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2010 Human Rights Report: Oman

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2010 Country Reports on Human Rights Practices

April 8, 2011

The Sultanate of Oman is a hereditary monarchy with a population of 3.3 million, including approximately one million nonnationals. Sultan Qaboos al-Said has ruled since 1970. The sultan has the sole authority to amend the country's laws through royal decree, although ministries draft laws and citizens provide input through the 84-member Majlis al-Shura (Consultative Council), an elected advisory institution. In 2007 approximately 245,000 registered voters participated in generally free and fair elections for all of the council's seats. The Majlis al-Dawla (State Council), whose 71 members are appointed by the sultan, and the Majlis al-Shura review legislation, recommend policy, and conduct studies on public policy. The 32-member cabinet of ministers advises the sultan on government decisions. Security forces reported to civilian authorities.

Citizens did not have the right to change their government; however, operating under the 1996 Basic Law, the government generally respected the human rights of its citizens. The law and judiciary, including the establishment of a quasi-independent human rights commission, provided means of addressing individual instances of abuse. Principal human rights problems included the lack of consistent independent nongovernmental inspections of prisons and detention centers. Some restrictions on privacy and freedoms of speech, press, assembly, association, and religion remained, yet they were not universally applied. Women faced societal discrimination, and instances of domestic violence were reported. There were also isolated reports that some employers placed expatriate laborers in situations indicative of forced labor or 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, and the law permitted visits by independent human rights observers, although Freedom House reported in 2009 that access was irregular in practice. Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Authorities allowed prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. The government investigated and monitored prison and detention center conditions, and authorities in some cases investigated such claims, but the results of investigations were not documented in a publicly accessible manner. In response to 102 submitted complaints, the quasi-independent national human rights commission met with prison officials in December.

Ombudsman cannot serve on behalf of prisoners and detainees.

d. Arbitrary Arrest or Detention

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

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 domestic security, and the Sultan's Special Force has limited border security and antismuggling responsibilities. The Royal Oman Police (ROP), also part of the cabinet, performs regular police duties, provides security at points of entry, serves as the country's immigration and customs agency, and operates the coast guard. The Ministry of Defense, and in particular the army, is responsible for securing the borders and has limited domestic security responsibilities. The security forces performed their duties effectively.

Civilian authorities maintained effective control over the Internal Security Service, the Sultan's Special Force, the Royal Army of Oman, and the ROP. There was no public information about ROP internal disciplinary action. Officers received human rights training as part of the police academy's standard training program.

Arrest Procedures and Treatment While in Detention

The law does not require police to obtain a warrant before making an arrest but provides that police must either release the person or refer the matter to the public prosecutor. Within 24 hours of referral, the public prosecutor must formally arrest or release the person. Court orders are necessary to hold suspects in pretrial detention. Judges may order detentions for 14 days to allow investigation and may grant extensions. Authorities respected these rights in practice. Authorities generally informed detainees promptly of the charges against them; however, there were isolated reports authorities detained without charge foreign workers suspected of being in the country illegally, pending confirmation of their immigration status. There was a functioning system of bail. Detainees generally had prompt access to a lawyer of their choice, and the state provided public attorneys to indigent detainees. Authorities generally allowed detainees prompt access to family members, but police sometimes failed to notify a detainee's family, or the detainee's sponsor in the case of an expatriate laborer, of the detention.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the sultan may 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, which is empowered to review all judicial decisions. Principles of Sharia (Islamic law) inform the civil, commercial, and criminal codes.

On September 22, the sultan abolished the State Security Court by royal decree. Previously, the court reviewed cases involving national security and criminal matters deemed to require expeditious or especially sensitive handling. Civilian and military criminal courts now try such cases. The military tribunal system, to which military and security personnel are subject, has limited outside visibility or access.

Trial Procedures

The law provides for the right to a fair trial and stipulates the presumption of innocence. Citizens and legally resident noncitizens have the right to a public trial, except when the court decides to hold a session in private in the interest of public order or morals. There is no trial by jury.

Defendants have the right to be present, consult with an attorney in a timely manner, present evidence, and confront witnesses. Courts provide public attorneys to indigent detainees and offer legal defense for defendants facing prison terms of three years or more. The prosecution and defense counsel direct questions to witnesses through the judge. Defendants and their lawyers generally had access to government-held evidence relevant to their cases. Those convicted in any court may appeal a jail sentence longer than three months and fines of over 480 rials (approximately \$1,250). The right to appeal is universal for all cases and individuals. The judiciary generally enforced these rights for all citizens; however, in contravention to the law, some more traditional judges occasionally discriminated against female defendants by requesting they appear in court with their fathers or husbands. In such cases, women could seek redress for such treatment through the courts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Applicable civil procedure codes govern civil cases. Citizens and nationals of other countries were able to file cases in the courts, including lawsuits seeking damages for human rights violations. The judiciary was generally independent and impartial. 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 by government bodies and to 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. Citizens and foreign workers may file complaints regarding working conditions with the Ministry of Manpower (MoM) for alternative dispute resolution. The ministry may refer cases to the courts if it is unable to negotiate a solution.

Court orders were enforced effectively for all persons in the country. There were instances in which courts ruled in favor of foreign domestic workers against their sponsors, requiring sponsors to return the workers' passports and allow them to break the employment contract. In some instances, the court issued orders to apprehend the sponsor and force appearance before the court.

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

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The law provides for broad governmental discretion, which the government exercised.

The law does not require police to obtain search warrants before entering homes, but they often obtained warrants from the public prosecutor's office. The government monitored private communications, including cell phones, e-mail, and Internet chat room exchanges.

The Ministry of Interior required citizens to obtain permission to marry foreigners, except nationals of Gulf Cooperation Council (GCC) countries; permission was not granted automatically. Citizen marriage to a foreigner abroad without ministry approval may result in denial of entry for the foreign spouse at the border and preclude children 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. The government generally abridged these rights in practice. Journalists and writers exercised self-censorship.

The law prohibits criticism of the sultan in any form or medium; "material that leads to public discord, violates the security of the state, or abuses a person's dignity or his rights"; "messages of any form that violate public order and morals or are harmful to a person's safety"; and "defamation of character." Courts interpreted these laws to mean it is illegal to insult any public official, although media reports critical of government ministries occasionally occurred without repercussion.

There are eight privately owned newspapers in the country, four in Arabic and four in English. Editorials generally were consistent with the government's views, although authorities tolerated limited criticism regarding domestic and foreign affairs, including GCC policies. In addition there were two state-owned newspapers and more than 30 state-owned and privately owned magazines in circulation. The government owned four radio stations and two television stations and licensed one privately owned satellite-based television station, none of which generally broadcast politically controversial material. There were three private radio stations broadcasting occasional news bulletins supplied by the state-owned Oman News Agency. Access to foreign broadcasts via satellite is permitted and was widespread. There was no permanent international media presence in the country. Occasional international reporting tended to focus on special events or human interest stories.

Three authors remained barred from public and media appearances: Abdullah al-Riyami, a poet and human rights activist; Mohamed al-Yahyai, a journalist and author; and Mohamed al-Harthy, an author and poet. The government used libel laws and national security concerns as grounds to suppress criticism of government figures and politically objectionable views. Al-Riyami and al-Yahyai were accused and convicted in 2005 of establishing an illegal organization for the purpose of overthrowing the government. Although they later received royal pardons, their freedom of expression remained restricted throughout the year.

Law permits the Ministry of Information to review all media products and books produced within or imported into the country, but in practice it only occasionally prohibited or censored material viewed as politically, culturally, or sexually offensive from domestic and imported publications. There were no major publishing houses in the country, and publication of books remained limited. All content in both public and private media print outlets was subject to an official, nontransparent review and approval process before publication.

In March the Arabic Network for Human Rights Information and other organizations reported that authorities banned from sale a range of literature, poetry, and historical books prior to the Muscat International Book Fair. A local blog nevertheless published many of these works online in serial format.

Internet Freedom

The law restricts free speech via the Internet, and the government enforced the restrictions. The government's national telecommunications company and the one private telecommunications provider made Internet access available for a fee to citizens and foreign residents. Internet access was available via schools, workplaces, wide area networks at coffee shops, and other venues, especially in urban areas, and approximately 50 percent of the country's inhabitants used the Internet, according to a foreign government.

The Telecommunications Regulatory Authority monitored the activities of telecommunications service providers, which then blocked access to numerous Web sites considered pornographic, culturally or politically sensitive, or competitive with local telecommunications services. The criteria for blocking access to Internet sites were not transparent or consistent, although Web logs were often blocked. Certain ministries blocked access to Web logs and chat rooms during working hours, including the country's most popular web forum, Sablah, purportedly to improve worker productivity. Authorities also blocked some Web sites used to circumvent censorship, such as virtual private networks.

The government placed warnings on other Web sites informing users that criticism of the sultan or personal criticism of government officials would be censored and could lead to police questioning, effectively increasing self-censorship.

Web site administrators or moderators were cautious concerning content and were reportedly quick to delete potentially offensive material in chat rooms, on social networking fora, and on Web log postings, with at least one administrator removing material after the site was blocked whereupon the site became available.

Academic Freedom and Cultural Events

The government limited academic freedom, particularly the publication or discussion of controversial matters such as domestic politics, through the threat of dismissal. Academics largely practiced self-censorship. There were no reported cases during the year in which the government dismissed an academic on these grounds.

Lamhaa, a politically-sensitive Indian film about the Kashmir conflict was banned in July in all GCC countries. Citing inappropriate content, the government also banned *Sex and the City 2* in May. The appropriate government authority must approve all public cultural events. There were indications that organizations avoided controversial issues due to the belief 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. Authorities enforced this requirement with rare exceptions. The government rarely restricted freedom of assembly for private religious gatherings.

Freedom of Association

The law provides for freedom of association "for legitimate objectives and in a proper manner." The Council of Ministers approved the establishment of nongovernmental organizations (NGOs)--officially recognized as associations--to work on issues relating to women, children, the elderly, persons with disabilities, the environment, and other topics 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. Associations must also register with the Ministry of

Social Development, which approves association bylaws. The average time required to receive approval and register an association was approximately two years, although the process could be as short as two months. Approval time varied based on the level of preparedness of the applying organization and was often longer when a group required significant help from the ministry to formalize its structure. Formal registration of nationality-based associations was limited to one association for each nationality.

No association may receive funding from an international group without government approval. Individuals convicted of doing so may receive up to six months in jail and a fine of 500 rials (approximately \$1,310). 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.

c. Freedom of Religion

For a complete description of religious freedom, please see the *2010 International Religious Freedom Report* at www.state.gov/g/drl/irf/rpt.

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

The law provides for freedom of movement within the country and repatriation, and the government generally respected these rights in practice. The law does not specifically provide for foreign travel or emigration. In November the government removed the requirement that a married woman obtain her husband's consent before receiving a passport.

The Office of the UN High Commissioner for Refugees (UNHCR) did not visit the country during the year, and it did not maintain an office or personnel in the country. Some humanitarian organizations were restricted in their ability to provide refugees with assistance. Specifically, authorities prohibited the UN Children's Fund (UNICEF) from taking the role of UNHCR in its absence, although other entities had the ability to assist refugees.

The law prohibits forced exile, and there were no reported cases during the year.

Protection of Refugees

The country is not a party to the 1951 UN Convention relating to the Status of Refugees or its 1967 Protocol. Nevertheless, the law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The ROP is responsible for determining refugee status but did not grant asylum or accept refugees for resettlement during the year. The ROP's system for granting refugee status was not transparent, and the law does not specify a time frame in which the ROP must adjudicate an asylum application.

In practice the government did not provide protection against the return of refugees to countries where their lives or freedom would be threatened. Tight control over the entry of foreigners effectively limited access to protection for refugees and 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 Afghans 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 deportation to their countries of origin.

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. With the exception of the military and security forces, all citizens 21 years old and older have the right to vote for the Consultative Council, which has no formal legislative powers, but provides a mechanism for citizen input into the establishment of laws.

Elections and Political Participation

In 2007 more than 60 percent of almost 400,000 registered voters participated in elections for the Consultative Council. Electoral commissions reviewed potential candidates against a set of educational and character criteria before allowing candidates' names on the ballot. 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 next elections are scheduled for October 2011.

The law does not provide for political parties. Civil society organizations, such as the Environmental Association of Oman and various women's associations, did not field political candidates, but provided input to the Consultative Council.

There were 14 women in the 154-seat Council of Oman, which includes the Consultative Council and the State Council, whose members are appointed by the sultan. There were four appointed female ministers, three of whom served in the 32-member cabinet. The Council of Oman and the Cabinet of Ministers were composed of representatives from a variety of linguistic, religious, racial, and other backgrounds.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year, including in the police and security apparatuses. Among other prosecutions, a widely publicized 1.3 million rials (approximately three million dollar) municipal embezzlement case resulted in public prosecution in August. In December a ministerial Deputy Director General was awarded a cash settlement, when a court found that he had been illegally transferred to prevent his promotion, in an abuse of ministerial authority.

Public officials are not subject to financial disclosure laws.

The law does not provide public access to government information. All royal decrees and ministerial decisions were published for public access.

Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

No registered domestic human rights NGOs or fully autonomous domestic human rights groups existed in the country. There were civil society groups, however, that advocated for persons protected under human rights conventions, particularly women and the disabled. In the absence of specific human rights groups, during the year the government took an increasing role in human rights protection and establishing reporting mechanisms.

The government allowed several international organizations to work in the country without interference, including the UNICEF, the World Health Organization, and the International Labor Organization.

The National Committee for Human Rights, a government-funded human rights commission made up of members from the public, private, and academic sectors, reported on human rights via the State Council to the sultan. The committee began investigating human rights conditions for the country's first national human rights report for submission to the UN Human Rights Council in 2011. By September approximately 72 cases of alleged human rights violations had been submitted to the committee for investigation, but no figures were available at year's end. The majority of complaints related to court rulings and labor issues, including mistreatment in the workplace and concerns over wages.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination against citizens on the basis of gender, ethnic origin, race, language, religion, place of residence, and social class. The government generally enforced prohibitions on discrimination effectively, although gays faced discrimination under the law and in practice; there were reports of prosecution for homosexual conduct, although information was limited. Social norms also enforced actual discrimination against lesbian, bisexual, and transgender persons.

Women

The law criminalizes rape with penalties up to 15 years in prison, but it does not criminalize spousal rape. The government generally enforced the law when cases were reported, but cultural and societal influences may have prevented victims from reporting rape. As a result, there was no reliable estimate of the extent of the problem. Foreign nationals working as domestic employees occasionally reported 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.

The law does not specifically address domestic violence. Assault, battery, and aggravated assault carry a maximum sentence of three years in prison. Allegations of spousal abuse in civil courts handling family law cases were reportedly common. Victims of domestic violence may file a complaint with police. Due to cultural and societal customs, women often sought private family intervention to protect them from violent domestic situations. Authorities generally enforced the law when they were aware such crimes had occurred.

There is no law prohibiting female genital mutilation (FGM). According to a press report, the Ministry of Health conducted a study on the issue during the year and found that it was a broadly accepted practice by both men and women across all ages, especially in rural areas. The Ministry of Health maintains a prohibition on doctors from performing the procedure in hospitals or other health care facilities.

The law does not specifically prohibit sexual harassment. In a 2009 study, 11 percent of women surveyed said they had been sexually harassed.

The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Health clinics were able to operate freely in disseminating information on family planning under the guidance of the Ministry of Health. There are no legal restrictions on the right to access contraceptives. The government provided for free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. World Health Organization statistics from 2008 indicated a maternal mortality rate of 20 per 100,000 live births. Men and women received equal access to diagnosis and treatment for sexually transmitted infections, including HIV. Social and cultural taboos may prevent individuals from seeking treatment.

Despite legal and some social progress, including the appointment of women as ministers, ambassadors, and senior government officials, some social and legal institutions discriminated against women. The law prohibits gender-based discrimination against citizens; however, aspects of Islamic law and tradition as interpreted in the country discriminated against women. In some personal status cases, such as divorce, a women's testimony is equal to half of a man's. The law favors male heirs in adjudicating inheritance. Women married to noncitizens may not transmit citizenship to their children and cannot sponsor their noncitizen husband's presence in the country.

On May 6, the sultan awarded women the right to appeal marriage prevention claims previously dismissed by lower courts, thereby granting women legal avenues to marry without parental consent. Many women were reluctant to take an

inheritance or marriage dispute to court for fear of alienating the family. Illiteracy among women 45 years-old and older hampered their ability to own property, participate in the workforce, or inform themselves about their rights.

Women may own property; however, government officials and banks applied different standards to female applicants for housing loans, resulting in fewer approvals for women. Approximately 0.4 percent of landowners were women. The law equalizes the treatment of men and women in receiving free government land for housing, and in April 2009 the government began allocating land to women to address concerns about inequality in access to land ownership.

Government policy provided women with equal opportunities for education, and educated women held positions of authority in government, business, and the media, but women still faced some job discrimination based on cultural norms. The law entitles women to gender-related protections in the workplace, such as the right 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. The government also formed a committee to monitor the country's compliance with the UN Convention on the Elimination of All Forms of Discrimination against Women.

On October 17, the country celebrated the first annual National Oman Women's Day, with various events and activities to mark the progress made under the current sultan.

Children

Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children, yet there were no reported cases of statelessness. Most births were registered promptly; however, authorities granted birth certificates and identification paperwork to children born with nontraditional Omani names only after an unclear and lengthy civil appeals process.

Primary school education for children, including noncitizen children, was free and universal, but not compulsory.

One media article reported a government study which examined the practice of FGM. According to the article, FGM is performed on some girls between the ages of one to nine years-old, although the practice remained prohibited in hospitals and other health centers. Some cases of life-threatening consequences were reported. One girl was brought to a health center because she was bleeding excessively three days after the procedure.

Oman is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

There was no Jewish population, and there were no reports of anti-Semitic acts or public statements by community or national leaders vilifying Jews. Anti-Semitism was present in the media. Anti-Semitic editorial cartoons depicting stereotypical and negative images of Jews, along with Jewish symbols, were published during the year, primarily in the privately owned daily newspaper *al-Watan*. Unlike in 2009, no overtly anti-Semitic editorials or articles appeared in private or government-owned newspapers.

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Persons with Disabilities

The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities the same rights prescribed for other citizens in employment, education, access to health care, or the provision of other state services or other areas. However, persons with disabilities continued to face some discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, were not retrofitted to conform to the law. Law also requires private enterprises employing more than 50 persons to reserve at least 2 percent of positions for persons with disabilities. In practice this regulation was not widely enforced.

There is no protective legislation to provide for equal educational opportunities for persons with disabilities.

The Ministry of Social Development is responsible for protecting the rights of persons with disabilities.

During the year the government partnered with NGOs and the private sector to address the needs of persons with disabilities and combat cultural and societal discrimination against such persons through special seminars and vocational training. The government provided alternative education opportunities for over 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. In addition the Ministry of Education in the past partnered with the International Council for Educational Reform and Development to create a curriculum for students with mental disabilities within the standard school system, which was in place throughout the year.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The penal code criminalizes homosexuality with a jail term of six months to three years. There were no reports of prosecutions for homosexual conduct during the year. Nine prosecutions for sodomy occurred in 2009.

The discussion of sexual orientation in any context remained a social taboo, and authorities took steps to block lesbian, gay, bisexual or transgender (LGBT)- related Internet content. There was no official or overt societal discrimination based on sexual orientation in employment, housing, or access to education or health care.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS. The government does not permit foreigners with HIV/AIDS to work in the country.

Section 7 Worker Rights

a. The Right of Association

The government recognizes workers' rights to form unions and a general federation to represent unions in regional and international fora. The law prohibits members of the armed forces, public security institutions, government employees, and domestic workers from forming or joining unions. At year's end, according to the MoM, there were nearly 100 unions at the enterprise level and one general federation of unions.

The government restricted union activities to some degree. The law prohibits unions from accepting grants or financial assistance from any source without the MoM's prior approval. Unions must notify the government at least one month in advance of union meetings. The law permits only one general federation of unions.

Workers have the right to strike, but strikes are subject to certain requirements. The law requires an absolute majority of an enterprise to approve the strike, and notice must be given to employers three weeks in advance of the strike. Strikes occurred and were generally resolved quickly, sometimes through government mediation.

b. The Right to Organize and Bargain Collectively

The law allows for collective bargaining, and regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours of work. In cases where there is no trade union, collective bargaining may take place between the employer and five representatives selected by workers. The employer cannot object to any of the representatives selected. While negotiation is ongoing, the employer cannot act on decisions related to issues under discussion. The law prohibits employers from firing or imposing penalties for union activity.

There are no special laws or exemptions from regular labor laws in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. There were reports that adult forced labor occurred. Some men and women from South and Southeast Asia, most of whom migrated voluntarily to the country as domestic servants or low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of involuntary servitude. Reports included instances of passports being withheld, restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Some employers of domestic workers, contrary to the law, continued to withhold documents releasing the workers from employment contracts or demanded release fees totaling as much as 600 rials (approximately \$1,560) before allowing the workers to change employers.

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all child labor. The minimum age for employment is 15 years- old, or 18 years-old for certain hazardous occupations. Children between the ages of 15 and 18 may only work between the hours of 6 a.m. and 6 p.m. and are prohibited from working for more than six hours per day, on weekends, or on holidays.

No instances of child labor were reported in the formal sector, where the MoM generally enforced the law effectively. Minor violations resulted in warnings, and employers were given time to correct practices; however, significant violations may result in immediate arrests. In practice enforcement often did not extend to small family businesses that employed underage children, particularly in the agricultural and fishing sectors. As a cultural practice, Bedouin children sometimes participated in unofficial camel races for their families, despite the 18 year-old minimum age for camel jockeys. All official races use robot jockeys.

e. Acceptable Conditions of Work

The private sector minimum wage for citizens of 140 rials (approximately \$360) per month did not provide a decent standard of living for a worker and family. Minimum wage regulations did not apply to a variety of occupations and businesses, including small businesses employing fewer than five persons, dependent family members working for a family firm, some categories of manual laborers, and foreign workers. There were reports that migrant laborers in some firms and households worked more than 12 hours a day for as little as 30 rials (approximately \$78) per month. The MoM effectively enforced the minimum wage for citizens.

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. Although 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, especially for foreign workers. Employees who worked extra hours without compensation could file a complaint with the MoM's Directorate of Labor Care. The MoM processed complaints and acted as mediator. In a majority of cases, the plaintiff prevailed, gaining compensation, the opportunity to seek alternative employment, or return to their country of origin in the case of foreign laborers.

The law states an employee may leave dangerous work without jeopardy to continued employment if the employer was aware of the danger and did not implement corrective measures. Employees covered under the labor law may receive compensation for job-related injury or illness through employer-provided medical insurance. Domestic workers are not covered under the labor law, but separate domestic employment regulations obligate the employer to provide domestic workers with free local medical treatment throughout the contract period. Penalties for noncompliance with health regulations are small, ranging from approximately 10 to 100 rials (\$25 to \$250), multiplying per occurrence per worker and doubled upon recurrence.

Inspectors from the Department of Health and Safety of the Labor Care Directorate generally enforced the health and safety standard codes and made regular on-site inspections as required by law. These inspectors received additional training throughout the year in conjunction with the MoM's "Decent Work" program, developed in coordination with experts from the International Labor Organization to establish internationally accepted training mechanisms.

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