



U.S. DEPARTMENT of STATE

Oman

Country Reports on Human Rights Practices - [2007](#)

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The Sultanate of Oman is a hereditary monarchy with a population of approximately 2.6 million ruled by Sultan Qaboos Al Bu Sa'id since 1970. Only the sultan can amend the country's laws through royal decree. The 84-member Majlis as-Shura (Consultative Council) is a representative advisory institution that can review legislation. On October 27, approximately 245,000 registered voters participated in generally free and fair elections for all of the council's 84 seats. The civilian authorities generally maintained effective control of the security forces.

Citizens did not have the right to change their government. The government restricted freedoms of speech, press, assembly, religion, and association. Despite legislated equality for women, discrimination and domestic violence persisted due to social and cultural factors. The government restricted the activity of nongovernmental organizations (NGOs) and did not permit domestic human rights groups to operate in the country. There was a lack of sufficient legal protection and enforcement to secure the rights of migrant workers. There were reports that expatriate laborers, particularly domestic workers, were placed in situations amounting to forced labor and that some suffered abuse.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, although there were reports that some prison cells lacked proper sanitation. The government permitted expatriate volunteers to visit prisoners and detainees. During the year no international observers visited prisons or detention centers. In June and October 2006 the government allowed diplomatic representatives to tour two deportation centers for illegal immigrants in Sohar and Salalah; these centers generally met international standards.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions in practice.

Role of the Police and Security Apparatus

The Royal Office, part of the cabinet, controls internal and external security and coordinates all intelligence and security policies. Under the Royal Office, the Internal Security Service investigates all matters related to internal security, and the sultan's Special Force has limited border security and antismuggling responsibility. The Royal Oman Police (ROP), also

part of the cabinet, performs regular police duties, provides security at airports, serves as the country's immigration agency, and operates the coast guard. The Ministry of Defense, and in particular the Royal Army of Oman, is responsible for border security and has limited domestic security responsibilities.

There were isolated reports of corruption during the year. The ROP's Directorate General of Inquiries and Criminal Investigation is charged with investigating allegations of police abuse, and its findings are turned over to the Directorate General of Human Resources for disciplinary action. There is no public information about the ROP's internal disciplinary action. Officers received human rights training at the police academy.

Arrest and Detention

The law does not require the police to obtain warrants prior to making an arrest. The law provides that within 48 hours of arrest, the police must either release the accused or refer the matter to the public prosecutor. Within 24 hours the public prosecutor must formally arrest or release the person. The state provided public attorneys to indigent detainees. Authorities must obtain court orders to hold suspects in pretrial detention. Judges may order detentions for 14 days to allow investigation and may grant extensions if necessary. The authorities post the previous week's trial results near the magistrate court building. There was a functioning system of bail. Detainees generally had prompt access to a lawyer of their choice.

In practice the police sometimes failed to follow legal procedures. The police did not always inform detainees of the charges against them or notify a detainee's family or sponsor of the detention.

During the year security services detained several thousand suspected illegal migrant laborers along the country's sea and land borders as part of an ongoing government campaign to halt illegal immigration. Police continued to conduct operations to identify, detain, and deport persons unable to document their legal status in the country upon request.

There were isolated reports that foreign workers suspected of being in the country illegally were detained without charge pending confirmation of their immigration status.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the sultan can act as a court of final appeal and exercise his power of pardon as chairman of the Supreme Judicial Council, the country's highest legal body with the power to review all judicial decisions. Members of the Supreme Judicial Council included the president of the Supreme Court, the minister of justice, the public prosecutor, and the inspector general. The Administrative Affairs Council approves all judicial nominations, except for Supreme Court judges, president, and deputy president, who are appointed by royal decree based on the council's nomination.

The Ministry of Justice (MOJ) administers all courts. The magistrate court system is composed of courts of first instance, courts of appeal, and the Supreme Court. There are 42 courts of first instance located throughout the sultanate that hear civil, criminal, commercial, labor, and personal status cases. One judge presides over each court of first instance. There are six courts of appeal, each with a panel of three appointed judges. The Supreme Court standardizes legal principles, reviews decisions of lower courts, and monitors judges in their application and interpretation of the law. The Supreme Court consists of five judges. The sultan can pardon or reduce sentences but not overturn a Supreme Court verdict. The Supreme Judicial Council can hear appeals beyond the Supreme Court.

Principles of Shari'a inform the civil, commercial, and criminal codes. Laws governing family and personal status are based on the government's interpretation of Shari'a.

Trial Procedures

The law provides for the right to a fair trial, and the judiciary generally enforced this right. Juries are not used. The public prosecutor's office operates independently within the MOJ. All felonies are adjudicated in courts of first instance. All appeals to a judge's ruling must be made within 30 days. The criminal appeals panel hears appeals of rulings made by all courts of first instance. Appeals of appellate court decisions go to the Supreme Court.

According to the law, in criminal cases the police are required to provide defendants with the written charges against them, and defendants have the right to present evidence and confront witnesses. The prosecution and defense counsel question witnesses before a judge in court. Defendants and their lawyers generally had access to government-held evidence relevant to their cases.

In a June 15 interview with cable television station Al-Hurra, former parliamentarian Taybah al-Ma'wali claimed that before and during her 2005 trial on charges of slander, authorities limited her access to information regarding the charges against her and government-held evidence and provided her with one week to prepare her defense. She also alleged that during

her subsequent six-month imprisonment, security forces denied visitation rights to members of her family. In January 2006 authorities released al-Ma'wali.

The law provides for the presumption of innocence and the right to counsel. Courts provide public attorneys to indigent detainees and offer legal defense for defendants facing prison terms of three years or more. Judges often pronounce a verdict and sentence within one day of a trial's completion. Those convicted may appeal jail sentences longer than three months and fines over the equivalent of \$1,250 (480 rials).

The Administrative Court, under the authority of the Diwan of the Royal Court, reviews complaints about the misuse of governmental authority. It has the power to reverse decisions made by government bodies and award compensation. Appointments to this court are subject to the approval of the Administrative Affairs Council. The court's president and deputy president are appointed by royal decree based on the council's nomination.

The State Security Court tries cases involving national security and criminal matters that require expeditious or especially sensitive handling. The security court procedures mirror those applicable elsewhere in the criminal system. The sultan may exercise his powers to extend leniency, including in cases involving state security.

Military and security personnel are subject to a military tribunal system of justice, to which there is limited outside visibility or access.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Civil cases are governed by applicable civil procedure codes. Citizens and third-country nationals were able to file cases in the courts. There were instances in which courts ruled in favor of domestic servants against their sponsors, requiring sponsors to return the workers' passports and allow them to break the employment contract. In some of these instances, the courts issued orders to apprehend the sponsor and force his appearance before the court. Both citizen and foreign workers can lodge complaints regarding working conditions with the Ministry of Manpower (MOM) for administrative redress. The MOM may refer cases to the courts if it is unable to negotiate a solution.

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

The law provides for broad governmental discretion, which the government utilized in practice.

The law does not require police to obtain search warrants before entering homes, although the police often obtained warrants from the public prosecutor's office. The government monitored private communications, including mobile phones, e-mail, and Internet chat room exchanges. The Ministry of Interior (MOI) required citizens to obtain permission to marry foreigners except nationals of the Gulf Cooperation Council (GCC) countries; permission was not granted automatically. Citizen marriages to foreigners abroad without MOI approval may cause the foreign spouse to be denied entry into the country and prevent a legitimate child from claiming citizenship rights.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for limited freedom of speech and of the press; however, the government generally restricted these rights in practice. Journalists and writers exercised self-censorship, due both to the expectation of official censorship and fear of government reprisal.

The law prohibits criticism of the sultan in any form or medium, as well as "material that leads to public discord, violates the security of the state, or abuses a person's dignity or his rights." The Telecommunications Act prohibits knowingly sending a message via any form of communication that violates public order and morals or is harmful to a person's safety. The penal code assigns a sentence of 10 days to six months for the crime of "defamation of character." Courts have interpreted these laws to mean that it is illegal to insult a public official.

Various media companies reportedly refused to publish articles by journalists who previously criticized the government. Some journalists alleged that the government maintained a "black list" of journalists and writers whose work could not be published in the country. The authorities tolerated a limited degree of criticism of policies, government officials, and agencies, particularly via the Internet; however, such criticism rarely appeared in the mass media. The government used libel laws and concerns for national security as grounds to suppress criticism of government figures and politically

objectionable views.

Ministry of Information censors strictly enforced the Press and Publication Law, which authorized the government to censor all domestic and imported publications. As a result, all content in both public and private print outlets was subject to official review and approval prior to publication; censors generally disallowed material regarded as politically, culturally, or sexually offensive. However, the censorship process was not transparent.

Some journalists stated that customs officials at the border followed an unwritten policy to confiscate books and tapes containing material considered offensive. Although there were no published reports of such seizures taking place during the year, journalists claimed that customs officials targeted writers on the alleged "black list." Editorials generally were consistent with the government's views, although authorities tolerated some limited criticism regarding domestic and foreign affairs issues, including GCC policies, which the country participates in determining.

On August 12, the Arabic-language daily *Azzamn* began circulation, becoming the country's fifth privately-owned newspaper. Other private papers included Arabic-language dailies *Al-Watan* and *Al-Shabiba* and English dailies the *Times of Oman* and *Oman Tribune*. In addition, there were two state-owned newspapers and more than 30 state-owned and privately-owned magazines in circulation.

The government owned three radio stations and two television stations, which generally did not air politically controversial material. In 2005 the Ministry of Information approved licenses for one private television station and three private radio stations.

On May 23, the private radio station Hala FM began broadcasting Arabic-language pop music and a limited amount of entertainment and non-political public information. In October the same ownership began test transmission of HI-FM, broadcasting English-language pop and no spoken content. Access to foreign broadcasts via satellite was widespread in the major urban areas.

Internet Freedom

The government's national telecommunications company made Internet access available for a fee to citizens and foreign residents. However, it blocked numerous Web sites considered pornographic, culturally or politically sensitive, or competitive with local telecommunications services. The criteria for blocking Internet sites were not transparent. Growing use of the Internet to express views normally not permitted in other media led the government to take additional measures to monitor and censor it. The government reportedly questioned some chat room contributors critical of government officials or policies, or whose postings precipitated criticism, after tracking the contributors through their Internet service provider addresses.

In January police arrested the founder of the country's most popular chat room site, al-Sablah al-Omania, and ten of his associates for publishing comments critical of government officials. After a four-month trial, a court of first instance acquitted the site's founder and three codefendants on charges of slander but sentenced six other defendants with fines ranging from \$780 to \$10,400 (300 to 4,000 rials), and one codefendant to one month in jail. Prior to the trial, the founder of al-Sablah al-Omania shut down the site to "avoid further legal complications." The site remained closed at year's end.

The government placed warnings on other Web sites that criticism of the sultan or personal criticism of government officials would be censored and could lead to police questioning, which increased self-censorship. While several sites served as replacements for al-Sablah, all were rigorously cautious concerning content, and moderators reportedly quickly deleted potentially offensive material. The Telecommunications Regulatory Authority (TRA) blocked establishments from offering Voice over Internet Protocol services without a TRA license.

Academic Freedom and Cultural Events

The government restricted academic freedom, particularly regarding publishing or discussing controversial matters such as domestic politics, through the threat of dismissal if a teacher's work exceeded government boundaries. As a result, professors generally practiced self-censorship. There were no reported cases during the year in which the government dismissed a professor or other teacher on these grounds.

The appropriate government authority, the police, or a relevant ministry must approve all public cultural events. Organizations avoided controversial issues reportedly due to belief that the authorities might not approve such events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for circumscribed freedom of assembly, and the government restricted the exercise of this right in practice. Prior government approval was necessary for all public gatherings. The authorities enforced this requirement with rare exceptions.

Freedom of Association

The law provides for freedom of association "for legitimate objectives and in a proper manner." The Council of Ministers approves the establishment of NGOs--officially recognized as associations--to work on a set of acceptable issues, including women, children, the elderly, persons with disabilities, and others approved by the council. The council limited freedom of association in practice by prohibiting associations whose activities were deemed "inimical to the social order" or otherwise not appropriate and did not license groups regarded as a threat to the predominant social and political views or the interests of the country. Through either outright denial or imposition of burdensome bureaucratic requirements, the government effectively blocked the formation of even the most benign organizations.

In May the Ministry of Education, with the approval of the Council of Ministers, permitted America-Mideast Educational and Training Services, Inc. (AMIDEAST) to become the first foreign NGO to open a permanent office in the country.

Formal registration of nationality-based associations was limited to one association for each nationality. The law states that associations must register with the Ministry of Social Development, which is responsible for approving association by-laws. The average time required to register an association was about two years.

Women's associations, which total 52, were able to register somewhat faster because their applications required approval only by the Minister of Social Development. However, women's associations are subject to the same laws as other associations. Some women's associations received limited government funding or in-kind support, while others were self-funded. With the inclusion of AMIDEAST and five new women's associations, a total of 71 registered associations existed at year's end.

c. Freedom of Religion

The law provides for the freedom to practice religious rites as long as doing so does not disrupt public order. The government generally respected this right, but within defined parameters that placed limitations on the right in practice. The law provides that Islam is the state religion, and that Shari'a is the source of legislation. Most citizens were Ibadhi or Sunni Muslims, with some Shi'a and a few non-Muslim citizens. The government permitted worship by non-Muslim residents. All religious organizations must be registered with the government.

Non-Muslims were free to worship at churches and temples built on land donated by the sultan. In May 2006 the government issued a legally-enforceable circular that formalized previously unwritten prohibitions on religious gatherings in locations other than government-approved houses of worship. The circular also prohibited non-Islamic institutions from issuing publications within their communities without prior approval from the Ministry of Endowments and Religious Affairs (MERA). The law does not prohibit proselytizing, but the MERA can stop individuals or groups from engaging in it if the ministry receives complaints. The government may use immigration regulations and laws against harassment to enforce the ministry's policy.

Members of all religions and religious groups were free to maintain links with members abroad and undertake foreign travel for religious purposes. Individuals and groups were allowed to bring religious material printed abroad into the country.

The MERA monitored sermons at mosques to ensure imams did not discuss political topics or instigate religious hatred or divisions. The government expected all imams to preach sermons within the parameters of standardized texts distributed monthly by the ministry. Imams may be suspended or dismissed for exceeding government boundaries; however, there were no reported suspensions or dismissals during the year. The government monitored but did not attempt to control the content of sermons in non-Islamic communities.

Societal Abuses and Discrimination

There was no Jewish population and no reports of anti-Semitic acts or public statements by community or national leaders that vilified Jews. Anti-Semitism was present in the media, however, and anti-Semitic editorial cartoons depicting stereotypical and negative images of Jews, along with Jewish symbols, were published during the year. These expressions occurred primarily in the privately-owned daily newspaper *Al-Watan* without government response.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law does not provide for these rights; however, the government generally respected these rights in practice. The law prohibits forced exile, and there were no reported cases during the year.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, although the country is not party to either the convention or the protocol. In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution, but did not routinely grant refugee or asylum status. The ROP is responsible for determining refugee status but did not accept refugees for resettlement during the year. The law does not specify a timeframe in which the ROP must adjudicate a resettlement application.

Government officials reported that during the year several hundred Somalis holding UN refugee cards entered the country illegally via Yemen to look for work or to transit to other Gulf countries. The authorities stated that Yemen had already granted the Somalis refugee status, and that none of the Somalis applied for protection or resettlement before being deported.

Tight control over the entry of foreigners effectively limited refugees and prospective asylum seekers. Authorities apprehended and deported hundreds of Somalis, Yemenis, Ethiopians, and Eritreans who sought to enter the country illegally by land and sea in the south and Afghanis and Pakistanis who generally came to the country by boat via Iran in the north. Authorities generally detained these persons in centers in Salalah or the northern port city of Sohar, where they stayed an average of one month before being deported to their countries of origin.

The Office of the UN High Commissioner for Refugees (UNHCR) did not visit Oman during the year, and UNHCR did not maintain an office or personnel in the country.

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

The law does not provide citizens with the right to change their government. The sultan retains ultimate authority on all foreign and domestic issues.

Elections and Political Participation

The law does not provide for political parties. There are direct elections only for the Consultative Council (Majlis as-Shura). Citizens 21 years or older (except active military and security personnel) may vote. Election regulations closely prescribe permissible campaign activities, allowing candidates to place posters and conduct public events only in designated locations after notifying government-affiliated electoral commissions. During the year the central electoral commission for the first time allowed candidates to place campaign ads in local newspapers with strict limitations on size and content.

On October 27, 631 candidates competed in Consultative Council elections. Electoral commissions reviewed potential candidates against a set of educational and character criteria before allowing candidates' names on the ballot. There were no reports that any individual was rejected as a candidate for political reasons. Approximately 63 percent of more than 388,000 registered voters participated in elections for the 84 council seats. None of the 20 female candidates were elected. There were no notable or widespread allegations of fraud or improper government interference in the voting process. Although the government did not permit independent monitoring of the elections, the Ministry of Information invited foreign journalists to cover the voting in several locations throughout the country.

The Consultative Council serves as a conduit of information between citizens and government ministries; however, it has no formal legislative powers. Government ministries or the cabinet author all draft legislation. The president of the council is elected by royal decree, and its two vice presidents are elected from within its membership. No serving government official is eligible to be a consultative council member. The Consultative Council may question government ministers in public or in private, review all draft laws on social and economic policy, and recommend new laws or legislative changes to the sultan, who makes the final decision. Any five members of the council can make an official request for information from a minister, who has two weeks to respond, generally in person.

The 70 members of the State Council (Majlis ad-Dawla) are appointed by the sultan and may include former government officials. The State Council serves as an advisory body that reviews draft laws proposed by the government and presents its opinions to the sultan and his ministers in cooperation with the Consultative Council. The State Council president is appointed by royal decree, and its two vice presidents are elected from within its membership.

The State Council and the Consultative Council form the 154-seat Council of Oman. The term of office in both councils is four years. There are no term limits, although state council members historically have served two terms.

Citizens had indirect access to senior officials by petitioning their patrons, usually the appointed local governor, for redress

of grievances. Successful redress depended on the effectiveness of a patron's access to appropriate decision makers. Citizens can contest decisions of government ministers in the administrative court.

There were 14 women in the 154-seat Council of Oman. There were four appointed female ministers, three of whom serve in the 32-member cabinet.

The Council of Oman and the Cabinet of Ministers are composed of representatives from a variety of linguistic, religious, racial, and other backgrounds.

Government Corruption and Transparency

According to the World Bank's Worldwide Governance Indicators, corruption was not a significant problem, although there were isolated reports of government corruption during the year. The law provides criminal penalties for official corruption.

Public and private media questioned the government's handling of disaster relief funds following Cyclone Gonu, which caused extensive damage throughout Oman's northern coast on June 6. The government responded by publishing accounting records.

The law does not provide public access to government information. All royal decrees and ministerial decisions are published in the *Official Gazette* for public access.

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

The government restricted NGO activity. There were no registered domestic human rights NGOs and no government-controlled or autonomous human rights groups in the country.

No association may receive funding from an international group without government approval. Individuals convicted of doing so could receive up to six months in jail and a \$1,310 (500 rials) fine. Heads of domestic NGOs reported that the government periodically asked to review their financial records to confirm sources of funding and required NGOs to inform the government of any meetings with foreign organizations or diplomatic missions.

In 2006 there were reports that the government threatened an activist involved in a foreign-registered organization with arrest or loss of government employment or scholarships. There were no further reports of this practice during the year.

During the year there were no visits by international human rights organizations. In November 2006 the government allowed the UN special rapporteur (UNSR) for trafficking in persons to visit the country on a fact-finding mission, the first visit of a UN official with a human rights portfolio. In April the UNSR published her report on the country, criticizing the government for insufficient effort to detect, investigate, and prosecute cases of trafficking in persons.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination against citizens on the basis of sex, ethnic origin, race, language, religion, place of residence, and social class. However, the government did not effectively enforce the law. Societal and cultural discrimination based on gender, race, social class and disability existed.

Women

The law prohibits rape, and the government generally enforced the law. Foreign nationals working as housemaids occasionally reported that they had been raped by their sponsors or by employees of labor recruitment agencies. According to officials in foreign missions, police investigations resulted in few rape convictions; sponsors repatriated most of the women who made the allegations. Spousal rape is not criminalized.

The law does not specifically address domestic violence; however, assault, battery and aggravated assault carry a maximum sentence of three years in prison. There was no evidence of a pattern of spousal abuse, although allegations of such abuse in civil courts handling family law cases were reportedly common. Victims of domestic violence may file a complaint with the police; however, due to cultural and societal customs, women often sought private family intervention to protect them from violent domestic situations.

According to a 2006 report by the World Health Organization, female genital mutilation (FGM) occurred in rural areas to a limited extent. There is no law prohibiting FGM; however, the Ministry of Health prohibited doctors from performing the procedure in hospitals. The problem remained sensitive and was not discussed publicly. Planners at the Ministry of Health

have not taken action to eliminate FGM.

Prostitution was illegal. However, observers reported that, despite strict cultural norms and immigration controls, women from Eastern Europe, South Asia, North Africa, and China engaged in prostitution.

Despite legal and some social progress, including the appointment of women as ministers, ambassadors, and senior government officials, women continued to face many forms of social discrimination. Aspects of Islamic law and tradition as interpreted in the country discriminated against women. The Personal Status and Family Legal Code, which is based on Shari'a, favors male heirs in adjudicating inheritance. Many women were reluctant to take an inheritance dispute to court for fear of alienating the family. Women married to noncitizens may not transmit citizenship to their children.

Although women may own property, government officials applied different standards to female applicants for housing loans, resulting in fewer approvals for women. The law restricts women from receiving free government housing unless they are divorced, widowed, or listed in the registry of social affairs as fatherless or extremely poor. Illiteracy among women 45 and older hampered their ability to own property, participate in the modern sector of the economy, or educate themselves about their rights.

Government policy provided women with equal opportunities for education. More than half of all first degree university students were women, and women comprised roughly one third of all post-graduate students at Sultan Qaboos University.

Educated women have attained positions of authority in government, business, and the media; however, many educated women still faced culturally based job discrimination. According to recent statistics, approximately 31 percent of all civil servants were women, and women held 56 percent of the teaching positions in government schools. In both the public and private sectors, women were entitled to maternity leave and equal pay for equal work. The government, the country's largest employer of women, observed such regulations, as did many private sector employers.

The Ministry of Social Development is the umbrella ministry for women's affairs. The ministry provided support for women's economic development through the Oman Women's Association and local community development centers.

Children

Primary school education for children, including noncitizen children, was free and universal but not compulsory. According to recent statistics from the Ministry of Education, primary school enrollment was 65 percent, and the ratio of female to male enrollment was equal in primary education. Most children attended school through secondary school.

The government provided free health care for all children up to age six. The infant mortality rate remained low, and the reported rate of infant immunization against diseases such as TB, polio, and hepatitis B continued above 90 percent.

There were no public reports of violence against children; however, the government called publicly for greater awareness and prevention of child abuse. FGM allegedly was performed on some girls ages one to nine.

Child labor existed in the informal, subsistence, and family business sectors of the economy; however, it was not a problem in the organized labor market.

Trafficking in Persons

The law does not prohibit trafficking in persons; however, the penal code criminalizes "slavery and the transportation, receiving, or in any way handling someone in a state of slavery or semi-slavery." Those convicted face three to five years in prison. The sultanate is a destination country for men and women primarily from Pakistan, Bangladesh, India, and the Philippines, many of whom migrate willingly but subsequently may become victims of trafficking when subjected to conditions of involuntary servitude as domestic workers and laborers. Oman may also be a destination country for women from the People's Republic of China, the Philippines, Morocco, and Eastern Europe for commercial sexual exploitation. Oman is also a transit country for illegal migration to the United Arab Emirates and other Gulf countries.

During a November 2006 fact-finding visit, the UNSR for trafficking in persons received reports that some local recruitment agencies brought domestic servants and casual laborers to the country under fictitious contracts and sponsor relationships. Some workers complained of long working hours, the withholding or nonpayment of wages, lack of access to means of communication, and other forms of physical, mental, and verbal abuse. The UNSR also heard reports that sponsors restricted workers' freedom of movement through confinement and by confiscating passports and other labor documents.

The government did not report any law enforcement activities to prosecute and punish trafficking offenses or institute special screening procedures to distinguish illegal migrants from trafficking victims. There are no government protective

services for victims of trafficking.

The government operated a 24-hour hotline to register complaints from potential victims and worked with foreign governments to prevent trafficking in persons. The MOM, ROP, and public prosecutor's office are primarily responsible for preventing, investigating, and prosecuting trafficking crimes.

Persons with Disabilities

The labor law provides persons with disabilities with the same rights prescribed for other citizens. While there were no reports of discrimination committed by the government against persons with disabilities, there was societal and cultural discrimination against these persons.

The February Global Disability Report by the UNSR on disabilities stated that the country had failed to enact legislation or take other steps to ensure equal educational opportunities for persons with disabilities, particularly children.

According to the law, private enterprises employing more than 50 persons should reserve at least 2 percent of positions for persons with disabilities. In practice this regulation was not widely enforced. The law does not apply to public sector jobs. While the government did not provide statistics on the number of persons with disabilities it employed, persons with disabilities, including visually impaired persons, worked in government offices.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities. Legislation mandates access to buildings for persons with disabilities. There was one government-sponsored rehabilitation center in the Muscat area and 17 private rehabilitation centers throughout the country. The Ministry of Education initiated programs in the Muscat area to reintegrate students with disabilities into the mainstream education system. Persons with physical disabilities, who numbered 40,000 to 45,000 according to 2003 census figures, generally were not charged for physical therapy and prosthetics.

Other Societal Abuses and Discrimination

Despite various campaigns sponsored by the government to encourage acceptance of persons with HIV/AIDS, societal attitudes remained fearful toward persons with the disease. According to recent Ministry of Health statistics, there were approximately 1,000 reported cases of HIV/AIDS.

On December 2, the Ministry of Health, in cooperation with UNICEF, launched a four-year, inter-departmental National Response Strategy to HIV/AIDS, which is intended to raise awareness and develop an integrated strategy to counter the spread of the disease.

In 2006 the Ministry of Health promoted a "Peer Education" pilot project in the Muscat area to improve awareness and education about the disease among youth and opened an outreach center in Sur to provide free HIV/AIDS testing and counseling. UNICEF and the Ministry of Health operated a toll-free AIDS hotline that fielded more than 8,000 calls in 2006. The Ministry of Health temporarily closed the hotline and outreach center in early 2007 pending plans to expand services.

The penal code criminalizes homosexuality. Individuals can be prosecuted based on a complaint and sentenced to a jail term of six months to three years.

Section 6 Worker Rights

a. Right of Association

In July 2006 the government officially recognized workers' rights to form unions and a general federation to represent unions at regional and international fora. Workers may form more than one union per firm and more than one federation. At year's end, according to the MOM, workers had formed 24 unions at the enterprise level. The law prohibits employers from firing or imposing penalties for union activity. The new legislation also eliminated the requirements that unions must notify the government at least one month in advance of union meetings and that union leaders must speak and write Arabic.

Some government control over union activities remained. The law prohibits accepting grants or financial assistance from any source without the ministry's prior approval. The July 2006 legislation added that union formation requires 25 workers regardless of the size of the firm.

The law does not grant members of the armed forces, public security institutions, employees of the state, or domestic workers the right to form unions.

b. The Right to Organize and Bargain Collectively

According to the law, unions and federations may practice their activities freely and without interference from outside parties. The law and subsequent implementing regulations from the MOM, issued in November 2006, explicitly allow for collective bargaining and guarantee the right to strike. The regulations require employers to engage in collective bargaining over the terms and conditions of employment, including wages and hours of work. The regulations also affirm that in case of a strike, unions or worker representatives must inform the employer at least three weeks in advance. The regulations also state that strikes must cease at the start of collective bargaining procedures.

On May 11, 270 workers at the Port of Salalah went on strike demanding higher wages and changes to policies covering health and safety. The MOM declared the strike illegal because workers had not provided the port with sufficient advance notification of their intent to strike. On May 12, the strike ended with most of the striking workers returning to their jobs. The port, government, and worker representatives subsequently achieved a negotiated settlement that met some of the workers' demands.

There were no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including of children. The law prohibits forced labor and sets penalties not to exceed more than one month in prison and/or a fine of \$1,300 (500 rials).

At times foreign workers were reportedly placed in situations amounting to forced labor. In 2006 the Supreme Court ruled that foreign workers can change employers without first receiving permission from their original sponsor. However, some employers of domestic workers continued to withhold documents releasing them from employment contracts or demanded release fees totaling as much as \$1500 (600 rials), before allowing them to change employers. In November 2006 the MOM issued a legally enforceable administrative circular that prohibited employers from withholding workers' passports, but the government did not assign penalties to the offense.

d. Prohibition of Child Labor and Minimum Age for Employment

The law specifically prohibits forced or compulsory labor by children, and there were no reports of the practice. In July 2006 the government raised the fines from \$260 (100 rials) per violation to \$1,300 (500 rials) and increased possible prison terms for repeat offenders from one week to one month.

The minimum age for employment is 15 years, but for certain hazardous occupations, the minimum age is 18. Children 15 to 18 can only work between the hours of 6 a.m. and 6 p.m. Minors are prohibited from working in hazardous occupations, for more than six hours per day, on weekends, or on holidays. The MOM generally enforced the law; however, in practice, enforcement often did not extend to some small family businesses that employed underage children, particularly in the agricultural and fishing sectors.

Child labor did not exist in any formal industry. As a cultural practice, Bedouin children voluntarily participated in camel racing for their families. In 2005 the government raised the minimum age of camel riders from 12 to 18 years, to rise annually by one year until the 18-year minimum is achieved in 2009. The initial minimum age was set at 14 years in 2005.

e. Acceptable Conditions of Work

Work regulations, including rules governing the workplace and the rights and duties of both workers and employers, must be approved by the MOM and posted in the workplace by employers of 15 or more workers. Any employer with 50 or more workers must establish a grievance procedure. All employees, including foreign workers, have the right to take disputes over conditions of work to the MOM's Directorate of Labor Care for adjudication. In some cases worker representatives were able to file collective grievances. If the MOM cannot negotiate a settlement between the worker and his/her employer, the parties may seek recourse in the appropriate courts. Many foreign workers were not aware of this right, however, and others were reluctant to file complaints for fear of retribution from unscrupulous employers. In most cases the MOM released the worker from service without deportation and awarded compensation for time worked under compulsion, while fining the guilty employers.

The MOM also maintained a 24-hour complaint hotline in both English and Arabic to which workers can report labor abuse or violations. According to midyear government statistics, the MOM received 1,966 complaints via the hotline regarding dismissals, salaries and working conditions. Expatriate workers accounted for 786 of those complaints.

On October 1, approximately 600 Indian and Nepali workers in a Muscat-area cleaning company reportedly protested poor living conditions on the company-owned and operated compound and alleged contract violations, including nonpayment of wages and unexplained deductions from workers' monthly salaries. The police reportedly used aggressive tactics to break

up the protest after workers became violent and damaged company property. Police detained twelve of the workers without charges for approximately three weeks prior to deporting them.

Government inspectors performed random inspections to enforce implementation of work place regulations and ensure acceptable working conditions. During the year the MOM hired approximately 100 new inspectors, more than doubling the capacity of its labor inspectorate. The International Labor Organization provided the new class of inspectors with training in international labor standards.

The Labor Care Directorate of the MOM is responsible for enforcement of, and compliance with, workplace laws and regulations. Its responsibilities include occupational safety and health, labor inspections, dispute settlement, women's employment, issues related to child and forced labor, and the resolution of individual and collective labor disputes.

There is a minimum wage for citizens of \$363 (140 rials) per month. Minimum wage regulations did not apply to a variety of occupations and businesses, including small businesses that employed fewer than five persons, dependent family members working for a family firm, and some categories of manual labor. There is no minimum wage for foreign workers. There were reports that migrant laborers in some firms and households worked more than 12-hour days for as little as \$78 (30 rials) per month.

The private sector workweek was 40 to 45 hours and included a rest period from Thursday afternoon through Friday. Government workers had 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 regarding hours of employment were not always enforced. Employees who worked extra hours without compensation could file a complaint with the MOM's Directorate of Labor Care.

Every worker has the right to 15 days of annual leave during the first year of continual employment and 30 days per year thereafter.

The law states that an employee may remove himself from dangerous work without jeopardy to his continued employment if the employer knew about the danger and did not implement corrective measures. All employers are required by law to provide first aid facilities. Employees covered under the labor law may recover compensation for job-related injury or illness through employer-provided medical insurance. Domestic workers are not covered under the labor law, but a separate Ministerial Decision stipulating the rules and conditions of domestic employment obligates the employer to provide domestic workers with local medical treatment free of charge throughout the contract period. Medical professionals reported that some employers did not provide low-skilled, migrant workers with medical insurance or provided them with coverage as low as \$12 (5 rials) per month with any excess costs deducted from their salaries. Inspectors from the Department of Health and Safety of the Labor Care Directorate generally enforced the health and safety standard codes. As required by law, they made regular onsite inspections. Some companies found guilty of withholding salaries were fined and prohibited from receiving labor clearances. Such actions resulted in the immediate payment of salaries.

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