

OMAN 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy ruled since January by Sultan Haitham bin Tarik Al Said; Haitham was the designated successor of Qaboos Al Said, who had ruled since 1970. The sultan has sole authority to enact laws through royal decree, although ministries and the bicameral Majlis Oman (parliament) can draft laws on non-security-related matters, and citizens may provide input through their elected representatives. The Majlis Oman is composed of the Majlis al-Dawla (upper house or State Council), whose 85 members are appointed by the sultan, and the elected 86-member Majlis al-Shura (lower house or Consultative Council). In October 2019 nearly 350,000 citizens participated in the Majlis al-Shura elections for the Consultative Council; there were no notable claims of improper government interference.

The Royal Office, Royal Oman Police (ROP), Internal Security Service, and Ministry of Defense comprise the security apparatus. The Royal Office is responsible for matters of foreign intelligence and security. The ROP, which includes Civil Defense, Immigration, Customs, and the Coast Guard, performs regular police duties as well as many administrative functions more similar to a Ministry of Interior in other countries. An inspector general serves as the head of the ROP, which is a ministerial-level position that reports directly to the sultan. Formerly under the Royal Office, the Internal Security Service is now an independent body headed by an official with ministerial-level rank. The Internal Security Service investigates matters related to domestic security. Sultan Haitham appointed his brother as deputy prime minister for defense affairs, although the sultan remains the supreme commander of the armed forces. The sultan, as well as the senior civilian and military authorities who reported to him, maintained effective control over the security forces. There were no reports that members of the security forces committed abuses.

Significant human rights issues included: restrictions on free expression, the press, and the internet, including censorship, site blocking, and criminal libel laws; substantial interference with the rights of peaceful assembly and freedom of

OMAN

association; required exit permits for foreign workers; restrictions on political participation; and criminalization of consensual lesbian, gay, bisexual, transgender, and intersex conduct.

Authorities generally held security personnel and other government officials accountable for their actions. The government acted against corruption during the year, with cases proceeding through the court system.

Section 1. Respect for the Integrity of the Person, Including Freedom from

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices. In May 2019 Amnesty International reported allegations that authorities physically abused defendants from the al-Shehhi tribe who criticized the government's policies in the Musandam governorate in order to extract confessions, which resulted in life sentences for the six defendants. The government-funded Oman Human Rights Commission (OHRC) examined the allegations in this report and did not find any abusive treatment of the defendants, the commission concluded in September.

Prison and Detention Center Conditions

While prison and detention center conditions generally met international standards, there were some allegations of abuse and life-threatening conditions.

OMAN

Physical Conditions: In a March 2019 report, Amnesty International described the conditions in Samail Central Prison as “poor.” According to the report, the prison did not provide appropriate meals or prescribe medications to inmates with diabetes or other illnesses, and it supplied prisoners with one uniform per year. At least one diplomatic observer noted that prisoners’ difficulties in obtaining medications were generally due to misunderstandings or translation issues. The OHRC said that an OHRC delegation visited Samail Central Prison in 2019, met with male and female prisoners, and observed that sick prisoners had access to medical care and appropriate food.

During the COVID-19 outbreak, there were reports of infections among inmates in some of the country’s prisons. Following prison visits during the year, the OHRC reported that prison and detention center officials were working to protect inmates and prevent the spread of COVID-19 by isolating and monitoring new prisoners for 14 days in separate areas before transferring them to their cells, and educating inmates on health and virus-prevention best practices.

Administration: There was no established prison authority to which prisoners could bring grievances concerning prison conditions. The OHRC conducted prison and detention center site visits and reviewed written complaints in conjunction with prison administrators. There was no ombudsman to serve on behalf of prisoners and detainees; this responsibility falls under the public jurisdiction of the public prosecution, which maintained an office in Samail Central Prison. Prisoners and detainees did not always have regular access to visitors.

Independent Monitoring: The OHRC reported on human rights conditions to the sultan via the State Council. The OHRC investigated claims of abuse, conducted prison and detention center site visits, and published a summary of its activities in an annual report. The law permits visits by international human rights observers, yet no such groups were based in the country, and there were no reports of independent, nongovernmental observers from abroad requesting to visit the country. Consular officers from some diplomatic missions reported difficulties in meeting with prisoners or delayed notification about detained citizens.

d. Arbitrary Arrest or Detention

OMAN

The law prohibits arbitrary arrest and detention. The government generally observed these requirements. Persons arrested or detained are entitled to challenge in court the legal basis of their detention.

Arrest Procedures and Treatment of Detainees

The law does not allow the ROP to arrest or detain a person “without an order to this effect from a concerned legal authority.” The law stipulates that police must either release the person or refer the matter to the public prosecution within 48 hours. For most crimes the public prosecution must then order the person’s “preventive detention” or release the person within 24 hours; preventive detention is warranted if “the incident is an offense or an act of misdemeanor punishable by imprisonment.” A preventive detention order shall not exceed 30 days, or 45 day in offenses involving public funds, narcotics, and psychoactive drugs. The law requires those arrested be informed immediately of the charges against them. The government generally observed these requirements. There was a functioning bail system. Detainees generally had prompt access to a lawyer of their choice. The state provided public attorneys to indigent detainees, as required by law. Authorities generally allowed detainees prompt access to family members. In cases involving foreign citizens, police sometimes failed to notify the detainee’s local sponsor or the citizen’s embassy.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention. The government generally observed these requirements.

The Internal Security Service arrested and detained Ghazi al-Awlaki, a political activist and Omani citizen, for his peaceful activities on social media, human rights observers reported in August. In September observers said that authorities had released al-Awlaki without charge after 50 days in detention.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, the sultan may act as a court of final appeal and exercise his power of pardon as chairman of the Supreme Judicial Council, the country’s highest legal body, which is empowered to review all judicial decisions. The country has civil courts though principles of sharia

OMAN

(Islamic law) inform the civil, commercial, and criminal codes. The law allows women to serve as judges; none presently do. Civilian or military courts try all cases. There were no reports judicial officials, prosecutors, and defense attorneys faced intimidation or engaged in corruption.

Trial Procedures

The law provides for the right to a fair trial and stipulates the presumption of innocence until proven guilty. Citizens and legally resident noncitizens have the right to a public trial, except when the court decides to hold a session in private in the interest of public order or morals; the judiciary generally enforced this right. The government reserved the right to close sensitive cases to the public. The government did not uniformly provide language interpretation or document translation for non-Arabic speakers.

Defendants have the right to consult with an attorney. The law provides defendants the right to be informed promptly of charges. There is no provision for adequate time for defense attorneys to prepare, but in practice most court dates provide ample time. The law states that an interpreter shall assist litigants and witnesses who do not know Arabic to submit their statements, but there is no provision for free interpretation. Courts provide public attorneys to indigent detainees and offer legal defense for defendants facing prison terms of three years or more. The prosecution and defense counsel direct questions to witnesses through the judge. Defendants have the right to be present, submit evidence, and confront witnesses at their trials. There is no known systemic use of forced confession or compulsion to self-incriminate during trial proceedings in the country. Those convicted in any court have one opportunity to appeal a jail sentence longer than three months and fines of more than 480 rials (\$1,250) to the appellate courts. The judiciary enforced these rights for all citizens; some foreign embassies claimed these rights were not always uniformly enforced for noncitizens, particularly migrant workers.

OMAN

Political Prisoners and Detainees

The number of political prisoners was unknown. Political prisoners were afforded the same rights as other prisoners and could ask to speak with representatives from the OHRC or the International Committee of the Red Cross.

Amnesty International reported in March 2019 that a court sentenced six members of the al-Shehhi tribe to life imprisonment in verdicts issued in 2018 for “infringement of the country’s independence or unity or the sanctity of its territory.” In a subsequent report in May 2019, Amnesty International described one of those convicted as a “prisoner of conscience” and noted that it had not been able to review the full list of charges against the other five individuals involved. According to the report, all six individuals had criticized the government’s policies in the Musandam governorate and claimed that the prosecution had portrayed them as plotters of a secessionist conspiracy. Four of the defendants were citizens and two were Emirati nationals. According to the OHRC, the defendants had the right to secure legal representation and communicate with their family members.

Civil Judicial Procedures and Remedies

Civil laws govern civil cases. Citizens and foreign residents could file cases, including lawsuits seeking damages for human rights violations, but no known filings occurred during the year.

The Administrative Court reviews complaints regarding the misuse of governmental authority. It has the power to reverse decisions by government bodies and to award compensation. Appointments to this court are subject to the approval of the Administrative Affairs Council. The court’s president and deputy president are appointed by royal decree based on the council’s nomination. Citizens and foreign workers may file complaints regarding working conditions with the Ministry of Labor for alternative dispute resolution. The ministry may refer cases to the courts if it is unable to negotiate a solution.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

OMAN

The law does not allow public officials to enter a private home without first obtaining a warrant from the public prosecution. The government monitored private communications, including cell phone, email, and social media exchanges. The government blocked most voice over internet protocol (VoIP) sites, but in March the Telecommunications Regulatory Authority (TRA) lifted its ban on platforms such as Skype, Google Meet, Zoom, and WebEx during what TRA called the “exceptional period” of COVID-19. Authorities blocked the import of certain publications, for example, pornography and religious texts, without the necessary permit. Shipping companies claimed customs officials sometimes confiscated these materials.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Expression, Including for the Press

The law provides for limited freedom of speech and press, but authorities did not always respect these rights. Journalists and writers exercised self-censorship.

Freedom of Speech: The law prohibits criticism of the sultan in any form or medium, as well as any “provocative propaganda to undermine the prestige of the state,” electronic communication that “might prejudice the public order or religious values,” and “defamation of character.” Therefore, it is illegal to insult any public official or private citizen. Authorities have prosecuted individuals for writing about the sultan in a way the government perceived to be negative. In January 2018 the government issued a new penal code that generally increased maximum penalties for crimes related to “undermining the state.” International human rights organizations expressed concern that the penal code contains vaguely defined articles that the security services could use to target activists and further restrict freedom of expression, including online.

Authorities reportedly used intimidation to discourage some activists from calling for reforms or writing about the country’s political situation following the death of Sultan Qaboos, a human rights organization said in January. According to the report, one activist living in exile said that he and members of his family in Oman received threats from Omani officials, who instructed his family to prevent him from posting anything on social media.

OMAN

In July the sultan reportedly pardoned four exiled Omani political activists, social media and press sources said, although no official government channel released information regarding these pardons. Two of the reported pardon recipients returned to Oman and professed loyalty to the sultan in social media videos. Press reports alleged that the activists who returned also agreed to limit their social media engagement.

In April authorities postponed indefinitely due to COVID-19 the trial of Musallam al-Ma'ashani, according to a human rights organization that reported on this matter. In November 2019 human rights organizations reported that authorities arrested al-Ma'ashani at the Sarfait border crossing upon his return from Yemen. These groups and social media users claimed authorities arrested al-Ma'ashani for printing a book documenting tribal activities in Dhofar, which he intended to submit to the Ministry of Information for display at the 2020 Muscat International Book Fair. According to social media posts, authorities later released al-Ma'ashani in November on bail after approximately two weeks in detention.

Freedom of Press and Media, Including Online Media: Media did not operate freely. Authorities tolerated limited criticism in privately owned newspapers and magazines; however, editorials generally were consistent with the government's views. Although mainstream social debate occurred in traditional and social media (especially on Twitter), the government and privately owned radio and television stations did not generally broadcast political material criticizing the government.

Courts issued fines and prison sentences and ordered the confiscation of several individuals' phones for disseminating rumors and messages violating public order, the Supreme Committee on COVID-19 announced in April.

Authorities required journalists to obtain a license to work; freelance journalists were ineligible for a license.

Violence and Harassment: Some journalists reported harassment by high-level government officials for printing stories perceived as critical of their particular ministries.

OMAN

Censorship or Content Restrictions: Headlines in both public and private media print outlets were subject to an official nontransparent review and approval process before publication. Journalists and writers exercised self-censorship. The law permits the Ministry of Information to review all media products including books produced within or imported into the country. The ministry occasionally prohibited or censored material from domestic and imported publications viewed as politically, culturally, or sexually offensive. There was only one major publishing house in the country, and publication of books remained limited. The government required religious groups to notify the Ministry of Endowments and Religious Affairs before importing any religious materials. The government confiscated or prohibited more than 20 books during the country's annual state-run Muscat International Book Fair, human rights organizations said in February.

Libel/Slander Laws: Libel is a criminal offense, which allows for up to one year's imprisonment.

National Security: The government prohibited publication of any material that "undermines the prestige of the state."

Internet Freedom

The law restricts free speech exercised via the internet, and the government enforced these restrictions. The law allows authorities to prosecute individuals for any message that "violates public order and morals" sent via any medium. The law details crimes that take place on the internet that "might prejudice public order or religious values" and specifies a penalty of between one month and a year in prison. Authorities could apply the law against bloggers and social media users who insult the sultan. Authorities placed individuals who abused social media in custody for up to two weeks and provided them with "advice and guidance," the OHRC said in September.

In June police arrested and detained Awadh al-Sawafi, an activist and blogger, for social media posts in which he criticized the government for threatening citizens, according to human rights organizations. Reports said that a court issued al-Sawafi a suspended one-year prison sentence and banned him from using social media for one year.

OMAN

In June a court of appeals sentenced a citizen to three years' imprisonment, confiscated the defendant's phone, and closed his Twitter account for "provoking and inciting hatred and division among the country's population," according to the Public Prosecution.

Human rights observers expressed concern that the country's new Cyber Defense Center, established in June under the Internal Security Service, would further compromise internet freedom and freedom of expression.

Authorities monitored the activities of telecommunications service providers and obliged them to block access to numerous websites considered pornographic, or culturally or politically sensitive. Authorities sometimes blocked blogs as well as most VoIP technologies, but in March the TRA lifted its ban on VoIPs such as Skype, Google Meet, Zoom, and WebEx during what the TRA called the "exceptional period" of COVID-19.

Social media users exercised self-censorship and shared warnings exhorting users to follow local laws and regulations.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Academics largely practiced self-censorship. Colleges and universities were required to have permission from the Ministry of Foreign Affairs and the Ministry of Higher Education before meeting with foreign diplomatic missions or accepting money for programs or speakers.

The government censored publicly shown films, primarily for sexual content and nudity, and placed restrictions on performances in public venues. The law also forbids dancing in restaurants and entertainment venues without a permit.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association. Human rights organizations expressed concern that overly broad provisions in the penal code could further restrict the work of human rights activists and limit freedoms of peaceful assembly and association.

OMAN

Freedom of Peaceful Assembly

The law provides for limited freedom of assembly, but the government restricted this right. Under the penal code, gatherings of 10 or more persons in a public place are unlawful if they “endangered the public security or order” or “influenced the function of authorities.”

Freedom of Association

The law provides for freedom of association for undefined “legitimate objectives and in a proper manner.” Examples of such associations include registered labor unions and social groups for foreign nationalities.

The government limited freedom of association by prohibiting associations whose activities it deemed “inimical to the social order” or otherwise inappropriate. Citizens joining groups deemed harmful to national interests could be subject to revocation of citizenship.

Associations must register with their corresponding ministries, which approve all associations’ bylaws and determine whether a group serves the interest of the country. The time required to register an association ranged from two months to two years. Approval time varied based on the level of preparedness of the applying organization, the subject matter of the organization, its leadership, and the organization’s mission. The law limits formal registration of nationality-based associations to one association for each nationality and restricts activities of such associations. The government sometimes denied permission for associations to form.

The penal code forbids associations from conducting any kind of fundraising without government approval, including for charitable causes. Individuals convicted of accepting unlawful funding for an association may receive up to one year in jail. Foreign diplomatic missions are required to request meetings with nongovernmental associations through the Ministry of Foreign Affairs by diplomatic note. Associations may not meet with foreign diplomatic missions and foreign organizations without prior approval from the Ministry of Foreign Affairs.

OMAN

The government enforced this law, and all foreign-funded educational and public diplomacy programs required prior government review.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement and repatriation, and the government generally respected these rights. Citizens could generally travel freely outside the country, although this right is not codified.

In-country Movement: There are no official government restrictions on internal travel for any citizen. The government must approve on a case-by-case basis official travel by foreign diplomats to the Dhofar and Musandam regions. There were reports many foreign domestic employees had their passports confiscated by employers, who sponsor the foreign workers, even though the law prohibited this practice.

Employers have a great amount of control over these workers, particularly domestic workers who are not covered by existing labor laws. The country's visa-sponsorship system (*kafala*) ties migrant workers to their employers and prevents them from changing jobs without their sponsor's consent. Migrant workers generally cannot work for a new employer in the country within a two-year period without the permission of their current employer, even if they complete their contract. Employers can have a worker's visa canceled arbitrarily. Workers who leave their jobs without the consent of their employer can be punished with fines, deportation, or reentry bans. In May, however, the ROP issued a decision that as of January 1, 2021, expatriates would no longer require a "no-objection certificate" to secure new work upon completion or termination of their employment contracts.

Foreign Travel: Foreign workers must obtain exit permits from their employer to leave the country legally. Exit permits may be denied when there is a dispute over payment or work remaining, leaving the foreign citizen in country with recourse

OMAN

only through local courts. In theory courts provided recourse to workers denied exit permits, but the process was opaque with domestic workers consistently alleging that existing dispute resolution mechanisms were inadequate to protect them.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government generally did not allow asylum seekers to remain in the country. Office of the UN High Commissioner for Refugees (UNHCR) personnel occasionally visited the country but did not maintain an office or personnel locally. The Committee for International Humanitarian Law considers issues of refugees and displaced persons, according to the OHRC.

Abuse of Migrants, Refugees, and Stateless Persons: The country has a large number of female migrant workers from Bangladesh, India, Nepal, Nigeria, Pakistan, the Philippines, Sri Lanka, Tanzania, and Uganda, many of whom are employed as domestic workers. Nongovernmental organizations based outside the country and embassies of labor-sending countries alleged that domestic workers faced maltreatment, to include physical, sexual, and psychological abuse. The law criminalizes slavery and trafficking, and the government was making efforts to combat trafficking. Although forced labor is punished under the labor law, domestic workers are excluded from the law's protections. In 2019 courts convicted seven individuals for human trafficking crimes. For the first time, the government convicted two Omani nationals of trafficking.

Refoulement: The government did not provide comprehensive protection to asylum seekers from involuntary returns to countries where their lives or freedom could be threatened, subjecting them to the possibility of refoulement. Tight control over the entry of foreigners effectively limited access to protection for asylum seekers.

OMAN

Access to Asylum: The law provides for the granting of asylum or refuge for displaced persons, and the government has established a system for providing protection. The ROP's system for granting asylum and resettlement was not transparent, and the law does not specify a timeframe in which the ROP must adjudicate an asylum application. It was policy not to recognize refugees from conflict zones such as Yemen, although the government provided temporary medical care to certain Yemeni citizens. In practice there are no substantive legal protections for asylum seekers in the country.

Temporary Protection: The government provided emergency medical care to certain Yemeni citizens who demonstrated they could not receive adequate care in Yemen. These Yemenis and one accompanying family member per patient were offered status in Oman during the treatment period.

g. Stateless Persons

Under the law citizenship is passed only through the father. Therefore, children born to foreign fathers and Omani citizen mothers in Oman were at risk of statelessness.

Section 3. Freedom to Participate in the Political Process

The law does not provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. The sultan retains ultimate authority on all foreign and domestic issues. With the exception of the military and other security forces, all citizens who have reached 21 years of age have the right to vote for candidates for the Majlis al-Shura and the provincial councils.

Elections and Political Participation

Recent Elections: In October 2019 nearly 350,000 citizens participated in the Majlis al-Shura elections for the Consultative Council, or lower house of parliament. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (at least a high school education and no criminal history or mental illness) before they allowed candidates' names on the

OMAN

ballot. The Ministry of Interior administered and closely monitored campaign materials and events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections, but it invited some international journalists to the country to report on election day events. The OHRC said it was a member of the Main Elections Committee and a key partner in overseeing the electoral process.

Due to the COVID-19 pandemic, in May the sultan postponed quadrennial municipal council elections, last held in 2016. The government did not set a date for when these elections would take place.

Political Parties and Political Participation: The law does not allow political parties, and citizens did not attempt to form them.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. During the Majlis al-Shura elections in October 2019, voters elected two women as representatives. The sultan appointed 15 women to the Majlis al-Dawla in November 2019.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. The Financial and Administrative State Audit Institution (FASAI) submitted an annual report to the sultan and the Majlis Oman. The Majlis al-Shura had the authority to summon and question ministers.

Corruption: There were reports of government corruption, including in the police, ministries, and state-owned companies. Political and social favoritism were widespread in public and private institutions.

Authorities detained a local broadcaster for his social media activity regarding possible corruption in the country, releasing him one day later, human rights

OMAN

observers reported in March. Authorities reportedly also arrested four other citizens who reposted the tweet, including a former member of the Majlis al-Shura.

Financial Disclosure: Public officials are subject to financial disclosure laws. When selected for disclosure, officials are required to list their finances, business interests, and property, as well as that of their spouses and children. These records are made public, and there are fines associated with noncompliance. The FSAI monitors this process.

In July the state investment authority removed ministers and undersecretaries from the boards of directors of state-owned companies.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

No independent, officially sanctioned, domestic human rights organizations existed in the country. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and persons with disabilities. These groups were required to register with the Ministry of Social Development.

The law permits domestic and international actors to request permission to engage in human rights work, but none did because they believed the government was not likely to grant permission.

Government Human Rights Bodies: The OHRC, a government-funded commission made up of members from the public, private, and academic sectors, reported on human rights to the sultan via the State Council. The OHRC also published an annual report summarizing the types of complaints it received and how it handled those complaints.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

OMAN

Rape and Domestic Violence: The law criminalizes rape with penalties of up to 15 years in prison. The law does not criminalize spousal rape explicitly, but it does criminalize all “sex without consent.” The government generally enforced the law when individuals reported cases. Foreign nationals working as domestic employees occasionally reported that their sponsors had sexually assaulted them. According to diplomatic observers, police investigations resulted in few rape convictions.

The law does not specifically address domestic violence, and judicial protection orders prohibiting domestic violence do not exist. Charges could be brought, however, under existing statutes outlawing assault, battery, and aggravated assault, which can carry a maximum sentence of three years in prison. Allegations of spousal abuse in civil courts handling family law cases reportedly were common. Victims of domestic violence may file a complaint with police, and reports suggested that police responded promptly and professionally. The government operated a hotline for reporting incidents of domestic violence and a shelter for victims.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits health practitioners from conducting “traditional practices” that are harmful to a child’s health, and the 2019 Executive Regulations for the Child Law introduced “disfiguring female genital organs” as one of these harmful practices. There are no national statistics on the prevalence of FGM/C.

Sexual Harassment: Although the law does not explicitly prohibit sexual harassment, it has been prosecuted using statutes prohibiting offensive language and behavior.

Reproductive Rights: The government recognized the right of married couples to decide the number, spacing, and timing of their children. Married couples have access to family planning and information, free from discrimination, coercion, or violence. Health clinics disseminated information on family planning under the guidance of the Ministry of Health. Some forms of birth control, including condoms, were available at pharmacies and supermarkets, although doctor-prescribed birth control medication was generally not available for unmarried women. The government provided free childbirth services to citizens within the

OMAN

framework of universal health care. Prenatal and postnatal care was readily available and used. While survivors of sexual violence could seek medical treatment at public healthcare facilities, the government did not provide dedicated sexual and reproductive health services to victims.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: The law prohibits gender-based discrimination against citizens, but the government did not appear to enforce the law effectively. Local interpretations of Islamic law and practice of cultural traditions in social and legal institutions discriminated against women. In some personal status cases, such as divorce, a woman's testimony is equal to half that of a man. The law favors male heirs in adjudicating inheritance.

The Ministry of Interior requires both male and female citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council countries, whom citizens may marry without restriction; authorities do not automatically grant permission, which is particularly difficult for Omani women to obtain. Citizen marriage to a foreigner abroad without ministry approval may result in denial of entry for the foreign spouse at the border and preclude children from claiming citizenship and residency rights. It also may result in a bar from government employment.

Despite legal protections for women from forced marriage, deeply embedded tribal practices ultimately compel most citizen women towards or away from a choice of spouse.

The law provides for transmission of citizenship at birth if the father is a citizen, if the mother is a citizen and the father is unknown, or if a child of unknown parents is found in the country. Women married to noncitizens may not transmit citizenship to their children and cannot sponsor their noncitizen husband's or children's presence in the country. Children from a marriage between an Omani woman and a non-Omani man are not eligible for citizenship and are at risk of statelessness.

OMAN

The law provides that an adult may become a citizen by applying for citizenship and subsequently residing legally in the country for 20 years or 10 years if married to a male citizen.

Government policy provided women with equal opportunities for education, and this policy effectively eliminated the gender gap in educational attainment. Although some educated women held positions of authority in government, business, and media, many women faced job discrimination based on cultural norms. The law entitles women to paid maternity leave and equal pay for equal work. The government, the largest employer of women, observed such regulations, as did many private sector employers.

The Ministry of Social Development is the umbrella organization for women's issues. The ministry provided support for women's economic development through the Oman Women's Association and local community development centers.

Authorities suspended a women's rights Twitter account, a women's rights advocate said in an anonymous Twitter post in February. A human rights organization said that the Internal Security Service was responsible for the suspension because account commentators were calling for more freedom for female university students.

Children

Birth Registration: Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children, and there were a few reported cases of stateless children based on this law. Children of unknown parents are automatically eligible for citizenship. Government employees raised abandoned children in an orphanage. Such children receive free education through the university level and a job following graduation. Citizen marriage to a foreigner abroad without ministry approval may preclude children from claiming citizenship rights.

Child Abuse: According to the law, any concerned citizen must report child abuse, and each governorate had an interagency committee that would meet to

OMAN

discuss the allegations and possibly take the child out of the parent's custody until the allegations were investigated. The government operated a child abuse hotline, which reported 707 calls in 2019. The government reported that the main complaint was negligence, followed by physical abuse and sexual abuse.

Child, Early, and Forced Marriage: The age of legal marriage for men and women is 18, although a judge may permit a person to marry younger when the judge or family deemed the marriage was in the minor's interest. Child marriage occurred in rural communities as a traditional practice.

In August reports of marriages of some minor girls and births among juvenile mothers as young as 15 prompted a local Arabic press outlet to publish an article clarifying that Islam and civil law prohibit marriage under 18 years of age, except in special cases that a judge permits.

Sexual Exploitation of Children: Commercial sexual exploitation of children and child pornography are punishable by no fewer than five years' imprisonment. The penal code stipulates a punishment of life imprisonment for rape of a child younger than 15 years. The minimum age of consensual sex is 18. All sex outside of marriage is illegal, but sex with a minor younger than 15 carries a heavier penalty (up to 15 years' imprisonment). Authorities do not charge minors. There were no known reports of child prostitution; soliciting a child for prostitution is prohibited.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There was no indigenous Jewish population. One Arabic-language newspaper featured at least one cartoon critical of the Israeli government in which a man wearing the Star of David represented the state of Israel.

OMAN

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law provides persons with disabilities the same rights as other citizens in employment, education, access to health care, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to public transportation and buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law.

The government provided alternative education opportunities for citizen children with disabilities, including overseas schooling when appropriate.

Additionally, the Ministry of Education collaborated with the International Council for Educational Reform and Development to operate a curriculum for students with intellectual disabilities within the standard school system. The ministers of education and of health crafted a broad-based, prioritized strategy for various ministries to coordinate the issue of child autism in the country, including early autism diagnosis and intervention. The Ministry of Education also coordinated with UNICEF to improve its alternative education systems.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. The Directorate General of Disabled Affairs within the Ministry of Social Development creates and implements programs for persons with disabilities in coordination with relevant authorities. The directorate was authorized further to supervise all of the ministry's rehabilitation and treatment centers for persons with disabilities.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

OMAN

The penal code criminalizes consensual same-sex sexual conduct with a jail term of six months to three years, but it requires a spouse or guardian complaint to initiate prosecution. The government did not actively enforce this law.

The penal code identifies “crossdressing” (defined as males dressing in female clothing) as a criminal act punishable by up to one year’s imprisonment.

Public discussion of sexual orientation and gender identity remained a social taboo. There were no known lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizations active in the country; however, regional human rights organizations focused on the human rights of LGBTI citizens. Authorities took steps to block LGBTI-related internet content.

Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address discrimination.

HIV and AIDS Social Stigma

Foreigners seeking residency in the country are tested for HIV/AIDS. If tested positive, the residency permission is denied, and foreigners must leave the country, but there were no known occurrences of this.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides that workers can form and join unions, as well as conduct legal strikes and bargain collectively, but with significant restrictions. The law provides for one general federation, to which all unions must affiliate, and which represents unions in regional and international fora. The law requires a minimum of 25 workers to form a union, regardless of company size. The law requires an absolute majority of an enterprise’s employees to approve a strike, and notice must be given to employers three weeks in advance of the intended strike date. The law allows for collective bargaining; regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours

OMAN

of work. Where there is no trade union, collective bargaining may take place between the employer and five representatives selected by workers. The employer may not reject any of the representatives selected. While negotiation is underway, the employer may not act on decisions related to problems under discussion. The law prohibits employers from firing or imposing other penalties on employees for union activity, although it does not require reinstatement for workers fired for union activity.

Despite the legal protections for labor unions, no independent organized labor unions existed. Worker rights continued to be administered and directed by the General Federation of Oman Workers (GFW).

The GFW responded to reports of labor rights violations, some precipitated by the COVID-19-related economic downturn. During the COVID-19 outbreak in the country, the GFW received complaints that employers reduced or failed to pay wages, forced workers to take unpaid leave, and deducted time in quarantine from workers' leave banks, according to several local press reports. As of September publicly released GFW statistics highlighted that the Federation had received 370 reports of violations, participated in more than 200 settlement agreements, and referred some companies to the Public Prosecution.

Government-approved unions are open to all legal workers regardless of nationality, though the law prohibits members of the armed forces, other public security institutions, government employees, domestic workers, as well as individuals convicted of criminal activity or acts against the security of the country or national unity from forming or joining such unions. In addition, labor laws apply only to workers who perform work under a formal employment agreement and excludes domestic workers.

The law prohibits unions from accepting grants or financial assistance from any source without the Ministry of Labor's prior approval. All unions are subject to the regulations of the government federation and may be shut down or have their boards dismissed by the federation.

The government generally enforced applicable laws effectively and respected the rights to collectively bargain and conduct strikes, although strikes in the oil and gas

OMAN

industries are forbidden. The government provided an alternative dispute resolution mechanism through the Ministry of Labor, which acted as mediator between the employer and employee for minor disputes such as disagreement over wages. If not resolved to the employee's satisfaction, the employee could, and often did, resort to the courts for relief. The country lacked dedicated labor courts, and observers noted the mandatory grievance procedures were confusing to many workers, especially foreign workers. The Ministry of Labor had sufficient resources to act in dispute resolution.

Freedom of association in union matters and the right to collective bargaining exist, but often the threat of a strike can prompt either company action or government intervention. Strikes rarely occurred and were generally resolved quickly, sometimes through government mediation.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor but explicitly excludes domestic workers. All police officials underwent training in how to identify victims of trafficking in persons to help them identify cases of forced or compulsory labor.

Conditions indicative of forced labor were present. By law all expatriate workers, who constituted approximately 80 percent of the workforce, must be sponsored by a citizen employer or accredited diplomatic mission. Some migrant workers, employed as domestic workers or as low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, usurious recruitment fees, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. These situations were generally considered civil or contract matters by authorities, who encouraged dispute resolution rather than criminal action. Authorities continued to rely on victims to identify themselves and report abuses proactively, rather than proactively investigating trafficking in vulnerable communities.

Sponsorship requirements left workers vulnerable to exploitative and abusive conditions and made it difficult for them to change employers (see section 2.d.). Some sponsors allow their employees to work for other employers, sometimes in

OMAN

return for a fee. This practice is illegal, but enforcement was weak, and such arrangements left workers vulnerable. The government clarified that sponsors of domestic workers are not allowed to send their workers to another home to work, but the regulation was weakly enforced. Some employers of domestic workers, contrary to law, withheld passports and other documents, complicating workers' release from unfavorable contracts and preventing workers' departure after their work contracts expired. The ROP issued a decision on May 31 that expatriates will no longer require a "no objection certificate" (NOC) from their employers to secure new work upon completion or termination of their employment contracts, effective January 1, 2021. Some employers exploited the NOC requirement to demand exorbitant release fees totaling as much as four months' salary before permitting workers to change employers. Until the elimination of the NOC requirement becomes effective, foreign workers are required to either depart the country for a minimum of two years or remain in their current position. There were reports that sponsors were reluctant to provide NOCs, which would result in loss of the foreign labor certificate for that position.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 16, or 18 for certain hazardous occupations. Employees younger than 18 may work only between the hours of 6 a.m. and 6 p.m. and are prohibited from working for more than six hours per day, on weekends, or on holidays. The law allows exceptions to the age requirement in agricultural works, fishing, industrial works, handicrafts, sales, and administrative jobs, under the conditions that it is a one-family business and does not hinder the juvenile's education or affect health or growth.

The Ministry of Labor and ROP are responsible for enforcing laws with respect to child labor. The law provides for fines for minor violations and imprisonment for repeat violations. Employers are given time to correct practices that may be deemed child labor.

OMAN

In 2019 the country made a moderate advance in eliminating the worst forms of child labor, and there is evidence that children in the country engaged in child labor, including in fishing and selling items in kiosks. The government does not publish information on the enforcement of child labor laws.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations do not address discrimination based on race, sex, gender, nationality, political views, disability, language, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social status. Labor laws generally restrict women from working the same hours as men, and, while the laws do not allow women to work in jobs deemed hazardous or arduous, there are no industry-specific occupations that are closed to women. Discrimination occurred based on gender, sexual orientation, nationality, disability, and gender identity. Foreign workers were required to take HIV/AIDS tests and could only obtain or renew work visas if the results were negative.

Although some educated women held positions of authority in government, business, and media, many women faced job discrimination based on cultural norms. The law entitles women to paid maternity leave and equal pay for equal work. The government, the largest employer of women, observed such regulations, as did many private sector employers. The percentage of females working in the government sector increased from 41 percent of the total number of workers in 2014 to 59 percent in 2018, according to official government statistics that the OHRC cited.

The law provides persons with disabilities the same rights as other citizens in employment, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to public transportation and buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law. The law

OMAN

also requires government agencies and private enterprises employing more than 50 persons to reserve a certain percentage of positions for persons with disabilities. This percentage was 2 percent for the private sector; the Civil Service Council was responsible for determining the percentage for the public sector. Authorities did not systematically enforce this regulation.

For further discussion of discrimination, see section 6.

e. Acceptable Conditions of Work

The country has a minimum monthly wage for citizens that does not apply to noncitizens in any occupation. Minimum wage regulations do not apply to a variety of occupations and businesses, including small businesses employing fewer than five persons, dependent family members working for a family firm, or some categories of manual laborers. Most citizens who lived in poverty were engaged in traditional subsistence agriculture, herding, or fishing, and generally did not benefit from the minimum wage. The private sector workweek is 45 hours and includes a two-day rest period following five consecutive days of work. Government workers have a 35-hour workweek. The law mandates overtime pay for hours in excess of 45 per week.

The government sets occupational health and safety standards. The law states an employee may leave dangerous work conditions without jeopardy to continued employment if the employer was aware of the danger and did not implement corrective measures. Employees covered under the labor law may receive compensation for job-related injury or illness through employer-provided medical insurance. The government offered free COVID-19-related treatment to any resident of the country, regardless of legal status, who showed symptoms and did not have the means to pay for medical costs.

Neither wage and hour nor occupational safety and health regulations apply to domestic workers.

The Ministry of Labor is responsible for enforcing labor laws, and it employed inspectors in Muscat and around the country. It generally enforced the law effectively with respect to citizens; however, it did not always effectively enforce

OMAN

regulations regarding hours of employment and working conditions for foreign workers.

In July some expatriate workers for a construction company protested against alleged COVID-19-related loss of pay and inadequate food provision, causing significant damage to company property, according to social media and traditional press sources. The company stopped the demonstrations with the support of the government and reached out to embassies to coordinate the repatriation of expatriate employees who had lost jobs.

Labor inspectors performed random checks of worksites to verify compliance with all labor laws. Inspectors from the Department of Health and Safety of the Labor Care Directorate are responsible for enforcement of health and safety codes. Limited inspections of private sector worksites are required by law to deter or redress unsafe working conditions in the most dangerous sectors.

The Ministry of Labor effectively enforced the minimum wage for citizens. No minimum wage existed for noncitizens. In wage cases the Ministry of Labor processed complaints and acted as mediator. In a majority of cases, the plaintiff prevailed, gaining compensation, the opportunity to seek alternative employment, or return to their country of origin in the case of foreign laborers, although they rarely used the courts to seek redress. The ministry was generally effective in cases regarding minor labor disputes.

The government increased efforts to prevent trafficking in persons violations, which disproportionately affected foreign workers.

Foreign workers were vulnerable to poor, dangerous, or exploitative working conditions. There were reports that migrant laborers in some firms and households worked more than 12 hours a day without a day off for below-market wages. Employers often cancelled the employment contracts of seriously sick or injured foreign workers, forcing them to return to their countries of origin or remain in the country illegally. Some labor inspections focused on enforcing visa violations and deporting those in an irregular work visa status rather than verifying safe and adequate work conditions.

OMAN

There are no maximum work-hour limits for domestic workers nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. There were some reports that domestic workers were forced to work with inadequate rest periods. Separate domestic employment regulations obligate the employer to provide domestic workers with free local medical treatment throughout the contract period. Penalties for noncompliance with health regulations were insufficient to deter violations. Some domestic workers were subjected to abusive conditions.

There was no data available on workplace fatalities or safety. In July, two expatriate workers died when an excavation site collapsed, according to the local press.