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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-seventh session**  
18–29 January 2021

## **Compilation on Oman**

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>1, 2</sup>**

2. The Committee on the Elimination of Racial Discrimination, the Committee on the Rights of Persons with Disabilities, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women encouraged Oman to consider ratifying the core international human rights instruments and the optional protocols thereto that it had not yet ratified, in particular the International Covenant on Civil and Political Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.<sup>3</sup>

3. Given the large number of domestic workers in Oman, the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination recommended that Oman ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.<sup>4</sup>

4. The same Committees recommended that Oman accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.<sup>5</sup> The Committee on the Rights of the Child made similar recommendation.<sup>6</sup>

5. The Committee on the Elimination of Racial Discrimination recommended that Oman consider acceding to the Convention relating to the Status of Refugees and the Protocol thereto.<sup>7</sup>



6. The same Committee recommended ratifying the amendment to article 8 (6) of the International Convention on the Elimination of All Forms of Racial Discrimination and encouraged Oman to make the optional declaration provided for in article 14 of the Convention.<sup>8</sup>

7. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Oman to ratify the Convention against Discrimination in Education.<sup>9</sup>

8. The Committee on the Elimination of Discrimination against Women remained concerned about the reluctance of Oman to withdraw its general reservation to “all provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman” and recommended that Oman withdraw that reservation, and those to articles 9 (2) and 16 (1) (a), (c) and (f) of the Convention.<sup>10</sup> It encouraged Oman to accept the amendment to article 20 (1) of the Convention on the Elimination of All Forms of Discrimination against Women, concerning the meeting time of the Committee.<sup>11</sup>

9. The Committee on the Rights of the Child welcomed the withdrawal of the reservations relating to articles 7, 9, 21 and 30 and of the general reservation to provisions that did not accord with Islamic law and applicable legislation, and it encouraged Oman to withdraw its remaining reservations to article 14 of the Convention on the Rights of the Child, notwithstanding the modification of that reservation.<sup>12</sup>

10. Oman contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2015, including to the voluntary fund for financial and technical assistance in the implementation of the universal periodic review and the United Nations Voluntary Fund for Victims of Torture.<sup>13</sup>

### **III. National human rights framework<sup>14</sup>**

11. The Committee on the Elimination of Discrimination against Women was concerned that the National Human Rights Commission had been accredited with B status by the Global Alliance of National Human Rights Institutions in 2014, owing to its limited independence and lack of a strong mandate.<sup>15</sup> The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child recommended that Oman bring the Commission fully into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), taking into consideration the recommendations of the Global Alliance<sup>16</sup> The same Committees recommended that Oman ensure that the Commission had a specific mandate on women’s rights and gender equality and that it was mandated to receive, investigate and address complaints from children in a child-sensitive manner, to ensure the privacy and protection of child victims and to undertake monitoring, follow-up and verification activities in the interests of victims.<sup>17</sup> The Committee on the Rights of the Child recommended that Oman seek technical cooperation from OHCHR, the United Nations Children’s Fund and the United Nations Development Programme, among others.<sup>18</sup>

12. The Committee on the Elimination of Discrimination against Women was concerned about the lack of information on the legal framework defining the mandate and authority of the National Commission for Family Affairs and that the national strategy for women had not been adopted, despite its completion in 2014. It asked for detailed information on the mandate, status and authority of the Commission and its relationship with relevant ministries and women’s non-governmental organizations to promote participatory planning for the advancement of women and on the human, technical and financial resources allocated from the national budget. It recommended expediting the adoption of the national strategy for women and of a plan of action that defined the competence of the steering committee and national and local authorities regarding its implementation and that was supported by a comprehensive data collection and monitoring system.<sup>19</sup>

## **IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### **1. Equality and non-discrimination<sup>20</sup>**

13. The Committee on the Elimination of Discrimination against Women remained concerned that the constitutional definition of discrimination applied only to citizens and about the persistence of discriminatory provisions in the State party's legislation, in particular the Penal Code, the Personal Status Law, the Arbitration and Reconciliation Law, the Nationality Law and the Social Security Law. It recommended amending the Constitution and/or adopting and effectively implementing comprehensive anti-discrimination legislation and that Oman review its legislation to ensure compatibility with the provisions of the Convention.<sup>21</sup>

14. The Committee on the Elimination of Racial Discrimination was concerned that fundamental rights enumerated in the Basic Law of the State, such as the right to equality before the law, the right to free choice of occupation and the right to freedom of assembly, were granted to citizens only. It reiterated its previous recommendation that Oman revise its legislation to extend the application of fundamental freedoms to non-citizens.<sup>22</sup>

15. The same Committee was concerned about the lack of a definition of racial discrimination in legislation and that Oman had not adopted comprehensive legislation to prevent and combat racial discrimination. It reiterated the need to adopt comprehensive legislation, including a complete definition of racial discrimination. It recommended that Oman ensure the conformity of legislation with the provisions of article 4 of the Convention, including by prohibiting organizations that promoted and incited racial discrimination.<sup>23</sup>

#### **2. Development, the environment, and business and human rights<sup>24</sup>**

16. The Committee on the Elimination of Discrimination against Women was concerned that women received only around 29 per cent of subsidized loans and recommended that Oman ensure that women's organizations participated in planning and implementing national strategies to achieve the Sustainable Development Goals.<sup>25</sup>

17. The same Committee commended Oman for adopting a climate action plan and requested information on the participation of women in the development and implementation of the plan and how a gender perspective was applied in the identification of adaptation and mitigation measures.<sup>26</sup>

### **B. Civil and political rights**

#### **1. Right to life, liberty and security of person<sup>27</sup>**

18. The Committee on the Rights of Persons with Disabilities was concerned about impairment-based detention and forced institutionalization of persons with disabilities, especially persons with psychosocial and/or intellectual disabilities, and it recommended repealing all legislation that authorized institutionalization without the free and informed consent of the person concerned and all laws that allowed for the deprivation of liberty on the basis of impairment, adopting measures to ensure the rights of persons deprived of their liberty in all mental health facilities and taking measures to improve the quality of care.<sup>28</sup>

#### **2. Administration of justice, including impunity and the rule of law<sup>29</sup>**

19. The Committee on the Elimination of Racial Discrimination reiterated its concern about the lack of information on cases of racial discrimination before domestic courts. It recommended that Oman effectively investigate such cases and provide victims with adequate remedies, and ensure access to justice for everyone, in particular vulnerable groups, including migrant workers and minority groups.<sup>30</sup>

20. The Committee on the Elimination of Discrimination against Women took note of the complaint mechanisms accessible to women who were victims of discrimination or violence, but it remained concerned about persistent barriers to access for women to justice. It recommended enhancing awareness among women of their rights and the means of enforcing them, including legal literacy programmes, and creating sustainable, accessible systems of legal aid that were responsive to their needs at all stages of judicial or quasi-judicial proceedings and taking immediate steps to eliminate gender stereotyping and to harmonize the norms, procedures and practices of sharia court chambers with the Convention and other international human rights obligations.<sup>31</sup>

### 3. Fundamental freedoms<sup>32</sup>

21. The Committee on the Elimination of Racial Discrimination and the Committee on the Rights of Persons with Disabilities were concerned about reports indicating that non-governmental organizations operated within restricted boundaries in Oman. They recommended that Oman continue to consult and expand its dialogue with civil society organizations working in the area of human rights protection and that Oman introduce the necessary changes and adopt specific measures, including by amending the Civil Associations Act (2000), to create and ensure an enabling environment in which civil society organizations freely conducted their activities.<sup>33</sup>

22. The Committee on the Rights of the Child was deeply concerned about information regarding the arbitrary detention and harassment of civil society activists and urged Oman to take immediate action to allow human rights defenders and all civil society actors working in the area of children's rights to carry out their activities without threats or harassment by security forces. It recommended that Oman systematically involve all civil society actors working in the field of children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children.<sup>34</sup>

23. UNESCO reported that the 1984 Decree on Press and Publications extended the new Penal Code, which had already rendered defamation as a criminal offence, given that any kind of publication of what was considered defamatory material could lead to a sentence of up to three years' imprisonment. UNESCO recommended decriminalizing defamation, together with any Internet-related provisions, and place it within a civil code that was in accordance with international standards.<sup>35</sup>

24. UNESCO noted that the executive branch regulated the broadcasting sector, and it encouraged Oman to assess the system of supervision of the broadcasting sector to ensure that that process was transparent and independent.<sup>36</sup>

25. UNESCO was concerned that Omantel, the sole Internet service provider of Oman, required Internet users to sign the Internet Services Manual, which stipulated what could be published online, allowing the Government to control Internet content. It noted that the Telecommunications Regulatory Act (2002) allowed the authorities to prosecute individuals for any message that violated "the public order and morals" with a sentence of up to one year's imprisonment.<sup>37</sup>

26. UNESCO reported that there was no freedom of information law in Oman.<sup>38</sup>

### 4. Prohibition of all forms of slavery<sup>39</sup>

27. The Committee on the Elimination of Racial Discrimination was concerned that Oman was a transit and destination country for trafficking in persons, primarily of migrants from South Asia, mainly for purposes of forced labour and, to a lesser extent, forced prostitution and about the limited number of investigations into that matter.<sup>40</sup> It recommended redoubling efforts to combat trafficking in persons, intensifying investigations, prosecuting those responsible, imposing appropriate penalties, increasing assistance to victims and affording them adequate remedies, strengthening the regulations governing recruitment agencies and ensuring their accountability and legal responsibility.<sup>41</sup>

28. The Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women noted efforts made to combat trafficking in persons, but they remained concerned about the

limited enforcement of the Anti-Trafficking Law and recommended strengthening its implementation.<sup>42</sup> The Committee on the Elimination of Discrimination against Women recommended that Oman adopt a new strategy and action plan on trafficking, investigate, prosecute and adequately punish all cases of trafficking, strengthen the capacity of the national committee for combating trafficking in persons, ensure that all victims obtained effective protection and redress, review the de facto *kafalah* (sponsorship) system, which often operated against vulnerable migrant workers, including women, and address the root causes of trafficking and exploitation of women and girls in prostitution, by adopting and implementing adequately resourced programmes and other appropriate measures to create educational and employment opportunities for women, in particular migrant workers, who were at higher risk of exploitation.<sup>43</sup>

29. The Committee on the Rights of the Child was concerned about reports that boys were still being used as camel jockeys and that girls were forced into prostitution and domestic servitude. It recommended that Oman strengthen capacity-building initiatives to improve the response of law enforcement officials, establish a monitoring mechanism for investigation and redress and implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims.<sup>44</sup>

#### **5. Right to family life<sup>45</sup>**

30. The Committee on the Elimination of Discrimination against Women remained concerned about the use of the sharia as an explanation for the lack of progress on family law reform, the continued application of the discriminatory provisions in the Personal Status Law, in particular the requirement for a woman to obtain her guardian's permission to marry, notwithstanding the possibility to appeal to the sharia court chamber in the Supreme Court or directly to the Sultan, the obligation imposed on a woman to obey her husband, including sexually, the tendency of sharia court chambers to rule in favour of the husband in divorce, alimony and child custody proceedings and the absence of legislation offering a civil alternative to the Personal Status Law. It recommended that Oman revise all discriminatory provisions of the Personal Status Law within a specific time frame, with a view to gradually removing them, ensure equal rights between men and women regarding marriage and divorce, intensify efforts to enable women and girls to exercise their right to inheritance on an equal basis with their male counterparts and enact legislation to ensure that, upon the dissolution of marriage, women had equal rights to property acquired during marriage.<sup>46</sup>

### **C. Economic, social and cultural rights**

#### **1. Right to work and to just and favourable conditions of work<sup>47</sup>**

31. The Committee on the Elimination of Discrimination against Women was concerned about the low participation of women in employment in the private sector compared with men, the restrictions imposed on women's employment under the Labour Law and the persistent gender wage gap in both the public and the private sectors. It recommended that Oman promote the equal sharing of family and domestic responsibilities between women and men, take measures, such as creating incentives for employers to recruit women, amend the Labour Law to lift restrictions, review vacancy announcements in the public and private sectors with a view to eliminating discriminatory language, adopt effective measures, including skills training, and incentives with a view to encouraging women to work in non-traditional fields and eliminating occupational segregation, in the public and private sectors, and effectively implement Royal Decree No. 78/2013 to narrow and ultimately close the gender pay gap.<sup>48</sup>

32. The Committee on the Elimination of Racial Discrimination was concerned that domestic workers, mostly women who were foreign nationals, were excluded from the national labour laws, resulting in the deprivation of fundamental rights and a higher risk of abuse, including sexual exploitation, by their employers. It recommended that Oman rectify that by extending the ambit of the national labour laws to domestic workers.<sup>49</sup> The Committee on the Elimination of Discrimination against Women appreciated the measures taken to protect the rights of women migrant domestic workers but stressed that they were insufficient.

It recommended that Oman extend the application of the Labour Law to domestic workers and prevent abuse from current employers, amend the Penal Code to criminalize forced labour, strictly enforce the prohibition of passport confiscation and ensure regular labour inspections at the workplaces and dormitories of women migrant workers.<sup>50</sup>

## **2. Right to an adequate standard of living<sup>51</sup>**

33. The Committee on the Rights of the Child was concerned that some families faced food insecurity and lacked appropriate assistance. It recommended that Oman intensify efforts to provide appropriate assistance to parents and legal guardians in situations of poverty, including by strengthening the system of family benefits, child allowances and other services.<sup>52</sup>

34. The Committee on the Rights of the Child recommended establishing policies for the provision of education, health and other social services to all children, including the children of documented and undocumented migrant workers and refugees.<sup>53</sup>

## **3. Right to health<sup>54</sup>**

35. The Committee on the Elimination of Discrimination against Women noted with satisfaction that health indicators for women had improved significantly, but it was concerned about the limited access for women and adolescent girls to sexual and reproductive health services in rural and remote areas and about the criminalization of abortion, except when the life of the pregnant woman or girl was at risk. It recommended that Oman provide comprehensive health services, in particular sexual and reproductive health services, amend the Penal Code to legalize abortion in cases of rape, incest and severe impairment of the foetus, and decriminalize it in all other cases, and increase access for women to safe abortion and post-abortion care services.<sup>55</sup>

36. The Committee on the Rights of the Child commended Oman for its significant improvements in health infrastructure and services, including universal immunization coverage, and for its efforts to improve comprehensive health services for children. It was concerned about the diarrhoea and underweight prevalence among children under 5 years old, the limited knowledge about reproductive health and the social and cultural barriers that prevented young people from seeking reproductive health information and services, which led, in particular, to teenage pregnancy. It recommended that Oman continue its efforts to make available adequate financial and human resources to the health sector and to continue targeted interventions to prevent anaemia, stunting, wasting and undernourishment among children, and that Oman strengthen the quality of available mental health services and programmes for children and that Oman develop awareness-raising campaigns and sensitization programmes on the harmful effects of early pregnancy on the physical and mental health and well-being of girls and their babies.<sup>56</sup>

## **4. Right to education<sup>57</sup>**

37. UNESCO observed that the Basic Law of Oman did not explicitly enshrine the right to education and that education was free-of-charge from grades 1 to 12 but not compulsory. UNESCO recommended that Oman ensure the accessibility and availability of information related to the education sector, enshrine the right to education for all in the Basic Law and continue its efforts to eradicate illiteracy, especially by enshrining nine years of compulsory education within its legislation.<sup>58</sup>

38. The Committee on the Rights of the Child commended Oman for the rapid expansion of the national education programme, the increase in the number of schools and the improvements in school enrolment rates at all levels. It was concerned about the limited access to education for children in situations of vulnerability and the high rates of school dropout. It recommended improving the accessibility and quality of education for all children, including those in situations of vulnerability, and reducing the school dropout rate.<sup>59</sup>

39. The Committee on the Elimination of Discrimination against Women was concerned about limited access to education for disadvantaged groups of girls and the high rates of illiteracy and school dropout among them. It recommended that Oman address the disproportionately high illiteracy and dropout rates among girls, especially nomadic and

migrant girls, girls with disabilities and girls living in rural areas and in poverty, review curricula and textbooks at all levels of education to eliminate discriminatory stereotypes on the roles of women, and promote and encourage vocational training for women and girls.<sup>60</sup>

## D. Rights of specific persons or groups

### 1. Women<sup>61</sup>

40. The Committee on the Elimination of Discrimination against Women remained concerned about the prevalence of gender-based violence against women, in particular domestic and sexual violence, and recommended that Oman enact legislation and/or further amend the Penal Code to define and criminalize all forms of gender-based violence against women, ensure the prosecution and punishment of perpetrators of crimes committed in the name of so-called “honour”, encourage women who were victims to report their cases, ensure that those reports, including of domestic violence, were duly investigated and prosecuted and strengthen support services for victims.<sup>62</sup>

41. The same Committee and the Committee on the Rights of the Child were concerned that Oman retained discriminatory stereotypes, focusing primarily on the roles of women as mothers and housewives, and about discriminatory provisions in the legislation of Oman relating to marriage, polygamy, divorce, property, inheritance, nationality, guardianship and custodial rights that underscored the subordination of women to their husbands and other male relatives and undermined the rights and capacity of women and girls to develop their personal abilities and make free choices about their lives and life plans.<sup>63</sup> The same Committees recommended that Oman put into place a comprehensive strategy to modify or eliminate patriarchal attitudes and discriminatory stereotypes, including to encourage equal sharing of parental responsibilities, and consider introducing a reform of the Civil Status Law, which underscored the subordination of women to their husbands and other male relatives, and other relevant legislation, including in matters of marriage, divorce, property, inheritance, nationality, guardianship and custody rights, to ensure that men and women had equal rights and responsibilities.<sup>64</sup> The Committee on the Rights of the Child recommended that Oman abolish all provisions that discriminated against women and had a negative impact on their children, such as those that allowed polygamy and repudiation, and end the practice of dowry and the guardianship system.<sup>65</sup>

42. The Committee on the Elimination of Discrimination against Women was concerned that female genital mutilation was not specifically criminalized and continued to be practised widely in Oman and that the practice of child marriage persisted, owing to the use by judges of derogations from the legal minimum age of marriage of 18 years, especially in rural areas. It recommended that Oman continue to take measures to eliminate all harmful practices, including female genital mutilation, that were not specifically criminalized and child and/or forced marriage, especially in rural areas, and establish appropriate redress mechanisms that were accessible to all women and girls who were victims of harmful practices.<sup>66</sup> The same Committee and the Committee on the Rights of the Child recommended that Oman enforce the legal minimum age of marriage, which was set at 18 years, and adopt and implement the draft regulations on female genital mutilation under the Child Act, impose sanctions on perpetrators and develop a plan of action, including through awareness-raising programmes.<sup>67</sup>

43. The Committee on the Elimination of Discrimination against Women was concerned that women and girls who were victims of sexual abuse risked facing criminal proceedings if they presented charges, given that the reporting of rape, if not proved, could be considered a confession of *zina* (sexual relations outside of marriage), which was criminalized under articles 225 and 226 of the Penal Code. It recommended that Oman repeal those articles of the Penal Code and immediately release women and girls who had been convicted thereunder, especially migrant women who were victims of sexual violence and abuse.<sup>68</sup>

44. The same Committee recommended that Oman ensure the effective implementation of Royal Decree No. 11/2010, to guarantee that women could obtain a passport without seeking their guardian’s consent, and issue a decree amending the Penal Code and the legal provisions on *diya* and *arush* (blood money for death and for injuries, respectively) to ensure that they did not discriminate against women.<sup>69</sup>

45. The same Committee was concerned about the very low participation of women at all levels of decision-making and the lack of specific steps to address the underlying causes, including prevailing social and cultural attitudes. It recommended that Oman adopt measures, including temporary special measures, to achieve the full and equal participation of women in political and public life and in decision-making at the local and national levels, including in the parliament, the judiciary and the diplomatic service.<sup>70</sup>

46. The same Committee noted with appreciation the initiatives in support of rural women and recommended that Oman develop and implement measures to achieve substantive equality for rural women in areas in which they were underrepresented or disadvantaged, including political and public life, education, health and employment, institute programmes to reduce the engagement of rural girls in unpaid care work, which constituted a barrier to school attendance, address negative traditional practices that affected the full enjoyment by rural women of their right to agricultural land and other property, and raise awareness of their legal right to ownership and inheritance.<sup>71</sup>

47. The same Committee called for the realization of substantive gender equality throughout the process of implementation of the 2030 Agenda for Sustainable Development.<sup>72</sup>

## **2. Children<sup>73</sup>**

48. The Committee on the Rights of the Child welcomed the adoption of the Child Act and the ongoing legal reform, but it was concerned that the Act and the national strategy for children did not fully address all areas relevant to the Convention on the Rights of the Child, including the family environment, alternative care and the administration of juvenile justice. It urged Oman to develop consistent legislative frameworks and ensure the full implementation of the national strategy to monitor and evaluate progress in the implementation of children's rights.<sup>74</sup> It recommended that Oman align its related national legislation with the Convention, including for children of migrant workers in both regular and irregular situations.<sup>75</sup> It was concerned about the continued institutionalization of abandoned children and the insufficient assistance given to children out of the foster care system, and it recommended that Oman support and facilitate family-based care and ensure adequate safeguards and clear criteria, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care.<sup>76</sup>

49. The same Committee recommended that Oman further enhance the role and capacity of the National Committee for Family Affairs by providing human, technical and financial resources to effectively implement, coordinate and assess the impact of comprehensive, coherent and consistent policies to promote the rights of the child at all levels.<sup>77</sup>

50. The same Committee remained concerned about the *de jure* and *de facto* discrimination against girls, children born out of wedlock, children with disabilities and children of migrant workers, especially with respect to access to social and health services and equal education opportunities. It recommended that Oman intensify efforts to eliminate any form of discrimination against those groups and other groups of children in marginalized situations, including through awareness-raising programmes at the community level.<sup>78</sup>

51. The same Committee was concerned that traditional and cultural practices did not recognize the views of the child at home, at school or in the community. It recommended that Oman implement legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing compliance systems and/or procedures for social workers and courts.<sup>79</sup>

52. The same Committee welcomed the fact that the Child Act prohibited any form of violence against children by any person and that legislation had been enacted to address violence against children. It was concerned that corporal punishment was not explicitly prohibited and was widely accepted in society as a way to discipline children in the home, schools and residential institutions. It recommended amending the Act to explicitly prohibit that form of punishment in all settings, repealing article 44 (1) of the Penal Code of 2018 (previously article 38 (2)) and promoting positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment.<sup>80</sup>



53. The same Committee was concerned that law enforcement personnel were given insufficient training on working with child victims of abuse and violence and that there was lack of information on investigations, follow-up, recovery and social reintegration. It recommended that Oman strengthen awareness-raising and education programmes and formulate a comprehensive strategy for preventing and combating child abuse in all settings.<sup>81</sup>

54. The same Committee recommended that Oman establish mechanisms, procedures and guidelines for mandatory reporting and the speedy, effective investigation and prosecution of cases of sexual abuse and exploitation of children and amend legislation to ensure that all children subjected to sexual exploitation were treated as victims and not subjected to criminal sanctions.<sup>82</sup>

55. The same Committee urged Oman to ensure that the prohibition of the employment of children below the age of 15 applied to every child, including migrants and the children of migrants, without exception. It recommended that Oman prevent the economic exploitation of children by adopting legislation and policies to address child labour in the formal and informal sectors, including in family businesses.<sup>83</sup>

56. The same Committee remained concerned about article 55 of the Child Act and noted that not all offences covered by the provisions of the Optional Protocol on the sale of children, child prostitution and child pornography had been fully incorporated into the Penal Code. It urged Oman to fully implement the recommendations contained in its concluding observations of 2009 (CRC/C/OPSC/OMN/CO/1) and, in particular, to review the Penal Code and make it fully compatible with the Optional Protocol.<sup>84</sup>

57. The same Committee remained concerned that the minimum age of criminal responsibility was set at 9 years and about children being imprisoned for begging and held together with adults and about the lack of information on prison conditions in Oman. It urged Oman to bring its juvenile justice system into line with the Convention and recommended raising the age of criminal responsibility to align with international standards, ensuring that all children, by definition persons under 18 years of age, were protected by the juvenile justice system, promoting, wherever possible, restorative justice and alternative measures to detention and using the technical assistance tools developed by the Interagency Panel on Juvenile Justice and its members.<sup>85</sup>

58. The same Committee urged Oman to raise the age of voluntary recruitment into the national armed forces to 18 years.<sup>86</sup>

### **3. Persons with disabilities<sup>87</sup>**

59. The Committee on the Rights of Persons with Disabilities was concerned that national legislation was not fully in line with the human rights-based approach to disability, and it recommended that Oman ensure that its legislation, policies and practices were in full compliance with the Convention on the Rights of Persons with Disabilities and undertake a comprehensive legislative and policy review to adopt, ensure and enforce the prohibition of discrimination on the basis of disability and ensure that derogatory terminology was eliminated from all laws, policies and government discourse.<sup>88</sup>

60. The same Committee was concerned about the comparatively low standard of living of persons with disabilities and the lack of awareness among persons with disabilities of the available social protection and poverty reduction programmes. It was concerned about discriminatory provisions on pensions that adversely affected women with disabilities. It recommended that Oman raise the living standards of persons with disabilities, especially women and children, support their right to social inclusion and self-reliance and ensure their inclusion in all social protection and poverty reduction programmes.<sup>89</sup>

61. The same Committee recommended that Oman promote the employment of persons with disabilities in the private and public sectors, including through affirmative action, and adopt laws and policies on reasonable accommodation.<sup>90</sup>

62. The same Committee recommended that Oman amend its legislation to explicitly refer to discrimination in article 17 of the Basic Law, in the Care and Rehabilitation of Persons

with Disabilities Act of 2008 and in all relevant national legislation to prohibit and sanction discrimination based on disability.<sup>91</sup>

63. The same Committee was concerned about the multiple forms of discrimination and violence faced by women and girls with disabilities. It recommended that Oman adopt measures to end all forms of multiple and intersectional discrimination and violence against women and girls with disabilities, introduce mechanisms for remedies and sanctions against perpetrators, provide for access to medical, psychological and legal services and adopt measures for the advancement, empowerment and development of such women and girls.<sup>92</sup> The Committee on the Elimination of Discrimination against Women had similar concerns and recommended adopting targeted measures to promote access to the open labour market.<sup>93</sup>

64. The Committee on the Rights of the Child was concerned about the low number of children with disabilities enrolled in school and the high illiteracy rate. It urged Oman to set up a comprehensive strategy for the inclusion of children with disabilities and to fully integrate them into all areas of social life, including education, sports and leisure activities, and ensure that facilities and other public areas were accessible to children with disabilities.<sup>94</sup>

#### **4. Minorities<sup>95</sup>**

65. The Committee on the Elimination of Racial Discrimination remained concerned about the lack of information on ethnic minorities, in particular women belonging to ethnic minority groups, and reiterated its previous recommendation that Oman ensure the effective enjoyment of all rights by all ethnic groups and migrant workers living in Oman.<sup>96</sup>

#### **5. Migrants, refugees and asylum seekers<sup>97</sup>**

66. The Committee on the Elimination of Racial Discrimination recommended that Oman intensify efforts to prevent and investigate cases of abuse against migrant workers and reinforce the independence and effectiveness of existing mechanisms for the submission of complaints.<sup>98</sup> In response to that recommendation, a special labour inspection team was established. Among other things, memorandums of understanding were signed with a number of labour-sending countries to regulate the recruitment of human resources and to safeguard the workers' rights, and Oman simplified the procedures for submitting labour complaints.<sup>99</sup>

67. The same Committee was concerned about the absence of legislation or administrative regulations governing the status of asylum seekers or refugees. It recommended adopting national asylum legislation in line with international standards.<sup>100</sup>

68. The Committee on the Rights of the Child was concerned about the identification and protection of refugees and the insufficient availability of information on the subject. It recommended that Oman enact national legislation on asylum in line with international standards and provide safeguards against refoulement that incorporated the principle of the best interests of the child, with a view to ensuring the protection of refugee and asylum-seeking children.<sup>101</sup>

#### **6. Stateless persons<sup>102</sup>**

69. The Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child remained concerned that article 18 of the updated Nationality Law allowed Omani women married to non-Omani men to transmit their nationality to their children under strict conditions and about the discriminatory provisions on the naturalization of the foreign spouses of Omani women. They recommended revising the law by removing all gender-based discriminatory provisions.<sup>103</sup> The Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination were concerned that, according to that law, Omanis could lose citizenship if they engaged in a group, party or organization that adopted principles or doctrines that could harm the interests of Oman. They recommended ensuring that the Government could not revoke the citizenship rights of persons who exercised their fundamental rights, with a view to preventing statelessness.<sup>104</sup>

70. The Committee on the Rights of the Child welcomed the withdrawal of the reservation concerning article 7 of the Convention on the Rights of the Child and recommended that all births be registered, including those of the children of migrant workers.<sup>105</sup>

### Notes

- <sup>1</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Oman will be available at [www.ohchr.org/EN/HRBodies/UPR/Pages/OMindex.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/OMindex.aspx).
- <sup>2</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.1–129.62.
- <sup>3</sup> CERD/C/OMN/CO/2-5, para. 31; CRPD/C/OMN/CO/1, para. 6; CRC/C/OMN/CO/3-4, paras. 71–72; and CEDAW/C/OMN/CO/2-3, paras. 57 and 61.
- <sup>4</sup> CEDAW/C/OMN/CO/2-3, paras. 39–40; and CERD/C/OMN/CO/2-5, paras. 21–22.
- <sup>5</sup> CERD/C/OMN/CO/2-5, paras. 25–26; and CEDAW/C/OMN/CO/2-3, paras. 33–34.
- <sup>6</sup> CRC/C/OMN/CO/3-4, paras. 33–34.
- <sup>7</sup> CERD/C/OMN/CO/2-5, para. 28.
- <sup>8</sup> *Ibid.*, paras. 35–36.
- <sup>9</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO) submission, p. 3.
- <sup>10</sup> CEDAW/C/OMN/CO/2-3, paras. 9–10. See also CEDAW/C/OMN/FCO/2-3, para. 10 (a), and the letter dated 14 July 2020 from the Rapporteur on follow-up of the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of Oman to the United Nations Office and other international organizations in Geneva.
- <sup>11</sup> CEDAW/C/OMN/CO/2-3, para. 57.
- <sup>12</sup> CRC/C/OMN/CO/3-4, paras. 7–8.
- <sup>13</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), *OHCHR Report 2015*, pp. 61, 65, 96 and 99.
- <sup>14</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.63–129.65, 129.67–129.68, 129.74, 129.81–129.82, 129.84, 129.89–129.91, 129.93–129.95, 129.97–129.101, 129.103, 129.106–129.107, 129.109, 129.113–129.121, 129.130, 129.135, 129.144, 129.147–129.152, 129.159–129.160, 129.166, 129.171–129.172, 129.175, 129.180–129.183, 129.188–129.189, 129.194–129.195 and 129.230.
- <sup>15</sup> CEDAW/C/OMN/CO/2-3, para. 17.
- <sup>16</sup> CEDAW/C/OMN/CO/2-3, para. 18; and CRC/C/OMN/CO/3-4, para. 20.
- <sup>17</sup> CEDAW/C/OMN/CO/2-3, para. 18; and CRC/C/OMN/CO/3-4, para. 20.
- <sup>18</sup> CRC/C/OMN/CO/3-4, para. 20.
- <sup>19</sup> CEDAW/C/OMN/CO/2-3, paras. 15–16. See also CEDAW/C/OMN/FCO/2-3, para. 10, and the letter dated 14 July 2020 from the Rapporteur on follow-up of the Committee on the Elimination of Discrimination against Women addressed to the Permanent Representative of Oman to the United Nations Office and other international organizations in Geneva.
- <sup>20</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.89, 129.130, 129.190, 129.197–129.198 and 129.228.
- <sup>21</sup> CEDAW/C/OMN/CO/2-3, paras. 11–13.
- <sup>22</sup> CERD/C/OMN/CO/2-5, paras. 15–16.
- <sup>23</sup> *Ibid.*, paras. 13–14; see also para. 30.
- <sup>24</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.189, 129.206 and 129.233.
- <sup>25</sup> CEDAW/C/OMN/CO/2-3, paras. 43–44.
- <sup>26</sup> *Ibid.*, paras. 47–48.
- <sup>27</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.131–129.134, 129.136–129.140, 129.163 and 129.196.
- <sup>28</sup> CRPD/C/OMN/CO/1, paras. 29–30.
- <sup>29</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.146–129.149.
- <sup>30</sup> CERD/C/OMN/CO/2-5, paras. 29–30.
- <sup>31</sup> CEDAW/C/OMN/CO/2-3, paras. 13–14.
- <sup>32</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.156–129.158, 129.161–129.162, 129.164–129.165, 129.173, 129.178, 129.184, 129.207–129.208, 129.215 and 129.231.
- <sup>33</sup> CRPD/C/OMN/CO/1, paras. 9–10; and CERD/C/OMN/CO/2-5, paras. 9–10.
- <sup>34</sup> CRC/C/OMN/CO/3-4, paras. 23–24.
- <sup>35</sup> UNESCO submission, paras. 4 and 12.
- <sup>36</sup> UNESCO submission, paras. 8 and 13.
- <sup>37</sup> UNESCO submission, paras. 5–6.
- <sup>38</sup> UNESCO submission, para. 7.
- <sup>39</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.145 and 129.96.
- <sup>40</sup> CERD/C/OMN/CO/2-5, para. 23.

- 41 Ibid., para. 24.
- 42 CRC/C/OMN/CO/3-4, paras. 63–64; CERD/C/OMN/CO/2-5, paras. 4 (a) and 23–24; and CEDAW/C/OMN/CO/2-3, paras. 29–30.
- 43 CEDAW/C/OMN/CO/2-3, para. 30.
- 44 CRC/C/OMN/CO/3-4, paras. 63–64.
- 45 For relevant recommendations, see A/HRC/31/11, paras. 129.131, 129.48, 129.67, 129.71–129.72 and 129.77.
- 46 CEDAW/C/OMN/CO/2-3, paras. 53–54.
- 47 For relevant recommendations, see A/HRC/31/11, paras. 129.193, 129.200 and 129.216.
- 48 CEDAW/C/OMN/CO/2-3, paras. 37–38.
- 49 CERD/C/OMN/CO/2-5, paras. 21–22.
- 50 CEDAW/C/OMN/CO/2-3, paras. 39–40.
- 51 For relevant recommendations, see A/HRC/31/11, paras. 129.191–129.192.
- 52 CRC/C/OMN/CO/3-4, paras. 55–56.
- 53 Ibid., para. 60.
- 54 For relevant recommendations, see A/HRC/31/11, paras. 129.209 and 129.226–129.227.
- 55 CEDAW/C/OMN/CO/2-3, paras. 41–42.
- 56 CRC/C/OMN/CO/3-4, paras. 49–50, 52 and 54.
- 57 For relevant recommendations, see A/HRC/31/11, paras. 129.199, 129.210–129.214, 129.218–129.119 and 129.222–129.225.
- 58 UNESCO submission, paras. 1 and 10.
- 59 CRC/C/OMN/CO/3-4, paras. 57–58. See also CEDAW/C/OMN/CO/2-3, para. 36.
- 60 CEDAW/C/OMN/CO/2-3, paras. 35–36.
- 61 For relevant recommendations, see A/HRC/31/11, paras. 129.66, 129.83, 129.86–129.87, 129.104–129.105, 129.108, 129.110–129.112, 129.177, 129.179 and 129.205–129.206.
- 62 CEDAW/C/OMN/CO/2-3, paras. 25–26.
- 63 Ibid., para. 21; and CRC/C/OMN/CO/3-4, para. 43.
- 64 CRC/C/OMN/CO/3-4, paras. 43–44; and CEDAW/C/OMN/CO/2-3, paras. 22 and 54.
- 65 CEDAW/C/OMN/CO/2-3, para. 54; and CRC/C/OMN/CO/3-4, para. 44.
- 66 CEDAW/C/OMN/CO/2-3, paras. 23–24.
- 67 Ibid., para. 24; and CRC/C/OMN/CO/3-4, para. 42.
- 68 CEDAW/C/OMN/CO/2-3, paras. 27–28.
- 69 Ibid., paras. 51–52. See also Oman, Royal Decree No. 118/2008. Available from <https://qanoon.om/p/2008/rd2008118/> (Arabic only).
- 70 CEDAW/C/OMN/CO/2-3, paras. 31–32.
- 71 Ibid., paras. 45–46.
- 72 Ibid., para. 59.
- 73 For relevant recommendations, see A/HRC/31/11, paras. 129.141–129.143 and 129.232.
- 74 CRC/C/OMN/CO/3-4, paras. 9–12.
- 75 Ibid., para. 26.
- 76 Ibid., paras. 45–46.
- 77 Ibid., para. 14.
- 78 Ibid., paras. 25–26.
- 79 Ibid., paras. 31–32.
- 80 Ibid., paras. 35–36.
- 81 Ibid., paras. 37–38.
- 82 Ibid., para. 40.
- 83 Ibid., para. 62.
- 84 Ibid., paras. 68–70.
- 85 Ibid., paras. 65–66.
- 86 Ibid., para. 70.
- 87 For relevant recommendations, see A/HRC/31/11, paras. 129.210, 129.218, 129.221 and 129.223–129.224.
- 88 CRPD/C/OMN/CO/1, paras. 7–8.
- 89 Ibid., paras. 49–50.
- 90 Ibid., para. 48.
- 91 Ibid., para. 12.
- 92 Ibid., paras. 13–14.
- 93 CEDAW/C/OMN/CO/2-3, paras. 49–50.
- 94 CRC/C/OMN/CO/3-4, paras. 47–48.
- 95 For relevant recommendations, see A/HRC/31/11, paras. 129.130 and 129.228.
- 96 CERD/C/OMN/CO/2-5, paras. 17–18.
- 97 For relevant recommendations, see A/HRC/31/11, paras. 129.197–129.198, 129.201 and 129.228.

<sup>98</sup> CERD/C/OMN/CO/2-5, para. 20.

<sup>99</sup> *Ibid.*, paras. 1–7.

<sup>100</sup> *Ibid.*, paras. 27–28.

<sup>101</sup> CRC/C/OMN/CO/3-4, paras. 59–60.

<sup>102</sup> For relevant recommendations, see A/HRC/31/11, paras. 129.71–129.72 and 129.76–129.77.

<sup>103</sup> CERD/C/OMN/CO/2-5, paras. 25–26; CEDAW/C/OMN/CO/2-3, paras. 33–34; and CRC/C/OMN/CO/3-4, paras. 33–34.

<sup>104</sup> CEDAW/C/OMN/CO/2-3, paras. 33–34; and CERD/C/OMN/CO/2-5, paras. 25–26.

<sup>105</sup> CRC/C/OMN/CO/3-4, para. 34.

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