

HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA: REVIEW OF 2018

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OMAN

Sultanate of Oman

Head of state: **Qaboos bin Said Al Said**

Head of government: **Qaboos bin Said Al Said**

The authorities continued to unduly restrict freedom of expression by arresting, detaining and harassing activists and government critics. A new penal code contained harsh penalties for the peaceful exercise of a range of human rights. Women continued to face discrimination in law and practice. The death penalty remained in force; no executions were reported.

BACKGROUND

In January, hundreds of Omanis took to the streets to protest peacefully against high unemployment rates, prompting the government to temporarily freeze recruitment of foreign workers in the private sector and launch a plan to secure some 25,000 jobs for nationals. It warned it would prosecute private establishments that failed to comply with the government's "Omanization" policies.

Oman maintained a neutral stance in the regional crisis in which Bahrain, Egypt, Saudi Arabia and the United Arab Emirates severed relations with Qatar.

ARBITRARY DETENTIONS AND UNFAIR TRIALS

The authorities carried out waves of arbitrary arrests of residents in Musandam province. Between April and July, tens of residents were summoned for interrogation for electronically circulating information about the history of the province. Many were released several days later. Five men, all from the al-Shuhuh tribe and including a national of the United Arab Emirates, were arrested in May and April and held incommunicado for several months. The authorities did not disclose the legal basis for their arrest, citing only vague "national security" grounds. The five men's trials began in July. The accused were not permitted to speak to their lawyers or receive or review any documents relating to the case before trial, violating international standards of fairness. Between August and October, a court in Muscat sentenced the five men to life imprisonment on charges that included "using information technology to prejudice the security and unity of the country and its territories".

FREEDOM OF EXPRESSION

In January, a new penal code entered into force. It substantially increased jail terms prescribed for the exercise of some rights and contains vaguely worded provisions that give sweeping powers to the authorities. For instance, Article 97 considers speech against the sultan, the head of state, a crime against national security and punishable with between three and seven years' imprisonment. Similarly, Article 102 provides for imprisonment for between three months and three years for disparaging foreign heads of state or state representatives visiting Oman. Other overly broad articles weakened the protection of activists, bloggers and dissidents. Blasphemy provisions criminalize the peaceful exercise of the rights to both freedom of expression and freedom of religion and belief.

In April, the Internal Security Forces detained online activist Youssef Sultan al-Arimi for two weeks for views he published on social media. On 28 April, internet activist Hassan al-Basham, whose three-year prison sentence was confirmed by a court of appeal in November 2017 on charges related to online expression, died in prison after his health deteriorated. In June, the authorities pardoned and released writer and cinema critic Abdullah Habib, who was imprisoned in April for "blasphemy" and "using the internet for what would prejudice public order".

The authorities also hindered journalists' access to information on human rights issues.

FREEDOM OF ASSOCIATION AND ASSEMBLY

The new penal code also threatens to stamp out civic space by criminalizing forms of association “aimed at combating the political, economic, social or security principles of the state”.

The right to freedom of peaceful assembly also continued to be tightly controlled. At least 30 people were arrested for protesting against unemployment in January but later released. In May, the public prosecution affirmed it would take legal measures against tribal assemblies and anyone who assists or promotes these on social media.

WOMEN’S RIGHTS

Women continued to face discrimination in law and practice. They are not accorded equal rights in law in relation to matters such as divorce, child custody, inheritance and passing their nationality on to their children. Gender-based violence and marital rape are not prohibited by law.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Same-sex sexual relations continued to be criminalized under the new penal code issued in January.

DETENTION CONDITIONS

Amnesty International received several consistent reports of mistreatment in detention, including beatings and medical neglect. Severe physical abuse, including beatings with metal pipes, were reported at the headquarters of the criminal investigations unit in the Qurum area of Muscat. Amnesty International also received credible allegations of unsanitary conditions and medical neglect of seriously ill prisoners at Samail prison in the mountains of northern Muscat.

MIGRANT WORKERS

Migrant workers continued to face exploitation and abuse as a result of the restrictive *kafala* (sponsorship) system that ties them to their employers. Migrant workers depend on their employers, who also act as their sponsors, to enter the country and cannot change jobs without their permission. This severely limits their ability to escape abusive working conditions and facilitates exploitation. Domestic workers continued to bear the brunt of this system and remained excluded from the protection of the labour law.

DEATH PENALTY

The new penal code retained the death penalty for a range of crimes. No executions were reported during the year.