



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of  
Discrimination against Women**

**Fiftieth session**

3 – 21 October 2011

**List of issues and questions with regard to the consideration  
of initial reports**

**Oman**

The pre-session working group considered the initial report of Oman (CEDAW/C/OMN/1).

**General**

1. Please provide information on the drafting process of the State party's initial report (CEDAW/C/OMN/1). Referring to paragraph 1 of the report, please explain what is meant by private organizations which cooperated with the Government with the aim to prepare the report. Were non-governmental women organizations involved in the preparation of the report? If yes, please elaborate on the nature and the extent of consultations with such organizations.

**Legal status of the Convention and legislative and institutional framework**

2. Please provide information on the status of the Convention in the domestic legal order. How are the provisions in the Convention given effect at the domestic level? Does the Convention have direct effect in the domestic sphere or are the provisions made applicable through implementing legislation. Please also provide information on cases, if any, where the Convention has been cited by domestic courts.

3. Please clarify the scope of the State party's reservation to all provisions of the Convention which are not in accordance with the Sharia law and the country's legislation in force in the State party. Please describe the impact of this reservation on the practical realization of the principle of equality between women and men, as required under article 2 (a) of the Convention. Please elaborate whether efforts have been taken to withdraw this reservation, as well as the reservations to articles 9, paragraph 2; 15, paragraph 4; 16 and 29, paragraph 1.

4. The report indicates that the principle of equality of women with men set out in article 17 of the Basic Law of the State. In this respect, please indicate how it is implemented in practice.

5. Paragraph 37 of the report states that all Omani legislation is devoid of the term “discrimination against women”. In this respect, please provide information on the measures taken to lay down the definition of discrimination against women in line with article 1 of the Convention, encompassing discrimination in all public spheres as well as in the private sphere. Are there any laws, policies or administrative or other practices that discriminate against women? If so, are these laws, policies and practices in the process of being repealed or changed?

6. Paragraph 2 of the report refers to a committee formed to monitor implementation of the Convention, also referred to in the report as the National CEDAW Committee (paras. 110, 113, 202, 203, 114 and 224). Please elaborate on the composition of this Committee and its hierarchy/level in the State structure. Are the non-governmental women rights organizations and the human rights committee, mentioned in paragraph 42 of the report, also included? Does this committee act as the national machinery for the Convention’s implementation? If so, please give information on the financial and human resources available to the committee.

7. Please provide information if the national human rights committee receives and investigates complaints on violations of women’s rights? What human and financial resources are available to the human rights committee?

#### **Temporary special measures**

8. Please explain whether there is any legislation providing legal basis for adoption of temporary special measures in accordance with article 4, paragraph 1 of the Convention and the Committee’s general recommendation No. 25 (2004). Furthermore, please provide information on any existing temporary special measures, such as positive action, preferential treatment or quota system to achieve substantive equality between men and women, in particular in the fields of women’s political participation and employment. The pre-session working group takes note of the national population strategy described in paragraph 51 of the report. In this respect, please elaborate on concrete temporary special measures employed to achieve goal 3 relating to women’s empowerment.

#### **Stereotypes**

9. Please explain whether pregnancies outside marriage are still considered illegal and whether mothers are “corrected” by having their children placed in alternative care for such behaviour deemed immoral, as the Committee on the Rights of the Child noted with concern (CRC/C/OMN/CO/2, para. 36). In that regard provide updated information on whether measures are taken to change the society’s attitude towards single mothers and to abolish the practice of separating a single mother from her child.

10. The report in paragraph 53 speaks about a general trend in Omani society towards equality in gender roles and gradual disappearance of women stereotyping. Please provide further information on this trend, as well as on the existing State’s policies and legislation aimed at eliminating women stereotyping in Omani society. In addition please elaborate on existing awareness-raising campaigns and public education programmes that contribute to changes in social attitudes and customary and traditional practices.

11. Referring to paragraph 55 of the report, please explain which branches of the media contribute to the elimination of the stereotyping of men and women. Does the media, run by the Government, promote elimination of gender stereotyping?

12. Please provide updated information on the review of the school curricula and textbooks aimed at removing stereotyped gender roles, mentioned in paragraphs 55, 118 and 119 of the report. Please elaborate also on the guidance programmes for teachers aiming to change their mentality and practices in this respect.

**Harmful practices**

13. Please provide information on efforts taken to combat the practice of female genital mutilation (FGM), in line with the recommendation of the Committee on the Rights of the Child (CRC/C/OMN/CO/2, paras. 51-51). Does the State party envisage adopting a law to prohibit this practice? In this respect what are the effects of the Government decree forbidding FGM? Paragraph 191 of the report mentions the national/Gulf health survey; please provide information on the result of this study.

**Violence against women**

14. Please provide updated information on the establishment and characteristics of institutional mechanisms aimed at enabling women victims of domestic violence to report it, as mentioned in paragraph 60 of the report. Is domestic violence explicitly prohibited under the law? If such legislation exists, does it provide for sanctions against perpetrators? Furthermore, please elaborate on the availability of shelters for women who are victims of domestic violence. Are there any public campaigns to raise awareness about violence against women?

**Trafficking and exploitation of prostitution**

15. In respect to the State party's promulgation of the 2008 Law on Combating Human Trafficking, please explain whether article 1 of the Law criminalizes all acts enshrined in the definition of trafficking spelt out in full under the Palermo Protocol, i.e. the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat. Please provide detailed information and data on the investigation, prosecution and punishment of the traffickers and those who exploit prostitution.

16. Please provide information on the existing mechanisms, developed by the State party, to prevent trafficking in persons, especially women and girls, and to identify victims of trafficking at an early stage. Furthermore, please elaborate what remedies and assistance are available to the victims of trafficking? How is the special judicial, health and social treatment of the victims of human trafficking under article 17 of the aforementioned Law implemented?

17. Since the State party is considered a destination country for trafficking of women for the purpose of forced labour and sexual exploitation, as concluded by the Special Rapporteur on trafficking in persons especially women and children (A/HRC/4/23/Add.2, para. 90), please provide information on whether Oman envisages the adoption of a national plan of action to prevent and combat human trafficking.

18. Please clarify whether prostitution is penalized under the Omani legislation. If it is the case, what sanction do prostitutes and the clients of prostitution face?

**Political participation**

19. Please provide information on the outcome of the study on the causes of the decline of women's participation in the elected body, as mentioned in paragraph 75 of the report. Please also provide updated information on the percentage of women in the Consultative Assembly. With regard to the executive and diplomatic (ambassadorial) positions, please elaborate on whether the State party envisages increasing women's participation beyond the current 10 per cent and 5 per cent, respectively. Finally, please explain the reasons for the absence of women in the judiciary, as acknowledged in paragraph 230 of the report. Does the State party envisage temporary special measures to remedy this situation?

### **Nationality**

20. Please provide information on whether measures are envisaged to amend the Nationality Law to grant citizenship to children of Omani women married to non-nationals, as it does where the father is Omani. In this respect, please elaborate on the special facilities for such children, like the right to residence, medical treatment, employment and marriage, as mentioned in paragraph 103 of the report.

21. Please provide disaggregated statistical data, if available, on foreign nationals who have been naturalized by the Sultanate of Oman and the criteria used for naturalization.

### **Education**

22. Referring to paragraph 124 of the report, please provide detailed information on the achievements of the national literacy programmes. Please elaborate on the concrete goals and means of the action plan aimed at strengthening girls' benefits from career opportunities, as described in paragraph 113 of the report.

### **Employment**

23. Paragraph 159 of the report explains that the employment laws forbid the dismissal of women on the grounds of maternity leave. How are these laws enforced? Referring to paragraph 136, please explain the pregnancy and maternity related provisions of the 2004 Civil Service Law and the 2003 Labour Law. In 2006 the Committee on the Rights of the Child noted with regret that the length of a maternity leave in the public sector has been shortened from 60 to 45 days and that the breastfeeding hour for working mothers has been abolished (CRC/C/OMN/CO/2, para. 45). Please explain the reasons for such changes and whether the State party foresees extending the maternity leave and restoring the breastfeeding hour.

24. Please provide information on whether there is any legislation that prohibits sexual harassment at the work place.

### **Health**

25. Please provide information on the percentage of women using family planning services. Referring to paragraph 178 of the report, please explain how the law, under which a husband's authorization is not required, implemented in practice? The Committee takes note that abortion is illegal except in special circumstances, as pointed out in paragraph 184. Please elaborate on the rate of abortion among women. Is it performed despite being illegal? Please provide statistical data, if available, on mortality and morbidity among women due to unsafe abortions.

26. Please provide information on women's mental health and access to psychosocial therapeutic services.

### **Disadvantaged women**

27. Please elaborate on the measures taken to ensure that the rights of women with disabilities are enshrined in national policies, including health care, education, employment and social protection.

28. Please provide information on the protection from abuse and exploitation afforded to foreign women and girls employed as domestic workers. As this category of foreign workers is excluded from the amended 2003 Labour Law and thus they can rely solely on the private employment contracts, please explain whether mechanisms are in place to monitor the working conditions and compliance with such contracts, in line with the

recommendations of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23/Add.2, para. 95).

**Equality before the law and in civil matters**

29. Please explain how the reservation in respect to article 15, paragraph 4 of the Convention affect the Omani women's right to choose a domicile on the same basis as men. What are the reasons behind this reservation?

**Equality in marriage and family law**

30. Referring to paragraph 240 of the report, please explain whether betrothal of children is prohibited under the Omani law. What measures are taken to prevent early and forced marriages? Is 16, as the age of consent, the same for girls and boys? Why does this age not correspond to the minimal age of marriage, i.e. 18?

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