

# OMAN 2022 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy ruled since January 2020 by Sultan Haitham bin Tarik Al Said. The sultan has absolute authority to enact laws through royal decree while ministries have broad authority to issue administrative rules and regulations. The bicameral Majlis Oman (parliament) can draft advisory laws on nonsecurity-related matters. The Majlis Oman is composed of the Majlis al-Dawla (upper house or State Council), whose 85 members are appointed by the sultan, and the elected 86-member Majlis al-Shura (lower house or Consultative Council). In the last elections in 2019, nearly 350,000 citizens participated in the Majlis al-Shura elections for the Consultative Council; there were no significant claims of improper government interference.

The Royal Office, Royal Oman Police, Internal Security Service, and Ministry of Defense comprise the security apparatus. The Royal Office is responsible for matters of foreign intelligence and security. The Royal Oman Police, which includes Civil Defense, Immigration, Customs, and the Coast Guard, performs regular police duties as well as many administrative functions like a Ministry of Interior in other countries. An inspector general serves as the head of the Royal Oman Police, which is a ministerial-level position that reports directly to the sultan. An official with ministerial-level rank heads the Internal Security Service, which investigates matters related to domestic security. Sultan Haitham's brother – Shihab bin Tarik Al Said – serves as deputy prime minister for defense affairs, although the sultan remains the supreme commander of the armed forces. The sultan, as well as the senior civilian and military authorities who reported to him, maintained effective control over the security forces.

Significant human rights issues included credible reports of: arbitrary arrest or detention; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media, including censorship and criminal libel and blasphemy laws; serious restrictions on internet freedom; substantial interference with the rights of peaceful assembly and freedom of association; serious restrictions on political participation; laws criminalizing consensual same-sex

sexual conduct that were not widely enforced; and labor exploitation of foreign migrants.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses or engage in corruption, and authorities generally held security personnel and other government officials accountable for their actions.

## **Section 1. Respect for the Integrity of the Person**

### **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 reports of disappearances by government authorities during the year.

The Beirut-based Gulf Centre for Human Rights (GCHR) reported that on August 27, authorities detained businessman and internet activist Hani al-Sarhani and his two colleagues Mahmoud al-Ghabshi and Saud al-Kathiri over a sit-in to protest economic conditions, government inefficiency, and corruption. On August 27, they were taken to an unknown location after the Internal Security Service issued an arrest warrant for the three men after the video of their sit-in was widely viewed on social media. Sarhani was released pending trial on October 20. There have been no updates on his case since October 20. The status of al-Ghabshi and al-Kathiri's cases is unknown.

The Geneva-based MENA Rights Group documented the case of a missing Sri Lankan migrant worker – Jeya Vijayakumar – whose employment agency claims she was last seen in police custody in the country after fleeing an allegedly abusive work environment in 2020. Vijayakumar's location remained unknown at year's end.

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

## **Punishment, and Other Related Abuses**

The law prohibits such practices and during the year there were no reports that government officials employed them.

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

There were no reports regarding prison or detention center conditions that raised human rights concerns.

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

**Independent Monitoring:** The law permits visits by international human rights observers. The head of UNHCHR MENA visited the Sumail Central Prison in September, local media reported. 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. Consular officers from some diplomatic missions reported difficulties in meeting with prisoners or delayed notification regarding detained citizens.

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

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements, but there were reports the government arbitrarily arrested peaceful activists whose public criticism of the government violated the law. There were reports that those arrested were not always able to access legal representation in a timely manner.

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

The law does not allow police to arrest or detain a person “without an order to this effect from a concerned legal authority” unless the person is caught in the act. 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. A prosecutor may request extensions – 15 days in special circumstances, but the request cannot exceed 60 days. The law requires those arrested be informed immediately of the charges against them. The government generally observed these requirements unless charges were related to peaceful activism challenging the government’s authority, in which case the government prevented activists from promptly accessing legal representatives. There was a functioning bail system. Detainees generally had prompt access to a lawyer of their choice although there are reports individuals detained for political reasons were not always given prompt access to a lawyer. The state usually provided public attorneys to indigent detainees, as required by law. In cases involving foreign citizens, police sometimes failed to notify the detainee’s local sponsor or the citizen’s embassy.

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

The GCHR reported that environmental activist Ahmed Issa Qatan was arrested by the Internal Security Services on August 4 after publishing a tweet asking the government for reforms superimposed over a photo of the sultan. Following a hunger strike that started shortly after he was detained, Qatan was released on bail on August 16. His case remained in process at year’s end.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, and the government generally respected judicial independence and impartiality. 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. On June 16, the sultan issued a royal decree appointing a secretary general to oversee the Judicial Council. The country has civil courts, although principles of sharia (Islamic law) inform the civil, commercial, and criminal codes. There is no article in the law that prohibits or allows women to serve as judges, but no women are known to have served. 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 and public trial, and the judiciary generally enforced this right. Citizens and legally resident noncitizens are entitled to a presumption of innocence. The law provides defendants the right to be informed promptly of charges. Defendants also have the right to a public trial, except when the court decides to hold a session in private in the interest of public order or morals. There were no known reports of such cases during the reporting period. The government reserved the right to close sensitive cases to the public. Defendants have the right to consult with an attorney; however, there were reports that some activists were denied prompt access to legal representation. There is no provision for adequate time for defense attorneys to prepare, but in practice most court dates provide ample time. The law states that an interpreter shall assist litigants and witnesses who do not know Arabic to submit their statements, but there is no provision for free interpretation. The government did not uniformly provide language interpretation or document translation for non-Arabic speakers.

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. 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 citizens, except in some cases involving activists; 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. Political prisoners are not denied any prisoner rights under the law, and they may ask to speak with representatives from the OHRC or the International Committee of the Red Cross. Freedom House reported that “ordinary” detainees are generally provided with access to legal representation but that security forces do not always adhere to rules on arrest and pretrial detention, especially in vaguely defined “security cases.” Several human rights organizations expressed concerns that some activists may have been denied prompt access to legal representation.

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

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

The Administrative Court reviews complaints regarding the misuse of governmental authority. It has the power to reverse decisions by government bodies and to award compensation. Appointments to this court are subject to the approval of the Supreme Judicial Council. The court’s president and deputy president are appointed by royal decree based on the council’s nomination. Citizens and foreign workers may file complaints regarding working conditions with the Ministry of Labor for alternative dispute resolution. The ministry may refer cases to the courts if it is unable to negotiate a solution. An October 20 royal decree amended the law to require cabinet approval for lawsuits against government ministers.

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

The law does not allow public officials to enter a private home without first obtaining a warrant from the public prosecution, and there were no reports that the government failed to respect these prohibitions. The government monitored private communications, including cell phone, email, and social media exchanges.

The government blocked most voice over internet protocol (VoIP) sites.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The law provides for limited freedom of expression for citizens and members of the press and other media, including citizen journalists, but authorities did not always respect even these limited rights. Journalists, high-profile figures, and writers reportedly 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.” An October 20 royal decree extended the law against insulting the sultan to include insults against his wife and children, with a punishment of three to seven years in prison. It is illegal to insult a public official or private citizen. Authorities prosecuted individuals for writing about the sultan in a way the government perceived to be negative. The law prohibits statements hostile to Islam or denigrating Islamic values, and authorities prosecuted individuals for comments insulting religion. International human rights organizations expressed concern that the penal code contains vaguely defined articles that the security services could use to target activists and further restrict freedom of expression, including online although there were no reports of such cases during the year.

On March 15, journalist and human rights defender Moukhtar al-Hinai was arrested and placed under a travel ban after tweeting about a corruption case involving government officials on March 9. According to MENA Rights Group, he was charged under article 249 of the Omani Penal Code, which criminalizes disclosing information about cases the court had prohibited from publication. He was acquitted of all charges on July 17. Al-Hinai was previously arrested on multiple occasions due to his participation in protests in 2011.

In April Freedom House reported that Muslim al-Badi began serving his sentence

after an appeals court upheld his conviction of insulting Sultan Qaboos before his death in 2020.

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

In January the Committee to Protect Journalists reported that on December 1, 2021, government authorities suspended radio journalist Kholoud al-Alawi from broadcasting on Hala FM. Alawi had previously interviewed Shura Council member Mohammad al-Zadjali on her program *All Questions*, during which he made comments perceived as critical of the council and the Ministry of Information. On January 2, the radio show had begun readvertising her radio program on social media, including tagging Alawi in the posts. Her radio show resumed on January 10. There have been no further reports of interruptions.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Media did not operate freely. Authorities tolerated very limited criticism in privately owned newspapers and magazines, and 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 broadcast content criticizing the government. Authorities required journalists to obtain a license to work; freelance journalists and citizen journalists were ineligible for a license and were not recognized as journalists under the law.

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



Authorities blocked the import without the necessary permit of certain publications, for example, religious texts. Importing pornography also was blocked. Shipping companies claimed customs officials sometimes confiscated these materials. The Oman Consumer Protection Agency confiscated school supplies deemed a threat to public “morals.”

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

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

### **Internet Freedom**

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

The Telecommunications Regulatory Authority (TRA) continued to block domestic access to the drop-in audio chat platform Clubhouse, according to social media and local press outlets that confirmed the block with TRA. Some social media users, media outlets, and human rights observers described the block as censorship and inconsistent with the principle of freedom of expression.

On June 7, the Sohar Court of Appeal acquitted internet activist Ghaith al-Shibli, but moved internet activist Abdullah Hassan Jaber al-Muqbali’s case to a misdemeanor court, and sentenced Maryam al-Nuami to three years and Ali al-Ghafri to five years in prison, respectively, for denigrating Islamic values in online comments and private messages. All four were arrested by security forces in 2021 after publishing social media content deemed offensive by government authorities.

Authorities monitored the activities of telecommunications service providers and obliged them to block access to numerous websites considered pornographic, or culturally or politically sensitive. Authorities sometimes blocked blogs as well as most VoIP technologies.

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

### **Restrictions on Academic Freedom and Cultural Events**

The government restricted academic freedom and cultural events. Academics largely practiced self-censorship. Colleges and universities were required to receive permission from the Foreign Ministry 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. Gatherings of 10 or more persons in a public place were unlawful if they “endangered the public security or order” or “influenced the function of authorities.”

According to the GCHR, on August 27, internet activists Hani al-Sarhani, Mahmoud al-Ghabshi, and Saud al-Kathiri were arrested and taken to an unknown location after staging a sit-in to protest economic conditions, government inefficiency, and corruption (see section 1.b.).

## **Freedom of Association**

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

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

Associations must register with their corresponding ministries, which must approve all associations’ bylaws and have the power to 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 law forbids associations from conducting any kind of fundraising without government approval, including for charitable causes. Individuals convicted of accepting unlawful funding for an association may receive up to one year in jail. Foreign diplomatic missions are required to request meetings with nongovernmental associations through the Foreign Ministry by diplomatic note. Associations may not meet with foreign diplomatic missions and foreign organizations without prior approval from the Foreign Ministry. 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 and the Right to Leave the Country**

The law provides for freedom of internal movement and repatriation, and the government generally respected these rights. Citizens could generally travel freely outside the country, although this right is not codified. Freedom House reported that foreign workers cannot leave the country without permission from their employer and risk deportation if they change employers without documentation releasing them from their previous contract, during the time of their initial contract that is typically two years.

**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.

**Foreign Travel:** Citizens had the right to leave the country without arbitrary restrictions; however, there were reports that some employers confiscated the passports of foreign domestic workers even though the law prohibits this practice. Some workers were subject to charges filed by their employers including “absconding” charges, preventing them from leaving the country freely.

#### **e. Protection of Refugees**

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

**Access to Asylum:** The law provides for the granting of asylum or refuge for displaced persons, and the government has established a system for providing protection. The Royal Oman Police (ROP) system for granting asylum and resettlement was not transparent, and the law does not specify a timeframe in which the ROP must adjudicate an asylum application. It was an official policy not to recognize refugees from conflict zones such as Yemen, although Yemenis travel to Oman regularly, and the government provided temporary admissions to certain Yemeni citizens seeking medical care. In practice there were no

substantive legal protections for asylum seekers in the country.

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

**Abuse of Migrants and Refugees:** The country has many female migrant workers from Bangladesh, Ethiopia, India, Liberia, Malawi, Nepal, Nigeria, Pakistan, the Philippines, Sri Lanka, Tanzania, Uganda, and Zimbabwe employed as domestic workers. Nongovernmental organizations based outside the country, international media reports, and embassies of labor-sending countries alleged that domestic workers faced maltreatment, including physical, sexual, and psychological abuse. The law criminalizes slavery and trafficking, and the government has made efforts to combat trafficking. Labor violations are punishable under the labor law. Domestic workers are excluded, however, from the labor law's protections and instead are covered by a 2004 Ministerial Decision, which does not provide effective rights protections or adequate complaint mechanisms for this population. In 2021 courts convicted seven individuals for human trafficking crimes.

**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 temporary resident status in Oman during the treatment period on an ad hoc basis.

## **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **g. Stateless Persons**

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

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

The law does not provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. The sultan retains ultimate authority on all foreign and domestic matters. Except for 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 municipal councils.

### **Elections and Political Participation**

**Recent Elections:** In 2019 nearly 350,000 citizens participated in the Majlis al-Shura elections for the Consultative Council, or lower house of parliament. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (at least a high school education and no criminal history or mental illness) before they allowed candidates' names on the ballot. The Ministry of Interior administered and closely monitored campaign materials and events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections, but it invited some international journalists to the country to report on election day events. The OHRC stated it was a member of the Main Elections Committee and a key partner in overseeing the electoral process.

Due to the COVID-19 pandemic, in May 2020 the sultan postponed the quadrennial municipal council elections, last held in 2016. The government did not set a date when these elections would take place but announced in September a preliminary list of 760 candidates.

**Political Parties and Political Participation:** The law does not allow political parties. The law also allows the revocation of citizenship for anyone who joins an organization, including political parties, deemed harmful to national interests.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women or members of minority groups in the political process, and they did participate. During the Majlis al-Shura elections in 2019, voters elected

two women as representatives. The sultan appointed 15 women to the Majlis al-Dawla in 2019. Three women serve as ministers, three as undersecretaries, and one as chair of the Small and Medium Enterprise Authority. The list of 760 preliminary candidates for municipal council elections announced in September included only 29 women.

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

The law provides criminal penalties for official corruption, and the government generally implemented these laws. The Financial and Administrative State Audit Institution submitted an annual report to the sultan and the Majlis Oman. The Majlis al-Shura had the authority to summon and question ministers. Government officials were required to declare their assets and sources of wealth.

**Corruption:** There were reports of government corruption, including in the police, ministries, and state-owned companies. In March a journalist reported eight government officials had been found guilty of embezzlement and falsifying government records, although the Ministry of Information barred local media from reporting on the cases (see section 2.a., Freedom of Expression).

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

No independent, officially sanctioned 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.

**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. In June the sultan expanded the OHRC's independence by royal decree by expanding the committee to 14 members, designating officers by vote of the members rather than appointment by the state, and limiting voting to members not directly employed by the government.

## **Section 6. Discrimination and Societal Abuses**

### **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.” According to diplomatic observers, police investigations resulted in few rape convictions. Some foreign nationals working as domestic employees reported their sponsors had sexually assaulted them. There were no known prosecutions against sponsors who allegedly sexually assaulted a domestic employee.

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 carries 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 police responded promptly and professionally. The government continued to operate a hotline for reporting incidents of domestic violence and a shelter for victims.

**Female Genital Mutilation/Cutting (FGM/C):** The law prohibits health practitioners from conducting “traditional practices,” including FGM/C, that are harmful to a child's health. The 2019 Executive Regulations for the Child Law include “disfiguring female genital organs” as one of these harmful practices. There are no national statistics on the prevalence of FGM/C, although anecdotal reports indicated some continuing practice of FGM/C.

**Sexual Harassment:** Harassing a woman by word or conduct is punishable by imprisonment up to a year.



**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Only married couples have access to family planning and information, free from discrimination, coercion, or violence. Health clinics disseminated information on family planning under the guidance of the Ministry of Health. Some forms of birth control, including condoms, were available at pharmacies and supermarkets, although medically prescribed contraceptives were generally not available for unmarried women. Menstrual health care was available for citizens and menstrual care products were readily available in pharmacies and grocery stores. The government provided free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. Abortion is illegal unless the mother's life is in danger. While survivors of sexual violence could seek medical treatment at public health-care facilities, the government did not provide emergency contraception or dedicated sexual and reproductive health services to survivors.

**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 women to obtain. Citizen marriage to a foreigner abroad without ministry approval may result in denial of entry for the foreign spouse at the border and preclude children from claiming citizenship and residency rights. It also may result in a bar from government employment.

Despite legal protections for women from forced marriage, deeply embedded tribal practices ultimately control most women's 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 (who are thereby at risk of statelessness) and cannot sponsor their noncitizen husband's or children's presence in the country.

The law provides that any adult, male or female, may become a citizen by applying for citizenship and subsequently residing legally in the country for 20 years, or 15 and 10 years for foreign husbands and wives of citizens, respectively, if they have a son. The approval or rejection of the citizenship application is subject to the Ministry of Interior's final decision.

Government policy provided women with equal opportunities for education, and this policy effectively eliminated the gender gap in educational attainment. Although some educated women held positions of authority in government, business, and media, many women faced job discrimination. 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 concerns. The ministry provided support for women's economic development through the Oman Women's Association and local community development centers.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law states that all citizens are equal and prohibits discrimination based on race, ethnic origin, language, religion, sect, domicile, or social status. The law equally protects citizens of the country and foreigners present in the country.

The country is an ethnically diverse society. There were no reports of racial or ethnic violence. The government's "Omanization" policy favors Omani citizens over foreigners for employment in some sectors of the economy, and some expatriate workers reported that Omanis were favored in the workplace. The government expanded "Omanization" in July by announcing a decision to ban non-Omanis from over 200 job categories.

## **Children**

**Birth Registration:** Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children. Children of unknown parents are automatically eligible for citizenship. Citizen marriage to a foreigner abroad without ministry approval may preclude children from claiming citizenship rights.

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

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

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

**Institutionalized Children:** Government employees raised abandoned children in orphanages. Such children received free education through the university level and a job following graduation.

## **Antisemitism**

There was no remaining indigenous Jewish population in the country. There were no known reports of antisemitic acts during the year.

## Trafficking in Persons

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

### Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law criminalizes consensual same-sex sexual conduct and consensual heterosexual sex outside of marriage with a jail term of six months to three years, but it requires a spouse or guardian complaint to initiate prosecution, independent of gender. The government did not actively enforce this provision, and there were no public records of prosecutions.

The law identifies “crossdressing” (defined as males dressing in female clothing) as a criminal act punishable by up to one year’s imprisonment, a fine, or both. This law has occasionally been enforced.

**Violence against LGBTQI+ Persons:** There were no known reports that police or other government agents incited, perpetrated, condoned, or tolerated violence against lesbian, gay, bisexual, transexual, queer, and intersex (LGBTQI+) individuals or those reporting such abuse. Information was not available on instances of nonstate actor violence targeting LGBTQI+ persons.

**Discrimination:** 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 against LGBTQI+ persons.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There were no reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

Public discussion of sexual orientation and gender identity remained a social taboo. There were no known LGBTQI+ organizations active in the country, although regional human rights organizations focused on the human rights of LGBTQI+ citizens. Authorities took steps to block LGBTQI+-related internet content as well as international films that featured LGBTQI+ characters. The Consumer Protection Agency confiscated school supplies and toys with rainbow colors, citing a threat to public morals.

### **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. The law also mandates access to public transportation and buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law.

The government provided alternative education opportunities for citizen children with disabilities, including overseas schooling when appropriate. In practice this means that most children with disabilities are placed in specialized schools, but there is a program to integrate some children with disabilities into regular schools. These services accommodated students with motor, sight, hearing, and mental disabilities. Additionally, the Ministry of Education supported schools and education programs for students with intellectual disabilities. The Ministry of Education operated a program to integrate students with disabilities in 221 schools, according to UNESCO. The ministers of education and of health supervised a prioritized strategy for various ministries to tackle child autism including early diagnosis and intervention. The Ministry of Education also coordinated with UNICEF to improve its alternative education systems.

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

## **Other Societal Violence or Discrimination**

Health-care facilities are required by law to report the results of HIV tests to the government. Citizens with HIV or AIDS are provided with medical care. While they do not face official repercussions, they may face social stigma due to their medical status if it becomes public. Foreigners seeking residency in the country are tested for HIV and AIDS. If foreigners test positive, residency permission is denied, and foreigners must leave the country, but there were no known occurrences of this during the year.

## **Section 7. Worker Rights**

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

The law provides for the right of workers to form and join unions, as well as conduct legal strikes and bargain collectively, but with significant restrictions. The law provides for one general federation, the General Federation of Oman Workers (GFW), 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. Strikes are not permitted in the gas and oil industries. 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.

No independent organized labor unions existed. Worker rights continued to be administered and directed by the GFW.

The GFW responded to reports of labor rights violations, for example, calling for

investigations after worker deaths in the mining sector in March and advocating for increased safety enforcement.

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

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

The government generally enforced applicable laws effectively and respected the rights to collectively bargain. Penalties were commensurate with those for other laws involving civil rights. The government provided an alternative dispute resolution mechanism through the Ministry of Labor, which acted as mediator between the employer and employee for minor disputes such as disagreement over wages. If not resolved to the employee's satisfaction, the employee could, and often did, resort to the courts for relief. The country lacked dedicated labor courts, and observers noted the mandatory grievance procedures were confusing to many workers, especially foreign workers. The Ministry of Labor had sufficient resources to act in dispute resolution.

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

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

The law prohibits all forced or compulsory labor but explicitly excludes domestic workers. By law all expatriate workers, who constituted approximately 80 percent of the workforce, must be sponsored by a citizen employer or accredited

diplomatic mission. Some migrant workers employed as domestic workers or as low-skilled workers in the construction, agriculture, and service sectors faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, usurious recruitment fees, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. These situations were generally considered civil or contract matters by authorities, who encouraged dispute resolution rather than criminal action. Authorities generally relied on victims to identify themselves and report abuses, rather than proactively investigating trafficking among vulnerable populations. The 2020 government-created screening questionnaire remained in use by officials to identify potential trafficking victims among those arrested for alleged labor violations and fleeing their employer. Police officials underwent training on how to identify victims of trafficking and cases of forced or compulsory labor. This includes technical training on the legal process for trafficking cases as well as cooperation with local businesses and workers unions. The government directly facilitated and funded trainings for officials from the Ministry of Foreign Affairs, the ROP, and Ministry of Labor on topics including the antitrafficking law and recognizing indicators of the crime. In partnership with the national workers' union, the GFOW, the government conducted an antitrafficking training related to trade unions' responsibility to combat the crime. The government noted the number of participants in overall trainings increased after pandemic-related travel restrictions and social distancing measures were lifted in May.

Employer-based visa sponsorship known as *kafala* left foreign workers vulnerable to exploitative and abusive conditions and made it difficult for them to change employers. 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 diminished workers' agency and increased their vulnerability. Some employers of domestic workers, contrary to law, withheld passports and other documents, complicating workers' release from unfavorable contracts and preventing their departure after their work contracts expired. The ROP issued a decision in 2020 that all expatriates will no longer require a "no objection certificate" (NOC) from their employers to secure new work upon completion or termination of their employment contracts, which went into effect in January 2021. Workers who fled allegedly abusive employers could not utilize the



reform if their contract had not expired or been terminated. Additionally, the Ministry of Labor General Directorate of Labor had to approve the contract with the new employer, at times delaying transfer. Anecdotal reporting suggested low awareness of this reform from migrant workers because many workers attempted to change employers prior to the completion or termination of their employment contract; in those instances, employers could prohibit employees from leaving until their contract ended. Before the ROP removed the NOC requirement, some employers exploited it to demand exorbitant release fees before permitting workers to change employers. 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**

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. The government's laws did not include penalties that were commensurate with penalties related to civil rights. Discrimination occurred based on gender, sexual orientation, nationality, disability, and gender identity. Foreign workers were required to take tests for HIV and AIDS and could only obtain or renew work visas if the results were negative.

While labor laws generally do not allow women to work in jobs deemed hazardous or arduous, no industry-specific occupations were closed to women. Under Article 30 of the labor law, however, "The Minister shall issue a resolution determining the events, jobs and events where it is not permitted to employ women during the night." Although some educated women held positions of authority in government, business, and media, many women faced job discrimination. 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 requires government agencies and private enterprises employing more than 50 persons to reserve a certain percentage of positions for persons with disabilities. This percentage was 2 percent for the private sector; the Civil Service Council was responsible for determining the percentage for the public sector, which was set at 5 percent. Authorities did not systematically enforce this regulation.

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

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

In May the Omani Center for Human Rights (OCHROMAN) reported 37 Omani nationals had been denied three months of wages while working for an energy company that is a direct contractor for government-owned Petroleum Development Oman.

**Occupational Safety and Health:** The government sets occupational health and safety standards. Occupational safety and health (OSH) standards were appropriate for the main industries in the country. There were reports the government did not enforce them for low-wage foreign workers, according to an International Organization for Migration representative. Responsibility for identifying unsafe situations remains with OSH experts and not the worker based on hazards inherent to the nature of work. The law states an employee may leave dangerous work conditions without jeopardy to 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.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor usually enforced the minimum wage, hour, and OSH laws for citizens, but not always for other workers unprotected by these laws. Neither wage and hour nor occupational safety and health regulations apply to domestic workers.

In wage cases the Ministry of Labor processed complaints and acted as mediator. In most cases the plaintiff prevailed, gaining compensation, the opportunity to seek alternative employment, or return to their country of origin in the case of foreign laborers. The ministry was generally effective in cases regarding minor labor disputes. Penalties for violations were commensurate with those for similar crimes, such as fraud, and were sometimes applied against violators.

The Ministry of Labor 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. Penalties for violations of occupational, safety, and health laws were commensurate with those for similar crimes like negligence and were sometimes applied against violators.

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.

**Informal Sector:** The law does not provide for occupational health and safety standards for workers in the informal economy. 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 canceled 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.

Employers have a great deal of control over workers in the informal sector, particularly domestic workers who are not covered by existing labor laws. Although expatriates are not legally required to obtain a “no-objection certificate” to secure new work upon completion or termination of their employment contracts, workers who leave their jobs without the consent of their employer may still be punished with fines, deportation, or reentry bans. There are no maximum workhour limits for domestic workers nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. There were some reports that domestic workers were forced to work without adequate 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.