indicated in the Urgent Action.

We also deny the allegations that the fate and whereabouts of Mr. Said Ali Said Jadad are unknown. Mr. Jadad will be brought to court in accordance to the law and he has the right to appoint a lawyer to defend him. In addition, his family and people associated with him are aware of his whereabouts, contrary to what has been mentioned.

It should further be noted that Article 29 of the Basic Law of the State in the Sultanate, provides that the freedom of opinion and expression is guaranteed within the limits of the Law, and this is in line with the international human rights instruments which codified the freedom of expression while committing to preserve the national peace and security. This is an affirmation of the fact that expressing an opinion should not be contrary to the religious and cultural heritage of any society and to its values, customs and traditions, and that freedom of expression should not encroach on others' freedom or destabilize the security of the society and the stability of the State.

The question that arises now is that is there a real follow-up on your part to examine the progress of the freedom of expression in the Sultanate, through all media? The other question is that has Mr. Said Jadad been the sole person to be arrested, provided that there are many bloggers and Twitter users expressing their opinions for the public interest and within the framework of regulations and the rule of law?

We would like to emphasize that the Special Rapporteur of the rights to freedom of peaceful assembly and of association has held, during his visit to the Sultanate of Oman, several meetings including with Mr. Said Jadad and others. This fact confirms that the conclusions of the Special Rapporteur and the Special Procedures have no legal basis and thus we refute what was reported in the news release issued by the group of independent experts that Mr. Jadad was arrested because of his meeting with the Special Rapporteur. We recall here what one of the female Omani bloggers



met by the Special Rapporteur has mentioned in one of her blogs that “she has met the Special Rapporteur and yet she has not been demanded by any security agency”, this proves that the arrest of Mr. Said Jadad was not because of what was alleged by the Special Rapporteur neither because he used his right to express his opinion, but because he violated the established laws and legislations in the Sultanate of Oman. And here we would like to reaffirm the independence of the Omani judiciary.

Therefore, the Government of the Sultanate of Oman reaffirms that what was mentioned in your note and that the so-called arbitrary arrest of Mr. Said Jadad and his unknown fate and whereabouts are baseless and unfortunately did not rely on precise professional information. The Sultanate is committed to the respect of the human dignity and rights everywhere and works to advocate these principles with the international organizations and specialised bodies, let alone when the case concerns an Omani citizen whose rights are guaranteed by the Basic Law of the State where it is a priority to grant him equity and all his rights. Depending on the offence committed, a person is investigated and brought to the competent court without prejudice to his or her rights and the Basic Law of the State guarantees to every person, independently of the charges faced, a fair trial. This is done pursuant to the principle of separating the judicial authorities from the other authorities, and that the judiciary is subject to no authority, and that there is neither offense nor punishment without a legal basis. This is a sovereign non-negotiable affair.

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