



Oman's Third Universal Periodic Review

SUBMISSION BY OMAN HUMAN RIGHTS
COMMISSION – February 2021



The Oman Human Rights Commission (OHRC) was established as per the Royal Decree No. (124/2008). Fourteen Commissioners were appointed for the first term by the Royal Decree No. (10/ 2010) representing various entities from the government and civil society. The term tenure is for three years and may be renewed for the same period. The same number of commissioners was appointed for the second term in 2013, third term in 2016, and fourth term in 2019.

The Commission is accredited as a 'B status' under the Paris Principles and is recognized as active representative within the National Human Rights & Institutions Sections at the Office of the High Commissioner for Human Rights at the United Nations (OHCHR).

The OHRC monitors human rights matters of citizens and residents in the Sultanate as well as human rights issues of citizens abroad, and submits annual reports of its activities, observations and recommendations to His Majesty the Sultan. Human rights complaints are now received via various channels in addition to personal attendance at the OHRC office. These channels include 24/7 toll-free number: 1970, online complaints registration system through OHRC's website, and a WhatsApp number on: +968 72221966.

The OHRC participates in reporting human rights status in Oman by submitting reports to the various human rights mechanisms. Additionally, the OHRC provides input on various queries raised by the Special Procedures encompassing multitude of human rights matters to contribute to the understanding of human rights issues in Oman. OHRC formulates an annual robust awareness plan which strives to disseminate the culture of human rights in the society by distributing publications, including short awareness films, targeting various segments of the society such as children, women, expatriate workers, persons with disabilities, and the elderly. OHRC conducts regular lectures and workshops in schools and colleges regarding various human rights subjects, and implements national educational and awareness campaigns.



More information about the OHRC's activities can be found on the website:
www.ohrc.om.

Contact:

Organizations and International Relations Department
Oman Human Rights Commission
nhrc.om.intl@gmail.com or shadha.zadjali@ohrc.om



Introduction

1. OHRC had submitted its parallel report to the Human Rights Council (HRC) in the second cycle of the Universal Periodic Review (UPR) in 2015 where Human Rights situation in Oman was reviewed and resulted in 233 recommendations from which 169 were fully and partly accepted, 28 were noted, and 36 were rejected.
2. Progressive steps were undertaken by the government in order to implement the accepted UPR recommendations despite facing many obstacles such as a challenging economic situation due to the low oil prices.
3. This report will focus on the steps that the government has taken since its last UPR towards improving human rights situation in the Sultanate, and the challenges it faced throughout the process. Accepted recommendations from UPR 2015, as well as OHRC's recommendations related to human right issues discussed within this report will be referred to in the paragraphs below. In addition, general recommendations are included in order to further promote and protect human rights in the country.
4. OHRC noticed that the drafting of this UPR report coincided with the new term of the State Council members' appointment (2019-2023) and Al Shura Council elections. **In relation to the UPR recommendation No. (129.184)**, the government appointed (15) women in the State Council which recorded the highest number of women representations in the Council so far and reflects the government's role in empowering Omani women to hold senior political positions. The government has also encouraged and supported women candidates in Al Shura Council elections which resulted in the presence of (2) women in the current term. OHRC monitored the procedure of the Shura Council elections that was conducted transparently in all governorates through the newly launched electronic system in order to ensure all citizens the right to vote from within the country and/or abroad.



5. In January 2020, the Sultanate and the international community have witnessed a smooth and transparent transition of power when His Majesty Sultan Haitham Bin Tariq Al Said was appointed as the successor of late Sultan Qaboos bin Said. The transition was locally and globally perceived as a significant indicator of the maturity and awareness of the people of Oman, and their readiness to continue the success story of the Omani Renaissance and face future challenges.
6. The government issued a number of Royal decrees on 7 April 2020 stipulating the Sultanate's official agreement to accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Royal Decree No. 44/2020), the Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (Royal Decree No. 45/2020), and the International Covenant on Economic, Social, and Cultural Rights (Royal Decree No. 46/2020). These royal decrees are significant indicators of the Sultanate's relentless pursuit to improve the situation of human rights.

Methodology

7. In 2016, OHRC prepared a five-year plan that comprised of three stages to follow up the implementation of UPR recommendations. The first stage covered years 2016-2017 and focused on the classification and dissemination of the recommendations to the public, and private sectors, as well as the civil society institutions. The second stage covered years 2018-2019 and focused on following up the steps taken by the government in relation to the accepted UPR recommendations through visits, meetings, and official correspondences to request information. The third stage covered years 2019- 2020 and aimed to:



- a) Gather information from civil society associations such as Omani Women Association, Child First Association, Omani Association of the Disabled, the General Federation of Oman Trade Unions, and the Omani Journalists Association, in order to identify the challenges facing these associations on the ground, and their recommendations in this regard.
 - b) Preparing the first draft of OHRC's submission to the UPR. OHRC held several workshops during 2019-2020 on Human trafficking, Sustainable Development Goals, and drafting shadow reports. OHRC also continued to conduct visits and consultations with governmental entities, judicial bodies, and civil society organizations to obtain information about current human rights situations.
8. In April 2019, a workshop titled "Combatting Human Trafficking (Concept and Practice)" was held in cooperation with the National Committee for Combatting Human Trafficking. The participants included officials from the Public Prosecution, Royal Oman Police, the Ministry of Social Development, the Ministry of Manpower, and Al Shura Council. The subjects raised included: The specific roles of the Royal Oman Police, Public Prosecution and Oman Human Rights Commission when dealing with possible human trafficking cases, the practical considerations to identify human trafficking victims, and the national facilities of victim assistance; roles, resources, and challenges.
 9. From May to October 2019, OHRC conducted visits to the Central Prison, Juvenile Guidance Center, Social Care Home for the Elderly, and Al Masarrah Psychiatric Hospital. The aim of the visits was to observe the facilities and discuss views with regard to enhancing the services provided.
 10. In October 2019, OHRC conducted a workshop titled "Sustainable Development Goals and Human Rights (Partnership and Implementation)"



in cooperation with the OHCHR Middle East Regional Office to discuss the role of national entities in achieving the SDGs through the development of national database that links SDGs with human rights.

11. In March 2020, OHRC also conducted a workshop titled “Drafting Shadow Reports” in cooperation with United Nations Population Fund (UNFPA). The workshop was primarily for participants from OHRC with the purpose to enhance their report drafting skills and to guide them through the process of drafting shadow reports in accordance with the methodology adopted in the UN.
12. Early 2020, the OHRC continued communicating with civil society associations representing women, children, persons with disabilities, labors, and journalists to obtain their latest inputs and the general developments on the ground with regard the human rights matters as per the recommendations of UPR 2015.



Promotion and Protection of Human Rights and Implementation Status as per the accepted UPR Recommendations in 2015:

Human Rights Conventions:

13. **In relation to the UPR recommendations No. (129.1-2)**, OHRC appreciates the steps taken by the government towards the agreement to accede to three fundamental conventions including the International Convention for the Protection of All Persons from Enforced Disappearance¹, the Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment², and the International Covenant on Economic, Social, and Cultural Rights³.

OHRC Commends the government's efforts to accede to the above-mentioned international conventions and encourages the accession to the Convention against Discrimination in Education as the national laws and policies regarding education in Oman are compatible with the provisions therein.

Reservations:

14. **In relation to the UPR recommendations No. (129.36-38)** regarding the government withdrawal of its reservation to paragraph 4 of Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Royal Decree No. (3/2019) stipulated the Sultanate's official withdrawal of the reservation.

OHRC commends the steps taken by the government towards promoting and protecting women rights in the Sultanate.

Cooperation with Human Rights Mechanisms of the United Nations:

¹ In relation to the UPR recommendation No. (129.42).

² In relation to the UPR recommendations No. (129.27-34).

³ In relation to the UPR recommendations No. (129.3, 16-26).



15. The government is committed to submit its national reports to human rights mechanisms of the United Nations as per the periodic requirements. OHRC is a member in the national committees for following up the implementation of the CEDAW and CRC as per ministerial decisions No. (348/2005) and (127/2014) respectively. OHRC is also a member in the national work team of CRPD and CERD as per decisions from the Ministry of Social Development and the Ministry of Foreign Affairs.

In relation to the UPR mechanism, OHRC appreciates the government's efforts to include its representative in the national committee for drafting the UPR national report of 2020.

16. The government submitted its first voluntary report of Sustainable Developments Goals (SDGs) which articulated that 13 out of 17 goals were achieved, and 4 are towards achievement. **Regarding the UPR recommendations No. (129.109-110, 116-117, 224)**, the government worked on incorporating SDGs in the developmental strategies such as the 9th Five-year Development Plan (2016-2020), Oman Vision 2040, the Social Work Strategy (2016-2025), the National Strategy of Childhood (2016-2025), Women Health Strategy, Sustainable Agriculture and Rural Development Strategy 2040, and the National Strategy of Education 2040.

OHRC commends the efforts taken by the government toward achieving SDGs as per the 2030 agenda and recommends incorporating human rights indicators within those of the SDGs.

Women Rights:



17. **In relation to the UPR recommendation No. (129.76)**, and as a result of OHRC consultations with the concerned stakeholders, a Ministerial Decision from the Ministry of Education in 2019, stipulated the exemption of children of Omani women who are married to non-Omanis from paying registration fees in public schools. In addition, the government provides free healthcare services for the children of Omani women who are married to non-Omanis, as per article (4) of the Healthcare Services Fees Regulation that was issued as per the Ministerial Decision No. (55/2009) which includes the categories entitled for free healthcare services.

In relation to the UPR recommendations No. (129.71-72), OHRC confirms the importance of facilitating all matters related to the children of Omani women who are married to non-Omanis. OHRC encourages the government to review the Foreigners Residency Law with regard to the situation of Omani women who are married to non-Omanis and particularly in relation to granting the Omani woman who are married to non-Omani the right to sponsor her husband’s residency in order to ensure “family stability” as per article (12) of the Basic Statute of the State.

18. The Basic Statute of the State ensured equality for all with regard to rights and responsibilities. No discrimination against women was observed during the procedures of recruiting national employees in governmental and non-governmental sectors. Omani women have held leading positions and continue to play fundamental role in the national development. HM Sultan Haitham bin Tariq confirmed in a speech on 23 February 2020 that promoting and protecting women rights and women’s partnership with men in all rights and responsibilities on equal basis are of utmost priority. The government implemented several programs to empower women politically and economically through the cooperation with civil society associations concerning women matters⁴.

⁴ In relation to the UPR recommendations No. (129.65-66, 106, 177-178, 180, 183, 207-208).



19. The new Penal Code that was issued by Royal Decree No. (7/2018) does not address domestic violence explicitly, however, the courts refer to articles (36) and (37) of the Personal Status Law which identifies the rights and responsibilities in a marital relationship. In addition, Oman has already acceded to CEDAW and CRC which their provisions, particularly in relation to domestic violence, an integral part of the national laws as per article (76) of the Basic Statute of the State. On the ground, the Ministry of Social Development includes a Family Development Directorate which provides comprehensive assistance to domestic violence victims through a designated house care named “Dar Al Wifaq”, and operates a toll-free number to report cases of violence.

OHRC commends the efforts exerted by the government toward protecting domestic violence victims. In relation to the UPR recommendations No. (129.80-83), OHRC recommends that the government review the laws and legislations to criminalize any act of violence against women explicitly and particularly domestic violence.

Right to work:

20. According to statistic published by the National Center for Statistics and Information, the rate of job seekers until March 2020 is (2.5%). Also, the government allocates (2%) of jobs to persons with disabilities which are indicated in the announcements of job opportunities.

21. The government stepped up the implementation of the strategy of Omanization in the workforce in order to recruit more national employees of both genders and reduce the rate of unemployment⁵. As a result, the National Center for Employment was established by Royal Decree No.

⁵ In relation to the UPR recommendations No. (129.87, 104-105, 193, 200, 216)



22/2019 and enjoys legal personality and financial and administrative independence. It aims to secure job opportunities for citizens, directs job seekers and ensures their work stability, and creates a detailed database of the workforce in the Sultanate. The Center began its operations in January 2020.

OHRC commends the government for its tangible efforts to promote the right to work and encourages the concerned entities to continue the efforts towards preparing the labor market to accommodate the job seekers and minimize time of unemployment.

Rights of Workers:

22. According to the statistics published by the National Center for Statistics and Information in the first quarter of 2020, the number of expatriate workers reached 1.6 million compared to 1.7 million workers in 2019 including domestic workers.
23. **In relation to the UPR recommendations No. (129.159, 197-198, 201, 204),** the government has taken tangible steps towards the enhancement of the sponsorship system, and the work environment for workers. Workers' rights were significantly protected and promoted through effectively implementing the law of combatting human trafficking and the Labor Law, as well as through follow-up mechanisms such as the National Committee to Combat Human Trafficking. The government stepped up the inspection visits to various sectors' work places to monitor and follow-up their adherence to the provisions of the Labor Law and the policies and decisions issued with regard to promoting and protecting the rights of workers particularly in matters related to regulating the relationship between the workers and their employers to combat all forms of exploitation. Enhancements to the laws and legislations to further protect and promote rights of expatriate workers are expected to be seen in the amended Labor Law and the Domestic Labor Law that will be issued in the near future.



OHRC commends the steps taken by the government in preparing drafts of the Labor Law and a Domestic Labor Law, and recommends to accelerate the issuance of the laws.

In relation to the UPR recommendations No. (129.46, 49), OHRC commends the Royal Oman Police Decision No. (157/2020) that amends some provisions of the executive regulations of the Foreigners Residency Law. The Amendment stipulates the cancellation of the “Non-Objection Certificate” that is required from the employer in order to transfer the worker’s sponsorship to another employer. The decision will further regulate the relation between workers and their employers under governmental oversight, as well as provide more protection to workers against all forms of arbitrary acts, exploitation and forced labor.

Child Rights:

24. Post issuance of the Child Law in 2014 which provides full protection to all issues related to children including cyber technology crimes, child labor, and corporal punishment, tangible developments are being witnessed regarding the promotion and protection of child rights⁶.

25. **In relation to the UPR recommendation No. (129.84)**, the Ministerial Decision No. (125/2019) issued the executive regulations of the Child Law which sets forth the list of prohibited practices that are harmful to the child’s health including female genital mutilation by any means (Article 4 – paragraph 1). Article (10) of the same regulations also indicates to the prohibition of child labor for children under 15 years old. Ministerial Decision No. (234/2017) issued regulations regarding students’ affairs in public schools which included a number of measures that protect students

⁶ In relation to the UPR recommendations No. (129.64, 86, 89, 108, 109, 141, 143, 232).



from corporal punishment.

26. Article (7) of the Child Law in Oman stipulates the child's right to be protected from abuse which includes forms of neglect, as per the definition of abuse stated therein. However, OHRC monitored in the recent years recurring incidents where children were subject to acts of neglect which resulted in unfortunate consequences.

OHRC commends the government for the steps taken to protect and promote child rights, however, the government is encouraged to implement a robust national awareness plan and take additional deterrent measures to combat child neglect incidents.

Rights of Persons with Disabilities:

27. According to 2017 statistics⁷, the total number of persons with disabilities who are registered in the Disabled Person Card system is 34365 persons. However, only 23657 persons with disabilities benefited from the Social Security system in the same year.

In relation to the UPR recommendation No. (129.221), OHRC commends the government for issuing the regulation of the Social Solidarity Fund that supports the services provided for persons with disabilities, as per Ministerial Decision No. (95/2018) of the Ministry of Social Development.

OHRC recommends that the government conducts studies that aim to investigate the inconsistency of the numbers registered with the disability card and those benefiting from the Social Security System. Additionally, a national awareness program is required to promote the services and facilities provided by the government for this segment of the society.

⁷ Community Statistics Series 2018, Persons with Disabilities, National Center for Statistics and Information.



28. In relation to the UPR recommendation No. (129.223), there are 31 governmental rehabilitation centers including the Vocational Rehabilitation and Evaluation Center, Al Aman Rehabilitation Center, and Al Wafa Centers for Rehabilitation of Disabled Children which are distributed around the Sultanate⁸. In addition, there are 33 non-governmental rehabilitation centers and 8 community rehabilitation centers operated by civil society associations.

OHRC encourages the government to continue establishing specialized rehabilitation centers where needed.

29. In relation to the UPR recommendations No. (129. 210-211, 218, 222, 225), the government exerted tangible efforts towards increasing the number of public schools that implement the integration program for students with disabilities. Statistics show an increase from 119 schools in 2011 to 218 schools in 2018 covering all governorates of the Sultanate with a total number of 1734 of students in 2018 compared to 958 students in 2011 of both genders⁹.

OHRC appreciates the increased number of schools implementing the integration program, and encourages the government to increase the implementation of the integration program for students with disabilities in every area within the Sultanate to more than one school in every governorate in order to accommodate the increasing number of disabled students enrolling in the program every year.

Right to Healthcare:

30. Upon its visits to AL Masarrah Psychiatric Hospital, OHRC commends the services provided for the treatment and rehabilitation of general psychiatric illnesses for adults, children, adolescents and the elderly, as well as forensic

⁸ Ministry of Social Development Official Website, 2019.

⁹ Educational indicators 2011/2012 and 2017/2018, Ministry of Education.



psychiatry illnesses and drug and psychotropic substances addiction.

In relation to the UPR recommendation No. (129.209), OHRC commends the government's efforts to establish specialized units for psychiatry in the referral hospitals of various governorates in the Sultanate to accommodate patients without the need to transfer them to Al Masarrah hospital.

OHRC commends the government for cooperating with the private sector and civil society institutions to establish a National Center for Autism that will commence operations in September 2020.

31. Upon the OHRC's observation of the government's response to Covid 19 outbreak in the Sultanate, effective steps and procedures were implemented from March 2020 to date. The state established a supreme committee tasked with tackling developments resulting from the coronavirus (Covid-19) pandemic with representatives from various vital sectors to ensure that the pandemic is dealt with at a national level, from social, economic, logistical and humanitarian aspects, and in cooperation with all relevant authorities and bodies. The Supreme Committee takes and implements necessary decisions periodically, according to the pandemic status in the Sultanate, to curb the spread of the virus without harming the rights and fundamental freedoms of people. Regarding the right to health care for citizens and residents during the pandemic, the Supreme Committee took several important decisions, summarized as follows:

- Regulate the mechanism of dealing with infected citizens and residents and treating them through organizing procedures of institutional and domestic health quarantine. The number of activated quarantine centers as of the date of writing this report reached (37) centers distributed in all governorates with additional of (36) backup centers to be activated when needed. The Supreme Committee also organizes physical distancing mechanisms in order to protect citizens and residents such as the health isolation of some areas and the limitation on movement and human gatherings.
- Spread awareness about health guidelines and preventive measures to combat the virus on all official media platforms in all languages spoken by



citizens and residents to ensure that the information reaches everyone without exception.

- Provide all the medical supplies needed by healthcare institutions in the Sultanate to deal with the virus and treat infected people as well as supplies needed for preventive measures.
- The Supreme Committee represented by the Ministry of Health has ensured that the effectiveness of the health system in the Sultanate is maintained and unaffected by the efforts to combat the spread of the virus. The Ministry launched virtual clinics to continue providing healthcare services remotely, rescheduled some non-urgent operations of patients as a precaution while continued to carry out necessary and essential operational procedures on patients classified as critical cases. In addition, the Ministry launched a hotline to receive queries from women of reproductive age, pregnant women and breastfeeding mothers to provide clinical advice for cases that do not require personal attendance to the clinics in light of the pandemic. The Ministry has also continued implementing the expanded immunization program (vaccinations) and ensured that it is not affected in light of the efforts made to curb the outbreak of the Corona virus. The Sultanate has maintained a rate exceeding (99%) in the comprehensive evaluation of vaccine management according to the latest statistics from World Health Organization.
- One of the key measures implemented by the Supreme Committee is ensuring that Covid 19 tests and treatment are made available free of charge to all residents regardless of the status of their Visa. This also includes providing institutional quarantine for those who cannot meet the home quarantine conditions.

OHRC commends the steps taken by the government to deal with the pandemic which have contributed greatly in curbing its spread and protecting the rights of citizens and residents particularly the right to healthcare.



Combatting Human Trafficking

32. OHRC observed an increase in number of human trafficking cases identified and investigated from 2016 to 2019. Although the increase was minor, it is still an indicator of the level of awareness of this crime within the society and the concerned law enforcement institutions.

33. **In relation to the UPR recommendations No. (129. 96, 115, 144-145),** OHRC noted that the increase of cases identified was due to a number of effective steps taken by the government such as implementing a national awareness campaign titled “Ehsan” in 2017 to raise awareness about human trafficking crimes and to call upon the society to combat human trafficking. The government also provided extensive anti-trafficking training for law enforcement officials from the public prosecution, police, and labor regulatory entities with the participation of OHRC. An anti-trafficking task force was established in 2018 to accelerate the concerned entities’ response to human trafficking cases and provide prompt assistance and support to human trafficking victims. A specialized unit for anti-trafficking was established in the Public Prosecution as per decision no. (50/2017) to investigate and litigate in human trafficking cases as well as establishing a specialized department for human trafficking cases in the Courts.

OHRC commends the government for the tangible efforts exerted to combat human trafficking and encourages the government to establish a fully-equipped shelter for male human trafficking victims as the existing government-operated shelter can only accommodate female and child victims.



General Recommendations:

1. OHRC confirms the importance of continuing to cooperate with the concerned entities in the government in all matters, plans and programs that aim to raise awareness of human rights in the society.
2. OHRC recommends conducting intensive workshops in cooperation with the OHCHR targeting governmental entities, civil society associations, and law enforcement and justice institutions to discuss the goals and responsibilities emerging from the recent conventions acceded to by the government including the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment, and the International Covenant on Economic, Social, and Cultural Rights.
3. OHRC recommends continuing the implementation of sustainable plans and programs, and promote the mechanisms in this regard to achieve the remaining SDGs.
4. In relation to the decision to allow workers, including domestic workers, to transfer their sponsorship to another employer without the need to obtain a non-objection certificate, OHRC recommends that the government further review and enhance any other laws and legislations related to expatriate workers in order to ensure the full protection of their human and legal rights and responsibilities under their job contracts.
5. OHRC recommends the issuance of a separate law for domestic workers to ensure they enjoy their human rights in accordance with a regulating legal framework.