

# OMAN 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy. Sultan Qaboos al-Said has ruled since 1970. The sultan has sole authority to enact laws through royal decree, although ministries or the bicameral Majlis Oman (parliament) draft laws, and citizens provide input through their representatives. The Majlis Oman is composed of the Majlis al-Dawla (State Council), whose 83 members are appointed by the sultan, and the elected 84-member Majlis al-Shura (Consultative Council). The 2012 elections for the newly created “provincial councils” occurred in a transparent manner when citizens elected 192 individuals to seats in 11 provincial councils. The 29-member Council of Ministers (cabinet), selected by the sultan, advises him on government policies. Authorities maintained effective control over the security forces.

The principal human rights problems were the inability of citizens to change their government peacefully; limits on freedom of speech, assembly, and association, including restrictions on citizens and civil society from associating with foreign governments; and societal discrimination against women.

Other concerns included lack of independent inspections of prisons and detention centers, restrictions on press freedom; instances of domestic violence, infringements on independent civil society, and instances of foreign citizen laborers placed in conditions of forced labor or abuse.

Security personnel and other government officials generally were held accountable for their actions. The government conducted extensive action against corruption in the early part of the year, with multiple cases going through the court system.

### **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**

There were no new reports of politically motivated disappearances in the country. In 2013 armed security forces arrested Sultan al-Saadi, a social media activist, and detained him for one month for comments he posted online that were critical of the government.

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

The law prohibits such practices; however, prisoners reported sleep deprivation, extreme temperatures, and solitary confinement. According to Amnesty International, authorities released four men--Ibrahim Abdullah Juma al-Balushi, Nasser al-Ehyai, Said al-Zeidi, and Talal Mohammed al-Ma'amari--without charge on July 12 after they signed a pledge not to "incite sectarianism" or "partake in advocacy work." In May authorities had arrested them and held them in solitary confinement.

#### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards.

Physical Conditions: Prisoners had access to potable water. Conditions for female prisoners were on par with those of their male counterparts. The government reported there were 1,300 male and female prisoners in jail. Male, female, and juvenile prisoners were housed in separate buildings. The primary detention center for illegal immigrants was overcrowded. There were also several hundred undocumented immigrants in detention centers awaiting deportation.

Administration: Recordkeeping on prisoners was adequate. Alternative sentencing for nonviolent prisoners was not available. There is no ombudsman to serve on behalf of prisoners and detainees. Authorities permitted prisoners to practice their religions. Authorities allowed prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhuman conditions.

The National Human Rights Commission (NHRC), a governmental body, investigated and monitored prison and detention center conditions through site visits. NHRC authorities in some cases investigated claims of abuse but did not publish the results of their investigations to protect the privacy of the individuals involved.

Independent Monitoring: The law permitted visits by independent human rights observer groups; however, none existed in the country. Consular officers from various embassies reported regular difficulties in meeting with prisoners. Prisoners and detainees did not always have reasonable access to visitors. There were no reports of independent nongovernmental observers requesting to visit the country. Foreign officials were not allowed to visit inside a prison to verify conditions for more than a decade.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. On July 12, according to media reports, authorities detained bloggers Muawiyah al-Rawahi and Noah al-Saadi for several weeks in July and August. Al-Saadi was held incommunicado, without access to a lawyer or his family. Authorities allegedly detained al-Rawahi for authoring a blog post that criticized the government for detaining several teachers and activists protesting the conviction of one teacher who was accused of participating in an October 2013 strike. According to social media posts, al-Rawahi apparently was held in a psychiatric hospital during part of his confinement. Authorities released al-Saadi on August 7 and al-Rawahi on August 11. No charges were filed in either case. Al-Rawahi continued to publish his blog and wrote about his reported mental health condition and treatment.

On December 29, according to online reports by human rights groups and media, security services summoned and later detained writer and intellectual Ali al-Rawahi regarding social media posts he authored. His posts accused the government of corrupt practices and called for the public to mobilize for change. Al-Rawahi remained in detention at year's end.

On December 10, human rights groups reported that security officials detained Saed Jaddad, a prominent human rights activist, in Salalah and held him without charge. On October 31, online media also reported that Jaddad was not allowed to travel outside the country and that his passport was reportedly confiscated while attempting to travel. As of December 15, Jaddad's status was unknown.

#### **Role of the Police and Security Apparatus**

The Ministry of the Royal Office, part of the cabinet, controls internal and external security and coordinates all intelligence and security policies. Under the Ministry of the Royal Office, the Internal Security Service (ISS) investigates all matters related to domestic security. The Sultan's Special Forces have limited border security and antismuggling responsibilities. The Royal Oman Police (ROP), also part of the cabinet, performs regular police duties, provides security at points of entry, and serves as the country's immigration and customs agency. The Coast Guard is also part of the ROP. The Ministry of Defense, 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 generally maintained effective control over the ISS, 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 prosecution within specified timeframes. For most crimes the public prosecutor must formally arrest or release the person within 48 hours of detention; however, the law permits authorities to hold individuals for up to 30 days without charge in cases related to security, which is broadly defined. The law requires that those arrested be immediately informed of the charges against them. In some cases detainees were not made immediately aware of the charges against them. There was a functioning bail system. Detainees generally had prompt access to a lawyer of their choice, although authorities allowed meetings between some prisoners and their attorneys only in the presence of the public prosecutor. 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. In August, according to press and social media reports, Mohammed al-Fazari was allegedly summoned for questioning, then detained for five days and subsequently released. Media reports indicate he was detained for comments on his blog related to the lack of transparency in disbursement of state resources to members of the royal family. Human Rights Watch and the UN special rapporteur on rights to freedom of peaceful assembly and association highlighted his case. According to online reports from human rights organizations, authorities stopped al-Fazari from leaving the country on December 22.

In 2013 human rights organizations reported that the ISS arrested Khalfan al-Badwawi for comments he posted online criticizing the government. Authorities released al-Badwawi after one week.

Pretrial Detention: For crimes related to terrorism or national security, the law allows police to hold a detainee up to 30 days without charge; authorities used this law at least once during the year. Court orders are required to hold suspects in pretrial detention. Judges may order detentions for 14 days to allow for investigation and may grant extensions at their discretion. In most cases judges permitted defendants to be released on bail while lengthy investigations took place.

Amnesty: The sultan tended to pardon and grant amnesties to prisoners throughout the year, specifically on holidays. As of November 18, the sultan pardoned 160 citizens and 132 foreigners.

#### **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. Authorities generally respected court orders. Principles of sharia (Islamic law) inform the civil, commercial, and criminal codes. The law allows women to serve as judges. Civilian or military courts try all cases.

There were reports that authorities summoned private businesspersons to legal proceedings in front of a judge at the Public Authority for Consumer Protection, without access to a lawyer, and threatened them with criminal prosecution, including incarceration, for raising prices on retail products without permission of the consumer protection authority.

#### **Trial Procedures**

The law provides for the right to a fair trial and stipulates the presumption of innocence. The government did not uniformly provide language interpretation for non-Arabic speakers. 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. While the vast majority of legal proceedings were open to the public, corruption cases, and at least one case concerning a member of the royal family, were sometimes closed. There was no trial by jury.

Defendants have the right to consult with an attorney in a timely manner and to be present, present evidence, and confront witnesses at their trials. 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 have one opportunity to appeal a jail sentence longer than three months and fines of more than 480 rials (\$1,250) to the appellate and supreme courts. The judiciary enforced these rights for all citizens.

#### **Political Prisoners and Detainees**

In March the sultan pardoned 32 individuals who had been convicted of sedition and insulting the sultan. In 2013 the international press reported that 21 individuals accused of insulting the sultan started a hunger strike to protest their detention. The hunger strike concluded in less than a month; the sultan pardoned all those concerned in March.

### **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 filings occurred during the year. The judiciary was generally independent and impartial. Police enforced court orders effectively for all persons. The Administrative 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 cell phone, e-mail, and internet chat room exchanges. The government blocked some voice over internet protocol sites, such as Skype and FaceTime. Authorities blocked the import of certain publications, including but not limited to pornography, into the country. Shipping companies claimed that customs officials confiscated these materials when found.

The Ministry of Interior required citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council countries, whom citizens may marry without restriction; permission was not automatically granted. 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 fine of 2,000 rials (\$5,200).

## **Section 2. Respect for Civil Liberties, Including:**

### a. Freedom of Speech and Press

The law provides for limited freedom of speech and press, but authorities did not respect these rights. Journalists and writers exercised self-censorship. In September the UN special rapporteur on rights to freedom of peaceful assembly described a pervasive climate of fear and intimidation in the country, stating that individuals were “afraid to speak their minds, afraid to speak on the telephone, afraid to meet.”

Freedom of Speech: The law prohibits criticism of the sultan in any form or medium, as well as any “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.” Therefore, it is illegal to insult any public official or private citizen, and authorities sometimes prosecuted individuals for writing about the sultan. In August, according to press and social media reports, authorities detained Mohammed al-Fazari for five days for comments on his blog related to the lack of transparency in disbursement of state resources to members of the royal family; he was subsequently released. His case was highlighted by Human Rights Watch and the UN special rapporteur on rights to freedom of peaceful assembly and association. After his release al-Fazari continued to publish his blog and post on social media.

According to the Gulf Center for Human Rights, in early October the ROP’s Special Division in Salalah requested Omani writer and online activist Saed al-Darodi appear for questioning. The Gulf Centre for Human Rights alleged that al-Darodi went to ROP headquarters in Salalah on October 10 and then disappeared. According to al-Darodi’s social media postings, authorities held him for 25 days and then released him on November 13. Al-Darodi, a writer and poet who published several books, as well as an online activist, a cartoonist, was the founder of the Dhofar Cynical Art Group. Earlier in the month he published on his Facebook page a post entitled: “I am not Omani, I am Dhofari,” referring to his home governorate of Dhofar, which was the base of a separatist insurgency opposing Sultan Qaboos from the early 1960s until it was quelled in 1976. Al-Darodi’s whereabouts were unknown at year’s end.

Press Freedoms: The media did not operate freely. 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 sensitive political material. Authorities

arrested bloggers during the year. The law criminalizes a wide variety of free expression. Reuters maintained a permanent correspondent in the country, representing the only international media presence. Authorities require journalists to obtain a license in order to work; freelance journalists are ineligible for a license.

In 2013 *The Week*, a privately owned English-language weekly, published an article entitled “The Outsiders” about the country’s lesbian, gay, bisexual, and transgender (LGBT) community. The Ministry of Information suspended the newspaper. Authorities charged the author and editor of the newspaper with violating the Press and Publication Laws because of the topic of the article; the executive chairman of the paper was prosecuted.

Violence and Harassment: There were isolated instances where authorities harassed journalists during the year. In 2013 the Front Line Defenders website claimed police arbitrarily arrested Said Jaddad, a blogger, and held him for eight days in solitary confinement on charges including “calling for demonstrations” and “heaping discredit on state officials.” Jaddad alleged that the authorities continued to harass him throughout the year. While his blog remained accessible online, his last post was in May 2013. He posted actively on Facebook during the year and met with the UN special rapporteur on rights to freedom of peaceful assembly and association in September.

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 and 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. Some books were not permitted in the country. There were no major publishing houses in the country, and publication of books remained limited.

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 is a criminal offense, which allows for a heavy fine and prison sentence. The government also prohibited publication of any material that “violated the security of the state.”

## **Internet Freedom**

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

Authorities monitored the activities of telecommunications service providers and obliged them to block access to numerous websites considered pornographic, or culturally or politically sensitive. The criteria for blocking access to internet sites were not transparent or consistent. Authorities sometimes blocked blogs. All video-chat technologies, such as Skype, are illegal and blocked, possibly because they compete with local telecommunications services. Authorities also blocked some websites used to circumvent censorship, such as virtual private networks.

The Law to Counter Information Technology Crimes allows authorities to prosecute individuals for any message sent via any medium that "violates public order and morals." 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 and fines of not less than 1,000 rials (\$2,600). Authorities also applied the law against bloggers and social media users who insult the sultan. In 2013 authorities upheld convictions against at least 20 activists for insulting the sultan. These individuals received prison sentences of six months (18 months when combined with charges of slandering the sultan) and fines of 1,000 rials (\$2,600) but were later pardoned.

The government placed warnings on websites 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.

Website 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 blog postings. Some website administrators posted warnings exhorting users to follow local laws and regulations, likely out of fear that they would be held responsible for hosting illegal speech.

### **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 missions or accepting money for programs or speakers.

The government censored publicly shown films, primarily for sexual content and nudity. The government restricted the ability of bands to perform in public or private venues, with a ban on any band having more than three members. Dancing in restaurants and entertainment venues was also forbidden without a permit.

In 2013 hundreds of men staged an unsanctioned protest outside the Royal Opera House in response to a controversial performance. Authorities jailed 49 protesters after they turned violent and refused to disperse but later released them after they signed pledges agreeing to end protests permanently.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The law provides for limited freedom of assembly, but the government restricted this right. Government approval was necessary for all public gatherings with more than nine persons present, although there was no clear process for obtaining approval for public demonstrations. Authorities enforced this requirement sporadically.

### **Freedom of Association**

The law provides for freedom of association “for legitimate objectives and in a proper manner,” but it does not clearly define “legitimate objective.” Examples of associations include labor unions and social groups for foreign nationalities, such as the Indian Social Group. 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. In August a royal decree promulgating a new nationality law stipulated that citizens joining groups deemed harmful to national interests could be subjected to revocation of citizenship. The UN special rapporteur on the rights to freedom of speech and assembly criticized the broad language of the law during his September visit.

Associations must register with the Ministry of Social Development, which approves all associations’ bylaws and determines whether or not a group serves the interest of the country. The average 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 and the subject matter of the organization, as well its leadership and focus of the organization’s mission. The approval time 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. For example, the Indian Social Group had many different subcommittees based on language and geography.

No association may receive funding from an international group or foreign government without government approval. Individuals convicted of accepting foreign funding for an association may receive up to six months in jail and a fine of 500 rials (\$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 representatives. The Ministry of Foreign Affairs was robust in its enforcement of this law, putting an effective stop to most foreign funding of educational and public diplomacy programs conducted by some foreign missions pending a government-wide review.

### **c. Freedom of Religion**

See the Department of *State's International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://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. The law does not specifically provide for foreign travel or emigration. The Office of the UN High Commissioner for Refugees visited the country, but it did not maintain an office or personnel in the country.

In-country Movement: There were no official government restrictions on internal travel for any citizen. The government must approve official travel by foreign diplomats to the Dhofar and Musandam regions.

Foreign Travel: Foreigners must obtain an exit visa from their employer prior to leaving the country. Exit visas may be denied when there is a dispute over payment or work remaining, leaving the foreign citizen in country without recourse except for local courts. Courts provided recourse to workers being denied exit visas, but the process was opaque and inefficient. One foreign diplomat reported that families of foreign workers needed permission from the sponsored worker to leave the country.

### **Protection of Refugees**

Access to Asylum: The laws provide for the granting of asylum or refuge for displaced persons, and the government has established a system for providing protection. The ROP reportedly granted asylum and accepted displaced persons for resettlement during the year. The ROP's system for granting asylum and resettlement is not transparent, and the law does not specify a time frame in which the ROP must adjudicate an asylum application.

Refoulement: In practical terms 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 presumed economic migrants from Somalia, Yemen, Ethiopia, and Eritrea who sought to enter the country illegally by land and sea in the south. Afghans and Pakistanis generally came to the country by boat via Iran. Authorities generally detained these persons in centers in Salalah or the northern port city of Sohar, where they were held an average of one month before deportation to their countries of origin.

Access to Basic Services: Without an official sponsor, it was difficult for economic migrants to have access to basic services. Many applied to their embassies for repatriation. Some asylum seekers developed strong relationships within their community that informally provided for them while they sought new employment.

Temporary Protection: Embassies and ethnic or language community welfare groups provided temporary protections.

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

The law does not provide citizens with the ability 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 who have reached 21 years of age have the right to vote for candidates for the Consultative Council and the provincial councils.

#### **Elections and Political Participation**

Recent Elections: In 2012 approximately 546,000 citizens participated in the country's first elections for provincial councils. 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 ballot. Authorities disqualified approximately 50 individuals from running for election for unclear reasons, although some individuals claimed it was due to past participation in protest activity. The Ministry of Interior (MOI) 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.

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

Participation of Women and Minorities: During the 2012 elections, voters elected four women as representatives on provincial councils. Forty-eight women ran among an estimated 1,600 candidates for 192 representative spots across 11 provincial councils. The sultan appointed 15 women to the 93-member State Council and two women, the ministers of education and of higher education, to the 29-member Council of Ministers. There were no recognized or self-identified minority communities.

#### **Section 4. Corruption and Lack of Transparency in Government**

Corruption: The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were reports of government corruption during the year, including in police, ministries, and state-owned companies. The head of a prominent state-owned company and other prominent businessmen were detained in 2013 for alleged corruption. In January an Indian national managing director of a construction company was sentenced to 15 years in jail and a fine of 1.8 million rials (\$4.68 million). The director of the government-owned oil company was sentenced to three years in jail and a fine of 600,000 rials (approximately \$1,560,000) for receiving bribes. In a separate case, the CEO of the state-owned oil company, an Omani national, was sentenced to 23 years and a fine of eight million rials (approximately \$21 million), with the added stipulation that he may no longer serve in the government.

Financial Disclosure: In 2012 public officials became 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. It is monitored by the State Audit Authority.

Public Access to Information: The law does not provide for public access to government information, although the government published all royal decrees and ministerial decisions in the official gazette.

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

No registered or fully autonomous domestic human rights organizations 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.

The government did not support international or domestic human rights organizations operating in the country, but it invited the UN special rapporteur on the rights to freedom of peaceful assembly and of association to visit the country. At the end of his September visit, he gave a press conference in which he highlighted “a pervasive culture of silence and fear.” The government did not respond publicly.

Government Human Rights Bodies: The 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. It continued investigating 40 human rights complaints it received during the year. The NHRC also conducted prison visits and continued a community and school outreach program to discuss human rights with students.

In September the UN special rapporteur criticized the NHRC for its limited efforts and capacity to engage on human rights cases.

### **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 selectively enforced prohibitions on most bases of discrimination 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 does not criminalize spousal rape. The government generally enforced the law when individuals reported cases, but there were indications that many victims did not report rape because of cultural and societal factors. In 2012 the most recent year for which statistics were available, police charged 223

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.

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, and reports suggested that police responded promptly and professionally. Domestic violence was more prominently discussed in the media than in past years.

Female Genital Mutilation/Cutting (FGM/C): The law does not explicitly ban female genital mutilation/cutting (FGM/C). The government, however, prohibits FGM/C in hospitals and clinics.

Sexual Harassment: The country does not have a law against sexual harassment. According to a 2010 Freedom House report on women's rights in the Middle East, female employees are discouraged from reporting sexual harassment, not only for fear of losing their jobs but also because social pressures place the responsibility for "proper moral behavior" on them.

Reproductive Rights: The government recognized the basic right of married couples to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so. Health clinics operated freely in disseminating information on family planning under the guidance of the ministry of health. There were no legal restrictions on the right to access contraceptives for unmarried individuals. The government provided free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. Men and women received equal access to diagnosis and treatment for sexually transmitted infections, including HIV/AIDS; however, social taboos prevented individuals from seeking treatment.

Discrimination: The law prohibits gender-based discrimination against citizens. Economic studies conducted by the World Economic Forum from 2012, however, showed that women earned 75 percent less than men and that their unemployment rate was at least twice as high. Aspects of Islamic law and tradition, as interpreted in the country, discriminated against women, as did some social and legal institutions. In some personal status cases, such as divorce, a woman's testimony is equal to half that of a man. The legal provision that allows men to divorce their wives with the signature of two witnesses is not accorded to women. 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. In terms of marriage, a woman's consent is not required to legalize a marriage. Men can marry a second wife without informing their first wife.

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. 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 an applicant cannot reside more than one month of each year outside the country. A person seeking naturalization is expected first to give up any previous citizenship.

Women cannot transmit citizenship to their spouses or children. Observers reported a few isolated cases of children without documentation as the result of a marriage between an Omani woman and a non-Omani man. These children are not eligible for citizenship, and are vulnerable to being stateless. Women may own property, but it was unknown what percentage of women actually owned property. 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, and this policy effectively eliminated the previous gender gap in education attainment. Although some educated women held positions of authority in government, business, and the media, many women faced job discrimination based on cultural norms. The law entitles women to gender-related protections in the workplace, such 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. According to the World Economic Forum, only 27 percent of women participated in the work force. The local business community reported that, since 2013, the Ministry of Manpower had not approved work permits for foreign women regardless of profession or country of origin, while it granted work permits to foreign men applying for comparable positions. Ministry officials said the purpose of the ban on female foreign visas was to "regularize" the labor market, without further explanation.

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, which met in 2013.

## **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 (see section 1.f.).

Education: Primary school education for citizen children was free and universal up to age 16. The Child Law passed in May mandates children attend school through age 10.

Child Abuse: According to a domestic media report in 2012 citing the Ministry of Health, approximately 20 cases of sexual abuse against children are recorded each year. The report also noted that sexual abuse most commonly involved children of both sexes between the ages of six to 12 and was committed by close relatives or friends of the family. There was a heavy social stigma against reporting child abuse. According to the Child Law, any concerned citizen may report child abuse, and each governorate had an interagency committee that would meet to discuss the allegations and possibly take the child out of the parent's custody until the allegations could be investigated.

Early and Forced Marriage: The age of legal marriage for men and women is 18 years, 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.

Female Genital Mutilation/Cutting (FGM/C): The government prohibits female genital mutilation/cutting (FGM/C) in public hospitals and clinics, and officials at the Ministry of Social Development claimed that language in the new Child Law prohibits FGM/C as a harmful traditional practice, although the law does not explicitly describe types of FGM/C practices. No public outreach had been done to educate citizens about the provisions of the new law. According to press reports, a 2010 Ministry of Health study on FGM/C 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. In the southern Dhofar region, FGM/C is reportedly 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/C usually consists of a minor cut made on the clitoris (Type IV). According to local sources, persons with no medical training usually carried out the practice in unhygienic conditions.

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 is illegal, but sex with a minor under 15 years carries a heavier penalty (up to 15 years' imprisonment). Authorities do not charge minors. The country is not a destination for child sex tourism, and child prostitution was rare. 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. There were no cases of international child abduction during the year.

### **Anti-Semitism**

There was no local Jewish population, and there were limited reports of anti-Semitic acts or public statements by community or national leaders vilifying Jews. In 2013 a local, privately owned newspaper, *The Times of Oman*, published an editorial that made mendacious allegations about Jews and denied the Holocaust.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <http://www.state.gov/j/tip/rls/tiprpt>.

### **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, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not 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. Authorities did not widely enforce this regulation.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities. 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. Additionally, the Ministry of Education collaborated 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. There were a number of civil society groups raising awareness of the experiences and needs of those with disabilities.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. In March a royal decree established the Directorate General of Disabled Affairs within the Ministry of Social Development. The directorate was tasked with preparing national plans and programs for disabled persons, and implementation of these programs in coordination with relevant authorities. The directorate was further authorized to supervise all of the ministry's rehabilitation and treatment centers for the disabled.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

LGBT persons faced discrimination under the law and in practice. 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 during the year, although 18 prosecutions for sodomy occurred in 2012, the most recent year for which statistics were available. Social norms reinforced discrimination against LGBT persons.

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. Observers believed that social stigma and intimidation prevented LGBT persons from reporting incidents of violence or abuse. In 2013 *The Week* published an article on the LGBT population that praised the country for its passive tolerance. Authorities prosecuted the newspaper's executive chairman for the LGBT content (see section 2.a.).

Transgender persons are not recognized as a gender class by the government.

Due to social conventions and potential persecution, there were no known LGBT organizations. There were no pride marches or LGBT rights advocacy events. 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 potential discrimination.

### **HIV and AIDS Social Stigma**

Foreigners seeking residence in the country are tested for HIV/AIDS; 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 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. In 2013 a sector union was also established for oil and gas workers. 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 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 issues under discussion. The law prohibits employers from firing or imposing penalties on employees for union activity, although it does not require reinstatement for workers fired for union activity.

Unions are open to all legal workers regardless of nationality. The law prohibits members of the armed forces, other public security institutions, government employees, and domestic workers from forming or joining unions.

The law prohibits unions from accepting grants or financial assistance from any source without the ministry's prior approval. By law unions must notify the government at least one month in advance of union meetings.

The government generally enforced applicable laws effectively and respected the right to collectively bargain and conduct strikes. The government did not enforce the requirements for advance notice of strikes and union meetings. 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, 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 Manpower had sufficient resources to act in dispute resolution, and there were no complaints of lengthy delays or appeals.

Freedom of association in union matters and the right to collective bargaining were respected. Labor unions exercised increasing independence from government, although the government paid the salaries and office expenses of federation leadership.

Strikes occurred occasionally and were generally resolved quickly, sometimes through government mediation.

In 2013 thousands of nonunionized teachers went on strike across the country for approximately three weeks demanding better pay, benefits, and fewer responsibilities outside of classroom instruction. Teachers also called for increased organization, though unions are prohibited in the public sector. In April and May, nurses at several public hospitals across the country went on strike to protest pay packages they claimed were unequal to those of their foreign colleagues. The strike ended without their demands being met, and none of the nurses faced charges. In June citizen workers at a national grocery chain went on strike for higher pay. Citizens in this grocery chain, as in the economy at large, made up a minority of the workforce employed by the grocery chain. Foreign workers made up the majority of the workforce and did not participate in the strike. The citizens' ended the strike after a few days without their demands being met.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forced or compulsory labor, and the government took steps to prevent or eliminate forced labor during the year. All police underwent training in how to identify victims of trafficking in persons to help them identify cases of forced or compulsory labor. There were no reports of police taking actions directly to eliminate forced labor; their focus was on identifying and arresting foreign workers without proper work authorization.

Conditions indicative of forced labor occurred. By law all foreign workers must be sponsored by a citizen employer or accredited diplomatic mission. Some men and women from South and Southeast Asia, employed as domestic workers or low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Sponsorship requirements left workers vulnerable to exploitative conditions, as it was difficult for an employee to change sponsors. For example, 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. In some cases employers demanded exorbitant release fees totaling as

much as 700 rials (\$1,860) before providing a “release letter” to permit the worker to change employers. Without this release letter, foreign workers were 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 release letters, which would result in loss of the foreign labor certificate for that position. The sponsor would then have to endure a vacancy, or hire a citizen.

Also see the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 15 years, or 18 for certain hazardous occupations; however, the government has delayed the publication of a list of prohibited hazardous occupations for several years. Children between the ages of 15 and 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. No specific penalties are proscribed in the law for the unlawful employment of juveniles. The law allows exceptions to the age requirement in agricultural works, fishing, industrial works, handicrafts, and administration jobs, under the condition that it is a one-family business and does not hinder the juvenile’s education or affect health or growth.

The Ministry of Manpower and ROP are responsible for enforcing laws with respect to child labor and had sufficient resources to do so. The law provides for warnings for minor violations and immediate legal action for significant violations. Employers are given time to correct practices that may be deemed child labor.

During the year there were minimal advancements in efforts to eliminate the worst forms of child labor, as the Child Law, passed in May, deems education compulsory through age 10. Although the problem did not appear to be widespread, there were limited reports that some children were engaged in the worst forms of child labor, especially in the agricultural sector.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

### **d. Discrimination with Respect to Employment or Occupation**

Labor laws and regulations do not address discrimination on the basis of race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV positive status or other communicable diseases, or social status. Discrimination

occurred on the basis of sex, gender, sexual orientation, and gender identity. For further discussion of discrimination, see section 6.

#### **e. Acceptable Conditions of Work**

The minimum wage for citizens was 325 rials (\$845) per month. 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. The minimum wage does not apply to noncitizens in any occupation. Most of the citizens who live in poverty, about 8 percent, are engaged in traditional subsistence agriculture, herding, or fishing, and generally do 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.

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

The Ministry of Manpower is responsible for enforcing labor laws, and it employed approximately 160 inspectors. It generally enforced the law effectively with respect to citizens; however, it did not effectively enforce regulations regarding hours of employment and working conditions for foreign workers.

Labor inspectors performed random checks of worksites to verify compliance with all labor laws. Inspectors have arrest authority for the most egregious violations. 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 to private sector worksites as required by law.

The ministry effectively enforced the minimum wage for citizens. In wage cases the Ministry of Manpower 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; however, it did not refer any egregious violations to the courts during the year.

The government made little effort during the year to prevent violations or improve wages and working conditions, 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 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 foreign diplomats reported that sponsors of foreign workers were required to pay health, life, and accident insurance for female, but not male, workers and suggested that men were predominantly working in more dangerous sectors such as construction and agriculture, which incur a higher risk of injury.

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 frequent reports that domestic workers were subject to overwork 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 are small, ranging from approximately 10 to 100 rials (\$26 to \$260), multiplying per occurrence per worker and doubled upon recurrence. Some domestic workers were subjected to abusive conditions.

There was little data available on workplace fatalities or safety.