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## **I. General information**

### **A. Demographic, economic, social and cultural characteristics**

#### **Geographical location**

1. The Sultanate of Oman is situated in the southern-eastern extremity of the Arabian peninsula and covers an area between latitudes 16°40`N and 26°20`N and longitudes 51°50`E and 59°40`E. Stretching almost 3,165 km from the Strait of Hormuz to the borders adjacent to the Republic of Yemen, it overlooks three seas: the Arabian Gulf, the Sea of Oman and the Arabian Sea.

#### **Language**

2. Arabic is the official language, with English widely used in the economic and education sectors.

#### **Surface area**

3. The total surface area of the Sultanate is roughly 309,500 sq. km, comprising numerous types of land forms with varying topographic features.

#### **Topography**

4. The Sultanate of Oman is characterized by the diversity of its topography, which divides it into three physical regions. These regions include high mountains and deep fjords in the north, sand dunes in Sharqiyah North governorate, two wide plains in the centre and green hills in Dhofar governorate in the south, with a varied and rugged coastline extending from north to south for 3,165 km. Known as Batinah, the northern coastal strip along the Sea of Oman is a narrow fertile plain separated from the rest of the Sultanate by the Hajar mountains. The highest peak in these mountains is Jabal Shams, which reaches a height of 3,009 m. On the southern slopes, oasis towns are visible amid the palm trees that grow in the arid desert areas. In the south lies Oman's second mountain range, the Dhofar mountains, which are transformed by the seasonal summer rainfall into verdant highlands, making them less bare and producing a variety of beautiful natural landscapes.

#### **Climate**

5. The Sultanate of Oman has an arid (desert) and semi-arid (steppe) climate, with significantly high temperatures most of the year, apart from in the elevated regions and islands. In summer, they exceed 45°C during the day. In the coldest months, the average temperature is no lower than 20°C because of the Tropic of Cancer passing through the northern third of the country and because of the country's location on the perimeter between extratropical cyclone and subtropical monsoon areas. Rainfall is scarce and erratic in quantity and timing. In the north, it occurs in winter as a result of the depressions formed and averages 100 mm annually. It is most abundant in the mountains and in Dhahirah governorate and at its lowest in Batinah South and North governorates, followed by Dakhiliyah and Wusta governorates. Bearing in mind that it runs down the valleys and passes bordering settled and urban areas, Omanis have put a great deal of thought into digging and constantly maintaining shafts, or small channels, constructing feeder dams in the main valleys in order to boost the annual recharge of the groundwater reservoir from natural springs, and drilling artesian wells. In Dhofar governorate, summer rainfall is received from the south-westerly monsoon winds. Its average rate during this season can be higher than 150 mm.

6. Clouds gather and drizzle falls around the mountains, encouraging the growth of lush vegetation on which livestock and camels are raised. The country has winter and summer rains that stimulate the growth of pastures and various natural plants, including thorny shrubs and desert flora, and promote successful agriculture. The population is concentrated in specific locations singled out on the basis of water availability. During most of the year, north-easterly trade winds blow, sometimes turning into north-westerly winds accompanied by winter rain. In the south of the country, rainy south-westerly winds blow. Oman's interior is typically arid, which reduces the effects of the extreme heat on humans, while the coastal regions are characterized by a high level of relative humidity, making them feel hotter. The climate in the Sultanate differs from one region to another. We therefore find in the coastal zones that the weather is hot and humid in the summer and in the interior that it is hot and dry, except in high places, where the air is mild throughout the year.

### **Population**

7. According to the census of 2010, Oman has a population of 2,773,479, of whom 75 per cent are urban dwellers and 25 per cent rural dwellers, with females comprising 41.9 per cent and males 58.1 per cent. The same census also showed a demographic growth rate of 2.4 per cent, a crude birth rate of 31 per 1,000 Omanis and a crude death rate of 3.3. Average life expectancy at birth is 76 years (73.6 years for men and 78.7 years for women), compared with 74.28 years in 2005 and 73.6 years in 2000. Youth constitute a significant proportion of the population, with young persons under the age of 15 years accounting for 27.8 per cent of the total. Economically active persons (between the ages of 15 and 59) account for almost 68 per cent of the total and the population aged 60 and over amounts to 4.1 per cent, again according to the census of 2010. The number of resident expatriates is 816,143.

8. According to the *Statistical Year Book* for 2011 and data for 2010, the total workforce amounts to 318,086 persons, of whom 140,370 work for the Government, excluding the military, and the total expatriate workforce is 976,828, of whom 956,000 are in the private sector.

9. The total fertility rate in the Sultanate is 3.4 live births per woman of reproductive age, according to the census of 2010, compared with the rate of 6.2 shown in the data from the census of 1993. This rate fell by about one half in 2003 to 3.4 live births per woman of reproductive age.

10. The maternal mortality ratio was 26.4 per 100,000 births in 2010. Infant (under 1) deaths have also declined; in 2010, 9.3 such deaths per 1,000 live births were recorded, as opposed to 10.28 per 1,000 live births in 2005. The under-5 mortality rate stood at 11.3 deaths per 1,000 live births in 2010.

11. Government spending on the health sector amounted to 5 per cent of total spending.

12. In 2010, government spending on the education sector amounted to 9.5 per cent of the total, bringing the adjusted net enrolment ratio at the national level to 90.5 per cent, as against only 52.4 per cent in 1993. The adjusted net enrolment ratio in basic education for children between 6 and 11 years of age amounted to 97.5 per cent in 2009/10, whereas it was 85.2 per cent in 2004/05. As to the adjusted net enrolment ratio in preparatory education for children between 12 and 14 years of age, it was 94.9 per cent in 2009/10, compared with 68.2 per cent in 2004/05.

13. The illiteracy rate among those aged 10 and above in the total Omani population was 12.2 per cent, according to the census of 2010, as against 17.7 per cent in the census of 2003 and 41.2 per cent in the census of 1993. This fall in the rate is essentially attributable to the national literacy efforts.

14. At current prices, gross domestic product (GDP) in 2010 was 22.773 billion Omani riyals (RO), with an annual growth rate of 22.7 per cent. GDP per capita was RO 7,775.
15. The share of petroleum activities in overall GDP was 45 per cent.

## **B. Constitutional, political and legal structure of the State**

16. The Sultanate of Oman is an independent and fully sovereign Arab State, with Muscat as its capital. Its religion is Islam, which is the religion to which most of the population in Oman adhere. Those adhering to other religions freely practise their faith. The system of government in the Sultanate is that of a hereditary monarchy in which succession passes to a male descendant of Sayyid Turki bin Said bin Sultan, The male chosen to rule must be an adult Muslim of sound mind and a legitimate son of Omani Muslim parents.

17. The powers in the Sultanate are as set out below.

### **The executive**

18. The executive is headed by the Sultan in his capacity as Head of State and the Supreme Commander of the Armed Forces and he discharges the following functions:

- Preserves the country's independence and territorial integrity, protects its internal and external security, safeguards the rights and freedoms of citizens, guarantees the rule of law and directs the general policy of the State;
- Takes prompt measures to counter any danger threatening the safety of the Sultanate, its territorial integrity or the security and interests of its people, or impeding State institutions in the performance of their functions;
- Represents the State internally and to other States in all international relations;
- Presides over the Council of Ministers or appoints a person to preside over it;
- Presides over specialized councils or appoints a person to preside over them;
- Establishes, regulates and abolishes units of the administrative apparatus of the State;
- Appoints and relieves from office deputy prime ministers, ministers and persons of equivalent status;
- Appoints and relieves from office ministerial undersecretaries, secretaries-general and persons of equivalent status;
- Appoints and relieves from office senior judges and persons of equivalent status;
- Declares states of emergency, general mobilizations, war, and peace, as prescribed by law;
- Promulgates and ratifies laws;
- Signs or delegates the signing of international treaties and agreements, in accordance with the provisions of law, and issues decrees ratifying them;
- Appoints and relieves from office political representatives to other States and international organizations, in accordance with the limits and circumstances prescribed by law, and accepts the accreditation of representatives of States and international organizations;
- Pardons or commutes sentences;
- Awards medals of honour and military ranks.

19. The Council of Ministers tops the executive of the Sultanate and is headed by His Majesty the Sultan. It is the body entrusted with implementing the general policies of the State, with responsibility in particular for the following:

- Submitting recommendations to the Sultan on economic, political, social, executive, and administrative matters of concern to the Government, including the proposal of draft laws and decrees;
- Safeguarding the interests of citizens, guaranteeing their access to essential services and enhancing the economic, social, health and cultural aspects of their lives;
- Determining the objectives of and general policies for economic, social and administrative development and proposing the necessary means and measures for their implementation in order to ensure that financial, economic and human resources are well utilized;
- Discussing development plans prepared by the competent authorities after they have been presented to the Council of Oman, submitting them to His Majesty the Sultan for approval and following up their implementation;
- Discussing proposals of ministries in connection with the discharge of their functions and making appropriate recommendations and decisions with respect thereto;
- Supervising the functioning of the administrative apparatus of the State, monitoring its performance of its duties and coordinating among its units;
- Overseeing generally the implementation of laws, decrees, regulations, decisions, treaties, agreements and court judgements in a manner that ensures compliance therewith.

20. The executive also comprises specialized councils responsible for cooperation and assisting the Government in discharging its assigned functions.

### **The legislature**

21. In 2011, pursuant to amendment of the provisions of the Basic Law of the State by Royal Decree No. 99/2011, a number of legislative and oversight functions were vested in the Council of Oman in order to ensure its best performance. The legislature in the Sultanate is embodied in the Council of Oman, which is composed of the State Council and the Shura Council, as detailed below.

#### *The State Council*

22. The State Council comprises a chairman and members, whose numbers, including the chairman, must not exceed the number of members of the Shura Council. They are appointed by royal decree from among the following categories:

- Former ministers, deputy ministers and persons of equivalent status;
- Former ambassadors;
- Former senior judges;
- Retired senior officers;
- Persons with proven competence and expertise in science, literature and culture, and professors at universities, colleges and higher institutes;
- Dignitaries and businessmen;
- Persons having performed important services for the country;

- Anyone from other than the above categories whom His Majesty the Sultan sees fit to choose.

23. The State Council is currently composed of 83 members, 15 of them women, who account for 18 per cent of the Council's members.

#### *The Shura Council*

24. The Shura Council is composed of elected members representing all of the administrative divisions (wilayahs) in the Sultanate. The number of Council members is determined so that each wilayah is represented either by one member where the number of inhabitants in the wilayah is not more than 30,000 on the date when nominations open and by two members where the number of inhabitants in the wilayah exceeds that limit on that same date.

25. The Shura Council is currently composed of 84 members, including one woman, representing the various wilayahs in the Sultanate.

26. Both Councils exercise their legislative functions as provided for in the Basic Law of the State, which requires them to table bills prepared by the Government to the Council of Oman for approval or amendment and to submit them directly to His Majesty the Sultan for promulgation. The Council of Oman also proposes bills and refers them to the Government for consideration, after which they are returned to the Council. Pursuant to the Basic Law of the State, draft development plans and the annual budget of the State must be referred by the Council of Ministers to the Shura Council for discussion and for recommendations to be made thereon within a maximum of one month of the date of referral. They must then be referred to the State Council for discussion and recommendations to be made within a maximum of 15 days from the date of referral. The Chairman of the State Council must return them to the Council of Ministers, together with the recommendations of the two Councils. The Council of Ministers must notify both Councils if any of the recommendations were not adopted and also state the reasons for their non-adoption. Under the Basic Law of the State, draft economic and social agreements that the Government intends to conclude or accede to must be referred to the Shura Council so that it can state its views and present its conclusions thereon to the Council of Ministers for it to take such action as it deems appropriate. Both Councils also perform oversight functions, as provided for in the Basic Law of the State, and their members may accordingly seek to question ministers of services on matters relating to their powers. Ministers of services may also be required to submit to the Shura Council an annual report on the implementation phases of projects being carried out by their ministries and the Council may call upon any such minister to provide information on and discuss internal matters within the mandate of his ministry. A number of additional oversight functions are provided for in the rules of procedure of the State and Shura Councils.

#### **The judiciary**

27. Article 59 of the Basic Law of the State provides that: "The sovereignty of the law is the basis of governance in the State. The integrity of the judiciary and the impartiality and fairness of judges are a safeguard of rights and freedoms." Article 61 also provides that: "There is no authority over judges in their decision-making other than the law. They may not be removed except as prescribed by law. No one may interfere in cases of law or in matters of justice. Such interference is an offence punishable by law." The law furthermore sets out the conditions to be satisfied by anyone taking judicial office, the terms and procedures for the appointment, transfer and promotion of judges, the prescribed safeguards for judges, the circumstances in which judges are irremovable, and other provisions relating to judges.

*The Supreme Judicial Council*

28. His Majesty the Sultan chairs the Supreme Judicial Council and the President of the Supreme Court holds the position of vice-chairperson. Royal Decree No. 9/2012 designates the members of the Council, all of whom are members of the judiciary. There is no executive interference of any kind in the judiciary. Pursuant to the Decree on its establishment, the aim of the Supreme Judicial Council is to guarantee the independence of the judiciary, instil the values, ideals and ethics of judicial work, and supervise the judicial system. It also has oversight of all judicial matters.

29. In the Sultanate, there are two types of judicial systems, as follows:

(a) The ordinary judiciary: This comprises the ordinary courts at the various levels, which are divided into courts of first instance and appeal and the Supreme Court. This type of judicial authority is governed by the provisions of the Judiciary Act promulgated by Royal Decree No. 90/99, the Code of Civil and Commercial Procedure promulgated by Royal Decree No. 29/2002, and the Code of Criminal Procedure promulgated by Royal Decree No. 97/99. These courts are competent to hear various kinds of cases, including civil, commercial, criminal, labour and personal status cases, the exception being administrative cases falling within the jurisdiction of the Administrative Court;

(b) The administrative judiciary: This comprises the Administrative Court, established pursuant to Royal Decree No. 91/99, which is competent to hear administrative disputes involving complaints by the parties concerned about decisions and actions taken by units of the administrative apparatus of the State. The Administrative Court Act was amended pursuant to the provisions of Royal Decree No. 3/2009 in order to extend the Court's jurisdiction for oversight of the administrative activities of the units of the administrative apparatus of the State.

30. It is worth noting in this regard that the State Security Court was abolished pursuant to Royal Decree No. 102/2010, the upshot of which is that cases previously within its jurisdiction are now referred to the competent ordinary court.

31. Lastly, pursuant to Royal Decree No. 10/2012, which governs the administration of judicial affairs, the judiciary was made fully independent from the executive and permitted to administer all of its own affairs and personnel matters, with no hint of interference from any ministry or other government entity.

32. The Non-Governmental Organizations Act promulgated by Royal Decree No. 14/2000 sets out the conditions and circumstances guaranteeing the right of persons to establish and institute non-governmental organizations (NGOs), which are likewise guaranteed independence. It also empowers the Ministry of Social Development to supervise these organizations without it affecting their independence. The law further guarantees the right of individuals to complain to the Administrative Court against decisions of the Ministry concerning NGOs and it confers on NGO management boards the right to administer these organizations in line with their statutes. As at 2012, the number of known NGOs amounted to 27 professional NGOs and 25 charitable NGOs, in addition to 56 Omani women's associations and 10 community clubs.



## II. General framework for the protection and promotion of human rights

### A. Acceptance of international human rights norms

33. Since the dawn of the blessed renaissance in 1970, the Sultanate has been proactive in giving shape to international human rights law and international humanitarian law by participating in number of relevant conventions and protocols, which is to say that it has signed and ratified the majority of international human rights conventions and the protocols thereto and has also fulfilled the ensuing international obligations.

34. One of the features in that regard has been to harmonize the national legislation with the international norms and standards of the conventions ratified by the Sultanate, which has also diligently reported on implementation to the international treaty bodies and taken on board their recommendations.

35. The Omani legislature embodied this concern in firmly and effectively providing for the protection of human rights in the Basic Law of the State, as underlined by the ordinary legislation in each respective case. As a result of this approach, the Sultanate acceded to and ratified numerous international human rights conventions, including but not limited to the following.

<i>Convention</i>	<i>Decree number</i>	<i>Date of ratification</i>
International Labour Organization (ILO) Convention No. 29 concerning forced or compulsory labour	Royal Decree No. 75/1996	25 September 1996
ILO Convention No. 138 concerning minimum age for admission to employment	Royal Decree No. 38/2001	24 April 2001
ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour	Royal Decree No. 65/2005	3 July 2005
ILO Convention No. 105 concerning the abolition of forced labour	Royal Decree No. 65/2005	3 July 2005
Arab Convention No. 18 of 1996 on child labour, excluding articles 3, 7, 8, 9, 10, 16, 20, 21 and 23	Royal Decree No. 47/2006	10 May 2006
Arab Convention No. 19 of 1998 on labour inspection, excluding articles 11, 15, 18, 22, 26, 29, 30, 32, 38, 40 and 41	Royal Decree No. 47/2006	10 May 2006
International Convention on the Elimination of All Forms of Racial Discrimination	Royal Decree No. 87/2002	26 October 2002
Convention on the Elimination of All Forms of Discrimination against Women	Royal Decree No. 25/2005	21 January 2006
Convention on the Rights of the Child	Royal Decree No. 45/96	27 September 2001

<i>Convention</i>	<i>Decree number</i>	<i>Date of ratification</i>
Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography	Royal Decree No. 41/2004	17 April 2004

36. It is hoped that the Sultanate will accede in the near future to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention for the Protection of All Persons from Enforced Disappearances, in accordance with the recommendations accepted by the Sultanate during the consideration of its national human rights report as part of the universal periodic review in January 2011.

37. Concerning the Sultanate's position with respect to the acceptance of treaty amendments, it has already ratified the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 31 December 1995, as stated in Royal Decree No. 82/2002.

38. The Sultanate had five reservations to the Convention on the Rights of the Child upon its accession thereto pursuant to Royal Decree No. 54/96. It re-examined these reservations, however, which resulted in the withdrawal of four of the five reservations and a narrowing of the fifth. The Sultanate's reservation is thus confined to article 14 of the Convention, which accords to the child the right to freedom of religion. Its maintenance of this reservation is in observance of the overall system of Islam and it must be pointed out that this in no way affects the freedom of adults to choose their religion in the manner articulated in the Basic Law of the State.

39. The Sultanate also made five reservations upon its accession to the Convention on the Elimination of All Forms of Discrimination against Women. It has undertaken, however, to examine those reservations with a view to narrowing or removing them in the light of the recommendations that it accepted during the consideration of its national human rights report as part of the universal periodic review mechanism. Work on that score is currently under way.

## **B. Legal and institutional framework for the protection of human rights at the national level**

40. The Sultanate has established a legal and institutional framework for guaranteeing robust human rights protection in the manner outlined below.

### **1. Legal framework for human rights protection**

41. The Sultanate of Oman made great strides forward in its development renaissance, keeping pace with new developments at the internal and international levels. A particularly prominent feature of this renaissance was the increased attention devoted to human rights. The Basic Law of the State promulgated pursuant to Royal Decree No. 101/1996 is the overarching framework for human rights in the Sultanate and its guidance is binding on the legislature in the process of drafting domestic laws and regulations.

42. The constitutional legislature's interest in international treaties and conventions, especially those relating to human rights, grew to such an extent that it stipulated, in articles

72, 76 and 80 of the Basic Law of the State, that the provisions of the latter must be applied without prejudice to the provisions of international treaties and conventions ratified by the Sultanate, a restriction that applies a fortiori to the ordinary legislation promulgated in this regard.

#### *Right to health*

43. One of the key human rights to which the Basic Law of the State attaches great importance is the right to health, with article 12, paragraph 5, thereof providing that: "The State is responsible for public health and means of preventing and treating disease and epidemics. It shall pursue the delivery of health care to every citizen and promote the establishment of private hospitals, clinics and therapy centres operating under its supervision and in accordance with the rules prescribed by law..."

#### *Right to education*

44. The constitutional legislature attached the same degree of importance to the right to education, providing in article 13 of the Basic Law of the State that: "Education is the cornerstone for the progress of society and is fostered by the State, which strives to disseminate it and make it accessible to all."

45. Education is aimed at raising and developing the overall cultural standard, promoting scientific thought, kindling the spirit of enquiry, meeting the requirements of economic and social plans, and creating a generation strong in body and moral fibre that takes pride in its country and heritage and preserves its achievements.

46. The State provides public education, works to combat illiteracy and encourages the establishment of private schools and institutes operating under its supervision and in accordance with the provisions of law.

#### *Right to work*

47. Taking account of the Sultanate's belief in the importance of the right to work, it is provided in article 12, paragraphs 6 and 7, of the Basic Law of the State that: "The State shall enact laws protecting workers and employers and regulating the relationship between them. All citizens have the right to engage in the work of their choice within the limits of the law. No compulsory labour may be imposed on anyone other than pursuant to a law, for the performance of a public service and for fair remuneration. Public office is a national service entrusted to those who carry it out and State employees, in performing their functions, shall pursue the public interest and seek to serve society. Citizens are considered equal in taking up public employment, in accordance with the conditions prescribed by law."

48. The Basic Law of the State accords the same level of importance to the principle of equality in general and to the prohibition of gender discrimination, providing as it does in article 17 that: "All citizens are equal before the law and share the same public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect, domicile or social status."

#### *Right of legal recourse*

49. One of the key rights guaranteed by the Basic Law of State is the right of legal recourse for all, pursuant to article 25, which states that: "The right of legal recourse is a protected right guaranteed to all persons. The law shall prescribe the procedures and circumstances necessary for the exercise of this right and the State shall guarantee, as far as possible, that the judicial authorities reconcile the litigants and settle cases promptly."

50. The Basic Law affirms this right, providing as it does in article 60 for the independence of the judiciary and the different types and levels of court, and in article 61 for the independence of judges themselves and for their irremovability. It also prohibits any authority from interfering by any means in affairs of justice and considers such interference to be an offence punishable by law.

*Other rights and freedoms*

51. The Basic Law guarantees numerous other rights and freedoms in addition to the above. Pursuant to article 18, for instance, personal freedom is guaranteed and it is also prohibited to arrest, search, detain or imprison any person or restrict his choice of residence or movement except in accordance with the provisions of law. Whether physical or psychological, torture in all of its forms and manifestations is likewise prohibited under article 20, as is any kind of degrading treatment. Effective protection of the right of privacy is guaranteed, as featured in article 27, which states that: "Homes shall be inviolable and may not be entered without the permission of the occupants except as prescribed by law." Article 30 also protects the freedom of postal correspondence, telegrams, telephone conversations and other means of communication, guarantees their confidentiality and prohibits their censorship, inspection, disclosure, delay or confiscation except as prescribed by law. Freedom of opinion and expression is assured pursuant to article 29, which provides that: "Freedom of opinion and expression, whether spoken, written, or in other forms, is guaranteed within the limits of the law." Article 31 also generally provides for freedom of the press, printing and publication, which is not restricted unless it leads to public discord, prejudices the security of the State or undermines the dignity and rights of human beings.

52. Rights to which the Basic Law can be said likewise to attach special importance include the rights of the child in the light of its protection and preservation of the family, pursuant to article 12, paragraph 3, which provides that: "The family is the basis of society and the law shall regulate the means for protecting it, preserving its legal integrity, fostering its ties and values, caring for its individual members and creating the right conditions for the development of their aptitudes and abilities."

**Legislative framework for human rights in the Sultanate**

53. In order to give effect to all of the aforementioned constitutional principles and rules relating to human rights, the national legislature took numerous steps to protect them, most notably as described below.

54. The Sultanate pursued the ratification of all international human rights conventions and treaties, according them the status of binding domestic legislation and moreover giving them precedence over domestic legislation in the event of conflict. The most prominent examples of this are the Convention on the Rights of the Child, to which the Sultanate acceded pursuant to Royal Decree No. 45/96 and which it ratified on 27 September 2001; the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, which the Sultanate ratified pursuant to Royal Decree No. 41/2004; the International Convention on the Elimination of All Forms of Racial Discrimination of 2002, ratified pursuant to Royal Decree No. 87/2002; the Convention on the Elimination of All Forms of Discrimination against Women, ratified pursuant to Royal Decree No. 42/2005; the Convention on the Rights of Persons with Disabilities, ratified by the Sultanate pursuant to Royal Decree No. 121/2008; and ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour, ratified by the Sultanate on 3 July 2005 pursuant to Royal Decree No. 65/2005. The Sultanate submitted its reports to the Committee on the Elimination of Racial Discrimination in 2006; to the Committee on the

Rights of the Child in 2001 and 2006; on the Optional Protocols thereto in 2009; and on the Convention on the Elimination of All Forms of Discrimination against Women in 2011.

*Right to health*

55. The Sultanate has achieved tremendous progress over the past 40 years in putting into practice the right to health provided for in article 12 of the Basic Law of the State. It thus ranked first in the world in terms of the efficient use of health resources and eighth in the world in terms of overall health system efficiency, according to a report published by the World Health Organization (WHO) in 2000. The Government funds over 80 per cent of total health spending, which is one of the highest percentages globally.

*Right to education*

56. In accordance with article 13 of the Basic Law, the State directed substantial attention to the education system at the legislative level.

*Right to work*

57. Provided for in article 12 of the Basic Law of the State, the right to work is regulated, protected and implemented by legislation. Examples of the laws concerned are:

- The Civil Service Act, promulgated by Royal Decree No. 120/2004, which confers equal rights and duties on all those occupying public positions, whether Omani or non-Omani or male or female. This Act also governs the relationship between public employees and their administrative units and promises job stability and a decent livelihood for those employees and their family members through the guarantee of a minimum living wage. In addition are several other basic guarantees relating to the employee's career path and the nature of his working environment. In 2010, the number of workers in the government sector amounted to 163,982, comprising 140,370 Omanis and 23,612 expatriates;
- The Omani Labour Code, promulgated by Royal Decree No. 35/2003, which includes all rules governing the right to work. It thus refers to the contract between the worker and employer and the effects of that contract and provides that it is prohibited to employ any worker for more than nine hours per day or for more than a maximum of 48 hours per week. Working hours must also be interspersed with one or more breaks for food and rest lasting not less than half an hour and no period of work must be continuous for over six hours. The Code also guarantees the right of workers to receive additional pay or compensatory leave in the event that they work overtime hours. It furthermore prohibits the recruitment of non-Omani workers without a permit from the Ministry of Manpower, which sets the conditions for the recruitment of such workers, among them the conclusion of a lawful employment contract stating the name of the employer and the enterprise, the address and place of work, and information about the worker, his nationality, type of work he is required to perform, period of contract, pay, extra benefits and bonuses, and any other legal conditions.

58. In order to ensure the necessary protection and safety for workers, the law prohibits the employment of workers in construction sites or outdoor locations during the intense midday heat, specifically between 12.30 p.m. and 3.30 p.m. throughout the months of June, July and August of each year.

59. In 2006, the Labour Code was amended pursuant to Royal Decree No. 74/2006 in order to afford to those working in private enterprises the opportunity to establish trade unions and workers' federations, in accordance with international labour standards. Members of these trade unions and workers' federations enjoy the required degree of

independence and protection. Workers in the Sultanate of Oman may also exercise the right to take part in strikes and collective bargaining, in accordance with the provisions of the law. As a result, 139 workers' unions had been registered and proclaimed in the Sultanate as at December 2011. The General Federation of Oman Trade Unions was also proclaimed at its Founding Congress on 10 February 2010.

60. In 2009, the Labour Code was amended pursuant to Royal Decree No. 63/2009 in order to bring it into line with the Human Trafficking Act and curtail practices falling within the scope of a human trafficking offence, such as forced labour. This amendment introduced tougher penalties for offenders and tighter regulation of the employment and recruitment of expatriate workers in the Sultanate, in conformity with the general provisions set forth in the Human Trafficking Act No. 126/2008.

61. In the realm of ministerial decisions, the Ministry of Manpower issued its Decision No. 294/2006 regulating collective bargaining, peaceful strike action and closures, which affords priority to workers in obtaining their rights in the event of the closure or bankruptcy of an enterprise. The law prescribes the mechanism for the payment of wages owing to workers, which may not be withheld or stopped except in accordance with the conditions provided for by law. The law sets workers' daily and weekly working hours, annual and emergency leave, official holidays and weekly rest days.

62. Ministerial Decision No. 99/2010 established the Social Dialogue Committee, comprising representatives of the three parties involved in production (the Government, employers and workers), with the aim of examining regional and global criteria for promoting social dialogue in order to enhance employment relations among those parties. The Committee directs the efforts of social partners in the labour market towards increasing production, strengthening competitiveness and accomplishing balance and harmony between the interests of workers and employers in such a manner as to promote the national efforts to achieve comprehensive sustainable development.

63. The legislature did not overlook the guarantee of various rights to expatriate workers. In 2006, for instance, the Ministry of Manpower issued Circular No. 2/2006 prohibiting employers from withholding the passports of their workers except in accordance with a court judgement. In order to facilitate the daily lives of the expatriate workforce and all residents, the Omani authorities, represented by the General Department of Personal Status, started issuing resident's cards for use as proof of identity in all official transactions, which dispensed with the need to carry a passport.

64. In the case of domestic workers, Ministerial Decision No. 189/2004 prescribes the rules and conditions of their employment, including the terms of licence for their recruitment; their contracts of employment; their medical examinations; their employment cards; the obligations of employers to pay their monthly wages, provide appropriate food, housing and medical care, supply their travel tickets, and determine their duties; and the mechanism for the settlement of disputes that might arise between a worker and the employer so as to protect their rights in accordance with the general rules of the Labour Code.

65. In 2010, the number of Omani workers registered for social insurance stood at 177,716 and the number of expatriate workers with valid employment cards at 956,000 (annex 4).

#### *Right of legal recourse*

66. With respect to the right of legal recourse provided for in article 25 of the Basic Law of the State, the national legislature set out in the Code of Civil and Commercial Procedure the details concerning the limits, scope and procedures relating to the exercise of this right,

parties to proceedings, levels of proceedings, rulings, means of appeal, enforcement and so on.

67. In the interest of achieving full justice, Royal Decree No. 93/99 was promulgated to establish the Supreme Judicial Council, the country's highest judicial authority.

68. With the promulgation of Royal Decree Nos. 9/2012 and 10/2012, both of which have already been mentioned, the independence of the judiciary was complete.

#### *Rights of the child and family*

69. The ordinary legislature attached great importance to protection of the rights of the child and family, referred to in article 12 of the Basic Law, as articulated below.

70. The Sultanate acceded to the Convention on the Rights of the Child pursuant to Royal Decree No. 45/96, ratifying it on 27 September 2001, and to the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, both of which it ratified pursuant to Royal Decree No. 41/2004. Eager to fulfil its obligations, the Government established a national committee to follow up implementation of the Convention on the Rights of the Child, pursuant to Ministerial Decision No. 56/2009, which comprised representatives of various government entities and NGOs.

71. Promulgated pursuant to Royal Decree No. 35/2003, the Labour Code, as amended, prohibits the employment of anyone under 15 years of age. Under its provisions, it is also prohibited for anyone under 18 years of age to work longer than a six-hour period in one day and to work overtime or between 6 p.m. and 6 a.m., or during holidays and weekends. Insofar as the law considers all of the above to be public order provisions, no agreement can be made to contravene them. Any such agreement that does occur is invalid, as has indeed been established by the judiciary.

72. The Juvenile Criminal Liability Act promulgated pursuant to Royal Decree No. 30/2008 creates additional safeguards for juveniles and is concerned with juvenile correction and rehabilitation. To that end, this Act provides for the establishment of special administrations to take care of juvenile delinquents, such as the Department of Juvenile Affairs, the Juvenile Guidance Home, the Juvenile Probation Home, the Juvenile Police Unit and the Juvenile Correctional Home. Owing to the specificity of problems associated with juveniles, special juvenile courts were established by law and care is taken to ensure that court hearings are held in camera in order to safeguard the juvenile's future. The legislature also guaranteed aftercare for convicted juveniles. It is worth mentioning that, under this Act, a juvenile is anyone under 18 years of age.

73. Following on from the efforts of the legislature to take care of the family and children, the Social Security Act was promulgated pursuant to Royal Decree No. 87/1984, dated 3 November 1984, establishing a monthly allowance for individuals and families who are without a source of income or whose provider is incapacitated. It also covers persons who do not benefit from the retirement system or whose retirement income is insufficient to meet the needs of all family members. Their entitlement is consequently topped up by social security. The groups benefiting from this system are orphans, widows, divorced women, families of prisoners, the incapacitated and persons with disabilities.

74. When guaranteeing this protection for families with few resources, the legislature intended, among other things, to create an environment conducive to bringing up children in a manner that would be reflected in their education and health. Furthermore, in assessing the amount of benefits, the legislature took into consideration the number of family members, particularly minors under working age, including children.

*Women's rights*

75. The ordinary legislature directed considerable attention to women's rights by way of the Sultanate's ratification of the Convention on the Elimination of All Forms of Discrimination against Women, pursuant to Royal Decree No. 42/2005, which is now a binding national law. It moreover continued its attention to this matter and the Ministry of Social Development accordingly issued its Decision No. 348/2005 constituting a national committee for following up implementation of the Convention. The committee was also reconstituted pursuant to Ministerial Decision No. 130/2009 to include two members of civil society organizations and later again reconstituted, pursuant to Ministerial Decision No. 297/2012, in order to include in addition representatives of the National Human Rights Commission, workers' unions and other NGOs.

76. This Commission was entrusted with the following tasks:

- Follow-up of implementation of the Convention on the Elimination of All Forms of Discrimination against Women;
- Preparation of periodic reports on implementation of the Convention.

77. On the political front, women enjoy the right to vote and stand as candidates for the legislative council (Shura Council) and have equal opportunities to hold government office, in accordance with the principle of equality provided for under article 17 of the Basic Law.

78. Since the start of the blessed renaissance in 1970, the State has guaranteed to women their right to establish associations concerned with their affairs. The Clubs and Associations (Regulation) Act was thus promulgated in 1972 and comprehensively amended in 2000. On the basis of this Act, a total of 56 various women's institutions and associations were established in all governorates across the Sultanate. These associations have made undeniable efforts to promote and protect women's rights, as will be seen in the discussion of measures taken in that regard.

79. Under the Labour Code, men and women have the equal right to work and its impacts, in particular the matter of pay and other financial entitlements. Taking into account the nature of women and their social role in the family, the legislature singled out women for number of concessions under the Labour Code, most notably the fact that they cannot be employed between the hours of 6 p.m. and 6 a.m., except in the circumstances and types of work specified by a decision of the Minister of Manpower. Nor may they be employed in work detrimental to their health and morals, in hard labour, or in such other work as may be determined by a decision of the Minister.

80. In order to encourage women to enter the world of work, the Labour Code guarantees their protection from arbitrary dismissal for reasons of illness, pregnancy or childbirth.

81. The Civil Service Act No. 8/80, as successively amended, treats men and women as equals with respect to pay and there is accordingly no difference in the salary and allowances of public servants on the basis of gender. Nor does the Act overlook the biological and social status of women, as it entitles them to a 50-day period of childbirth and maternity leave, with full pay, and to infant-care leave without pay for a period of up to one year following the end of maternity leave. A woman is also granted leave of 4 months and 10 days for the period of waiting (*`iddah*) as from the date of her husband's death. In order to keep families together, the same Act provides that a women is entitled to leave from her employment to accompany her spouse for a period of up to two years, which is to be calculated as part of her years of actual service.



82. Due to the same considerations of their nature and social circumstances, women are granted various privileges under the Social Security Act No. 72/91, in particular the following:

- The right to early receipt of an old-age pension on attainment of 55 years of age;
- The right of an unmarried daughter to the pension of her deceased father, irrespective of her age, for as long as she remains unmarried;
- The right of a woman to a back pension if she divorces or if her spouse dies.

83. In the effort for equality, the system of entitlement to government land was changed pursuant to Royal Decree No. 125/2008 in order to give women the right to obtain a grant of government land in the same way as men.

84. The Sultanate amended the Omani Passport Act in order to grant women the right to a passport without their spouse's consent. The Act also provides that a woman may keep her original family name after marriage.

85. In the field of sports, Omani women enjoy the right to compete for membership of the governing boards of sports federations. Special attention was also directed to women in sport in terms of developing their abilities and talents and fostering their participation at the domestic and international levels. A women's sports committee of the Oman Olympic Committee was formed, pursuant to Royal Decree No. 24/2009, to work on promoting and advancing women's sports activities.

86. Concerning the marriage relationship, the legislature, pursuant to Personal Status Act No. 32/97, guaranteed robust and effective protection of all rights arising out of that relationship in order to preserve women's dignity as active partners in the family. Marriage is thus a lawful contract in which the wife may stipulate such rights as she deems appropriate, provided that they are not incompatible with any provision of Islamic law. She is also able to seek divorce in the event that her husband breaches any of the agreed conditions. The Act furthermore requires formal certification of the marriage contract and gives women the right to own their dowry so that they can use and administer it as they wish. It also recognizes a wife's financial independence from her husband, who is consequently denied access to his wife's assets. Moreover, he is under obligation to support and maintain her and not to inflict on her any financial or emotional harm, in accordance with the requirements of customary law, her social status and his own material resources.

87. Rights protected under the above Act include the right of a wife to visit her parents and close relatives, receive reciprocal visits, request her own separate domicile, and seek divorce in all cases in which the continuation of married life is impossible, including harm, discord, absence, loss, failure to provide maintenance and imprisonment for more than a three-year term. A woman also take precedence over the father when it comes to custody of her children.

#### *Freedom of opinion and expression*

88. The notion of freedom of expression and opinion provided for in articles 29 and 31 of the Basic Law of the State was captured by His Majesty Sultan Qaboos bin Said in a speech, delivered in 2000, in which he declared that any assault on that freedom was among the gravest of sins and that it was a freedom that must be protected and not suppressed in any way.

89. Article 33 of the Basic Law of the State deals with the freedom to form associations (NGOs and professional unions) and the following legislation was enacted in order to give effect to that constitutional approach:

(a) The Printing and Publication Act promulgated by Royal Decree No. 49/84: This Act seeks to create a suitable climate for enabling the Omani press to exercise this freedom with conviction and places on it no restrictions of any kind unless it leads to discord, prejudices the security of the State or undermines the dignity and rights of human beings, as stated in article 31 of the Basic Law;

(b) Royal Decree No. 87/2004 amending provisions of the above Act, with the legislator thereby authorizing the private sector to set up newspapers, publishing houses, printing enterprises and advertising companies;

(c) Royal Decree No. 95/2004 concerning the Private Radio and Television Enterprises Act and its implementing regulation, promulgated pursuant to Royal Decree No. 39/2005, which authorizes the private sector to establish and operate radio and television enterprises. The Act prohibits pornographic websites on the ground that they are incompatible with the morals and traditions of the society and offensive to religions;

(d) Royal Decree No. 108/2010, pursuant to which the Public Authority for Radio and Television was founded, in October 2010, as a private legal entity with financial and administrative independence;

(e) Given the encouragement from His Majesty for freedom of thought, innovation and opinion, the Sultan Qaboos Award for Culture, Arts and Literature was established pursuant to Royal Decree No. 18/2011, and the Royal Opera House, an important monument to art and literature in the Sultanate, was opened in 2011.

#### *Rights of persons with disabilities*

90. The rights of persons with disabilities have acquired great legislative importance, as mainly featured in the following:

(a) The Sultanate of Oman ratified the Convention on the Rights of Persons with Disabilities in 2008;

(b) The Sultanate incorporated the provisions of this Convention into the Disability Care and Rehabilitation Act, promulgated pursuant to Royal Decree No. 63/2008, which extends to persons with disabilities the right to, inter alia, health, education, housing and work;

(c) Pursuant to Ministerial Decision No. 35/2003, 2 per cent of workers in any establishment employing 50 or more workers must be persons with disabilities and all individuals in this group who wish to work have in fact been accommodated accordingly;

(d) In an effort to protect this group, the aforementioned Act ensures that persons with disabilities receive the same pay as others for the same work. The Social Security Act also provides for the payment of a monthly allowance to qualified persons with disabilities who are unable to obtain work for reasons beyond their control;

(e) The State guarantees protection for children with disabilities from any activity that is potentially detrimental to their health and their physical, mental, emotional and social well-being. They also have the right to early diagnosis and to obtain a formal certificate, authenticated by the competent authority, attesting to the type and nature of their disability.

## **2. Institutional framework for the protection of human rights at the national level**

91. In order to implement constitutional, legislative and regulatory human rights norms, the State necessarily established a number of national institutions focused on the safeguarding of human rights in their widest sense, to which reference has already been made. Most important among these institutions are the Council of Oman, municipal

councils, the National Human Rights Commission, the National Committee on Human Trafficking, the National Committee on Family Affairs, the National Committee on Follow-up of the Implementation of the Convention on the Rights of the Child, the National Committee on Follow-up of the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women, the National Committee for the Welfare of Persons with Disabilities, media institutions and civil society organizations.

#### *Council of Oman*

92. The bicameral Council of Oman, composed of the State Council and the Shura Council, is vested with broad legislative and oversight powers consisting in the enactment of laws, monitoring of the performance of the executive, and the expression of opinions on international conventions, which added new dimensions to the political rights of Omanis and their participation in the progress of comprehensive development in line with the requirements of the evolution sought.

#### *Municipal councils*

93. The functions of the elected municipal councils are closely linked with human rights insofar as these councils put forward views and recommendations concerning the development of municipal systems and services within the governorates, particularly in relation to public health, protection of the environment from pollution, water projects, roads, parks, schools, homes, places of worship, mothers, children, and other public services for citizens.

#### *National Human Rights Commission*

94. This Commission was established pursuant to Royal Decree No. 124/2008 as an independent human rights institution aimed at promoting fruitful and construction cooperation between government authorities and the country's civil society institutions. It is composed of representatives of a range of civil society institutions, such as the General Federation of Oman Trade Unions, NGOs and associations, in addition to lawyers and representatives of the Government, the State Council, the Shura Council and Sultan Qaboos University.

95. The Commission is responsible for receiving complaints from individuals seeking protection of their human rights and freedoms, reviewing observations made about the human rights record of the Sultanate of Oman by other governments, international organizations and NGOs, and coordinating with the competent authorities in verifying them and taking action on necessary measures. It also contributes to the preparation of human rights reports and promotes greater awareness of human rights throughout the country.

#### *National Committee on Human Trafficking*

96. As part of the Sultanate's efforts to combat the growing global phenomenon of human trafficking, the Human Trafficking Act was promulgated pursuant to Royal Decree No. 126/2008 and the National Committee on Human Trafficking, which is chaired by the Secretary-General of the Ministry of Foreign Affairs, was established pursuant to a Council of Ministers decision issued in 2009, in accordance with article 21 of the Human Trafficking Act. The Committee includes members of various governmental and non-governmental entities and is responsible for presenting an annual report to the Council of Ministers on the national efforts to combat human trafficking.

97. Human trafficking victims enjoy the benefit of free medical and legal care, shelter, and legal and social assistance. A dedicated shelter for such victims is already in place and the construction of a new main shelter is nearing completion in the interior region. These

shelters are run by the Government, in collaboration with NGOs, and the public has been made increasingly aware of the human trafficking issue through radio and television programmes and articles in the press. The Royal Oman Police and other authorities help in providing information, advice and support through free hotlines for victims, who are permitted to remain in Oman until the completion of all legal proceedings, if they so wish. The Committee works in close cooperation with the National Human Rights Commission. The Sultanate has witnessed good progress in the efforts to combat human trafficking.

98. The Committee prepared a national plan and elaborated procedures for providing assistance to trafficking victims. These efforts consist in helping to identify offenders and bring them to trial, for which purpose a special division has been established at the Muscat Court of Appeal. The plan also centres on the development of mechanisms for cooperation between the relevant authorities in the public and private sectors.

*National Committee for Family Affairs*

99. The statute of the National Committee for Family Affairs was promulgated pursuant to Royal Decree No. 12/2007. Composed of members of various government organs, the Committee has numerous functions, including those of coordinating the efforts of official and voluntary entities and bodies working in the area of family affairs and cooperating with all Arab and international family-related committees, councils and organizations. An independent technical secretariat of the Committee was established in accordance with Ministerial Decision No. 300/2012.

*National Committee on Follow-up of the Implementation of the Convention on the Rights of the Child*

100. This Committee was formed pursuant to Ministerial Decision No. 56/2009 and includes in its membership representatives of government entities and civil society.

*National Committee on Follow-up of the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women*

101. This Committee was formed by Ministerial Decision No. 348 of 2005. Its membership comprises representatives of relevant official bodies, in addition to representatives of civil society institutions and the National Human Rights Commission. Its functions include follow-up of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the preparation of periodic reports on such implementation.

*National Committee for the Welfare of Persons with Disabilities*

102. The Disability Care and Rehabilitation Act, promulgated by Royal Decree No. 63/2008, provides for the establishment of this Committee, which is chaired by the Minister of Social Development and has a membership comprising representatives of government institutions, the private sector, persons with disabilities and rehabilitation centres for such persons. The Committee is competent to study and prepare the public plan for the welfare and rehabilitation of persons with disabilities, in addition to elaborating programmes for the welfare, rehabilitation, training and advancement of these persons. The Act also guarantees that the Committee is fully able to perform its tasks and functions through the allocation of financial resources from the public treasury of the State.

*Media institutions*

103. International conventions are published in the *Official Gazette* following their ratification and, as already mentioned, they are part of the country's domestic laws. The

Government took a decision to publish all ratified conventions in the *Official Gazette*, starting in 2011, whereas previously only the ratification decree was published.

104. The substance of these conventions and protocols is dealt with in a series of seminars and workshops held by the concerned authorities in the Sultanate, in coordination and cooperation with relevant international organizations.

105. Conventions are examined and discussed in appropriate radio and television programmes.

#### *Civil society organizations*

106. A number of civil society organizations in the Sultanate of Oman contribute to the protection of human rights, particularly those relating to women and children. Indeed, 56 women's and children's organizations have been established in the Sultanate and their particular areas of concern are as follows:

- Providing social services and guidance on living a healthy life, easing the burden on poor and needy families if their provider dies or if they experience disaster, and offering other forms of assistance in this domain;
- Teaching women various industries or handicrafts to help them earn a living and endeavouring to set up charitable projects and dedicate their proceeds to a programme run by the association, such as for the benefit of persons with disabilities;
- Working in the field of family planning and giving guidance and advice to women in order to achieve family well-being through awareness programmes, seminars and talks;
- Building local communities on sound social foundations and stepping up community-based efforts in various spheres in order to meet the needs of these communities;
- Participating in child and maternal welfare programmes and projects, such as the national plan for child welfare, immunization awareness programmes and so on;
- Cooperating with other similar associations, learning about their working methods and benefiting from their experiences and expertise through exchange visits.

107. In this context, the Sultanate's legal system permits the establishment of social clubs catering to and organizing social activities for foreign communities. At the end of 2011, the number of these clubs amounted to 14.

108. In accordance with the constitutional and legal principles and norms relating to human rights and as part of harmonizing the national legislation with international human rights standards, the State created the setting for all of its institutions to promote the protection and advancement of human rights through the adoption of numerous measures and procedures, examples of which are described below.

109. Over the past 40 years, the Sultanate has made remarkable headway in the field of economic, social and cultural rights, especially those concerning women, children, health and education. It held the top position in the world in achieving the fastest progress in human development, according to the *Human Development Report 2010*, published by the United Nations under the title "The Real Wealth of Nations: Pathways to Human Development." It was clear from the report that this progress came on the heels of the successes accomplished in the area of health and education in particular within a relatively short space of time.

110. Concerning the right to health provided for in article 12 of the Basic Law, the Sultanate has made great strides forward in health care over the past 40 years; it thus ranked first in the world in terms of efficient use of health resources and eighth in the world in terms of overall health efficiency, according to a report published by WHO in 2000.

111. The Government funds over 80 per cent of total health spending, which is one of the highest percentages globally. The share of spending on the health sector amounted to RO 376 million, equivalent to approximately US\$ 976.62 million, or over 5 per cent of current government spending in 2010, with the health services network covering all areas of the Sultanate.

112. The Ministry of Health began elaborating measures for detecting potential cases of child abuse, developed a system for reporting such abuse and is in the process of drafting a reference guide for this purpose. It also ran training workshops for health centre personnel to help them identify possible cases. The Ministry of Health is working in cooperation with other ministries to propose legal provisions guaranteeing child protection. The Ministry of Development also issued Ministerial Decision No. 78/2008 on forming a working group to study and follow up cases of abused children in the Sultanate.

113. As a result of this concern and the policy in place, average life expectancy in the Sultanate of Oman rose from 57.5 years to 72.2 years. Over the same period, the mortality rate fell from 13.3 deaths per 1,000 inhabitants in 1980 to 3 in 2009.

114. The number of deaths among infants under one year of age declined from 10 per 1,000 live births in 2007 to 7 in 2011. The number of deaths among under-5s also declined from 12 per 1,000 live births in 2007 to 9 in 2011.

115. In accordance with article 13 of the Basic Law, education is the cornerstone on which the progress of society is based. The Sultanate thus provided free education for all until the end of grade 12 and has worked tirelessly in continuing to build the school infrastructure and consistently develop the education curricula. The education sector has therefore evolved rapidly during the past 40 years; the number of government-run schools increased to 1,043 and the number of students to 11,523 in the school year 2010/11. The number of students in private schools amounted to 32,665 and the number of general secondary school graduates admitted to universities and colleges amounted to 64,423, many of them studying free of charge at State expense. There are also literacy and adult education centres and continuing education support facilities.

116. The natural outcome of all of the above, as indicated in the *Human Development Report 2006*, was that the adult literacy rate (ages 15 years and over) rose from 54.7 per cent in 1990 to 81.4 per cent in 2006. During the same period, the youth literacy rate (ages 15 to 24) increased from 86.6 per cent to 97.3 per cent. The share of public spending on the education sector amounted to RO 868.9 million, equivalent to approximately US\$ 2.257 billion, accounting for 35 per cent of total current government spending in 2010.

117. There is one government-run university in the Sultanate, in addition to six government-run science colleges, seven technical colleges and a number of nursing academies in governorate centres. There are also 6 private universities, 20 private institutions of higher education and 174 academies and training centres. Most of the above-mentioned government-run and private institutions of higher education offer four-year university degrees, except for engineering and medicine, which are five and seven years, respectively. The remainder offer two-year university degrees. Since 1999, the Government has driven forward the development of higher education so as to meet the needs of the growing number of population. Almost 52.9 per cent of secondary school graduates in 2009 continued on to higher education. During 2011, furthermore, royal directives were issued for the establishment of a new government-run university and RO 100 million were approved for spending on 1,000 scholarships for master's degrees and doctorates in specific

areas of specialization on the basis of labour market needs, divided over the years following 2011/12. A further 10,000 places in higher education were also added to cater for the projected increases in graduates holding a general education diploma.

118. The promotion of human rights awareness is a focus of concern in both general education and the media. Before 2003, school curricula dealt with human rights but in a broad and simplified manner. Since 2003, greater attention has been paid to this process in that human rights concepts, values and principles began to be incorporated into the school curricula at the different levels.

119. In introducing children's and human rights in an integrated manner, the Ministry of Education utilizes the Charter on Child and Human Rights Concepts, which was incorporated into the curriculum for grades 1 to 4 as from the start of the school year 2008/09. Curricula were also enhanced by a variety of subjects, including Islamic education and culture, Arabic language, social studies, life skills, science, mathematics, information technology, English language, school sports, music and arts. The teaching of these principles has been expanded to include other grades.

120. The Sultanate of Oman successfully increased girls' enrolment in schools to 50 per cent, with female students now accounting for 55 per cent of university students. Women account for some 43 per cent of the workforce in the government sector, according to statistical indicators published by the Ministry of Civil Service in mid-2011, and 20.3 per cent of workers in the private sector, according to statistical indicators published by the Ministry of Manpower in early 2012.

121. In the political sphere, women enjoy the right to vote and to stand as candidates for the legislative council (Shura Council) and have equal opportunities to hold government office. Two women hold ministerial portfolios and the State Council includes 15 women, representing 20 per cent of Council members. In the diplomatic corps, three women hold the position of ambassador.

122. The rise in the proportion of educated women was accompanied by a rise in the average age of marriage from 20.7 years for women and 24.7 years for men in 1993 to 25 and 28 years, respectively, in 2003. Reproductive rates have also significantly declined over the past three decades from 10.13 to 3.3 births per woman of reproductive age (15 to 49 years) for a number of reasons, including the increase in the education rate, particularly among women, the higher age of marriage and the birth spacing practised as from 1994. Data confirm an increase in the proportion of women spacing births for a period of three or more years from 20.8 per cent in 1996 to 37.7 per cent in 2009.

123. In all regions of the Sultanate, there are also centres offering premarital services. Persons wishing to marry can visit these centres to undergo medical tests and seek advice on genetic blood diseases.

124. The State guarantees protection for children with disabilities from any activity that is potentially detrimental to their health and their physical, mental, emotional and social well-being. They also have the right to early diagnosis and to obtain a formal certificate, authenticated by the competent authority, attesting to the type and nature of their disability.

125. The delivery of quality health care to premature and underweight infants and infants with disabilities has driven an increase in infant survival rates over the past three decades, meaning that more services are needed for children with disabilities. The Ministry of Health works in cooperation with other government institutions and NGOs to provide integrated health care for these children, such as rehabilitation, physiotherapy, occupational therapy and services for those with sight, hearing and speech impairments.

126. The Sultanate has made considerable efforts to provide sports and recreational facilities for persons with disabilities, which include taking into account their needs in the

design of new facilities and the modification of existing facilities; establishing the Oman Sports Club for the Deaf; and forming an Omani parliamentary committee to supervise all of the sports activities listed in the statutes of the International Olympic Committee.

127. The Ministry of Manpower carries out periodic and unannounced inspections in order to monitor employers' compliance with labour standards. During the period 2007–2009, 160 new labour inspectors with university degrees in various areas of specialization were appointed, among them 12 women.

128. In attempting to improve the efficiency of labour inspectors and develop their skills, a series of programmes and training courses was organized by the Ministry of Manpower, with ILO cooperation, on fundamental principles and rights at work.

129. The most recent programme carried out in cooperation with ILO was the Decent Work Country Programme. In conjunction with the Government, employers and workers, a workshop was held to develop labour and labour relations and create a dialogue between workers and employers in the interest of protecting their rights in accordance with international labour standards.

130. In order to develop more cooperative efforts with labour-sending countries, the Sultanate signed a number of memoranda of understanding on labour with Bangladesh, India, the Syrian Arab Republic, Morocco and Viet Nam. The prospects are that similar memoranda of understanding will be signed with Egypt, Pakistan, the Philippines, Sri Lanka, Tunisia, New Zealand and Uzbekistan.

131. The memoranda of understanding signed with the aforementioned States contain clauses providing for the exchange of information to prevent the illegal employment of workers, combat the smuggling of human beings and end forced labour. They also provide for the establishment of bipartite committees to review and implement the memoranda.

132. A media campaign called Na`mal (We Work) was mounted from March to September 2009 with a view to promoting awareness of labour legislation and rights; increasing production; developing amicable employer-worker relationships; and educating employers and workers about their duties and rights under the law.

133. Advice leaflets were produced and translated into 14 languages and subsequently handed out to expatriate workers in order to furnish them with comprehensive information about their rights and thus help to ensure their welfare and protection, including with reference to adverse practices leading to instances of human trafficking.

134. A 24-hour hotline service is available on free phone number 80077000 for recording complaints, comments and reports concerning the Labour Code and the implementing regulations with respect to domestic servants and alien workers.

### **C. National reporting process**

135. The process of national reporting on the Sultanate's fulfilment of its obligations arising out of its accession to the core human rights conventions is a matter that draws attention from the State's legislative, executive and judicial authorities and from civil society organizations. The Sultanate has worked hard to satisfy the obligations ensuing from its accession to core human rights conventions, i.e., the Convention on the Rights of the Child and the two Optional Protocols thereto, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of Persons with Disabilities. This it has done through national reporting on legislative, executive, judicial and other measures taken to fulfil the obligations placed on it under these conventions. From reading the previous reports submitted by the Sultanate, it is apparent



that they are consistent with the guidelines issued concerning these conventions. Furthermore, they clearly and transparently reflect the measures adopted for the implementation of the conventions, as well as the difficulties encountered by the Sultanate in applying their provisions.

136. The Sultanate has also taken care to involve all parties involved in the implementation of these conventions, from civil society representatives to the Human Rights Commission, NGOs, other civil society organizations and lastly the State's legislative and executive authorities. The aim of this is to give these reports the credibility and transparency needed to enable the international committees engaged in monitoring the implementation of conventions to identify the extent to which the Sultanate has satisfied the provisions of those conventions.

### **III. Information on non-discrimination and equality and effective remedies**

#### **A. Non-discrimination and equality**

137. The matter of equality and non-discrimination of any kind has captured the attention of the Sultanate's executive, legislative and judicial authorities, as well as that of civil society institutions, and is enshrined in article 17 of the Basic Law of the State, which provides that: "All citizens are equal before the law and share the same public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect, domicile or social status." Indeed, equality and non-discrimination are one of the pillars on which Omani society is founded, as confirmed by article 9 of the Basic Law of the State, which provides that: "Rule in the Sultanate shall be based on justice, consultation and equality." All legislation is thus consistent with this principle established by the Basic Law of the State and the Sultanate's accession to the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women is perhaps part of that principle. Alien residents in the Sultanate moreover enjoy legal protection of their person and property on the basis of article 35 of the Basic Law of the State.

138. Looking at the guiding policy principles in the political, economic, social, cultural and security spheres, as articulated in the Basic Law of the State, we find that the State has fought discrimination in all its forms and manifestations and recognized that the rights referred to must be equally enjoyed by all. As part of the Sultanate's efforts to combat discrimination, laws have been enacted to criminalize any act of racial discrimination; under the Omani Penal Code, promulgated pursuant to Royal Decree No. 4/74, as amended by Royal Decree No. 72/2001, any call for racial discrimination is considered an offence in accordance with article 130 bis, which provides that: "Any person who promotes or incites religious or sectarian conflicts or arouses feelings of hatred or strife among the population shall be liable to a fixed term of imprisonment of up to 10 years." This provision encapsulates the legislature's firm intent to criminalize discrimination in all its forms and manifestations and punish it with deterrent sentences to ensure that such offences are not committed.

139. The Labour Code promulgated pursuant to Royal Decree No. 35/2003 also governs the relationships between workers and employers in order to strike a balance between the two. Labour inspection data and the 17,027 complaints lodged by workers during the period from 1 January to 30 September 2010 showed that there were no discrimination-related cases and that all cases were related to wages, involving either late salary payments, requests for additional pay, end-of-service bonuses and payment of travel tickets, or to the

withholding of passports. All cases were amicably settled, with the exception of 956 that were referred to the competent courts for settlement.

140. With regard to the education policy, the Sultanate has taken care to apply the principles of equality and non-discrimination, both in government-run and private schools, by ensuring that educational rights are enjoyed by all, with no distinction between citizens and residents, who are allowed admission to and enrolment in government-run schools. The education curricula in the Sultanate also include concepts relating to equality and the elimination of racial discrimination by inculcating the principles of coexistence with other nationalities through depicting families of various nationalities engaging in joint activities. The acceptance of others, notwithstanding differences in nationality, appearance or colour, is featured by way of texts and images of individuals of varying skin colours and appearances. The Sultanate also adopted the policies needed to accelerate gender equality measures through innovative action to promote women's rights. It thus successfully increased girls' enrolment in schools to 50 per cent, with female students now accounting for 55 per cent of university students. Women also account for 30 per cent of the workforce in the government sector and 3.1 per cent in the private sector.

141. On the political front, women enjoy the right to vote and to stand as candidates for the Shura Council and have equal opportunities to hold government office. Indeed, they have attained the highest office; three women are currently occupying ministerial posts and the State Council includes 15 women, representing 18 per cent of total members. In the diplomatic corps, there are four women ambassadors, as the Ministry for Foreign Affairs (Regulation) Act promulgated by Royal Decree No. 32/2008 makes no distinction between men and women in holding diplomatic office. The system of entitlement to government land was also changed, pursuant to Royal Decree No. 125/2008, in order to give women the same right to obtain a government land grant in the same way as men. The Sultanate furthermore amended the Omani Passport Act, pursuant to Royal Decree No. 11/2010, in order to grant women the right to a passport without the consent of their guardian. The Act also provides that a woman may keep her original family name after marriage. In the area of sports, Omani women enjoy the right to compete for membership of the governing boards of sports federations. Special attention was also accorded to women in sport in terms of developing their abilities and talents and fostering their participation at the domestic and international levels. A women's sports committee of the Oman Olympic Committee was formed, pursuant to Royal Decree No. 24/2009, to work on promoting and advancing women's sports activities.

142. The rise in the proportion of educated women was accompanied by a rise in the average age of marriage from 20.7 years for women and 24.7 years for men in 1993 to 25 and 28 years, respectively, in 2003. Reproductive rates also noticeably declined over the past three decades from 10.13 births per woman of reproductive age (15 to 49 years) to 3.3 for a number of reasons, including the increase in the education rate, particularly among women, the higher age of marriage and the birth spacing practised as from 1994. Data confirm an increase in the proportion of women spacing births for a period of three or more years from 20.8 per cent in 1996 to 37.7 per cent in 2009. There are also centres in all regions of the Sultanate offering premarital services. Persons wishing to marry can visit these centres to undergo medical tests and seek advice on genetic blood diseases. In order to encourage women to enter the world of work, the Labour Code guarantees their protection from arbitrary dismissal for reasons of illness, pregnancy or childbirth. In accordance with the Civil Service Act, women working in the government sector are granted a 50-day period of maternity leave, with full pay, and unpaid leave for up to one year. The Labour Code likewise grants to women a 50-day period of maternity leave, with full pay.

143. Concerning non-discrimination, it has already been mentioned that this principle is provided for in article 17 of the Basic Law of the State, which serves as the basis for the prohibition of discrimination. The Sultanate has thus taken care in enacting legislation to ensure that it is consistent with this principle and free of all discrimination based on the criteria cited. In the event that this principle is violated by any individual or institution, the aggrieved party has right of legal recourse in order to claim his rights. On the basis of statistics furnished by the Supreme Judicial Council, there were no discrimination cases, two cases involving child marriage and three cases involving child sexual abuse at the rate of one per year from 2007 to 2009. No cases of violence against children were recorded during this period. There are few vulnerable population groups in the Sultanate; Omani society is made from a single fabric and is governed by laws and regulations, and nothing exists that could be construed as discrimination against a specific population group, particularly as discrimination is considered an offence punishable by law. The Sultanate has resolved to provide health, education and other services countrywide, with no distinction between rural and urban areas. The national legislation also assures the welfare of persons from limited income groups, such as divorced women, widows and the incapacitated, who are guaranteed an allowance in accordance with the terms and conditions prescribed in the Social Security Act promulgated pursuant to Royal Decree No. 87/84. In the light of the above, the Sultanate has worked to instil the principles of equality and human rights through various media campaigns and has also stipulated these principles in school syllabuses. Prejudice towards any specific population group is consequently non-existent; on the contrary, all inhabitants of the Sultanate live under the protection of the State, which has done its utmost to create a harmonious and coherent society.

144. With the aim of accelerating the equality of men and women, the Sultanate has adopted a number of temporary measures designed to achieve a reasonable degree of equality. These include measures taken to provide media support for women candidates standing for election to the Shura Council and municipal councils, in addition to the designation of women's scholarships for which men cannot compete.

## **B. Effective remedies**

145. The various legal remedies available in the Sultanate include the right of individuals to seek redress from the competent court or from the Human Rights Commission. Recourse to the courts is a constitutional right guaranteed by the Basic Law of the State, pursuant to the provisions of article 25, which states that: "The right of legal recourse is protected right guaranteed to all persons. The law shall prescribe the procedures and circumstances necessary for the exercise of this right and the State shall guarantee, as far as possible, that the judicial authorities will reconcile the litigants and settle cases promptly." The national legislation provides for the equal exercise of this right by all individual citizens and residents in the Sultanate. Indeed, as part of assuring the right of legal recourse as guaranteed by the aforementioned article, the Basic Law of the State provides that persons without the financial resources to seek redress from the courts and defend their rights are exempt from the payment of legal fees. Furthermore, a lawyer is appointed to defend their rights. Victims whose rights have been violated are consequently able to bring legal proceedings before courts of all levels and types, which are determined on the basis of the right that has been violated and the law governing that right.

146. The National Human Rights Commission was established pursuant to Royal Decree No. 124/2008 and vested by law with a legal personality and financial and administrative independence, thereby ensuring the best performance of its functions. It was entrusted with a number of human rights mandates, in particular those of monitoring any infringements or violations of human rights in the State and helping to settle or resolve them. The units of the administrative apparatus of the State are required by law to cooperate with this

Commission and provide it with any information and data that it needs in order to discharge the mandates assigned to it. Individuals whose rights are violated can therefore turn to the Commission, which has various powers conferred on it by law in order to achieve justice. The Commission has a dedicated hotline for receiving reports and complaints from individuals concerning violations of their rights as guaranteed under the provisions of the Basic Law of the State and the laws in force in the Sultanate, as well as under the human rights instruments to which the Sultanate has acceded, which are considered part of current domestic law.

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