

## **Human Rights Watch statement UPR Oman**

Oman's last UPR in 2011 took place at a time when there were serious concerns regarding freedom of expression and assembly in the country, and those concerns remain in 2016. Over the past year, the space for expression of dissent and peaceful assembly has greatly shrunk. Human Rights Watch has documented a pattern in which Omani security forces harass activists and prosecute pro-reform activists and critics on vague charges such as "insulting the Sultan" and "undermining the prestige of the state."

A month after Oman's 2011 UPR, thousands of Omanis took to the streets in cities throughout the country in protest. Authorities used excessive force against protestors, interfering with their freedoms of expression and assembly, and arresting and prosecuting participants. Since then, Human Rights Watch has learned that charges were dropped against some of them, and that others were later pardoned. However, we are unaware of any investigation into cases of the excessive use of force by law enforcement officials against protestors in 2011 and 2012.

During its 2011 UPR, Oman pledged to "[r]eview its relevant legal framework to safeguard the legitimate exercise of freedom of expression." Yet Omani laws continue to criminalize insulting the "Sultan's rights or authority" and undermining the "prestige of the state" – charges that are often used by courts to prosecute activists.

Just in February, Omani courts sentenced, in separate cases, two online activists to prison for their social media posts. In November 2015, authorities arrested Said Jaddad, a prominent human rights activist in Dhofar, and transferred him to Arzat Prison, west of Salalah, to serve a one-year prison sentence for his peaceful activism.

We remain concerned that all public gatherings require advance official approval; the authorities arrest and prosecute participants in unapproved gatherings.

The UN Special Rapporteur on the rights of freedom of peaceful assembly and of association, who visited the country in September 2014, has echoed many of the concerns shared by Human Rights Watch and other rights groups in her findings.

We believe that problematic provisions in Oman's criminal procedure code – in particular a 2011 amendment that allows security forces to hold someone in pretrial detention for up to 30 days without charge – can result in serious violations of a defendant's due process rights.

In 2011, Oman pledged to "[t]ake additional measures to eliminate all forms of discrimination against women and promote the status of women and their participation in all State institutions." Human Rights Watch regrets that the Omani Citizenship Law, issued by Decree No.38/2014, which allows Omani women married to non-Omani men to confer citizenship to their children, nonetheless continues to impose discriminatory restrictions on women.

We are also particularly concerned that migrant workers in Oman remain vulnerable to exploitation and abuse, due in part to the visa-sponsorship system (*kafala*) that ties migrant workers to their employers and precludes them from changing employers without their current employer's consent. Human Rights Watch has documented cases of domestic migrant workers, particularly women, who have suffered from unpaid wages; physical, psychological, and sexual abuse; food deprivation and inadequate living conditions; and confiscation of their identity documents.

Oman has taken up some discussions on ratifying international instruments in accordance with the 2011 UPR recommendations. We ask the government to accede to key international human rights treaties, notably the ICCPR and ICESCR, at the earliest opportunity.

Human Rights Watch calls on Oman to respect the freedom of expression and assembly of its own citizen, and to redouble its efforts to address the rights concerns raised during its UPR.