



Oman

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The Sultanate of Oman is a monarchy that has been ruled by the Al Bu Sa'id family since the middle of the 18th century. It has no political parties, but does have one representative institution, which is directly elected by voters selected by the Government. The current Sultan, Qaboos Bin Sa'id Al Sa'id, acceded to the throne in 1970. Although the Sultan retains firm control over all important policy issues, he has brought tribal leaders--even those who took up arms against his family's rule-- and other notables into the Government. In accordance with tradition and cultural norms, much decisionmaking is by consensus among these leaders. In 1991 the Sultan established a 59-seat Consultative Council, or Majlis Al-shura, which replaced an older advisory body. Beginning with the September elections, Council members are chosen directly by the vote of 175,000 government-selected electors. The Council was expanded to 83 seats for the September elections. The Council has no formal legislative powers but may question government ministers, even during unrehearsed televised hearings, and recommend changes to new laws on economic and social policy, which sometimes leads to amendments to proposed decrees. In December 1997, the Sultan appointed 41 persons as members of the new Council of State (Majlis Al-Dawla), which with the current Consultative Council forms the bicameral body known as the Majlis Oman (Council of Oman). In late 1996, the Sultan promulgated by decree the country's "Basic Charter" (also known as the Basic Law), which provides for citizens' basic rights in writing for the first time. The courts are subordinate to the Sultan and subject to his influence.

The internal and external security apparatus falls under the authority of the Royal Office, which coordinates all intelligence and security policies. The Internal Security Service investigates all matters related to internal security. The Royal Oman Police, whose head also has cabinet status, performs regular police duties, provides security at airports, serves as the country's immigration agency, and maintains a small coast guard. In the past, there were credible reports that security forces occasionally abused detainees.

Since 1970 Oman has used its modest oil revenue to make impressive economic progress and improve public access to health care, education, and social services. The economy is mixed, with significant government participation in industry, transportation, and communications. The Government seeks to diversify the economy and stimulate private investment.

The Government generally respected its citizens' human rights in some areas; however, its record was poor in other areas, particularly with respect to citizens' right change or criticize the Government. Human rights abuses have included mistreatment of detainees, arbitrary arrest, prolonged detention without charge, and the denial of due process; however, there were no reports of such abuses during the year. The Government restricted freedom of expression and association and did not ensure full rights for women and workers.

The 1996 Basic Charter provides for many basic human rights, such as an independent judiciary, and freedoms of association, speech, and the press. The Basic Charter states that the Government was to strive to issue all enabling laws within 2 years of November 1996; however, this has not occurred. Only certain laws pertaining to the legal code for family and interpersonal relationships, to judicial reform, and to aspects of the Finance Ministry, had been enacted by year's end. There has been no public statement made by the Government noting the end of the 2-year period since issuance of the Basic Charter and proposing a new target date for implementation.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

There have been allegations in the past that the security forces abused some detainees, particularly during interrogation. The abuse does not appear to have been systematic and often varied depending upon the social status of the victim, the official involved, and the location of the incident (for example, whether the abuse occurred in a rural or an urban area). The authorities have made efforts to prevent such abuse, and there were no confirmed incidents of such abuse in recent years. Unlike in previous years, there were no reports that detainees sometimes were left in isolation with promises of release or improved treatment as a means to elicit confessions or information. Judges have the right to order investigations of allegations of mistreatment. The 1996 Basic Charter, which has not yet been implemented in this area, specifically prohibits "physical or moral torture" and stipulates that all confessions obtained by such methods are to be considered null and void. There were no reports of torture during the year.

On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made.

Prison conditions appear to meet minimum international standards. In the past, access to some prisoners was restricted severely.

The Government does not permit independent monitoring of prisons.

d. Arbitrary Arrest, Detention, or Exile

The police may obtain warrants prior to making arrests but are not required by law to do so. However, within 24 hours of arrest, the authorities must obtain court orders to hold suspects in pretrial detention, and the police are required to file charges or ask a magistrate judge to order continued detention. However, in practice the police do not always follow these procedures. Judges may order detentions for 14 days to allow investigation and may grant extensions if necessary. There is a system of bail. The 1996 Basic Charter provides for certain legal and procedural rights for detainees; however, these provisions have yet to be implemented.

Police handling of arrests and detentions constitutes incommunicado detention in some instances. The police do not always notify a detainee's family or, in the case of a foreign worker--the worker's sponsor--of the detention. Sometimes notification is made only just prior to the detainee's release. The authorities post the previous week's trial results (including the date of the trial, the name of the accused, the claim, and the sentence) near the magistrate court building in Muscat. The police do not always permit attorneys and family members to visit detainees. Judges occasionally intercede to ensure that security officials allow such visits.

On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made.

The Government does not practice exile as a form of punishment. The 1996 Basic Charter prohibits exile; however, the provisions concerning exile have yet to be implemented.

e. Denial of Fair Public Trial

The 1996 Basic Charter affirms the independence of the judiciary; however, the various courts are subordinate to the Sultan and subject to his influence. The Sultan appoints all judges, acts as a court of final appeal, and intercedes in cases of particular interest, especially in national security cases. However, there have been no reported instances in which the Sultan has overturned a decision of the magistrate courts or the commercial courts.

The judiciary comprises the magistrate courts, which adjudicate misdemeanors and criminal matters; the Shari'a (Islamic law) courts, which adjudicate personal status cases such as divorce and inheritance, and

which are administered by the Ministry of Justice; the commercial courts; the Labor Welfare Board; and the Rent Dispute Committee, which hears tenant-landlord disputes.

The magistrate court system was established by royal decree in 1984 to take over all criminal cases from the Shari'a courts; it is independent and its president reports directly to the Sultan. Regional courts of first instance handle misdemeanor cases, which are heard by individual judges. All felonies are adjudicated at the Central Magistrate Court in Muscat by a panel made up of the President of the Magistrate Court and two judges. All rulings of the felony panel are final except for those in which the defendant is sentenced to death. Death sentences must be approved by the Sultan.

The Criminal Appeals Panel also is presided over by the President of the Magistrate Court in Muscat, and includes the court's vice president and two judges. This panel hears appeals of rulings made by all courts of first instance. In the past, specially trained prosecutors from the Royal Oman Police (ROP), all of whom are trained as policemen as well as prosecutors carried out the role of public prosecutor in criminal cases; however, as a step toward implementing a November 1999 Royal decree affirming the independence of the judiciary, prosecutors were made independent of the ROP.

The Criminal Code does not specify the rights of the accused. There are no written rules of evidence, codified procedures for entering cases into the criminal system, or any legal provision for a public trial. Criminal procedures have developed by tradition and precedents in the magistrate courts. In criminal cases, the police provide defendants with the written charges against them; defendants are presumed innocent and have the right to present evidence and confront witnesses. The prosecution and the defense direct question to witnesses through the judge, who is usually the only person to question witnesses in court. A detainee may hire an attorney but has no explicit right to be represented by counsel.

The 1996 Basic Charter affirms both right to counsel and government-funded legal representation for indigents; however, these provisions have yet to be implemented, and the Government does not pay for the legal representation of indigents. Judges often pronounce the verdict and sentence within 1 day of the completion of a trial. Defendants may appeal jail sentences longer than 3 months and fines over the equivalent of \$1,300 (480 rials) to a three-judge panel. Defendants accused of national security offenses and serious felonies do not have the right of appeal.

A State Security Court tries cases involving national security and criminal cases that the Government decides require expeditious or especially sensitive handling. Magistrate court judges have presided over trials in the State Security Court. Defendants tried by the Security Court are not permitted to have legal representation present. The timing and the location of the Court's proceedings are not disclosed publicly. The Court does not follow legal procedures as strictly as the magistrate courts, although prominent civilian jurists form the panel. The Sultan has exercised his powers of leniency, including in political cases.

The Shari'a courts are administered by the Ministry of Justice, and apply Shari'a law as interpreted under the Ibadhi school of Islamic jurisprudence. Preliminary courts of first instance are located in each of the 59 "wilayats," and are presided over by a single judge, or qadi. Appeals of the rulings of the courts of first instance involving prison sentences of 2 weeks or more or fines greater than \$270 (100 rials) must be brought within 1 month before the Shari'a Court of Appeals in Muscat. Panels of three judges hear appeals cases. Court of Appeal rulings themselves may be appealed, within a 1-month period, to the Supreme Committee for Complaints, which is composed of four members, including the Minister of Justice and the Grand Mufti of the Sultanate.

In 1997 the Government promulgated into law the provisions of the 1996 Basic Charter pertaining to "family law," i.e., law that falls under the purview of the Shari'a courts. The effect of this new law has been to regularize the nature of the cases and the range of corresponding judgments within the Shari'a court system.

The Authority for the Settlement of Commercial Disputes (ASCD), better known as the commercial courts system, was established by royal decree in 1981 to decide all cases related to commercial matters. Subsequent decrees have empowered the commercial courts to decide labor disputes referred to it by government departments, commercial disputes to which the Government is a party, and arbitration cases involving private parties. The ASCD is financially and administratively independent of the Ministry of Justice and reports directly to the Minister of Commerce and Industry. The ASCD is made up of the Chairman, Deputy Chairman, a number of judges appointed by royal decree, and members of the Oman Chamber of Commerce and Industry. Cases are heard in regional courts for suits involving not more than \$27,000 (10,000 rials). In November 1999, the Sultan issued several royal decrees to establish a law on judicial authority and to affirm the independence of the judiciary as called for in the 1996 Basic Charter. The decrees formally established the judiciary as an independent, hierarchical system composed of a Supreme Court, an appeals court, primary courts (one located in each region), and, within the primary courts, divisional courts. Within each of the courts

there are to be divisions to handle commercial, civil, penal, labor, taxation, general, and personal cases (the latter under Shari'a). The general prosecutor, which currently falls under the Royal Omani Police Chief Inspector, is to become an independent legal entity. Implementation of these decrees is expected to take place in early 2001.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The police are not required by law to obtain search warrants. There is a widespread belief that the Government eavesdrops on both oral and written communications, and citizens are guarded in both areas. Citizens must obtain permission from the Ministry of Interior to marry foreigners, except nationals of the Gulf Cooperation Council (GCC) countries. Such permission is not granted automatically. Delays or denial of permission have resulted in secret marriages within Oman. Marriages in foreign countries can lead to denial of entry into Oman of the foreign spouse and prevent a legitimate child from claiming citizenship rights.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law prohibits criticism of the Sultan in any form or medium. The authorities tolerate criticism of government officials and agencies, but such criticism rarely receives media coverage. The announced 1996 Basic Charter provides for freedom of opinion expressed in words, writing, or all other media within the limits of the law; however, these provisions have yet to be implemented.

The 1984 Press and Publication Law authorizes the Government to censor all domestic and imported publications. Ministry of Information censors may act against any material regarded as politically, culturally, or sexually offensive. Journalists and writers generally censor themselves to avoid government harassment. Editorials generally are consistent with the Government's views, although the authorities tolerate some criticism on foreign affairs issues. The Government discourages in-depth reporting on controversial domestic issues and seeks to influence privately owned dailies and periodicals by subsidizing their operating costs.

In late 1997, the Government began to permit the entry onto the market of foreign newspapers and magazines containing reports or statements deemed critical of Oman, including articles critical of the Sultan. The lifting of the boycott against Israel in December 1994 eliminated prohibitions on publications from or about Israel that otherwise meet censorship standards. However, in August 1999, the Ministry of Information stopped distribution of a London-based, Arabic-language magazine that contained an interview with a representative of the Israeli trade mission in Oman. Customs officials sometimes confiscate video cassette tapes and erase offensive material despite the fact that there are no published guidelines on what is viewed as "offensive." The tapes may or may not be returned to their owners. Government censorship decisions are changed periodically without apparent reason. There is a general perception that the confiscation of books and tapes at the border from private individuals and restrictions on popular novels have eased somewhat; however, it reportedly has become more difficult to obtain permission to distribute in the local market books that censors decide have factual errors about Oman (including outdated maps).

The Government controls the local radio and television companies. They do not air any politically controversial material. The Government does not allow the establishment of privately owned radio and television companies. However, the availability of satellite dishes has made foreign broadcast information accessible to the public. The Government, through its national telecommunications company, provides full, uncensored Internet access to citizens and foreign residents; however, as use of the Internet to express views not normally permitted in other media has grown, the Government has taken some steps to monitor and control its use. Warnings have appeared on web sites that criticism of the Sultan or personal criticism of government officials is likely to be censored; however, at least some of these sites have operated without apparent interference.

The appropriate government authority, such as Sultan Qaboos University, the police, or the relevant ministry, must approve public cultural events, including plays, concerts, lectures, and seminars. Most organizations avoid controversial issues due to fear that the authorities may cancel their events.

Academic freedom is restricted, particularly regarding controversial matters, including politics. Professors may be dismissed for going beyond acceptable boundaries.

b. Freedom of Peaceful Assembly and Association

The law does not ensure freedom of assembly; all public gatherings require government sponsorship. The authorities do not always enforce this requirement, and gatherings sometimes take place without formal government approval. Over the course of 8 days in October, rare public demonstrations in support of the Palestinians and against Israeli and United States policies took place at Sultan Qaboos University and other venues. Most demonstrators were young men, and most demonstrations were peaceful. Some demonstrations included rock throwing and vandalism of private vehicles. On one or two occasions the police used tear gas and physical force to control demonstrations and some arrests were made. The Government, after 8 days of demonstrations, took quiet action to prohibit further demonstrations. Regulations implemented in 1994 restricting most types of public gatherings remain in effect. The 1996 Basic Charter provides for limited freedom of assembly, but these provisions have not yet been implemented.

The law states that the Ministry of Social Affairs, Labor, and Vocational Training must approve the establishment of all associations and their bylaws; however, some groups are allowed to function without formal registration. The Government uses the power to license associations to control the political environment. It does not license groups regarded as a threat to the predominant social or political views of the Sultanate. Formal registration of foreign associations is limited to a maximum of one association for any nationality. The 1996 Basic Charter's provisions in this area--not yet in effect--regulate the formation of associations. In February a royal decree was promulgated that allowed for the formation of nongovernmental organizations (NGO's) in the area of services for women, children, and the elderly.

c. Freedom of Religion

Islam is the state religion, which is affirmed by the 1996 Basic Charter. The 1996 Basic Charter provides that Shari'a is the basis for legislation and preserves the freedom to practice religious rites, in accordance with tradition, provided that such freedom does not breach public order. Discrimination against individuals on the basis of religion or sect is prohibited. Implementing decrees for the 1996 Basic Charter in this area have not yet been established. Non-Muslim religious organizations must be registered with the Government and the Government restricts some of their activities.

Most citizens are Ibadhi or Sunni Muslims, but there is also a minority of Shi'a Muslims. Non-Muslims are free to worship at churches and temples built on land donated by the Sultan. There are many Christian denominations, which utilize two plots of donated land on which two Catholic and two Protestant churches have been built. Hindu temples also exist on government-provided land. Land has been made available to Catholic and Protestant missions in Sohar and Salalah.

In June the departure from the country of a foreign Baha'i due to termination of his employment may have been hastened by the proselytizing activities of his wife. The authorities requested members of the Baha'i community to sign statements that they will not proselytize, in accordance with the country's law and custom.

The Government prohibits non-Muslims from proselytizing. It also prohibits non-Muslim groups from publishing religious material, although religious material printed abroad may be brought into the country. Members of all religions and sects are free to maintain links with coreligionists abroad and undertake foreign travel for religious purposes.

The police monitor mosque sermons to ensure that the preachers do not discuss political topics and stay within the state-approved orthodoxy of Islam. The Government expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government does not restrict travel by citizens within the country except to military areas. Foreigners other than diplomats must obtain a government pass to cross border points. To obtain a passport and depart the country, a woman must have authorization from her husband, father, or nearest male relative. However, a woman having an Omani identity card (which also must be authorized by a male relative) may travel to certain Gulf Cooperation Council countries without a passport.

Until the promulgation of the Basic Charter, the Government did not have a policy on refugees or a tradition of harboring stateless or undocumented aliens. The 1996 Basic Charter prohibits the extradition of political refugees; however, this provision has not yet been implemented. The issue of the provision of first asylum did not arise during the year. Oman offered temporary refuge to several thousand Yemenis displaced by a civil war in 1994. They returned to Yemen after the war. Tight control over the entry of foreigners into the country effectively has screened out would-be refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Oman is an autocracy in which the Sultan retains the ultimate authority on all important foreign and domestic issues. The country has no formal democratic political institutions, and its citizens do not have the ability peacefully to change their leaders or the political system.

The Sultan promulgated the country's first defacto written constitution, known as the Basic Charter, in November 1996. Although it has immediate force of law, most laws and regulations to implement its provisions have not yet been enacted; it is expected that this process may take until 2001 or beyond to be completed. The law does not provide for political parties or direct elections. Citizens have indirect access to senior officials through the traditional practice of petitioning their patrons, usually the local governor--or wali, for redress of grievances. Successful redress depends on the effectiveness of the patron's access to appropriate decisionmakers. The Sultan appoints the governors. The Sultan makes an annual 3-week tour of the country, accompanied by his ministers. The tour allows the Sultan to listen directly to his subjects' concerns.

In 1991 Sultan Qaboos established a Consultative Council, or Majlis Al-shura. In 1994 he expanded the number of Council seats to 80 from the original 59, which resulted in the allocation of 2 members for districts with a population of more than 30,000. Due to the population increase from 1994 to 2000, the number of seats was expanded further to 82 for the 1997 elections and to 83 for the September elections. Unlike in 1999, when the Government selected the Council members from several nominees who were elected only by prominent persons in each district, the Government established a new system beginning with the September elections under which council members, male and female, are elected directly by receiving the most votes from eligible voters in their districts. In the October 1997 elections, 55,000 men and women, 3 percent of the total population, were eligible to nominate Council members in all districts throughout the country. In the September elections, the Government selected more than 175,000 men and women to register to vote, of whom 114,000 registered and 100,000 voted. The number of eligible female voters increased from 5,000 to 52,000. In August a royal decree abolished the prior procedure under which voters (or electors) had volunteered as candidates for Council seats, had their police records checked by the Government, and relied on government approval of their decision to run. If the Sultan decided not to appoint them, the nominees with the most votes did not win appointment to the Council. Under the new procedures, candidates are not subject to government scrutiny, and the Sultan no longer ratifies winning candidates. At least two sitting members of the Council were excluded from standing for reelection in September because of their criticism of ministers during previous council sessions.

The Council has no formal legislative powers, which remain concentrated in the Sultan's hands; however, it serves as a conduit of information between the people and the government ministries. No serving government official is eligible to be a Council member. The Council may question government ministers in public or in private, review all draft laws on social and economic policy, and recommend legislative changes to the Sultan, who makes the final decision. During the year, the membership of the Majlis Al-Dawla (Council of State), which was established in 1997, was increased from 41 to 48 members. The precise responsibilities of the Council of State and its relationship to the existing Consultative Council have yet to be clarified. The Council of State and the Consultative Council together form the Majlis Oman, or Council of Oman. A royal directive issued in April prohibited members of the Council of Oman from serving more than two 3-year terms.

The Sultan publicly has advocated a greater role for women in both the public and private sectors; however, women remained underrepresented in government and politics. In the 1997 elections, the Government selected two women from among the nominees to serve on the Consultative Council. In December 1997, the Sultan appointed 4 women to the 41-member Majlis Al-Dawla; during the year he appointed 5 women to the now 48-member body. In 1999 the Sultan, for only the second time, appointed a woman to the Oman Chamber of Commerce and Industry (OCCI) board.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of human rights groups. The existing restrictions on the freedom of speech and association do not permit any activity or speech critical of the Government. There were no known requests by international human rights organizations to visit.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The 1996 Basic Charter prohibits discrimination on the basis of sex, ethnic origin, race, religion, language, sect, place of residence, and social class; however, decrees to implement its provisions have not been promulgated. Institutional and cultural discrimination based on gender, race, religion, social status, and

disability exists.

Women

There is no evidence of a pattern of spousal abuse although observers say that allegations of such abuse in the Shari'a courts are not uncommon. Definitive information is scant and difficult to collect. Doctors do not have a legal responsibility to report either spouse or child abuse cases to the courts. Battered women may file a complaint with the police but more often seek family intervention to protect them from violent domestic situations. Likewise, families seek to intervene to keep such problems out of public view. There have been reports that employers or male coworkers have sexually harassed foreign women employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have complained that their employers have withheld their salaries and that government officials have been unresponsive to their grievances, due to investigative procedures that disadvantage the victim. Individuals known to be abusing domestic servants are not always brought to account for their actions. In the past, several foreign women have had to ask their governments' embassies for shelter to escape abuse (see Section 6.e.).

Most women live within the confines of their homes. They continue to face many forms of discrimination. Illiteracy among older women hampers their ability to own property, participate in the modern sector of the economy, or even inform themselves of their rights. Government officials frequently deny women land grants or housing loans and prefer to conduct business with a woman's husband or other male relative. Women require permission from a male relative to leave the country (see Section 2.b.).

Some aspects of Islamic law and tradition as interpreted in the country also discriminate against women. Shari'a favors male heirs in adjudicating inheritance claims. Many women are reluctant to take an inheritance dispute to court for fear of alienating the family.

Since 1970 conditions for women have improved dramatically in several areas. Whereas in 1970 no schools existed for girls, the most recent figures available from the Ministry of Education report an enrollment rate nearing 90 percent for all girls eligible for elementary school. In the 1997-98 school year, female students constituted approximately 50 percent of the total number of students attending public schools. Women constitute roughly half of the 5,000 students at Sultan Qaboos University. In November 574 women and 497 men received bachelor's degrees as members of the 11th graduating class, while 2 women and 9 men received master's degrees. The university has a quota system with the apparent goal of increasing the number of men studying certain specialties. Reportedly, women are being limited to 50 percent of the seats in the medical department. Restrictions on women studying engineering and archeology were lifted in September 1998. The quota system is expected to allow women to constitute a majority in some other departments.

Women also have made gains in the work force. Some educated women have attained positions of authority in government, business, and the media. Approximately 30 percent of all civil servants are women; of these, 59 percent are citizens. In both the public and private sectors, women are entitled to maternity leave and equal pay for equal work. The government bureaucracy, the country's largest employer of women, observes such regulations, as do many private sector employers. Many educated women still face job discrimination because prospective employers fear that they might resign to marry or raise families. In the past, several female employees in the Government have complained that they have been denied promotion in favor of less capable men. Unlike the case in previous years, when government grants for study abroad were limited almost exclusively to males, such grants are now awarded based on merit, and in 1999 were divided evenly between men and women.

Within the Government, women's affairs are the responsibility of the Ministry of Social Affairs, Labor, and Vocational Training. The Ministry provides support for women's affairs through support for and funding of the Oman Women's Association (OWA) and local community development centers (LCDC's). The OWA consists of 25 chapters with an active membership of more than 3,000 women. Typical OWA activities include sponsoring health or sociological lectures, kindergarten services, and handicraft training programs. The OWA also provides an informal counseling and support role for women with divorce-related difficulties, girls forced to marry against their will, and women and girls suffering from domestic abuse. The main purpose of the 50 LCDC's located throughout the country is to encourage women to improve the quality of life for their families and to improve their contributions to the community. LCDC activities focus on health and sociology lectures, child care issues, and agricultural and traditional handicraft training programs.

Children

The Government has made the health, education, and general welfare of children a budgetary priority. Primary school education is free and universal but not compulsory. Most children attend school through

secondary school, to age 18. No significant sectors or groups within the population are prevented from receiving an education. The infant mortality rate continues to decline, and comprehensive immunization rates have risen. There is no pattern of familial or other child abuse. Government officials have publicly called for greater awareness and prevention of child abuse.

A few communities in the interior and in the Dhofar region still practice female genital mutilation (FGM). FGM is condemned widely by international health experts as damaging to both physical and psychological health. Experts believe that the number of such cases is small and declining annually.

People with Disabilities

The Government has mandated parking spaces and some ramps for wheelchair access in private and government office buildings and shopping centers. Compliance is voluntary, yet widely observed. Students in wheelchairs have easy access to Sultan Qaboos University. The Government has established several rehabilitation centers for disabled children. Disabled persons, including the blind, work in government offices. While the Government now charges a small fee to citizens seeking government health care, the disabled generally are not charged for physical therapy and prosthetics support.

Religious Minorities

Some members of the Shi'a Muslim minority claim that they face discrimination in employment and educational opportunities. However, some members of this same community occupy prominent positions in both the private and public sectors.

National/Racial/Ethnic Minorities

In the past, citizens of east African origin complained that they frequently faced job discrimination in both the public and private sectors. Some public institutions reportedly favor hiring members of one or another regional, tribal, or religious group. However, no group is banned from employment.

Section 6 Worker Rights

a. The Right of Association

The current law stipulates that "it is absolutely forbidden to provoke a strike for any reason." The Government has not yet promulgated a new labor law that was first drafted by the Ministry of Social Affairs and Labor in 1994. In the last quarter of 1996, the Consultative Council recommended some changes to the draft, but the Government has not yet issued the new law. Government officials have stated that the new labor law is to be consistent with international labor standards.

Labor unrest is rare. There have not been any known job actions within the last 7 years.

b. The Right to Organize and Bargain Collectively

The current law does not provide for the right to collective bargaining; however, it requires that employers of more than 50 workers form a joint labor-management committee as a communication forum between the two groups. The implementation of this provision is uneven, and the effectiveness of these committees is questionable. In general the committees discuss such matters as the living conditions at company-provided housing. They are not authorized to discuss wages, hours, or conditions of employment. Such issues are specified in the work contracts signed individually by workers and employers and must be consistent with the guidelines of the Ministry of Social Affairs and Labor.

The current law defines conditions of employment for some citizens and foreign workers. It covers domestic servants and construction workers but not temporary workers or those with work contracts that expire within 3 months. Foreign workers constitute at least 50 percent of the work force and as much as 80 percent of the modern-sector work force.

Work rules must be approved by the Ministry of Social Affairs and Labor and posted conspicuously in the workplace by employers of 10 or more workers. Similarly any employer with 50 or more workers must establish a grievance procedure. Regardless of the size of the company, any employee, including foreign

workers, may file a grievance with the Labor Welfare Board. Sometimes worker representatives file collective grievances, but most grievances are filed by individual workers. Lower paid workers use the procedure regularly. Plaintiffs and defendants in such cases may be represented by legal counsel.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The 1973 Labor Law prohibits forced or bonded labor, and although the enabling laws have not yet been implemented, the 1996 Basic Charter affirms that forced or bonded labor for any person is prohibited; however, governmental investigative and enforcement mechanisms are lacking. Foreign workers sometimes find themselves in situations amounting to forced labor. In such cases, employers withhold letters of release (documents that release workers from employment contracts), which allow them to change employers. Without such a letter, a foreign worker must continue to work for his current employer or become technically unemployed, which is sufficient grounds for deportation. Many foreign workers are not aware of their right to take such disputes before the Labor Welfare Board. Others are reluctant to file complaints for fear of retribution from unscrupulous employers. In most cases, the Board releases the worker from service and awards compensation for time worked under compulsion. Employers face no other penalty than to reimburse the worker's back wages.

The law prohibits forced or bonded labor by children, and instances of forced or bonded child labor are unknown.

d. Status of Child Labor Practices and Minimum Age for Employment

The 1973 Labor Law prohibits children under the age of 13 from working. The Ministry of Social Affairs and Labor enforces this prohibition; however, in practice the enforcement often does not extend to some small family businesses that employ underage children, particularly in the agricultural and fisheries sectors. Children between 13 and 16 years of age may be employed but must obtain the Ministry's permission to work overtime, at night, on weekends or holidays, or perform strenuous labor. Child labor does not exist in any industry.

Although primary school education is not compulsory, most children attend school to age 18 (see Section 5).

The law specifically prohibits forced or bonded labor by children and it is not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work

The Ministry of Social Affairs and Labor issues minimum wage guidelines for various categories of workers. In July 1998, the Government raised the minimum wage for most citizens to about \$270 (100 rials) per month, plus \$54 (20 rials) for transportation and housing. Minimum wage guidelines do not apply to a variety of occupational categories, including small businesses that employ fewer than five persons, the self-employed, domestic servants, dependent family members working for a family firm, and some categories of manual labor. Many foreigners work in occupations that are exempt from the minimum wage law, and the Government is lax in enforcing minimum wage guidelines, where applicable, for foreign workers employed in menial jobs. However, highly skilled foreign workers frequently are paid more than their Omani counterparts.

The minimum wage is sufficient to provide a decent standard of living for a worker and family. The compensation for foreign manual laborers and clerks is sufficient to cover living expenses and to permit savings to be sent home.

The private sector workweek is 40 to 45 hours and includes a rest period from Thursday afternoon through Friday. Government workers have a 35-hour workweek. While the law does not designate the number of days in a workweek, it requires at least one 24-hour rest period per week and mandates overtime pay for hours in excess of 48 per week. Government regulations on hours of employment are not always enforced. Employees who have worked extra hours without compensation may file a complaint before the Labor Welfare Board, but the Board's rulings are not binding.

Every worker has the right to 15 days of annual leave during the first 3 years of employment and 30 days per year thereafter. Employers provide many foreign nationals, including domestic servants, with annual or biannual round trip tickets to their countries of origin.

All employers are required by law to provide first aid facilities. Work sites with over 100 employees must have a nurse. Employees covered under the Labor Law may recover compensation for injury or illness sustained on

the job through employer-provided medical insurance. The health and safety standard codes are enforced by inspectors from the Department of Health and Safety of the Directorate of Labor. As required by law, they make regular onsite inspections.

There have been reports that employers or male coworkers have sexually harassed and abused foreign females employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have complained that their employers have withheld their salaries and that government officials have been unresponsive to their grievances, due to investigative procedures that disadvantage the victim. Individuals known to be abusing foreign domestic servants are not always held accountable for their actions. In the past, several foreign women have had to ask their governments' embassies for shelter to escape abuse (see Section 5).

The law states that employers must not place their employees in situations involving dangerous work; however, the law does not specifically grant a worker the right to remove himself from dangerous work without jeopardy to his continued employment.

f. Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, within, or through the country.

[End.]