



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

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

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**Replies to the list of issues and questions with
regard to the consideration of the initial report on
implementation of the Convention on the
Elimination of All Forms of Discrimination
against Women**

Oman*

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Replies to the list of issues and questions with regard to the consideration of the initial report of Oman on implementation of the Convention on the Elimination of All Forms of Discrimination against Women

General

Reply to question 1

1. The State's initial national report on the Convention was drafted by members of the monitoring committee on the implementation of the Convention established in 2005. The monitoring committee performed its tasks in accordance with the terms of reference for members and the authorities that they represent, namely, the Consultative Council, the Public Prosecution Office, the Ministry of Health, the Ministry of Education, the Ministry of Agriculture and Fisheries, the Ministry of National Economy, the Ministry of Social Development, the Royal Oman Police, the Ministry of Foreign Affairs, and Sultan Qaboos University.
2. While the committee did not initially include members of non-governmental organizations (NGOs), it deemed that NGO representatives should take part in discussing proposals on an appropriate mechanism for the preparation of the draft report.
3. The Coordinating Committee for Women's Voluntary Work, a body dissolved in 2007 which oversaw and coordinated the technical work of Omani women's associations at the time, was therefore invited to represent women's associations at a meeting held on the mechanisms proposed for the preparation of the initial report of the Sultanate of Oman on the Convention on the Elimination of All Forms of Discrimination against Women.
4. The Coordinating Committee and two chapters of the Omani Women's Association (Muscat and Seeb) participated in a meeting to establish a support mechanism for the preparation of the draft national report. The meeting was organized jointly by the Ministry of Social Development and the United Nations Development Fund for Women (UNIFEM) in the Hashemite Kingdom of Jordan on 12–13 April 2006.
5. Lastly, a representative of civil society and the president of the Omani Women's Association Muscat were included as members of the monitoring committee on implementation of the Convention when it was restructured in 2009.

Legal status of the Convention and legislative and institutional framework

Reply to question 2

6. International conventions are paid close attention in the Sultanate. Article 10 of the Basic Law of the State provides that: "The State shall abide by international and regional charters and treaties and the generally recognized rules of international law in order to promote peace between nations and peoples."
7. Article 72 furthermore provides that: "The Basic Law shall be applied without prejudice to any treaties and conventions which the Sultanate of Oman concludes with other States and international institutions and organizations."

8. Moreover, article 76 of the Basic Law provides that: "Treaties and Conventions shall only have the force of law once they have been ratified. Under no circumstances may a treaty or convention contain implicit conditions that conflict with its explicit conditions."

9. Furthermore, article 80 of the Basic Law of the State provides that: "No body in the State may issue rules, regulations, decisions or directives that contravene the provisions of the laws and decrees in force or the international treaties and conventions that are part of domestic law."

10. Thus, since the Convention on the Elimination of All Forms of Discrimination against Women has been ratified by Oman, it is part of domestic law. To date, however, it has not had a direct effect on domestic legislation and has not been invoked before the sharia courts, for the following reasons:

(a) The country's legislation is for the most part consistent with the Convention;

(b) The State's initial report on the Convention is still under consideration. Consequently, the focus for the present and immediate future is on raising awareness of the Convention and of the initial report thereon;

(c) Should the need arise, there is nothing to prevent the Convention from being domesticated in the future, as it acquired the force of law when it was ratified and published in the Official Gazette.

Reply to question 3

11. Oman has entered reservations to the following articles of the Convention:

- Article 9, paragraph 2, which provides that States parties must grant women equal rights with men with respect to the nationality of their children; this article is incompatible with the Omani Nationality Act
- Article 15, paragraph 4, concerning the free movement of persons; the article contravenes the relevant provisions of the Personal Status Code
- Article 16, subparagraphs (a), (c) and (f), as these articles are contrary to sharia law
- Article 29, paragraph 1, as this relates to State sovereignty

12. These reservations can in no way be considered discrimination against women within the meaning of the Convention, nor do they detract from the realization of the principle of equality and non-discrimination provided for in article 2 thereof.

13. It is hoped that Oman will review both these reservations and its reservations to the Convention on the Rights of the Child. Oman submitted its national human rights report during the current year and the competent national authorities are studying the possibility of withdrawing or reducing the State's reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Reply to question 4

14. The Basic Law of the State affirms the principle of equality among citizens and prohibits discrimination on grounds of sex. Consequently, any legislation in Oman that discriminates between citizens on grounds of sex is unconstitutional and may be revoked by the judicial authority competent to review the compatibility of laws and regulations with the Basic Law of the State. The Ministry of Legal Affairs scrutinizes laws before they are promulgated in order to ensure that they are compatible with and do not contravene the Basic Law. In this way, it endeavours to ensure that Omani laws do not discriminate against women in contravention of the Basic Law of the State and of the Convention, which forms part of domestic law.

Reply to question 5

15. As their participation is necessary for human development, women are involved in all development activities and spheres in line with the priorities, basic principles and criteria of the concerned sectors. Even before the Basic Law of the State was promulgated, equality of opportunity for women and men was recognized in all Omani laws.

16. Action is taken and procedures are instituted to implement policies to improve the situation of women in all domains and to narrow the gender gap. At the same time, steps are taken to ensure that laws that guarantee women's rights in all spheres are applied as the legislator intended. Gender indicators are taken as a measure of the level of discrimination.

17. At present, work is under way to:

- Devise indicators and measures for women's participation (gender mainstreaming in informatics, utilization of qualitative and quantitative indicators) in order to ensure that the principle of equality of opportunity is applied
- Build a database that can be used to shed light on the gender gap and identify indicators

18. Omani laws are compatible with the Basic Law of the State, which establishes the principle of equality and non-discrimination against women. Although men and women are treated as equals in various domains such as health, education, political participation, work, the law and the courts, some practices constitute a kind of discrimination against women. Greater effort is needed in this regard, particularly on specific issues such as nationality, a number of subsidiary matters concerning prerogatives associated with marriage, and the fact that some women are not fully aware of their legal rights.

19. A number of legislative measures and awareness activities have been launched in order to deal with and eliminate these obstacles and to close the gap between the law and its application. Principally, these measures include:

- The issuance of Royal Decree No. 55/2010 of 4 May 2010, introducing amendments to some laws to prevent Omani families from demanding a higher dower in order to limit their daughters' choice of a marriage partner to the one that the family deems suitable. Under the new decree, girls whose families ask for high dowers will be able to submit a petition to the Sultan's office, which will consider the petition and may consent to the girl's marriage to the man of her choice without her needing her family's consent. Women may submit a complaint if such a petition is denied to His Majesty the Sultan. The complaint must be submitted in the form of a request to the Diwan of the Royal Court within 30 days of the day after the date on which the decision was handed down.
- The institution of procedures to amend the Government Lands Entitlement Act and the Omani Passport Act (issuance of travel documents to women without permission from their guardians).
- The stepping up of campaigns to eradicate legal illiteracy in order to raise awareness among the public and the relevant or competent authorities about women's rights, the Convention and its implementation.

Reply to question 6

20. Further to the procedures noted above, representatives of Government authorities, civil society and the Omani Women's Association Muscat were included in the restructured committee. Moreover, it includes a member of the National Human Rights Commission.

21. The monitoring committee on implementation of the Convention on the Elimination of All Forms of Discrimination against Women is a ministerial committee, established by the Ministry of Social Development and chaired by the Minister for Social Development. Under the decree establishing the committee, assistance may be sought from officials who are not members of the committee if necessary.

22. The committee is overseen by the Ministry of Social Development and is funded from the budget allocated to it by the Ministry. Some of its programmes are implemented through cooperation with international women's organizations.

23. Moreover, committee members are qualified in various areas related to the committee's sphere of competence.

Reply to question 7

24. To date, the National Human Rights Commission has received no reports or complaints concerning violence against women, although it has received two complaints about wrongdoing, one concerning children's identification documents and the other non-payment of money.

25. With regard to human and financial resources, Royal Decree No. 10/2008, establishing the National Human Rights Commission, stipulates that the Commission is an entity with legal personality that is independent in the exercise of its functions. Article 5 of the Commission's rules of procedure provides that the Commission must have a secretariat and a Secretary-General entrusted with the implementation of its decisions and with administrative and financial oversight of its affairs. Moreover, the Commission is to establish its own administrative and financial regulations. Under article 8 of the rules of procedure, the Commission's resources come from general State budget allocations and other sources, as approved by the Council of Ministers. This has no effect on the independence of the Commission.

Temporary special measures

Reply to question 8

26. The Commission discussed the Committee's general recommendation No. 25 (2004) and found no reason to expedite the adoption of special measures. Moreover, women and men are fully and effectively equal in all areas of political life and have the equal right to be nominated and stand for election to the Consultative Council. Furthermore, the Sultanate of Oman is the first Gulf State to allow women to participate in public political life through appointment to public office (since 1994) and election (since 1997). Two women were elected to the Consultative Council for the first time in 1997. At that time there were 80 members representing the 59 provinces.

27. In the light of the above, it can be said that there is no discrimination against women in political life or employment. This is plainly evident from the report, which confirms that there is no provision of legislation in Oman that makes the right to employment a male preserve. Moreover, women contribute to public political life in Oman through membership of the Council of Ministers. In addition, under the Basic Law of the State, men and women are guaranteed the right of access to public service. They have equal rights and duties in public or private employment and, in particular, the right to equal pay.

Stereotypes

Reply to question 9

28. Oman is a Muslim society and the Islamic sharia is its main source of legislation, as affirmed in the Basic Law of the State. Hence, Omani society does not approve of pregnancy outside marriage. This does not mean, however, that the rights of children born outside marriage are adversely affected. Children born outside marriage enjoy all of the rights that children born into a marriage enjoy. There is no reason why they should be deprived of their mother's care and of the other rights that the State guarantees to all children.

Reply to question 10

29. The general trend in Omani society towards equality in gender roles is apparent in the facts and realities of daily life in Oman as experienced by Omani women since the 1970s. While education was formerly a male preserve, parents now hasten to enrol their daughters in education at all levels and do not hesitate to pay for them to complete their higher education.

30. Whereas Omani women were formerly confined to traditional roles with which they were long identified because of cultural taboos, customs and traditions, they are now admitted to non-traditional posts and occupations.

31. The report and annexed tables illustrate the main elements in this shift, namely the turnaround with regard to education, women's voluntary entry into the job market and their assumption of public office and of decision-making positions. This would not have happened had Omani society not changed and evolved, as it continues to do. Policies will also evolve as the need arises and in the light of new developments.

32. The report outlines the State's policy on eliminating discrimination against women, reviewing the Convention article by article. It details the core provisions of the Basic Law of the State and the legislation in force in Oman, which take equality between all citizens, male and female, as the fundamental rule. This policy has transformed women's lives, as noted above. Women have experienced practical and social changes in all aspects of their lives that have ensured that they are considered the fundamental partners of men in terms of rights and duties.

33. That the Sultanate has signed a number of human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, underscores the Government's efforts in favour of equality.

34. Although Omani society has gone through a palpable cultural change, awareness-raising campaigns continue to be needed to deal with certain practices that have become ingrained over time.

35. Civil society associations play a prominent role in this regard by conducting a steady stream of campaigns, meetings, seminars and other educational and awareness-raising programmes. These activities are organized either on their premises or through direct communication with target audiences. Governmental organizations also play a role in this regard, including the specialized departments in the Ministry of Social Development such as the Department of Women's Affairs, the Department of Family Empowerment and the Department of Family Guidance and Counselling.

36. The role of the Ministry of Information should not be overlooked and will be discussed in some detail in the section on its contribution to the elimination of discrimination against women.

37. The Ministry of Education also helps to raise awareness by changing stereotypical images of Omani women found in school curricula. The revised curricula provide a more accurate picture of the lives of women today. The Ministry also organizes various activities to highlight the importance of education in changing the cultural outlook of individuals for the better.

Reply to question 11

38. Although, in principle, no programmes in the various branches of the media directly discuss discrimination against women as a subject in its own right, there are live radio programmes, such as *Good Morning Oman*, in which men and women can call in to discuss their problems and issues. This is an attempt to make sure that citizens' voices are heard by officials and that they receive help in finding appropriate solutions. There are also webcasts.

39. However, in fairness, the press, radio and television do contribute to raising awareness of women's rights and eliminating attitudes or practices that discriminate against them. The awareness campaigns conducted in the national broadcast and print media have contributed to disseminating information about women's rights and eliminating discriminatory ideas or attitudes concerning women.

40. From the outset, the Omani media have kept pace with developments and changes that affect Omani women. A number of programmes are devoted to women; some are general programmes on women and the family, while others discuss issues of particular concern to women.

41. The following programmes are cited by way of example; some are no longer broadcast, because they were scheduled for a limited period of time, while others are ongoing.

1. Radio programmes

- *Women and the Family* and *My Family* are programmes that raise awareness of the importance of women's empowerment in various spheres of life and cover the activities of women's NGOs such as the Omani Women's Association
- *Highly Personal* is a programme that addresses family issues, including issues pertaining to married life
- *Women and Society* familiarizes women with their civil and political rights and duties under Omani law
- *Drop of Sweat* is a programme for working women that deals with the problems that they face in the workplace and how they can overcome them and advance in their careers
- *The Productive Family* focuses on women who work from home and earn their own living

42. *The Road to Success* recounts the success stories of those who have contributed to local development. It has cited many successful Omani women as examples. In addition, programmes have dealt with issues relating to women's physical and mental health.

2. Television programmes

- *Women and the Family* and *Family Affairs* are programmes that discuss family issues and women's issues in particular. The topics that they have dealt with include violence against women, the Omani Nationality Act, successful family communication, women's work and women's work in the private sector.

- *Sisters* presents examples of successful Omani women in all areas of life to which women contribute, including politics, economics, social affairs, the media, etc.

43. In addition, general development programmes cover activities and events of interest to Omani women. These programmes include *Morning Coffee* and *Information for Omani Women*, which covers women's activities nationwide.

44. General economic programmes such as *Economic Vision*, *Success Stories* and *Let's Work* discuss economic issues of relevance to women.

45. A number of television documentaries on the advancement of Omani women have been produced, including *Women*, *Omani Women* and *Positive Progress*.

3. Newspapers and magazines

- *Oman Daily* (has a weekly women's page)
- *Al-Watan* newspaper (has a weekly family page)
- *Al-Shabibah* newspaper (has a weekly family pull-out section)
- *Woman* magazine (monthly)
- *The Family Today* magazine
- *The Family* magazine
- *The Omani Woman* magazine

All these newspapers and magazines discuss news items and topics relating to women.

46. It would be remiss not to mention the outstanding coverage by Omani radio and television, the national news agency and local newspapers of the Omani Women's Symposium, held in October 2009. The experience of Omani women in all areas was considered at the symposium, where women discussed women's issues at daily sessions held before an audience. Media coverage of the event resonated strongly with members of the community.

47. The media cover activities organized by civil society organizations and the National Human Rights Commission and draw attention to any cases involving human trafficking. Slots on live religious broadcasts are allocated to discussing the need to grant women their rights and to treat them equitably and without violence, as ordained by Islam.

48. In addition, local newspapers sometimes publish true stories about women who support their families in the absence of a husband or provider.

Reply to question 12

49. According to the Directorate General of Curriculums Development at the Ministry of Education, efforts are being made to discuss the elimination of all forms of violence against women through school curricula, particularly for the higher grades. In addition, the syllabuses for the Arabic and English language, science and life skills have been developed during the past three years.

Harmful practices

Reply to question 13

50. As noted in the report, female genital mutilation would appear to be an indigenous traditional practice in Oman. Consequently, continuous efforts are made to raise awareness

about the serious nature of this procedure every time harmful practices against women are discussed and to emphasize that this practice is completely unacceptable.

51. There have been no moves to adopt a law to prohibit female genital mutilation, as nothing to date demonstrates the need to do so. In addition, the Government's decision to prohibit the performance of female genital mutilation procedures in State-run institutions has done nothing to reveal the extent of this practice.

52. It was hoped that the Gulf Family Health Survey in relation to Oman, mentioned in the report, would cover harmful practices including female genital mutilation. However, in view of the length of the questionnaire on this topic and the range of subjects covered in the survey, it was not feasible to include it. However, coordination and planning work was undertaken for a qualitative study on female genital mutilation. A media campaign on associated health problems will be designed based on the findings of the study.

Violence against women

Reply to question 14

53. To date, no institutional mechanism has been established for the empowerment of women victims of domestic violence as such, since domestic violence is not a widespread phenomenon in Omani society. Nevertheless, in order to deal with any cases that may occur, a housing unit at the Child Care Centre has been allocated as a temporary refuge for women subjected to violence of any kind. The family guidance and advice service at the Ministry of Social Development follows up on individual cases with a view to the social re-empowerment of the women concerned.

54. A hotline has been opened in the family guidance and advice service to receive reports not only about domestic violence against women but also about all family-related problems.

55. With regard to legislation on domestic violence, the Omani Criminal Code does not prescribe explicit penalties for "crimes of domestic violence". However, articles 247–250 thereof, concerning acts of battery, wounding and injury, implicitly criminalize such violence, including domestic violence.

56. The Omani Women's Symposium, held in 2009, which addressed topics concerning women and their advancement and empowerment, adopted some recommendations of relevance in this regard, as detailed below.

Study and develop policies and programmes on women, the family and society with a view to enhancing planning to take account of changes in the social, economic and professional domains

57. The mechanism for the implementation of this recommendation involved inter alia the preparation of a survey to review policies, including relevant statutes and laws, and appraise the work of committees and institutional mechanisms concerned with women, families and society. This recommendation will begin to be implemented during the current year.

Allocate chambers in the courts for family cases

58. This recommendation is still being considered by the competent authorities.

Establish advisory centres for women and families and marriage guidance centres wherever they are needed

59. These centres are to be established during the period 2010–2015. Designs and plans have been drawn up and the matter is currently under discussion.

Prepare and implement certification and training programmes on social welfare provision for women, families, children, young persons, persons with disabilities and older persons and develop and make available the necessary human and financial resources for these programmes in order to provide social and professional stability for women and society

60. To date, ideas have been developed on the establishment of a family protection service, which would include a safe house for victims of abuse. In addition, a training plan has been drawn up for personnel working in the field of social welfare.

Trafficking in persons and exploitation of prostitution

Reply to question 15

61. The Human Trafficking Act promulgated by Royal Decree No. 126/2008 defines the offence of human trafficking and prescribes deterrent penalties. Article 2 of the Act defines all the forms of trafficking covered in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol), including the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat [of force]. Consequently, the perpetrators of these acts are liable to punishment by law.

62. The following cases are self-explanatory. They include details on the defendants, the charges and the penalties and fines imposed in cases where convictions were handed down. Moreover, information is provided on the circumstances, sex and age of the victims.

Case No. 1

Location: Seeb province, Muscat governorate. Year: 2009. Number of defendants: 13. Sex: Male. Nationality: 3 nationals, 10 non-nationals.

63. All the defendants in this case, with the exception of the ninth and tenth defendants, were convicted of human-trafficking offences. One was sentenced to 7 years' imprisonment and a fine of 10,000 Omani rials (RO), while the remaining defendants were sentenced to 1 year's imprisonment. The first and third defendants were sentenced to 1 year's imprisonment and a fine of RO 500 for using forged documents. Moreover, the first defendant was sentenced to 1 year's imprisonment for possession of communications equipment. The second, third and eleventh defendants were fined RO 100 for violating the Omani Labour Code. The fifth, sixth and seventh defendants were sentenced to 1 month's imprisonment for violating the Omani Labour Code. The thirteenth defendant was sentenced to 3 months' imprisonment for violating the Aliens' Residence Act. The sentences were to be served concurrently. All seized items were confiscated and, in addition, the companies in which the second, third and eleventh defendants worked were closed down for one year. Furthermore, they were barred from recruiting foreign workers for one year and their operating licences were cancelled. As soon as the defendants have served their sentence, they will be permanently deported. All the defendants were ordered to pay costs. The victims were given the option of remaining in the country, if they wish to do so. The ninth and tenth defendants were acquitted. The court determined that it was not competent in two of the cases and so it transferred them to a court of first instance.

Summary of events

64. Based on the case documents and the investigations, the court concluded that the case involved the events summarized as follows. The defendants committed the offence of trafficking in persons deliberately and with intent. They incited and helped some of the victims to leave their countries and come to Oman travelling on family visas obtained using

forged marriage certificates. They then obtained residency visas for the victims and provided them with accommodation. They deliberately concealed their true purpose in helping the victims to travel to other Gulf States — to practise prostitution — claiming that they would be working in night clubs managed by relatives of the second, third, fourth, eighth and eleventh defendants. Some of the victims worked as prostitutes and some of the defendants took part of the proceeds. The victims continued to travel around a number of Gulf States until they were arrested on 6 December 2008.

Case No. 2

Location: Saham province, Al-Batinah governorate. Date: 16 June 2009.

65. On 19 June, the victim, a foreign woman, filed a report at Saham police station, claiming that on her arrival at Muscat International Airport she had been met by the two defendants, who had taken her to their house. She stayed with them for two days and they then took her to another house and brought Pakistani, Indian and Bangladeshi nationals to have paid sex with her. They then took her to other locations to put her to work as a prostitute. The victim was able to escape and duly contacted the police station. The police searched the scene of the crime on 19 June 2009 and found evidence in the house that supported the victim's claims.

66. The first defendant confessed that he and the second defendant and his wife had met the victim at Muscat International Airport on 29 May 2009 and had taken her to their home in Saham, where she had stayed with them for three days.

67. The second defendant confessed that he had contacted the victim when in Pakistan and had suggested to her that he could obtain a work visa for her in Oman in 2009. The second defendant had met the victim, with his wife and the first defendant, at Muscat International Airport and they had then taken the victim to their home in Sohar, where she had stayed with them for two days. They had then rented her a house in Sohar that she could use to engage in prostitution.

Decision

68. The court found the defendants guilty and sentenced them to 7 years' imprisonment and a fine of RO 1,000 on the first charge and to 3 years' imprisonment on the second charge. The sentences were to be served concurrently.

Case No. 3

Location: Qariyat province. Defendants: Two Omani nationals

69. The first defendant unintentionally caused the victim's death by the use of violence. He pushed the victim into the water; she hit the edge of a boat, plunged into the sea and drowned.

70. The second defendant deliberately exploited the victim's vulnerability. He used it to lure her and, because of her situation, she was unable to refuse. The first defendant committed the offence of manslaughter, as defined in article 238 of the Omani Criminal Code. The second defendant committed the offence of human trafficking, as defined in article 8.12 of the Human Trafficking Act. The case is still before the competent court.

Case No. 4

Year: 2009. Location: Nizwa province, Al-Dakhiliyah region. Defendants: Three foreign women. The defendants were convicted on human trafficking charges (prostitution).

Summary of events

71. The investigations unit at Nizwa police station received a report from a credible source indicating that three Asian women were working as prostitutes out of an apartment in Nizwa province that was rented by a company specializing in the sale of natural herbs. The Public Prosecution Office verified the information and issued a search warrant for the apartment. The three defendants were caught in flagrante delicto. Following the investigation, it emerged that they were the victims of an organized crime ring, involved in human trafficking and sexual exploitation. The organization had provided transportation and accommodation, both lawfully and unlawfully, to the three victims and had exploited their plight using coercion, threats and deception to make money from them.

Decision

72. The criminal court ruled that the three defendants had committed an offence under article 222 of the Omani Criminal Code. Since the matter was outside its jurisdiction, the court referred the case to the competent court.

Case No. 5

Year: 2009. Location: Dank province, Al-Dhahirah region. No. of defendants: Two foreign males.

73. The defendants used the victim and provided her with transportation in order to exploit her in prostitution in public places. In addition, they failed, for no good reason, to renew their residence permits within the legal time limit. They remained in the country without residence visas, as is evident from their documents, and continued to work without obtaining valid permits from the competent authority.

74. The defendants committed the offence of human trafficking as defined in articles 9 (c) and 2 (a) of the Human Trafficking Act. In addition, they failed to renew their residence permits, an offence under article 42 of the Aliens' Residence Act, and worked without authorization, an offence under article 114 of the Labour Code.

Summary of events

75. A police station received a report about a woman heard screaming on a boat. The police pursued and stopped the boat and found the victim being held by the defendants. She said that after running away from her sponsor in Muscat governorate she had met the first defendant, who asked her to work in an apartment. She had worked there for three months. The first defendant had then taken her on, purportedly offering to improve her financial situation, and had then locked her up in a bedroom for eight days. He had then delivered her to another person, who, in turn, had taken her to Dank province where she was delivered to another person. The latter had brought a number of men to have sex with her for trivial sums of money. The first defendant had then come with the second defendant to take her back to Muscat. The first and the second defendant admitted that the allegations were true.

Decision

76. It was decided to refer the case to the appeal court at Ibri (criminal division) for trial on the counts listed in the referral order and to have them deported in accordance with article 48 of the Criminal Code. On 21 January 2010, the appeal court acquitted the defendants of human trafficking and referred their case to a court of first instance to hear the second and third charges.

Case No. 6

Year: 2009. Location: Al-Buraimi governorate. No. of defendants: Nine.

Charges

The first defendant was charged with human trafficking and money-laundering, incitement to debauchery, forgery of personal documents, operating premises used for prostitution, prostitution, and contravening the Labour Code. The second defendant was charged with human trafficking and bribing a Government official. The third defendant was charged with human trafficking. The fourth defendant was charged with working for a person other than the licensed sponsor. The fifth defendant was charged with human trafficking and contravening the Aliens' Residence Act. The sixth defendant was charged with mediating in the bribery of a Government official and working for a person other than the licensed sponsor. The seventh defendant was charged with accepting a bribe and abuse of office. The eighth defendant was charged with prostitution. The ninth defendant was charged with prostitution and contravening the Labour Code.

Decision

- The first defendant was sentenced to 7 years' imprisonment and a fine of RO 10,000 for human trafficking and 3 years' imprisonment and a fine of RO 5,000 for money-laundering. The sentences were to be served concurrently and a confiscation order for money and gold jewellery seized, was issued. The defendant was also sentenced to: 3 years' imprisonment for using deception and threats to make the second and ninth defendants work as prostitutes; 1 year's imprisonment for prostitution; 1 year's imprisonment and a fine of RO 100 for living off immoral earnings. These sentences were to be served concurrently and followed by deportation. The first defendant was acquitted of the charges of forgery of a passport and bribery of a Government official.
- The second defendant was sentenced to 2 years' imprisonment and a fine of RO 1,000. The eighth defendant was sentenced to 2 years' imprisonment and deportation.
- The third and the fifth defendants were acquitted.

Case No. 7

Year: 2009. Location: Sohar province. Defendants: One Omani and one Bangladeshi.

Charges

77. The two defendants were charged with the offence of human trafficking provided for under article 9 (c) and article 1 of the Human Trafficking Act. In addition, the first defendant was charged with two lesser offences under article 42 of the Aliens' Residence Act and article 114 of the Labour Code.

Decision

78. The court convicted the first defendant for human trafficking and sentenced him to 3 years' imprisonment and a fine of RO 5,000. In addition, it convicted him of failing to renew his residence permit without a valid excuse and sentenced him to 1 month's imprisonment. Moreover, it convicted him of working without a permit and sentenced him to 15 days' imprisonment. The court ruled that these sentences were to be served concurrently and followed by deportation. The court acquitted the second defendant, due to insufficient evidence.

Reply to question 16

79. The Human Trafficking Act provides for the establishment of numerous mechanisms to prevent trafficking in persons, including, in particular, the National Committee to Combat Human Trafficking, which is formulating a plan to combat human trafficking in coordination with the authorities concerned and developing a database that can be used in efforts to counter human trafficking. The Committee helps victims of human trafficking to reintegrate rapidly into society. The law guarantees that the victims of human trafficking offences receive proper treatment. Victims are accommodated in dedicated care facilities (shelters for victims of human trafficking). They are also given psychological and medical treatment, provided with the necessary protection and informed of all of the rights guaranteed to them by law. They have the opportunity to clarify their legal status and talk about their physical and psychological state and social circumstances.

Reply to question 17

80. According to the Human Trafficking Act, the National Committee to Combat Human Trafficking must formulate a plan to combat human trafficking in coordination with the authorities concerned and prepare a database for use in combating human trafficking. The Committee has duly formulated a national plan and works with the authorities concerned to follow up on its implementation.

Reply to question 18

81. It should be noted, at the outset, that prostitution is forbidden by the Islamic sharia, which is the foundation of Omani law; consequently, perpetrators must be punished.

82. The Omani Criminal Code prescribes the following penalties:

- Article 220: “Any person who uses coercion, threats or deception to incite another to engage in debauchery or prostitution shall be liable to a penalty of from 3 to 5 years’ imprisonment. The penalty shall be no less than 5 years, if the victim is under the age of 18 years.”
- Article 221: “Any person who lives wholly or in part off the proceeds from the prostitution or debauchery of a person under his protection, influence or control shall be liable to from 3 months’ to 3 years’ imprisonment and a fine ranging from 20 to 100 Omani rials.”
- Article 222: “The same penalty shall apply to any person who operates premises used for debauchery and prostitution or assists in the establishment or operation of such premises.”
- Article 222 bis: “Any person who engages in paid and indiscriminate prostitution or debauchery shall be liable to from 3 months’ to 2 years’ imprisonment.”

Women who engage in prostitution may be considered victims, if they are trafficked within the meaning of the Human Trafficking Act.

Political participation**Reply to question 19**

83. The study mentioned in the report was not conducted. However, with the same aim in mind, an appraisal of women’s participation in the Consultative Council was conducted through a study on women candidates for the Consultative Council. The results of the appraisal were reviewed at the Omani Women’s Symposium, which was organized under the guidance of His Majesty Sultan Qaboos Bin Said, Sultan of Oman.

84. The findings of the study show that the elements that have the greatest impact on women's participation in the electoral process are, in ranking order, as follows:

1. The media;
2. The candidate's personal and interpersonal approach;
3. Legal and organizational factors;
4. Issues related to culture, society and values.

85. Consequently, the recommendations of the Omani Women's Symposium in this regard included the following:

Develop and implement training programmes to build the capacities and skills of Omani women with regard to the electoral process and the management of electoral campaigns, and develop their confidence and that of their families in the significant role that they play in society as fundamental partners in comprehensive development.

86. The topics for inclusion in the training programme have been identified and work is under way to implement the programme this month.

Equip offices of the Omani Women's Association throughout the various provinces and regions of Oman to serve as electoral campaign headquarters.

87. An Analysis was done of Omani Women's Association offices to identify what equipment they need to undertake these campaigns. The remaining procedures are under way.

88. With regard to the percentage of women currently in the Consultative Council, the report mentions that there were no successful female candidates in the most recent elections. The next elections will be held in October this year.

89. There has been no change in the percentage of women in ambassadorial and diplomatic positions. The percentage could be increased, should the State consider it necessary in order to advance the status of women.

90. In connection with the reasons for the absence of women in the judiciary, the report states that the Judicial Authority Act does not discriminate between men and women with regard to the right to appointment to the bench. It is only a matter of time before Omani women enter the judicial profession, particularly as in fact they currently work in occupations with broadly similar objectives in the Public Prosecution Office and in investigations, court hearings and juvenile cases.

Nationality

Reply to question 20

91. The Sultanate's reservation with regard to article 9, paragraph 2, of the Convention, which provides that States parties shall grant women equal rights with men with respect to the nationality of their children, is well founded, since the purpose of granting nationality to children is viewed as a means to an end, namely, to prevent children from becoming stateless persons. Pursuant to Royal Decree No. 54/96, Oman became a party to the Convention on the Rights of the Child, which guarantees every child the right to acquire a nationality from birth; the Nationality Act is sufficient to meet this obligation.

92. Nationality is a bond of allegiance between the State and the individual and allegiance is, in essence, indivisible. Children born to parents with an allegiance to their home country will share their parents' allegiances. The issue of nationality is, therefore, one

of national security. Moreover, a child born to an Omani woman acquires the mother's nationality, if the father's identity is not documented or the father has become stateless.

93. Taking humanitarian and social considerations into account, Oman has established a number of legislative and procedural measures through which it offers the following facilities and services to the children of Omani women married to foreign men:

(a) State education: the children of Omani women and foreign men can enrol in Government schools and higher education institutes without difficulty, as is the case with children of Omani parents;

(b) Health: these children have free treatment at all Government hospitals in the Sultanate and receive the same treatment as children of Omani parents;

(c) Work: the facilities are provided to allow members of this group to take up private sector employment in Oman should they wish to do so. These persons are treated on equal terms with the children of Omanis, in accordance with specific regulations;

(d) Residence and housing: these children are given special treatment and are allowed to live in the Sultanate with their Omani mothers.

Reply to question 21

94. There are no special criteria for naturalization. The Omani Nationality Act promulgated by Royal Decree No. 3/83 establishes a number of explicit requirements, regulations and procedures and the conditions on naturalization set out in article 2 of the Act are the same as those in the relevant regulation of every other State.

95. At present, no detailed statistics on foreign nationals who have been naturalized in Oman are available.

Education

Reply to question 22

96. The strategic objective of the Ministry of Education is founded on fundamental principles, namely, giving all Omanis, young and old, male and female, the opportunity to learn by providing them with access to different educational systems that will equip them for the roles appropriate to their abilities: since educated individuals can help bring about the cultural change necessary for the establishment of a modern Omani society. As a result of efforts to combat illiteracy, the illiteracy rate has fallen from 21.9 per cent to 12.2 per cent over the past seven years, according to the 2010 statistical survey.

97. Moreover, various projects and programmes have led to the development of literacy centres throughout the regions, with a positive impact on women's enrolment rates in literacy programmes. The total number of students has increased from 24 per cent in 1973 to 95.6 per cent in 2009. Men and women are free to enrol in literacy programmes if they so wish or are interested in doing so, and there are no gender quotas. Women's uptake is higher than men's, as shown by the higher enrolment rate for women mentioned above.

98. In this connection, one of the programmes implemented by the Sultanate is for female teachers with a diploma in general education. The teachers are trained to teach literacy classes in the framework of various programmes, including the Academic Skills Development Programme, the Educational Portfolio Programme and the "Educated Village" programme, which is an innovative approach used by the Ministry of Education to overcome both alphabetical and cultural illiteracy. Under this programme, women play a pivotal role in eradicating illiteracy over a defined period of time. They are given responsibility for a number of villages where they teach and encourage women villagers to become involved in the programme on the same footing as men. This programme unites the

efforts of all sectors of the local community and reflects a deep-seated belief in the importance of eradicating illiteracy in the community. It is carried out in a cooperative framework, with people spontaneously contributing materials and in-kind and moral support, thereby helping to create an educated community.

99. The purpose of the literacy project for Ministry of Education staff is to eradicate illiteracy in the Ministry, to contribute to reducing the illiteracy rate in Oman and to help illiterate staff to realize their ambitions and hopes for professional advancement. The project targets illiterate male and female staff at the Ministry and is implemented by both men and women. There are also a number of study support programmes, including the series *Reading for Adults and Life Skills Development Guides for Adults*, that help women to improve their career prospects.

Employment

Reply to question 23

100. The penalty for violating any law in the Sultanate is imposed by the competent authorities in cases reported to them. Therefore, a woman who is arbitrarily dismissed for taking maternity leave can resort to the courts and contest the decision.

101. With regard to the extension of maternity leave and breastfeeding hours, the Council of Ministers decided at its fourteenth session of 2010 to grant women working in State administrative offices subject to the Civil Service Act — which is the general legislation regulating the relationship between employees and management — leave for a period of 60 days before and after childbirth, in addition to two hours per day for breastfeeding for a period of four months thereafter. This decision applies to women employees subject to the Civil Service Act and special governmental regulations. The necessary measures are now being taken to amend the relevant legislation.

Reply to question 24

102. Sexual harassment is an offence under the Omani Criminal Code, promulgated by Royal Decree No. 7/74, whether it occurs in the workplace or elsewhere. Some of the relevant articles are mentioned in the report.

Health

Reply to question 25

103. The 2008 Gulf Family Health Survey in Oman showed that 53.8 per cent of ever-married women in the age group 15–49 years had previously used one or more contraceptive methods; of these, 41.4 per cent had used modern contraceptive methods.

104. In the age group 15–49 years, 24.4 per cent of married women were not pregnant and were using contraception at the time of the survey. Of these, 17.7 per cent were using modern birth spacing methods, while 10 per cent were using traditional methods to prevent or delay pregnancy.

105. Women do not need oral or written authorization or consent from their husbands in order to obtain health services in general, including reproductive health services. Although dialogue between spouses about different family needs for reproductive health services is encouraged, women are not required to submit evidence of their husband's consent when they request any reproductive health services; a birth spacing card is issued at the initial visit and family planning methods are available to women free of charge. Clinics are encouraged to receive spouses together, whenever circumstances permit.

106. Women do not need to obtain their husband's consent for surgical operations in general, and the woman's written consent is sufficient for a tubal ligation or hysterectomy.

107. The report indicates that abortion is permitted only in cases where pregnancy would put the life of the mother or foetus at risk, and before the seventeenth week of pregnancy. With regard to illegal abortions, Government health institutions are under an obligation to offer health services that each patient needs. No statistics or studies on unsafe abortions, whether performed in Oman or abroad, are available.

108. The abortion rate fell from 20.8 per 1,000 women in the age group 15–49 years in 1990 to 9.3 per 1,000 in 2009. The principal causes of abortions that were recorded in Ministry of Health statistics and those of other health institutions were foetal death, miscarriage or ectopic pregnancy.

Reply to question 26

109. All citizens are entitled to equal access to health services, including mental health services such as behavioural therapy, psychological counselling and rehabilitation therapy, without any discrimination on grounds of sex.

110. These services are offered through mental health clinics for outpatients at reference hospitals. At the end of 2010, there were 26 such clinics, located for the most part in cities and the major provinces. At present, work is under way to support and develop mental health-care services in primary health-care institutions, of which there were 172 at the end of 2009. Primary health care institutions are located throughout the country and are established close to communities in order to ensure that the majority of citizens have easy access to services. A number of beds at some of the main regional hospitals are allocated for patients suffering from psychological and mental disorders; for example, 12 beds are allocated for that purpose at the Sultan Qaboos hospital in Salalah.

111. Tertiary health care, including specialized treatment and rehabilitation services, is offered at the Ibn Sina Hospital for psychiatric care in Muscat, which currently has 81 beds, and at the Sultan Qaboos University Hospital, which currently has 24 beds. Since the number of beds is not sufficient for the country's needs, a new, 245-bed hospital is currently being built according to the highest international standards. It is hoped that the new hospital will be opened in 2011 and will contribute to the provision of high-quality psychiatric care and rehabilitation services to all patients in the Sultanate.

112. According to Ministry of Health data for 2009, 3,854 new female cases were registered at psychiatric clinics, or 47 per cent of the total number of new cases; 50 per cent of all visitors to psychiatric clinics were women. The morbidity rate among females attending outpatient clinics for mental or behavioural disorders was 91 per 10,000 of the female population, in comparison with 51 per 10,000 of the male population. Most commonly, women who attend psychiatric clinics suffer from mood and anxiety disorders, schizophrenia, schizoid personality disorders and delusional disorders.

113. In the same year, there were 869 patients in psychiatric hospitals, of whom 29.2 per cent were women. The total hospital admission rate for mental and behavioural disorders among females was 4 per 10,000 of the female population, while among males it was 5 per 10,000 of the male population. The disparity between male and female hospitalization rates can be attributed to various causes, including the fact that women are less prone to some severe psychiatric conditions — such as personality disorders, drug and alcohol addiction and behavioural disorders — that require hospitalization. Moreover, a large number of the cases of anxiety and depression that affect mainly women can be treated without hospitalizing the patient.

Disadvantaged groups of women

Reply to question 27

114. The Persons with Disabilities Welfare Act, promulgated by Royal Decree No. 63/2008, guarantees the welfare of all persons with disabilities, whether male or female. Persons with disabilities receive preventive and curative health care and are provided with prosthetic and rehabilitative devices to assist with mobility. In addition, the Act requires the State to provide education to persons with disabilities tailored to take account of their sensory, physical and mental capacities, and to provide employment opportunities for men and women with disabilities. Under the Act, the Ministry of Social Development is responsible for providing appropriate vocational training, in coordination with the authorities concerned, and Government authorities and employers with 50 or more employees are required to provide jobs to persons with disabilities seeking employment.

115. The Act furthermore requires that the authorities make public spaces, roads and buildings accessible to persons with disabilities and to organize social, cultural and sporting activities that include persons with disabilities.

116. The rights and obligations of domestic workers are regulated under the Minister of Manpower's Decision No. 189/2004, concerning the terms and conditions of employment for domestic workers. This decision seeks to ensure that the rights and obligations of these persons are balanced. In the same context, the Minister of Manpower's Decision No. 1/2011, on the issuance of regulations for the recruitment of foreign workers, guarantees the rights of workers recruited from abroad. The authority responsible for the implementation of the aforementioned decisions periodically studies the problems arising from implementation with a view to addressing potential shortcomings.

Equality before the law and in civil affairs

117. Oman entered reservations to article 15, paragraph 4, of the Convention, which provides that States parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile; this obligation is inconsistent with the Personal Status Act issued by Royal Decree No. 32/97, whereby a wife must live with her husband in the home that he has prepared and move from it when he moves, unless stipulated otherwise in the marriage contract or unless the husband intends to harm his wife by moving. The Omani Passport Act was amended by Royal Decree No. 11/2010 to allow women to obtain an Omani passport without needing permission from their guardians. This amendment gives women greater scope to move without having to ask for permission. Moreover, when it submitted its human rights report, Oman voluntarily pledged to endeavour to review the reservations that it had entered to the Convention on the Elimination of All Forms of Discrimination against Women. It is hoped that the reservation will be limited or withdrawn. In any case, it does not encroach on women's right to freedom of movement and residence.

Equality in marriage and family law

Reply to question 30

118. The Personal Status Act issued by Royal Decree No. 32/97 regulates personal status issues, including marriage, divorce, residence and so on. The provisions of the Act derive from the noble Islamic sharia, which, as stipulated in the Basic Law of the State, is the primary source of legislation. The Act provides that marriage partners are required to be of sound mind and to be at least 18 years of age. Minors under 18 years of age may only be married with the consent of a judge, once it has been ascertained that the marriage is in the applicants' interest. This is designed to protect the rights of women minors. Forced

marriage is not permitted under the Personal Status Act, since marriage may only be entered into on the basis of a proposal and an acceptance, which are two of the key elements of marriage, and with fully given consent.

119. In the light of the above, it can be said with full transparency that the law allows women freely to choose their spouses, that marriage is contracted only with the woman's full consent and that marriage is officially documented by the competent national authorities.
