

UPR-Info Pre-session briefing on Oman

Geneva, December 2020

Today, I am speaking in the name of the Omani Centre for Human Rights, an independent non-profit organisation based in the UK. The Centre works to document violations in Oman as well as publishing educational and consciousness-raising materials about human rights and public freedoms.

Civil society and public freedoms:

Because of a number of provisions contained in laws like the Omani Penal Code, societal participation in political life is almost non-existent. The government constantly labours to present Shura Council and municipal council elections as evidence of democracy, but these councils have no role beyond being purely consultative. It should be pointed out that legal provisions like Article 116 of the Penal Code criminalise any party activity, especially of a political or legal nature. This Article punishes anyone who sets up a party or association of a political nature with a prison sentence of between three and 10 years, in contravention of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

Individuals live under the shadow of anxiety, fear and caution, because of the policy of repression and the “one voice” culture practised by the government against anyone whose opinion differs from its own.

Migrant workers and housemaids (trafficking in persons):

Although the Centre welcomes Oman’s announcement that it intends to abolish the *kafala* system in 2021, migrant workers, and especially housemaids, suffer many violations of their rights. According to reports and complaints reaching the Centre, these violations consist of the withholding of wages, or paying less than agreed, or exploiting the worker by making him or her do more than one job without material compensation; also physical violence and the sexual harassment of female domestic workers, of which the Centre has seen evidence. Bear in mind that the complaints procedures put in place by the relevant bodies are complex and ineffectual, while the government continues to do nothing about setting up a hotline to report abuse. Meanwhile, with the cost of living rising, many migrant workers suffer because of the low

wages they are paid, together with not being provided with health insurance, and the burden of having to look for housing and food.

Enforced disappearance:

Although Oman, in April 2020, signed the International Convention for the Protection of All Persons from Enforced Disappearance, the government continues to breach Article 17.1 by summoning or kidnapping activists and placing them in unknown locations or solitary confinement. The government also continues to violate Article 17.2.d by not allowing these detainees access to legal representation; and if detainees are allowed to contact their relatives, it is only to inform them that they are being held in detention, and they are not allowed to give them any information about where they are being held.

Recommendations:

Therefore, based on the points above, the Centre offers the following recommendations to strengthen rights related to these areas:

- Abolish the *kafala* system immediately and replace it with a system that respects the rights of migrant workers, and provides all necessary safeguards to ensure their chances of living a decent life and enjoying their rights by abolishing the system of confiscating personal identity documents.
- Abolish Article 116 of the Omani Penal Code, and allow civil society greater scope for action beyond simply holding charity events; and allow the creation of parties, associations and organisations of a political and legal nature.
- Do not arrest or detain people for reasons relating to freedom of opinion and expression, and do not hold them in secret locations or deny them their rights to access legal counsel, but comply with the detailed provisions of the International Convention.