

Oman

The government continued to restrict rights to freedom of expression, association, and assembly. Authorities harassed and detained, often incommunicado, several prominent critics and pro-reform activists.

Freedom of Expression and Pro-Reform Activists

The authorities continued to target peaceful pro-reform activists using short-term arrests, detentions, and other forms of harassment. Since mass protests in 2011, authorities have engaged in a cycle of prosecutions of activists and critics on charges such as “insulting the Sultan” that criminalize free speech, leading to prison sentences followed by release under pardons granted by Sultan Qaboos bin Said al Said. According to local activists, the arrests and prosecutions have had a chilling effect on free speech and the expression of dissent.

Articles 29, 30, and 31 of Oman’s Basic Law protect freedom of expression and the press, but other laws undercut these safeguards. Authorities continued to restrict online criticism and other content using article 26 of the 2002 Telecommunications Act. It penalizes “any person who sends, by means of telecommunications system, a message that violates public order or public morals.”

Authorities arrested pro-reform activists and held them without access to lawyers and their families using a 2011 criminal procedure code amendment that empowers security forces to hold detainees without charge for up to 30 days. The arrests and detentions followed a pattern that has become entrenched since 2011 that has seen the authorities repeatedly arrest and detain peaceful opposition activists and those who use social media and other online outlets to criticize the government.

Security officials arrested Muawiyah al-Rawahi in December 2014, apparently in connection with two tweets in which he criticized corruption and urged people to demand

their rights. They released him without charge after four days. In February, he traveled to the United Arab Emirates (UAE), where authorities arrested him on arrival. He remained in UAE detention at time of writing.

In March, a Muscat court convicted 46-year-old Said Jaddad, a human rights activist and pro-reform blogger, of “undermining the prestige of the state,” incitement to “illegal gathering,” and “using information networks to disseminate news that would prejudice public order” based on his online activities, including a public letter he wrote to United States President Barack Obama asking for human rights improvements in Oman.

The court sentenced him to three years’ imprisonment and a fine. He lodged an appeal and was released on bail in April. On September 9, the Appeal Court in Muscat had upheld his three years’ prison sentence, suspended for three years, and payment of a 2000 Omani Rials fine (about US\$5,200). In November, in a separate case, the Court of Appeal in Salalah upheld his March 31 sentence of one year in prison and a fine of 1000 Omani Rials (about \$2,600) for “inciting to break national unity and spreading discord within society” in relation to a blog post he wrote in October 2014 in which he compared the 2011 protests in Dhofar province to the 2014 protests in Hong Kong. Said Jaddad was arrested on November 25 and transferred to Arzat Prison, west of Dhofar province’s capital, Salalah, where he continues to be detained.

In March, a court fined Saeed al-Daroudi, a writer and online activist, and sentenced him to one-and-a-half years in prison in absentia after convicting him on charges of disturbing public order and creating discord and hatred. In April, security officials arrested four other online activists, including Majid al-Balushi and Mohammed al-Manai, and detained them incommunicado before releasing them after 14 and 9 days, respectively.

In July, police arrested Mahmoud al-Fazari in July and detained him for three weeks before releasing him without charge after his brother, Mohammed al-Fazari, a prominent blogger and government critic, fled the country despite a travel ban and sought asylum in the United Kingdom.

Authorities arrested Dr. Saleh al-Azri, Ali al-Maqbali, and Talib al-Sa`eedi, all opposition activists, on August 3 and the next day arrested two others, Mukhtar al-Hana’i and Ahmed

al-Balushi. They released al-Balushi after questioning him for four hours but detained the others for three weeks before releasing them without charge.

Authorities arrested human rights activist Ismail al-Meqbali on August 29 after summoning him for police questioning, and detained him for six days before releasing him without charge. He has faced repeated harassment, including arrest and detention, by the authorities since police arrested him and two other activists as they traveled to interview striking workers at the Fohoud oil field in 2011.

The new Omani Citizenship Law enacted by decree in 2014 removed citizenship decisions from the jurisdiction of the courts and, under article 20, empowers the Ministry of Interior to withdraw Omani citizenship from any person found to belong to a party or organization that “embraces principles or ideologies that harm Oman’s interest” or “works in favor of a hostile country that acts against the interests of Oman.”

Freedom of Assembly and Association

All public gatherings require advance official approval; the authorities arrest and prosecute participants in unapproved gatherings. Some private gatherings are also prohibited under article 137 of the penal code, which prescribes a punishment of up to three years in prison and a fine for anyone who “participates in a private gathering including at least 10 individuals with a view to commit a riot or a breach of public order.” Authorities sharply increased the penalties under article 137 after the pro-reform demonstrations of 2011.

Authorities continued to imprison Dr. Talib al-Maamari, a former Shura Council member from Liwa. In August 2014, an appeal court in Muscat fined him and imposed a one-year prison term on him for “illegal gathering” and a three-year prison term for calling for anti-government demonstrations. The court also sentenced Saqr al-Balushi, a former Liwa municipal councilor.

The case stemmed from an incident in August 2013 in Liwa, when police used tear gas to disperse people blocking the port’s entrance in protest of industrial pollution at the nearby port of Sohar. Authorities arrested al-Maamari two days after the protest, denying him

access to a lawyer for over two weeks. Later, a court sentenced al-Maamari and al-Balushi to seven and four year prison terms, respectively, and fines after convicting them of “illegal gathering” and “blocking traffic.”

Article 42 of the Civil Societies Law makes it a crime punishable by up to six months’ imprisonment and a fine of 500 Rials (approximately \$1,300) for any association to receive funding from abroad without government approval. Article 54 makes the Social Development Ministry responsible for legally registering associations; under the law, only associations with at least 40 members are eligible to apply for registration.

Women’s Rights

Article 17 of the Basic Law states that all citizens are equal and bans gender-based discrimination. In practice, however, women continue to face discrimination in law—under the Personal Status Law that governs matters such as divorce, inheritance, child custody, and legal guardianship—and in practice.

Oman’s penal code criminalizes sexual relations outside marriage and provides three months to one-year imprisonment when the person is unmarried, and one to three years’ imprisonment when the person is married. Criminalization of such offenses apply disproportionately to women whose pregnancy can serve as evidence of the offense.

Migrant Workers’ Rights

Migrant workers remained vulnerable to exploitation and abuse, due in part to the visa-sponsorship system (*kafala*) that ties migrant workers to their employers and precludes them changing employers without their current employer’s consent. Migrant domestic workers, predominantly women, are furthermore specifically excluded from the Labour Law and especially vulnerable to abuse and exploitation.

Many migrant domestic workers complained to Human Rights Watch of long working hours with no rest or day off, denial of salaries, passport confiscation, and in some cases physical and sexual abuse. Oman has yet to ratify the 2011 International Labour Organization (ILO) Convention on Decent Work for Domestic Workers, for which it voted in favor in 2011.

Sexual Orientation and Gender Identity

Oman's penal code provides for six months to three years in prison for consensual sex between men or between women.

Key International Actors

Maina Kiai, the United Nations special rapporteur on the rights to freedom of peaceful assembly and of association, reported on his September 2014 visit to Oman in May. He criticized government efforts to silence dissent and stated that the "legal environment for the exercise of the rights to freedom of peaceful assembly and of association in Oman is problematic." The Omani government rejected the findings of the report and accused Kiai of violating the Special Procedures code of conduct during his visit.

Oman has yet to ratify key international human rights treaties, including the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, although the government pledged to do so when the UN Human Rights Council last considered Oman under its Universal Periodic Review process in 2011.

Both the US and the UK provide significant economic and military aid to the sultanate. Neither country publicly criticized Oman's human rights abuses in 2015, except in annual reports.