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## U.S. Department of State

### Oman Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

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#### OMAN

The Sultanate of Oman is a monarchy which has been ruled by the Al Bu Sa'id family since the middle of the 18th century. It has no political parties or directly elected representative institutions. 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--as well as 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 the 59-seat Consultative Council, or Majlis Ash-Shura, which replaced an older advisory body. The Government selects Council members from lists of nominees proposed by each of the 59 wilayats (regions). After the first national census in 1993, the Sultan expanded the membership of the new Council to 80 seats. In 1997 it was expanded further to 82 seats. 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, sometimes leading to amendments to proposed decrees. In December 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 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 Ministry of Palace 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. There are credible reports that security forces occasionally abuse 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. Oman has a mixed economy with significant government participation in industry, transportation, and communications. The Government seeks to diversify the economy and stimulate private investment.

The Government continues to restrict or deny important human rights. Human rights abuses include arbitrary arrest,

mistreatment of detainees, prolonged detention without charge, and the denial of due process. The Government restricts freedom of expression and association and does not ensure full rights for workers and women. As a practical matter, the people do not have the right to change their government.

The 1996 Basic Law provides for many basic human rights, e.g., an independent judiciary, freedom of association, speech, and press. The Basic Law permits the Government two years, until 1998, to adopt the necessary implementing decrees but, as a practical matter, implementation may be extended to the year 2000.

## **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**

Security forces abuse some detainees, particularly during interrogation. The abuse does not appear to be systematic and often varies depending upon the social status of the victim, the official involved, and the location of the incident (e.g., whether it occurs in a rural or an urban area). Despite reported official efforts to prevent such abuse, incidents still occur. Security officials sometimes beat detainees but are often careful to conceal evidence of abuse by employing such tactics as restricting blows to less visible areas of the body. Detainees are sometimes left in isolation with promises of release or improved treatment as a further means to elicit confessions or information. Although judges have the right to order investigations of allegations of mistreatment, there is no recent evidence that any officer has been punished for abusing detainees. The 1996 Basic Law, yet to be implemented, specifically prohibits "physical or moral torture" and stipulates that all confessions obtained by such methods will be considered null and void. There was no evidence of torture in 1997. However, in the recent past, techniques reportedly range from sleep deprivation to harsher measures such as hanging a bound victim from a steel bar in such a way that the wrists must support the full weight of the body.

The Government does not permit independent monitoring of prisons. Nevertheless, prison conditions

appear to meet minimum international standards. Access to some prisoners is severely restricted.

d. Arbitrary Arrest, Detention, or Exile

The police may obtain warrants prior to making arrests but are not required by law to do so. The authorities must obtain court orders to hold suspects in pretrial detention. Within

24 hours of arrest, the police are required to file charges or ask a magistrate judge to order continued detention. In practice, however, 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 Law provides for certain legal and procedural rights for detainees.

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 a list of persons scheduled for trial 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.

The Government does not practice exile as a form of punishment. The 1996 Basic Law prohibits exile.

e. Denial of Fair Public Trial

The 1996 Basic Law 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 court.

The judiciary comprises the magistrate courts, which adjudicate misdemeanors and criminal matters; the Islamic, or Shari'a, courts, which adjudicate personal status cases such as divorce and inheritance; the commercial court; the Labor Welfare Board; and the Rent Dispute Committee, which hears tenant-landlord disputes.

In May the Government promulgated into law the provisions of the 1996 Basic Law pertaining to "family law", i.e., law that falls under the purview o