



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Initial periodic report of States parties

Oman*

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

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First report

Legislative, judicial, administrative and other measures taken in respect of the provisions of the articles and clauses of the Convention on the Elimination of All Forms of Discrimination against Women

I. Introduction

1. The Sultanate of Oman ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in May 2005 and the instrument of ratification was deposited in February 2006. This is the Sultanate's first national report on current legislative, judicial and administrative measures and the measures that it has been decided to adopt with a view to implementing CEDAW, pursuant to article 18 of the Convention. The present report is the outcome of cooperation between governmental and private organizations.

2. Shortly after its accession, the Sultanate formed a committee to monitor implementation of the Convention. The committee benefited from international expertise in this regard. The Sultanate wishes to affirm the significance of the institutional dimension adopted with the aim of following up its obligations with respect to CEDAW.

3. This committee has, inter alia, the following three key goals:

- To monitor implementation and foster the provisions of CEDAW;
- To increase the awareness of the public and of relevant or competent bodies of the rights and provisions contained in the Convention, through the appropriate media;
- To prepare the first national report and subsequent periodic reports on measures taken to implement the provisions of CEDAW.

4. Development efforts in the Sultanate have sought to achieve gender equality and partnership and the removal of all forms of discrimination by empowering women and promoting their involvement in all fields in order to ensure their positive participation in sustainable development. This approach is a product of the recommendations of international and United Nations conferences on human rights (Vienna, 1992), population and development (Cairo, 1994) and women (Beijing, 1995), as well as the Millennium Declaration and the Sultanate's national policy on population to 2020.

5. Given the nature of the political system in the Sultanate of Oman, the statements, speeches and directives of the Sultan have, since 1970, functioned as the basic authority for the implementation of legal provisions and management of the course of events in the country. A primary focus of those statements and directives has been the elimination of all forms of discrimination against women. The Sultanate has adopted an approach whereby it seeks, on many occasions, to encourage and urge women to participate in the public affairs of the country, and affirms the importance of women having access to and exercising their full rights.

6. The Sultanate's concern with issues of equality and gender is apparent in its legislation, which does not discriminate between men and women. An example is the Law of Interpretations (1973). The general rule in Omani legislation is equality between men and women in respect of all rights and obligations and that is established in the Basic Law of the State (1996), article 17.

7. The legislature has adopted the principle of according international treaties and conventions, once ratified, the same status as domestic law with regard to binding force, in accordance with the Basic Law of the State, article 76. On 7 February 2006, the instrument of the Sultanate's accession to CEDAW was deposited with the Secretary-General of the United Nations. Pursuant to CEDAW, article 27, which provides that the Convention shall enter into force on the thirtieth day after the date of deposit of a State's instrument of ratification or accession, all provisions of the Convention, with the exception of those in respect of which reservations have been expressed, have been considered an integral part of national legislation since March 2006.

8. The present report is divided into three sections. Part I comprises the introduction. Part II provides general information on the Sultanate, basic demographic and economic indicators, the Basic Law of the State, and the efforts made to adapt the cultural and social environment to serve a human rights perspective, especially in relation to CEDAW. Part III addresses the articles of the Convention in the light of the factors and difficulties which affect the Sultanate's commitment to and fulfilment of its provisions, as well as the reservations expressed by the Sultanate in respect of certain articles thereof.

II. General information

Social and demographic features

9. Human settlement in the Sultanate of Oman dates from prehistoric times and the country has been known by various names at different times, including Majan and Mazun. The origins of Omani society may be traced to the northern and southern Arab tribes of Adnan and Qahtan respectively. Drawn by the commercial prosperity of the country in antiquity and Omani commercial openness, particularly toward East Asia and East Africa, other peoples became affiliated to those tribes and settled with the original inhabitants. Coming from India, Persia and Africa, they settled in Oman and became just as much a part of Omani society as the original inhabitants, without differentiation or discrimination.

Geographical location and area

10. The Sultanate of Oman is situated in the extreme southeast of the Arabian Peninsula, with coastlines on the Gulf of Oman and Arabian Sea. The country is bordered to the southwest by the Republic of Yemen, to the east by the Kingdom of Saudi Arabia and to the north by the United Arab Emirates. Several small islands in the Gulf of Oman and Straits of Hormuz belong to the Sultanate. The area of Oman is 309,500 square kilometres.

Language and religion

11. Arabic is the official language of the Sultanate of Oman. The overwhelming majority of the population of Oman professes Islam, while non-Muslims are basically represented by expatriate workers from various countries. No more than 1 per cent of Omanis are non-Muslim. Everyone lives in religious harmony and tolerance. The State allows everyone to practise their religious rites and the Basic Law of the State guarantees individuals freedom of belief and freedom to practice their religious rites. Under Omani legislation, it is forbidden to insult the Islamic religion and other religious beliefs.

Population

12. According to the 2007 annual census of the Ministry of National Economy, the Sultanate of Oman has a population of some 2,750,000, of whom 70 per cent are Omani. Females comprise 49.5 per cent of the Omani population.

13. United Nations estimates indicate that in 1970, the Sultanate had a population of some 766,000 and a population growth rate of 2.4 per cent. According to the 1993 census, however, in the 1990s that growth rate had increased to 3.5 per cent as a result of improved standards of living and the availability of health-care services, and the population had risen to approximately 2,341,000. The total fertility rate, which was six live births per woman in 1995, had fallen to 3.5 by the time of the 2003 census.

14. The national policy for the regulation of rapid population growth, the national birth-spacing programme, has played a part in reducing the rate of that growth to 1.8 per cent, as shown by the 2003 census.

15. The Sultanate has completed the preparation of a national population policy that is consistent with the capacities, reproductive rights and fundamental values of the population and is designed to create a balance between patterns of production and consumption and the goal of improving quality of life and eliminating all forms of discrimination.

The economy, culture, education and health

The economic situation

16. Since 1970, the Sultanate of Oman has followed the free market system and employed the economic and social development approach.

17. Given the human development dynamic, the Sultanate has developed a long-term (1996-2020) development strategy known as "Oman 2020", and formulated a vision for the future national economy. At the forefront of priorities are the building of human capacities and the bridging of economic and cultural gaps without discrimination. The goals of the strategy have been revised in the light of the Millennium Development Goals.

18. To date, seven development plans have been implemented as part of the long-term development strategy, which contains specific social development goals. In the knowledge that social development is not necessarily an automatic result of economic development, appropriate policies and mechanisms have been formulated in order to achieve those goals.

The cultural situation

19. In formulating sustainable development goals, the Sultanate has banked on its cultural and social diversity and devoted attention to influential men and women on the country's cultural scene.

20. The Sultanate seeks to achieve the goals of sustainable development by making use of contemporary achievements and modern technologies and concepts, while preserving indigenous Omani cultural values, thereby ensuring that social and economic changes will blend into a cultural system designed to eliminate discrimination and achieve equality, justice and the empowerment of women.

The educational situation

21. Since 1970, when there were only three Government schools and a few private schools, the formal education sector has made a great leap forward. Omanis who wished to receive an education at that time had either to enrol in those schools or leave the country in order to work and study abroad. In those days, the education of Omani girls was limited to schools teaching the Koran.

22. By 2007, 1,052 schools had been constructed, and there were a further 207 private and foreign schools, in which some 600,000 pupils of both sexes were enrolled. Many of those, both male and female, will have the opportunity to enrol at Sultan Qaboos University (SQU), which has an annual intake of 2,500 male and female students. At the end of academic year 2006/2007, a total of 15,000 male and female students were enrolled at SQU. Leaving SQU aside, higher education in the Sultanate has markedly developed in recent years. In academic year 2007/2008, 24 institutions were operating in the country, with 25,988 male and female students, representing an increase of 27.6 per cent over academic year 2006/2007.

The health situation

23. The health system has developed with regard to both quality and efficiency, in line with modern approaches to the mechanics of providing health and medical care to the population. In 2007, there were 59 Government hospitals and 244 clinics and health centres, spread across the entire country. Development has passed through several phases, commencing with horizontal expansion in health service infrastructure in order to reach all sections of Omani society, followed by emphasis on developing the quality of health services, making them more comprehensive and able to address all aspects of preventive and therapeutic care and rehabilitation, while targeting such key areas as the health of expectant and nursing mothers, in order to ensure that they enjoy their reproductive and health-care rights, and continuing the expansion in health service institutions.

24. The Government has concentrated on providing support for health programmes, which have become more diverse and organized, in keeping with the concept of primary health care, the decentralized management of health services and the manner of treating types of modern disease caused by changes in lifestyle and population structure.

The political system

25. In November 2006, the Basic Law of the State (the Constitution) was promulgated. The system of governance covers all aspects of the machinery of State,

as well as the basic rights and duties before the law of male and female citizens, and freedom of conscience. It affirms that justice, equality and consultation are the bases of governance and the pillars of all aspects of political, economic and social life in the Sultanate. Three authorities, namely, the executive, legislative and judicial, are recognised under the Basic Law.

26. Executive authority consists of the Council of Ministers and a number of special councils. The legislative authority comprises the Consultative Assembly and the Council of State, which make up the parliament of Oman. The Consultative Assembly is elected in full, while the members of the Council of State are appointed.

27. The Basic Law of the State, or Constitution, guarantees the independence of the judiciary: articles 59-71 stipulate that the judicial authority is independent and that only the law has authority over judges in respect of their rulings. The Judicial Authority Law that was promulgated pursuant to Royal Decree No. 90 (1999) created an integrated judicial system consisting of a Supreme Court, several courts of appeal and a number of courts of first instance distributed throughout the country's governorates and regions. Those courts hear civil and commercial cases, with the exception of administrative disputes, and have competence in matters of arbitration. The Law abolished the Sharia courts which had previously been in operation.

28. The Supreme Court represents the apex of the hierarchy of the Omani judicial system and functions as the country's constitutional court. Its duties include supervising compliance in respect of the interpretation and application of laws. It is therefore responsible for overseeing implementation of the provisions of CEDAW by supervising the compliance of the rulings delivered by other courts with CEDAW or any other human rights-related instruments to which the Sultanate is a party or has acceded and ratified its accession.

29. Administrative disputes fall under the jurisdiction of the Court of Administrative Justice, established pursuant to Royal Decree No. 91 (1999), which enjoys the power to overturn Government decrees and grant compensation to male and female injured parties. This makes it possible to employ CEDAW to review decisions taken by Government agencies or departments.

30. Pursuant to Royal Decree No. 92 (1999), the independent Office of the Public Prosecutor was established, a body functioning as an independent judicial prosecution body.

Raising awareness of women's issues, women's empowerment and elimination of discrimination against women

31. The Sultanate's concern with women's issues, women's empowerment and the elimination of discrimination against women stems from its commitment to the question of women's advancement which, in turn, gave rise to the Basic Law of the State and ongoing directives from the Sultan.

32. In addressing matters pertaining to women's lives and affairs, the Omani legislative approach is based on two fundamental principles: equality between men and women in general and respect for women's innate nature.

33. The third theme of the vision for the economy (“Oman 2020”), concerning the development of human resources, affirms that the participation in the job market of all women of working age should increase to some 50 per cent.

The concern of Sultanate policies and programmes with improving the situation of women, qualifying women to make a positive contribution to the development of their community, and strengthening their position

34. The Sultanate has prepared a set of studies to serve social development and planning goals, including the following:

Study on gender equality and the empowerment of women

35. This study tracks progress in the capacity-building of Omani women in various fields, analyses gender discrepancies in respect of, inter alia, such acquired rights as education, health and employment and in respect of State leadership positions, and offers recommendations for the reduction of the gap between men and women at all levels.

- Men and women in the Sultanate of Oman: a statistical picture, 2007. (Annual publication);
- Legal awareness among women (2008);
- Establishment of a database of social indicators and publication of the first statistical analysis of social indicators.

36. Since the 1980s, the Sultanate has held a number of training courses in various fields for women across the country. Pursuant to the Millennium Development Goals and the Beijing Platform for Action (1995), a series of national seminars is being held with a view to raising the awareness of various social sectors. The issues dealt with include the following:

- Gender mainstreaming in planning and statistics;
- The economic empowerment of women;
- Equal opportunity in education and employment;
- Narrowing the gap between the law and its application in matters relating to women’s rights;
- The legal literacy programme that has continued since 2000;
- Strengthening the complementary social roles of men and women and changing the stereotypical image of women’s role.

III. CEDAW articles analysed from the perspective of the current situation in Oman and the factors and difficulties affecting Oman's compliance with CEDAW provisions

Article 1: The definition of discrimination against women in national legislation

CEDAW, article 1, stipulates that the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

37. All Omani legislation is devoid of the term “discrimination against women” and, indeed, affirmed equality of opportunity for men and women even before the Basic Law of the State was promulgated.

38. Article 17 of the Basic Law of the State stipulates that all citizens are equal before the Law, and are equal in public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect, domicile or social status. Here, the term “citizens” includes men and women equally, pursuant to the Law of Interpretations and General Stipulations (1973), article 3 of which stipulates that words indicating or referring to the masculine include the feminine.

Article 2: The commitment, as embodied in national legislation, to eliminate discrimination

Article 2 of CEDAW calls upon States parties to condemn all forms of discrimination against women, and to strive without delay to eliminate such discrimination by “appropriate means”. It provides a set of measures to be taken by States parties to achieve this goal, including stipulating the principle of the equality of men and women in national constitutions or other appropriate legislation, providing penalties in national legislation aimed at deterring all acts of discrimination against women, protecting women from any act of discrimination by having recourse to competent national tribunals and other public institutions mandated to undertake such a role, ensuring that public authorities and institutions refrain from engaging in any discriminatory act or practice against women, modifying or abolishing existing laws, regulations, customs and practices which may be held to discriminate against women, and repealing all national penal provisions which constitute discrimination against women.

39. The Basic Law, article 80, forbids any State body to issue rules, regulations, decisions or instructions that contravene the provisions of laws and decrees in force, or international treaties and agreements which constitute part of the law of the country. The latter includes CEDAW, as noted above.

40. The Law on Combating Human Trafficking and the Omani Penal Code forbid trafficking in and the sexual exploitation of women, holding this to be a form of

discrimination and exploitation. The report will deal with the relevant national legislation as it addresses each article of the Convention.

41. Women who have been harmed by arbitrary and discriminatory decisions have the right to have their cases heard by the Court of Administrative Justice, if the Government is a party to the case, or by the civil courts, if the case involves legal or natural civil parties.

42. On 15 November 2008, pursuant to Royal Decree No. 124 (2008), a national human rights committee was established, which has the status of a legal person and enjoys independence in the exercise of its duties. The committee is responsible for monitoring protection of human rights and freedoms in the Sultanate, in accordance with the Basic Law of the State and international instruments and conventions.

Article 3: Ensuring the development and advancement of women

Article 3 appeals to States parties to take the necessary measures in the legislative, social, political, economic and cultural fields to bring about the full and fair development and advancement of women in order to ensure that they enjoy human rights and fundamental freedoms on a basis of equality with men.

43. Political authority for actual practice in respect of the Sultanate's policy of accelerating equality between men and women proceeds from the relevant directives of the Sultan, his initiatives in appointing women to senior positions, feminising the designation of posts when occupied by women and granting women their political, economic and social rights, as stated in the introduction and as will subsequently be made clear in this report.

44. The Sultanate has taken numerous positive measures to ensure the development of women, including the following:

- In the legislative sphere: promulgation of the Basic Law of the State;
- In the social sphere: the inclusiveness of the social insurance and social security system;
- In the political sphere: the appointment of female ministers, undersecretaries and ambassadors, and the appointment of women to the Office of the Public Prosecutor;
- In the economic sphere: the labour and companies law;
- In the cultural sphere: the education and scholarship system.

45. The report will address the above in greater detail when dealing with the relevant articles of CEDAW.

46. Penal legislation does not discriminate between men and women, with the exception of positive discrimination in favour of pregnant women and women with particular health conditions.

47. Civil and penal procedures do not discriminate between men and women, either in terms of stipulation or application, in respect of testimony before the courts.

48. There are no obstacles in Omani legislation preventing or restricting the exercise by women of their freedoms or discriminating in favour of men. Women have complete freedom to participate in different areas. If there are obstacles, those consist in prevailing customs, traditions and practices, which have begun to disappear.

Article 4: Policies adopted in order to accelerate equality between men and women

Article 4 permits States parties to adopt temporary measures aimed at accelerating de facto equality between men and women. Such measures shall not be considered discrimination and shall in no way entail as a consequence the maintenance of unequal or non-transparent standards. They shall be discontinued when the objectives of equality of opportunity have been achieved. Similarly, measures pertaining to maternity care shall not be considered discriminatory.

49. While the policies adopted by the Sultanate in order to accelerate measures to achieve equality between men and women preceded the country's accession to CEDAW, accession focused the attention of the national committee on both additional, consolidating measures, which it is in the course of studying prior to adopting as national policy, and the importance of taking into consideration the gender mainstreaming of the national information technology infrastructure.

50. A gender-responsive budgets programme has been adopted. This initiative is one of the primary guarantees that the gap between policy and planning will be closed and that gender will be taken into account when analysing and making provision for revenues, costs and State public budget allocations.

51. Work is currently underway on preparing the national population strategy, which aims to direct economic and social development towards achieving harmony between population growth and available resources and towards effecting positive change in its administrative and geographic distribution. The most significant of the goals which, with a view to improving the lives of the Sultanate's population, are hoped to be achieved by 2020, include the following:

- To achieve a rate of population growth that is consistent with the demands of sustainable development and increase efforts to improve social and health aspects of quality of life;
- To improve reproductive behaviour, continue efforts to achieve lower mortality levels, particularly among women, mothers and infants, and increase life expectancy at birth;
- To achieve fairness between the sexes, empower women to realize their full potential, ensure that their contribution to social, economic and political development is strengthened and protect their constitutional rights;
- To emphasize the regional dimension of development in order to narrow the gap in social and economic development indicators between the urban and rural populations.

Article 5: Stereotyped, gender-based roles

Article 5 calls upon States parties to take the necessary measures to modify the social and cultural behaviour patterns of men and women, with a view to eliminating customs, traditions and other practices society engages in against women, based on the idea of male superiority and the stereotyped role of women as child-bearers and child-raisers. States parties are also called upon to establish a proper understanding of maternity as a social function, requiring the joint participation of men and women in the upbringing and development of children, it being understood that the interest of the children is the primary consideration in all cases.

52. As an oriental Muslim society, Omani society continues to accord tutelage to the man. The father is the head of the family by law and in custom. If, however, a woman provides for her family, she becomes the head of the family. As such, women's economic development contributes to the positive development of their stereotyped role.

53. Albeit some family members cling to stereotyped women's roles, there is currently a general trend in Omani society towards equality in gender roles. The stereotyping of gender roles has gradually begun to disappear and the entry of women into new, non-traditional areas, including such jobs as driving instructor and traffic police officer, is accepted.

54. State policy and the Sultanate's belief in the importance of women's position in society and contribution to sustainable development have played a large part in modernizing society's view of the role of women. The Basic Law of the State, article 17, affirms that all citizens are equal before the law in respect of public rights and duties.

55. For some time, the various branches of the Omani media have affirmed that women play an active role in all professions and positions, and have raised societal awareness of the need not to restrict women to certain stereotyped roles. That has coincided with the end of the enshrinement of stereotyped gender roles in Omani school curricula.

56. Furthermore, several women's organizations have collaborated with State institutions in order to change the stereotyped view of women's role in society by setting up a number of training courses, meetings and lectures on the concept of gender and female alphabetic and legal literacy. Non-governmental organizations have combined efforts to change negative social and cultural stereotypes.

57. In Oman, women work in all areas and sectors and have entered fields to which they are not accustomed in Arab, particularly Gulf, society, as previously noted. The Omani Labour Law does not place restrictions on the type of women's participation, although there are a small number of jobs in which women could be put at risk in which they are not employed. We shall deal with those when discussing the employment situation of women.

58. Omani legislation guarantees women their dignity and humanity. Women may not be harmed or assaulted in any way. Under the Omani Penal Code (1974), if a woman suffers harm, she has the right to resort to the judiciary.

59. The phenomenon of domestic violence is generally unacceptable in Omani society, which remains a traditional society, among whose members mutual solidarity prevails. Thus, when a woman has a problem, she generally has recourse to members of her family, relatives or friends for help in overcoming the problem and in order to provide a suitable place for her to live in, if needed, give her support and see that justice is done. In addition, there are various counselling organizations which advise both parties of their domestic rights and duties and the proper foundations on which to base a relationship.

60. Action is currently being taken with a view to creating institutional mechanisms that will enable the family (i.e. women and children), if subjected to violence, to report it or seek refuge in a secure and stable environment, by forming working groups in all areas of the country consisting of public and private sector staff competent to study and address different cases and who can help to monitor and eradicate this phenomenon.

Article 6: Measures to combat the exploitation of women

Article 6 calls upon States parties to take appropriate legislative measures to combat the trafficking of women and all forms and manifestations of the white slave trade, as well as to take appropriate legislative measures to prevent women and girls from resorting to prostitution as a source of livelihood.

61. On the basis of the teachings of its religion and its inherited customs and traditions, Omani society rejects all forms of moral decay, including prostitution. The low regard of society is not focused solely on the woman as a prostitute, but on both the woman and the man.

62. Pursuant to Royal Decree No. 126 (2008), the Law on Combating Human Trafficking was promulgated on 23 November 2008. In addition to the relevant articles of the Omani Penal Code (article 261), article 1 of this Law criminalizes acts which can be classified as trafficking in persons, particularly women (white slavery).

63. The Omani Government seeks to apply the substance of the legislation and conventions it has signed and to impose the penalties provided for in the Law on Combating Human Trafficking, articles 8 and 10-16, against anyone who engages in, incites or abets prostitution. It further criminalizes the opening or running of brothels or inciting women to engage in prostitution and punishes the parties to the crime without discrimination on the basis of gender.

64. Omani legislation is designed to protect the person, without discrimination between men and women, and that includes protecting women and children from exploitation and trafficking.

65. Anyone forced into prostitution shall be treated as a victim and receive special judicial, health and social treatment (Law on Combating Human Trafficking, article 17).

66. The Omani Penal Code, article 34, provides for a sentence of not less than 15 years imprisonment for anyone who commits disgraceful sexual acts in public, inflicts physical or mental torture on someone he has deprived of liberty, violates someone's honour, or forces someone to engage in prostitution (article 258).

67. A technical committee, formed by Council of Ministers decree, studies regional and international instruments that are designed to combat crime. Membership of the committee consists of representatives from concerned bodies, including the Ministry of Foreign Affairs, Ministry of Legal Affairs, Ministry of Interior, Ministry of Justice, the Royal Oman Police, the Office of the Public Prosecutor and the State Audit Institution. The committee is currently engaged in preparing a report on the amendments necessary to bring national legislation into line with such instruments.

68. Without prejudice to the above, the Sultanate provides treatment to rehabilitate female victims of prostitution or those in trouble with the law, through specialist counselling and family guidance departments within the Ministry of Social Development and in collaboration with the Royal Oman Police. The goal is to reintegrate those women into society and help them to adjust socially.

69. As regards monitoring patterns of migration from and into the country where the specific intent is to engage in sexual acts and sex tourism, the Sultanate does not permit entry to its territory for such migration and takes severe measures to monitor and curb the phenomenon, granting permission to work or visit for a limited period of time only. The Sultanate is, to a large extent, free of trafficking in persons, indecency and prostitution and, at the time of preparing this report, no more than 250 cases have been identified in the past five years.

Article 7: Participation in political and public life

Article 7 appeals to States parties to guarantee the active participation of women in public life on the basis of equality with men by ensuring women's right to vote in elections and public referenda, to be eligible for election to all publicly elected bodies, to participate in the formulation of Government policy, to hold public office and assume positions at all levels of Government, and to participate in non-governmental organizations and associations concerned directly with the public and political life of the country.

The right to be nominated for office, to vote and to be a parliamentary representative

70. Women in Oman enjoy the right to be nominated for office and to vote in elections on an equal basis with men, without discrimination. Since 1994, there have been two women members of the Consultative Assembly.

71. The right of participation in public affairs is safeguarded by the Basic Law of the State and accorded to all Omani men and women. It is restricted to males and females aged 21 or above, be they Omani by origin or naturalization. It is not linked to any such external conditions as property ownership or personal circumstances, including tribal or professional affiliation or knowledge of reading and writing.

72. The percentage of women voting in elections has risen since 1997, when women represented approximately 11 per cent of total voter turnout: in the 2000 and 2003 elections, women represented 26.5 and 37 per cent respectively of voters, while in the 2007 elections, they constituted more than 40 per cent of all those who voted.

73. The right to nominate candidates for the Consultative Assembly is granted to men and women equally under article 22 of the Oman Parliament Act, promulgated by Royal Decree No. 86 (1997). This article does not discriminate between male and female, stipulating essentially that candidates must be 30 years of age or above, enjoy a good reputation and social standing and have appropriate practical experience.

74. On average, women constituted some 7 per cent of all candidates in the last four general elections. There were 27 female candidates out of a total of 736 male and female candidates (about 4 per cent), in the 1997 elections, 21 female candidates out of a total of 540 candidates (about 4 per cent), in the 2000 elections, 15 female candidates out of a total of 506 candidates (about 2 per cent), in the 2003 elections and 21 female candidates out of a total of 632 candidates (about 3 per cent), in the 2007 elections.

75. Specialist bodies in the Sultanate are currently conducting methodical field studies with a view to identifying the true causes of the decline in women's participation in the political process, which persists despite the fact that initial indicators related to recognition of women's rights and belief in the importance of women's participation were encouraging.

76. For the sake of fairness, it must be noted that the social structure, in the form of the tribe or clan councils, grants men a relative advantage. However, interviews conducted with female candidates after the elections show that this did not prevent those who contested the elections from reaching out to male and female voters using the same channels traditionally available to men for that purpose. However, a methodical study has yet to be conducted to discover the effectiveness of women's use of those traditional channels.

77. The Government is seeking to remove any social impediments which represent inherent discrimination against women by monitoring election campaigns and elections, evaluating the conduct of male and female candidates and carrying out field studies on obstacles to the political participation of women. It is currently working to prepare training and awareness programmes for the influential elite on the local community's moral and political scene, in addition to empowering women who wish to become involved in political activity with the necessary political and planning skills.

78. While women constitute no more than 2.4 per cent of members of the elected chamber, they are the pioneers of women's political participation in the Gulf. However, the results of the last elections (2007) were disappointing, with no successful female candidates, although the vote count indicated that they achieved a very high level of competitiveness with the male candidates. Female membership of the appointed chamber rose to some 21 per cent, demonstrating the interest felt by a wise Government in giving women the opportunity to play a major role in decision-making.

Public and political office

79. In view of the special character of Oman's political system and system of governance, most key public positions, with the exception of positions in the Consultative Assembly, are filled by appointment of the Sultan.

80. Appointment is made on the basis of social, political and technocratic considerations, as well as such other factors as the Sultan's wish to further the participation of women at the senior executive political level. Currently, women occupy three important ministerial portfolios, namely, tourism, higher education and social development, thereby constituting 10 per cent of the membership of the Cabinet; and a public position at ministerial level, namely, that of head of the Public Authority for Craft Industries. In addition, there are one female ministerial undersecretary and two female ambassadors.

81. Women occupy some 12 per cent of executive and senior advisory positions in the public sector and constitute 35 per cent of public sector employees. Women have the right to occupy positions in the judiciary and all professional occupations and positions.

Public referendums

82. The public referendums system is not used in the Sultanate. Accordingly, no scope is offered for discrimination between men and women.

83. Women participate actively and effectively in public affairs, development issues and the formulation and implementation of development plans in the country through the following three main channels:

(a) Membership of the Omani parliament (the Consultative Assembly and Council of State);

(b) Increased membership of governmental sector-based and technical committees during formulation of development plans, with women representing more than 85 per cent of the membership of committees on health, social affairs and civil society affairs, some 50 per cent of the membership of committees on education and culture and a reasonable proportion of the membership of economic committees. There are, in addition, women members of the Supreme Committee for the Five-Year Development Plans;

(c) Membership of civil society organizations, including women's, voluntary and professional societies and governmental and private academic bodies.

Participation in governmental and non-governmental (civil society) organizations

84. Women enjoy the same right as men to form and establish civil institutions and that right is safeguarded by the Basic Law of the State and other laws, as previously mentioned.

85. Omani women are ahead of the men in this area, with the first women's society having been established in 1972. There are currently 51 Omani women's societies.

86. Women have the distinction of being the dominant force in civil society. Women's civil society organizations, as represented by Omani women's associations and several voluntary work organizations, constitute a substantial force which, it is hoped, will be effective in successfully promoting women's political participation, both as voters and candidates.

87. Union and labour federation activity is a recent phenomenon in the Sultanate, only beginning in its internationally recognized legal form in 2006, and data and statistics on women's participation are unavailable. Regulations are currently being

reviewed in order to ensure that women's interests are represented in unions and labour federations.

88. With the development of unions and the maturing of union activity, it will be possible to make use of such activity in public affairs, and it is expected that women will play a role equal to that of men.

Article 8: Representation and participation at the international level

Article 8 calls upon States parties to enable women to represent their Governments at international level and to participate in the work of international organizations.

89. Women enjoy an equal right with men to represent the Sultanate at the international level. Opportunities for men and women to undertake such representation are dependent on practical experience, competence and professional ability, in addition to the need for and nature of the representation.

90. Men and women participate in the work of international organizations on an equal basis, in accordance with the aforementioned criteria. In many cases, the Sultanate has chosen a woman as its representative in international talks, including negotiations on accession to external organizations or to manage the country's interests, as is the case with the office of Oman at the World Trade Organization (WTO). Furthermore, there are Omani women working at a number of international organizations, including the United Nations, World Health Organization, UNESCO and WTO.

91. Similarly, employment in the diplomatic and consular corps is open to women as well as to men. Women have been employed as diplomats in the Ministry of Foreign Affairs since 1975: where there were three, there are currently 34, including women ambassadors to two of the most important allied and friendly States, namely, the Kingdom of the Netherlands and the United States of America. Women enjoy the same privileges as men as regards accompanying spouse and children and so on. A woman has recently been appointed at ambassadorial level to head one of the main departments of the Ministry of Foreign Affairs.

92. While, at 5 per cent, the proportion of female ambassadors is low, it is nevertheless an encouraging beginning, given the region's social and cultural context, particularly if we consider that women constitute approximately 17 per cent of all staff of the Ministry of Foreign Affairs. From a future perspective, a not inconsiderable number of women has started to climb the career ladder and women's participation will soon rise from current levels of 4 per cent in the position of advisor, 20 per cent in the position of first secretary, 36 per cent in the position of second secretary, 30 per cent in the position of third secretary and 7 per cent in the position of diplomatic attaché. Some 4 per cent of Omani diplomats in the country's overseas missions are women.

93. Women have not been prevented from participating in international organizations and conferences because of their sex. On the contrary, the Sultanate was the first Gulf State to send a female undersecretary to meetings of undersecretaries of the Cooperation Council for the Arab States of the Gulf (GCC).

Furthermore, the Sultanate was the first State to select a woman as its representative on the GCC Advisory Board of the Supreme Council.

Article 9: Nationality

Article 9 calls upon States parties to grant women the same rights as men to acquire, change or retain their nationality, ensure that marriage to an alien does not cancel or change the nationality of the wife and grant women the same rights as men with respect to the nationality of their children.

94. Promulgated by Royal Decree No. 3 (1983), the Omani Nationality Law, amended by Decree No. 58 (1993), grants women equal rights with men to acquire, retain or change nationality.

Right of citizenship (recognition of nationality)

95. Pursuant to the Omani Nationality Law, article 17, there is no discrimination between men and women as regards citizenship. Any person, male or female, born in Oman or outside the country to an Omani father is Omani.

96. A woman enjoys the right of citizenship regardless of marital status and even if married to a foreigner, unless she has submitted an application to the competent body declaring her unequivocal wish to relinquish Omani nationality in order to acquire another nationality. If the marriage terminates for any reason, she has the right to reclaim her Omani nationality, upon application to the competent body. An Omani woman married to a foreigner is not obliged to take her husband's nationality and does not lose her nationality simply by virtue of her marriage.

97. The law requires both men and women to obtain the approval of the competent body if they wish to marry a foreigner: that is a formal procedure. However, failure to obtain approval shall not, under any circumstances, result in loss of nationality.

Nationality of children

98. In principle, a person's nationality is determined by the nationality of the father (right of blood). If the father is unknown or if he was Omani but lost Omani nationality for any reason, nationality is determined by that of the Omani mother, regardless of whether she gave birth in Oman or abroad.

99. If the child is a foundling, born in Oman, the law guarantees Omani nationality.

100. When ratifying its accession to CEDAW, the Sultanate entered a reservation in this regard, given that dual nationality is not permitted and the fact that acquisition of nationality is regulated by national legislative rules.

101. Nationality may be acquired by marriage. That right is granted to men and women equally, in accordance with conditions relating to term of residence and social and family considerations.

Acquisition of nationality (naturalization)

102. The Omani Nationality Law accepts the concept of naturalization: article 2 permits a foreigner to acquire Omani nationality subject to certain requirements,

including residence in the Sultanate for not less than 20 years or, if married to an Omani, 10 years.

103. The Sultanate seeks to limit the effects of the non-acquisition of Omani nationality by the children of an Omani mother married to a foreigner by offering them special facilities, including the right to residence, medical treatment, employment and marriage.

Article 10: Education

Article 10 calls upon States parties to take appropriate measures to ensure that women and girls have equal rights with men in the field of education and access to the same curricula and same conditions for career and vocational guidance at all levels and in all regions; to eliminate the stereotyped concept of roles by actively encouraging co-education; to revise textbooks and school programmes and adapt teaching methods, removing references which discriminate between men and women; to grant women the same opportunities to benefit from scholarships and continuing education programmes; to reduce female student drop-out rates; to provide the same opportunities as men to take part in sports and physical education; and to provide access to specific educational information to help ensure the health and well-being of families.

Provision of equal education

104. Article 17 of the Basic Law of the State (1996) guarantees the principle of equality among all citizens, without discrimination on the basis of gender.

105. Since His Majesty the Sultan took over the reins of power in 1970, he has consistently affirmed gender equality and the right of women to education and equal opportunities, including literacy and adult education, at meetings with citizens across the country and in his leadership of the Government.

106. There is no law on compulsory education with reference to either males or females, and no intention to promulgate such a law, because educational indicators show males and females enrolling at all educational levels. Under the Basic Law, article 12, the State is obliged to provide education for citizens.

107. On average, women constitute some 48 per cent of total enrolments at the basic, secondary and higher levels in Government and private educational institutions (see table 8).

Focus on the content of education

108. There is a standard curriculum at all stages of education (basic, secondary and higher) and students of both sexes have the right to choose their subjects in grades 11 and 12.

109. A consequence of a standard curriculum is standard examinations for both sexes. School buildings and equipment are the same for both sexes in respect of design and quality. The number of teachers per female student is the same as that per male student. Furthermore, expenditure per female student is the same as expenditure per male student.

110. Given the absence of gender-based statistics, the National CEDAW Committee, in collaboration with the Technical Office of the National Population Committee, has made use of in-depth studies carried out in preparation for adoption of the national population policy. These studies show the existence of a structural gap regarding the inclusion of gender in data and information on human development. In order to facilitate monitoring implementation of CEDAW, and given the commitment to the Millennium Development Goals, a workshop was held on the inclusion of gender when dealing with issues of development and statistical databases.

111. Trained specialists advise both girls and boys of available options and the link to career specialization, as well as of their right to choose.

112. Field experience shows that the benefit to girls from those options is limited, for two reasons: firstly, the mental conditioning which girls receive in their immediate community with respect to their social role and participation in public life and secondly, the social and economic level of the family.

113. The National CEDAW Committee is endeavouring, together with the competent State bodies, civil society and relevant civil institutions, to formulate an action plan consistent with the goals of the Convention that is designed to modify the components and tendencies of the aforementioned mental conditioning while, at the same time, respecting the human right of girls to make their own decisions.

Career and vocational guidance for women and girls at all levels and in all regions

114. While there is no official determination of the areas in which women may and may not work, mental conditioning and certain social pressures influence women's choices. Several workshops target parents and seek to explain the vocational options available to their daughters.

115. Trained counsellors in schools and institutions of higher education advise young men and women on opportunities for vocational training, academic qualification and suitable employment, either individually or in groups, by holding training programmes, seminars, meetings and travelling exhibitions in all regions of the Sultanate and distributing booklets, folders and stickers.

116. Similarly, other measures target male and female grade 11 and 12 pupils in order to highlight the importance and pedagogical benefits of career and vocational guidance.

Active encouragement of co-education

117. Private schools apply the co-educational system at all levels, as do Government and private institutions of higher education. Government schools, however, limit the co-educational model to the first stage of basic education (grades 1-4). That is in response to the demands of the Consultative Assembly and parents' councils for a combination of co-educational education at the first and last stages of education and separation of the sexes in the middle stage, for cultural, social and age-related considerations.

Revision of curricula, textbooks and school programmes and adaptation of teaching methods in order to foster the elimination of discrimination against women and achieve equality with men

118. Curricula and textbooks have been revised at least twice in order to present male and female roles as mutually supportive and based on equality in respect of rights and duties. The last revision took place when preparations were being made to apply the basic education system before accession to CEDAW, and references discriminating on the basis of gender and showing stereotyped categories were systematically removed. Training workshops were held for teaching staff, for the same purpose.

119. Through actual practice, it has been noticed that the mentality and practices of several male and female teachers are still conditioned to divide roles in a stereotyped manner. This is currently being addressed by guidance programmes for teachers, as well as by the continuing review of curricula and textbooks.

120. It should be noted that some 59 per cent of the teaching staff in Government schools and 56 per cent in private institutions of higher education are women. In some Government institutions of higher education, the proportion is lower: 31 per cent in Sultan Qaboos University and 33 per cent in the College of Banking and Financial Studies, for example (see table 9).

Equality of opportunity to benefit from scholarships and continuing education programmes

121. Scholarships and overseas study are made available to males and females equally. There is no specific programme to encourage females to study the subjects traditionally set aside for males, just as there are no scholarships and programmes set aside for women and not men. Females constituted 75 per cent of all those studying overseas in 2007. Tables 10 and 11 show the proportion of females in higher education in the Sultanate and abroad.

122. Without prejudice to the above, the data show that women tend not to study engineering and the applied sciences, while constituting an equal proportion or even a majority in other scientific subjects, including medicine, pharmacology and health sciences. Females predominate in the humanities: education, literature and the social sciences.

123. However, that situation is beginning to change as a result of the annulment of a previous decree limiting female enrolment in engineering and the applied sciences and the adoption of a decree equalising the numbers of males and females in the annual student intake at the country's one Government university, accompanied by temporary discrimination in favour of males in order to achieve gender balance among registered students.

124. There is a qualitative gap in the literacy rate, particularly among women born before 1970, with illiteracy among women in the age groups 25-44 and 46 years and over running at 35 and 61 per cent, respectively. The proportion of female enrolment in the national literacy programme and adult education programme was 95.5 and 80 per cent, respectively, in school year 2006/2007.

Reducing female student dropout rates

125. Statistics show the existence of a qualitative gap, in favour of females, in respect of discontinuation of education. Out of all students at Government and private educational institutions, the dropout rate for females is 0.8 per cent, compared with 1.7 per cent for males.

126. Studies carried out by the Sultanate on reasons for discontinuation show that, in most cases, the discontinuation is temporary and attributable to economic causes, whereby the student, male or female, is forced to work in order to help his or her relatives.

127. Those studies further show that, as soon as the reasons for discontinuation no longer apply, both male and female dropouts return to their studies. Nevertheless, there remains a need to create alternative opportunities for this group, given their right of access to education and in order to bridge the skills shortage resulting from discontinuation of education.

128. In 2005 and 2006, a national project was implemented to grant this group study opportunities that would enable them to reach an educational level of at least general certificate. While hundreds of males and females took advantage of this project, it has not yet been evaluated in terms of its usefulness and effectiveness or the extent to which the rightful beneficiaries were satisfied.

Equal opportunity to participate in sports and physical education

129. Girls in the Sultanate enjoy the same right as boys right to engage in physical activities and sports either at school or in sports clubs. They enjoy the right to make use of official facilities and services set aside for that purpose.

130. The curriculum offers physical education classes to both sexes equally. Under no circumstances does dress present an obstacle to practising sports, as there is a special outfit for girls which does not hinder movement. There are no regulations or customs which in any way prevent girls from practising sport.

131. As a result of the quantitative development in girls' participation and their achievements at domestic and overseas sporting championships, in which they have won gold and silver medals, society has come to realize the importance of girls' participation in sporting activities and events, and sports clubs and organizations have become aware of the active role which girls can play on the sporting scene. What began with the assignment of trainers to nurture promising female talent has increased to the point where girls represent the Sultanate at Gulf and international events.

132. The first participation of the Sultanate of Oman in a major international sporting event was at the 2008 Olympic Games in Beijing.

Access to educational information to ensure the health of individuals and families

133. As a result of the aforementioned curriculum review, the subject of family education has been replaced at basic and secondary levels with life skills,. It is through this subject that family planning is dealt with in grades 11 and 12.

134. The Sultanate is introducing life skills gradually, in accordance with a specific plan. The subject contains five themes: health and safety, the world of work, home economics, global citizenship and personal and social skills.

135. There are, in addition, national health projects that include, for example, one to combat anaemia and another on proper nutrition. Such projects are implemented in girls' and boys' schools on an equal basis in order to counteract such unhealthy lifestyles as skipping breakfast or following an unbalanced diet.

Article 11: Employment

Article 11 stipulates that the right to work is an inalienable right and that women have the same employment rights as men, without discrimination, especially in respect of equal employment opportunities, the right to free choice of profession, the right to job security and benefits, the right to receive vocational training and retraining and the right to equal remuneration and equal treatment for work of equal value. The article affirms women's right to social security, as well as the right to paid leave. It guarantees women the right to health protection at work and prohibits dismissal on grounds of pregnancy or maternity leave or because of marital status. The article calls upon States parties to provide social allowances and such support services as child care facilities, in order to enable parents to combine family obligations with work responsibilities and participation in public life.

136. In the Sultanate, the rights and duties entailed by employment are governed by two laws: the Civil Service Law, No. 120 (2004), for male and female civil servants in the administrative apparatus of the State, and the Labour Law, No. 35 (2003), for male and female private sector employees. Both those laws have provisions which discriminate positively in favour of women, in appreciation of the needs of pregnancy and maternity. Examples are article 80 of the Civil Service Law and articles 66-83 of the Labour Law.

137. While women's participation in the workforce rose to 11.6 per cent in 2007 from only 3.2 per cent in 1993, it remains low. At the end of 2007, the proportion of women in the public sector workforce was 34.4 per cent.

138. At 18.2 per cent, the level of women's participation in economic activity is low in comparison to that of men (62.4 per cent). It is concentrated in the 20-34 age group and declines with age, growing again after 65. That indicates the existence of a qualitative gap (see table 12).

139. We find that women in the age groups 25-44 and 45 years and over are forced to leave the job market, either because of marriage or full-time child-raising. That is qualitative discrimination and, given our belief in the importance of working women achieving a balance between family responsibilities and the demands of the job, work is currently underway to address that discrimination by encouraging the public and private sectors to open childcare facilities at affordable prices.

140. The Technical Office of the National Population Committee, in partnership with other Government bodies, has conducted a study entitled, "Gender equality and the empowerment of women", a section of which covers the legal situation. One of the goals of the study was to present recommendations, in the light of existing scientific and technological knowledge, on the current position of women in the legislation in force in the Sultanate. Those recommendations were included in the

goals of the national population policy and several were included in the seventh five-year plan.

141. The low participation of women is attributable to certain cultural and social restrictions, leading the Sultanate to make it an immediate goal of the current five-year plan (2006-2010) to increase the economic contribution of women. In coordination with civil society organizations, several practical strategies and plans have been formulated with a view to addressing such restrictions, including the following:

- The establishment of a female employers' forum at the Oman Chamber of Commerce and Industry. As business owners or partners, women constitute 11.8 per cent of private sector employers (see table 15);
- In addition to the small enterprises and employment projects financed by the national Sanad programme, women have constituted 51 per cent of all beneficiaries from the programme's financial support since its founding in 2002;
- A number of seminars and workshops have been held by Omani women's associations with a view to raising the economic capacity of women and providing support and guidance for productive families.

Equality of opportunity and the right to work without discrimination

142. It is a principal of the State that each citizen has the right to pursue his employment of choice, within the law. The Basic Law, article 17, provides for the principle of equality among all citizens without discrimination on the basis of gender, ethnicity, origin or social status.

143. Neither of the aforementioned laws (Labour and Civil Service) discriminates between the sexes with regard to employment, promotion, transfer, delegation or secondment. Article 14 of the implementing regulation of the Civil Service Law makes equality of opportunity for all citizens fulfilling the conditions of employment a requirement for filling any public position, with discrimination only on the basis of competence. Nevertheless, for a variety of reasons, some bodies make it a condition of employment to be male, observing the letter of the provision but not its spirit. That also applies to the private sector.

144. As a result, a qualitative gap continues to exist in respect of new staff, leadership positions and trainees. For example, females constitute some 24 per cent of all applicants for advertised positions in the private sector and 21 per cent of those reaching the completion of procedures stage. Accordingly, the National CEDAW Committee has made it a top programme priority to address this issue.

145. There is a clear qualitative gap in supervisory and decision-making positions, with women constituting only 8 per cent of those in senior management and supervisory positions in the public sector and 12 per cent in the private sector. While women constitute some 36 per cent of all civil servants, most are concentrated in the education and health sectors (52 and 56 per cent, respectively (see table 17).

Equality of opportunity in training

146. There is a large qualitative gap in respect of training opportunities, with the gender equity index for training within the Sultanate standing at 0.21. Women's low

participation cannot be attributed to their aversion to training or to traditional social and cultural restraints, because the equity index for training outside the Sultanate stands at 0.41.

147. Data show that there is no qualitative gap with regard to taking advantage of financial support programmes for those who wish to start up private enterprises and by 2007, the proportion of female beneficiaries from the Sanad programme was some 51 per cent.

148. Data indicate that women constitute a mere 17 per cent of all wage labourers. Table 16 shows that the highest proportion of female workers is concentrated among technicians and specialists in the scientific, technical and humanitarian fields (38.8 and 16.01 per cent, respectively). While male and female workers in unregulated or traditional sectors are not recorded as economically active groups, the Government is in the process of amending its economic database system to include those groups, focusing on women in the endeavour to incorporate gender into development data.

Equality in respect of wages and leave

149. Because salaries and wages are linked to the position occupied and not the occupier, gender is not a factor. Accordingly, the legislation contains no gender discrimination. Men and women who occupy the same position or grade are, therefore, equal in respect of salary and number of days of paid annual leave, sick leave, emergency leave, study leave, leave to perform the pilgrimage and bereavement leave. In practice, no official complaints of discrimination against women have been received.

150. Work is currently underway on issuing a legal ruling whereby a female employee, for a period of six months after returning from maternity leave, will be permitted to leave work one hour before the end of the official working day in order to care for her child.

151. The law establishes equality between men and women in respect of obtaining leave without pay to accompany a spouse, if the spouse is sent on an overseas mission, scholarship, training course, study leave, attachment, secondment or transfer.

Equal treatment in respect of work of equal value

152. Under article 14 of the implementing regulation of the Civil Service Law, there is no discrimination between the sexes in employment matters, including appointment, promotion, transfer, attachment or secondment.

153. The freedom to choose profession is a right safeguarded for males and females without discrimination under article 14 of the implementing regulation of the Civil Service Law, as are the right to promotion and right to job security. The provisions governing performance evaluation, salary increase, training, transfer, allowances and termination of service are the same for both sexes. Promotions, bonuses and incentives are linked to the performance level of the employee, whether male or female.

154. Unions are a recent phenomenon in the Sultanate of Oman. They operate within the framework of the Labour Law but there remains a need for much more

information, especially gender-related information. There are 21 professional associations and 10 charitable associations, of which women constitute some 25 per cent of the membership.

155. Private and governmental associations and social centres have been established in the Sultanate since the 1970s. They offer care and social development services, train and qualify women to participate in programme development and social, economic, cultural and health activities, provide legal and alphabetic literacy programmes and conduct studies and statistical surveys that help to define policy and determine development strategies. There are 51 associations and 25 centres, the membership of which is entirely female.

Equality in respect of benefits and social insurance

156. The law does not discriminate between men and women with regard to the number of years of service after which service may be ended. The retirement age is 60 for both sexes.

157. Both the system of post-service pensions and allowances and the social insurance system discriminate positively in favour of women. A widowed woman, unless she is in employment, has the right to the pension of her deceased husband. A widowed husband has the right to his deceased wife's pension, if he has a disability that prevents him from working or earning. The law grants the same right to an unmarried daughter of the deceased, regardless of her age, and his dependent sister. However, a son older than 22 does not benefit from the pension unless it is established that he is unable to earn or is a student at no higher than undergraduate level, with the proviso that he is not older than 26. A brother is treated the same as a son.

158. Working women benefit from old age, disability and death insurance and insurance against work-related injuries and vocational illnesses.

Prohibition of dismissal on the grounds of pregnancy or maternity leave or because of marital status

159. The employment laws forbid the dismissal of a woman because of pregnancy or delivery. They grant women 50 days leave with full pay to cover the pre- and post-delivery period, on no more than five occasions during her term of service. Because maternity leave is not provided for in the legislation, a female employee is granted special leave without pay for not more than one year to care for her child.

Provision of support services to enable parents to combine family obligations with work responsibilities and participation in public life

160. Neither the Civil Service Law nor the Labour Law provide for pre-kindergarten crèche facilities belonging to, attached to or near the places of work of the father or mother.

161. Article 82 of the Labour Law prohibits the employment of women in work which is hazardous to health or in strenuous labour. Furthermore, it regulates evening employment, in order to help women fulfil their biological function and protect them from that function being used to discriminate against them in respect of access to job opportunities. Chapter 6 of the Labour Law sets forth requirements for

occupational health and safety that do not discriminate on the grounds of the sex of the employee.

Article 12: Equality in health care

Article 12 calls upon States parties to treat women on a basis of equality with men in respect of health-care services, including family planning. It further calls upon States parties to provide women with appropriate services with regard to pregnancy, delivery and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and breastfeeding.

Use of health-care services

162. As previously noted, the Basic Law of the State establishes the principle of equality among all citizens, without discrimination between men and women. This applies also to the right to use health-care services. Men and women make use of health-care services, on a basis of equality, for a nominal charge from which those on limited income, pregnant women making use of birth-spacing services and children of vaccination age are exempt.

163. Ministry of Health data for 2007 show that the average number of visits per capita by Omanis to outpatient clinics was 5.6, with an average of 6.1 for females, 4.1 for males and 6.6 for children under the age of 12. The higher rate for children and females is due to repeat visits for maternity care, childcare and birth-spacing services.

164. The 2000 National Health Survey showed that 76 per cent of married women are able to visit health institutions freely. The proportion is higher among educated women, urban women and older women.

165. Traditional health care, including traditional or alternative medicine, continues to be practised by some Omanis. Despite the lack of methodical studies or national surveys, primary indicators and several field visits indicate a fall in the number of traditional midwives, with most women tending to deliver under modern medical supervision, as shown under “Maternity and childcare services”, below.

Public health and service indicators

166. As a direct result of applying the provisions of CEDAW, the requirements of preparing the CEDAW report and monitoring national policy on population, work is currently underway on amending the information infrastructure to fill in the gaps and ensure that the necessary policies and laws are issued.

167. The 2007 health data show that total life expectancy at birth is 72 years (73.6 for females). The crude mortality rate is 3.1 per 1,000 population. The natural male and female birth rate is, at present, unavailable.

168. The 2007 data show that diseases of the circulatory system occupy top position in respect of female mortality, being the cause of 32.5 per cent of all deaths, followed by infectious and parasitic diseases (18.5 per cent), neoplasm (9.3 per cent) and diseases of the respiratory system (8 per cent). In some cases, those figures are equal or close to the levels for men.

169. Official statistics show that the rate of maternal mortality is on a downward trend, standing at 22.9 deaths per 100,000 births in 2007. The total infant mortality rate stands at 10.1 per 1,000 live births (8.94 per 1,000 live births for females). The rate of infant mortality below the age of five years is 13 per 1,000 live births. This confirms the absence of discrimination against females.

170. Causes of death vary with age. According to the official 2007 statistics, causes of death among nursing infants are concentrated in two categories: congenital abnormalities and genetic disorders, and deaths occurring in the perinatal period. Among children below the age of five years, the major causes of death are infectious and parasitic diseases, accidents and poisoning, in addition to congenital abnormalities and genetic disorders.

171. At the end of 2007, women constituted 55 per cent of all Omani doctors working in the Ministry of Health, 51 per cent of Omani dentists and 88.6 per cent of Omani nursing staff. Approximately 58.7 per cent of all Omanis working in the Ministry of Health were women.

172. Women are rising to such senior administrative, supervisory and technical grades in the health-care field as departmental manager, centre head, doctor in charge of a unit or chairwoman of a committee composed of several male and female doctors. Gender does not appear to be a real obstacle to women assuming such positions or to reaching high scientific levels.

Maternity and childcare services

173. There are many special programmes which target women. In August 1987, the Government began to extend and apply nationally a maternity and childcare services support programme, with the goal of reducing disease and mortality rates by providing health care for women during pregnancy, delivery and the post-natal period and encouraging delivery under medical supervision. A woman's data is entered on her pregnancy health card, which was updated in 2004. With that card, a woman can obtain essential care during pregnancy from any health institution.

174. The 2000 National Health Survey showed that 99.6 per cent of women have received medical care during pregnancy. Urban, working and educated women make more visits to seek ante-natal care than do other women, suggesting that work needs to be done in the future to determine the causes of that gap and how to treat it.

175. The 2000 National Health Survey further showed that 72 per cent of mothers giving birth in the three years before the survey had been vaccinated against tetanus. It should be noted that, in 2007, 97 per cent of women gave birth in Government health institutions, while 3 per cent gave birth at home. While that figure is higher in rural areas and among older mothers, it appears to be declining.

176. The 2000 National Health Survey also indicated that 80 per cent of mothers giving birth in the three years before the survey had received post-natal health care. Furthermore, the 2007 Statistical Yearbook showed that the number of post-delivery visits per registered pregnant woman was 1.24.

Reproductive health services and family planning

177. There are no legal or intrinsic cultural obstacles to women receiving health care, including family planning, especially as the official, Government media

message promotes family planning by making available and popularizing the use of contraceptives in order to reduce the rate of qualitative fertility and rate of natural population growth.

178. By law, a woman does not need her husband's permission to use health services, including family planning services. It is assumed that they make a joint decision before making use of those services.

179. The State is currently finalizing adoption of the national policy on population, and working in collaboration with various United Nations agencies, especially the United Nations Population Fund (UNFPA), to establish enabling and administrative procedures, particularly in relation to laws and official policy which may call for the use of family planning measures. Furthermore, during his annual tours the Sultan advises citizens of the importance of family planning and has put forward the idea that the optimum family size is five, including the mother and father.

180. The 2007 health statistics show that qualitative fertility per 1,000 women in the 15-49 age group was 3.13, declining from 4.7 in 2000.

181. The 2000 National Health Survey showed that 32 per cent of women used traditional methods of contraception and 25 per cent used modern methods. At the same time, the survey showed that 97 per cent of women under the age 50 were aware of at least one modern method. The most widely known was the pill (94 per cent of women), followed by the coil (93 per cent), injection (92 per cent), condom (76.3 per cent) and female sterilization (74.1 per cent). Breastfeeding, at 77.3 per cent, was the most widely known traditional method.

182. Some 48 per cent of married women who did not use a method of birth spacing expressed a wish to do so. That means that women must be made aware of their reproductive rights and that means of family planning are easily available. It should be noted that this service is provided free of charge and is readily available at primary health-care facilities.

183. Male and female sterilization is optional and available for those who wish it. No statistics are available on this subject.

Other reproductive rights

184. Abortion is legal only within very narrow limits and with the approval of a special medical committee. It is permitted only in cases where the mother's life is at risk or the foetus has a congenital abnormality which would make life difficult. This must be diagnosed before the seventeenth week of pregnancy. The State guarantees all resulting health-care costs.

185. All recorded cases of abortion are due either to miscarriage or the non-development or death of the foetus. In 2007, the abortion rate among women in the 15-49 age group was 9.4 per 1,000 women.

186. The Government offers foetal testing at its health institutions. Mothers are encouraged to register their pregnancy early. There are no studies or statistics showing the abortion rate following prenatal tests or the main reasons for such abortions. The rate relies on the number of cases reported at Government health institutions. It should be stressed that Omani society does not view the birth of a female child as a shame or burden. No statistics or data are available on unsafe

abortions carried out by traditional methods or outside the Sultanate but the Government is obliged to provide health care regardless of cause.

Harmful practices

187. The 2000 National Health Survey showed that 85 per cent of women approve of the circumcision of girls and medical examination shows that 53 per cent of females have been circumcised. Some 45.5 per cent have undergone the minor type of circumcision and 7.5 per cent the major type.

188. A 2001 health study of secondary school adolescents showed that approximately 80 per cent of students of both sexes thought that circumcision was necessary, although the proportion was lower among the children of educated parents. The same study indicates that around 46 per cent of the daughters of educated women (mothers who have completed secondary school level or higher) reject the practice, compared with 17 per cent of the daughters of illiterate mothers.

189. There are no laws on the circumcision of girls but there is juristic debate on the issue. Pursuant to a Government decree forbidding the operation, circumcision is not carried out at Government institutions. Although there are no studies or conclusive data, it would appear to be an indigenous, traditional practice.

190. In the light of the results of studies, a national information, education and contact strategy was developed in order to promote the health and development of adolescents by correcting concepts, addressing the roots of health problems and building bridges of communication between them and wider society.

191. Health indicators do not show that it is a particular class or group which maintains customs that are detrimental to women's health: as educational levels rise, the character of the society becomes more uniform. However, there are no in-depth studies on this subject. Many are waiting for the results of the national/Gulf health survey which is currently underway and expected to be published at the end of 2009.

Combating sexually transmitted diseases

192. The Sultanate has taken a number of measures to raise awareness of and combat the risks and consequences of sexually transmitted diseases, particularly HIV/AIDS. At the forefront of those measures is the national strategy, launched in December 2007, to combat AIDS and sexually transmitted diseases.

193. The national programme to combat AIDS seeks to improve the health, psychological and social situation of infected persons with the help of health counsellors and does not target women and girls exclusively.

194. In the period 1990-2007, 1,640 cases of HIV/AIDS among Omanis were recorded by the Ministry of Health, with women constituting 26 per cent of all cases. In 2007, 101 cases were recorded, an increase of 17.4 per cent over 2006.

195. That rise may be ascribed to a gradual receding of the shame surrounding and associated with the disease, as a result of education, in addition to the absolute confidentiality of tests, which are retained for medical use only, and the availability of the medication necessary for treatment.

196. The mode of transmission was sexual in some 64.6 per cent of recorded cases in the Sultanate, followed by unknown causes, (26.3 per cent), drug use (11.6 per

cent) and blood transfusion (4.9 per cent). In 1.8 per cent of all recorded cases in the Sultanate, there may be multiple modes of infection.

Article 13: Equality in respect of social and economic benefits

Article 13 calls upon States parties to take all appropriate measures to eliminate discrimination against women in the economic and social fields, particularly by granting women the right to family benefits, bank loans, mortgages and other forms of financial credit and the right to participate in recreational activities, sports and all aspects of cultural life.

The social benefits system

197. The Sultanate has no system of family benefits in the accepted sense and therefore no benefits relating to marriage or number of children. Citizens, both men and women, are equal in that respect. All male and female employees are granted housing benefits, in accordance with their salary grade, with no discrimination between men and women.

Bank loans, mortgages and other forms of financial credit

198. Men and women are equal in respect of terms of entitlement to all forms of financial credit and Omani legislation does not distinguish between the sexes in this regard. Women have the same rights and opportunities as men with respect to obtaining loans from banks and financial institutions. Such matters governed by laws and regulations arising from the nature of global business and free market forces, in which customs and traditions play no part.

199. Prior to the issue of Royal Decree No. 125 (2008), women suffered partial discrimination in respect of the right to acquire Government land or obtain a Government housing loan. However, by virtue of the said Royal Decree and the body of studies and reports submitted in that regard, such discrimination was abolished and women acquired the right to obtain Government residential land without the condition that they be the sole providers for their families, or divorced or widowed, as was previously the case.

200. A woman who has suffered loss because of a failure to apply the right to equality in this respect may submit her complaint through the Court of Administrative Justice, if the Government is a party to or cause of the loss. Otherwise, she can submit it through one of the tribunals throughout the length and breadth of country. Litigation fees are very low and there is a right of exemption, if a woman's family is in straitened circumstances. The law grants women the right to retain a lawyer to help follow up the case.

The right to participate in recreational activities, sports and all aspects of cultural life

201. The Government has set up administrative and organizational units to support and develop girls' and women's sport, given that it is their right to pursue recreational and sporting activities, and to support the Sultanate's participation in regional and international sporting events. In coordination with sports clubs and centres, those units provide opportunities for girls to train and pursue sporting

activities. In addition, training seminars and courses are held with a view to qualifying women to supervise the girls' activities.

202. Independent, nationwide competitions for women are held and the Sultanate participates at the international and regional level in a variety of women's sporting championships. While acknowledging that there has been a relative decline in that participation, no methodical study has been conducted on the reason for that. The National CEDAW Committee is resolved to conduct such a study as part of its future action plan.

203. In cultural life, practically no cultural evening or event lacks a conspicuous and equal women's presence and Omani female intellectuals, including poets, writers, researchers and critics, have contributed to the national and Gulf literary movement. However, those observations are not supported by data or statistical indicators, making it necessary to highlight the importance of monitoring the female dimension of such events. The National CEDAW Committee is determined to coordinate with governmental and non-governmental bodies in researching and documenting the extent of women's participation in cultural life.

Article 14: Rural women

Article 14 requires States parties to eliminate discrimination against rural women and to appreciate the roles which rural women play in ensuring the economic survival of their families. It calls upon States parties to ensure that rural women participate in development planning, have ready access to health services and family planning counselling, benefit from social security programmes, obtain all types of training and education and are able to organize self-help groups and cooperatives in order to obtain equal access to economic opportunities. The article further calls upon States parties to ensure that rural women enjoy adequate living conditions in respect of housing, sanitation, electricity and water supply, transport and communications, and the right to obtain bank loans and other forms of financial credit.

204. There are no religious rules or socio-cultural traditions preventing the active participation of women in any community-based or rural activities.

The participation of women in development planning

205. Until recently, rural women did not participate directly and in a generally recognized manner in the development of economic and agricultural policy. Through direct consultations with women professionally engaged in agriculture, animal husbandry and fishing, the Sultanate has sought to encourage them to define ways of economic and social self-advancement, participation and gain. The Sultanate has further sought to involve rural women as effective partners in the design, implementation and evaluation of projects, in order to move them out of a state of dependency on the Government or on others to one of greater self-reliance, and to enable them to take an independent role in decision-making.

206. In the initial stages of development, the Sultanate realized that there are differences between the needs of rural and other regions. Accordingly, national policies and programmes specifically targeted rural women, while the Government called upon women's associations and civil society organizations in the Sultanate to

offer additional programmes in combination with national women's training and education programmes and policies. Following indications of a reduction in urban-rural disparities, and in view of the inclusion of rural areas within the country's administrative divisions, the Sultanate has incorporated rural women's issues within national policies and programmes, in line with regional and sectoral divisions.

207. The Sultanate has set aside financial allocations for programmes aimed at meeting the needs of rural women, within the allocations for agriculture and fisheries in the State general budget. However, those allocations remain modest. That is not because of discrimination against women: the agriculture and fisheries sector serves a vast section of society, but the result of the sector's reduced contribution to the national economy and the paucity of water resources available for developing the sector.

208. The provisions relating to housing, sanitation, electricity and water supply, transport and communications do not favour rural women at the expense of others but take into account the needs of the population, both male and female, of rural areas.

The participation of rural women in economic activity and the division of labour

209. Women constitute 41.6 per cent of the entire rural (village) population which, in turn, constitutes 33.8 per cent of the Sultanate's total population. "Rural population" is used here to mean persons working in agriculture, animal husbandry and fishing.

210. In 2005, women agricultural workers who provide agricultural or livestock services in an organized manner within the agricultural sector constituted 24 per cent of the Sultanate's total permanent agricultural workforce. The division of labour in that sector takes into consideration a woman's obligation to raise children and a man's to provide for his family. It further takes into consideration the dependency of Omani agriculture on groundwater, extracted through the *aflaj* system of irrigation channels and the *zajira* type of well which relies on human ability to harness animal power. The role of the rural woman here is thus important and complementary to that of the man.

211. It is difficult to exclusively define female roles in the agricultural sphere, other than in some Bedouin communities where it is the women who tend the cattle, sheep and goats, while the men look after the camels and horses. While the two sexes cooperate in clearance, picking fruit and tending crops, men are responsible for harvesting dates and tamarind because of the difficulty of the task. In addition, women assume the traditional domestic chores of cleaning, cooking and looking after children.

Raising awareness of CEDAW and the legal rights of Omani women in general and rural women in particular

212. As stated at the beginning of the report, the Sultanate has held a number of seminars and lectures with a view to eradicating legal illiteracy in rural areas and advising women of the rights guaranteed to them under Omani law. Action is being taken towards implementing programmes to raise awareness of CEDAW among men and women in all parts of the Sultanate.

Ownership

213. Women in rural areas are able to register their property, including land, in their own names. Some land owned by women is managed by male relatives.

214. No agricultural reform programme has been implemented. There has been a distribution of land but not of land ownership. While that has not affected ownership by women in rural areas, the conditions for making a claim to new agricultural land do not grant preference to women. This matter is on the agenda of the National CEDAW Committee, with a view to establishing practical steps with the competent authorities.

Enjoyment of proper living conditions

215. These days, rural women can purchase most appliances and consumer goods, given the ease of transportation from one region to another and the presence of a not inconsiderable number of country people working in the major towns and cities. The initial results of the 2007/2008 Family Expenditure and Income Survey show that the expenditure of an Omani family in rural clusters is 45 per cent, while that of a family in urban clusters is 55 per cent.

Contribution to GNP of rural women

216. The contribution of rural women is not a separate item in the calculation of GDP but is included within the agriculture and fisheries sector. There is no agreement upon a standard method for calculating the impact on GNP of traditional domestic and family work.

Health-care services and family planning

217. Women in rural areas benefit from family planning/birth spacing programmes, which include lectures, awareness-raising visits, health and family counselling and access to contraceptives. Those programmes are provided as part of the services offered in collaboration with community-based health support groups.

Social security

218. Women in villages and rural areas benefit from social security programmes through the social security pension, which makes no distinction between regions, although it does grant women in rural or remote areas preferential treatment through such special projects as sources of livelihood projects.

Education and training

219. The Sultanate is currently working in coordination with UNFPA to formulate indicators and calculate percentages showing the extent to which women in rural areas benefit from education services and their levels of enrolment, taking into account the distribution of rural areas across all regions and administrative divisions. The 2003 General Census of Population, Housing and Establishments shows that a large proportion of women in rural areas is illiterate (some 40 per cent of all rural women). Levels are close to those of townswomen in the elementary and preparatory education groups but decline among the secondary and university education groups to 17 per cent and 3 per cent, respectively, of all rural women.

220. The Sultanate has implemented many programmes which aim to empower village women and expand their available options and opportunities. Those include training programmes in such traditional areas as dressmaking and such modern fields as organization, management and computing. Other training programmes combine the economic empowerment of women with the enhancement of their health promotion role: a beekeeping programme aimed at increasing honey production targets rural women who are linked directly to agricultural work, particularly those with limited income. A total of some 65 rural families benefited from this project in 2000-2003. Another programme covers the domestic rearing of laying hens, from which some 52 rural women benefited in 2001-2003; in 2004-2005, the number of rural women beneficiaries rose by 65.

221. In the period 2000-2004, rural women were targeted by some 925 counselling programmes in the form of lectures, seminars and field days, in addition to 6,653 field visits across the country. A further 2,688 training and awareness-raising programmes were offered in collaboration with several Government bodies with the aim of widening the counselling base.

Marketing of agricultural products

222. The Government established an agricultural marketing authority in order to provide support for farmers in general and women in particular. However, that authority discontinued operations for reasons related to operational efficiency and because the goal for which it was established was achieved. There are currently no official marketing facilities, although traditional marketing facilities remain available to men and women equally.

Equality of economic opportunity

223. There are no women's or men's cooperative groups for economic purposes. That may be largely attributable to the absence of a law regulating the establishment of such cooperatives. It should be mentioned here that the produce of a substantial number of agricultural holdings is earmarked for domestic consumption and that traditional mechanisms exist for the distribution and sale of the main agricultural products.

224. Despite the fact that women in rural areas enjoy equality of opportunity with men in respect of access to Government-funded economic support and opportunities for self-employment, it has been observed that few women participate. That is because the stereotypical image of women does not depict her as the family's principal provider, requiring her instead to concentrate on her traditional function and social role. Attention must be drawn to the importance of changing the stereotyped image in villages. The National CEDAW Committee has resolved to conduct a series of fact-finding interviews with men and women in rural areas with a view to identifying the source and context of such stereotyped images and suggesting ways of addressing them.

225. Rural women became beneficiaries of loan programmes at the end of the 1990s. However, such programmes are limited in terms of number, diversity and their understanding of the needs of rural women, whose circumstances they do not take into account, often demanding security which it may be difficult for rural women to provide. It is extremely important to work in partnership with credit and financial institutions in proposing ways of overcoming those difficulties.

Article 15: Equality before the law and in civil matters

Article 15 calls upon States parties to guarantee women equality with men before the law, to accord women a legal capacity identical to that of men such that they may conclude contracts and administer property, to treat women in the same way as men and to accord them equality in respect of the rights enjoyed by men regarding freedom to choose place of domicile and residence. The article further calls upon States parties to deem null and void contracts and private instruments which restrict the legal capacity of women.

226. Article 17 of the Basic Law of the State establishes the principle of equality among all citizens in respect of public rights and duties and the absence of any accepted form of discrimination between them, including on the basis of sex/gender.

227. The Supreme Court, formed under articles 10 and 11 of the Judicial Authority Law, No. 90 (1999), functions as the constitutional court in ensuring that rulings delivered by the different judicial chambers adhere to the provisions of the Basic Law of the State, article 17, which prohibits discrimination between citizens. Indeed, in several cases, the Supreme Court has overturned a verdict delivered by a lower chamber, basing its ruling on international human rights legal principles. When reviewing draft laws prior to their promulgation, the Consultative Assembly ensures that they are in accord and consistent with the provisions of the Basic Law of the State and the Sultanate's international obligations.

The judiciary and litigation

228. Women and men are equal before the law. Litigation is a right safeguarded for all persons, as stated in article 25 of the Basic Law of the State. Furthermore, a woman has the right to bring a case before the court on her own behalf. Article 58 of the Penal Code stipulates that it is the right of anyone who has incurred damage as the result of a criminal act to submit an application to the court for compensation; the compensation decided by the court is unrelated to the sex of the applicant. Laws and procedures, whether criminal, civil or commercial, do not distinguish between the testimony of a man or woman. The same applies to judicial practice.

229. The Judicial Authority Law does not discriminate between male and female in respect of the right to practice a judicial profession. Female lawyers work in the Public Prosecution Office, a judicial body of the Sultanate, at grades stipulated in the Public Prosecution Office Law, without discrimination on the basis of gender. They represent society before the different levels of courts, without being discriminated against in favour of their male colleagues. In the Bar Association, female lawyers work alongside their male colleagues without discrimination.

230. While there are no female judges in any of the Omani courts, their presence in the foreseeable future is not unlikely. Being male is not a condition for occupying the position of judge, in accordance with article 21 of the Judicial Authority Law. Society has become increasingly accepting of the assumption by women of legal and judicial roles, and several of the Office's 22 female members are first assistant prosecutors. Furthermore, women occupy the positions of director-general of one of the Sultanate's judicial departments and director of investigations and procedures. Additionally, female members have been appointed in youth cases.

Equality in respect of legal competence

231. The law regulating matters pertaining to the conclusion of contracts is the civil law or law of civil transactions, as it is called. Such a law has not yet been promulgated in the Sultanate. In the absence of such legislation, the general principles of equality between men and women in respect of legal competence, which are derived from the sharia and accepted judicial practice, govern the conclusion of contracts and civil transactions. The lack of a civil law affects men and women equally and, as such, there is no discrimination against women in this regard.

232. Private ownership of property by men and women is safeguarded by article 11.5 of the Basic Law of the State. The Personal Status Law deals with the right of a wife to dispose of her property in any way she wishes, including, inter alia, through investment, commerce, gift and religious endowment, without obtaining her husband's approval. If she is unmarried and has reached the age of legal competence, no one shall have control over how she disposes of her property, unless she is of doubtful sanity. The same applies to both women and men.

Civil rights

233. A woman has the right to obtain contraceptives without it being a condition that she obtains her husband's permission. The health services do not have the authority to raise questions about her husband's approval.

234. Men and women have the same legal rights to freedom of movement and choice of place of residence, as stated unequivocally in the Basic Law of the State, article 18. Furthermore, the Aliens' Residency Law guarantees that everyone working in the Sultanate, man or woman, has the right to bring his spouse and children to live with him in the capacity of "accompanying spouse".

Article 16: Equality in respect of marriage and family law

Article 16 calls upon States parties to eliminate discrimination against women in all matters relating to marriage and family relations and, in particular, to ensure that issues relating to the effects of the marriage contract are regulated on a basis of equality; that it is a woman's right to choose a spouse and to enter into marriage only with her free and full consent; that both spouses have the same rights during the marriage and at its dissolution; and that the woman shall have the right to decide on the number and spacing of their children and the right of access to the information, education and means to enable her to exercise these rights properly. The article further calls upon States parties to give wives the same rights as husbands, including the right to choose a family name, profession and occupation and the same rights in respect of the ownership, management and disposal of property; to enact the appropriate legislation specifying a minimum legal age for marriage for both man and woman; not to recognize child marriages; and, if child marriage occurs, to take the necessary measures.

235. The Personal Status Law, promulgated by Royal Decree No. 32 (1997), regulates family relations. Its provisions are derived from the precepts of the Islamic sharia, which is the fundamental source of legislation, as stated in the Basic Law of the State.

236. Article 282 grants non-Muslims the right to have their own provisions in respect of personal status issues applied, unless they request application of the above law.

237. Marriage is the foundation of the family and no other manner of forming a family is recognized, including cohabitation or partnership.

The right of a woman to choose a husband without compulsion

238. A woman has the freedom to choose her life partner and a marriage may only be contracted with her agreement. This is the first principal of marriage, as stated in articles 16 and 17 of the Personal Status Law.

The legal age for marriage for young men and women

239. A person, male or female, is legally competent to marry upon reaching the age of 18. Although custom recognizes marriage below this age, the registrar of marriages does not. Consequently, it is forbidden to register a marriage where a partner is under legal age.

240. The betrothal of children, by which is meant an agreement between the fathers for the marriage of their young children, is socially and legally unacceptable and is not practiced at all in Omani society, unless a girl below the age of 18 is reckoned to be a child. Omani law stipulates that 16 is the age of consent.

Equal rights for the man and woman during marriage and at its dissolution

241. The dower is the right of the wife, not the husband. It is a sum of money or whatever may be acceptable to the wife or her guardian as her dower. It is one of the elements of the marriage contract, in accordance with articles 16 and 21-24 of the Personal Status Law, and is paid to the woman in exchange for her consent to the marriage. In Omani Islamic culture, the dower is not considered as an affront or disrespectful to the woman but is seen as a right or a gift.

242. The amount of the dower is left to the man and the woman, or her guardian, to agree. There are royal instructions stating that the dower must not be inflated and setting a maximum amount which may not be exceeded. Usually the two parties come to terms that are commensurate with the economic circumstances of both. The dower is not an impediment to the husband and wife and does not affect their equal status in the marriage relationship.

243. Essentially, divorce is a decision exercised by the husband but he may commission his wife to dissolve the marriage, as per the agreement between them (article 82 of the Personal Status Law). If one of the eight legal grounds for divorce is met, a woman may apply to the court for a divorce. Those grounds are illness, non-payment of dower, ill-treatment or discord, failure to provide, imprisonment of spouse, absence or disappearance, prolonged sexual abstinence and repudiation, and at the instance of the wife/no-fault. All cases of divorce must be registered with the Directorate General of Civil Status.

244. The woman has the right to maintenance and child support from the husband who divorces her. The maintenance will be dealt with by summary judgement, pursuant to the law.

Custody

245. Custody is the joint obligation of both spouses as long as the bond of marriage exists. In the event of separation through divorce at the instigation of either the husband or the wife, the mother has custody unless there is a legal objection or the mother is unfit to have custody. These conditions are stipulated in the general interests of the child, without discrimination between man and woman.

246. Custody is granted to the mother, then father, then mother's mother, then loving relatives, in a set order which protects the right of the mother (and her family) to custody, unless a judge decides otherwise.

247. Adoption, by which is meant establishing a relation of kinship between a foundling and its non-natural parents, is unacceptable under the Islamic sharia and Omani law. Lawful marriage is the only framework for the parent-child relation.

248. As an alternative option, Omani law recognises the foster-family system, which is the raising of a foundling by those with the wish and ability to do so, in the interests of the child, whether male or female, but without the child acquiring kinship or the family name.

The right to decide on the number and spacing of children

249. National family planning programmes and policies include the birth-spacing programme, which offers health and family counselling and services to men and women.

250. A woman can obtain health and reproductive health services herself, of her own free will, without referring to her husband, even if both spouses agree on family planning matters. A woman can, by herself, access Government or private health centres to obtain the service she needs. Women enjoy access to full health information, without hindrance.

Choice of family name, profession and occupation

251. Pursuant to article 37.3 of the Personal Status Law, a woman has the right to retain her family name, even after marriage. Omani custom, under which a woman retains the name of her family or tribe, supports this right.

252. Men and women are equal in respect of choice of profession and the occupation of public positions. This is affirmed by article 12 of the Basic Law of the State.

Ownership and management of property

253. Under the law, the widow and daughters of a deceased man inherit their share of the entire estate, including real estate, land and other property, without the existence of a will. This is a right guaranteed to women and men by the Personal Status Law and shares of inheritance are legally stipulated. Derived from the sharia, those shares are fixed in accordance with the degree of relationship to the deceased. Furthermore, a widow or daughters may take possession by means of a bequest or testamentary disposition. A will has full legal force to the limit of one-third of the estate, while a bequest can be for more, subject to the agreement of the other beneficiaries of the will.

254. Every man and woman, whether married or otherwise, has the right to sole ownership of property and the right to own property on the basis of an equal share or on the basis of an agreed proportion. The owner, whether a man, a woman or a couple, has the right to manage their property in accordance with their own wishes. Consequently, women enjoy all the rights enjoyed by men in respect of the acquisition, ownership and free disposal of property.

255. A husband's declaration of bankruptcy has no effect on the property of the wife, unless it is established that the husband undertook to convey illegally some of his wealth or possessions to her. Otherwise, her husband's bankruptcy has no effect on a wife's property.

256. Omani law does not accept the concept that has been adopted in some countries of family wealth, that is built up in the course of a marriage. If husband and wife are joint owners of a property, company or factory the wife has the same ownership rights as if she were a male partner, irrespective of the marriage bond. The law does not require the agreement of the spouse, if either the husband or wife wishes to dispose of what he or she owns. Each is free to sell or otherwise dispose of his or her property without recourse to the other.

257. In the event of divorce, each retains his property, which is not affected thereby. Neither party is required to relinquish or divide his property. That applies to both spouses, without discrimination. The property they own in partnership is not divided unless both parties so desire.

258. A woman's unpaid domestic or agricultural work is not considered as property but as the woman's contribution to establishing and caring for a family. Upon divorce, the value of such labour is not calculated as part of the overall relationship between the members of the family.

Annex 1

Tables

Table 1
2007 population estimates

<i>Region/governorate</i>	<i>Omanis</i>	<i>Percentage</i>	<i>Expatriates</i>	<i>Percentage</i>
Muscat	422 590	22.1	362 925	44.2
Al-Batinah	603 643	43.1	132 026	16.1
Musandam	21 881	1.1	11 979	1.5
Al-Dhahirah	159 425	8.3	87 070	10.6
Al-Dakhiliyah	251 661	13.1	47 465	5.8
Al-Sharqiyah	281 616	14.6	73 766	9.0
Al-Wusta	17 880	1.0	9 458	1.2
Dhofar	164 002	8.5	96 113	11.7
Total	1 922 697	100	666 153	100

Table 2
Vital population indicators

<i>Item</i>	<i>2000</i>	<i>2007</i>
Population growth rate (2003)	1.8	2.8
Total fertility rate	4.7	3.13
Birth rate (per 1,000 population)	32.58	25.0
Mortality rate (per 1,000 population)	3.65	3.1
Mortality rate of nursing infants (per 1,000 live births)	16.7	10.28
Mortality rate of children below the age of five (per 1,000 live births)	21.7	13.0
Maternal mortality rate (per 100,000 live births)	16.1	15.4
Life expectancy at birth (total)	73.38	72
Life expectancy at birth (female)	74.3	73.6

Table 3
Age structure of the Omani population

<i>Relative distribution by age</i>	<i>Percentage of total population (2007 estimates)</i>	<i>Percentage of females in each category (2007)</i>
Below 15 years (children)	36.3	49.2
15-59 (adults)	61.1	53.0
60 and above (elderly)	3.7	47.1

Table 4
Distribution of population between town and country as per 2003 census

<i>Urban/rural; gender</i>	<i>Omanis</i>	<i>Percentage</i>	<i>Expatriates</i>	<i>Percentage</i>	<i>Total</i>	<i>Percentage</i>
Urban	1 192 382	66.93	481 098	86.02	1 673 480	71.49
Male	606 136	34.02	244 335	61.57	950 471	40.60
Female	586 246	32.91	136 763	24.45	723 009	30.89
Rural	589 176	33.07	78 159	13.98	667 335	28.51
Male	294 404	16.53	68 364	12.22	362 768	15.50
Female	294 772	16.55	9 795	1.75	304 567	13.01
Total	1 781 558	100.00	559 257	100.00	2 340 815	100.00
Male	900 540	50.55	412 699	73.79	1 313 239	56.10
Urban	881 018	49.45	146 558	26.21	1 027 576	43.90

Table 5
Educational situation of women as per 2003 census

<i>Educational situation</i>	<i>Relative distribution of Omanis (age 15 and above) by educational situation and gender</i>	
	<i>Female (%)</i>	<i>Proportion of females to total (%)</i>
Illiterate	29.38	66.69
Able to read and write	9.48	43.22
Primary (stage 1 of basic)	13.97	38.44
Preparatory (stage 2 of basic)	17.35	45.45
Secondary	23.00	51.04
Intermediate and technical colleges	2.89	44.95
University and above	3.57	41.40
Not indicated	0.36	—

Table 6
GDP at current prices by type of economic activity

<i>Item</i>	<i>2000</i>	<i>2007</i>
GDP at current prices (RO millions)	74 785	160 103
GDP (RO millions)	71 565	156 473
Oil activities (RO millions)	179 944	44 891
Non-oil activities (RO millions)	4 955	14 315
Population (1,000)	2 478	2 743
Per capita GDP (RO millions)	3 760	4 497

Table 7
Manpower indicators as per 1993 and 2003 censuses

<i>Indicator</i>	<i>1993 (%)</i>	<i>2003 (%)</i>
Proportion of workforce to total population (rate of crude economic activity)	34.9	37.3
Proportion of workforce to manpower (rate of economic activity to manpower)	59.2	56.4
Workforce disaggregated by nationality		
Omani	38.6	50.7
Expatriate	61.4	49.3
Workforce disaggregated by gender		
Omani	90.3	81.6
Expatriate	9.7	18.4

Table 8
Percentage of females enrolled at all academic levels (academic year 2007/2008)

<i>Educational level</i>	<i>Percentage of females</i>
Pre-primary	47
Basic	49
Grades 1-6	50
Grades 7-9	48
Grades 10-12	48
University	48

Table 9
Male and female teachers in Government schools by grade (academic year 2006/2007)

<i>Educational level</i>	<i>Omani</i>			<i>Expatriate</i>			<i>Total</i>			<i>Percentage</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Basic	7 155	16 486	23 641	1 183	1 675	2 858	8 338	18 161	26 499	85.80	90.88	89.21
Grades 1-6	1 445	1 080	2 525	78	116	194	1 523	1 196	2 719	94.87	90.30	91.43
Grades 7-9	2 057	1 719	3 776	639	348	987	2 696	2 067	4 763	76.29	83.16	79.27
Grades 10-12	3 212	3 187	6 399	1 089	520	1 609	4 301	3 697	7 998	74.68	86.20	80.00
University	13 869	22 472	36 341	2 989	2 659	5 648	16 858	25 131	41 989	82.27	89.42	86.56

Table 10
Female graduates from Sultan Qaboos University

<i>Faculty</i>	<i>Percentage of females</i>
Arts and Social Sciences	65
Education	67
Agricultural and Marine Sciences	48
Commerce and Economics	40
Science	61
Engineering	23
Medicine and Health Sciences	60
Total male and female students at SQU faculties	53

Table 11
Proportion of female students studying at overseas colleges and universities by subject (academic year 2006/2007)

<i>Subject</i>	<i>Percentage of females</i>
Medicine	55.0
Health Sciences	55.4
Pharmacology	90.0
Engineering and Applied Sciences	20.0
Science	80.4
Agriculture and Veterinary Medicine	90.0
Education	88.8
Computer	23.5
Literature	82.0
Law	11.8
Commerce and Management Science	26.0
Economics, Political Science and Secretarial	33.0
Media and Journalism	36.4
Sharia and Islamic Studies	72.8
Total female students studying overseas	75.0

Table 12
**Rates of contribution to economic activity by Omanis aged 15 years and over
disaggregated by age group and gender (1993, 2003)***

Age group	1993			2003		
	Male	Female	Total	Male	Female	Total
15-19	22.4	3.1	13.1	17.2	9.2	13.3
20-24	84.5	16.5	52.2	75.4	34.6	55.1
25-29	96.3	11.9	54.4	95.9	35.4	65.6
30-34	96.0	7.4	50.9	95.3	22.2	59.6
35-39	95.3	5.1	47.1	94.4	12.8	52.7
40-44	93.1	4.6	48.6	89.8	8.6	47.8
45-49	89.6	4.1	47.2	84.5	6.3	43.0
50-54	81.4	3.2	43.8	62.3	4.0	31.9
55-59	75.4	2.5	42.6	50.2	3.2	27.2
60-64	52.5	1.7	29.8	32.3	1.7	18.1
65+	30.7	1.0	15.9	73.9	4.0	41.0
Total	68.1	6.7	37.9	62.4	18.2	40.4

Table 13
**Omanis employed in the private sector disaggregated by professional
group (2007)**

Professional group	Male	Female	Total	Percentage of females
Managers of general departments, business managers, investment managers	3 295	500	3 795	13.2
Specialists in scientific and technical subjects and humanities	6 175	3 591	9 766	36.8
Technicians in scientific and technical subjects and humanities	8 017	1 726	9 743	17.7
Clerical	17 958	14 059	32 017	43.9
Sales	6 938	4 487	11 425	39.9
Services	31 843	3 932	35 775	11.0
Agriculture, animal husbandry, poultry rearing, fishing	862	265	1 127	23.5
Industrial and chemical processes, food industry	8 765	1 258	10 023	12.6
Principal and auxiliary engineering	47 158	175	47 333	0.37
Total	131 011	29 993	161 004	18.6

* The rate of contribution in any age group is the percentage of the workforce to the total population in that age group.

Table 14
Omanis in employment, disaggregated by employment status, gender and age group (2003)

Age group	Employment status		
	Salaried		
	Male (%)	Female (%)	Total (%)
15-24	76.84	23.16	100.00
25-44	82.10	17.90	100.00
45+	94.57	5.43	100.00
Not indicated	89.83	10.17	100.00
Total	82.86	17.14	100.00

Table 15
Female investment in companies and establishments, disaggregated by type of ownership and partnership

Capacity	Female	Male	Percentage of females
Sole owner	4 600	64 470	6.66
Sleeping partner	3 302	8 294	21.73
Acting partner	66	1 239	5.06
Joint partner	2 139	22 132	8.81
Limited partner	3 883	34 268	10.18
Board member	23	1 611	1.41
Total	13 013	97 746	11.75

Source: Information Centre, Oman Chamber of Commerce and Industry.

Table 16
Total beneficiaries of Sanad programme funding support

Year	No. of beneficiaries			Total	Percentage of females
	Male	Female			
2002	37	25	62	40	
2003	122	58	180	32	
2004	79	92	171	54	
2005	184	145	329	44	
2006	134	291	425	68	
2007	141	123	264	47	
Total	697	734	1 431	51.3	

Table 17
**Omani staff occupying senior management and supervisory positions,
disaggregated by gender (2007)**

<i>Position</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Percentage of females</i>
Undersecretary	34	1	35	2.9
General Secretary	8	0	8	0
Governor	2	0	2	0
Deputy Governor	2	0	2	0
Mayor	1	0	1	0
Head of Administrative Dept.	25	0	25	0
Ambassador	37	2	39	5.1
Advisor	157	12	169	7.1
Prefect	57	0	57	0
Deputy Prefect	102	0	102	0
Expert	188	23	211	10.9
Director General	184	12	196	6.1
General Superintendent	20	3	23	15.0
Deputy Director General	89	9	98	9.2
Head of Minister's Office	26	0	26	0
Deputy Head of Minister's Office	8	1	9	11.1
Department Director or equivalent	1 199	89	1 288	6.9
Deputy Department Director or equivalent	343	46	389	11.08
Section Head	3 461	288	3 749	7.7
Total	5 943	486	6 426	7.6

Annex 2

Legal articles referred to in the body of the report

Laws are ordered by date of promulgation and texts by article number.

- | | | |
|-----|------------|---|
| 1. | 1973 | Law of Interpretations |
| 2. | 4 (1974) | Omani Penal Code |
| 3. | 3 (1983) | Omani Nationality Law |
| 4. | 52 (1984) | Implementing regulation for Civil Service Law |
| 5. | 101 (1996) | Basic Law of the State |
| 6. | 32 (1997) | Personal Status Law |
| 7. | 86 (1997) | Oman Parliament Law |
| 8. | 90 (1999) | Judicial Authority Law |
| 9. | 35 (2003) | Labour Law |
| 10. | 120 (2004) | Civil Service Law |
| 11. | 125 (2008) | Government Land Entitlement Law |
| 12. | 126 (2008) | Law on Combating Human Trafficking |

1. Law of Interpretations

Article 3

In this and any other law, the following words and expressions shall have the meanings stated beside each unless context requires otherwise or a different meaning or interpretation is stipulated in the other law:

- “His Majesty the Sultan”, “the Sultan” and “His Majesty” shall mean the Sultan of the Sultanate of Oman.
- “The Sultanate” shall mean all the territories of the Sultanate of Oman within its geographical borders, territorial waters and continental shelf, including all islands belonging to the Sultanate and their territorial waters and continental shelf, and the airspace of those territories, islands and territorial waters.
- “Government” shall mean the Government of the Sultanate of Oman.
- “Official Gazette” shall mean the official gazette of the Government, including any annex thereto. The Official Gazette and any annex thereto may be issued at any time other than the tabled time. Laws shall be published in the annex to the Official Gazette whenever possible.
- “Law” shall mean any legislation, regulation, royal statute or royal decree of a legislative nature and all legislative provisions, rules and orders issued pursuant to any law.
- “Omani” shall mean any person of Omani nationality in accordance with the Omani Nationality Law.
- “Riyal” shall mean the Omani riyal.

- “Person” shall include any company, corporation, group of people or association, whether or not they are legal persons.
- Years and months shall be reckoned in accordance with the Gregorian calendar.
- Words referring to or indicating the masculine shall include the feminine.
- The masculine pronoun, both explicit and implicit, shall include the feminine.
- Words referring to or indicating the singular shall include the plural.
- Words referring to or indicating the plural shall include the singular.

2. Omani Penal Code

Article 34

Public crimes shall be deemed to be crimes perpetrated by the following means:

1. Acts and gestures committed in a public place or a place open to the public or exposed to sight, or witnessed, due to the offender’s fault, by an individual not involved in the act or gesture;
2. Speech and cries made directly by the offender or through devices and heard by an individual not involved in such speech or cries;
3. Various writings, drawings, pictures, photographs, films and badges, if shown in a public or visible place or a place open to the public.

Article 58

The perpetrator of any crime whereby a third party is subjected to material or moral harm shall be liable to compensate the injured party at his request.

Article 258

A kidnapper shall be liable to a term of imprisonment of at least 15 years in the following circumstances:

1. The period of deprivation of liberty of the kidnapped person exceeds at least one month;
2. The kidnap is implemented by force, threat or deceit;
3. The kidnapped person is subjected to acts of physical or mental torture, his honour is violated or he is forced to perform indecent acts;
4. The intention of the kidnapper is to rob the kidnapped person or force a third party to pay a ransom.
5. The crime is committed against an official in the course of carrying out his duties.

Article 261

Anyone who brings into or out of Omani territory a human being in a state of slavery or bondage, disposes of him by any means, takes possession of him,

acquires him or keeps him in such a state shall be liable to a term of imprisonment of between three and five years.

3. Omani Nationality Law

Article 2

A foreigner may request Omani nationality if the following conditions apply:

1. He is an adult able to read and write the Arabic language;
2. Before submitting his request, he has resided legally in the Sultanate for a continuous period of no less than 20 Gregorian years or 10 years if married to an Omani woman. Temporary periods of absence from the country on private business shall not prevent his residence from being considered continuous, on condition that the period of absence is no more than two months in any year;
3. He is of good conduct, of sound constitution, free of disabilities and has not been convicted of any crime against honour or trust, unless he has been rehabilitated;
4. He has a legitimate means of earning a living that is sufficient to meet his needs and those of his dependents;
5. He applies for citizenship on the form prepared for that purpose by the Ministry of Interior, affirming his wish to renounce his nationality of origin and that the law of his country allows him to do so. If the application is accepted, the applicant must stand before the court in the province or governorate in which he resides and swear the following oath: "I swear by Almighty God to be loyal to the Sultanate of Oman, to respect the laws, customs and traditions of Oman and to be a good citizen, as God is my witness".

This article has been amended pursuant to Royal Decrees No. 5 (1986) and No. 58 (1993).

Article 17

In the application of this law, the words "alien" and "Omani" shall refer to males and females equally, unless stipulated otherwise. The age of majority in matters of nationality shall be 18 Gregorian years.

4. Implementing regulation for the Civil Service Law

Article 14

All Omanis shall have the right to apply for any advertised public position, without discrimination on the basis of gender, provided they satisfy the conditions of appointment.

5. Basic Law of the State

Article 2

The religion of the State is Islam and the Islamic sharia is the basis of legislation.

Article 11
Economic principles

- The basis of the national economy is justice and the principles of a free economy. Its chief pillar is constructive, fruitful cooperation between public and private activity. Its aim is to achieve economic and social development that will lead to increased production and a higher standard of living for citizens, in accordance with the State's general plan and within the limits of the law.
- Freedom of economic activity is guaranteed within the limits of the law and the public interest, in a manner that will ensure the well-being of the national economy. The State encourages saving and oversees the regulation of credit.
- All natural resources are the property of the State, which safeguards them and ensures that they are properly utilised, while taking into account the requirements of State security and the interests of the national economy. No concession may be granted, nor may any of the country's public resources be exploited, except in accordance with the law and for a limited period of time, and in such a manner as preserves national interests.
- Public property is inviolable. The State shall protect it, and citizens and all other persons shall preserve it.
- Private property is protected. No one shall be prevented from disposing of his property within the limits of the law and no one's property shall be expropriated, except for the public benefit in those cases defined by the law and in the manner stipulated by the law, and on condition that the person whose property is expropriated receives just compensation for it. Inheritance is a right governed by the Islamic sharia.
- General confiscation of property is prohibited and the penalty of specific confiscation shall only be imposed by judicial order in circumstances defined by the law.
- The basis of taxes and public dues shall be justice and the development of the national economy.
- The institution, adjustment and cancellation of public taxes shall be done by law. No one may be exempted from payment of all or part of such taxes other than in circumstances defined by law. No tax, fee or other entitlement of any kind may be applied retroactively.

Article 12
Social principles

- Justice, equality and equality of opportunity between Omanis are the pillars of society, guaranteed by the State.
- Mutual support and compassion, strong ties between citizens and the reinforcement of national unity are a duty. The State shall prevent anything that could lead to division, discord or the disruption of national unity.
- The family is the basis of society and the law regulates the means of protecting it, safeguarding its legal existence, reinforcing its ties and values, providing

care for its members and creating suitable conditions for the development of their aptitudes and capabilities.

- The State guarantees assistance for the citizen and his family in cases of emergency, sickness, incapacity and old age, in accordance with the social security system. It promotes social solidarity in shouldering the burdens resulting from disasters and general calamities.
- The State cares for public health and for the prevention and treatment of diseases and epidemics. It endeavours to provide health care for all citizens and to encourage the establishment of private hospitals, clinics and other medical institutions under State supervision and in accordance with the rules laid down by law. It also works to conserve and protect the environment and prevent pollution.
- The State enacts laws to protect the employee and the employer and regulate relations between them. Each citizen has the right to engage in the work of his choice within the limits of the law. It is not permitted to impose any compulsory work on anyone except in accordance with the law and for the performance of public service, and for a fair wage.
- Public employment is a national service entrusted to those who carry it out. State employees shall seek to serve the public interest and society in the performance of their work. Citizens are equal in respect of occupying public positions, according to the provisions of the law.

Article 17

All citizens are equal before the law and in public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect, domicile or social status.

Article 18

Personal freedom is guaranteed by law. No person may be arrested, searched, detained or imprisoned, or have his residence or movement curtailed, except in accordance with the provisions of the law.

Article 25

The right to litigation is safeguarded and guaranteed for all people. The law defines the procedures and circumstances required for the exercise of that right and the State guarantees, as far as possible, that the judicial authorities will reconcile the litigants and settle cases promptly.

Article 59

The sovereignty of the Law is the basis of governance in the State. Rights and freedoms are guaranteed by the dignity of the judiciary and the probity and impartiality of the judges.

Article 60

Judicial power is independent and vested in the courts of law, of whatever type or status, and judgements are issued in accordance with the law.

Article 61

Judges are subject to no authority other than the law in respect of their rulings. Judges can only be dismissed in cases determined by law. No party may interfere in a lawsuit or in matters of justice and such interference shall be a crime punishable by law. The law shall specify the conditions to be satisfied by those administering justice, the conditions and procedures for the appointment of judges, their transfer and promotion, the security offered to them, the cases in which they are not able to be dismissed and other relevant provisions.

Article 62

The law shall regulate the courts of whatever type or status and shall specify their functions and competencies. The jurisdiction of military courts shall be restricted to military crimes committed by members of the armed forces and the security forces and shall only extend to others in the case of martial law and then within the limits laid down by the law.

Article 63

Court hearings are public except when the court decides to hold the case in camera in the interests of public order or public morals. In all cases, delivery of the verdict shall be in open session.

Article 64

The public prosecutor shall conduct legal proceedings on behalf of the community, oversee matters of judicial prosecution and be vigilant in the application of the penal code, the pursuit of the guilty and the execution of court judgements. The law shall regulate public prosecution and its competencies and shall specify the conditions of and safeguards for those who discharge its functions. In exceptional cases, public security bodies may be legally empowered to conduct proceedings in cases involving misdemeanours, in accordance with the terms laid down by the law.

Article 65

The legal profession shall be regulated by the law.

Article 66

The judiciary shall have a higher council, which shall oversee the smooth running of the law courts and auxiliary bodies. The law shall specify the powers of this council with regard to the functions of judges and the public prosecutor.

Article 67

The law shall adjudicate in administrative disputes through a special tribunal or chamber, the organisation and mode of procedure of which shall be specified in law.

Article 68

The law shall adjudicate in disputes over jurisdiction between judicial bodies and in cases of conflicting judgements.

Article 69

The law shall define the competencies of the body which expresses legal opinions to ministries and other Government bodies and formulates and revises draft laws, regulations and decisions. The law shall also specify the mode of representation of the State and other public bodies and organisations before the judiciary.

Article 70

The law shall determine the judicial body competent to settle disputes arising from the incompatibility of laws and regulations with the Basic Law of the State and ensure that the latter's provisions are not contravened, and shall define that body's powers and procedures.

Article 71

Judgements shall be issued and executed in the name of His Majesty the Sultan. Failure or delay in executing those judgements on the part of the relevant public officials shall be a crime punishable by law. In such a case, the person in whose favour the judgement was delivered has the right to bring a criminal action directly to the competent court.

Article 76

Treaties and agreements shall not have the force of law until they have been ratified. In no case may a treaty or agreement contain secret terms which contradict its declared terms.

Article 80

No body in the State may issue rules, regulations, decisions or instructions which contravene the provisions of laws and decrees in force or international treaties and agreements which constitute part of the law of the land.

6. Personal Status Law

Article 16

The basic elements of the marriage contract are:

- (a) The offer and acceptance;
- (b) The legal guardian;
- (c) The dower;
- (d) The marriage document.

Article 17

With due regard to the provisions of article 19 of this law, a marriage is contracted by means of an offer from one of the contracting parties and acceptance by the other, on the basis of full consent, in wording, the meaning of which is readily understood, in formal language or common usage. In the event of an

inability to speak, writing shall be used instead and, if that is not possible, it shall be done by recognizable gesture.

Article 21

The dowry is all property offered by the groom for the purpose of marriage.

Article 22

Everything that may be validly pledged in law is suitable as a dowry.

Article 23

The dowry is the property of the bride. She may dispose of it as she wishes and no contrary condition may be set.

Article 24

(a) The dowry may be settled immediately or deferred, in whole or in part, at the time of the contract.

(b) The dowry is a requirement of a proper contract. It shall be required in full upon consummation, lawful intimacy or the husband's death. The deferred portion shall be due upon the husband's death or separation, unless the contract stipulates otherwise. A woman divorced before consummation has the right to one half of the dowry, if stated; otherwise, the judge shall award her compensation.

Article 37

A wife has the right to the following from her husband:

- Financial support;
- To be allowed to visit her parents and close relatives and invite them to visit her;
- To be allowed to retain her family name;
- Non-interference with her personal property, which is hers to dispose of freely;
- Not to be physically or mentally harmed;
- To be accorded equal treatment with his other wives, if the husband has more than one wife.

Article 82

Divorce is instigated by the husband or his authorized representative or by the wife, if the husband gave her authority over her own affairs.

Article 282

Their own provisions shall apply to the personal status of non-Muslims, unless the application of this law is requested.

7. Oman Parliament Law

Article 22

In order to be nominated for or elected to membership of the Consultative Assembly, a person must meet the following conditions:

- (a) Be of original Omani nationality, in accordance with the law;
- (b) Be no less than 30 years of age;
- (c) Be of good standing and reputation in the province and not have received a criminal sentence or been convicted of a crime against honour or trust, unless rehabilitated;
- (d) Have been educated to an acceptable level and possess suitable practical experience;
- (e) Be registered in the electoral register;
- (f) Not be affiliated to a military or security body in the Sultanate;
- (g) Not have been declared bankrupt, unless rehabilitated;
- (h) Not be under judicial restraint;
- (i) Not be mentally ill.

8. Judicial Authority Law

Article 10

The Supreme Court shall, as required, form a body consisting of the President of the Supreme Court and his five most senior deputies or the most senior judges of the Court, the President of the Court of Administrative Justice, the Deputy President and the three most senior Court advisors. That body shall rule in case of a conflict of jurisdiction between the courts specified in this law and the Court of Administrative Justice and other courts. It shall also be competent to determine the ruling to be enforced in cases where rulings conflict. If the President or any member is absent or prevented from attending, the next in line from either court shall take his place. The body shall be chaired by the President of the Supreme Court. If he is absent or prevented from attending, the most senior member shall take his place. Rulings shall be delivered by a majority of at least of seven members.

Article 11

The body stipulated in article 10 shall be the judicial body which is competent to rule in disputes relating to the compliance of regulations with the Basic Law of the State, ensuring that they are not in conflict therewith. A Royal Decree shall be issued in order to clarify the body's authority and the procedures it will follow.

Article 21

To hold the position of a judge, a person must meet the following conditions:

- (a) Be Muslim and of Omani nationality;
- (b) Be fully legally competent;

- (c) Be of sound conduct and good reputation;
- (d) Have obtained a certificate in Islamic sharia or law from a recognized university or institution of higher learning;
- (e) Not have received a criminal or disciplinary sentence for reasons of trust or honour, even if rehabilitated;
- (f) Have passed the examinations and interviews held for this purpose.

9. Labour Law

Article 82

Women may not be employed in work which is hazardous to health, strenuous labour or other work to be determined by decree of the Minister.

10. Civil Service Law

Article 80

A female employee shall be granted 50 days leave with full pay covering the pre- and post-delivery period, on no more than five occasions during her term of service.

11. Government Land Entitlement Law

Article 1

Paragraphs 1 (b), 2 and 3 of the general provisions of the Government Land Entitlement Law shall be amended to read as follows: ... he/she shall not be less than 23 Gregorian years of age, unless it is established that he/she is married and is not less than 21 years or is the sole provider for his/her family.

12. Law on Combating Human Trafficking

Article 1

The Law on Combating Human Trafficking defines exploitation as the unlawful use of a person, including prostitution, any form of sexual exploitation, serfdom, forced labour, enslavement or practices similar to slavery, bondage or the illegal removal of organs.

Article 8

Any person who commits the crime of human trafficking shall be liable to a term of imprisonment of no less than three years and no more than seven years and a fine of no less than 5,000 riyals and no more than 100,000 riyals.

Article 9

The crime of human trafficking shall be punishable by a term of imprisonment of no less than seven years and no more than 15 years, and a fine of no less than 10,000 riyals and no more than 100,000 riyals in any of the following cases:

- (a) If the victim is a minor or a person with special needs;
- (b) If the culprit carried a weapon;

- (c) If the crime was committed by more than one person;
- (d) If the culprit is the spouse, close relative or guardian of the victim or has authority over him;
- (e) If the crime is committed by an organized criminal gang or the culprit is a member thereof;
- (f) If the culprit is a public employee or charged with public service and exploited his position in order to commit the crime;
- (g) If the crime is transnational;
- (h) If, because of his exploitation in the crime of human trafficking, the victim goes mad or contracts AIDS or an untreatable psychological or physiological illness.

Any person who forms, establishes, organizes, runs, leads or recruits members to an organized criminal gang, the goal or one of the goals of which is trafficking in persons, shall be liable to the same punishment.

Article 10

If a crime of human trafficking has been committed through the agency of a legal person, the punishment stipulated for the crime shall be imposed on the person responsible for the management of that legal person, if his knowledge of the crime is proven. The legal person shall be responsible for the crime, if it was committed on his behalf and in his interest, and shall be punishable by a fine of no less than 10,000 riyals and no more than 100,000 riyals.

Article 11

Any person with knowledge of a crime of human trafficking who does not inform the authorities, even on the grounds of professional confidentiality, shall be punished by imprisonment for a period of no less than six months and no more than three years and a fine of no less than 300 riyals and no more than 1,000 riyals. The punishment may be waived if the person who fails to report the crime is the spouse or a close relative of the culprit.

Article 12

Anyone who knowingly conceals one or more of the persons who took part in a crime of human trafficking with the intention of helping them to escape justice or who knowingly possesses or conceals all or part of the proceeds of the crime or helps to cover up the traces of the crime shall be liable to a term of imprisonment of no less than six months and no more than three years and a fine of no less than 300 riyals and no more than 1,000 riyals.

Article 13

The use of force, intimidation or the promise of gain in order to prevent a person from testifying or giving evidence or urge him to give false or incorrect evidence to any competent authority regarding a crime of human trafficking shall be liable to a term of imprisonment of no less than three years and no more than five years.

Article 14

If a person is convicted of a crime of human trafficking, the court shall rule to confiscate the funds, properties and devices used in committing the crime or prepared for that purpose, as well as the proceeds of the crime.

Without prejudice to the rights of other bona fide parties, the ruling to confiscate such funds, properties, proceeds and devices shall be made, even if they have been exchanged for other funds or the ownership thereof has been transferred to another person.

If they have been mixed with funds, properties and proceeds from lawful sources, the confiscation ruling shall be applied only to the funds, properties, proceeds and devices set forth in the first paragraph of this article.

In all cases, the confiscation ruling shall not be obstructed by the expiry of the case due to a legal obstacle, such as the death of the accused, unless the heirs of the accused establish the legitimacy of the source of funds, properties and proceeds.

Article 15

The attempt to commit a crime of human trafficking shall be punishable by the full punishment for the crime.

Article 16

Any person who informs the competent authorities of his knowledge of a crime before it is committed, with the result that the crime is foiled or the perpetrators apprehended, shall be exempted from the punishment provided for herein for the crime of human trafficking.

Any person who reports a crime after it has been uncovered may be exempted from punishment or have his sentence reduced if, during the investigation, he enabled the competent authorities to arrest the other perpetrators.

Article 17

A victim of the crime of human trafficking shall be exempted from the fees for a civil case brought with a view to claiming compensation for the damage resulting from his exploitation in this crime.
