



## FREEDOM IN THE WORLD 2020

# Oman

# 23

NOT FREE

/100

<u>Political Rights</u>	6 /40
<u>Civil Liberties</u>	17 /60

## LAST YEAR'S SCORE &amp; STATUS

**23 /100    Not Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



# Overview

Oman is a hereditary monarchy, and power is concentrated in the hands of the sultan. The regime restricts virtually all political rights and civil liberties, imposing criminal penalties for criticism and dissent.

## Key Developments in 2019

- The authorities continued to harass activists and commentators who criticized aspects of Omani policymaking, including through short-term detentions.
- An annual international book fair held in Muscat in February and March was marred by the confiscation of large numbers of books without explanation, including works by Omani authors that had been displayed at previous exhibitions without incident.
- Concerns for the health of Sultan Qaboos bin Said, who had ruled since 1970, intensified at year's end, spurring renewed speculation about the leadership's opaque succession plans.

## Political Rights

### A. Electoral Process

**A1** 0-4 pts

<p><b>Was the current head of government or other chief national authority elected through free and fair elections?</b></p>	<p><b>0 / 4</b></p>
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Sultan Qaboos, the reigning monarch in 2019, had governed Oman since seizing power from his father, Sultan Said bin Taimur, in 1970. The sultan, who issues laws by decree, simultaneously served as prime minister; headed the ministries of defense, foreign affairs, and finance; and was the governor of Oman's central bank. Despite his

age and uncertain health, plans for a successor to Sultan Qaboos and the transfer of political power in Oman remained secret during the year.

**A2** 0-4 pts

<b>Were the current national legislative representatives elected through free and fair elections?</b>	<b>1/4</b>
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The 1996 basic law, promulgated by decree, created a bicameral body consisting of an appointed Council of State (Majlis al-Dawla) and a wholly elected Consultative Council (Majlis al-Shura). Citizens elect the Consultative Council for four-year terms, but the chamber has no legislative powers and can only recommend changes to new laws.

Consultative Council elections were held in October 2019, with 637 nonpartisan candidates, including 40 women, competing for the council's 86 seats. Two women were elected. In November 2019, the sultan appointed the 86 members of the Council of State for a four-year term, including 15 women.

Oman held its first-ever municipal council elections in 2012. In the most recent elections in 2016, voters chose among 731 nonpartisan candidates to fill 202 seats on the 11 councils, which correspond to Oman's 11 governorates. Turnout was about 49 percent.

**A3** 0-4 pts

<b>Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?</b>	<b>1/4</b>
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The electoral framework allows all citizens over the age of 21 to vote, unless they are in the military or security forces. However, it applies only to the Consultative Council and municipal councils, which serve largely as advisory bodies. Elections are administered by the Interior Ministry rather than an independent commission.

## B. Political Pluralism and Participation

**B1** 0-4 pts

<p><b>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</b></p>	<p><b>0</b> / 4</p>
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Political parties are not permitted, and the authorities do not tolerate other forms of organized political opposition. A 2014 law allows the revocation of citizenship for Omanis who join organizations deemed harmful to national interests.

**B2** 0-4 pts

<p><b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b></p>	<p><b>0</b> / 4</p>
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The sultan maintains a monopoly on political power. The structure of the constitutional system excludes the possibility of a change in government through elections.

**B3** 0-4 pts

<p><b>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</b></p>	<p><b>1</b> / 4</p>
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The nonpartisan nature of Oman's limited elections, the overwhelming dominance of the sultan in Omani society, and the authorities' suppression of dissent leave voters and candidates with little autonomy in their political choices.

**B4** 0-4 pts

<b>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</b>	<b>1/4</b>
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Noncitizens, who make up about 44 percent of the population, have no political rights or electoral opportunities. Citizenship is generally transmitted from Omani fathers. Foreign residents must live legally in the country for 20 years to qualify for citizenship, or 15 and 10 years for foreign husbands and wives of Omani citizens, respectively, if they have a son. These and other conditions make naturalizations relatively rare.

Omani women can legally vote and run for office, but they have few practical opportunities to organize independently and advance their interests in the political system. Two women were elected to the Consultative Council in 2019, up from one in 2015, and seven women won seats on municipal councils in 2016, up from four in 2012. Fifteen women serve on the appointed Council of State.

## C. Functioning of Government

**C1** 0-4 pts

<b>Do the freely elected head of government and national legislative representatives determine the policies of the government?</b>	<b>0/4</b>
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Government policy is set by the sultan and an inner circle of advisers and senior ministers. The Council of State and the Consultative Council are advisory bodies with no lawmaking powers.

**C2** 0-4 pts

<b>Are safeguards against official corruption strong and effective?</b>	<b>2/4</b>
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Oman's legal code does not provide an effective framework for the prevention, exposure, and impartial prosecution of corruption. However, government officials are required to declare their assets and sources of wealth, and several high-profile corruption cases involving government officials and executives from Oman's oil industry have resulted in convictions and prison terms in recent years.

**C3** 0-4 pts

<b>Does the government operate with openness and transparency?</b>	<b>0</b> /4
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The law does not provide freedom of information guarantees. Openness and transparency are limited in practice by the concentration of power and authority in a small inner circle around the sultan. The State Audit Institution monitors ministerial spending, conflicts of interest, and state-owned companies, but its findings are not released to the public, and it does not cover the sultan's court or the military.

## Civil Liberties

### D. Freedom of Expression and Belief

**D1** 0-4 pts

<b>Are there free and independent media?</b>	<b>1</b> /4
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Freedom of expression is limited, and criticism of the sultan is prohibited. There are private media outlets in addition to those run by the state, but they typically accept government subsidies, practice self-censorship, and face punishment if they cross political redlines. The government has broad authority to close outlets, block

websites, revoke licenses, and prosecute journalists for content violations, and it has used this authority on multiple occasions in recent years.

The government's efforts to suppress critical news and commentary extend to books and social media. Large numbers of books were confiscated without explanation at the 2019 Muscat International Book Fair, held in February and March; they included works by Omani authors that had been displayed at previous exhibitions without incident or were published by the event's organizer, the Ministry of Heritage and Culture. In January, Basma al-Keumy, a prominent writer and human rights lawyer, published an article in the online Omani magazine *Al-Falaq* in which she detailed years of harassment by the authorities. In February, activists Musab al-Thuhli and Haytham al-Mashayki were arrested for comments on Twitter and Facebook that expressed support for the Palestinian cause and rejection of any normalization of ties with Israel, respectively. Al-Thuhli was released after three days, and al-Mashayki was released after two weeks in jail.

**D2** 0-4 pts

<b>Are individuals free to practice and express their religious faith or nonbelief in public and private?</b>	<b>2/4</b>
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Islam is the state religion. Non-Muslims have the right to worship, but they are banned from proselytizing. Religious organizations must register with the government. The Ministry of Awqaf (religious charitable bequests) and Religious Affairs distributes standardized texts for mosque sermons, and imams are expected to stay within the outlines of these texts.

**D3** 0-4 pts

<b>Is there academic freedom, and is the educational system free from extensive political indoctrination?</b>	<b>1/4</b>
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The government restricts academic freedom by preventing the publication of material on politically sensitive topics and placing controls on contacts between

Omani universities and foreign institutions.

**D4** 0-4 pts

<b>Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?</b>	<b>1</b> /4
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The authorities reportedly monitor personal communications, and the growing number of arrests, interrogations, and jail terms related to criticism of the government on social media has encouraged self-censorship among ordinary citizens in recent years. A new penal code issued by the government in 2018 increased the maximum penalties for slander of the sultan and blasphemy to 7 and 10 years in prison, respectively, from three years for both under the old code.

## E. Associational and Organizational Rights

**E1** 0-4 pts

<b>Is there freedom of assembly?</b>	<b>0</b> /4
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A limited right to peaceful assembly is provided for in Oman's basic law. However, all public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeals process. The 2018 penal code prescribes prison terms and fines for individuals who initiate or participate in a gathering of more than 10 people that threatens security or public order, or who fail to comply with an official order to disperse. While demonstrations are rare in practice, a number of protests against unemployment were held in January 2019, echoing similar incidents a year earlier. Some arrests and brief detentions were reported.

**E2** 0-4 pts

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**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?**

**1/4**

The basic law allows the formation of nongovernmental organizations, but civic life remains limited in practice. The government has not permitted the establishment of independent human rights organizations and generally uses the registration and licensing process to block the formation of groups it sees as a threat to stability. Individual activists focused on issues including labor rights and internet freedom continued to risk arrest during 2019. The 2018 penal code includes vague clauses that allow prison terms for individuals who establish, operate, or finance an organization aimed at challenging the “political, economic, social, or security principles of the state” or promoting class conflict.

**E3** 0-4 pts

**Is there freedom for trade unions and similar professional or labor organizations?**

**2/4**

Omani workers are legally able to organize unions, bargain collectively, and strike. However, there is only one authorized trade union federation, and neither government employees nor household workers are permitted to join unions. Strikes, which are banned in the oil and gas industry, are rare in practice, partly because disputes are often resolved through employer concessions or government mediation.

## **F. Rule of Law**

**F1** 0-4 pts

**Is there an independent judiciary?**

**0/4**

The judiciary is not independent and remains subordinate to the sultan, who is empowered to appoint and remove senior judges. The sultan also chairs the Supreme

Judicial Council, which nominates judges and oversees the judicial system, though a 2012 reform replaced the justice minister with the head of the Supreme Court as the council's deputy chair.

**F2** 0-4 pts

<b>Does due process prevail in civil and criminal matters?</b>	<b>1/4</b>
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Arbitrary arrest is formally prohibited, but suspects in vaguely defined security cases can be held for up to 30 days before being charged, and security forces do not always adhere to other rules on arrest and pretrial detention. Ordinary detainees are generally provided with access to legal representation.

Defendants in politically sensitive cases may face harsher treatment from the justice system. For example, prior to his trial in 2017, Mansour bin Nasser al-Mahrazi, a writer and researcher who was eventually sentenced to three years in prison for offenses including “insulting the sultan,” spent at least two months in incommunicado detention, and the judge refused to hear defense witnesses.

**F3** 0-4 pts

<b>Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?</b>	<b>2/4</b>
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Prisons are not accessible in practice to independent monitors, but former detainees have reported beatings and other abuse. Online activist Hassan al-Basham, who had been sentenced to three years in prison in 2016 for allegedly using the internet in ways that could be “prejudicial to religious values,” died in custody in 2018 after reportedly being denied medical care.

The country is generally free from armed conflict, and violent street crime is relatively rare.

**F4** 0-4 pts

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**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**1/4**

The 1996 basic law banned discrimination on the basis of sex, religion, ethnicity, and social class, but noncitizens are not protected from discrimination in practice, while women face disparate treatment under personal status laws and de facto bias in employment and other matters. Same-sex sexual activity is punishable with up to three years in prison, and LGBT+ people face societal discrimination.

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**1/4**

Most Omani citizens enjoy freedom of movement, but travel bans are often imposed on political dissidents. Foreign workers cannot leave the country without permission from their employer and risk deportation if they change employers without documentation releasing them from their previous contract.

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**2/4**

While the legal framework protects property rights, state-owned companies and the ruling family are dominant forces in the economy, limiting the role and autonomy of small and other private businesses. Women generally receive less property than men under inheritance laws.

**G3** 0-4 pts

**Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?**

**1/4**

Omani citizens require permission from the Ministry of Interior to marry noncitizens from countries outside the Gulf Cooperation Council. Omani women who marry foreigners cannot transmit citizenship to their spouses or children. Omani law does not specifically address domestic violence and sexual harassment or criminalize spousal rape, while extramarital sex is criminalized. Women are at disadvantage under laws governing matters such as divorce and child custody. The 2018 penal code included a new provision that criminalized the wearing of women's clothing by men.

**G4** 0-4 pts

**Do individuals enjoy equality of opportunity and freedom from economic exploitation?**

**1/4**

Oman's labor policies put migrant workers at a severe disadvantage and effectively encourage exploitation. Household workers, who are not covered by the labor law, are especially at risk of abuse by employers. The government has pursued an "Omanization" process to replace foreign workers with native Omanis. Among other tactics, temporary visa bans for foreign workers in various professions have been issued or extended since 2013. Despite a 2008 antitrafficking law and some recent efforts to step up enforcement, the authorities do not proactively identify or protect human trafficking victims.

**On Oman**

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*Country Facts*

Global Freedom Score

**23/100**    **Not Free**

*Other Years*

2019

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