



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

Summary of Stakeholders' submissions 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 summary of 15 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations² and cooperation with international human rights mechanisms and bodies³

2. A number of stakeholders recommended acceding to major international human rights treaties,⁴ including the ICCPR without reservations,⁵ ICCPR-OP1,⁶ ICCPR-OP2,⁷ OP-CAT,⁸ ICRMW,⁹ OP-ICESCR,¹⁰ and OP-CEDAW.¹¹ CGNK recommended ratifying the Convention on the prevention and punishment of the crime of genocide.¹²

3. AI and JS1 recommended ratifying the Rome Statute of the International Criminal Court (ICC).¹³

4. AI, HRW and JS1 recommended ratifying the International Labour Organization's (ILO) Domestic Workers Convention (No. 189).¹⁴ AI recommended ratifying the ILO Core Conventions No. 87, 98, and 100.¹⁵ HRW recommended ratifying the ILO Violence and Harassment Convention 2019 (No. 190).¹⁶

5. JS3 recommended acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.¹⁷

6. OHRC encouraged the accession to the Convention against Discrimination in Education.¹⁸

* The present document was not edited before being sent to United Nations translation services.



7. A number of stakeholders recommended removing all reservations to ratified treaties,¹⁹ including to CEDAW, particularly, paragraph 2 of Article 9 relating to the equal in passing women nationality to their children, to CRC and its Optional Protocols,²⁰ and to CAT.²¹

8. AI welcomed Oman's withdrawal of the reservation to section 4 of Article 15 of CEDAW, thereby according the same rights to men and women with respect to movement of persons and the freedom to choose their place of residence and the executive decree prohibiting "rituals that cause harm to the child's body" including female genital mutilation (FGM), and recommended withdrawing all reservations, understandings and declarations previously promulgated upon past ratifications of human rights treaties, in particular those reservations which are considered by treaty bodies to defeat the object and purpose of the respective treaty.²²

9. Alkarama noted that Oman refused to fully cooperate with the UN's human rights protection mechanisms as several urgent appeals and allegation letters sent by the Special Procedures remain uncommented. A visit request by the Special Rapporteur on racism in February 2018 continued to be unanswered. Alkarama recommended to cooperate with the Special Procedures and international human rights mechanisms.²³ JS1 noted that since the previous UPR, no Special Procedure mandate holder visited Oman and recommended a full cooperation with UN human rights mechanisms.²⁴ MAAT, JS1 and JS2 recommended extending a standing invitation to all UN Special Procedures Mandate holders.²⁵ Maat and JS2 recommended prioritising official visits by the Special Rapporteurs on the situation of human rights defenders and on the promotion and protection of the right to freedom of opinion and expression.²⁶ JS2 recommended additional visit requests to the Special Rapporteurs on the rights to freedom of peaceful assembly and of association; on the Independence of Judges and Lawyers; on extrajudicial, summary or arbitrary executions; on the rights to privacy; and the Working Group on Arbitrary Detention.²⁷

10. AI recommended to review and implement all outstanding recommendations from the UPR process, UN treaty bodies and UN experts.²⁸

B. National human rights framework²⁹

11. Alkarama reported that the National Human Rights Commission (OHRC) did not enjoy the necessary autonomy vis-à-vis the executive, particularly to its limited mandate and the mode of its members' appointment. During the last UPR, Oman noted the recommendations requesting bringing it in compliance with the Paris Principles, showing a lack of commitment to overcome numerous shortcomings.³⁰ Alkarama and JS1 recommended ensuring that it is brought to full compliance with the Paris Principles by amending the 2008 Law on the National Human Rights Commission to guarantee independence from the executive.³¹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination³²

12. OCHR, JAI and JS1 noted that Oman criminalized both same-sex relationships and certain types of gender expression. The revised (new) Penal Code (PC) further reduced the rights and freedoms of LGBTI+ and contained articles that punished persons who identified as homosexual or who engaged in homosexual acts, particularly in Articles 261 and 262 of the PC. Omanis can even be imprisoned for engaging in state-defined "immoral" or "indecent" behavior. They recommended amending the Criminal Code to decriminalize same-sex relations and sexual activity, and end the regulation of gender expression.³³ Some organizations recommended to put an end to discrimination based on gender identity.³⁴

13. HRW reported that Article 259 of the PC increased penalties for extra-marital consensual intercourse. Such laws also infringed upon transgender peoples' rights to privacy, non-discrimination, and freedom of movement. It recommended enacting comprehensive anti-discrimination legislation that prohibits discrimination on the grounds of sex or gender and includes effective measures to identify and address such discrimination, repeal articles 259, 261, 262, 266(d) and other vague morality laws, and implement a moratorium on arrests under such articles.³⁵

*Development, the environment, and business and human rights*³⁶

14. JAI recommended Oman to continue its humanitarian policies for the foreseeable future.³⁷

15. JAI noted that Oman was particularly susceptible to the impacts of climate change. As water is already scarce, climate change will only worsen accessibility. Oman is also facing desertification and rapid degradation of water sources with more frequent droughts, floods, and cyclones, with sea level rise. Oman has also increased its greenhouse gas emissions over the last few decades and air pollution has been on the rise in many areas. To expand the water supply and prevent desertification, JAI recommended to designate more funds for green technologies, to diversify its energy portfolio, and to invest in water recycling and water treatment plants.³⁸

*Human rights and counter-terrorism*³⁹

16. Alkarama was concerned by the use of the anti-terrorism legislation to suppress persons from peacefully exercising their fundamental rights, as well as the prosecutions of those seeking to create a political party, prohibited in the country. Alkarama recommended amending the anti-terrorism law to bring it in conformity with the guarantees and fundamental freedoms of a fair trial.⁴⁰

2. Civil and political rights

*Right to life, liberty and security of person*⁴¹

17. AI, OCHR and JS1 observed that during the second UPR cycle Oman noted all recommendations to establish a moratorium on the application of the death penalty, aimed at the abolition of the death penalty. Despite holding executions since 2015, though at least 11 persons have been sentenced to death in murder cases. They noted that Oman's PC retained the penalty for several crimes, including drug-related crimes. They recommended establishing a moratorium on executions and commuting death sentences, with a view to abolishing the death penalty and to ensure meanwhile that it is only imposed for the "most serious crimes" and after trials compliant with international fair trial standards.⁴² CGNK noted that the right to life and the death penalty were absent in the Constitution and encouraged changing the Constitution and protect life therein, and strongly called for the immediate abolition of death penalty.⁴³

18. Alkarama observed that despite the Constitutional prohibition of torture, its definition was inconsistent with CAT. Moreover, the practice of torture remains widespread and is used to suppress criticism or dissent. Alkarama recommended introducing a definition of torture in accordance with international law.⁴⁴ JAI noted numerous reports of torture in prisons and its use on protestors and political dissenters to consolidate power and crush opposition.⁴⁵ JAI and JS1 noted that despite the prohibition of torture and ill-treatment by law, Oman's law failed to impose penalties that reflected the gravity of the crime of torture and recommended to stop all torture and treat all its detainees with dignity. They also recommended to enshrine the absolute prohibition of torture in national legislation and ensure that all allegations are investigated by an independent team and that all officials connected to it are prosecuted and punished. They additionally recommended abolishing corporal punishment as a sentence for a crime.⁴⁶

19. Alkarama noted that despite the constitutional guarantees, there was a clear pattern of arbitrary and incommunicado detention. Following protests in spring 2018, waves of arbitrary arrests were executed. It recommended that Oman put an end to arbitrary arrests

and incommunicado detention, and establish a legal framework in accordance with fundamental rights and freedoms.⁴⁷

*Administration of justice, including impunity, and the rule of law*⁴⁸

20. Alkarama noted the absence of an independent judiciary, being controlled by the executive and increasingly instrumental in quelling any dissent, undermining the rule of law.⁴⁹ JS1 noted the authority of the Sultan to appoint and remove senior judges and as a chair of the Supreme Judicial Council, he nominated judges and oversaw the judicial system.⁵⁰ Alkarama and JS1 recommended guaranteeing the full independence of the judiciary, including an independent Supreme Judicial Council, and amend the 2012 Law on Judicial Affairs to ensure that the sultan does not control the appointment and dismissal of judges.⁵¹

*Fundamental freedoms and the right to participate in public and political life*⁵²

21. ECLJ noted that Oman rejected previous UPR recommendations on the grounds of inconsistency with religion and with its national legislation and cultural values. ECLJ noted that while Article 28 of Oman's Constitution protected the right of religious freedom, Oman laws, mainly criminal laws, threatened and undermined religious freedom, through legislation that criminalised speech and activity against Islam, imposing mandatory imprisonment. Converts from Islam to Christianity are put under extreme pressure from family and society to recant their faith. Non-Muslim religious groups are only permitted to worship on land designated by the Sultan for worship. It urged reforming and repealing laws criminalising those who go against Islam, and promote another religion and allow all religious groups to be able to openly and freely practice their faith in public.⁵³

22. AI, ADHRB, Alkarama, HRW, OCHR, Maat Foundation, JS1 and JS2 noted that Oman supported three recommendations of the 2nd UPR cycle to promote and protect the right to freedom of expression, but observed that, despite Oman's Basic Law guarantees, freedom of expression and media freedoms were severely restricted, highlighting that during the reporting period there has been a rise on the arrests of peaceful critics, including journalists, writers and activists. They also noted that these freedoms, restricted by law, have been increasingly limited with the introduction of the PC in 2018, which contains vaguely worded provisions that give sweeping powers to the authorities. The PC prescribes punishment for slandering the sultan and blasphemy, and recent changes in articles 116 and 125 to the PC raise concerns about Oman's commitment to its obligations to protect and promote the right to freedom of expression. Additionally, they also noted that the Press and Publications Law is considered as one of the most restrictive laws, since it prohibits publications that may offend the Sultan or the State, violate public morals or religion, or harm public order, internal and external security, and the national currency. The same law empowered authorities to censor publications deemed culturally, sexually, or politically offensive. Similar provisions in Article 19 of the Cyber Crime Law were previously used to shut down the newspapers. Articles 97, 102 and 169 of the PC have increased the punishment and other overly broad articles have weakened the protection of activists, bloggers and dissidents, and restricted both print and electronic publishing and online content. The vague nature of those articles has granted authorities vast discretion to target and imprison peaceful dissidents and critics and could also lead to further violations of fundamental freedoms.⁵⁴

23. According to those stakeholders, various human rights defenders (HRDs) or journalists have been summoned by the intelligence services after interacting with human rights organisations. Security agencies have continued to target pro-reform activists, often for views expressed on social media platforms, leading to fear and paralysing any constructive political debate. Courts have sentenced activists to imprisonment, using vaguely defined laws that limited free speech. Journalists, bloggers and online activists are targeted on a regular basis and subjected to judicial persecution, arrests and detention. The criminalisation of "undermining the prestige of the State" is systematically used to silence and punish any criticism of the authorities, including in cases of alleged government corruption.⁵⁵ These organizations recommended ensuring freedom of opinion and expression in accordance with international standards; amend the PC and other laws,

including the Press and Publications Law, Telecommunications Act (2002), Cyber Crimes Law, and the Non-Governmental Associations Act, promulgated by Royal Decree No. 14/2000; and release all people and quash convictions related to peaceful exercise of freedoms of expression, association, and assembly.⁵⁶ ADHRB also recommended amending Article 29 of the Constitution to allow for freedom of expression online and offline, and ensuring that the Law to Counter Information Technology Crimes highlights the importance of the Internet as a tool for exercising and developing human rights.⁵⁷

24. OCHR noted that Article 108 of Oman's PC has also been used to target academic writings and research which draw critically on historic events and/or scientific research.⁵⁸

25. ADHRB, AI, Alkarama, OCHR and JS2 noted that Oman supported 15 recommendations during the 2nd UPR cycle on the right to the freedom of peaceful assembly and regretted that it has failed to implement many of them. In practice peaceful assemblies are rarely held in Oman because of concerns that those who take part will be targeted. They noted that the Constitution recognised citizens' rights to assembly "within the limits of the law", which was restricted by Articles 121 and 123 of the PC.⁵⁹ The provision 108 of the PC has also been used to target peaceful assembly.⁶⁰ Legal limits are often used to oppress peaceful demonstrations and various citizens have been arrested for peacefully demonstrating against various social issues. They recommended repealing the legal provisions outlined above, ease restrictions on public gatherings and allow peaceful protests and demonstrations, as well as to review existing human rights training for police and security forces, and provide judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to the freedom of peaceful assembly.⁶¹ AI also recommended releasing all prisoners of conscience immediately and unconditionally, and removing or revising all legal provisions criminalizing the peaceful exercise of the rights to freedom of expression, association and assembly, particularly Articles 97, 102, 116, 270 and 169 of the PC, Articles 25-28 of the Press and Publications Law, and Articles 16-19 of the Cyber Crime Law to harmonise them with international human rights standards.⁶²

26. AI, JAI, JS1 and JS2 noted that on 22 March 2020, in response to the outbreak of COVID-19 pandemic, Oman used measures to restrict civic freedoms and issued a decree suspending the print and distribution of newspapers, and prohibited the sale and circulation of imported newspapers, magazines, and publications. They recommended to review COVID-19 enforcement measures and penalties to ensure conformity with the principles of legality, necessity and proportionality and refrain from imposing prison sentences solely for such breaches.⁶³

27. JS2 noted that during its previous UPR, Oman received four recommendations on the protection of HRDs and civil society representatives and accepted 21 recommendations on civic space. It was however deeply concerned by the closure of civic space and the use of draconian legislation to limit the ability of HRDs and journalists to report effectively on human rights issues and state actions. The hostile environment for civil society has forced most HRDs to flee Oman and all independent human rights organisations have been either closed by the authorities or are working from abroad. JS2 recommended creating and maintain, in law and in practice, an enabling environment for civil society.⁶⁴ MAAT recommended lifting restrictions that prevent opposition political parties, human rights groups, and other independent civil society organizations from operating in the country legally.⁶⁵

28. Alkarama, MAAT, OCHR and JS2 reported reprisals against HRD, political activists, journalists and bloggers, as they were routinely subjected to arbitrary arrests and judicial persecution, travel bans and confiscation of identity documents. They recommended promoting the rights to freedom of expression and association, by ending reprisals; ensure that they can operate peacefully without fear of retribution; end harassment and arbitrary detentions; lift travel bans; cease confiscation of identity documents; and release all those detained for participating in peaceful activities. They also recommended recognising HRDs and civil society representatives, and investigating and prosecuting cases of attacks against them.⁶⁶

29. AI, ADHRB, Alkarama, JAI OCHR, JS1 and JS2 noted that during the 2nd UPR cycle, Oman noted seven recommendations regarding the right to freedom of association. However, the government has not implemented any of these recommendations. Despite constitutional guarantees of the right to form associations, Articles 116, 117 and 118 of Oman's PC stipulate that this right does not extend to those associations considered as opposing to any State activities or policies. In January 2018, the Omani authorities revised the PC and included provisions that restricted fundamental freedoms in general and the freedom of association in particular. The law contains vaguely worded provisions that authorities can selectively interpret to restrict the activities of Civil Society Organisations (CSOs) and HRDs. The PC also threatens to curtail civic space, by criminalizing forms of association "aimed at combating the political, economic, and social or security principles of the state". The Non-Governmental Associations Act, limits the types of associations and requires permission from the Omani authorities to proceed. They recommended ensuring freedom of association, including for political purposes, without interference by the Executive and in accordance with international standards; amend the provisions of the PC which restrict the right to peaceful assembly and association; update the registration process for associations to remove onerous procedures; and ensure that new associations can form, regardless of any overlapping objectives.⁶⁷

30. JS2 recommended taking measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit the right to association; facilitating the registration of all CSOs that have submitted applications for registration and lifting unnecessary and bureaucratic procedures that obstruct the process of registration of CSOs; lifting the ban on all independent CSOs and human rights groups and of activities of non-registered organisations; removing all undue restrictions on the ability of CSOs to receive international funding; abolishing criminal responsibility for organising and participating in the activities of non-registered organisations; and refraining from acts leading to the closure of safe spaces for CSOs or the suspension of their peaceful activities, and instead promoting a meaningful political dialogue that places CSOs at the centre and allows and embraces diverging views, including those of HRDs, journalists, political activists and others.⁶⁸

31. JAI stated that Oman was governed by an absolute monarch, the Sultan, head of the government and chief of state. Since 2011, voters can also elect municipal councilmembers. However, due to the COVID-19 pandemic, such elections have been postponed with no set time for them. It recommended that Oman confirm the date for the next election while ensuring it is fair and safe.⁶⁹

*Prohibition of all forms of slavery*⁷⁰

32. JAI reported that Oman was a destination and transit country for both sex trafficking and forced labor. It also observed that trafficking was especially high within Oman's domestic workers program and its sponsorship program. It recommended that Oman immediately alter its sponsorship program and allow victims to seek out protective services even if charges have not been filed and no investigation has been completed.⁷¹ While HKC noted that since the last UPR, Oman has taken significant steps towards the effective prohibition of trafficking,⁷² OHRC observed an increase in the number of human trafficking cases identified and investigated from 2016 to 2019. Although minor, it is still an indicator of awareness of this crime within the society and the concerned law enforcement institutions.⁷³

33. OHRC commended the tangible efforts to combat human trafficking and encouraged the establishment of a fully-equipped shelter for male human trafficking victims as the existing government-operated shelter could only accommodate female and child victims.⁷⁴

34. JS4 stated that although Oman has made efforts to combat trafficking—in 2019, officials convicted Omani nationals for trafficking crimes and sentenced them to prison for the first time—significant issues still remain. In particular, with no screening in place, victims of trafficking and victims of exploitation and prostitution continue to be arrested, detained, and deported for acts committed as a result of being trafficked or due to their fleeing their employers and recommended ensuring that victims of trafficking are protected

against detention and deportation by implementing systematic, proactive screening and identification procedures, and providing appropriate shelters for victims.⁷⁵

35. JAI recommended to increase human trafficking training in order to spot victims more easily, both in the country and when scrutinizing those attempting to enter the country.⁷⁶

3. Economic, social and cultural rights

*Right to work and to just and favourable conditions of work*⁷⁷

36. OHRC commended the government for its tangible efforts to promote the right to work and encouraged the concerned entities to continue preparing the labor market for job seekers and minimize unemployment.⁷⁸

37. OHRC commended steps taken to draft a Labor Law and a Domestic Labor Law, and recommended their speedy issuance. OHRC further commended the Royal Oman Police Decision No. (157/2020) cancelling the ‘‘Non-Objection Certificate’’ that was required to transfer the worker’s sponsorship from one employer to another employer. The decision will further regulate the relation between workers and their employers under governmental oversight, and enhance protection to workers against all forms of arbitrary acts, exploitation and forced labor.⁷⁹

*Right to health*⁸⁰

38. OHRC observed effective steps and procedures implemented from March 2020 to date as the government’s response to Covid 19 outbreak in the Sultanate, and commends the governmental steps to deal with the pandemic since they have contributed greatly in curbing its spread and protecting the rights of citizens and residents particularly the right to healthcare.⁸¹

39. HKC noted that abortion was a punishable offence in Oman, with no exceptions for rape survivors, and recommended to legalise abortion and provide particularly for women who have become pregnant as a result of rape.⁸²

4. Rights of specific persons or groups

*Women*⁸³

40. AI, HRW, JAI, Maat, OHCR, OCHR and JS1 noted that despite Article 17 of Oman’s Basic Law, gender discrimination and violence continued to occur, and national laws continued to entrench discrimination. The Personal Status Law discriminates against women on matters such as divorce, inheritance, child custody, and legal guardianship, whilst the Labour Law continues to limit the types and hours of work women can undertake. In matters of divorce, a husband can divorce his wife without cause and unilaterally, whereas women must apply to the courts on limited grounds or pay compensation for her husband’s consent to the divorce (khula divorce). Women are also discriminated against in obtaining guardianship over their children as the law recognizes fathers as the legal guardians of the children, regardless of who the court awarded custody, and the mother living with her child must seek approval of the guardian to travel. In addition, the marriage of a woman to a non-Omani must be approved by the Ministry of Interior before its celebration, and she should have custody of the child and the child should live with her. They recommended that Oman take the necessary measures to achieve gender equality and protect women in line with international standards, in particular from gender-specific violence; put an end to all forms of discrimination in law and practice against women and girls; amend all discriminatory provisions, including regarding rights in marriage; and amend its laws on divorce, inheritance, custody, and travel, the Personal Status Law and preclude judges from permitting marriages of underage, and the Labour Law, to bring them in line with international standards.⁸⁴ MAAT recommended ensuring women participation in all state institutions.⁸⁵

41. AI, HRW, JAI, Maat, OHCR, OCHR and JS1 stressed that Oman has failed to implement accepted recommendations on violence against women. Specific legislation to

address gender-based violence against women and protect those at risk, including a definition, remain absent. The new PC, issued by Royal Decree No. 7/2018, does not address domestic violence explicitly, and contains no provisions explicitly prohibiting domestic violence and marital rape. Women who report rape risk prosecution. Oman lacks mechanisms to protect victims of domestic violence and sexual assault. They recommended amending the PC to explicitly prohibit domestic violence and marital rape and put an end to the criminalisation of consensual relations.⁸⁶ OCHR recommended reviewing the legislation to criminalize any act of violence against women explicitly, particularly domestic violence.⁸⁷

42. AI, HKC and OCHR noted the absence of laws prohibiting FGM and that, even though an executive decree clarifying provisions of the Child Law prohibited it in 2019, this practice remained prevalent throughout Oman. The Law criminalizes “traditional practices that are harmful to the health of the child”. They recommended criminalizing FGM in the PC, establish adequate punishment to deter people from continuing the practice, both in private practices and by family members, and prioritise physical and mental treatment, rehabilitation and support for all women and girls affected by FGM, increasing awareness of its availability.⁸⁸

*Children*⁸⁹

43. OHRC commended the government for the steps taken to protect and promote child rights, and encouraged to implement a robust national awareness plan and additional deterrent measures to combat child neglect incidents.⁹⁰

44. AI noted the executive decree clarifying provisions of the Child Law, criminalizing harmful traditional practices. The decree limited the employment of children under 15 to agricultural, administrative and industrial activities, fishing and crafts, and provided that the work run by family members and that did not affect the child’s health or education could still amount to child labour that should be eliminated.⁹¹

45. According to AI, article 44 of the PC gives “parents and their equivalents” the right to take “disciplinary actions” against under-age children as “prescribed by Shari’a or the law”.⁹²

*Persons with disabilities*⁹³

46. OHRC recommended conducting studies to investigate the inconsistency of the numbers registered with the disability card and those under the Social Security System. Additionally, a national awareness program is required to promote the services and facilities provided by the government for persons with disabilities. OHRC encouraged to continue establishing specialized rehabilitation centers and increasingly implement integration programs for students with disabilities 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.⁹⁴

*Migrants and refugees*⁹⁵

47. JAI recommended exploring ways to promote and advance refugees’ standards of living, noting that work permits for refugees would not only alleviate economic strain on the government, but could lead to more economic growth in the region. Further, it urged creating policies that acknowledge the permanent nature of many refugees as some would not be able to return to places of origin, and so Oman should begin creating permanent residency for such refugees. This may involve reworking immigration laws or funding infrastructure and housing projects.⁹⁶

48. JS4 noted that Oman has long been an important destination for migrant workers poorly paid, with an estimate of being 45 percent of Oman’s population and 70 percent of the country’s workforce.⁹⁷ Despite its reliance on foreign labour, Oman features particularly restrictive immigration and sponsorship policies (kafala) that make many non-nationals vulnerable to arrest, detention and deportation. It recommended ensuring that immigration detention is only used as a measure of last resort and release migrant detainees.⁹⁸

49. AI noted that Oman removed in June 2020 the requirement for migrant workers to obtain a "no-objection" certificate from their current employer before changing jobs, allowing foreign workers to change employment after providing proof of the end or termination of their previous work contract and obtaining approval from the competent government authority.⁹⁹ AI, Maat, JS1 and JS4 noted that migrant workers continued to face exploitation and abuse as a result of the restrictive sponsorship (kafala) system that tied them to their employers. Migrant workers depend on their employers, who also act as their sponsors, to enter the country and maintain a legal residency status. They recommended Oman to fundamentally change the sponsorship system and ensure the rights of migrant workers; implement the prohibition on the withholding of migrant workers' passports and introduce specific penalties for non-compliance; enforce the right of migrant workers to make criminal complaints and ensure that those migrant workers receive all necessary protection; and hold accountable employers who violate legislation and for abuses.¹⁰⁰

50. JAI observed that workers who fled their employers faced deportation or imprisonment even if they were fleeing abuse, and that there were cases of fleeing workers being brought back to their employer, which led to more abuse and violence.¹⁰¹

51. HRW found in 2016 and 2017 that domestic workers faced multiple forms of abuse and exploitation at the hands of their employers or recruitment agents in Oman.¹⁰² AI, HRW, Maat, JS1 and JS4 noted that migrant domestic workers remained excluded from the protections of the labour laws and recommended that Oman reform the labor law to include domestic workers and ensure their effective access to justice, in line with the ILO convention on decent work for domestic workers.¹⁰³

*Stateless persons*¹⁰⁴

52. Alkarama, JS1 and JS3 noted that the 2014 amendments to the Nationality Law introduced provisions authorising the forfeiture of nationality of any citizen who damaged the State's image abroad, including through collaboration with "international organisations", without the right to appeal this decision. Such provisions constitute a means to silence state criticism. They recommended repealing the aforementioned provisions to the Nationality Law and end the practice of depriving nationality of persons who exercise their fundamental rights to prevent statelessness; and amend the Nationality Law to prevent broad discretionary power of the Minister of Interior to adopt proxy measures including the revocation of identity documents as an alternative for citizenship revocation.¹⁰⁵

53. JS3 noted that during the second cycle, Oman noted nineteen recommendations in relation to nationality and statelessness, specifically on recognising Omani women's equal rights with men to transfer their nationality to their children.¹⁰⁶ AI, HRW, JAI, Maat, OCHR, JS1 and JS3 noted that Omani women faced gender discrimination in relation to the transmission of Omani nationality to their children, and that whilst citizenship was automatically passed from an Omani man to his children, women could only transmit their nationality to their children only upon becoming widowed, divorced, or when her husband has been absent or has abandoned them for at least 10 consecutive years. They recommended amending all discriminatory provisions, including Oman's Nationality Law, to enable Omani women to confer nationality onto their children and spouses.¹⁰⁷

54. JS3 noted that Oman made a reservation to Article 9(2) of CEDAW, which provides that States parties shall recognise women's equal rights with men with respect to the nationality of their children. It stressed that women's inability to confer nationality on children and spouses on an equal basis with men impacted on Omani women's freedom to choose a residence. The Nationality Law further provides that the courts are not the competent authority to deliberate on citizenship issues and conflicts relating thereto.¹⁰⁸ JS1, JS3 and OHRC recommended amending the Nationality Law to ensure gender equality regarding the acquisition, change and retention of nationality, and to enable Omani women to transmit their nationality to their foreign spouses and their children on an equal basis with men; protect every child's right to acquire and preserve a nationality, without discrimination in relation to the child or the child's parents or guardians; and ensure comprehensive safeguards against statelessness.¹⁰⁹

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

*Civil society**Individual submissions:*

AI	Amnesty International, London (United Kingdom);
ADHRB	Americans for Democracy & Human Rights in Bahrain, Washington, D.C. (United States of America);
Alkarama	Alkarama Foundation, Geneva (Switzerland);
CGNK	Center for Global Nonkilling, Geneva (Switzerland);
ECLJ	European Center for Law and Justice (ECLJ), Strasbourg (France);
HKC	Helena Kennedy Centre for international Justice, Sheffield Hallam University, Sheffield (United Kingdom of Great Britain and Northern Ireland);
HRW	Human Rights Watch, Geneva (Switzerland);
MAAT	Maat for Peace, Development and Human Rights, Cairo (Egypt);
OCHR	Omani Centre for Human Rights (OCHR) (United Kingdom of Great Britain and Northern Ireland);
JAI	Just Atonement Inc. New York (United States of America).

Joint submissions:

JS1	Joint submission 1 submitted by: MENA Rights Group Geneva (Switzerland); and Omani Centre for Human Rights (OCHR), (United Kingdom of Great Britain and Northern Ireland);
JS2	Joint submission 2 submitted by: CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa), Omani Association for Human Rights (OAHR), Berlin (Germany); and Gulf Centre for Human Rights (GCHR) (Lebanon);
JS3	Joint submission 3 submitted by: The Omani Association For Human Rights, Berlin (Germany); the Global Campaign for Equal Nationality Rights (GCENR) New York (United States of America); and the Institute on Statelessness and Inclusion (ISI), Eindhoven (Netherlands);
JS4	Joint submission 4 submitted by: The Global Detention Project (GDP) and Migrant-Rights.org is a Gulf Cooperation Council (GCC), Geneva (Switzerland).

National human rights institution:

OHRC	Oman Human Rights Commission, Muscat (Oman).
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- ² The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;

OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

- ³ For the relevant recommendations, see A/HRC/31/11, paras. 129.1–129.62.
- ⁴ AI, p., 1, HRW, para. 34, HKC, p. 5 and MAAT, p. 5. See also A/HRC/31/11, recommendation 129.49 (Chad) (France), 129.50 (Cyprus), 129.51 (Latvia), 129.52 (Switzerland), 129.53 (Estonia), 129.54 (Slovakia), 129.55 (Portugal) and recommendation 129.58 (Senegal).
- ⁵ ADHRB, p., 8, AI, pp. 1 and 5, Alkarama, p. 3, CGNK, pp. 5-6, ECLJ, pp. 1-3, HKC, p. 5, HRW, para. 34, JS1, pp. 3 and 8-9, JS2, p. 11, and JS3, p. 12. See also A/HRC/31/11, recommendations 129.19 (Sierra Leone), 129.29 (Ghana), 129.21 (Republic of Korea), 129.22 (Viet Nam), 129.23 (Jordan), 129.24 (Cyprus), 129.24 (India) and recommendations 129.27 (Canada) (France) (Slovakia), 129.28 (Denmark), 129.29 (Germany) (Switzerland), 129.30 (Sierra Leone), 129.31 (Viet Nam), 129.32 (Cyprus).
- ⁶ Alkarama, page 3, HRW, para. 34 and JS1, pages 3 and 8-9.
- ⁷ AI, page and 5, Alkarama, page 3, CGNK, page 5 and 6, HRW, para. 34, JS1, pages 3 and 8-9 and JS3, page, 12.
- ⁸ AI, page 5 and JS1, pages 3 and 8-9.
- ⁹ AI, pages, 1 and 5, HKC, page 5 and JS1, pages 3 and 8-9.
- ¹⁰ AI, pages, 1 and 5, HRW, para. 34 and JS1, pages 3 and 8-9.
- ¹¹ AI, pages, 1 and 5, HRW, para. 34 and JS1, pages 3 and 8-9.
- ¹² CGNK, page 5 and 6.
- ¹³ AI, pages, 1 and 5 and JS1, pages 3 and 8-9.
- ¹⁴ AI, pages, 1 and 5, HRW, para. 34 and JS1, pages 3 and 8-9.
- ¹⁵ AI, page 5.
- ¹⁶ HRW, para. 34.
- ¹⁷ JS3, page. 12.
- ¹⁸ OHRC, page 8. See also recommendation (129.1-2).
- ¹⁹ MAAT, page 5 and JS1, page 3.
- ²⁰ OCHR, para, 42, AI, page, 5, HKC page 5, JS1, page 12 and JS3, page. 12.
- ²¹ MAAT, page 5.
- ²² AI, page, 1 and 5.
- ²³ Alkarama, page 4.
- ²⁴ JS1, page 4.
- ²⁵ MAAT, page 5, JS1, page 4 and JS2, page 14.
- ²⁶ MAAT, page 5 and JS2, page 14.
- ²⁷ JS2, page 14.
- ²⁸ AI, page, 1 and 5.
- ²⁹ For the 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, 129.230.
- ³⁰ Alkarama, page 3 and 4.
- ³¹ Alkarama, page 3 and 4 and JS1, page 5.
- ³² For the relevant recommendations, see A/HRC/31/11, paras. 129.89, 129.130, 129.190, 129.197, 129.198, 129.228.
- ³³ OCHR, paras, 37-42, JAI, page 8 and JS1, page 12.
- ³⁴ AI, pages, 2 and 5, HRW, paras. 9-12, OCHR, paras, 32-36 and 42 OHRC, page 11 (recommendation No. (129.80-83)), MAAT, pages 4-5, JAI, pages 8-9 and JS1, pages 11-12.
- ³⁵ HRW, paras. 24 and 32.
- ³⁶ For the relevant recommendations, see A/HRC/31/11, paras. 129.206, 129.189 and 129.233.
- ³⁷ JAI, page 3.
- ³⁸ JAI, pages 4-5.
- ³⁹ For relevant recommendations see A/HRC/31/11, paras. 129.229–129.230.
- ⁴⁰ Alkarama, page 8.
- ⁴¹ For relevant recommendations see A/HRC/31/11, paras. 129.131–129.134, 129.136–129.140, 129.163, 129.196.
- ⁴² AI, pages, 2 and 4-5 OCHR, paras, 28-31 and 42 and JS1, page 9.

- 43 CGNK, page 6.
- 44 Alkarama, page 4.
- 45 JAI, page 7.
- 46 JAI, page 7 and JS1, pages 8-9.
- 47 Alkarama, page 5.
- 48 For relevant recommendations see A/HRC/31/11, paras. 129.146–129.149.
- 49 Alkarama, page 5.
- 50 JS1, pages 9-10.
- 51 Alkarama, page 5 and JS1, pages 9-10.
- 52 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, 129.231.
- 53 ECLJ, page 1.
- 54 AI, pages, 1-3 and 5-6, ADHRB, pages 2-4 and 8, Alkarama, page 6, MAAT, pages 2-3 and 5, OCHR, paras, 3-15 and 42, HRW, paras. 1-6 and 13 and JS1, pages 5-6 and 8 and JS2, pages 2-6 and 11-12. See also 129.90 (Sweden); 129.92 (United States of America); 129.156 (France); 129.158 (Ghana); and 129.173 (Norway); Oman accepted recommendations 129.90, 129.156, and 129.158, and noted recommendations 129.92 and 129.173.
- 55 AI, pages, 1-3 and 5-6, ADHRB, pages 2-4 and 8, Alkarama, page 6, MAAT, pages 2-3 and 5, OCHR, paras, 3-15 and 42, HRW, paras. 1-6 and 13 and JS1, pages 5-6 and 8 and JS2, pages 2-6 and 11-12. See also 129.90 (Sweden); 129.92 (United States of America); 129.156 (France); 129.158 (Ghana); and 129.173 (Norway); Oman accepted recommendations 129.90, 129.156, and 129.158, and noted recommendations 129.92 and 129.173.
- 56 AI, pages, 1-3 and 5-6, ADHRB, pages 2-4 and 8, Alkarama, page 6, MAAT, pages 2-3 and 5, OCHR, paras, 3-15 and 42, HRW, paras. 1-6 and 13 and JS1, pages 5-6 and 8 and JS2, pages 2-6 and 11-12. See also 129.90 (Sweden); 129.92 (United States of America); 129.156 (France); 129.158 (Ghana); and 129.173 (Norway); Oman accepted recommendations 129.90, 129.156, and 129.158, and noted recommendations 129.92 and 129.173.
- 57 ADHRB, pages 2-4 and 8.
- 58 OCHR, paras, 3-15 and 42.
- 59 Alkarama, pages 4 and 7, AI, pages, 1-3 and 5, OCHR, paras, 16-17 and 42, ADHRB, page 5 and 8 and JS2, pages 11 and 14. See also 129.158 (Ghana); 129.160 (Chile); 129.161 (Namibia); 129.168 (Republic of Korea); 129.169 (Sierra Leone); and 129.170 (Australia).
- 60 OCHR, paras, 3-15 and 42.
- 61 Alkarama, pages 4 and 7, AI, pages, 1-3 and 5, OCHR, paras, 16-17 and 42, ADHRB, page 5 and 8 and JS2, pages 11 and 14. See also 129.158 (Ghana); 129.160 (Chile); 129.161 (Namibia); 129.168 (Republic of Korea); 129.169 (Sierra Leone); and 129.170 (Australia).
- 62 AI, pages, 1-3 and 5. See also A/HRC/31/11, recommendations 129.156 (France), 129.157 (Libya), 129.158 (Ghana), 129.173 (Norway) and 129.162 (Czech Republic).
- 63 AI, page, 1-6, 11, JAI, page 6, JS1, pages 5-6 and 8 and JS2, pages 2-3.
- 64 JS2, pages 2-3 and 11.
- 65 MAAT, pages 3-5.
- 66 Alkarama, page 7, MAAT, pages 3-5, OCHR, paras, 16-17 and 42 and JS2, pages 2-6 and 11-12.
- 67 AI, page, 4, Alkarama, page 7 and JAI, page 6, and ADHRB, pages, 6-8, OCHR, paras, 16-17 and 42, JS1, page 8 and JS2, pages 9-11 and 13-14. See also 129.165 (France); 129.166 (Iceland); 129.167 (Netherlands); 129.168 (Republic of Korea); 129.169 (Sierra Leone); 129.170 (Australia); and 129.173 (Norway).
- 68 JS2, pages 9-11 and 13-14.
- 69 JAI, pages 6-7.
- 70 For relevant recommendations see A/HRC/31/11, paras. 129.96, 129.145.
- 71 JAI, pages 6-7.
- 72 HKC, pages 4-5.
- 73 OHRC, pages 18-19. See also recommendation No. 129.96, 115, 144–145).
- 74 OHRC, pages 18-19. See also recommendation No. 129.96, 115, 144–145).
- 75 JS4, pages 4 and 8.
- 76 JAI, pages 6-7.
- 77 For relevant recommendations see A/HRC/31/11, paras. 129.193, 129.200, 129.216.
- 78 OHRC, page 13. See also recommendation No. (129.159, 197–198, 201, 204), (129.46, 49).
- 79 OHRC, page 13. See also recommendation No. (129.159, 197–198, 201, 204), (129.46, 49).
- 80 For relevant recommendations, see A/HRC/31/11], paras. 129.209, 129.226, 129.227.
- 81 OHRC, pages 16-18. See also recommendation No. No. (129.209).
- 82 HKC, pages 3 and 5.
- 83 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, 129.205, 129.206.
- ⁸⁴ AI, pages, 2 and 5, HRW, paras. 9-12, OCHR, paras, 32-36 and 42 OHRC, page 11 (recommendation No. (129.80-83)), MAAT, pages 4-5, JAI, pages 8-9 and JS1, pages 11-12.
- ⁸⁵ MAAT, pages 4-5.
- ⁸⁶ AI, pages, 2 and 5, HRW, paras. 9-12, OCHR, paras, 32-36 and 42 OHRC, page 11 (recommendation No. (129.80-83)), MAAT, pages 4-5, JAI, pages 8-9 and JS1, pages 11-12.
- ⁸⁷ OHRC, page 11. See also recommendation No. (129.80–83).
- ⁸⁸ AI, page 3, HKC, pages 3 and 5 and OCHR, paras, 32-36 and 42.
- ⁸⁹ For relevant recommendations see A/HRC/31/11, paras. 129.141–129.143, 129.232.
- ⁹⁰ OHRC, page 14. See also recommendation No. (129.84).
- ⁹¹ AI, page, 3.
- ⁹² AI, page, 3.
- ⁹³ For relevant recommendations see A/HRC/31/11, paras. 129.210, 129.218, 129.221, 129.223, 129.224.
- ⁹⁴ OHRC, page 14. See also recommendation No. (129.223), (129.221), (129. 210–211, 218, 222, 225),
- ⁹⁵ For relevant recommendations see A/HRC/31/11, paras. 129.197, 129.198, 129.201, 129.228.
- ⁹⁶ JAI, page 3.
- ⁹⁷ JS4, pages 4 and 8.
- ⁹⁸ JS4, pages 4 and 8.
- ⁹⁹ AI, pages, 4-5.
- ¹⁰⁰ AI, pages, 4-5, MAAT, pages 4-5, JS1, pages 12-13 and JS4, pages 4 and 8.
- ¹⁰¹ JAI, pages 6-7.
- ¹⁰² HRW, paras. 16 and 23.
- ¹⁰³ AI, pages, 4-5, HRW, paras. 16 and 23, MAAT, pages 4-5, JS1, pages 12-13 and JS4, pages 4 and 8.
- ¹⁰⁴ For relevant recommendations see A/HRC/31/11, paras. 129.71, 129.72, 129.76, 129.77.
- ¹⁰⁵ Alkarama, page 8, JS1, pages 10-11, and JS3, pages. 2-4 and 12.
- ¹⁰⁶ JS3, pages. 2-4 and 12.
- ¹⁰⁷ AI, pages, 2 and 5, HRW, paras. 7-8, OCHR, paras, 32-36 and 42, OHRC, page 11 (recommendations No. (129.80-83)), MAAT, pages 4-5, JAI, pages 8-9, JS1, pages 10-12 and JS3, pages. 2-4 and 12.
- ¹⁰⁸ JS3, pages. 3-4 and 12.
- ¹⁰⁹ JS1, pages 10-11, JS3, pages. 2-4, 8 and 12 and OHRC, page 10. See also recommendation (129.76), and (129.71-72).
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