



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues prior to submission of the combined fifth and sixth periodic reports of Oman\*

1. The State party is requested to submit in writing the information requested below (21,200 words maximum), if possible before 15 June 2022. The replies should take into consideration the Committee's recommendations contained in its concluding observations adopted on 29 January 2016.<sup>1</sup> The Committee may take up all aspects of children's rights set out in the Convention and the Optional Protocols thereto during the dialogue with the State party.

#### I. New developments

2. The Committee requests the State party to provide:

(a) Information on the adoption or reform of laws, policies and programmes and any other type of measures taken, such as the creation or reform of institutions, that are significant for the implementation of the Convention, the Optional Protocol thereto on the involvement of children in armed conflict and the Optional Protocol thereto on the sale of children, child prostitution and child pornography;

(b) Information on the measures taken to ensure the protection of the rights of children in the context of the coronavirus disease (COVID-19) pandemic and to mitigate its adverse impacts, in view of the statement of the Committee of 8 April 2020 on the effects of the COVID-19 pandemic;

(c) Any other information that the State party considers relevant in this regard and that is not covered in the replies to the questions below, including information on obstacles and challenges faced.

3. The Committee notes the Oman Vision 2040 and its Tenth Five-Year Plan (2021–2025) and requests the State party to provide information on the progress and outcomes of its mapping exercise on the child-related indicators of the Sustainable Development Goals. Please also provide information on how a child rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Goals, including with regard to the participation of children and data collection, and how such measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

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\* Adopted by the pre-sessional working group on 11 June 2021.

<sup>1</sup> CRC/C/OMN/3-4.



## **II. Rights under the Convention and the Optional Protocols thereto**

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

#### **Reservations**

4. Please provide information on any steps taken to withdraw its general reservation on applying the Convention “within the limits imposed by the material resources available” and the reservation on article 14 of the Convention regarding the right of children to freedom of religion.

#### **Legislation**

5. Please provide information to the Committee on the existence of a regular child-rights impact assessment procedure for all legislation, in particular the Children’s Act (Royal Decree No. 22/2014), the executive regulations of the Children’s Act (Ministerial Order No. 125/2019) and the Criminal Code (Royal Decree No. 7/2018), the latter of which increased punishments for offences committed against children, including commercial exploitation of children.

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

6. Please provide information to the Committee on whether the National Childhood Strategy (2016–2025) and the Tenth Five-Year Development Plan (2021–2025) address all areas covered by the Convention and the Optional Protocols thereto. Please also update the Committee on measures taken to review of the National Childhood Strategy and to assess its impact on the realization of children’s rights in the State party.

#### **Coordination**

7. Please provide information on the coordination of activities among various governmental and non-governmental structures working on the implementation of children’s rights at the national and local levels, both vertically and horizontally. Please also provide information about the competencies, resources and capacities of the National Committee for Family Affairs to carry out coordination tasks.

#### **Allocation of resources**

8. Please provide information on the measures taken or envisaged to establish a system in the State party aimed at identifying budget allocations and expenditure on children by specific ministries and other relevant State agencies in order to guarantee an objective assessment of the adequacy and effectiveness of public expenditure on children. Please also inform the Committee about the measures taken to ensure that children in vulnerable and marginalized situations are not affected by budgetary constraints triggered by the response to the COVID-19 pandemic and the economic crisis linked to the decrease in oil revenue.

#### **Data collection**

9. Please update the Committee on:

(a) The efforts made to improve the collection and quality of disaggregated data relating to the implementation of the Convention, in particular data on childhood stunting, child marriages, child victims of violence, trafficking, sexual exploitation and abuse, child victims of female genital mutilation, children with disabilities and asylum-seeking, refugee and migrant children;

(b) The measures taken to ensure that data is collected in a coordinated fashion and shared among relevant State agencies and used for the formulation and monitoring of policies and programmes for the implementation of children’s rights and the Sustainable Development Goals.

**Independent monitoring**

10. Please provide information on the mandate and capacity of and the resources available to the Oman Human Rights Commission to monitor the situation concerning children's rights. Please also inform the Committee on the measures taken to strengthen the Commission's independence in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and whether it has a mandate to receive complaints from children and investigate and address those complaints in a child-sensitive manner. Please also clarify the role and mandate of the national committee to monitor the implementation of the Convention.

**Dissemination, awareness-raising and training**

11. Please inform the Committee about the measures taken to systematically disseminate information about the Convention and the Optional Protocols thereto among children, their parents and other caregivers, and to provide training to members of all relevant professional groups working with and for children.

**Cooperation with civil society**

12. Please provide information on the measures taken to systematically involve all civil society actors working in the field of children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children. Please also inform the Committee on the steps taken to amend the Non-Governmental Organizations Act (Royal Decree No. 14/2000) in order to create an enabling environment in which civil society organizations can carry out their activities and on how civil society organizations working on children's rights in the country are provided with the necessary resources and funds.

**B. Definition of the child (art. 1)****Minimum age for marriage**

13. Please inform the Committee about the measures taken to enforce the minimum age of marriage, which is set at 18 years, especially in rural areas, and to limit the discretion of judges to authorize the marriage of girls below 18 years of age if it is in their "best interests". Please provide information on how "their best interests" are interpreted in practice.

**C. General principles (arts. 2–3, 6 and 12)****Non-discrimination**

14. Please provide information on the measures taken to ensure that all children enjoy equal rights under the Convention without discrimination, both de jure and de facto, and to ensure the effective elimination of any form of discrimination against girls, children born to unmarried parents, children with disabilities, children of migrant workers and other children in vulnerable and marginalized situations, especially with respect to access to social and health services and equal education opportunities.

**Best interests of the child**

15. Please inform the Committee about the measures taken to ensure that the best interests of the child are a primary consideration when drafting, adopting, reviewing or implementing legislation, policies and rulings that have an impact on the enjoyment of children's rights, especially in court rulings regarding parental guardianship and responsibility and the child's principal residence. Please provide information on the development and dissemination to all relevant professionals of policies, procedures, criteria and guidance to determine and consistently apply the best interests of the child as a primary consideration in programmes and administrative and judicial proceedings concerning children.

**Right to life, survival and development**

16. Please inform the Committee on the measures taken:

- (a) To adopt and implement a national plan to prevent accidents and enforce child safety measures;
- (b) To impose sanctions for transporting children without safety belts or restraints;
- (c) To strengthen the enforcement of laws with respect to driving licences and of appropriate sanctions for driving without a licence and underage driving;
- (d) To carry out awareness-raising programmes, including campaigns, to reduce the number of road accidents.

**Respect for the views of the child**

17. Please provide information on the measures taken to ensure the effective implementation of the State party's legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing systems and/or procedures for social workers and court officials to comply with this principle. Please inform the Committee about the steps taken to facilitate, ensure and promote the meaningful participation of children in decision-making, at every level, including through initiatives such as the youth forums for Oman Vision 2040.

**D. Civil rights and freedoms (arts. 7–8 and 13–17)****Nationality and birth registration**

18. Please inform the Committee about the steps taken to review article 18 of the Nationality Law (Royal Decree No. 38/2014) to grant Omani women the same rights as Omani men with regard to the transmission of their nationality to their children and to provide adequate safeguards to ensure the conferral of citizenship on children who would otherwise be stateless. Please provide information on the efforts made to ensure that all births in the State party are registered, including, in cooperation with the States concerned, those of children of migrant workers, and please provide statistics in this regard.

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

19. Please provide information on the steps taken to amend the State party's Criminal Code, article 44 (a) of which allows parents or their equivalents to discipline minor children, albeit within the limits set by sharia or the law, as well as on the steps taken to explicitly prohibit corporal punishment in all settings. Please inform the Committee about the implementation of the national strategy for preventing and mitigating the maltreatment of children in Oman and the steps taken to promote positive, non-violent and participatory forms of child-rearing and discipline, including awareness-raising and education programmes for parents, teachers and care professionals.

**Sexual exploitation and abuse**

20. Please inform the Committee about the steps taken to establish mechanisms, procedures and guidelines to ensure mandatory reporting and speedy and effective investigation of cases of sexual abuse and exploitation of children and prosecution of those responsible. Please also inform the Committee about the measures taken to amend legislation to ensure that all children subjected to sexual exploitation, whatever the form, are treated as victims and are not subject to criminal sanctions. Please further inform the Committee about the steps taken to ensure that child victims of rape are not subject to prosecution for *zina*.

### **Harmful practices**

21. Please inform the Committee about the implementation of the executive regulations of the Children's Act prohibiting any form of female genital mutilation. Please also provide information on the measures taken to implement the Committee's previous recommendations that the State party undertake a national study of the prevalence of harmful practices in the State party and that it establish appropriate redress mechanisms accessible to all girls and women who are victims of harmful practices and ensure that perpetrators are prosecuted and adequately punished.<sup>2</sup>

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

### **Children deprived of a family environment**

22. Please provide information on the measures taken:

- (a) To support and facilitate family-based care for children, wherever possible;
- (b) To 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) To ensure periodic reviews of the placement of children in foster care and institutions, including in Al-Khoud childcare centre.

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

23. Please provide information on progress made in finalizing a national action plan on inclusive education and on:

- (a) The accessibility of schools and the resources allocated to them;
- (b) The measures taken to include children with disabilities in mainstream schools;
- (c) The training of professionals working with children with disabilities;
- (d) The measures taken to include children with disabilities into all areas of social life, including education, sports and leisure activities, and to ensure that facilities and other public areas are accessible to children with disabilities.

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

### **Health and health services**

24. Please provide information on:

- (a) The efforts made by the State to mitigate the impact of COVID-19 and ensure equitable and continuous access to health services, especially for children particularly at risk of being left behind, including children with disabilities and non-nationals;
- (b) The measures taken to address the causes of diarrhoea, anaemia, stunting, wasting and undernourishment among children;
- (c) The measures taken to improve maternal care and maternal nutrition, including genetic testing and health screening of couples for the prevention and early detection of congenital disabilities;
- (d) The mental health support provided to children, especially to mitigate the adverse effects of COVID-19 on children's mental health.

<sup>2</sup> CRC/C/OMN/CO/3-4 and Corr.1, para. 42 (a) and (d).

**Adolescent health**

25. Please inform the Committee about the measures taken to provide access for children to all forms of sexual and reproductive health care, including abortion.

**I. Education, leisure and cultural activities (arts. 28–31)****Education, including vocational training and guidance**

26. Please inform the Committee on:

(a) The measures taken to improve accessibility and the quality of education for all children;

(b) The steps taken to prevent children from dropping out of school, including steps taken to tackle instances of sexual harassment forcing girls out of school, increasing rates of cyberbullying and low attainment rates disproportionately affecting boys;

(c) The efforts made to identify and mitigate the disproportionate effects of COVID-19 on children who already experience barriers to accessing education or who are at a higher risk of being excluded for a variety of reasons, in particular children with disabilities, children in rural and low-income areas, indigenous children, migrant or stateless children and children in street situations;

(d) The efforts made to ensure that any technology recommended for online learning ensures children's privacy rights by protecting children's education data and other private information collected online in connection with online learning;

(e) The efforts made to include children's rights at all levels of formal and informal education.

**J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)****Asylum-seeking, refugee and migrant children**

27. Please inform the Committee about 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, asylum-seeking and refugee children. Please provide information on whether the State party intends to become a party to the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees and enact national legislation on asylum that is in line with international standards.

**Economic exploitation, including child labour**

28. Please inform the Committee about the steps taken to put in place a robust monitoring mechanism to identify instances of economic exploitation, including child labour, and instances of abuse, especially of girls who are domestic workers. Please also provide information on the steps taken to extend the prohibition of child labour to all sectors and activities that are harmful for children's health, safety, development and educational opportunities, including in the agricultural, fishing, industrial craft and other sectors, which are currently exempted from this prohibition.

29. Please inform the Committee about the measures taken to combat trafficking in children, prevent the involvement of children as camel jockeys and protect children who are victims or who are at risk of becoming victims of trafficking and forced labour.

**Administration of juvenile justice**

30. Please provide information on the steps taken:

(a) To raise the age of criminal responsibility for children, which is currently very low (9 years);

(b) To promote restorative justice and non-custodial measures as alternatives to detention;

(c) To ensure that detention is used only as a measure of last resort and that due account is taken of the particular vulnerability of children and of the risks of detention to their development, especially the disruption it causes to their education. Please also provide information on the length, conditions and monitoring of detention of children, as well as on the measures taken to implement the recommendations contained in the United Nations Global Study on Children Deprived of Liberty;

(d) To ensure that children in conflict with the law are promptly provided with legal assistance;

(e) To adopt a holistic and preventive approach to addressing the problem of children in conflict with the law and the underlying social factors.

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

31. Please provide information on the measures taken to incorporate all definitions contained in article 3 of the Optional Protocol in its Criminal Code, in particular the definitions of sale of children and of improperly inducing consent as a means of facilitating the adoption of a child, as well as the measures taken to prevent offences and provide assistance to child victims of offences under the Optional protocol.

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

32. Please inform the Committee on the steps taken by the State:

(a) To prohibit the voluntary enrolment of children, including children over 16 years of age, in the armed forces;

(b) To establish mechanisms to identify children coming from areas affected by armed conflict and provide such children with physical and psychological recovery and social reintegration;

(c) To endorse, comply with and promote the Safe Schools Declaration and ensure that laws, policies and training materials make explicit reference to the protection of schools and universities from military use during armed conflict.

### **III. Statistical information and data**

33. The statistical information and disaggregated data provided by the State party should cover the period since the consideration of its previous reports on the implementation of the Convention and the Optional Protocols thereto. The data should be disaggregated by age, sex, ethnic origin, national origin, type of disability, geographic location and socioeconomic status.

34. The provision of tables presenting trends over the reporting period is recommended and explanations or comments on significant changes that have taken place over the reporting period should also be provided.

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

35. Please provide information on the budget lines regarding children and social sectors by indicating the amount and the proportion of each budget line in terms of the total national budget.

**B. General principles (arts. 2–3, 6 and 12)**

36. Please provide data, disaggregated as described in paragraph 33 above, on child victims of accidents, including road and traffic accidents.

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

37. Please provide data, disaggregated as described in paragraph 33 above, on the number of children born to Omani mothers and foreign fathers and of stateless children.

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

38. Please provide data, disaggregated as described in paragraph 33 above, on:

(a) The number of cases of violence against children, including corporal punishment, reported to the authorities, investigated and prosecuted, and the sanctions issued to perpetrators, disaggregated by type of offence;

(b) The number of cases of sexual exploitation and abuse of children reported to the authorities, investigated and prosecuted, and the sanctions issued to perpetrators, disaggregated by type of offence;

(c) The number and type of protective measures provided to child victims of violence.

39. Please provide data on children subjected to harmful practices, including female genital mutilation.

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

40. Please provide data, disaggregated as described in paragraph 33 above, on:

(a) The number of children in institutional care and the average days of their stay;

(b) The number of children in family and community-based care.

**F. Disability, basic health and welfare (arts. 6, 18 (3), 23–24, 26–27 (1)–(3) and 33)**

41. Please provide data, disaggregated as described in paragraph 33 above, on:

(a) The number of children with disabilities;

(b) The number of children with disabilities living with their families and living in family and community-based care;

(c) The number of children with disabilities in inclusive education and in separate schools;

(d) The number of reported cases of torture, inhuman or degrading treatment and neglect and sexual violence against children with disabilities placed in institutions, the number of investigations and prosecutions carried out and the sentences issued.

42. Please provide data, disaggregated as described in paragraph 33 above, on the number of children suffering from diarrhoea, anaemia, stunting, wasting and undernourishment.

43. Please provide data, disaggregated as described in paragraph 33 above, on:

(a) The number of adolescent mothers;

(b) The number of sexual and reproductive health services available to adolescents, disaggregated by region.

44. Please provide data, disaggregated as described in paragraph 33 above, on the number and proportion of children living under the poverty line and in extreme poverty.

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

45. Please provide data, disaggregated as described in paragraph 33 above, on:

- (a) The number and proportion of children who do not have access to education due to COVID-19 related measures;
- (b) The number and proportion of children dropping out of school;
- (c) The number and proportion of children attending early childhood education and the average years of attendance;
- (d) The number of children in public and private, including religious, schools.

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

46. Please provide data, disaggregated as described in paragraph 33 above, and by status as either accompanied or unaccompanied, on:

- (a) The number of asylum-seeking and refugee children;
- (b) The number of children in situations of migration;
- (c) The number of children expelled from the territory of the State party;
- (d) The number of asylum-seeking and refugee children and children in situations of migration attending school and with access to health care.

47. Please provide data, disaggregated as described in paragraph 33 above and by type of violation reported, on:

- (a) The number of reported cases and the number of children involved in trafficking;
- (b) The number of such children who have been provided with access to rehabilitation programmes;
- (c) The number and percentage of cases of trafficking of children that have resulted in sanctions, including information on the country of origin of the perpetrator and the nature of the penalties imposed.

48. Please provide data, disaggregated as described in paragraph 33 above and by type of crime, on:

- (a) The number of children in detention facilities, the type of detention facilities (such as police cells and prisons) and the average length of their stay in detention;
- (b) The number of children referred to diversion and non-custodial sentencing options.

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

49. Please provide data, disaggregated as described in paragraph 33 above, on:

- (a) The number of reported cases of the sale of children, child prostitution and child pornography;
- (b) The number of such cases that have been investigated, prosecuted and sanctioned;

(c) The number of child victims of such crimes who have been provided with recovery assistance or compensation.

**J. Optional Protocol on the involvement of children in armed conflict**

50. Please provide data, disaggregated as described in paragraph 33 above, on:

(a) The number of asylum-seeking and refugee children entering the State party from areas where children may have been recruited or used in hostilities;

(b) The number of children who benefit from physical and psychological recovery and social reintegration measures.

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