



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the fourth periodic report of Oman\*

#### 2030 Agenda for Sustainable Development

1. With reference to paragraph 11 of the State party report (CEDAW/C/OMN/4), please provide the Committee with more detailed information on the manner in which women were included in the development of the implementation plan for Oman Vision 2040, the tenth five-year plan, for the period 2021–2025. In particular, please provide the percentage of women among the 1,900 persons who participated in the 195 events surrounding the development of the implementation plan, and the themes of the events in which women participated. Please indicate whether any measures were taken to include a gender perspective in the plan and whether the State party has conducted a midterm assessment of the plan.

#### Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises

2. Please describe efforts made and mechanisms put in place to face the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity, the energy crisis and other relevant areas. Please inform the Committee about strategies taken to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises, and in elaborating adequate responses, such as policies, assistance programmes, recovery efforts and the consolidation of the rule of law. Please also inform the Committee about measures taken to ensure the equal and meaningful participation of women in these processes, and that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

#### Legislative framework and definition of discrimination against women

3. Please inform the Committee about any steps taken towards adopting anti-discrimination legislation that includes a definition of discrimination against women and encompasses both direct and indirect discrimination in the public and private spheres and in all areas covered by the Convention, in line with article 1 of the Convention. Please also specify any steps taken towards removing discriminatory provisions in the State party's legislation, in particular the Penal Code, the Personal

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\* Adopted by the pre-sessional working group on 1 March 2023.



Status Law, the Labour Law, the Arbitration and Reconciliation Law, the Nationality Law and the Social Security Law. In the light of the indications in paragraph 20 of the report, please describe any steps taken or envisaged towards legal amendments to include the equality of non-citizens in the law. It is stated in paragraph 22 of the report that “most laws promulgated in Oman must observe the principle of equality pursuant to the Basic Law of the State”; please clarify to which laws the principle of equality does not apply.

#### **Access to justice**

4. Please provide information on any measures to address gender stereotypes in the judiciary, including whether there is systematic capacity-building for judges and prosecutors in this regard and whether this capacity-building is also included in the training for law students. With reference to paragraph 23 of the report, please describe any steps taken to analyse the awareness of women outside the provincial centres of Muscat Governorate about their rights and national mechanisms to protect them from abuse. Considering the result of the 2020 study mentioned in paragraph 23 that women have a “moderate degree of awareness of national laws and mechanisms to protect them from abuse”, please inform the Committee of any steps taken to increase women’s knowledge of these laws and mechanisms. With reference to paragraph 27 of the report, please clarify under which circumstances the law does not require the presence of the accused’s attorney and whether legal aid to have an attorney present would nevertheless be available in these circumstances. Please inform the Committee about access to quality legal aid and services for all women in the State party, in particular for women in vulnerable situations, including migrant women, women belonging to ethnic minority groups and women with disabilities.

5. Please inform the Committee about any steps taken towards abolishing the death penalty. Please also:

- (a) Provide data on women on death row, notably the crimes for which they were convicted, their age, nationality and ethnicity, whether they are responsible for any defendants, and whether any women with disabilities are currently on death row;
- (b) Indicate whether and how gendered vulnerabilities, such as trauma, gender-based violence against women, coercion and dependency, could have been and were taken into consideration as mitigating factors in the cases of the women on death row;
- (c) Clarify whether the death penalty is also applied to women who acted in self-defence;
- (d) Clarify whether the law of the State party prohibits the execution of pregnant women and women who have infants;
- (e) Indicate whether any procedures are in place to consistently provide adequately resourced and qualified legal defence with prior expertise in capital punishment cases;
- (f) Provide detailed information on a case in reports before the Committee in which, in 2018, a woman was sentenced to death following the killing of her husband by her lover. Please provide information on her case and the justification for her having been sentenced to death. Please also clarify for which crime the woman, who according to reports before the Committee was executed in 2020, had been sentenced.

#### **National machinery for the advancement of women**

6. Please provide detailed information on the specific measures in the national strategy for women entitled “Enhancing the quality of life”. Please also:

- (a) Clarify whether a plan of action that clearly defines the competence of the steering committee that monitors the implementation of the strategy has been developed, in the light of the Committee's previous concluding observations (CEDAW/C/OMN/CO/2-3, para. 16 (b));
- (b) Provide detailed information on the mandate and authority of the National Commission for Family Affairs, its presence at the governorate and local levels and its relations with ministries and women's rights institutions, including the Committee to Monitor Implementation of the Convention, and also provide more information on the Committee to Monitor Implementation of the Convention and its mandate;
- (c) Clarify the nature of the revenues of the National Commission and whether any steps are under way to ensure that the Commission has a fixed budget, in view of the indication in paragraph 33 of the report that the budget of the Commission consists "of funds allocated by the State from the general budget and, with the approval of the relevant authorities, donations, grants and assistance, as well as contributions from local bodies and institutions, and revenues from the National Commission's own activities";
- (d) Indicate whether there are any plans to continue the training courses on a gender-based approach that were provided between 2018 and 2021 to employees of the bodies mentioned in paragraph 47 of the report, and whether there are any plans to extend these courses to the employees of other State bodies.

#### **National human rights institution**

7. Please inform the Committee of the efforts taken towards addressing the concerns raised by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions to strengthen the Oman Human Rights Commission to be able to effectively and independently discharge its mandate in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

#### **Non-governmental organizations and women human rights defenders**

8. With reference to paragraph 40 of the report, please provide updated information on the status of the discussions towards enacting a new law to strengthen the role of civil society organizations. In the light of paragraph 42, please provide more information on the content of article 4 of the Civil Associations Law, which "defines the fields in which an association can work". Please provide information on any measures in place to protect women human rights defenders from harassment, violence and intimidation and indicate which complaints mechanisms they can access.

#### **Stereotypes**

9. Please provide updated and detailed information on any steps taken towards removing all forms of subordination of women to their husbands and other male relatives, as well as other discriminatory attitudes in law and society, including those towards women belonging to groups in disadvantaged situations and those in the areas of access to justice, participation in political and public life, nationality, education, employment, marriage and family relations, and economic and social benefits.

#### **Harmful practices**

10. In the light of the indication in paragraph 51 of the report that female genital mutilation is a crime, please clarify when it was criminalized in the State party and provide data on the number of cases reported and investigated and the sanctions imposed on the practice of female genital mutilation since its criminalization. Please

also indicate whether there are any steps in place towards removing exceptions to the minimum marriage age of 18 years and provide statistical data on the number of child marriages in the State party.

#### **Gender-based violence against women**

11. Please indicate whether there are any plans to explicitly prohibit domestic violence. Please also:

- (a) Clarify the context and the meaning of “women who have been prevented from marrying” as stated in paragraph 57 of the report;
- (b) Provide detailed information on the application of the new law mentioned in paragraph 58 of the report that “criminalizes acts that cause material or moral harm to persons, in general, and women, in particular” and clarify how it applies to victims of gender-based violence against women;
- (c) Indicate whether any steps are under way to specifically criminalize violence and killings in the name of so-called “honour” and what awareness-raising measures are in place to eliminate this type of violence and killings;
- (d) Indicate the efforts in place to increase reporting of gender-based violence against women and provide recent data on the types of gender-based violence reported, the number of cases reported, the number of cases investigated and the conviction rates;
- (e) Provide detailed information on the training provided to police officers on handling complaints and victims of domestic violence in a gender-sensitive manner, the measures in place to protect women from reprisals if they submit a complaint, and whether there are any long-term solutions, notably including housing and economic support, throughout the State party for victims of domestic violence and their children who do not wish to return to their families;
- (f) Clarify who the “stakeholders” mentioned in paragraph 60 of the report are. Please also inform the Committee about any safeguards in place to ensure that women victims of domestic violence are not pressured into mediation.

12. In the light of the Committee’s previous concluding observations ([CEDAW/C/OMN/CO/2-3](#), para. 27), and with reference to paragraph 64 of the report, please provide detailed information on the safeguards in place to ensure that women who report sexual abuse are under no circumstances at risk of being accused of sexual relations outside marriage (*zina*) – criminalized under articles 225 and 226 of the Penal Code – even if the sexual abuse they are reporting cannot be proved. Please also indicate whether any steps have been taken towards criminalizing marital rape.

#### **Trafficking in women and girls**

13. Please provide updated statistical data on the prosecution and conviction rates in cases of trafficking of women and girls. Please also provide information on the resources allocated to the National Committee for Combating Human Trafficking. Furthermore, please provide updated detailed information on the rehabilitation and reintegration mechanisms in place for all victims of trafficking and for victims of exploitation of prostitution and on the safeguards in place to ensure that they are not arrested, detained and deported for acts committed as a consequence of having been trafficked, irrespective of their ability or willingness to cooperate with the prosecutorial authorities. Please also provide information on the measures in place to address the root causes of trafficking and indicate the specific measures taken to address trafficking in migrant women, who are at a high risk of exploitation in domestic work, as indicated in paragraph 19 below.

### **Participation in political and public life**

14. With reference to paragraph 77 of the report, please provide information on the content of Royal Decree No. 75/2020, “concerning the administrative apparatus of the State, [which] was issued in order to promote the participation of women in political life”. In view of the indication in paragraph 78 regarding women’s representation in the Shura Council that “the law gives women the right to stand for election and to be elected to the Shura Council, and they are treated, in that regard, in the same manner as men, without discrimination”, please clarify whether there are any areas where women are not treated in the same manner as men. Please also provide updated information on specific measures in place to address the underlying causes of women’s low representation in all decision-making systems, including prevailing social and cultural attitudes. Please also indicate whether any steps are under way to adopt temporary special measures to achieve women’s equal representation.

### **Nationality**

15. In the light of the Committee’s previous recommendations ([CEDAW/C/OMN/CO/2-3](#), para. 34), please provide updated information on any efforts towards: amending the Nationality Law to ensure equality between women and men with regard to the acquisition, change and retention of nationality and to enable Omani women to transmit their nationality to their foreign spouses and their children on an equal basis with men; ensuring that the citizenship rights of women and men who exercise their fundamental rights, including the right to freedom of expression, assembly and association cannot be revoked; and acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Please also indicate whether any steps have been taken to waive the requirement for a foreign spouse of an Omani citizen to have a son in order to be able to apply for Omani nationality.

### **Education**

16. With regard to the removal of gender stereotypes from school materials and the indication in paragraph 91 of the report that “teacher’s manuals and textbooks include illustrations of gender equality and girls engaging in athletic, artistic and musical activities on a par with boys”, please clarify whether gender-equal representation is also the case with regard to other areas of society, notably family caretaking responsibilities and science, technology, engineering and mathematics professions, and whether the indication in paragraph 91 applies to textbooks and other materials for teaching children of all ages. It is indicated in paragraph 95 of the report that “specializations suitable for women” have been added to vocational training and include “beauty care, specialized sales, electronics, farming techniques, furniture upholstery, design, decoration, fish farming and fish quality control”; please explain why these specializations are considered suitable for women specifically and clarify whether there are any specializations not considered suitable for women.

17. In the light of the Committee’s previous concluding observations ([CEDAW/C/OMN/CO/2-3](#), para. 36), please provide updated information on the dropout rates among girls who are part of disadvantaged groups, especially nomadic girls, migrant girls, girls with disabilities and girls living in rural areas and in situations of poverty, and indicate the measures taken to improve the accessibility and quality of education for them. Please also specify any efforts taken to ensure that pregnant girls and young women and mothers are reintegrated into and supported in continuing their school education in the same disciplines from which they dropped out.

## **Employment**

18. Please clarify whether the State party explicitly prohibits discrimination based on pregnancy and maternity and discrimination in relation to hiring, salary, access to capacity-building, promotions, demotions and termination. Please elaborate on the reporting channels in place for victims to complain about discrimination in employment and how victims are protected from reprisals. Please also indicate any steps taken or envisaged towards prohibiting domestic violence and harassment, including sexual harassment in the workplace, and towards ratifying the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization. With reference to paragraph 99 of the report, please provide updated information on the status of the draft legislation on paternity leave for male employees and on its content. Please also indicate whether any plans are under way to extend the current duration of maternity leave. Please also inform the Committee of any awareness-raising measures taken to promote equal sharing of family and domestic responsibilities between women and men. Please indicate whether any incentives have been set up for employers to recruit women and whether the State party is also considering establishing quotas in this regard. Furthermore, please indicate whether any steps are in place to prohibit the use of discriminatory language in vacancy announcements and to remove the restrictions imposed on women's employment, under the Labour Law, prohibiting them from certain types of work.

## **Women migrant workers**

19. Please provide information on efforts made to abolish the *kafalah* system in practice. Please also:

- (a) Clarify whether any steps have been taken to include women migrant domestic workers within the ambit of the Labour Law;
- (b) Provide information on access to legal aid for women migrant domestic workers and whether there are any safeguards in place to protect them from reprisals if they issue a complaint about their employer;
- (c) Inform the Committee on how women migrant domestic workers are protected from gender-based violence;
- (d) Provide detailed information on the “appropriate checks”, mentioned in paragraph 103 of the report, that are needed to allow a foreign national's residency permit to be transferred from one employer to another, and clarify in this regard whether article 24 of the Aliens' Residency Act, which permits foreign workers to change their job without their employer's permission, applies to women migrant domestic workers;
- (e) Indicate whether any steps are under way to ensure that women migrant workers can leave their employer without being charged with “absconding”;
- (f) Indicate whether any steps have been taken to amend the Penal Code with a view to criminalizing forced labour;
- (g) Inform the Committee about any measures in place to enforce the prohibition of passport confiscation and ensure that there are regular labour inspections at the workplaces and dormitories of women migrant workers, and clarify whether the prohibition of passport confiscation is publicly accessible on government websites and whether any steps have been taken towards setting up a domestic workers' union. Please also clarify whether labour inspections can be carried out in domestic homes and whether labour inspectors are trained to identify trafficking situations;

- (h) Inform the Committee about any steps towards protecting women migrant domestic workers from pregnancy and maternity discrimination and accusations of sexual relations outside marriage;
- (i) Specify any steps taken towards ratification of the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

#### **Economic and social benefits**

20. Please provide updated and detailed information on measures to improve women's financial literacy and increase access to microcredit, loans and other forms of financial credit for women, specifically for women in a disadvantaged situation, notably women living in poverty, migrant women, nomadic women, rural women and women with disabilities.

#### **Rural women**

21. Please provide information on the findings of the "analytical study on rural women's land ownership rights and progress made on [Sustainable Development Goal 5] by formulating and promoting national policies in support of rural women" referred to in paragraph 143 of the report and indicate whether any follow-up measures have been taken to address these findings. Please also provide updated and detailed information on measures taken to accelerate substantive equality for rural women in all areas in which they are underrepresented or disadvantaged, including political and public life, education, health and employment, and the steps taken to put in place programmes to reduce the disproportionate burden of unpaid care work on rural girls.

#### **Equality before the law**

22. Please inform the Committee about any awareness-raising measures in place to ensure that women and men in the State party and all relevant authorities are aware that women can obtain a passport without permission from their father, husband or male guardian. Please also indicate whether any steps are under way to amend the Personal Status Law to ensure that women can travel abroad with their children without the approval of a male guardian.

#### **Marriage and family relations**

23. In the light of the Committee's previous concluding observations (CEDAW/C/OMN/CO/2-3, para. 54), please provide the Committee with updated and detailed information on any steps taken towards:

- (a) Reviewing all discriminatory provisions of the Personal Status Law to remove discriminatory provisions regulating legal capacity, polygamy, divorce, the guardianship system and inheritance;
- (b) Prohibiting polygamous marriages and enforcing such prohibition in practice;
- (c) Ensuring equal rights between men and women with regard to marriage and divorce and ending the practice of dowry;
- (d) Intensifying efforts to enable women and girls to exercise their right to inheritance on an equal basis with their male counterparts and enacting legislation to ensure that, upon the dissolution of marriage, women have equal rights to property acquired during marriage;
- (e) Establishing an appeals mechanism to oversee sharia court chamber proceedings and ensure that they do not discriminate against women in their judgments, especially in divorce, alimony and child custody proceedings;

(f) Introducing legislation offering a civil alternative to the Personal Status Law, based on the principles of equality and non-discrimination, in order to protect women and alleviate their legal, economic and social marginalization.

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