

OMAN 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Sultanate of Oman is a hereditary monarchy. Sultan Qaboos al-Said has ruled since 1970. The sultan has sole authority to enact laws through royal decree, although ministries draft laws and citizens provide input through the bicameral Majlis Oman (Oman Council). The Majlis is composed of the Majlis al-Dawla (State Council), whose 83 members are appointed by the sultan, and the elected, 84-member Majlis al-Shura (Consultative Council). Elections for the newly created “provincial councils” were conducted in a transparent manner in December 2012 when citizens elected 192 citizens to seats in 11 provincial councils. The 29-member Council of Ministers, selected by the sultan, advises him on government policies. Authorities maintained effective control over the security forces.

The principal human rights problems were the inability of citizens to peacefully change their government; limits on freedom of speech, assembly, and association, including restrictions on citizens and civil society from associating with foreign governments; and societal discrimination against women.

Other concerns included lack of independent inspections of prisons and detention centers, restrictions on press freedom, instances of domestic violence, infringements on independent civil society, and instances of foreign citizen laborers placed in conditions of forced labor or abuse.

Security personnel and other government officials generally were held accountable for their actions. The government began a wide-sweeping crackdown on corruption, with multiple cases going through the court system at the end of the year.

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 reports of politically motivated disappearances in the country. On July 29, armed security forces arrested Sultan al-Saadi, a social media activist. According to reports authorities detained him at an unknown location for approximately one month for comments he posted online critical of the government. Authorities previously arrested al-Saadi in 2011 for participating in protests and again in 2012 for posting comments online deemed insulting to Sultan Qaboos. In May 2012 security forces detained Ismael al-Meqbali, Habiba al-Hinai, and Yaqoub al-Kharusi, human rights activists who were visiting striking oil workers. Authorities released al-Hinai and al-Kharusi shortly after their detention but did not inform al-Meqbali's friends and family of his whereabouts for weeks. Authorities pardoned al-Meqbali in March.

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

While the law prohibits such practices, several prisoners detained in 2012 on charges of seditious assembly, slander, and insulting the sultan complained of sleep deprivation, extreme temperatures, and solitary confinement. There were no confirmed reports of such treatment during the year.

Amnesty International reported that authorities kept Sultan al-Saadi in solitary confinement, denied him access to his lawyer and family, forced him to wear a black bag over his head whenever he left his cell, including when using the restroom, and told him his family had "forsaken" him and asked for him to be imprisoned.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards; however, in 2012 there were several reports that security forces subjected prisoners held on charges of seditious assembly and insulting the sultan to sleep deprivation, extreme temperatures, and solitary confinement.

Physical Conditions: Prisoners had access to potable water. Conditions for female prisoners were on par with those of their male counterparts. In 2012 several prisoners charged with insulting the sultan and seditious assembly claimed they experienced worse treatment than individuals charged with criminal offenses. The government reported there were 1,300 male and female prisoners in jail. Male, female, and juvenile prisoners were housed in separate buildings. The primary

detention center for illegal immigrants was overcrowded. There were also several hundred undocumented immigrants in detention centers awaiting deportation.

In 2012 dozens of detainees claimed that authorities held protesters under administrative detention without charge or trial and denied them access to family, friends, and their lawyers for several days.

Administration: Recordkeeping on prisoners was adequate. Alternative sentencing for nonviolent prisoners was not available. There is no ombudsman to serve on behalf of prisoners and detainees. Authorities permitted prisoners to practice their religions. Authorities allowed prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. The National Human Rights Commission (NHRC), a governmental body, investigated and monitored prison and detention center conditions through site visits. NHRC authorities in some cases investigated claims of abuse but did not publish the results of their investigations to protect the privacy of the individuals involved.

Independent Monitoring: The law permitted visits by independent human rights observer groups; however, none exists in the country. The NHRC regularly visited prisons and met with prisoners. Consular officers from various embassies reported regular difficulties in meeting with prisoners. Prisoners and detainees did not always have reasonable access to visitors. There were no reports of independent nongovernmental observers requesting to visit the country.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. In August senior officials in the government-owned corporations Oman Oil and Oman Holdings were arrested without charge and were reportedly held beyond the 30-day limit permitted under the law. In 2012, following the release on bail of several individuals accused of seditious assembly, security forces rearrested some of the defendants on unknown charges.

Role of the Police and Security Apparatus

The Ministry of the Royal Office, part of the cabinet, controls internal and external security and coordinates all intelligence and security policies. Under the Ministry of the Royal Office, the Internal Security Service investigates all matters related to domestic security. The Sultan's Special Forces have 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 includes the Coast Guard. The Ministry of Defense, in particular the Royal Army of Oman (RAO), is responsible for securing the borders and has limited domestic security responsibilities. The security forces performed their duties effectively.

Civilian authorities generally maintained effective control over the Internal Security Service, the Sultan's Special Forces, the RAO, and the ROP.

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 specified time frames. For most crimes the public prosecutor must formally arrest or release the person within 48 hours of detention; however, the law permits authorities to hold individuals for up to 30 days without charge in cases related to security, which is broadly defined. The law requires that those arrested be immediately informed of the charges against them. In some cases detainees were not made immediately aware of the charges against them. There was a functioning bail system for most individuals, but some prisoners granted bail and released by civilian judges were immediately rearrested by security forces. Detainees generally had prompt access to a lawyer of their choice, although authorities allowed meetings between some prisoners and their attorneys only in the presence of the public prosecutor. One detainee, Sultan al-Saadi, reportedly did not have access to an attorney during his 23 days of detention. The state provided public attorneys to indigent detainees as required by law. Authorities generally allowed detainees prompt access to family members, but the family of al-Saadi claimed they were not notified of his detention. In cases involving foreign citizen workers, police sometimes failed to notify the detainee's local sponsor.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention. Nevertheless, authorities arrested senior officials in the government-owned corporations Oman Oil and Oman Holdings without charge, and there were reports that authorities arrested a school administrator during a teacher's strike.

On November 7, human rights organizations reported that the Internal Security Services arrested Khalfan al-Badwawi for comments he posted online criticizing the government. According to reports authorities called al-Badwawi and ordered him to appear before the Special Branch Police or surrender to the nearest police

station. Al-Badwawi refused the summons, and authorities reportedly arrested him off the street. Al-Badwawi's father went to the General Police Headquarters seeking information about his son. Authorities refused to provide any information regarding al-Badwawi's whereabouts or the reasons for his arrest. Authorities released al-Badwawi after one week.

Pretrial Detention: For crimes related to terrorism or national security, the law allows police to hold a detainee for up to 30 days without charge, and authorities used this law at least once during the year. Court orders are required to hold suspects in pretrial detention. Judges may order detentions for 14 days to allow for investigation and may grant extensions at their discretion. In most cases judges permitted defendants to be released on bail while lengthy investigations took place.

Amnesty: The sultan tended to pardon and grant amnesties to prisoners throughout the year, specifically on holidays. The sultan pardoned 371 Omani citizens and 237 foreigners during the year.

e. Denial of Fair Public Trial

Although the law provides for an independent judiciary, 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. Authorities generally respected court orders. While the government generally respected judicial independence, in the case of some defendants held on charges of seditious assembly in 2012, there were reports that the government had improperly influenced judges in their cases. Principles of sharia (Islamic law) inform the civil, commercial, and criminal codes. While the law allows women to be judges, there were no practicing female judges. Civilian or military courts try all cases.

Trial Procedures

The law provides for the right to a fair trial and stipulates the presumption of innocence. The government did not provide language interpretation for non-Arabic speakers. 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, and the judiciary generally enforced this right. While the vast majority of legal proceedings were open to the public, freedom of expression trials and cases involving insulting the sultan were sometimes closed. There was no trial by jury.

Defendants have the right to consult with an attorney in a timely manner and to be present, present evidence, and confront witnesses at their trials. 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 have one opportunity to appeal a jail sentence longer than three months and fines of more than 480 rials (\$1,250) to the appellate and supreme courts. The judiciary enforced these rights for all citizens.

Political Prisoners and Detainees

In January the appellate courts affirmed the 2012 convictions of 32 individuals for seditious assembly and insulting the sultan, including posting comments on social media websites and participating in peaceful demonstrations in which they either directly or indirectly criticized the government. They received prison sentences of three to 18 months and fines of 200 to 1,000 rials (\$520 to \$2,600). In March the sultan pardoned all 32 individuals before the cases were litigated to the highest level.

Civil Judicial Procedures and Remedies

Civil laws govern civil cases. Citizens and foreign residents were able to file cases, including lawsuits seeking damages for human rights violations, but none were filed during the year. The judiciary was generally independent and impartial, and police enforced court orders effectively for all persons. The Administrative 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 for alternative dispute resolution. The ministry 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 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 phone, 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 countries, whom citizens may marry without restriction; permission was not automatically granted. 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. It also may result in a bar from government employment and a fine of 2,000 rials (\$5,200).

Section 2. Respect for Civil Liberties

a. Freedom of Speech and Press

The law provides for limited freedom of speech and press, but authorities did not respect these rights. Journalists and writers exercised self-censorship.

Freedom of Speech: The law prohibits criticism of the sultan in any form or medium as well as the following: “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.” Therefore, it is illegal to insult any public official or private citizen, and authorities sometimes prosecuted individuals for writing about the sultan. In February the international press reported that 21 individuals accused of insulting the sultan started a hunger strike to protest their detention. Authorities took the 21 individuals to a local hospital and gave them fluids. The hunger strike concluded on February 24 when the Supreme Court set a date for their trial on March 4 and March 11. In March all individuals charged with insulting the sultan received a pardon.

Press Freedoms: The media generally does not operate freely. Authorities tolerated limited criticism regarding domestic and foreign affairs in privately owned newspapers and magazines, although editorials generally were consistent with the government’s views. The government and privately owned radio and television stations did not generally broadcast sensitive political material. For the first time, Reuters placed a permanent correspondent in the country, representing the only international media presence.

In September a privately owned English weekly published an article titled “The Outsiders” about the country’s lesbian, gay, bisexual, and transgender (LGBT) community. The newspaper was suspended for a week by order of the Ministry of Information, and authorities charged the author and editor of the newspaper with violating the Press and Publication Laws because of the topic of the article. The paper issued a public apology on its internet site, removed the internet version of the article from its website, and did not publish for one week at the insistence of the ministry.

Violence and Harassment: There were isolated instances where authorities harassed journalists during the year. On January 14, the Front Line Defenders website claimed the police arbitrarily arrested Said Jaddad, a blogger, and held him for eight days in solitary confinement on charges including “calling for demonstrations” and “heaping discredit on state officials.” Authorities reportedly released him on bail at the end of June, banned him from publishing in national media, and pressured him to sign a statement to cease proreform and human rights activities. Throughout July Jaddad reported authorities repeatedly harassed and interrogated him. On July 3, authorities reportedly surrounded his property and threatened to demolish his house. Authorities held him for one night on charges of “resisting the authorities.” On July 21, the Public Prosecution Office interrogated Jaddad in connection with his January arrest, but under charges of “undermining the status and prestige of the state.” Authorities released him on bail.

Censorship or Content Restrictions: Headlines in both public and private media print outlets were subject to an official, nontransparent review and approval process before publication. Journalists and writers exercised self-censorship.

Libel Laws/National Security: The government used libel laws and national security concerns as grounds to suppress criticism of government figures and politically objectionable views. Libel was a criminal offense, which allows for a heavy fine and prison sentence. The government also prohibited publication of any material that “violated the security of the state.”

Publishing Restrictions: The law permits the Ministry of Information to review all media products and books produced within or imported into the country. The ministry occasionally prohibited or censored material from domestic and imported publications viewed as politically, culturally, or sexually offensive. Some books were not permitted in the country. There were no major publishing houses in the country, and publication of books remained limited.

Internet Freedom

The law restricts free speech exercised via the internet, and the government enforced the restrictions. The government's national telecommunications company and private service providers 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. The internet was widely used by citizens.

Authorities monitored the activities of telecommunications service providers and obliged them to block access to numerous websites considered pornographic, or culturally or politically sensitive. The criteria for blocking access to internet sites were not transparent or consistent. Authorities sometimes blocked blogs. All video-chat technologies, such as Skype, are illegal and blocked, possibly because they compete with local telecommunications services. Authorities also blocked some websites used to circumvent censorship, such as virtual private networks.

The Cyber Crime law details crimes that take place on the internet that "might prejudice public order or religious values" and specifies a penalty of between one month and a year in prison and fines of not less than 1,000 rials (\$2,600). Authorities also applied the law against bloggers and social media users who insult the sultan. Authorities upheld convictions against at least 20 activists for insulting the sultan under the Cyber Crime law. These individuals received prison sentences of six months (18 months when combined with charges of slandering the sultan) and fines of 1,000 rials (\$2,600). Like others charged with insulting the sultan, they received a pardon from the sultan in March.

The government placed warnings on websites 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.

Website 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 blog postings.

Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events. Academics largely practiced self-censorship. Colleges and universities were required to have permission from the Ministry of Foreign Affairs and the Ministry of Higher

Education before meeting with foreign missions or accepting money for programs or speakers.

The government censored publicly shown films, primarily for sexual content and nudity. The government restricted the ability of bands to perform in public or private venues, with a ban on any band having more than three members. Dancing in restaurants and entertainment venues was also forbidden without a permit.

On March 7 and 8, hundreds of men staged an unsanctioned protest outside the Royal Opera House in response to a controversial performance. On March 8, the protests turned violent, and police broke up the protest with force and took 49 protesters to jail. Authorities released the 49 individuals two days later after they signed pledges agreeing to never again stage protests anywhere in the country.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for limited freedom of assembly, and the government restricted this right. Government approval was necessary for all public gatherings with more than nine persons present, although there was no clear process for obtaining approval for public demonstrations. Authorities enforced this requirement sporadically.

In 2012 police detained 30 persons for an illegal protest outside the office of the Public Prosecution in Muscat. Authorities charged and convicted the protesters who were demonstrating support for individuals arrested on charges of insulting the sultan and illegal assembly. They were among those pardoned by the sultan in March.

Freedom of Association

The law provides for freedom of association “for legitimate objectives and in a proper manner,” but the law does not clearly define “legitimate objective.” Examples of associations include labor unions and social groups for expatriate nationalities, such as the Indian Social Group. The council of ministers limited freedom of association in practice by prohibiting associations whose activities were deemed “inimical to the social order” or otherwise not appropriate. Associations must register with the Ministry of Social Development, which approves all associations’ bylaws and determines whether or not a group serves the

interest of the country. The average time required to register an association ranged from two months to two years. Approval time varied based on the level of preparedness of the applying organization and the subject matter of the organization, as well its leadership and focus of the organization's mission. The approval time 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. For example, the Indian Social Group had many different subcommittees based on their language and geography.

No association may receive funding from an international group or foreign government without government approval. Individuals convicted of accepting foreign funding for an association may receive up to six months in jail and a fine of 500 rials (\$1,300). 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 representatives. The Ministry of Foreign Affairs was robust in its enforcement of this law, putting an effective stop to all foreign funding of educational and public diplomacy programs conducted by foreign missions pending a government-wide "review."

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/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. The Office of the UN High Commissioner for Refugees visited the country in November, but it did not maintain an office or personnel in the country.

In-country Movement: There were no official government restrictions on internal travel for any citizen. The government must approve official travel by foreign diplomats to the Dhofar and Musandam regions.

Foreign Travel: Foreigners must obtain an exit visa from their employer prior to leaving the country. Exit visas may be denied when there is a dispute over payment or work remaining, leaving the foreign citizen in country without recourse except for local courts. Courts provided recourse to workers being denied exit visas, but the process was opaque and inefficient.

Protection of Refugees

Access to Asylum: The country is not a signatory to the 1951 Convention Relating to the Status of Refugees. The laws provide for the granting of asylum or refuge for displaced persons, and the government has established a system for providing protection. The ROP reportedly granted asylum and accepted displaced persons for resettlement during the year. The ROP's system for granting asylum and resettlement is not transparent, and the law does not specify a time frame in which the ROP must adjudicate an asylum application.

Refoulement: In practical terms 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 presumed economic migrants from Somalia, Yemen, Ethiopia, and Eritrea 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. Authorities generally detained these persons in centers in Salalah or the northern port city of Sohar, where they were held an average of one month before deportation to their countries of origin.

Access to Basic Services: Without an official sponsor, it was difficult for economic migrants to have access to basic services. Many applied to their embassies for repatriation. Some asylum seekers developed strong relationships within their community that informally provided for them while they sought new employment.

Temporary Protection: Embassies and ethnic or language community welfare groups provided temporary protections.

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 other security forces, all citizens 21 years old and older have the right to vote for candidates for the Consultative Council and the provincial councils.

Elections and Political Participation

Recent Elections: In December 2012 approximately 546,000 citizens participated in the country's first elections for provincial councils. Of the more than 1,600 candidates running for 192 seats, 48 were women. Electoral commissions reviewed potential candidates against a set of objective educational and character criteria (at least a high school education and no criminal history or mental illness) before they allowed candidates' names on the ballot. The Ministry of Interior administered and closely monitored campaign materials and events. There were no notable or widespread allegations of fraud or improper government interference in the voting process. The government did not allow independent monitoring of the elections. Approximately 50 individuals were disqualified from running for election for unclear reasons, although some individuals claimed it was due to past participation in protest activity.

Political Parties: The law does not allow political parties, and citizens did not attempt to form any.

Participation of Women and Minorities: During the December 2012 elections, voters elected four women as representatives on provincial councils. Forty-eight women ran among an estimated 1,600 candidates for 192 representative spots across 11 provincial councils. The sultan appointed 15 women to the 93-member State Council and two women, the ministers of education and of higher education, to the 29-member Council of Ministers.

Section 4. Corruption and Lack of Transparency in Government

Corruption: The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were reports of government corruption during the year, including in the police, ministries, and state-owned companies. The head of a prominent state-owned company and other prominent businessmen were detained in August for alleged corruption. At year's end they reportedly had not been charged and reportedly some continued to be detained. Authorities released others but prohibited them from leaving the country.

In 2012 a court convicted a high-ranking ROP member of accepting bribes and misappropriating public funds, sentencing him to three years in prison and a fine of more than 90,000 rials (\$233,000). In August authorities referred several working-level employees of the Ministry of Housing to the Public Prosecution for their alleged involvement in a land scandal near Duqm.

Whistleblower Protection: The law does not provide protection to public and private employees who make internal disclosures or lawful public disclosures of evidence of illegality.

Financial Disclosure: In 2012 public officials became subject to financial disclosure laws. When selected for disclosure, officials are required to list their finances, business interests, and property, as well as that of their spouses and children. These records are made public, and there are fines associated with noncompliance. It is monitored by the State Audit Authority.

Public Access to Information: The law does not provide for public access to government information, although the government published all royal decrees and ministerial decisions.

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

No registered or fully autonomous domestic human rights organizations existed. There were civil society groups that advocated for persons protected under human rights conventions, particularly women and the disabled. These groups were required to register with the Ministry of Social Development.

The government did not support international or domestic human rights organizations operating in the country.

Government Human Rights Bodies: The NHRC, a government-funded commission made up of members from the public, private, and academic sectors, reported on human rights to the sultan via the State Council. It continued investigating 40 human rights complaints it received during the year. The NHRC also conducted prison visits and continued a community and school outreach program to discuss human rights with students.

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 selectively enforced prohibitions on most bases of discrimination but did not do so for discrimination against women.

Women

Rape and Domestic Violence: The law criminalizes rape with penalties of up to 15 years in prison but does not criminalize spousal rape. The government generally enforced the law when individuals reported cases, but there were indications that many victims did not report rape due to cultural and societal factors. In addition there were cases where judges allegedly offered the offender a lighter sentence if he offered to marry the victim. In 2010, the most recent year for which statistics were available, the police charged 227 individuals with rape or attempted rape. Foreign nationals working as domestic employees occasionally reported that their sponsors or employees of labor recruitment agencies had raped them. According to diplomatic observers, police investigations resulted in few rape convictions.

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 reportedly were common. Victims of domestic violence may file a complaint with police, and reports suggested that police responded promptly and professionally. Domestic violence was more prominently discussed in the media than in past years.

Harmful Traditional Practices: There were no reports of honor killings; however, a number of women were reportedly subjected to mistreatment due to behavior deemed “inappropriate.”

Sexual Harassment: The law does not specifically prohibit sexual harassment.

Reproductive Rights: The government recognized the basic right of married couples to decide freely and responsibly the number, spacing, and timing of their children. Health clinics operated freely in disseminating information on family planning under the guidance of the Ministry of Health. There were no legal restrictions on the right to access contraceptives for unmarried individuals. The government provided free childbirth services to citizens within the framework of universal health care. Prenatal and postnatal care was readily available and used. Men and women received equal access to diagnosis and treatment for sexually

transmitted infections, including HIV/AIDS; however, social taboos prevented individuals from seeking treatment.

Discrimination: The law prohibits gender-based discrimination against citizens. Economic studies conducted by the World Economic Forum from 2012, however, showed that women earned 75 percent less than men and that their unemployment rate was at least twice as high. Aspects of Islamic law and tradition as interpreted in the country discriminated against women, as did some social and legal institutions. In some personal status cases, such as divorce, a woman's testimony is equal to half of a man's. The legal provision that allows men to divorce their wives with the signature of two witnesses is not accorded to women. 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. In terms of marriage, a woman's consent is not required to legalize a marriage. Men can marry a second wife without informing their first wife.

The law provides citizenship at birth if the father is a citizen, if the mother is a citizen and the father is unknown, or if a child of unknown parents is found in the country. The law provides that an adult may become a citizen by applying for citizenship and subsequently residing legally in the country for 20 years or 10 years if married to a male citizen. During that time an applicant cannot reside more than one month of each year outside the country. A person seeking naturalization is expected first to give up any previous citizenship.

Women are not allowed to transmit citizenship to their spouses or children. Observers reported a few isolated cases of children without documentation as the result of a marriage between an Omani woman and a non-Omani man. These children are not eligible for citizenship.

Women may own property, but it was unknown what percentage of women actually owned property. The law equalizes the treatment of men and women in receiving free government land for housing.

Government policy provided women with equal opportunities for education, and this policy effectively eliminated the previous gender gap in education attainment. Although some educated women held positions of authority in government, business, and the media, many women faced job discrimination based on cultural norms. The law entitles women to gender-related protections in the workplace such as the right to paid maternity leave and equal pay for equal work. The

government, the largest employer of women, observed such regulations, as did many private sector employers. According to the World Economic Forum, only 27 percent of women participated in the work force.

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 Associations 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, which met during the year.

Children

Birth Registration: Citizenship is derived from the father. Women married to noncitizens may not transmit citizenship to their children, and there were a few reported cases of stateless children based on this law. Children of unknown parents are automatically eligible for citizenship. Government employees raised abandoned children in an orphanage. Such children receive free education through the university level and a job following graduation. Citizen marriage to a foreigner abroad without ministry approval may preclude children from claiming citizenship rights (see section 1.f.).

Education: Primary school education for citizen children was free and universal but not compulsory.

Child Abuse: According to a domestic media report in 2012 citing the Ministry of Health, approximately 20 cases of sexual abuse against children are recorded each year. The report also noted that sexual abuse most commonly involved children of both sexes between the ages of six to 12 and was committed by close relatives or friends of the family. There was a heavy social stigma against reporting child abuse.

Forced and Early Marriage: The age of legal marriage for men and women is 18 years old, although a judge may permit a person to marry younger when the judge or family deemed the marriage was in the minor's interest. Child marriage occurred.

Harmful Traditional Practices: Although the government prohibits female genital mutilation/cutting (FGM/C) in public hospitals and clinics, there is no law prohibiting private practitioners from performing the procedure. According to

press reports, a 2010 Ministry of Health study on FGM/C found that men and women across all ages broadly accepted the practice, especially in rural areas, where it was reported to be a common occurrence. In the southern Dhofar region, FGM/C is reportedly performed on newborns and involves a partial or total clitoridectomy (Type I as defined by the World Health Organization). Throughout the rest of the country, FGM/C usually consists of a minor cut made on the clitoris (Type IV). According to sources persons with no medical training usually carried out the practice in unhygienic conditions.

Sexual Exploitation of Children: Commercial sexual exploitation of children and child pornography are punishable by no less than five years' imprisonment. All sex outside of marriage was illegal, but sex with a minor under 15 years old carried a heavier penalty (up to 15 years' imprisonment). Authorities do not charge minors. The country is not a destination for child sex tourism, and child prostitution was rare. Soliciting a child for prostitution is prohibited.

International Child Abductions: Oman is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

There was no local Jewish population, and there were limited reports of anti-Semitic acts or public statements by community or national leaders vilifying Jews. In March a local, privately owned newspaper, *The Times of Oman*, published an editorial that made mendacious allegations about Jews and denied the Holocaust.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law provides persons with disabilities, including physical, sensory, intellectual, and mental disabilities, the same rights as other citizens in employment, education, access to health care, and the provision of other state services. Persons with disabilities, however, continued to face discrimination. The law mandates access to buildings for persons with disabilities, but many older buildings, including government buildings and schools, did not conform to the law. The law also requires private enterprises employing more than 50 persons to

reserve at least 2 percent of positions for persons with disabilities. Authorities did not widely enforce this regulation.

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. The government provided alternative education opportunities for more than 500 children with disabilities, including overseas schooling when appropriate; this was largely due to lack of capacity within the country. Additionally, the Ministry of Education 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. There were many active civil society groups raising awareness of the experiences and needs of those with disabilities.

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

LGBT persons faced discrimination under the law and in practice. Social norms reinforced discrimination against LGBT persons. The penal code criminalizes consensual same-sex sexual conduct with a jail term of six months to three years. There were no reports of prosecutions during the year, although nine prosecutions for sodomy occurred in 2009, the most recent year for which statistics were available.

The discussion of sexual orientation and gender identity in any context remained a social taboo, and authorities took steps to block LGBT-related internet content. Observers believed that social stigma and intimidation prevented LGBT persons from reporting incidents of violence or abuse. In August the privately owned English newspaper *The Week* published an article on the country's LGBT population that praised the country for its tolerance. The public and government officials, including representatives of the Majlis al-Shura, criticized the article. The author and editor of the newspaper faced criminal charges. The case was pending at year's end; however, the editor was not permitted to leave the country. In September *The Week* printed an apology across the newspaper's entire front page noting "there was never any intention to knowingly or unknowingly cause harm, offend, or hurt the sentiments of the people with our article." The Ministry of Information forbade the publication of *The Week* for one week, following the LGBT edition.

Due to social conventions and potential persecution, there were no known LGBT organizations. There were no gay pride marches or gay rights advocacy events. Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. There were no government efforts to address potential discrimination.

Other Societal Violence or Discrimination

There were no reports of societal violence against persons with HIV/AIDS. Foreigners seeking residence in the country are tested for HIV/AIDS; they are denied a visa if they are HIV positive.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers to form and join unions, as well as the right to conduct legal strikes and bargain collectively, but with significant restrictions. The law provides for one general federation, to which all unions must affiliate, and which represents unions in regional and international fora. In August a sector union was also established for the oil and gas sector. Workers have the right to strike, but the law imposes significant restrictions. The law requires an absolute majority of an enterprise's employees to approve a strike, and notice must be given to employers three weeks in advance of the intended strike date. The law allows for collective bargaining; regulations require employers to engage in collective bargaining on the terms and conditions of employment, including wages and hours of work. Where there is no trade union, collective bargaining may take place between the employer and five representatives selected by workers. The employer may not reject any of the representatives selected. While negotiation is underway, the employer may not act on decisions related to issues under discussion. The law prohibits employers from firing or imposing penalties on employees for union activity, although it does not require reinstatement for workers fired for union activity.

Unions are open to all legal workers regardless of nationality. The law prohibits members of the armed forces, other public security institutions, government employees, and domestic workers from forming or joining unions.

The law prohibits unions from accepting grants or financial assistance from any source without the ministry's prior approval. By law unions must notify the government at least one month in advance of union meetings.

The government generally enforced applicable laws effectively. The government did not enforce the requirements for advance notice of strikes and union meetings. The government provided an alternative dispute resolution mechanism through the Ministry of Manpower, which acted as mediator between the employer and employee for minor disputes such as disagreement over wages. If not resolved to the employee's satisfaction, the employee could, and often did, resort to the courts for relief. The country lacked dedicated labor courts, and observers noted the mandatory grievance procedures were confusing to many workers, especially foreign workers.

Freedom of association in union matters and the right to collective bargaining were respected in practice. Labor unions exercised increasing independence from government, although the government paid the salaries and office expenses of federation leadership.

Strikes occurred frequently and were generally resolved quickly, sometimes through government mediation.

From October 1 to 27, nonunionized teachers throughout the country held a strike, which was the longest illegal strike on record; 35,000 teachers participated in the strike at its height at the beginning of the month, shuttering the majority of the country's public schools. The strike concluded with elementary and secondary school teachers returning to work and all public schools reopening after more than three weeks. The teachers' demands were not met, and those who continued the strike, contravening domestic laws prohibiting public sector workers from striking, may face legal action by the Public Prosecution. Authorities arrested and jailed one school administrator. Despite the failure of the strike to achieve the teachers' concrete objectives, they made steps towards organization.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forced or compulsory labor, and the government took steps to prevent or eliminate forced labor during the year. All police underwent training in how to identify victims of trafficking in persons to help them identify cases of forced or compulsory labor.

Conditions indicative of forced labor occurred. Under the law all foreign workers must be sponsored by a citizen employer or accredited diplomatic mission. Some men and women from South and Southeast Asia, employed as domestic workers or low-skilled workers in the construction, agriculture, and service sectors, faced working conditions indicative of forced labor, including withholding of passports, restrictions on movement, nonpayment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Sponsorship requirements left workers vulnerable to exploitative conditions, as it was difficult for an employee to change sponsors. For example, some employers of domestic workers, contrary to law, withheld passports and other documents, complicating workers' release from unfavorable contracts and preventing workers' departure after their work contracts expired. In some cases employers demanded exorbitant release fees totaling as much as 600 rials (\$1,560) before allowing workers to change employers. Foreigners could not change jobs without obtaining sponsorship from a new employer, subsequently restricting their ability to relocate within the country.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15, or 18 for certain hazardous occupations; however, the government has delayed the publication of a list of prohibited hazardous occupations for several years. Children between the ages of 15 and 18 may work only 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 specific penalties are proscribed in the law for the unlawful employment of juveniles.

The Ministry of Manpower and ROP were responsible for enforcing laws with respect to child labor. The law provides for warnings for minor violations and immediate legal action for significant violations. Employers are given time to correct practices that may be deemed child labor.

In 2012 there were no advancements in efforts to eliminate the worst forms of child labor, specifically in the agricultural sector. Education is not compulsory, which puts children at risk of the worst forms of child labor. Although the problem did not appear to be widespread, there were limited reports that some children were engaged in the worst forms of child labor, especially in the agricultural sector.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

In July the minimum wage for citizens became 325 rials (\$845) per month. Minimum wage regulations do 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, or some categories of manual laborers. The minimum wage does not apply to noncitizens.

The private sector workweek is 45 hours and includes a two-day rest period following five consecutive days of work. Government workers have a 35-hour workweek. The law mandates overtime pay for hours in excess of 45 per week.

The government sets occupational health and safety standards. The law states an employee may leave dangerous work conditions 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.

Neither wage and hour nor occupational safety and health regulations apply to domestic workers.

The Ministry of Manpower is responsible for enforcing labor laws, and it employed approximately 160 inspectors. It generally enforced the law effectively with respect to citizens; however, it did not effectively enforce regulations regarding hours of employment and working conditions for foreign workers.

Labor inspectors performed random checks of worksites to ensure compliance with all labor laws and have arrest authority for the most egregious violations. Approximately 180 inspectors from the Department of Health and Safety of the Labor Care Directorate generally enforced the health and safety codes and made regular on-site inspections to private sector worksites as required by law.

The ministry effectively enforced the minimum wage for citizens. In wage cases the Ministry of Manpower 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, although they rarely used the courts to seek redress. The ministry was generally effective in cases regarding minor labor disputes; however, it did not refer any egregious violations to the courts during the year.

The government made little effort during the year to prevent violations or improve wages and working conditions, which disproportionately affected foreign workers.

Foreign workers were vulnerable to poor, dangerous, or exploitative working conditions. There were reports that migrant laborers in some firms and households worked more than 12 hours a day for below-market wages. Employers often cancelled the employment contracts of seriously sick or injured foreign workers, forcing them to return to their countries of origin or remain in the country illegally.

There are no maximum work hour limits for domestic workers nor any mandatory rest periods, although the contract between the employer and worker can specify such requirements. There were frequent reports that domestic workers were subject to overwork with inadequate rest periods. 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, however, are small, ranging from approximately 10 to 100 rials (\$26 to \$260), multiplying per occurrence per worker and doubled upon recurrence. Some domestic workers were subjected to abusive conditions.

There was little data available on workplace fatalities or safety.