



# Convention on the Rights of the Child

Distr.: General  
6 March 2023

Original: English

---

## Committee on the Rights of the Child

### Concluding observations on the combined fifth and sixth periodic reports of Oman\*

#### I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Oman<sup>1</sup> at its 2674th and 2675th meetings,<sup>2</sup> held on 18 and 19 January 2023, and adopted the present concluding observations at its 2698th meeting, held on 3 February 2023.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party, which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including Royal Decree No. 6/2021 promulgating the Basic Statute of the State, which recognizes equality between women and men, and the commitment of the State to providing care for children, persons with disabilities, youth and the young generation; the adoption, in 2018, of amendments to the Penal Law, which provides for more severe punishments than previously, including for offences relating to the commercial sexual exploitation of children; and the ongoing reform of the social protection system that is aimed at including universal benefits for children and persons with disabilities.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: birth registration and nationality (para. 22); children with disabilities (para. 30); asylum-seeking, refugee and migrant children (para. 37); economic exploitation, including child labour (para. 39); and administration of child justice (para. 42).

---

\* Adopted by the Committee at its ninety-second session (16 January–3 February 2023).

<sup>1</sup> [CRC/C/OMN/5-6](#).

<sup>2</sup> See [CRC/C/SR.2674](#) and [CRC/C/SR.2675](#).



5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals, including in the implementation of Oman Vision 2040 and the associated five-year plans, as far as they concern children.

#### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

##### **Reservations**

6. While welcoming the withdrawal of the State party's general reservation to the Convention, the Committee, in the light of its previous concluding observations and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in 1993, encourages the State party to consider withdrawing its remaining reservation on article 14 of the Convention regarding the right of children to freedom of thought, conscience and religion.

##### **Legislation**

7. The Committee notes the positive developments in the State party's legislation, including Ministerial Decision No. 125/2019 issuing the executive regulation of the Law of the Child, and recommends that the State party:

- (a) Further strengthen its legislation in order to ensure full compliance with the Convention in all areas, including on nationality and minimum age of criminal responsibility;
- (b) Develop a child-rights impact assessment procedure for national legislation and policies relevant for children.

##### **Comprehensive policy and strategy**

8. While taking note of the State party's National Strategy for Children for 2016–2025, which takes into account the five-year plans to implement Oman Vision 2040, the Committee recommends that the State party strengthen its implementation of the Strategy and carry out regular evaluations thereof against all provisions of the Convention and its Optional Protocols.

##### **Coordination**

9. The Committee notes that the National Committee for Family Affairs continues to coordinate policies and programmes relating to family and child welfare, while the Follow-up Committee on the Implementation of the Convention and its Optional Protocols is responsible for coordinating projects and programmes relating to the Convention. The Committee therefore recommends that the State party ensure that the responsibilities for coordinating activities on children's rights are not dispersed and that the relevant body is provided with the human, technical and financial resources for its effective operation.

##### **Allocation of resources**

10. While welcoming the State party's child-friendly budgeting and transition towards programme and performance budgeting, the Committee recalls its general comment No. 19 (2016) on public budgeting for the realization of children's rights (art. 4) and, taking note of target 16.5 of the Sustainable Development Goals, recommends that the State party:

- (a) Conduct a comprehensive assessment of budget needs and establish transparent allocations to progressively address the disparities in indicators related to children's rights;
- (b) Ensure transparent and participatory budgeting through public dialogue, in particular with children, and for full accountability of local authorities;
- (c) Define budgetary lines for all children, with special attention paid to those in disadvantaged or vulnerable situations who may require affirmative social measures, and ensure that those budgetary lines are protected even during times of economic crisis, natural disaster or other emergencies;
- (d) Collect information disaggregated by sector on the proportion of the national budget allocated to the implementation of the rights of the child at the national and local levels.

#### Data collection

11. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

- (a) Further strengthen its National Centre for Statistics and Information, which now reports to the Council of Ministers, in particular in its efforts to collect data in areas where there are currently data gaps, such as child marriage, child protection, violence against children, children with disabilities and education;
- (b) Ensure that data collected on children's rights cover all areas of the Convention and the Optional Protocols thereto and are disaggregated by age, sex, disability, geographical location, ethnic origin, nationality and socioeconomic background, in order to facilitate analysis of the situation of children in Oman, in particular those in situations of vulnerability;
- (c) Ensure that data and indicators on children's rights are updated and openly shared among the relevant ministries and other stakeholders, and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention and the Optional Protocols thereto;
- (d) Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) entitled *Human Rights Indicators: a Guide to Measurement and Implementation* when defining, collecting and disseminating statistical information;
- (e) Continue its technical cooperation with the United Nations Children's Fund (UNICEF), among other entities.

#### Independent monitoring

12. While noting that Royal Decree No. 57/2022 further strengthened the Oman Human Rights Commission and that Royal Decree No. 40/2021 reduced the number of representatives from governmental bodies on the Oman Human Rights Commission, thereby ensuring that non-governmental members accounted for more than two thirds of the Commission, the Committee recommends that the State party:

- (a) Adopt further steps to guarantee the independence of the Oman Human Rights Commission, including with regard to its funding, mandate, immunities and membership, thereby ensuring its full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);
- (b) Further strengthen the mechanism within the Oman Human Rights Commission to receive, investigate and address complaints by children in a child-sensitive and child-friendly manner, ensuring the privacy and protection of child victims; undertake monitoring, follow-up and verification activities for victims; and ensure the visibility of the mechanism among children;

(c) Seek technical cooperation from OHCHR, UNICEF and the United Nations Development Programme, among other entities.

#### Dissemination, awareness-raising and training

13. The Committee notes the annual workshops organized for World Children's Day to raise awareness of the Convention and the intensive legal training for justice professionals and recommends that the State party:

(a) Further strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations, to ensure that the Convention and the Optional Protocols thereto are widely known among the general public, including parents and children;

(b) Ensure that all professionals working with and for children, in particular social workers, law enforcement officials, health-care personnel, immigration and asylum officers, professionals and staff working in all forms of alternative care, as well as media professionals, receive regular mandatory training on the rights of the child under the Convention, the Optional Protocols thereto and domestic law.

#### Cooperation with civil society

14. While noting the State party's ongoing efforts to update its Non-Governmental Organizations Act, the Committee urges the State party:

(a) To take measures to ensure the independence of civil society engaged in work related to human rights, in particular on children's rights;

(b) To systematically involve children in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights.

#### Children's rights and the business sector

15. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, the Committee recommends that the State party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards, in particular with regard to children's rights. In particular, it recommends that the State party:

(a) Establish a clear regulatory framework for the industries operating in the State party to ensure that their activities do not negatively affect human rights or violate environmental, health, labour or other standards, in particular those relating to children's rights;

(b) Ensure effective implementation by companies, in particular those in the extractive industries, of international and national environmental and health standards, effective monitoring of implementation of those standards and appropriate sanctioning and provision of remedies when violations occur, as well as ensure that appropriate international certification is sought;

(c) Require companies to undertake assessments and consultations and provide full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts.

## B. Definition of the child (art. 1)

16. While noting that article 10 (c) of the Personal Status Law allows a marriage of a person under the age of 18 with the permission of a judge and after it has been established that the marriage would be in that person's interests, the Committee

recommends that the State party amend its legislation to remove all exceptions that allow marriage for those under the age of 18 and prohibit child marriage explicitly.

### C. General principles (arts. 2–3, 6 and 12)

#### Non-discrimination

17. Taking note of targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party take measures to eliminate de jure and de facto discrimination against girls, children born to unmarried parents, children with disabilities, children of migrant workers and other children in vulnerable and marginalized situations, in particular with respect to their access to social and health services and to educational opportunities.

#### Best interests of the child

18. Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Ensure that the right of the child to have his or her best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, in particular in court rulings regarding parental guardianship and responsibility and the child's residence, as well as in all policies, programmes and projects that are relevant to, and have an impact on, children;

(b) Develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interests of the child and ensuring that such interests are taken as a primary consideration.

#### Right to life, survival and development

19. The Committee notes a decrease in the number of road accidents in the State party and takes note of Royal Oman Police Decision No. 32/2018 amending certain provisions of the executive regulation of the Traffic Law, including with regard to in-vehicle safety procedures and various awareness-raising activities on road safety. In this regard, the Committee recommends that the State party continue strengthening the enforcement of laws with respect to the in-vehicle safety of children and driving licences and impose appropriate sanctions for driving without a licence and underage driving, as well as continue its awareness-raising programmes, including campaigns, to further reduce the number of fatalities and injuries related to road accidents.

#### Respect for the views of the child

20. While welcoming the participatory approach adopted by the State party in the preparation of Oman Vision 2040 and the UNICEF Voluntary National Review in 2019, the Committee recalls its general comment No. 12 (2009) on the right of the child to be heard and its previous recommendation<sup>3</sup> and recommends that the State party:

(a) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing systems and procedures to enable social workers and courts to comply with this principle;

(b) Conduct research to identify the issues that are most important to children, hear their views on those issues, establish how well their voices are being heard in family decisions affecting their lives and identify the channels through which they can have the most influence on national and local decision-making;

<sup>3</sup> CRC/C/OMN/CO/3-4, para. 32.

(c) **Develop toolkits to standardize public consultations on national policy development to ensure high levels of inclusiveness and participation and ensure that children are consulted on issues that affect them;**

(d) **Conduct programmes and awareness-raising activities to promote cultural change and the meaningful and empowered participation of all children within the family, in the community and at school, including within student council bodies, with particular attention paid to girls and to children in vulnerable situations;**

(e) **Further strengthen the children’s parliament as a regular event and ensure that it is provided with a meaningful mandate and adequate human, technical and financial resources in order to facilitate children’s effective engagement with national legislative processes on issues that affect them.**

## **D. Civil rights and freedoms (arts. 7–8 and 13–17)**

### **Birth registration and nationality**

21. The Committee remains concerned that, despite its previous recommendations, the State party has not amended article 18 of its Law on Citizenship of 2014, which discriminates against women by placing numerous conditions on an Omani woman married to a foreigner who wishes to pass her citizenship on to her children, rendering such children at risk of statelessness. The Committee also remains concerned about the lack of information on the registration of births of children born to migrant workers and children born to unmarried parents in the State party.

22. **Taking note of target 16.9 of the Sustainable Development Goals, the Committee recalls its previous recommendation<sup>4</sup> and urges the State party:**

(a) **To amend its laws to grant Omani women equal rights to those of Omani men with regard to the transmission of their nationality to their children and provide adequate safeguards to ensure the conferral of citizenship on children who would otherwise be stateless;**

(b) **To strengthen efforts to ensure that all births in the State party are registered, including those of children of migrant workers, in cooperation with the States concerned, and of children born to unmarried parents;**

(c) **To consider becoming party to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Corporal punishment**

23. While noting the adoption of the State party’s National Strategy for the Prevention of Child Abuse, the deployment of child protection officers across all governorates and other initiatives taken to train professionals in various aspects of child protection, the Committee recalls its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and urges the State party:

(a) **To repeal article 44 of the Penal Law, which allows parents to discipline children “within the limits of what is prescribed by sharia or the law”, and explicitly prohibit corporal punishment in law in all settings, including in the home, schools, childcare institutions, alternative care settings and penal institutions;**

(b) **To promote positive, non-violent and participatory forms of child-rearing and discipline;**

<sup>4</sup> CRC/C/OMN/CO/3-4, para. 34.

(c) To strengthen its awareness-raising campaigns and parenting education programmes for parents, other carers and professionals working with and for children to promote attitudinal change, within the family and the community.

#### Abuse and neglect

24. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee welcomes the establishment of a round-the-clock helpline and recommends that the State party:

- (a) Enhance its legislation in order to prohibit domestic violence explicitly;
- (b) Put into place accessible, confidential and child-friendly mechanisms to facilitate and promote the mandatory reporting of violence against children;
- (c) Establish a national database on all cases of violence against children and undertake a comprehensive assessment of the nature, causes and extent of such violence;
- (d) Further strengthen awareness-raising and education programmes – including comprehensive public campaigns – with the involvement of children.

#### Sexual exploitation and abuse

25. While noting that child victims of rape may be at risk of facing criminal proceedings if they press charges, since the reporting of rape, if not proved, can be considered Zina (a confession of sexual relations outside of marriage), which is criminalized under the Penal Code, and taking note of targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Amend its legislation in order to ensure that children who were subject to any form of sexual abuse are treated as victims and not subject to criminal sanctions, including sanctions for Zina offences;
- (b) Establish mechanisms, procedures and guidelines to ensure mandatory reporting, multi-agency intervention and therapeutic support, investigation and prosecution of all cases of sexual exploitation and abuse of children, including in Qur'anic schools, to prevent the revictimization of such children;
- (c) Conduct awareness-raising activities to combat the stigmatization of victims of sexual exploitation and abuse, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations.

#### Harmful practices

26. Recalling its previous concluding observations and joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and taking note of target 5.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Ensure that the executive regulations of the Law of the Child, which designates female genital mutilation as a harmful traditional practice, is enforced through sanctions, and undertake sustained comprehensive efforts to prevent female genital mutilation throughout the country;
- (b) Undertake comprehensive public awareness-raising programmes, including campaigns, on the negative consequences of child marriage for girls, targeting in particular parents, teachers and community leaders;
- (c) Establish appropriate redress mechanisms accessible to all children, in particular girls, who are victims of harmful practices, and ensure that perpetrators are prosecuted and adequately punished;
- (d) Strengthen support measures, such as shelters, counselling and rehabilitation services, aimed at child victims of harmful practices, in particular girls,

and provide gender-sensitive and violence-focused training for the judiciary, law enforcement officers and health professionals.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))**

**Family environment**

27. Taking into account the persistent inequality in parenting responsibilities and discriminatory laws relating to marriage, polygamy, divorce, property, inheritance, guardianship and custodial rights, the Committee recommends that the State party strengthen its efforts to:

(a) Ensure that mothers and fathers have equal legal responsibility for their children in accordance with article 18, paragraph 1, of the Convention;

(b) Prohibit polygamous marriages and enforce such prohibition in practice, in line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices;

(c) Undertake further reform of the Personal Status Law and other relevant legislation, specifically with respect to marriage, divorce, property, inheritance, guardianship and custodial rights, to ensure that men and women, and boys and girls, have equal rights;

(d) Consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, the Protocol on the Law Applicable to Maintenance Obligations and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.

**Children deprived of a family environment**

28. While noting that the executive regulations of the Law of the Child supports and facilitates family-based care for children and that the Ministry of Social Development carries out periodic visits to follow up on children in foster families, the Committee draws the State party's attention to the Guidelines for the Alternative Care of Children, and recommends that the State party:

(a) Further strengthen placement in family-based care for children wherever possible, including for abandoned children in Al-Khoud Childcare Centre, with a view to further reducing the institutionalization of children;

(b) Ensure adequate safeguards and clear criteria, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care;

(c) Provide further information on the reports of the Ministry of Social Development on follow-up visits to children in foster families.

**G. Children with disabilities (art. 23)**

29. The Committee welcomes the identification of children with disabilities as a focus for the Social Action Strategy (2016–2025) and other efforts made by the State party, including the increase in the number of rehabilitation centres, the establishment of integration programmes to enable children to attend mainstream schools and the training of professionals working with and for children. Nevertheless, the Committee is concerned that children with disabilities continue to face challenges. In particular, the Committee is concerned that:

(a) Children with disabilities continue to face stigmatization and discrimination;



(b) Implementation of the inclusive education policy has been insufficient, leading to low numbers of children with disabilities enrolled in schools at all levels, and high rates of non-completion of schooling and illiteracy among children with disabilities;

(c) Teacher-training guidance on inclusive education and associated tools has not been fully implemented;

(d) Despite the development of a unified disability classification system, the systematic collection of data, disaggregated by sex and type of impairment, on the number of children with disabilities has not been fully implemented.

**30. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and recommends that the State party:**

(a) **Take measures to eliminate discrimination against children with disabilities by undertaking sustained public awareness campaigns aimed at government officials and the public, in particular families, to combat the stigmatization of and prejudice against children with disabilities and to promote a positive image of such children;**

(b) **Take all measures necessary to ensure that children with disabilities are fully integrated into all areas of life, including education, sports and leisure activities, and that public facilities and other public areas are accessible to all children with disabilities;**

(c) **Continue its efforts to implement the inclusive education policy and promote inclusive education, including by abolishing special schools and providing adequate budgetary allocations, in particular for scaling up the training of teachers and providing accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**

(d) **Further integrate the unified disability classification system and develop a disaggregated database on children with disabilities and an efficient and harmonized system for disability assessment in order to facilitate access for children with all types of disabilities to services such as education, health, social protection and other forms of support.**

## **H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

### **Health and health services**

**31. Noting the increase in universal health coverage and in the number of health-care institutions, the Committee recalls its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and, taking note of targets 2.2, 3.1, 3.2 and 3.8 of the Sustainable Development Goals, recommends that the State party:**

(a) **Continue strengthening access to health services, especially for children at particular risk of being left behind, including children with disabilities and non-nationals;**

(b) **Take further measures to combat malnutrition through targeted interventions and promotion of proper feeding practices for infants and young children and by continuing to raise awareness of nutrition issues and promoting overall nutrition education throughout the State party;**

(c) **Continue to promote, protect and support breastfeeding;**

(d) **Seek technical assistance from UNICEF and the World Health Organization, among other entities, in this regard.**

### Mental health

32. While welcoming that mental health has been integrated into the package of primary health-care services in the State party, the Committee takes note of target 3.4 of the Sustainable Development Goals and recommends that the State party strengthen the cross-sectoral approach among its Ministries of Health, Social Development and Education in the provision of mental health services to children and their families and mainstream the training of mental health-care professionals across the country. The Committee also recommends that the State party adopt a national mental health and psychosocial support strategy.

### Adolescent health

33. Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and taking note of targets 3.5, 3.7 and 5.6 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention paid to preventing early pregnancy and sexually transmitted infections;

(b) Ensure that all girls and boys, including those who are out of school and those in rural areas, receive confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives;

(c) Decriminalize abortion and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;

(d) Develop specialized and youth-friendly treatment for children and young people who are dependent on the use of drugs, alcohol or tobacco.

### Standard of living

34. Taking note of targets 1.1, 1.2 and 1.3 of the Sustainable Development Goals, the Committee recommends that the State party continue its efforts to ensure that children and their families, in particular migrant children, living in poverty receive adequate financial support and have access to free, accessible services without discrimination.

## I. Education, leisure and cultural activities (arts. 28–31)

### Education, including vocational training and guidance

35. While welcoming Royal Decree No. 6/2021 promulgating the Basic Statute of the State, which made education compulsory until the end of the basic education stage (grade 10) and Ministerial Decree No. 98/2021, establishing a teachers' professional licensing office as well as programmes and activities to reduce school dropout rates, and taking note of targets 4.1, 4.3, 4.4, 4.5, 4.6, 4.a and 4.c of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Continue its efforts to improve accessibility of education for all children, in particular children in marginalized and disadvantaged situations, and ensure that all girls and boys complete free, equitable and high-quality primary and secondary education leading to relevant and effective learning outcomes;

(b) Continue its efforts to train teachers to provide a better quality of education and address the root causes of low attainment among children, especially boys;

(c) Strengthen efforts to reduce the dropout rate, including by addressing the reasons behind the non-completion of schooling, such as sexual harassment and

**bullying in schools, including cyberbullying, and develop and promote high-quality vocational training to enhance the skills of children, in particular those who have dropped out of school;**

(d) **Address inequalities generated by the coronavirus disease (COVID-19) pandemic during homeschooling, including by ensuring the availability of computer equipment and sufficient Internet access, giving particular attention to children in marginalized and disadvantaged situations;**

(e) **Continue efforts to develop and expand early childhood education on the basis of a comprehensive and holistic policy covering early childhood care and education services.**

## **J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)**

### **Asylum-seeking, refugee and migrant children**

36. While noting the State party's information that the Law of the Child guarantees the rights of all children, including asylum-seeking and refugee children, to health, social and educational rights, the Committee is concerned by:

(a) The absence of laws or administrative regulations governing the status of asylum-seekers and refugees and the lack of information on asylum-seeking and refugee children, in particular on their identification and protection;

(b) The absence of specific policies on the provision of education, health and other social services to children of both documented and undocumented migrant workers;

(c) The kafalah sponsorship system, which remains one of the biggest problems faced by migrant workers and their families, rendering them liable to be exploited, including by being forced to work long hours with little or no overtime pay.

37. **Recalling the joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 and No. 23 of the Committee on the Rights of the Child (2017), on the general principles regarding the human rights of children in the context of international migration and on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, respectively, the Committee recommends that the State party:**

(a) **Enact national legislation on asylum that is in line with international standards, provide safeguards against refoulement that incorporate the principle of the best interests of the child and ensure that information on asylum-seeking and refugee children on its territory, including information on measures for their identification and protection, is made widely available;**

(b) **Establish policies for the provision of education, health and other social services to all children present in the State party, including children of documented and undocumented migrant workers;**

(c) **Abolish the kafalah sponsorship system in order to reduce the risk of migrant workers being subject to labour exploitation, including forced labour;**

(d) **Consider ratifying the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, with a view to ensuring the protection of refugee and asylum-seeking children;**

(e) **Strengthen coordination between the Office of the United Nations High Commissioner for Refugees and governmental institutions to ensure the provision of assistance and protection for refugee, asylum-seeking and stateless children in line with the Convention on the Rights of the Child.**

**Economic exploitation, including child labour**

38. The Committee notes that the State party's legislation prohibits the employment of children below the age of 15 and that Ministerial Decree 217/2016 of the Ministry of Labour regulates the employment of juveniles and the jobs and professions in which they may be engaged. The Committee is nevertheless concerned by:

- (a) Reports of engagement of children in hazardous work, including fishing and selling, and the lack of information on the extent of such engagement;
- (b) Allegations of the recruitment and abuse of migrant girls, through the kafalah sponsorship system, as domestic workers;
- (c) Non-alignment of the minimum age for employment (15 years old) with the age of completion of compulsory education (16 years old);
- (d) Children working in family businesses, and the absence of a legal minimum age in this regard.

39. **Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) **Strengthen its efforts to ensure that no child engages in hazardous work, including in fishing and selling, and raise public awareness of child labour, its exploitative character and its consequences;**
- (b) **Carry out a study on child labour in the country, including its root causes, with a view to establishing a coordinating mechanism to combat child labour;**
- (c) **Take immediate measures to investigate, prosecute and punish those involved in the recruitment and abuse of girls as domestic workers;**
- (d) **Ensure that no child drops out of compulsory education owing to engagement in the labour market;**
- (e) **Consider ratifying the Domestic Workers Convention, 2011 (No. 189).**

**Sale, trafficking and abduction**

40. **While taking note of the National Action Plan to Combat Human Trafficking (2021–2023) and noting the efforts made by the State party to raise awareness of trafficking, prosecute perpetrators and establish referral mechanisms, the Committee, in the light of target 8.7 of the Sustainable Development Goals, recommends that the State party:**

- (a) **Further strengthen implementation of the Anti-Trafficking Law and capacity-building initiatives to improve the response of law enforcement officials to cases of trafficking in children;**
- (b) **Establish a monitoring mechanism for the investigation of and redress for trafficking in persons with a view to improving accountability, transparency and the prevention of violations, and ensure the effective prosecution and punishment of those who exploit children for purposes of prostitution or forced labour;**
- (c) **Continue its efforts to identify children who are victims of trafficking in persons among all children in vulnerable situations, including migrant workers, and ensure that children who are victims of sexual exploitation and trafficking in persons are not punished for acts committed as a direct result of being trafficked, such as immigration violations or prostitution;**
- (d) **Continue to implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, ensuring that education and training, as well as counselling, health care and other social services, are provided to them in accordance with the outcome documents adopted at the world congresses against commercial sexual exploitation of children;**
- (e) **Continue training government officials to recognize and respond appropriately to crimes related to trafficking in persons, expand public awareness**

**programmes, including campaigns, that promote the identification of possible victims and perpetrators, and raise awareness of preventative measures and avenues for assistance and redress, including the Global Code of Ethics for Tourism of the World Tourism Organization.**

#### **Administration of child justice**

41. The Committee notes the State party's information that it is currently reviewing its legislation on the minimum age of criminal responsibility, but is nevertheless concerned that, despite previous recommendations, the State party has not yet amended the minimum age of criminal responsibility for children, which remains extremely low, at 9 years old. The Committee is also concerned that children continue to be subjected to detention, including lengthy pretrial detention, as permitted by the State party's laws.

42. **Taking note of its general comment No. 24 (2019) on children's rights in the child justice system and the global study on children deprived of liberty, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards without any further delay. In particular, the Committee urges the State party:**

- (a) **To raise the minimum age of criminal responsibility as soon as possible to at least 14 years in line with the Committee's general comment No. 24 and ensure that all children, by definition persons under 18 years of age, are covered by the child justice system;**
- (b) **To end the overuse of pretrial detention for children;**
- (c) **To prioritize measures such as diversion, probation, counselling, therapeutic and community services, in particular for minor offences;**
- (d) **In cases where detention is unavoidable, to ensure that there are adequate facilities for children in conflict with the law, and that their conditions of detention comply with international standards, including with regard to access to education and health services;**
- (e) **To enhance the skills and specialization of all relevant actors in the child justice system, including law enforcement personnel, lawyers, judges and social workers; strengthen the judiciary and enhance training materials.**

### **K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention**

#### **Optional Protocol on children on the sale of children, child prostitution and child pornography**

43. While welcoming the amendments to the Penal Law that increased the penalties for inciting or luring into prostitution a person under 18 years old, the Committee regrets that the State party's legislation does not incorporate all definitions contained in article 3 of the Optional Protocol, in particular "sale of children", which is different from trafficking in children, and "improperly inducing consent, as an intermediary for the adoption of a child". Recalling its guidelines regarding the implementation of the Optional Protocol and its previous concluding observations on the periodic reports of the State party, the Committee urges the State party to review its Penal Code and make it fully compatible with articles 2 and 3 of the Optional Protocol on the sale of children, child prostitution and child pornography, by ensuring that all offences therein are criminalized.

#### **Optional Protocol on the involvement of children in armed conflict**

44. The Committee notes the information provided by the State party that there are no child conscripts, volunteers or participants in combat operations who are under the age of 18 and that the minimum age for military recruitment into the State party's

Armed Forces is 18. Recalling its previous concluding observations on the report of the State party, the Committee urges the State party to:

- (a) To raise the age of voluntary recruitment into the national armed forces to 18;
- (b) To expedite the revision of the Penal Law to ensure conformity with all obligations under the Optional Protocol;
- (c) To identify and collect information on children coming from areas affected by armed conflict who may have been recruited or used in hostilities and provide physical and psychological support for recovery and social reintegration.

#### **L. Ratification of the Optional Protocol on a communications procedure**

45. The Committee recommends that the State party ratify the Optional Protocol on a communications procedure.

#### **M. Ratification of international human rights instruments**

46. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

- (a) International Covenant on Civil and Political Rights;
- (b) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- (c) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (d) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

### **IV. Implementation and reporting**

#### **A. Follow-up and dissemination**

47. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

#### **B. National mechanism for reporting and follow-up**

48. The Committee recommends that the State party establish a standing government structure to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Oman Human Rights Commission and civil society.

### C. Next report

49. The Committee will establish and communicate the due date for the combined seventh to ninth periodic reports of the State party in line with a future predictable reporting calendar on the basis of an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should not exceed 21,200 words.<sup>5</sup> In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

---

---

<sup>5</sup> General Assembly resolution 68/268, para.16.