

# OMAN 2019 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

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

The Royal Office 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. The Royal Oman Police (ROP), including the ROP Coast Guard, is also subordinate to the Royal Office and performs regular police duties. The Royal Office and Royal Diwan--the sultan's personal offices--maintained effective control over the security forces.

Significant human rights issues included: allegations of torture of prisoners and detainees in government custody; restrictions on free expression, the press, and the internet, including censorship, site blocking, and criminal libel; substantial interference with the rights of peaceful assembly and freedom of association; required exit permits for foreign workers; restrictions on political participation; and criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) conduct.

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

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

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

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

### **b. Disappearance**

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

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

The law prohibits such practices. In May Amnesty International reported allegations that authorities physically abused defendants from the Al Shehhi tribe who criticized the government's policies in the Musandam governorate in order to extract confessions, which resulted in life sentences for the six defendants.

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

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

Physical Conditions: In a March report, Amnesty International described the conditions in Samail Central Prison as "poor." According to the report, the prison did not provide appropriate meals or prescribe medications to inmates with diabetes or other illnesses, and it supplied prisoners with one uniform per year.

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

Independent Monitoring: The OHRC reported on human rights conditions to the sultan via the State Council. The OHRC investigated claims of abuse, conducted prison and detention center site visits and published a summary of its activities in an annual report. The law permits visits by international human rights observers, yet no such groups were based in the country, and there were no reports of independent, nongovernmental observers from abroad requesting to visit the

country. The OHRC stated that a regional representative from the Office of the United Nations High Commissioner for Human Rights visited the country during the year. Consular officers from some embassies reported difficulties in meeting with prisoners or delayed notification about detained citizens.

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

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

#### **Arrest Procedures and Treatment of Detainees**

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

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

#### **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. 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 no reports judicial officials, prosecutors, and defense attorneys faced intimidation or engaged in corruption.

### **Trial Procedures**

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

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

### **Political Prisoners and Detainees**

The number of political prisoners was unknown. Amnesty International reported in March that a court sentenced six members of the Al Shehhi tribe to life imprisonment in verdicts issued between August and November 2018 for “infringement of the country’s independence or unity or the sanctity of its territory.” In a subsequent report in May, Amnesty International described one of those convicted as a “prisoner of conscience” and noted that it had not been able to review the full list of charges against the other five individuals involved. According to the report, all six individuals had criticized the government’s policies in the Musandam governorate and claimed that the prosecution had portrayed them as plotters of a secessionist conspiracy. Four of the defendants were Omani

nationals and two were Emirati nationals. Political prisoners were afforded the same rights as other prisoners and could ask to speak with representatives from the Oman Human Rights Commission or the International Committee of the Red Cross.

### **Civil Judicial Procedures and Remedies**

Civil laws govern civil cases. Citizens and foreign residents could file cases, including lawsuits seeking damages for human rights violations, but no known filings occurred during the year. The Administrative Court reviews complaints 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 or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The penal code does not allow public officials to enter a private home without first obtaining a warrant from the public prosecution. The government monitored private communications, including cell phone, email, and internet chat room exchanges. The government blocked most voice over internet protocol sites, such as Skype and FaceTime. Authorities blocked the import of certain publications, for example, pornography and religious texts without the necessary permit. Shipping companies claimed customs officials sometimes confiscated these materials.

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

### **a. Freedom of Expression, Including for the Press**

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

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

In September the ROP arrested an expatriate for posting a video on social media in which he threw his Omani residency card on the ground and allegedly used “abusive language” about the police. In November human rights organizations reported that authorities arrested Musallam Al-Ma’ashani at the Sarfait border crossing upon his return to Oman from Yemen. These groups and social media users claimed authorities arrested Al-Ma’ashani for printing a book documenting tribal activities in Dhofar, which he intended to submit to the Ministry of Information for display at the 2020 Muscat International Book Fair. According to social media posts, authorities released Al-Ma’ashani on November 25 on bail after approximately two weeks in detention.

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

In January human rights observers reported that police briefly detained two journalists from the Hala FM radio station while they covered a protest in Muscat over unemployment. The journalists were reportedly released the same day. Some social media users who photographed and recorded the same protest claimed the ROP forced them to delete their photos and videos.

According to human rights organizations, authorities arrested at least two individuals in February for criticizing on social media the government’s contacts with Israel.

In 2017 the Supreme Court upheld previous court rulings and permanently shut down *al-Zaman*, an independent newspaper. A journalist and an editor of the paper served prison sentences and were released in 2017. A second journalist was convicted and sentenced, but later acquitted. Human rights organizations claimed the closure of *al-Zaman* had a chilling effect upon freedom of expression in the country.

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

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

Censorship or Content Restrictions: Headlines in both public and private media print outlets were subject to an official nontransparent review and approval process before publication. Journalists and writers exercised self-censorship. The law permits the Ministry of Information to review all media products including books produced within or imported into the country. The ministry occasionally prohibited or censored material from domestic and imported publications viewed as politically, culturally, or sexually offensive. The OHRC reported that four publications violated the printing law and were therefore not permitted in the country. There is only one major publishing house in the country, and publication of books remained limited. The government required religious groups to notify the Ministry of Endowments and Religious Affairs before importing any religious materials.

Libel/Slander Laws: Libel is a criminal offense, which allows for up to one year's imprisonment and a fine of up to 1,000 rials (\$2,600).

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

## **Internet Freedom**

The law restricts free speech exercised via the internet, and the government enforces the restrictions. The law 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 a minimum fine of 1,000 rials (\$2,600). Authorities also applied the law against bloggers and social media users who insult the sultan.

The government's national telecommunications company and private service providers make internet access available for a fee to citizens and foreign residents. Internet access is available via schools, workplaces, wireless networks at coffee shops, and other venues, especially in urban areas.

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 neither transparent nor consistent. Authorities sometimes blocked blogs as well as most VoIP technologies, such as Skype.

Website administrators or moderators monitored 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.

### **Academic Freedom and Cultural Events**

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

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

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

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

### **Freedom of Peaceful Assembly**



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

In January human rights observers reported that police in Salalah detained as many as 20 individuals for protesting unemployment. Several social media users who claimed to know some of the protestors asserted that they remained in detention for at least two days.

Private sector employees in the energy and industrial manufacturing sectors threatened strikes in isolated cases; however, company leadership used incentives like promises of job security and other material benefits to persuade organizers to call off strikes (see section 7.a.).

### **Freedom of Association**

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

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

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

The penal code forbids associations from conducting any kind of fundraising without government approval, including for charitable causes. Individuals convicted of accepting unlawful funding for an association may receive up to one year in jail and a fine of 2,000 rials (\$5,200). Foreign diplomatic missions are

required to request meetings with nongovernmental associations through the Ministry of Foreign Affairs by diplomatic note. Associations may not meet with foreign diplomatic missions and foreign organizations without prior approval from the Ministry of Foreign Affairs. The government enforced this law, and all foreign-funded educational and public diplomacy programs required prior government review.

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

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

### **d. Freedom of Movement**

The law provides for freedom of internal movement and repatriation, and the government generally respected these rights. Citizens could generally travel freely outside the country, although that right is not codified. Citizens related to citizens living abroad who criticized the government reportedly were told not to leave the country. Office of the UN High Commissioner for Refugees personnel occasionally visited the country but did not maintain an office or personnel locally.

In-country Movement: There are no official government restrictions on internal travel for any citizen. The government must approve on a case-by-case basis official travel by foreign diplomats to the Dhofar and Musandam regions. There were reports many foreign domestic employees had their passports confiscated by employers, who sponsor the foreign workers, even though the law prohibited this practice. In February an Egyptian foreign worker posted a video online in which she alleged that her sponsor was holding her passport, rendering her unable to travel to Egypt to visit her dying mother.

Employers have a great amount of control over these workers, particularly domestic workers who are not covered by existing labor laws. The country's visa-sponsorship system (*kafala*) ties migrant workers to their employers and prevents them from changing jobs without their sponsor's consent. Migrant workers generally cannot work for a new employer in the country within a two-year period without the permission of their current employer, even if they complete their contract. Employers can have a worker's visa canceled arbitrarily. Workers who leave their jobs without the consent of their employer can be punished with fines, deportation, or reentry bans.

Foreign Travel: Foreign workers must obtain exit permits from their employer to leave the country legally. Exit permits may be denied when there is a dispute over payment or work remaining, leaving the foreign citizen in country with recourse only through local courts. In theory, courts provided recourse to workers denied exit permits, but the process was opaque with domestic workers consistently alleging that existing dispute resolution mechanisms were inadequate to protect them. In the past, travel bans--through confiscation of passports--were imposed on citizens involved in political activism. No new cases were reported during the year.

#### **e. Internally Displaced Persons**

Not applicable.

#### **f. Protection of Refugees**

Abuse of Migrants, Refugees, and Stateless Persons: The country has a large number of female migrant workers from India, Pakistan, Nepal, Bangladesh, Sri Lanka, Tanzania, and the Philippines, many of whom are employed as domestic workers. Nongovernmental organizations based outside the country and embassies of labor-sending countries alleged that domestic workers faced discrimination, to include physical, sexual, and psychological abuse. The country criminalizes slavery and trafficking, but enforcement was weak. Although forced labor is punished under the labor law, domestic workers are excluded from that law's protections. In 2018 courts convicted 15 individuals for human trafficking crimes.

The government generally did not allow refugees to remain in the country. The most recently available UNHCR data from February 2018 indicated that there were 51,000 individuals in the country who had fled conflict, including an estimated 5,000 Yemenis. The status of these individuals was precarious, as Oman does not have a national framework regulating issues related to asylum.

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

Access to Asylum: The laws provide for the granting of asylum or refuge for internally displaced persons, and the government has established a system for

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

Durable Solutions: When third-country nationals presented themselves on the Oman-Yemen border, the government worked with local embassies to facilitate a return to these individuals' home countries. In cases where individuals could not return to their home country, like Syrians, the government would facilitate travel to a third country of their choice.

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

### **g. Stateless Persons**

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

## **Section 3. Freedom to Participate in the Political Process**

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

### **Elections and Political Participation**

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

events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections, but it invited some international journalists to the country to report on election day events.

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

Participation of Women and Minorities: No laws limit participation of women in the political process, and they did participate. During the Majlis al-Shura elections in October, voters elected two women as representatives. The sultan appointed 15 women to the Majlis al-Dawla in November and appointed two new female ministers in October, increasing the number of women who hold the rank of minister from three to five. The government does not recognize a right for minority groups to participate in political life and have roles in government.

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

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

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

In June the public prosecution announced that it had brought to trial a case of alleged embezzlement within the Ministry of Education.

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

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

No independent, officially sanctioned, domestic human rights organizations existed in the country. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and persons with

disabilities. These groups were required to register with the Ministry of Social Development.

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

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

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

### **Women**

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

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

Female Genital Mutilation/Cutting (FGM/C): The law does not explicitly ban FGM/C. There were no reliable statistics on the prevalence of FGM/C. Some reports suggested the procedure was practiced.

The government held outreach events at mosques, hospitals, and schools and aired television programs about the harm “traditional practices” may have on children.

Sexual Harassment: Although there is no law against sexual harassment, it has been effectively prosecuted using statutes prohibiting offensive language and behavior. In September 2018 a man was sentenced to six months in prison and fined 10,000 rials (\$26,000) for “public insults” after a woman accused him of sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

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

The Ministry of Interior requires both male and female citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council countries, whom citizens may marry without restriction; authorities do not automatically grant permission, which is particularly difficult for Omani women to obtain. Citizen marriage to a foreigner abroad without ministry approval may result in denial of entry for the foreign spouse at the border and preclude children from claiming citizenship and residency rights. It also may result in a bar from government employment and a fine of 2,000 rials (\$5,200).

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

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

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

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

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

## **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.).

Child Abuse: The Ministry of Health noted that sexual abuse most commonly involved children of both sexes between the ages of six and 12 and was committed by close relatives or friends of the family. According to the law, any concerned citizen must 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 were investigated. The government operated a child abuse hotline, which reported 721 calls in 2018 (more than double the number received in 2017). The government reported that the main complaint was negligence.

Early and Forced Marriage: The age of legal marriage for men and women is 18, although a judge may permit a person to marry younger when the judge or family



deemed the marriage was in the minor's interest. Child marriage occurred in rural communities as a traditional practice.

Sexual Exploitation of Children: Commercial sexual exploitation of children and child pornography are punishable by no fewer than five years' imprisonment. The penal code increased the punishment for rape of a child younger than 15 to life imprisonment. The minimum age of consensual sex is 18. Marriages performed in the country require both parties to be at least 18, but there were reports of Omani men traveling abroad to marry underage girls. Local authorities sometimes accepted these marriages, and it was unclear if statutory rape would be prosecuted if the parties were married. All sex outside of marriage is illegal, but sex with a minor younger than 15 carries a heavier penalty (up to 15 years' imprisonment). Authorities do not charge minors. There were no known reports of child prostitution; soliciting a child for prostitution is prohibited.

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

### **Anti-Semitism**

There was no indigenous Jewish population. Several Arabic-language Omani newspapers, particularly *Al-Watan*, featured cartoons depicting anti-Semitic imagery when criticizing the Israeli government.

### **Trafficking in Persons**

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

### **Persons with Disabilities**

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

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

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

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

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

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

The 2018 penal code introduced "crossdressing" (defined as males dressing in female clothing) as a criminal act punishable by up to one year's imprisonment and a 300-rial (\$780) fine. In February 2018 two men dressed as women posted a video on Snapchat. In October 2018 the court sentenced each of them to four years' imprisonment and a fine of 3,000 rials (\$7,800), representing maximum penalties for crossdressing and using technology to "prejudice the moral order."

Public discussion of sexual orientation and gender identity remained a social taboo. There were no known LGBTI organizations active in the country; however, regional human rights organizations focused on the human rights of LGBTI citizens. Authorities took steps to block LGBTI-related internet content. There were no Pride marches or LGBTI human 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 discrimination.

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

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

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides that workers can form and join unions, as well as conduct legal strikes and bargain collectively, but with significant restrictions. The law provides for one general federation, to which all unions must affiliate, and which represents unions in regional and international fora. The law requires a minimum of 25 workers to form a union, regardless of company size. The law requires an absolute majority of an enterprise's employees to approve a strike, and notice must be given to employers three weeks in advance of the intended strike date. The law allows for collective bargaining; regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours of work. Where there is no trade union, collective bargaining may take place between the employer and five representatives selected by workers. The employer may not reject any of the representatives selected. While negotiation is underway, the employer may not act on decisions related to problems under discussion. The law prohibits employers from firing or imposing other penalties on employees for union activity, although it does not require reinstatement for workers fired for union activity.

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

Government-approved unions are open to all legal workers regardless of nationality, though the law prohibits members of the armed forces, other public security institutions, government employees, domestic workers, as well as individuals convicted of criminal activity or acts against the security of the country

or national unity from forming or joining such unions. In addition, labor laws apply only to workers who perform work under a formal employment agreement and excludes domestic workers.

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

The government generally enforced applicable laws effectively and respected the rights to collectively bargain and conduct strikes, although strikes in the oil and gas industries are forbidden. The GFW reported in a survey conducted by the International Trade Union Confederation that employers bypassed collective bargaining and retaliated against workers who participated in strikes. 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. Union leaders reported intimidation by companies for their activities and complained they were passed over for promotion.

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

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

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

Conditions indicative of forced labor were present. By law all foreign workers, who constituted approximately one-half of the workforce and the majority of workers in some sectors, 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 as low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, usurious recruitment fees, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. These situations were generally considered civil or contract matters by authorities, who encouraged dispute resolution rather than criminal action. Authorities continued to rely on victims to identify themselves and report abuses proactively, rather than proactively investigating trafficking in vulnerable communities.

Sponsorship requirements left workers vulnerable to exploitative and abusive conditions and made it difficult for them to change employers (see section 2.d.). Some sponsors allow their employees to work for other employers, sometimes in return for a fee. This practice is illegal, but enforcement was weak, and such arrangements left workers vulnerable. The government clarified that sponsors of domestic workers are not allowed to send their workers to another home to work, but the regulation was weakly enforced. Some employers of domestic workers, contrary to law, withheld passports and other documents, complicating workers' release from unfavorable contracts and preventing workers' departure after their work contracts expired. In some cases, employers demanded exorbitant release fees totaling as much as four months' salary before providing a "no-objection certificate" (NOC) to permit the worker to change employers. Without this NOC, foreign workers are required to either depart the country for a minimum of two years or remain in their current position. There were reports that sponsors were reluctant to provide NOCs, which would result in loss of the foreign labor certificate for that position.

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

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

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

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

In 2018 the country made a moderate advance in eliminating the worst forms of child labor, which did not appear to be a widespread problem. The government does not publish information on the enforcement of child labor laws and lacks a reciprocal mechanism between the labor inspectorate and social services.

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

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

Labor laws and regulations do not address discrimination based on race, sex, gender, nationality, political views, disability, language, sexual orientation or gender identity, HIV-positive status or having other communicable diseases, or social status. Discrimination occurred based on gender, sexual orientation, nationality, disability and gender identity. Foreign workers were required to take HIV/AIDS tests and could only obtain or renew work visas if the results were negative.

Although some educated women held positions of authority in government, business, and media, many women faced job discrimination based on cultural norms. The law entitles women to paid maternity leave and equal pay for equal work. The government, the largest employer of women, observed such regulations, as did many private sector employers.

The law provides persons with disabilities the same rights as other citizens in employment, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to 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 systematically enforce this regulation.

For further discussion of discrimination, see section 6.

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

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

The government sets occupational health and safety standards. The law states an employee may leave dangerous work conditions without jeopardy to continued employment if the employer was aware of the danger and did not implement corrective measures. Employees covered under the labor law may receive compensation for job-related injury or illness through employer-provided medical insurance.

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 in 2018 it employed inspectors in Muscat and around the country. It generally enforced the law effectively with respect to citizens; however, it did not always effectively enforce 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 from the Department of Health and Safety of the Labor Care Directorate are responsible for enforcement of health and safety codes. Limited inspections of private sector worksites are required by law to deter or redress unsafe working conditions in the most dangerous sectors.

The Ministry of Manpower effectively enforced the minimum wage for citizens. No minimum wage existed for noncitizens. 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.

The government increased efforts during 2018 to prevent trafficking in persons violations, which disproportionately affected foreign workers.

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

There are no maximum work-hour limits for domestic workers nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. There were some reports that domestic workers were 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 were insufficient to deter violations. Some domestic workers were subjected to abusive conditions.

There was no data available on workplace fatalities or safety.