

OMAN

EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy with a population of 2.7 million, including approximately 816,000 nonnationals. Sultan Qaboos Al-Said has ruled since 1970. The sultan has sole authority to enact laws through royal decree, although ministries draft laws and citizens provide input through a Majlis al-Shura (Consultative Council). On October 15, citizens chose among 1,100 candidates running for seats on the 84-member Consultative Council. The 29-member Council of Ministers advises the sultan on government decisions. The two-house Majlis Oman (Oman Council) is composed of the Majlis al-Dawla (State Council), whose 83 members are appointed by the sultan, and the Majlis al-Shura. On October 19, a new law granted the Oman Council new powers that expand its policy review function to include approving, rejecting, and amending legislation and convoking ministers of agencies that provide direct citizen services. Security forces reported to civilian authorities.

Oman experienced a series of relatively peaceful public protests throughout the spring, with demonstrators demanding economic and political reforms. There were lengthy sit-ins in the three largest cities, including some significant acts of civil disobedience. One man died and several were injured when security forces clashed with disorderly protesters in the city of Sohar on February 27. On April 1, another man died under similar circumstances. Security forces arrested and detained hundreds of demonstrators throughout the country for illegal weapons possession, arson, destruction of property, vandalism, and blocking roads. There was one reported incident, which may have been politically motivated, of two human rights activists kidnapped and beaten by unknown persons.

The principal human rights problems were the inability of citizens to change their government, limits on freedom of speech, and societal mores that discriminate against women.

Other ongoing human rights concerns included restrictions on freedoms of press and association, instances of domestic violence, isolated reports that some employers placed expatriate laborers in conditions of forced labor or abuse, and lack of independent inspections of prisons and detention centers.

Security force impunity was not a significant problem in the country. Security personnel and other government officials generally were held accountable for their actions.

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

On April 8, human rights activists Said al Hashmi and Basma al Rajhi reported being abducted from their car by several men, taken to a remote area, and beaten over several hours. Al Hashmi and al Rajhi alleged their kidnappers demanded they stop their political activities, threatening them with further violence if they did not. Both suffered injuries in the attack and were briefly hospitalized. The two reported the incident to the police, who had not identified their attackers.

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

While the law prohibits such practices, Amnesty International published reports of detained protesters beaten in prison.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, although the primary detention center for illegal immigrants was overcrowded. There were on average 750 convicted individuals in jail during the year and another few hundred awaiting trial. There were also several hundred irregular immigrants in detention centers awaiting deportation. Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Authorities allowed prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. The law permitted visits by independent human rights observers, and the National Commission on Human Rights began regularly visiting prisons. The government investigated and monitored prison and detention center conditions, and authorities in some cases investigated claims of abuse, but the results of

investigations were not documented in a publicly accessible manner. There is no ombudsman to serve on behalf of prisoners and detainees. Prisoners had access to potable water. Conditions for female prisoners were not worse than for their male counterparts. Authorities sought to improve prison conditions by building a new primary prison facility to international standards.

In December several prisoners convicted of crimes relating to the protests earlier in the year allegedly began a hunger strike. At year's end, 23 prisoners remained on hunger strike with their condition closely monitored by officials.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The Royal Office, part of the cabinet, controls internal and external security and coordinates all intelligence and security policies. Under the Royal Office, the Internal Security Service investigates all matters related to domestic security, and the Sultan's Special Forces have limited border security and antismuggling responsibilities. The Royal Oman Police (ROP), also part of the cabinet, perform regular police duties, provide security at points of entry, serve as the country's immigration and customs agency, and includes the Coast Guard (ROPCG). The Ministry of Defense, and in particular the Royal Army of Oman (RAO), is responsible for securing the borders and has limited domestic security responsibilities. The security forces performed their duties effectively.

Civilian authorities maintained effective control over the Internal Security Service, the Sultan's Special Forces, the RAO, and the ROP.

Arrest Procedures and Treatment While in Detention

The law does not require police to obtain a warrant before making an arrest but provides that police must either release the person or refer the matter to the public prosecutor. For most crimes, the public prosecutor must formally arrest or release the person within 48 hours of detention. Authorities generally informed detainees promptly of the charges against them. There was a functioning bail system. Detainees generally had prompt access to a lawyer of their choice, and the state provided public attorneys to indigent detainees. Authorities generally allowed

detainees prompt access to family members, but police sometimes failed to notify a detainee's family, or the detainee's sponsor in the case of an expatriate laborer, of the detention.

Pretrial Detention: For crimes related to terrorism or national security, a new law allows the police to hold a detainee for up to 30 days without charge, and this law was utilized several times during the year. Court orders are required to hold suspects in pretrial detention. Judges may order detentions for 14 days to allow investigation and may grant extensions. Authorities respected these rights in practice.

Amnesty: The sultan declared three amnesties for different groups. On February 13 and August 29, he pardoned a total of 195 convicted individuals, both citizens and foreign nationals. On April 20, the sultan pardoned 234 individuals arrested during public protests.

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. While the government generally respected judicial independence, the press questioned government influence in the *Azzaman* newspaper case, in which two of the newspaper's editors and one government employee were convicted of slander for an article that criticized the undersecretary of justice. Principles of Sharia (Islamic law) inform the civil, commercial, and criminal codes. All cases are tried by either civilian or military court.

Trial Procedures

The law provides for the right to a fair trial and stipulates the presumption of innocence. 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. There is no trial by jury.

Defendants have the right to be present, consult with an attorney in a timely manner, present evidence, and confront witnesses. 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 and their lawyers generally had access to

government-held evidence relevant to their cases. Those convicted in any court may appeal a jail sentence longer than three months and fines of more than 480 rials (approximately \$1,250). The judiciary generally enforced these rights for all citizens. In contravention to the law, however, some judges occasionally discriminated against female defendants by requesting that they appear in court with their fathers or husbands. In such cases, women could seek redress for such treatment through the courts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Civil procedure codes govern civil cases. Citizens and nonnationals were able to file cases, including lawsuits seeking damages for human rights violations. The judiciary was generally independent and impartial, and court orders were enforced effectively for all persons. The Administrative Court, under the authority of the diwan of the Royal Court, reviews complaints about 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 Manpower for alternative dispute resolution. The ministry may refer cases to the courts if it is unable to negotiate a solution.

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

The law does not require police to obtain search warrants before entering homes, but they often obtained warrants from the Public Prosecutor's Office. The government monitored private communications, including by cell phone, e-mail, and Internet chat room exchanges.

The Ministry of Interior required citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council (GCC) countries, whom Omanis may marry without restriction; permission was not granted automatically. 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 rights. It also may result in a bar from government employment and a 2,000 rial fine (approximately \$5,200).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The law provides for limited freedom of speech and press. The government generally restricted these rights in practice. Journalists and writers exercised self-censorship.

Freedom of Speech: The law prohibits criticism of the sultan in any form or medium; “material that leads to public discord, violates the security of the state, or abuses a person’s dignity or his rights”; “messages of any form that violate public order and morals or are harmful to a person’s safety”; and “defamation of character.” Courts interpreted these laws to mean it is illegal to insult any public official, and individuals sometimes were prosecuted for doing so.

Freedom of Press: Authorities tolerated limited criticism regarding domestic and foreign affairs in privately owned newspapers and magazines, although editorials generally were consistent with the government’s views. The government and privately owned radio and television stations did not generally broadcast politically controversial material. There was no permanent international media presence in the country.

Censorship or Content Restrictions: All content in both public and private media print outlets was subject to an official, nontransparent review and approval process before publication. Journalists and writers exercised some self-censorship, although during the protests in the early part of the year, this self-restriction decreased noticeably.

Libel Laws/National Security: The government used libel laws and national security concerns as grounds to suppress criticism of government figures and politically objectionable views. Libel was a criminal offense, and laws were strictly enforced with heavy fines and occasional prison sentences imposed by the courts. The government also prohibited publication of any material that “violated the security of the state.” A new law prohibits publication of any government documents without prior government approval. A court sentenced Ibrahim al

Ma'mari, Yusuf al Haj, and Haroon al Muqaibli to five months in prison for crimes relating to accusations against the minister of justice. Al Ma'mari and al Haj accused the minister of corruption in a series of news articles published in *Azzaman* newspaper, which the accused edited. Al Muqaibli was the government employee who leaked the information to the newspaper. The newspaper also was ordered to close for one month. The case was under appeal at year's end, and none of the penalties had been applied.

Publishing Restrictions: The law permits the Ministry of Information to review all media products and books produced within or imported into the country. In the ministry only occasionally prohibited or censored material viewed as politically, culturally, or sexually offensive from domestic and imported publications. There were no major publishing houses in the country, and publication of books remained limited.

Internet Freedom

The law restricts free speech via the Internet, and the government enforced the restrictions. The government's national telecommunications company and two private telecommunications providers made Internet access available for a fee to citizens and foreign residents. Internet access was available via schools, workplaces, wide area networks at coffee shops and other venues, especially in urban areas.

The Telecommunications Regulatory Authority monitored the activities of telecommunications service providers and obliged them to block access to numerous Web sites considered pornographic, culturally or politically sensitive, or competitive with local telecommunications services. The criteria for blocking access to Internet sites were not transparent or consistent, although Web logs were sometimes blocked. The government blocked popular Web forum "Al Hurra" after its moderators refused to supply them with the IP address of a commentator who had written on a "political subject." The Web site was shut down for a month. Authorities also blocked some Web sites used to circumvent censorship, such as virtual private networks.

The government placed warnings on other Web sites informing users that criticism of the sultan or personal criticism of government officials would be censored and could lead to police questioning, effectively increasing self-censorship.

Web site administrators or moderators were cautious concerning content and were reportedly quick to delete potentially offensive material in chat rooms, on social networking fora, and on Web log postings.

Academic Freedom and Cultural Events

The government limited academic freedom, particularly the publication or discussion of controversial matters such as domestic politics, through the threat of dismissal. Academics largely practiced self-censorship.

The government censored publicly shown films, primarily for sexual content and nudity. Organizations appeared to avoid controversial issues due to the belief authorities might not approve such events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for limited freedom of assembly, and the government restricted this right in practice. Government approval was necessary for all public gatherings. Authorities enforced this requirement sporadically.

Dozens of public demonstrations and labor strikes occurred throughout the country during the first half of the year. For example, on February 27, police responded to demonstrators in Sohar who were destroying property and committing arson. Police shot into the crowd with rubber bullets and used tear gas. One man died and several were wounded. On April 1, protester Khalifa al-Alawi was killed in Sohar during a clash with security forces using rubber bullets and tear gas against rock-throwing demonstrators. Following this encounter, the security forces dispersed demonstrators who had established long-term sit-ins, one in Salalah and another in Sohar. Although hundreds of people were initially detained, the sultan pardoned the majority before they were charged. Of the 39 eventually charged and prosecuted, all were accused of engaging in violent behavior or illegal weapons possession, with 23 eventually convicted with terms ranging from a few months to five years in prison.

Freedom of Association

The law provides for freedom of association “for legitimate objectives and in a proper manner.” The Council of Ministers limited freedom of association in

practice by prohibiting associations whose activities were deemed “inimical to the social order” or otherwise not appropriate, and did not license groups regarded as a threat to the predominant social and political views or the interests of the country. Associations also must register with the Ministry of Social Development, which approves all associations’ bylaws. The average time required to register an association was approximately two years, although the process could be as short as two months. Approval time varied based on the level of preparedness of the applying organization and was often longer when a group required significant help from the ministry to formalize its structure. Formal registration of nationality-based associations was limited to one association for each nationality.

No association may receive funding from an international group without government approval. Individuals convicted of doing so for an association may receive up to six months in jail and a fine of 500 rials (approximately \$1,300). Heads of domestic NGOs reported that the government periodically asked to review their financial records to confirm sources of funding and required NGOs to inform the government of any meetings with foreign organizations or diplomatic missions.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country and repatriation, and the government generally respected these rights in practice. The law does not specifically provide for foreign travel or emigration. The Office of the UN High Commissioner for Refugees (UNHCR) did not visit the country during the year, and it did not maintain an office or personnel in the country. Some humanitarian organizations were restricted in their ability to provide refugees with assistance. Specifically, authorities prohibited the UN Children’s Fund (UNICEF) from fulfilling the role of UNHCR in its absence, although other entities were allowed to assist refugees.

In-country Movement: There were no government restrictions on internal travel for any residents or citizens. Foreigners could not change jobs without first obtaining sponsorship from the new employer.

Foreign Travel: In 2010 the government removed the requirement that a married woman obtain her husband's consent before receiving a passport. Foreigners working in the country must obtain an exit visa from their employer prior to leaving the country.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The ROP is responsible for determining refugee status but did not grant asylum or accept refugees for resettlement during the year. The ROP's system for granting refugee status was not transparent, and the law does not specify a time frame in which the ROP must adjudicate an asylum application.

Nonrefoulement: In practice the government did not provide protection against the return of refugees to countries where their lives or freedom would be threatened. Tight control over the entry of foreigners effectively limited access to protection for refugees and asylum seekers. Authorities apprehended and deported hundreds of Somalis, Yemenis, Ethiopians, and Eritreans who sought to enter the country illegally by land and sea in the South, and Afghans and Pakistanis who generally came to the country by boat via Iran in the North. Authorities generally detained these persons in centers in Salalah or the northern port city of Sohar, where they stayed an average of one month before deportation to their countries of origin.

The law provides citizenship at birth if the father is an Omani citizen, if the mother is a citizen and the father is unknown, or if a child of unknown parents is found in the country. 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. During that time he/she cannot reside more than one month of each year outside the country. However, a person seeking naturalization is expected first to give up any previous citizenship.

Women were not allowed to transmit citizenship to their spouses or children.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law does not provide citizens with the right to change their government. The sultan retains ultimate authority on all foreign and domestic issues. With the

exception of the military and other security forces, all citizens 21 years old and older have the right to vote for candidates for the Consultative Council. In October the sultan issued a royal decree granting limited legislative authority to the Oman Council, which must either approve or suggest amendments to new laws. Members of the Consultative Council enjoy freedom of speech in their debates on subjects related to their duties.

Elections and Political Participation

Recent Elections: On October 15, approximately 60 percent of 518,000 registered voters participated in elections for the Consultative Council. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (high school education, no criminal history or mental illness) before allowing candidates' names on the ballot. The Ministry of Interior 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.

Political Parties: The law does not allow political parties to exist.

Participation of Women and Minorities: There were 16 women on the 154-seat Council of Oman with one newly elected female member. There were two appointed female ministers, both of whom served in the 29-member cabinet. Women had difficulties participating equally in political life due to conservative social constraints, especially in rural areas.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year, including in the police and other security organizations.

In September a court convicted and sentenced two mid-level officials at the Ministry of Environment and Climate Affairs to prison for their role in the “stone-crushing” case, in which building permits were granted to personal friends and acquaintances rather than on the basis of governmental regulations to protect the environment. In October the undersecretary for justice was replaced, after the newspaper *Azzaman* accused him of misusing his office to deny a lower ranking official an administrative promotion.

Public officials are not subject to financial disclosure laws.

The law does not provide for public access to government information, although all royal decrees and ministerial decisions were published.

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

No registered or fully autonomous domestic human rights groups existed. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and the disabled. These groups were required to register with the Ministry of Social Development.

UN and Other International Bodies: The government allowed several international organizations to work in the country without interference, including the World Health Organization, and the International Labor Organization.

Government Human Rights Bodies: The National Human Rights Commission (NHRC), 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. During the year, the commission issued its first human rights report, which it submitted to the UN Human Rights Council. It continued investigating 169 human rights complaints it received during the year. The NHRC also began conducting prison visits, and started a community and school outreach program to discuss human rights with students.

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

The law prohibits discrimination against citizens on the basis of gender, ethnic origin, race, language, religion, place of residence, and social class. The government generally enforced prohibitions on most bases of discrimination effectively, but did not do so for discrimination against women.

Women

Rape and Domestic Violence: The law criminalizes rape with penalties of up to 15 years in prison, but it does not criminalize spousal rape. The government generally enforced the law when cases were reported, but cultural and societal influences prevented victims from reporting rape. As a result, there was no reliable estimate

of the extent of the problem. In 2010, the most recent year for which statistics are available, the police charged 227 individuals with rape or attempted rape. Foreign nationals working as domestic employees occasionally reported that their sponsors or employees of labor recruitment agencies had raped them. According to diplomatic observers, police investigations resulted in few rape convictions, and sponsors repatriated most of women who made the allegations. The law does not specifically address domestic violence. Assault, battery, and aggravated assault 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. Due to societal customs, women often sought private family intervention to protect them from violent domestic situations. Authorities generally enforced the law when they were aware such crimes had occurred.

Sexual Harassment: The law does not specifically prohibit sexual harassment. In a 2009 study, 11 percent of women surveyed said they had been sexually harassed.

Harmful Traditional Practices: Although the government prohibits female genital mutilation (FGM) in public hospitals and clinics, there is no law prohibiting private practitioners from performing the procedure. According to press reports, a recent Ministry of Health study on FGM found that men and women across all ages broadly accepted the practice, especially in rural areas, where it was reported to be a common occurrence.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Health clinics were able to operate freely in disseminating information on family planning under the guidance of the Ministry of Health. There are no legal restrictions on the right to access contraceptives. The government provided free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. World Health Organization statistics from 2008 indicated a maternal mortality rate of 20 per 100,000 live births. Men and women received equal access to diagnosis and treatment for sexually transmitted infections, including HIV; however, social taboos prevent individuals from seeking treatment.

Discrimination: Despite legal and some social progress, including the appointment of women as ministers, ambassadors, and senior government officials, some social and legal institutions discriminated against women. The law prohibits gender-based discrimination against citizens. However, some aspects of Islamic law and

tradition as interpreted in the country discriminated against women. In some personal status cases, such as divorce, a women's testimony is equal to half of a man's. The law favors male heirs in adjudicating inheritance. Women married to noncitizens may not transmit citizenship to their children and cannot sponsor their noncitizen husband's presence in the country.

Many women were reluctant to take an inheritance or marriage dispute to court for fear of alienating the family. Illiteracy among women 45 years of age and older hampered their ability to own property, participate in the workforce, or inform themselves about their rights.

Women may own property, but government officials and banks applied different standards to female applicants for housing loans, resulting in fewer approvals for women. The law equalizes the treatment of men and women in receiving free government land for housing.

Government policy provided women with equal opportunities for education. Although educated women held positions of authority in government, business, and the media, women still faced some job discrimination based on cultural norms. The law entitles women to such gender-related protections in the workplace as the right 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 ministry for women's affairs. The ministry provided support for women's economic development through the Oman Women's Associations and local community development centers. The government also formed a committee to monitor the country's compliance with the UN Convention on the Elimination of All Forms of Discrimination against Women.

Children

Birth Registration: Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children, yet there were no reported cases of statelessness. Most births were registered promptly, although authorities granted birth certificates and identification paperwork to children born with nontraditional Omani names only after an unclear and lengthy civil appeals process.

Education: Primary school education for citizen children was free and universal, but not compulsory.

Harmful Traditional Practices: There is no law against female genital mutilation (FGM), although the practice is prohibited in public hospitals and other public health centers. FGM remains widespread, however, and is widely condoned, according to a 2010 Ministry of Health study. In the southern Dhofar region, FGM is performed on newborns and involves a partial or total clitoridectomy (Type I as defined by the World Health Organization). Throughout the rest of the country, FGM usually consists of a minor cut made on the clitoris (Type IV). The practice is usually carried out by persons with no medical training.

Sexual Exploitation of Children: Commercial sexual exploitation of children and child pornography are punishable by no less than five years' imprisonment. All sex outside of marriage was illegal, and there was no minimum age for marriage, but sex with a minor under 15 years of age carried a heavier penalty (up to 15 years' imprisonment), and the minor was not charged. Children under 18 were not widely used for prostitution, and the country was not a destination for child sex tourism.

International Child Abductions: Oman is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's 1 report on country-specific information at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There was no Jewish population, and there were no reports of anti-Semitic acts or public statements by community or national leaders vilifying Jews. Anti-Semitism was present in the media. Anti-Semitic editorial cartoons depicting stereotypical and negative images of Jews, along with Jewish symbols, were published during the year. One overtly anti-Semitic article appeared in privately owned newspaper *Times of Oman*.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities, the same rights as other citizens in employment, education, access to health care, or the provision of other state services. However, persons with disabilities continued to face some discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, were not retrofitted to conform to the law. The law also requires private enterprises employing more than 50 persons to reserve at least 2 percent of positions for persons with disabilities. In practice this regulation was not widely enforced.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. During the year the government partnered with NGOs and the private sector to address the needs of persons with disabilities and combat cultural and societal discrimination against such persons through special seminars and vocational training. The government provided alternative education opportunities for more than 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. In addition, the Ministry of Education in the past partnered with the International Council for Educational Reform and Development to create a curriculum for students with mental disabilities within the standard school system, which was in place throughout the year.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Gay, lesbian, bisexual, and transgender (LGBT) persons faced discrimination under the law and in practice. Social norms also re-enforced discrimination against LGBT persons. The penal code criminalizes consensual same-sex sexual conduct with a jail term of six months to three years. There were no reports of prosecutions for during the year, although nine prosecutions for sodomy occurred in 2009, the most recent year for which statistics are available.

The discussion of sexual orientation and gender identity in any context remained a social taboo, and authorities took steps to block LGBT-related Internet content. There was no official or overt societal discrimination based on sexual orientation or gender identity in employment, housing, or access to education or health care.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS. Foreigners seeking residence in the country are tested for HIV; they are denied a visa if they are HIV positive.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law recognizes workers' right to form unions and one general federation to represent unions in regional and international fora. The law prohibits members of the armed forces, other public security institutions, government employees, and domestic workers from forming or joining unions. At year's end, according to the Ministry of Manpower, there were nearly 150 unions at the enterprise level and one government-funded general federation of unions.

The government restricted union activities. The law permits only one general federation of unions. The law prohibits unions from accepting grants or financial assistance from any source without the ministry's prior approval. Unions must notify the government at least one month in advance of union meetings, although this requirement was not enforced.

Workers have the right to strike, but strikes are subject to certain requirements. The law requires an absolute majority of an enterprise's employees to approve the strike, and notice must be given to employers three weeks in advance of the intended strike date, although the government did not enforce this law in practice. Strikes occurred frequently and were generally resolved quickly, sometimes through government mediation.

The law allows for collective bargaining, and regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours of work. In cases 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 ongoing, the employer may not act on decisions related to issues under discussion. The law prohibits employers from firing or imposing penalties on employees for union activity. Unions are open to all legal workers regardless of nationality.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. There were reports that adult forced labor occurred. Some men and women from South and Southeast Asia, most of whom migrated voluntarily to the country as domestic servants or low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor. Reports included instances of passports being withheld, restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Some employers of domestic workers, contrary to the law, continued to withhold documents releasing the workers from employment contracts or demanded release fees totaling as much as 600 rials (approximately \$1,560) before allowing the workers to change employers.

All foreign workers must be sponsored by an Omani employer. It was sometimes difficult for an employee to change sponsors.

The government's labor inspectors performed random checks of worksites to ensure compliance with all labor laws and had arrest authority for the most egregious violations. The government provided an alternative dispute resolution mechanism through the Ministry of Manpower, 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, he or she could, and often did, resort to the courts for relief.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all child labor. The minimum age for employment is 15 years, or 18 years for certain hazardous occupations. Children between the ages of 15 and 18 may only work 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.

No instances of child labor were reported in the formal sector, where the Ministry of Manpower generally effectively enforced the law. Minor violations resulted in warnings, and employers were given time to correct practices; however, significant violations may result in immediate arrests. In practice, enforcement often did not

extend to small family businesses that employed underage children, particularly in the agricultural and fishing sectors.

d. Acceptable Conditions of Work

The minimum wage for citizens of 200 rials (approximately \$520) per month did not provide a decent standard of living for a worker and family. Approximately 2.5 percent of citizens were unable to work and received government assistance. Minimum wage regulations did 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, some categories of manual laborers, and foreign workers.

The private sector workweek was 45 hours and included a two-day rest period following five consecutive days of work. Government workers had a 35-hour workweek. The law mandates overtime pay for hours in excess of 45 per week. Government regulations regarding hours of employment were not always enforced, especially for foreign workers. Employees who worked extra hours without compensation could file a complaint with the Ministry of Manpower's Directorate of Labor Care.

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 ministry effectively enforced the minimum wage for citizens. There was no minimum wage for noncitizens, although embassies generally would not attest contracts for their nationals if they believed the salary to be below market standards.

There were reports that migrant laborers in some firms and households worked more than 12 hours a day for as little as 30 rials (approximately \$78) per month.

Domestic workers are not covered under the labor law, but separate domestic employment regulations obligate the employer to provide domestic workers with free local medical treatment throughout the contract period. There are no maximum work hour limits, nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. Penalties for

noncompliance with health regulations are small, ranging from approximately 10 to 100 rials (\$26 to \$260), multiplying per occurrence per worker and doubled upon recurrence.

The ministry 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. The ministry was generally effective in cases regarding minor labor disputes; however, it did not refer any egregious violations to the courts during the year.

Employers often cancelled the employment contracts of seriously sick or injured foreign workers, forcing them to return to their countries of origin.

Approximately 180 inspectors from the Department of Health and Safety of the Labor Care Directorate generally enforced the health and safety codes and made regular on-site inspections as required by law to private sector work-sites.