

Oman

1. Discrimination in the family

a) Overarching legal framework for marriage

The legal system in Oman is based on Islamic Shari'a (Basic Statute of the State of Oman, Art. 2). Matters related to marriage and family issues are regulated by the Personal Status Law; its provisions apply to the Muslim population that constitutes the majority in Oman. In case there is no provision adequately addressing a particular issue of personal status, the rules of Islamic religion that are most suitable apply (Personal Status Law, Sec. 281).

Under the Personal Status Law, women and men do not have equal rights to enter into marriage and some of its provisions favour the rights of men over those of women (Freedom House, 2016). Non-Muslims are governed by their own statutes unless they choose to apply provisions of the Personal Status Law (Personal Status Law, Sec. 282). In some areas, tribal laws and customs are still prevalent in the family law disputes (Freedom House, 2016). Oman has ratified the Convention for Elimination of all forms of Discrimination Against Women with a reservation on the article 16 on equal rights in marriage and family relations, which are not in accordance with the provisions of the Islamic Shari'a, and legislation in force in the Sultanate of Oman (United Nations Publications, 2009).

Under Omani law, marriage is a legal contract between a man and a woman (Personal Status Law, Sec. 4). There are four cores of the marriage contract: offer and consent; the guardian; the dowry; the evidence (Personal Status Law, Sec. 18). In order to enter into marriage, the consent of both parties is required; however, a woman additionally needs to obtain permission from a male guardian (a male relative of the Muslim faith) (Personal Status Law, Sec. 11). In the event of guardian's objection, woman may seek judicial authorisation (Personal Status Law, Sec. 10). In certain circumstances, the court may serve as the marriage guardian (Personal Status Law, Sec. 13).

A woman is also entitled to bring an action against her guardian to the Supreme Court; the safe house facilities are provided until the court's decision to protect women from abuse (CEDAW, 2016). The reconciliation is offered to plaintiff and defendant. In addition, a husband is obliged to offer the dowry with intention of marriage (Personal Status Law, Sec. 21). The law does not provide for the minimum limit, however, there are royal instructions that set the maximum amount, which may not be exceeded (CEDAW, 2010). According to the Personal Status Law, the dowry remains woman's own property and she can freely dispose of it (Personal Status Law, Sec. 22).

The Personal Status Law provides separate regulations for women and men to enter into a marriage (Personal Status Law, Sec. 28-35). For instance, the law does not allow a Muslim woman to marry a non-Muslim man while an Omani man can freely marry outside religion (Personal Status Law, Sec. 34, 35). Both woman and men are required to obtain permission from the Ministry of Interior to marry foreigner unless the perspective spouse is a national of the Gulf Cooperation Council (US Department of State, 2017). Entering into marriage without ministerial approval may result in denial of entry to

Oman for a foreign spouse; the refusal of citizenship for a child; a bar from employment in public sector; or a fine. Polygamy is legal in Oman and men have the right marry up to four wives ensuring a sense of equity and fairness between all of them (Personal Status Law, Sec. 35, 37). It does not require consent of all existing wives. Moreover, there is a high prevalence of consanguineous polygamous marriages in Oman that remains one of the highest among Arab countries (Islam *et al.*, 2013).

The law does not provide for informal/de-facto unions (CEDAW, 2010). Unmarried couples are prohibited from living together; also sexual relations outside marriage are criminalised under Oman's Penal Code (HRW, 2017a).

In practice, most of dowries are taken by a woman's father or a guardian (Al-Azri, 2013). The CEDAW committee has noted that the institution of dowry impedes woman's right to freely choose a spouse and enter into marriage on equal conditions with men (CEDAW, 2011a). The marriage contract is concluded in the presence of two male Muslim witnesses; women are not permitted to serve with their testimony (Personal Status Law, Sec. 28; al-Talei, 2010). All marriages need to be documented (Personal Status Law, Sec. 6).

b) Child marriage

The legal age of marriage for both women and men is 18 (Personal Status Law, Sec. 7). Under exceptional circumstances, persons under this age may marry after obtaining permission of a judge who verifies if marriage is beneficial (Personal Status Law, Sec. 10). The law does not provide the minimum age below which a judge cannot permit the marriage of a person under 18. It is prohibited to register a child marriage; however, custom recognises a marriage under the minimum legal age (UNICEF, 2011).

The official censuses show that there is no evidence that early marriage is a serious concern in Omani society (CRC, 2015a). The prevalence of the child marriage has been declining and the average age for marriage has been increasing (CRC, 2016). However, it is reported that such practices occur in rural communities as a traditional practice (US Department of State, 2017). The following factors have been linked to the practice of early marriage: residential status; being born or raised up in urban/rural area; and region of residence (Islam *et al.*, 2013). Moreover, the level of education plays an important role: women with no or low education are at higher risk of being married early (Islam *et al.*, 2013).

The Government of Oman claims that there have been numerous efforts made to address the issue. The new communications techniques have been introduced to educate the Omani society about the harmful effects of early marriages (OHCHR, 2016). There has been prepared, in collaboration with UNICEF, a training programme for teachers, law enforcement authorities and other persons working in fields related to protection of the family that addresses child marriage among others (HRC, 2014).

c) Household responsibilities

Women and men do not enjoy the same legal rights and responsibilities within the household. Men are recognised as the legal heads of household. The law requires women to obey their husband (Personal Status Law, Sec. 38). Men are legally obliged to maintain the family; in the event of the

failure to fulfil this obligation, the court may issue an enforcement order (Personal Status Law, Sec. 37, 38, 60; al-Talei, 2010).

Traditionally, women are held responsible for housekeeping and childcare (Goveas and Aslam, 2011). They are not legally and culturally expected to cover cost of living, even if they have sufficient resources to maintain themselves (Personal Status Law, Sec. 49). Wives are required to follow their husbands; women cannot legally choose where to live in the same way as married men (Personal Status Law, Sec. 54).

Regarding parental authority, under Islamic law, a man is considered as the legal guardian of children; jointly with a mother they take care of children and ensure their proper upbringing (Personal Status Law, Sec. 36; UNICEF, 2011). The law provides that the mother's custody continues until a son reaches the age of 7 and the daughter attains puberty (Personal Status Law, Sec. 129).

There are efforts underway to raise awareness on women's rights and their position in the family and in the society. National strategies and plans consider women; the Social Action Strategy of the Ministry of Social Development is based on three principles: equity, empowerment and integration (CEDAW, 2017a). The Omani Vision 2040 includes among its objectives the empowerment of women recognising their critical economic role. There have been various information and education initiatives implemented targeting female citizens. Moreover, a marriage and family counselling programme has been launched; it seeks to re-define marital relations, advance equal treatment between spouses, enhance the joint responsibility for upbringing children and equal distribution of household responsibilities between women and men (CEDAW, 2017a).

d) Divorce

Women and men do not have the same rights to initiate divorce nor the same requirements apply to women and men to finalise a divorce. Men have the right to unilaterally dissolve the marriage for any reason while women may initiate divorce only under certain limited circumstances. Separation of spouses is possible in the following cases: unilateral repudiation of a man (*talaq*); judicial divorce (*fasakh*), divorce initiated by a woman (*khul*); (Personal Status Law, Sec. 80). The *talaq* divorce remains an exclusive right of a husband: a man needs to verbally or in writing express his will to divorce his wife (Personal Status Law, Sec. 81). It is not required to produce a reason for divorce. *Talaq* may be also made by another person with a special authorisation of a man (Personal Status Law, Sec. 81).

Woman may enjoy the right to unilateral divorce only if the husband made her responsible for herself (Personal Status Law, Sec. 82). The judicial divorce may be granted to women if one of the eight legal grounds is met: sickness, non-payment of dowry, 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 (CEDAW, 2010). The last method of divorce grants woman the right to initiate divorce in exchange for the agreed compensation that she pays to a husband; usually this includes the return of a dowry (Personal Status Law, Sec. 94).

The law does not provide women with the same right as men to be the legal guardian of their children and they do not have the same rights and responsibilities with regard to their children after divorce. Under Shari'a, the father is the legal guardian of children, while the custody is the joint obligation of

parents until a marriage exists (Personal Status Law, Sec. 36; CEDAW, 2010). Upon divorce, the mother retains the custody unless there is legal objection or she is unable to have the custody (CEDAW, 2010). In practice, in most cases the father remains the custody of children except special cases such as when the mother is still breastfeeding (al-Talei, 2010). However, if man has remarried and his new wife is able to perform the nursing, the father will be likely to have the custody rights granted (European Parliament, 2014). The mother automatically loses her rights to child custody upon remarriage (Personal Status Law, Sec. 127).

A divorced woman enjoys the right to maintenance and child support from the former spouse; it may be ordered by a court (CEDAW, 2010). There are reports that often this is not sufficient to cover basic needs of a divorcee; therefore, the Social Security Act provides for a financial support for women who are particularly vulnerable to poverty (al-Talei, 2010).

e) Inheritance

The rules of inheritance are regulated by Islamic Shari'a law. The Personal Status Law does not mandate equal inheritance rights between sons and daughters and between female and male surviving spouse. The Shari'a defines the heirs and indicates shares that are fixed in accordance with the degree of relationship to the deceased (Personal Status Law, Sec. 242; CEDAW, 2010). The provisions are found favourable for men; in general, when inheritors are in the same relationship to deceased, women inherit half of the share men receive (Freedom House, 2016; UNICEF, 2011). A wife/wives inherit the quarter unless the husband has descendant who is entitled; in latter case, women are entitled to the eight (Personal Status Law, Sec. 244, 245). The widowers inherit the quarter without any exceptions (Personal Status Law, Sec. 244). The law makes daughter's share conditional upon existence of a brother (Personal Status Law, Sec. 243, 246).

Furthermore, a female surviving spouse or daughters may also receive shares according to a bequest or testimony disposition (CEDAW, 2010). The testator is allowed to dispose one-third of the estate by a will, while a limit for a bequest may be higher if the other beneficiaries agree (CEDAW, 2010).

2. Restricted Physical integrity

a) Violence against women

In Oman, there is no law specifically addressing violence against women; while some legal provision can be found in the Penal Code. The constitutional provisions guarantee freedom physical or psychological torture, inducement or demeaning treatment (Basic Statute of the State of Oman, Art. 20).

Oman is found as a country with a relatively weak performance in the area of violence against women in the Arab region (National Centre for Statistics and Information, 2017). Besides the lack of legal framework protecting women against gender-based violence, there is neither a stand-alone strategy on violence against women nor an overall strategy on gender equality (UNESCWA, 2017). The situation of female migrant domestic workers is particularly vulnerable; many of them experience violence from their employers in the privacy of the home setting (CEDAW, 2017a)

b) Domestic violence

The legal framework in Oman does not provide for the protection of women against domestic violence, however, a wife has the right not to be physically or mentally abused by her husband (Personal Status Law, Sec. 37; HRW, 2017b). The act of domestic violence could fall under general provisions of the Penal Code, such as: assault, battery or aggravated assault, punishable to maximum three years in prison (US Department of State, 2017). Nonetheless, those regulations are very generic and do not include reference to gender as a basis of violence (CEDAW, 2017c). So-called honour crimes do occur (OECD, 2010).

Oman is currently in the process of introducing amendments to the Penal Code; it is anticipated that new law will address many of remaining gaps in terms protection of victims of gender-based violence (CEDAW, 2017c). Recently, the provision of the Penal Code stating a reduction in penalty to a man who kills his wife or female relative caught in the act of unlawful sexual relations has been repealed (CEDAW, 2017a).

There is no media-coverage of this domestic violence; it lacks proper and reliable statistics, research and documentation. Most of women do not report such cases to public authorities as they are considered as private issues; women more likely seek protection through the family (Al-Azri, 2013; Katzman, 2011). Moreover, the mechanisms to lodge a complaint are not well-developed. Nonetheless, once a case reaches the judicial system, it does not discriminate against women (European Parliament, 2014).

Although public support and assistance remain limited, there are several developments. The Ministry of Social Development launched in 2017 a free telephone hotline offering help and counselling services to victims of violence (CEDAW, 2017a). In the House of Harmony (*Dar al-Wifaq*), run by the government, women and children victims of abuse and violence may seek temporary shelter, social and psychological counselling and legal advice (Musawah, 2017). Nonetheless, it is reported that services are limited to Omani women and girls, and foreign women married to Omani men (HRW, 2017b). Similar services and temporary refuges are also offered by the Omani Women's Association (IBP, 2015).

c) Rape

The Penal Code recognises rape as a criminal offense punishable by 15 years in prison (US Department of State, 2017). It is defined as having an intercourse with a female outside of marriage without her consent through coercion, threat or subterfuge. The law is based on lack of consent, however, explicitly excludes marital rape. A wife does not have the right to file a regular complaint.

Victims of rape are reluctant to report a crime to Omani authorities; when rape is not proven, they are facing a risk of being prosecuted for the crime of *zina* (sexual relations outside of marriage). The crime of *zina* is sanctioned by imprisonment of three months to one-year imprisonment, or one to three years' imprisonment (Penal Code, Sec. 225, 226; CEDAW, 2017b).

There were some cases reported when judges offered reduced punishment to an offender who marries the victims (Abadeer, 2015). It is rationalised by saving the honour of the victim and her family

and minimalizing the shame. Such settlements are often set informally to avoid undue publicity or in case of incident of sexual abuse between close relatives (Abadeer, 2015).

d) Sexual harassment

In Oman, there is no specific regulation addressing sexual harassment, nor is sexual harassment addressed in other legislation (UN Women – European Union, 2015). Cases of sexual harassment addressed by the law is limited to harassment at the workplace, but not at educational/sporting establishment, at public places or cyber harassment (Royal Decree No. 35/2003 Issuing the Labor Law, Arts. 41(3) and 42).

Some of the cases of sexual harassment have been brought into prosecution based on provisions prohibiting offensive language and behaviour (US Department of State, 2017). Nevertheless, lack of legal protection hinders redress to victims; women were reportedly discouraged from reporting sexual harassment for fear of losing their employment and due to social pressure shifting responsibility on them for “proper moral behaviour” (al-Talei, 2010). Sexual harassment is also one of the most common grounds for school drop-outs among girls (National Centre for Statistics and Information, 2017).

e) Female genital mutilation

In Oman, female genital mutilation (FGM) is not considered as a criminal offense; however, the Government has issued the ban of performing FGM by medical doctors in hospitals (CEDAW, 2011a). In addition, in the draft implementing regulation for the Child Act, the Omani authorities intend to qualify it as a harmful traditional practice and criminalise (CEDAW, 2017a). There is lack of data determining the relevance of FGM in Oman, however, some reports suggest it is still practiced (US Department of State, 2017). It is considered as a private matter since most of FGM is performed within families (al-Talei, 2010). FGM continues to occur in some small rural communities (IBP, 2015). As of 2017, there were no awareness-raising initiatives addressing its danger and harmfulness.

f) Abortion

Abortion is illegal unless it is necessary to save mother’s life (Global Abortion Policies Database, 2017). Medical reasons permitting an abortion have to be confirmed by a decision by a specialised medical committee (Law on the Practice of Human Medicine, Art. 11). The operation should be performed by a licensed physician, wherever possible by a gynaecologist (CEDAW, 2017a; Global Abortion Policies Database, 2017).

The Penal Code provides for criminal liability of a pregnant woman and person performing an illegal abortion. A woman found to have undergone abortion on herself or allowed another person to perform is liable to the imprisonment of a period between three months to three years (Penal Code, Sec. 244). Performing an abortion with the mother’s consent is punishable to imprisonment of six months to six years (Penal Code, Sec. 243). The penalty is increased to at least five years of imprisonment if the abortion is carried out without the mother’s consent (Penal Code, Sec. 242). In case, the abortion leads to death of a woman, the person is liable to imprisonment of at least seven

years (Penal Code, Sec. 245). In addition, the law provides for punishment for assistance (Penal Code, Sec. 246).

Oman guarantees equal access to health services and health care to all its citizens, including sexual and reproductive services (Basic Statute of the State of Oman, Sec. 12). The Ministry of Health facilitates family planning services for married couples, free childbirth services, prenatal and postnatal care; birth control and counselling are available in all institutions under auspices of the Omani government (IBP, 2015). Nonetheless, doctor-prescribed contraception medications are not widely accessible to single women (US Department of State, 2017). The low usage of a modern method of contraceptives highlights a need to improve sexual and reproductive health education in Oman (CEDAW, 2017a). Also, social stigma prevents people from seeking medical treatment for sexually transmitted infections (US Department of State, 2017).

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

Unmarried and married women have the same rights as men to own, use, make decisions over land and non-land assets and use as collateral (World Bank, 2017). The Constitution provides for protection of private property (Basic Statute of the State of Oman, Art. 11).

Regarding marital property, the law does not constitute the regime of joint property arising through marriage (Personal Status Law, Sec. 37). Spouses live in the separation of property; they keep their right to the property and manage it independently. In practice, male relatives often exercise control over woman's property and any decisions related to disposal of property are made by the head of the household (al-Talei, 2010). There is no reaction from public authorities or the society as this is considered as a private issue to be resolved within family.

The government undertakes numerous initiatives to support and improve conditions of rural women. In the Agriculture Development Strategy 2015-2040 rural women are key pivot; in its first action plan (2015-2019) their economic empowerment is prioritised. The public institutions provide funds and grants for development projects and programmes oriented on rural women; there are also special loans offered to women's initiatives (CEDAW, 2016).

b) Secure access to formal financial resources

No legal discrimination between women and men's access to formal financial resources could be located. Married and unmarried women have the same rights as men to open a bank account at formal institutions or obtain credit, women do not need permission of their husbands/guardians in their financial operations (UN Women – European Union, 2015). In practice, women face difficulties in obtaining loans or making individual decisions regarding financial activities. The public authorities often prefer to deal with male relatives and decisions are rather made by the whole family (IBP, 2015; UN Women – European Union, 2015). Nonetheless, there are several initiatives undertaken to enhance economic empowerment of women.

The Omani Government promotes Small- and Medium-Sized Enterprises (SMEs) through numerous support programmes. The Public Authority for Small and Medium Enterprises Development has been established to strengthen the role of SMEs and provide assistance for men and women starting up enterprises (Foster, 2017). The women engaged in handicrafts are found a great beneficial of the Authority's programmes. Moreover, the National Business Centre provides support to male and female entrepreneurs in developing businesses (CEDAW, 2016). The Oman Chamber of Commerce and Industry has created a committee to deal with women in business; it is concerned with the situation of women in the labour market and obstacles they are facing (CEDAW, 2016).

There is also a number of grants and programmes for female entrepreneurs to start up businesses. For instance, the SANAD programme, launched by the Ministry of Manpower, promotes the launch of youth business ventures and individual initiatives through providing loans (AlMaimani and Johari, 2015). Moreover, there are various trainings, rehabilitations, technical and administrative services available (UNESCO-UNEVOC International Centre, n.a.). Also, the Bank Muscat has developed capital plan to finance SME and women entrepreneurs (AlMaimani and Johari, 2015). In addition, network organisations such as: the Oman Women's Entrepreneurship Network and the Women's Entrepreneurship Day operate in Oman (Foster, 2017).

c) Workplace rights

The law mandates non-discrimination on the basis of sex in employment in Oman (Labour Law, Sec. 80). However, it is not specifically cover job advertisement, selection criteria, recruitment, hiring, terms and conditions, promotions, training, assignments and termination. The law provides that all provisions regulating the employment of workers apply to female workers without discrimination between men and women in the same work. Women have the legal right to choose the profession/occupation (Basic Statute of the State of Oman, Art. 12). In practice, such decisions are made in consultation and negotiations with male relatives (al-Talei, 2010). The principle of equal pay for work of equal value has not been explicitly introduced in Labour Law; however, the Basic Statue stipulates a fair remuneration for work (Basic Statute of the State of Oman, Art. 12). Women are excluded from entering certain professions that are harmful to the health or hard works (Labour Law, Sec. 82). Moreover, the Minister may specify other works that women cannot perform. The law also does not allow women to work the same night hours as men (Labour Law, Sec. 81).

The law mandates maternity leave of 50 days (Labour Law, Sec. 83). Such leave entitlement is limited to three occurrences during woman's service with one employer. The law protects women's employment security when they are on maternity leave; employers are prohibited from dismissing a female employee for her absence from work due to illness resulting from her pregnancy or delivery that prevents her from resuming the work; the medical certificate is required (Labour Law, Sec. 84). The total period of such absence may not exceed six months. In civil service, the law provides for no discrimination between the sexes in employment, including appointment, promotion, transfer, attachment or secondment (CEDAW, 2010). Women are entitled to a 50 days of special leave for pre- and post-delivery period; it is fully salaried and can be taken up to 5 times during the whole service period in the government (Civil Service Law, Sec. 79). In addition, female employer has the right to one-year, unpaid special leave for taking care of her child (Civil Service Law, Sec. 80). Neither paternity nor parental leave are mandated under Omani law.

In Oman, there is an increasing recognition of effective participation of Omani women in the labour force among others, in order to ensure an integrated development processes across the country (CEDAW, 2016). Better education opportunities for women as well as an increase in the average age of marriage has been linked to the growing female participation in the labour market. They are greatly represented in public sector constituting almost half of its workforce (CEDAW, 2017b). The employment in the civil service attracts women with working conditions; moreover, the government introduces non-discriminatory policies in the recruitment processes (al-Talei, 2010).

In order to strengthen women's position in the workforce, the Omani government undertakes number of initiatives, ranging from literacy programmes to skill trainings (Goveas and Aslam, 2011). There are public and private associations and centres providing care and social development services, trainings, social, economic, cultural and health activities, legal and alphabetic literacy programmes (CEDAW, 2010). All students, women and men, are also offered the employment and vocational counselling services at different stages of education (CEDAW, 2016). In addition, specialised employment and vocational training centres for women with disabilities have been established (CEDAW, 2011b).

The representation of women in the private sector, although increasing, remains low. Due to cultural factors, such as society attitudes, women are disapproved from working outside house or from holding senior positions. The workshops and programmes offered to students host female business entrepreneurs who successfully entered the private sector (CEDAW, 2016).

Despite developments in the workplace, women's participation in the labour market remains low, comparing to men's. There are several factors shaping such situation in the labour market; traditional attitudes encourage women to work at home and hold main responsibilities of housekeeping and childcare (Goveas and Aslam, 2011). Moreover, legally, it is the man's responsibility to maintain the family and provide physical and economic security (Goveas and Aslam, 2011). Other obstacles identified are the following: lack of self-confidence; low awareness of labour rights; lack of viable employment opportunities (al-Talei, 2010).

4. Restricted Civil liberties

a) Citizenship rights

Women and men do not have equal rights to confer the nationality to their foreign spouses. A foreign woman married to an Omani man can obtain Omani citizenship after 10 years of a marriage while a foreign husband of an Omani woman must wait 15 years (Musawah, 2017). In addition, the foreign husband's original nationality has to be revoked. The strict requirements for an Omani woman's foreign husband wishing to obtain Omani citizenship aim to ensure the stability and permanence of the marital relationship (CEDAW, 2016). Children acquire citizenship from their father in the first place; if the mother is a citizen and the father is unknown, the mother confers the nationality to children (Nationality Law, Sec. 18; HRW, 2017b). Moreover, a child of unknown parents found in the country is granted Omani citizenship. Woman who is married to a foreigner cannot transmit Omani citizenship to her children. There have been several cases reported when children born in a marriage between an Omani woman and a non-Omani man were vulnerable to being stateless (US Department of State, 2017).

Birth registration in Oman is compulsory; notice of birth shall be given within two weeks from date of birth (Civil Status Act, Sec. 14; CRC, 2015b). In order to register a child, the following information is required: information on both parents, including name, nationality, religion, address and occupation (CRC, 2015b). It remains unclear whether a woman can register her child, while reportedly preference is given to registration by the father (Fisher, 2015). Children born out-of-wedlock enjoy full rights to identity in terms of being granted names, tribe, nationality and health, education and social services (CRC, 2015b). Oman has reserved the right to implement art. 9 of the CEDAW Convention on the right to nationality (United Nations Publications, 2009).

The Basic Law guarantees the set of civil liberties and prohibits discrimination on the basis of gender, origin, colour, language, religion, sect, domicile, or social status (Basic Statute of the State of Oman, Art. 17). However, fundamental rights enumerated in the Basic Law are granted only to Omani citizens. It weakens the protection from discrimination of foreigners; female migrant domestic workers are particularly vulnerable (al-Talei, 2010). Oman has not adopted any comprehensive anti-discrimination legislation (CEDR, 2016).

It is mandatory for men and optional for women to obtain the national identity card (Civil Status Law, Sec. 42). Every Omani citizen who is of the age of 15 and those who are between 5 to 15 years old upon a guardian's approval are entitled to request the ID. Recently, the Omani Passport Law was amended to provide women with the same rights as men to apply for a passport (CEDAW, 2017a). Women no longer require the consent of their husbands or guardians to obtain a travel document. Regarding the passport for the minor child, the male guardian's approval in writing is obligatory. Despite the legislative framework, women's rights remain limited with regard to the freedom of movement. In practice, women are still prevented from obtaining a passport and travelling without male permission or guardianship (CEDAW, 2017b; European Parliament, 2014).

b) Voting

In Oman, there are no free and fair periodic elections based on universal and equal suffrage; the power in foreign and domestic affairs is accumulated by the sultan (US Department of State, 2017). The electoral rights are limited to the vote for candidates to the Consultative Council (lower house of the parliament) and the provincial councils. In this regard, women and men enjoy the equal rights to vote, excluding members of the military and security forces (Basic Statute of the State of Oman, Art. 58bis 9; CIA, 2017). There is an increasing number of women registering to vote in Oman (UN Women – European Union, 2015).

c) Political voice

Women and men in Oman have equal rights to hold public and political offices in legislature and executive, however, the eligibility for the head of a state is restricted to male (Basic Statute of the State of Oman, Art. 5, 58bis 9, 58bis 10). In the Global Gender Gap Report 2016, Oman was placed among countries with the lowest rankings in political empowerment, having closed less than 3% of their political gender gap (World Economic Forum, 2016). In the judiciary, women are prohibited from serving as judges based on traditions and customs (UN Women – European Union, 2015; UNICEF, 2011).

Omani citizens do not have the right to form political parties as their existence is banned. The candidates run for the office as independents (IPU PARLINE Database). Therefore, the legal quotas and any other special measures are not applicable. Nonetheless, the Committee to Monitor the Implementation of the CEDAW Convention considers implementing quotas for women in the elected councils (CEDAW, 2017a).

The barriers for women's political participation are still persistent in Oman. Women are still largely viewed in the role of wives and mothers in the society. Moreover, rural areas in terms of socio-economic changes are lagging; women who succeed in politics mostly come from the capital (European Parliament, 2014). The political empowerment of women, however, meets the Sultan's interest and numerous measures have been adopted. The Sultanate, through national agencies, undertakes awareness-raising initiatives targeting women, specialists and other relevant stakeholders in both public and private sector (CEDAW, 2017a). The Government provides trainings and empowerment programmes for women standing for elections to the Consultative Council and municipalities (CEDAW, 2017a). For instance, in the last elections term, the Ministry of Social Development prepared a dedicated training for journalists and female candidates. It aimed at strengthening position of women at the political level and promoting electoral regulations. The Ministry also actively promoted women in the media supporting electoral advertising. In addition, American embassies and UN agencies provide several capacity-building programmes and leadership skills trainings for women at the local level (Goveas and Aslam, 2011).

d) Access to justice

The legal system of Oman is based on both Shari'a (Islamic law) and civil law principles (PwC, 2016). Islamic Shari'a is enshrined in the Constitution as a source of all legislation in Oman (Basic Statute of the State of Oman, Art. 2) but governs only cases related to personal status, family and inheritance. There are no restrictions found to suggest that women have unequal capacity to sue and to be sued (Nazir and Tomppert, 2005). The Basic Statute provides for equality before the law of all Omani citizens highlighting gender as a ground of discrimination and guarantees the right to litigation to all persons (Basic Statute of the State of Oman, Sec. 17, 25). Nonetheless, in practice some judges require that a woman standing before the court should be accompanied by her father or husband (al-Talei, 2010). A woman's testimony carries the same evidentiary weight in courts as a man's, although it remains unclear to what extent this applies to personal status law cases (Al-Talei, 2010). For instance, Personal Status Law provides that the marriage contract is concluded in the presence of two male Muslim witnesses and a woman's testimony is not permitted in this instance (Personal Law Status, Sec. 28; al-Talei, 2010).

The Omani law provides for legal aid to persons who are unable to bear the costs for legal recourse, however, the lack of adequate legal aid services remain a concern (CEDAW, 2017a; CEDAW, 2017b). The low legal awareness among women, especially rural and non-educated, remains a relevant issue in Oman (IBP, 2015). The Government undertakes numerous measures to enable women to exercise their rights. These include: training courses and legal education programmes in the schools, adequate broadcasting of radio and television; publications in local newspapers; booklets outlining laws of specific concern to women; conferences and seminars (CEDAW, 2017a; al-Talei, 2010). In addition, the

Oman Women's Association offers a wide range of services, including informal counselling and legal advice at the regional level (Funsch, 2015).

The Omani government established specialised bodies tasked with promoting and protecting women's rights; these are: the Oman Human Rights Commission, the Family Protection Department in the Ministry of Social Development and the House of Harmony (*Dar al-Wifaq*). In these institutions, women may lodge complaints and seek legal help and protection (CEDAW, 2017a; Musawah, 2017).

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