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Convention on the Rights of the Child

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 8 (1) OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

Initial reports of States parties due in 2006

OMAN

[11 October 2007]

GE.09-40237 FOLLOW-UP COMMITTEE ON THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

MINISTRY OF SOCIAL DEVELOPMENT

A. Introduction

The Sultanate of Oman is pleased to submit its report under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict concerning the measures that the State has taken to implement the Optional Protocol.

We confirm that the laws in force in the Sultanate guarantee protection of human rights, including children's rights, particularly in relation to the involvement of children in armed conflict.

The Sultanate furthermore takes this opportunity to confirm its commitment to the international treaties, conventions and covenants to which it is a party and by which it is bound under article 10 of the Basic Law of the State.

The Sultanate has submitted two State party reports under article 44, paragraph 1 (b), of the Convention on the Rights of the Child - the first contained in document CRC/C/78/Add.1 and the second in document CRC/C/OMN/2 - in accordance with the guidelines on the form and contents of periodic reports issued by the United Nations Secretariat and adopted by the Committee [on the Rights of the Child] at its thirteenth session in October 1996.

The Sultanate confirms its commitment to the Convention on the Rights of the Child and to its implementation (having due regard for the reservations that it has entered to the Convention and which shall continue to apply until they are revised or amended).

B. Information relating to articles 1 to 7 of the Optional Protocol

Articles 1 to 3

The minimum legal age for enlistment in the armed forces in the Sultanate is 18 years. The requirement to produce a birth certificate or attestation of estimated age, as issued by the competent government authorities (the civil registrar), is a legal precaution that ensures compliance with this age limit. Enlistment is voluntary, not compulsory.

Article 4

There are no military or paramilitary organizations in the Sultanate of Oman.

Chapter II of the Basic Law of the State defines the principles which guide State policy. Of the principles of relevance to the Convention on the Rights of the Child and the Optional Protocol on the involvement of children in armed conflict, mention is made of article 14, paragraph 2, of the Basic Law, which provides as follows:

“The State alone shall establish the armed forces, public security organizations and any other forces. They all belong to the nation and their task is to protect the State, defend its territorial integrity and guarantee citizens’ security and safety. No institution or group may establish military or paramilitary organizations. The law shall regulate military service, general or partial conscription and the rights, duties and disciplinary rules of the armed forces, public security organizations and any other forces which the State may decide to establish.”

Chapter III of the Basic Law defines rights and duties which are of relevance to the Convention on the Rights of the Child and the Optional Protocol. Article 37 provides:

“Defence of the homeland is a sacred duty, and service in the armed forces is an honour for citizens that is regulated by law.” This is confined to persons over the age of 18.

Article 5

The Sultanate of Oman has been a member of the United Nations since 1971 and abides by the Charter. It contributes actively to all conventions and treaties which are considered in the framework of the United Nations and to the drafting of international conventions proposed for ratification.

The Sultanate of Oman has acceded to several international treaties with a bearing on children’s rights, including:

The International Convention on the Suppression and Punishment of the Crime of Apartheid, by Sultani Decree 1991/80

The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No. 182 (1999), by Sultani Decree 2001/138

The Framework Convention on Civil Defence Assistance, by Sultani Decree 2001/119

The International Convention on the Elimination of All Forms of Racial Discrimination, by Sultani Decree No. 2002/87

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the same Convention on the sale of children, child prostitution and child pornography, by Sultani Decree 2004/41

The United Nations Convention against Transnational Organized Crime and the Protocol supplementing the Convention to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (ratified in 2005)

The four Geneva Conventions of 1949 concerning the amelioration of the condition of the wounded and sick in armed forces in the field; the wounded, sick and shipwrecked members of armed forces at sea; the treatment of prisoners of war; and the protection of civilian persons in time of war; as well as the additional protocols thereto (March 1984)

The protocols relating to the International Committee of the Red Cross, by Sultani Decree 1981/41

Article 6

The Basic Law of the State takes precedence over any other law, legislation or other measure. Articles 72, 76 and 80 stipulate that the application of the Basic Law shall be without prejudice to any treaties and conventions which the Sultanate of Oman concludes with other States and international institutions and organizations and to the implementation of those instruments, which take precedence over domestic law. International treaties and conventions become part of Omani law once they have been ratified.

The law in force in the Sultanate does not allow for the participation of children in armed conflict, and Omani traditions derived from Islam - a source of legislation - protect children in the event of armed conflict and wars.

Article 7

The Sultanate does everything possible fully to meet its obligations under the Convention on the Rights of the Child and the two optional protocols.

The Sultanate cooperates continuously and actively with all international organizations that deal with children’s issues, such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Children’s Fund (UNICEF), the World Health Organization (WHO) and the International Labour Organization (ILO), in designing and implementing specific programmes for children with a view to fulfilling its international pledges.
