



# Convention on the Rights of the Child

Distr.: General  
28 January 2015  
English  
Original: Arabic

---

Committee on the Rights of the Child

## Consideration of reports submitted by States parties under article 44 of the Convention

Combined third and fourth periodic reports of States parties  
due in 2012

**Oman\***

[Date received: 6 November 2013]

---

\* The present document is being issued without formal editing.

NY.15-01026  
GE.15-01185 (E) 110515



\* 1 5 0 1 1 8 5 \*

Please recycle 



## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction .....	1–9	5
II. General measures of implementation .....	10–41	7
A. Observations on the report of the Committee .....	11	7
B. Reservations.....	12–13	7
C. Legislative measures and the legal status of the Convention in Omani legislation.....	14–16	8
D. National strategy and plan for childhood.....	17	9
E. Coordination .....	18–21	9
F. Budget – monitoring public expenditure on the rights of the child .....	22–24	11
G. Monitoring institutions .....	25–27	11
H. Data collection .....	28–30	12
I. Cooperation with civil society and the private sector .....	31–33	13
J. Dissemination of information about and providing training in the Convention and the two Optional Protocols .....	34–36	14
K. Making reports and concluding observations widely available .....	37–38	15
L. International and regional cooperation and support.....	39	16
M. Legislative measures relating to the rights of the child.....	40–41	16
III. Definition of the child .....	42–43	17
IV. General principles .....	44–75	18
A. Non-discrimination .....	45–58	18
B. The best interests of the child .....	59–69	20
C. The right to life, survival and development .....	70–71	23
D. Respect for the views of the child.....	72–75	23
V. Civil rights and freedoms .....	76–116	24
A. Name and nationality.....	79–83	25
B. Preservation of identity.....	84	25
C. Freedom of expression and the right to seek information.....	85–88	26
D. Freedom of thought, conscience and religion .....	89	27
E. Freedom of association and peaceful assembly .....	90–91	27
F. Protection of private life and reputation .....	92–98	27
G. Access to information and protection from harmful material .....	99–108	28
H. The right not to be subjected to torture.....	109–113	30
I. Measures taken to promote rehabilitation and social reintegration.....	113–116	30
VI. Family environment and alternative care .....	117–168	31

A.	Family environment and parental guidance .....	135–138	34
B.	Parents' common responsibilities, assistance to parents and the provision of childcare services .....	139–141	34
C.	Separation from parents .....	142–143	35
D.	Family reunification.....	144	35
E.	Recovery of maintenance for the child .....	145–148	36
F.	Children deprived of a family environment .....	149–155	36
G.	Periodic review of child placement.....	156–158	38
H.	National and inter-country fostering and adoption .....	159	38
I.	Illicit transfer and non-return of children.....	160–161	39
J.	Abuse and neglect (protection of the child from all forms of violence) .....	162–168	39
VII.	Disability and basic healthcare and welfare services .....	169–214	40
A.	Children with disabilities .....	169–177	40
B.	Survival and development of children .....	178–181	45
C.	Health and health services .....	182–195	46
D.	Health problems and protection against communicable and non-communicable diseases .....	196–197	50
E.	Adolescent health.....	198–204	50
F.	Prohibition of harmful traditional practices .....	205	52
G.	Protection of children from narcotic drugs .....	206–208	52
H.	Protection of children of incarcerated parents and children living in prison ..	209–211	53
I.	Standard of living .....	212–214	53
VIII.	Education, leisure and cultural activities.....	215–250	54
A.	The right to education, vocational training and guidance .....	215–221	54
B.	Aims of education.....	222–232	56
C.	Instruction in human rights and civic education .....	233–235	58
D.	Rest, play, leisure time and cultural and artistic activities .....	236–250	59
IX.	Special protection measures .....	251–300	63
A.	Child refugees and children of migrants .....	251–253	63
B.	Children in armed conflicts, including physical and psychological recovery and social reintegration .....	254–260	63
C.	Children in situations of exploitation, including physical and psychological recovery and social reintegration .....	261–287	64
D.	Street children.....	288	71
E.	Delinquent children .....	289–299	71
F.	Children belonging to minority groups.....	300	74
X.	Conclusion .....	301	74

Annexes:

- List of non-governmental organizations that participated in preparing the report .....
- List of persons who participated in preparing the report, bodies that provided the committee with data and information and bodies that participated in meetings and workshops .....
- Associations participating in childhood programmes .....
- Statistical annex (data and information).....

Annexes may be viewed in the files of the Secretariat.

## I. Introduction

1. This report has been prepared at the same time as the common core document for international treaties submitted by the Sultanate of Oman for the first time, in compliance with the guidelines on the form and content of reports to be submitted in connection with international human rights treaties.

2. According to the 2010 population census, the Sultanate has a total population of approximately 2,773,479 (two million, seven hundred seventy-three thousand, four hundred seventy-nine), of whom approximately 1,957,336 (one million, nine hundred fifty-seven thousand, three hundred thirty-six) are Omani. The number of Omani children under the age of 18 is approximately 834,989 (eight hundred thirty-four thousand, nine hundred eighty-nine). Omani children represent approximately 42.7% (i.e. more than two-fifths) of the resident population. The 2010 statistics indicate that the number of male Omanis was 990,590 (nine hundred ninety thousand, five hundred ninety) — i.e. 50.6% — and the number of females was 966,746 (nine hundred sixty-six thousand, seven hundred forty-six) — i.e. 49.4%. Male children make up around 43% of the male population, while female children make up around 42.3% of the female population. On a country-wide basis, the gender ratio is 102 males for every 100 females, which is lower than the global level. The statistics indicate that the gender ratio among children is within normal parameters, highlighting the close relative gender distribution among children.

*Details of the Omani population census can be found in the statistical annex.*

3. The Sultanate of Oman acceded to the Convention on the Rights of the Child on 9 December 1996, pursuant to Royal Decree no. 54/96, and the Convention came into force on 8 January 1997. The Sultanate further acceded to the two Optional Protocols to the Convention — the first relating to the involvement of children in armed conflict and the second relating to the sale of children, child prostitution and child pornography — on 17 September 2004, pursuant to Royal Decree no. 41/2004. The two Protocols came into force on 17 October 2004.

4. The Sultanate of Oman submitted its initial report to the Committee on the Rights of the Child (CRC) on 5 July 1997 and the report was discussed at the 28th session (27 September 2001). The second report was submitted on 28 April 2005 and discussed at the 43rd session (13 September 2006). The Sultanate submitted its first report on the involvement of children in armed conflict on 11 October 2007 and this was discussed at the 51st session (9 June 2009). It likewise submitted its first report on the sale of children, child prostitution and child pornography on 11 October 2007, which was discussed at the 51st session (9 June 2009).

5. Pursuant to the recommendation of the Committee to submit a consolidated report combining the third and fourth reports by 7 July 2012 at the latest, the Follow-up Committee on Implementation of the Convention on the Rights of the Child began preparing an initial draft of the report, after discussion of the first two reports on the Protocols was concluded in 2009. The work was carried out over a three-year period: 2010–2012. As a national conference on childhood was planned for the first quarter of 2013 and one of the key topics was to be discussion of the third and fourth national reports on the rights of the child, the Sultanate submitted a request to the Committee through official channels that submission of the report be postponed from July 2012 to April 2013. The report would therefore cover the period from October 2006 to February 2013. The first part of the report, consisting of the core document, was sent in February 2013.

6. In its form and content, the report follows the treaty-specific guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44,

paragraph 1 (b) of the Convention. In line with the Committee's directives, the report focuses on actual implementation, changes that have taken place and measures taken to implement the concluding observations of the committee overseeing the previous reports.

7. This report is a joint effort between the Government and civil society, prepared by an expanded committee of governmental and non-governmental bodies, including the Follow-up Committee and subcommittees consisting of experts and executive officials from a number of ministries and non-governmental organizations, as well as representatives of the State Council and Consultative Assembly.

*A list of the non-governmental organizations which participated in preparing the report can be found in the annexes.*

#### **The report preparation process**

8. The Ministry of Social Development's Follow-up Committee on Implementation of the Convention on the Rights of the Child is the body responsible for the rights of the child dossier, including preparation of the report to be submitted to the Committee. Pursuant thereto, the Follow-up Committee addressed the Cabinet to inform it about the work in hand and the importance of the relevant governmental and non-governmental bodies joining forces to prepare the report. A national steering committee was formed, including representatives of relevant governmental and non-governmental bodies. Care was taken to include a number of specialists, concerned individuals and children themselves on the committee to oversee preparation of the report. Furthermore, dedicated committees were formed to address individual themes within the report. A drafting committee was also formed. The steering committee invited all governmental and non-governmental bodies to provide it with the core data to be included in the report in accordance with the said guidelines.

9. The Follow-up Committee convened three training workshops on how to prepare international reports, including the national report on the rights of the child, in line with the guidelines adopted. Members of the committees formed to prepare the report participated in these workshops. As part of the report preparation process, a workshop was held with Omani children and adolescents from the governorates to obtain feedback from them on application of the Convention in Oman. The workshop was held in Musandam Governorate and children's representatives from all governorates took part, marking the Sultanate's celebration of Omani Women's day on 17 October 2012. Once the first draft of the report had been prepared, meetings were held with legal experts and concerned officials from governmental and non-governmental organizations to discuss and amend the draft. To allow the fullest discussion of the national report on the rights of the child and for observations to be made thereon, the Sultanate held a national conference on childhood in February 2013 to examine the situation of childhood in the country. The conference devoted a special theme to discussion of the draft third and fourth report, in which children's representatives from all the governorates took part. The conference also discussed the National Strategy for Childhood (2013–2020) and the legislative effort involved in preparing the Children's Bill. The report was widely discussed by representative cross-sections of children, governmental bodies, civil society organizations and the private sector and was revised to ensure that the observations made during the conference were incorporated. Subsequently, the report was sent to the Cabinet and the bicameral Council of Oman (the State Council and Consultative Assembly). On 2 March 2013, a consultation meeting was held with representatives from the State Council and Consultative Assembly and several NGOs to discuss the final draft.

*A list of those who participated in the preparation of the report and the bodies which provided the committee with data and information can be found in the annexes.*

## II. General measures of implementation

10. In this part of the report, the changes that have taken place since the submission of the second periodic report in 2005 and discussion thereof in 2006 are reviewed, with a focus on the concluding observations of the Committee on the first and second reports and on the initial reports on the two Protocols thereto, and explanation of the relevant measures taken with regard to the topics set out in the guidelines.

### A. Observations on the reports of the Committee

11. In compliance with paragraph 6 of the Committee's observations on the Sultanate's second periodic report, addressing recommendations in the concluding observations on the first periodic report which have not been implemented and the list of recommendations contained in the concluding observations on the second periodic report, the Follow-up Committee carefully studied the Committee's comments and made use of them to improve performance in monitoring the rights of the child. It then put forward an initial concept for ways to monitor implementation of the recommendations and identified the bodies responsible for the monitoring process. Pursuant thereto, the matter was submitted to the Cabinet, which resolved at its session on 18 February 2008 to form a committee to be responsible for proposing suitable policies for adoption vis-à-vis the Sultanate's commitments under the Convention. Membership of the committee consisted of representatives of the relevant ministries and NGOs. After a series of meetings, the committee came up with several proposals, including the recommendation to withdraw a number of reservations. Furthermore, the Follow-up Committee formed a subgroup to study the Committee's observations on the first two reports on the Protocols. On 9 June 2009, the group submitted its ideas, which contained responses to several of the Committee's observations and proposals on monitoring implementation of the recommendations.

### B. Reservations

12. In the light of the Committee's observation on the Sultanate's reservations to certain articles of the Convention and in implementation of the recommendations of the committee formed to propose appropriate policies for adoption vis-à-vis the Sultanate's commitments under the Convention, the Sultanate submitted, on 9 January 2011, notice to the Secretary-General of the United Nations of withdrawal of its general reservation and reservations to articles 7, 9, 21 and 30 of the Convention, excepting the reservation to article 14, paragraph 1, of the Convention, which gives a child the right to choose his religion. This was effected pursuant to Royal Decree no. 86/2011, on the withdrawal by the Sultanate of certain reservations to the Convention on the Rights of the Child. A press conference to publicize and make widely known the withdrawal of Oman's reservations to the Convention was held on 20 November 2011, marking the 22nd anniversary of the adoption of the Convention and, too, as part of the events accompanying preparation of the third and fourth periodic reports. The press conference was chaired by the Minister of Social Development and attended by all the media organizations and global news agencies in the Sultanate, as well as representatives from ministries, NGOs and international organizations, at the forefront of which was the office of UNICEF (United Nations Children's Fund) in the Sultanate. A group of children also took part.

13. It should be noted that the Sultanate has ratified the Optional Protocol to the Convention, on the involvement of children on armed conflict, which then became an integral part of the Convention and, pursuant thereto, acquired the status of ordinary law within the State under article 76 of the Basic Statute of the State. In compliance with the

Optional Protocol on the involvement of children on armed conflict, the Children's Bill prohibits those under 18 years of age from being recruited into or volunteering for the armed forces. Note that article 8 of the General Mobilization Act, promulgated by Royal Decree no. 76/2008, sets the minimum age for military service as 18.

### **C. Legislative measures and the legal status of the Convention in Omani legislation**

14. In the light of the Committee's observations on the second periodic report (paragraphs 9 and 10), which recommend ensuring that relevant domestic laws conform to the principles and provisions of the Convention, the Follow-up Committee organized an introductory seminar on the rights-based approach for its members and a number of legal experts from ministries and relevant units in 2008. This point has been taken into account when promulgating laws relating to children. Furthermore, the Sultanate has conducted a study comparing Omani legislation to the articles of the Convention. Several pieces of legislation have been promulgated to strengthen legal protection for children in certain areas. These include: the Care and Rehabilitation of the Disabled Act, promulgated by Royal Decree no. 63/2008; the Juvenile Accountability Act, promulgated by Royal Decree no. 30/2008; and the Trafficking in Persons Act, promulgated by Royal Decree no. 126/2008; the statute of the National Committee for Family Affairs was promulgated by Royal Decree no. 12/2007. Furthermore, the Sultanate ratified the Convention on the Rights of Persons with Disabilities pursuant to Royal Decree no. 121/2008. Additionally, it ratified certain provisions of Arab Convention no. 18/96, on the employment of minors and Arab Convention no. 19/98, on labour inspection, pursuant to Royal Decree no. 47/2006. Under Ministerial Decision no. 78/2008, working teams have been formed to study and monitor particular cases of children subjected to abuse in the provinces. The statute regulating the Childhood Care Centre was promulgated by Ministerial Decision no. 125/2009. In addition, the latest amendment of the implementing regulations of the Civil Status Act (no. 259/2012) allows for an illegitimate birth to be registered, in cases where there are no specific judicial provisions, under a four-part name and attached to a particular tribe. The statute regulating foster homes was promulgated by Ministerial Decision no. 212/2012 and that regulating the affairs of public school students was promulgated by Ministerial Decision no. 105/2012. Under Ministerial Decision no. 13/2013, a working group was formed to study conditions in child development homes, kids' corners and rural women's development centres.

15. In implementation of the recommendation of the Committee on the first report, concerning adoption of a comprehensive law on the rights of the child, a working group consisting of representatives of relevant bodies was formed to prepare a Children's Bill. The bill is designed to ensure the civil, social, health, educational and cultural rights of the child and reflects the Sultanate's efforts to amend laws and formulate legislation consistent with the best interests of the child and in conformity with international laws and commitments. A workshop was held in September 2008 to scrutinize the bill prepared by the working group. After revision, the bill was put before the State Council and Consultative Assembly for consideration in the light of the last amendment to the Basic Statute of the State, promulgated by Royal Decree no. 99/2011, which provides for the referral of bills drafted by the Government to the Council of Oman for adoption or amendment, followed by submission to His Majesty the Sultan for promulgation. The Children's Act was immediately promulgated by His Majesty the Sultan.

16. The recommendation encouraging it to accede to other major international human rights treaties is consistent with the Sultanate's own approach in this context. The Government of the Sultanate has set the scrutiny of all conventions and instruments relating to human rights in preparation for signature as one of its priorities. These include, in



particular, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Sultanate has made considerable headway in scrutinizing these three treaties in preparation for accession. The core document provides information relating to accession to other major international human rights treaties, which will have a positive impact on giving effect to the rights of the child.

#### **D. National strategy and plan for childhood**

17. With reference to the observations of the Committee on the Sultanate's first and second periodic reports, affirming the need to adopt and implement a comprehensive national plan of action for children with concrete and time-bound targets that cover all provisions of the Convention while taking into account the outcome document adopted by the General Assembly at its 202 special session on children, "A World Fit for Children", we would like to note that the Ministry of Social Development prepared an initial draft strategy for childhood in 2008. However, progress was brought to a halt when work began on a comprehensive national social work strategy, which subsumed the strategy for childhood and other sector-based strategies. The Ministry of Social Development redrafted the national strategy for childhood in collaboration with various governmental and non-governmental bodies in the form of thematic studies containing a range of data and information on childhood in the Sultanate, highlighting instances where intervention is needed and formulating plans and projects to raise the level of services, programmes and activities offered to children in the Sultanate. The ministry sought the assistance of Arab experts who had contributed to the preparation of national strategies for childhood in several Arab States in putting the finishing touches to the themes and features of the Sultanate's National Strategy for Childhood (2013–2020), to coincide with the Sultanate's development strategy. In this context, seminars were held to discuss the goals and themes of the strategy. The last of these was on 23 February 2013, in which a number of experts and representatives of NGOs participated. Alongside this, the themes of the strategy were reviewed and scrutinized at the first conference on childhood, held from 11 to 13 December 2013, and observations were made. It should be noted that, despite the Sultanate's delay in preparing the national plan for childhood, sector-related plans for childhood have been prepared as part of the five-year and annual plans in the fields of health, education, social development, the media, culture and other areas within the core competence of ministries concerned with issues of childhood. Furthermore, budgets have been allocated to implement childhood development programmes.

#### **E. Coordination**

18. With reference to the Committee's observations on the Sultanate's first periodic report, in which it stressed the need to ensure that the National Committee for the Care of the Child (NCCC) and, in particular, the Follow-up Committee, are provided with sufficient human and financial resources, and its observations on the second periodic report, in which the Committee recommends further enhancement of the role and capacity of the NCCC and strengthening of multiple sector coordination between the bodies and institutions working on implementation of the Convention at all levels in order to ensure adequate implementation throughout the country – the Ministry of Social Development undertook a study of the efforts of the NCCC and the Follow-up Committee (both of which are attached to the ministry) to strengthen the efforts of family, child, women and disabled support frameworks and promote multi-sector coordination between the bodies and institutions working on the implementation of international conventions pertaining to these groups at

all levels in order to ensure adequate implementation in all regions of the Sultanate, within the context of a comprehensive assessment of these frameworks.

19. In view of the emergence of new factors relating to the overall perception of family issues and family groups, as well as the international and domestic concern with the family as the basic unit in the structure of society, tasked with social, health, economic and other functions, and its active and fundamental role in socialization and implanting the values of human rights in the souls of children and the young, and given that the members of the family are partners in life and in destiny, and consistent therewith – the NCCC was reformed as the National Committee for Family Affairs (NCFA), under the chairmanship of His Excellency the Minister of Social Development and with a membership consisting of ministerial undersecretaries and other officials in most of the governmental and non-governmental organizations concerned with family, women's and children's issues. Royal Decree no. 12/2007 regulates the statutes of the NCFA.

*The decree forming the NCFA can be found in the annexes.*

20. It should be noted that, within its terms of reference, the NCFA addresses women's and children's issues through the system of the family. As such, the rights of these and other groups (e.g. youth) are subsumed within a variety of measures pertaining to the family. At its meetings, the NCFA reviews protection of the family, children, women and the disabled. Since its formation, the committee has studied several topics relating to the rights of the child and submitted recommendations thereon, including promulgation of an Omani Children's Act, formation of teams to study cases of children subjected to abuse and promulgation of Ministerial Decision no. 300/2012, on forming the technical secretariat of the NCFA, with the status of department and reporting directly to the minister.

21. Within the context of change occurring in the NCFA, responsibility for monitoring international conventions on the rights of the child, women and the disabled and for coordinating between relevant bodies has been delegated to specialized committees concerned with each group. Accordingly, the role of the Follow-up Committee, formed pursuant to Ministerial Decision no. 9/2001, has been strengthened. The committee was formed to give effect to the principles of the Convention, and formulate the mechanisms and programmes necessary to ensure the rights of the child in the Sultanate. It was amended by Ministerial Decision no. 56/2009, widening membership of the committee to include all relevant governmental bodies, in addition to representatives of two NGOs. The committee's terms of reference were redefined to include:

- Disseminating awareness of matters relating to the substance of the Convention among all social groups;
- Submitting proposal to give effect to the principles of the Convention;
- Participating in formulating and implementing child-related programmes;
- Evaluating all activities and events relating to childhood issues offered by relevant bodies;
- Formulating the mechanisms and programmes necessary to achieve comprehensive protection for all children;
- Studying recommendations and observations by the Committee, in coordination with the relevant bodies;
- Monitoring implementation of the Convention, as appropriate;
- Proposing financial allocations for proposed NCFA activities;
- Putting forward proposals on cultural, educational and media programmes for children;

- The committee may form teams, as needed and as circumstances require, to assist its technical secretariat to carry out certain tasks that may require collective effort. The Department of Children's Affairs facilitates the business of the monitoring committee.

## **F. Budget – monitoring public expenditure on the rights of the child**

22. We refer to the Committee's recommendation in its observations on the Sultanate's first periodic report to conduct a systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and its recommendation in its observations on the Sultanate's second periodic report affirming, within the context of discussion of the national plan for childhood, the need to embrace the goals of "A World Fit for Children" and for the budget to contain a specific allocation and adequate follow-up mechanisms for full implementation. The Sultanate called upon the expertise of UNICEF in this area and agreement was reached in 2009 on a programme of cooperation between the Ministry of Social Development and UNICEF's office in Oman to incorporate a children's rights-friendly budget in the Sultanate's development plans. Under this agreement, UNICEF commissioned a female expert to assist in the preparation of a report on expenditure on the rights of the child in the Sultanate in order to discover the extent to which it is possible to monitor the country's children's budget and determine the initial steps and stages required to prepare a children's budget in the near future.

23. The expert visited the Sultanate in 2010 and set about holding a number of technical meetings with the relevant ministries and bodies, in line with the methodology adopted for preparing the report. She submitted a draft report on 1 November 2010, which was distributed to the ministries and bodies whose personnel she had interviewed during the visit to elicit their views, with the aim of reviewing and discussing it at an expanded meeting. The expanded meeting was held in May 2011, with concerned officials and decision-makers and produced a number of recommendations focusing on a set of proposals, such as the formulation of an action plan to translate the report into action areas and the formation of a working group trained in amalgamating ministerial budgets into children's programmes, as well as studying the successful experiences of other countries, adopting the most suitable elements and developing a system that is specific and appropriate to the nature of the local society. Work is currently underway on forming a national team to provide training in the subject of the child-friendly budget. The team consists of staff from the ministries of planning and finance and those ministries concerned with children and will benefit from the experience of the Jordanian National Council for Family Affairs.

24. It should be noted that the education sector received a large share of the 2010 State budget, with an allocation of OMR 868,900,000 (eight hundred sixty-eight million, nine hundred thousand riyals) – i.e. 35% of total public expenditure.

## **G. Monitoring institutions**

25. Within the context of the Committee's recommendation in its observations on the first and second reports to establish an independent human rights body, consistent with the "Paris principles" or the position of a children's commissioner or ombudsman, we would like to point out that the Sultanate — in line with the Committee's general comment no. 2 (2002) on the role of independent national institutions in the promotion and protection of human rights and cognisant that human rights are intrinsic to the development it is steering to ensure the well-being of the Omani people — established a human rights committee in 2008, pursuant to Royal Decree no. 124/2008. This committee is responsible for monitoring the protection of human rights and freedoms in the Sultanate in accordance with the Basic

Statute of the State and international charters and conventions. It monitors what certain foreign States, international organizations and non-governmental organizations say about human rights in the Sultanate and coordinates with the relevant bodies to investigate and respond thereto. Additionally, it provides advice to concerned bodies in the State on issues relating to human rights and freedoms, contributes to the preparation of reports dealing with these topics, monitors human rights violations and abuses in the State, including those relating to children, and helps to settle and resolve these. It proposes an annual plan that includes national measures to spread the culture of human rights for submission to the Cabinet for approval. It then coordinates with the competent bodies to ensure the plan's proper implementation. It should be noted that the committee's membership consists of representatives of relevant civil society organizations and governmental bodies. The committee receives complaints from individuals, including children and their legal representatives, such as guardians or custodians. Furthermore, the committee undertakes field visits to monitor human rights abuses and violations.

26. The committee is currently preparing a draft manual on monitoring and receiving complaints, which will define the mechanism to be adopted in receiving complaints, whether from adults or juveniles. It was mentioned above that the National Human Rights Commission is responsible for monitoring human rights abuses or violations in the State, including military schools and the army.

27. In 2008, the Ministry of Social Development set up a family advice hotline to receive calls from all sections of society, including children at risk of abuse in all its forms. The ministry makes regular visits to monitor and assess the situation of foster families and children's institutes. The Ministry of Health has prepared a form to monitor cases of abuse against children, to be completed by the physicians who receive the cases.

## **H. Data collection**

28. With reference to the Committee's observations on the first and second reports that there is insufficient data on many areas covered by the Convention and its recommendation to establish a central database on children and to seek technical assistance from a number of bodies, including UNICEF, it should be noted that, given the importance for successful planning of having up-to-date, accurate information available and in the belief that individuals are entitled to have access to correct and accurate data, the task of furnishing national statistics in all areas in response to the needs and requirements of development planning has been assigned to the National Centre for Statistics and Information (established pursuant to Royal Decree no. 31/2012), which was formerly attached to the Ministry of National economy but is now a part of the Supreme Council for Planning. The centre's department of statistics conducts surveys and statistical censuses in collaboration and cooperation with the relevant bodies, in accordance with the Statistics Act, in addition to collecting and disseminating data from a variety of administrative sources. The centre is also responsible for authorizing field surveys of companies and NGOs after examining the goals, instruments and implementation mechanisms of these surveys. It should be noted that the 2010 population census produced a large amount of digital mapping data that has been used in a number of studies and these have been posted on the centre's website: <http://www.ncsi.gov.om>. Work is still continuing on analysing these data and preparing and publishing further studies, in addition to producing guides to monitor gaps and evaluate the situation, with the help of experts specializing in this field. These include a draft guide to the well-being of Omani children and a draft guide to areas of empowerment of Omani women.

29. The Ministry of Social Development documents data on children in the form of a database of social indicators. Data is documented on an annual basis and includes, for

example, the number of nurseries and alternative families. The database of social indicators is available online, with data disaggregated by activity and area for each sector, to help researchers and interested parties measure progress, achievement and level of performance in particular activities and sectors. It makes available time series data, in addition to interactive disaggregated data query features to enable researchers to formulate multiple data models, when required. The ministry, in collaboration with UNICEF's Muscat office, held several training courses in 2007–2012 for staff from various general directorates of the Ministry of Social Development from across the country to train them in the principles of using the database of social indicators, upgrade their capacities as users of the system in the governorates and give impetus to the use of analytical statistical reporting in their work.

30. The current data documentation mechanisms cover all service categories with which the ministry is concerned, whether relating to the family, children, women and governmental and non-governmental organizations concerned with these groups.

## **I. Cooperation with civil society and the private sector**

31. With reference to the Committee's observations on the first and second reports regarding the lack of sufficient effort to involve civil society, particularly in the area of civil rights and freedoms, as well as other recommendations, and with reference to the recommendations based on the Committee's recommendations adopted on the day of general discussion (2002) concerning the private sector as service provider and its role in implementing child rights, to provide NGOs with adequate resources to enable them to participate in carrying out the responsibilities and duties of the Government with regard to implementation of the Convention and to ensure that these organizations comply with the principles and provisions of the Convention on the basis of standards for service provision.

32. It should be noted that the ministries concerned with children and other governmental bodies collaborate with NGOs in all matters relating to the Convention and, likewise, in the formulation of public policy. Furthermore, representatives of civil society sit on committees concerned with development in general and human rights in particular. Through the Follow-up Committee and a number of the committees devoted to monitoring international conventions, the Ministry of Social Development seeks to involve civil society in many of the programmes and events concerning children. In this context, women's organizations provide pre-school educational services to children in all regions of the Sultanate through the kids' corners attached to them. Furthermore, several non-governmental organizations provide care for disabled children (the Early Intervention Association and Children's Welfare Association).

*A list of associations helping to implement children's programmes can be found in the annexes.*

33. Out of a sense of social responsibility, the private sector participates in numerous social work programmes and schemes in general and those targeting the children's sector in particular. The Childhood Care Centre project is one of the most significant results of the collaboration with the private sector. Note that the private sector has made numerous contributions to project financing. These include support for a number of family livelihood projects, the education and qualification of the children of families receiving social security, the education and qualification of orphans, house-building and funding the training of a number of female volunteers and employees at Wafa Social Centre for Children with Disabilities.

## **J. Dissemination of information about and providing training in the Convention and two Optional Protocols**

34. With reference to the Committee's observations on the first and second reports, regarding the measures taken to disseminate information and to its recommendation to strengthen efforts to disseminate systematically information about the Convention among children, their parents and other care-givers and all relevant professional groups working with and for children, it should be noted that the Sultanate, in the context of disseminating the culture of the rights of the child in Omani society, has produced numerous television and radio programmes in a systematic manner within the TV and radio schedule. These include inviting competent officials from the Ministry of Social Development and other ministries, and members of the Follow-up Committee, as guests. Furthermore, the Sultanate disseminates information about the Convention among children through annual children's festivals and local forums, held under a new slogan each year, which address the principles and rights contained in the Convention, and through Arab children's festivals and forums. These are either organized by the Sultanate as part of its own program or implemented in collaboration with certain Arab bodies. By way of example, we might mention the Festival of Children's Culture (2007), the Arab Child Forum (2006), the third Omani Children's Forum (2007), technical workshops (2007), the children's dialogue on translating the principles of the Convention on the Rights of the Child, the Adolescent Dialogue (2011 and 2012) in Muscat Governorate and the Arab Children's Forum (2012).

35. The Sultanate implements training programmes on the rights of the child for professionals working with children or their families. We might mention the following here:

- In early 2012, the Ministry of Social Development organized an introductory workshop on the culture of the rights of the child for media figures and specialists;
- In 2011, the Ministry of Social Development organized an introductory workshop on the Convention on the Rights of the Child and the two Optional Protocols for members of the armed forces, the Ministry of Defence and the Royal Oman Police;
- In 2009, the Ministry of Social Development organized a workshop for media figures and legal experts on the rights of the child, designed to highlight the role of lawyers and the media in protecting the rights of the child in society and in the family;
- In 2009, the Ministry of Social Development implemented an introductory workshop on the Convention and Optional Protocols for the armed forces, members of the Public Prosecution Service and the Royal Oman Police;
- In 2008, a training course for social workers was held, attended by school social workers, the General Directorate of Family Development and the Childhood Care Centre attached to the Ministry of Social Development. The course was designed to raise social workers' awareness of their role in protecting and providing greater care for orphans, to define the key role of social workers in investigating and addressing children's problems and to discuss certain problems and challenges faced by orphans at school and in society;
- In 2008, in collaboration with UNICEF, a training workshop on the rights of the child was held for those who work with children. The workshop was designed to provide information about the Convention and work towards its implementation by bringing about tangible achievements through practical activities and applications;
- In 2007, a training course on best parental care was held, designed to teach female trainers to train childcare workers and help parents to provide better parental care;

- In 2007, a training workshop was held on skills for dealing with foster families and on encouraging fostering, designed to impart the skills for dealing and communicating with children to those working in alternative care, as well as encouraging families to foster orphans.

36. Within the framework of disseminating information about the Convention and Optional Protocols thereto, the relevant bodies have produced several publications and printed materials, as follows:

- The 2008 national report entitled, “The Sultanate of Oman: Fit for Children”, in implementation of the outcome document adopted by the General Assembly at its 2006 special session on children entitled, “A World Fit for Children”. The Ministry of Social Development published this report, which deals with the transition from an approach to child development focusing on education, health and special protection to an inclusive framework that harmoniously combines the provisions of the Convention and the traditions and values of the Omani heritage and is a translation of Oman Vision 2020, which contains within it clear provisions for the sustainable health of the country, in affirmation of the concern with children’s well-being;
- A specialist firm, in collaboration with UNICEF, has compiled and developed child-friendly booklets for the Ministry of Education, covering the Convention on the Rights of the Child and elements of “A World Fit for Children”. Produced in school year 2010/2011, these were introduced into the classroom in March 2012;
- The Ministry of Social Development, in the form of the Department of Children’s Affairs, has published a number of booklets and printed materials, including a booklet on child forums. Furthermore, it has produced and designed child-friendly booklets that take into account the Convention and Protocols thereto;
- As part of the effort to disseminate information about the Convention in the media, the Sultanate has produced numerous radio and television programmes. Invited guests have included experts from the Ministry of Social Development and members of the Follow-up Committee. As regards disseminating the culture of human rights and the rights of the child among those working in education, the Sultanate organized two forums for teachers, supervisors, school principals, curriculum developers and staff of the Ministry of Education headquarters.

## **K. Making reports and concluding observations widely available**

37. The Ministry of Social Development, in collaboration with the UNICEF office, has had the first two reports published and distributed to ministries, governmental and non-governmental organizations, the media and several Arab and international organizations. A number of newspapers and magazines published the reports — or parts thereof — in their editions. The audio-visual media have organized dialogue seminars for concerned bodies on the contents of the reports and the rights of the Omani child in general, particularly on the occasion of Arab and international children’s rights events. As mentioned in the section on the Committee’s observations, a committee has been formed, consisting of governmental bodies and several NGOs, to study the concluding observations and discuss a mechanism for implementing the recommendations.

38. The Ministry has printed all national reports prepared by the Sultanate on the rights of the child (the first and second periodic reports on the rights of the child and the initial reports on the Optional Protocols), including the Committee’s requests for information and the Sultanate’s replies, in addition to the Committee’s concluding observations on the Sultanate’s reports. These have been distributed to ministries, various governmental and

non-governmental bodies and the technical committees which took part in preparing the drafts of these reports.

## **L. International and regional cooperation and support**

39. The Sultanate has continued its fruitful collaboration with all international and regional bodies concerned with childhood, including UNESCO, UNICEF, World Health Organization (WHO), Gulf Development Programme, Arab Council for Childhood and Development and the specialist organizations of the League of Arab States and the United Nations, in implementing numerous programmes, projects and activities associated with issues of childhood. The Sultanate is keen to strengthen aspects of collaboration with various organizations and bodies at international, Arab and Gulf levels.

## **M. Legislative measures relating to the rights of the child**

40. Omani law guarantees human rights, including the rights of the child. It grants the child protection, ensuring the exercise and acquisition of his/her rights with facility and ease, within the framework of a safe and secure social life. The State strives constantly to amend the laws in force and promulgate essential new legislation consistent with the demands of the real world and in the best interests of the child in order to provide a good life and sound upbringing. This has been addressed in the two reports: the first and second reports on the Convention on the Rights of the Child and the two initial reports on the Optional Protocols to the Convention on the Rights of the Child (2009). The most important pieces of legislation relating to the child, adopted after review of the second periodic report in 2006, are:

- (a) Statute of the National Committee for Family Affairs, promulgated by Royal Decree no. 12/2007;
- (b) Juvenile Accountability Act, promulgated by Royal Decree no. 30/2008;
- (c) Care and Rehabilitation of the Disabled Act, promulgated by Royal Decree no. 63/2008;
- (d) Copyright and Related Rights Act, promulgated by Royal Decree no. 65/2008;
- (e) Trafficking in Persons Act, promulgated by Royal Decree no. 126/2008;
- (f) General Mobilization Act, promulgated by Royal Decree no. 76/2008;
- (g) Cybercrime Act, promulgated by Royal Decree no. 12/2011;
- (h) Royal Decree no. 113/2011, amending certain provisions of Act no. 35/2003 (the Labour Act), on granting working women special maternity leave of 50 days;
- (i) Statute regulating family care and fostering, promulgated by Ministerial Decision no. 49/2007;
- (j) Statute regulating civil public libraries, promulgated by Ministerial Decision no. 229/2007;
- (k) Decree no. 94/2008 of the Minister of Social Development, on the statute regulating the issue of a disabled person's card;
- (l) Decree no. 11/2011 of the Telecommunications Regulatory Authority, regulating the provision of access to the internet in public places;



- (m) Decree no. 21/2011 of the Minister of Social Development, issuing rules and measures to combat begging;
- (n) Decree no. 16/2010 of the Minister of the Environment and Climate Affairs, issuing the statute regulating environmental conditions for industrial service activity;
- (o) Statute of public school student affairs, promulgated by Ministerial Decision no. 105/2012;
- (p) Decree no. 300/2012 of the Minister of Social Development, establishing a department of the technical secretariat of the National Committee for Family Affairs;
- (q) Circular no. 2/2010 of the Public Prosecution Service, on fostering in the Personal Status Act;
- (r) Decision no. 7/2009 of the Oman Camel Racing Federation, issuing the statute regulating camel racing;
- (s) Decision no. 271/2006 of the Minister of Justice, determining places of child visitation;
- (t) Statute regulating the Juvenile Reform Home, promulgated by Ministerial Decision no. 126/2010;
- (u) Statute regulating the Childhood Care Centre, promulgated by Ministerial Decision no. 125/2009.

41. It should be noted that, on the matter of child protection in relation to the assessment of extractive and pharmaceutical activity, the Ministry of Health stipulates the justifiable percentage of alcohol in medication (if applicable), which shall not exceed the following: 0.5% for children under the age of 6; 5% for children up to 12 years of age; and 10% for children above the age of 12. This accords with Decision no. 13/2005 of the Minister of Health, amending Ministerial Decision no. 86/2000, on the registration of drug companies.

### III. Definition of the child

42. Reference was made in the two previous reports (the first and second) to the definition of the child in Omani legislation. Here we might add that, for the first time, the Omani legislature gives a direct and unambiguous definition of “child” in the Children’s Act, which is at the procedural stage required by the Basic Statute of the State prior to promulgation. It is expected that it will see the light shortly. It defines “child” as “any person under 18 years of age in accordance with the Gregorian calendar.” This definition is consistent with the definition of the child in the Convention, which states: “The Convention defines a ‘child’ as a person below the age of 18, unless the laws of a particular country set the legal age for adult hood later”. It should be noted in this regard that current legislation does not contain a standard definition of the child, given that this legislation defines the child in the way which achieves the goal intended by its promulgation. As such, the definition is wider in some pieces of legislation and narrower in others, in accordance with the purpose which the legislature seeks to achieve. Accordingly, each definition applies within the scope of the legislation in which it appears. Studying the definition of the child in Omani legislation, we find that it includes ‘child’ under a variety of terms, such as “juvenile”, “minor” and “child”.

43. In the Personal Status Act, the child is called a “minor”. Thus, article 140 of the Act states that a minor is “a person who has not reached the age of majority, including: (a) the foetus ...”. The child is further referred to as a “youngster”. Thus, article 143 states that a youngster is “a person who has not reached the age of majority and who may or may not

have rational faculties.” In the Juvenile Accountability Act, the child is called a “juvenile”. Thus, article 1, paragraph (c) states that “a juvenile is any male or female under the age of 18”, while article 2 of the same Act explains, “the age of a juvenile shall be determined by the official birth certificate. If the birth was not recorded, the age shall be estimated by the Ministry of Health on the basis of the Gregorian calendar. In addition to this, the Trafficking in Persons Act defines “juvenile” as “any male or female under the age of 18.” However, a comprehensive definition of the child has been set out in the Children’s Bill, which is at the procedural stage required by the Basic Statute of the State prior to promulgation. It is expected that it will see the light shortly.

*Data on the numerical and relative distribution of Omani children on the basis of the 2010 and 2013 censuses, and other data, can be found in the statistical annex.*

## **IV. General principles**

44. The Basic Statute of the State and all current Omani legislation relating to the child enshrine a number of the principles and general rights addressed by the Convention, such as the principle of non-discrimination (article 2 of the Convention), the principle of the best interests of the child (article 3), the right to life, survival and development (article 6) and the principle of respect for the views of the child (article 12). These principles are summarized below.

### **A. Non-discrimination**

45. With reference to the observations of the Committee on the principle of non-discrimination in the first and second reports on the Convention and two initial reports on Optional Protocols, the Sultanate would like to advise that there is no discrimination in respect of children born out of wedlock and such children enjoy many benefits, including nationality and full citizenship rights.

46. Regarding the Committee’s observation on the first national report concerning what the Civil Status Act says about registration of the birth of a child born out of wedlock, we would like to point out that, under the last amendment (31 December 2012) of several of the provisions of the implementing regulations of the Civil Status Act, an illegitimate child is granted a four-part name and attached to a particular tribe, once the proper form has been completed. If the child’s kinship is established, the entry in the civil register will be corrected. Thus, article 20 of the Civil Status Act stipulates that an illegitimate child shall be registered in accordance with the procedures set out in the regulations and in a manner consistent with the Islamic Shariah. On studying the implementing regulations of the Civil Status Act, we discover that it contains no trace of the discrimination against children observed by the Committee. Accordingly, we believe that this observation is inappropriate. There is no greater indication of the concern of the Omani legislature for the child’s moral well-being and feelings and guarantee of a decent life free from future complications and disturbances than the stipulation, in article 10 of the Juvenile Accountability Act, that sentences handed down to juvenile delinquents shall not be recorded in the criminal record. Furthermore the provisions on recidivism in Oman’s Penal Code shall not be applied to juveniles. Likewise, article 12 forbids publication of a juvenile delinquent’s name or photograph, the court proceedings, extracts therefrom or a summary of the judgement in writing or in the print or audio-visual media in any form whatsoever.

47. In addition, article 11 of the same Act stipulates that all juveniles shall be exempt from any court fees or costs, whatever the degree of the court. This applies to the children

of citizens, the children of foreigners or children born out of wedlock, without discrimination.

48. In relation to the Committee's observation on discrimination against the children of foreign workers in the Sultanate as regards the provision of social assistance, health services, education and housing, the Sultanate affirms that the children of foreign nationals enjoy the same rights as the children of citizens, especially at the pre-university stage. Everyone is equal in respect of all the benefits made available by the State to all institutions of education, without the slightest material or moral discrimination at any stage of education.

49. The children of foreign nationals, especially those working for the Government, enjoy full health services, from the monitoring of pregnancy in the Sultanate's hospitals through to delivery and inoculations and regular check-ups in health centres across the country. Social services are provided to all children in the Sultanate without exception. The State provides many social services, such as clubs, recreation areas and public parks for all children without discrimination on the basis of sex or nationality.

50. The Sultanate's approach to dealing with persons with disabilities is no longer the traditional one of being content to place the responsibility on charitable organizations. Instead, the State takes systematic institutional action to care for the disabled and principally disabled children, whether those of citizens or of foreign nationals resident in Oman. To give effect to this, Royal Decree no. 63/2008 was issued, promulgating the Care and Rehabilitation of the Disabled Act, which stipulates that the State is obliged to protect, care and rehabilitate the disabled in general, including children. It further regulates the establishment and management of centres for the care of the disabled and the provision of rehabilitation and health services for them. Additionally, the Act facilitates participation of the disabled in local, regional and international sport camps and sporting events and provides means of enriching their cultural life. Articles 5–12 set out a series of rights for the disabled, including the preventive and therapeutic healthcare provided by the State, which includes rehabilitation and compensatory systems to assist with mobility, movement, education, training etc. Furthermore, the Ministry of Social Development helps with the provision of suitable equipment for the disabled in the homes of families unable to provide these themselves. The Basic Statute of the State requires that the disabled receive full educational services, commensurate with their sensory, physical and mental capacities.

51. It should be noted that the Sultanate follows a rights-based approach, which affirms the role of the State in ensuring rights. In 2011, it converted a number of centres serving persons with disabilities to governmental centres, appointed specialist staff and provided material support to associations working with the disabled; the private sector provided additional support.

52. This Act requires all relevant governmental bodies to take the necessary measures to ensure that persons with disabilities benefit from public services by ensuring compliance with engineering specifications for public places, highways and buildings, places of worship, leisure centres, shop entrances, parking spaces and other facilities used by the disabled, and by providing public transport to facilitate their movement at airports, ports and on highways.

53. Under this Act, the National Committee for the Welfare of the Disabled was established to study and prepare a general plan for the welfare and rehabilitation of the disabled, formulate programmes for their care, rehabilitation, employment and advancement and strengthen plans and programmes for raising awareness of all types of disability and methods of prevention.

54. Cognisant of the right of the disabled to welfare provision and the guarantee of a decent life, the Sultanate has ratified, pursuant to Royal Decree no. 121/2008, the Convention on the Rights of Persons with Disabilities.

55. Furthermore, a statute regulating the issue of the disabled person's card was promulgated by Royal Decree no. 94/2008. This is designed to facilitate the affairs of the disabled and speed up their business with Government offices and the private sector.

56. Since the dawn of the Blessed Renaissance, the principle of non-discrimination between residents of the Sultanate of Oman, including children, has been a firm principle underpinning the legal and factual structure of the modern Omani State. In article 17 of the Basic Statute of the State, the legislature stipulates: "All citizens are equal before the law and share the same public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect or social status."

57. It is evident from this provision that the legislature treats all groups of society as equal in respect of rights and duties, without discriminating between them on grounds of gender, origin, colour, language, religion, sect or social status. Under article 75 of the Omani Labour Act, promulgated by Royal Decree no. 35/2003, the position of children is protected and they may not be employed or allowed to enter the workplace, if under the age of 15. Furthermore, under article 76, those under the age of 18 may not work between the hours of 18:00 and 06:00 or do actual work for more than six hours per day. The Care and Rehabilitation of the Disabled Act, promulgated by Royal Decree no. 63/2008, treats all disabled persons, including children, equally and guarantees each handicapped person, whether man, woman or child, the right to, *inter alia*, education, rehabilitation, medical, psychological, cultural and social care and access to systems, equipment and means of transport to help them become mobile and have contact with the environment around them.

58. Note that the Education Bill, which was recently adopted by the Consultative Assembly and is expected to be promulgated soon, treats all children equally in respect of the right to education, stipulating free, compulsory education for all.

## **B. The best interests of the child**

59. Regarding the principle of the best interests of the child the Committee, in its discussion of the first and second reports, expressed concern that this principle is not fully included in laws, regulations and practices concerning children. It recommended a review of the laws, regulations and administrative procedures pertinent to the affairs of children in order to incorporate this principle in the Omani legal and judicial system. We would like to point out that the Sultanate of Oman enshrined this principle in legislation adopted prior to the submission of the first and second reports, specifically: the Omani Penal Code (1974), Nationality Act (1983), Personal Status Act (1997), Criminal Procedure Act (1999) and Labour Act (2003). Furthermore, the Sultanate has endeavoured to enshrine this principle in laws promulgated after submission of the two reports, in particular: the Juvenile Accountability Act (2008), Education Bill, Children's Bill, the statute regulating family care and fostering, promulgated by Ministerial Decision no. 49/2007 and statute regulating foster homes, promulgated by Ministerial Decision no. 212/2012.

60. In relation to financial support, the Personal Status Act stipulates that the father shall support a female child until she marries and a male child until he reaches working age, unless he is a student pursuing a course of study. The father must bear the costs of nursing his child, if the mother is unable to breastfeed. In the event that there is no legally responsible male person able to support the child financially, the child must be supported by its financially capable mother, if the child has lost its father, has no property of its own and is incapable of paying. The law gives priority to the support due to child and wife over

other support. When hearing a case of separation between the parents, the judge shall take temporary measures to ensure that the children and wife are supported. The interests of a child of unknown parents are observed by obliging the State to support the child, if the child has no property or benefactor. The legislature likewise observes this principle in determining parentage. The law stipulates that parentage is determined by marriage, acknowledgement or indisputable evidence. As regards custody (hadana), which is extremely important for the raising, rearing and nurturing of a child in a sound and appropriate family environment, the law stipulates that it is a duty for the two parents as long as they remain married. In addition to the general conditions for custody, if the custodian is a woman, she may not have a husband (who has consummated the marriage with her) of a different nationality to the child, unless the court determines otherwise in the interests of the child. If the custodian is a man, it is a condition that there be a woman in his house in the interests of the custody arrangement and that his relationship with the child, if she is female, be that of mahram. The law further stipulates that the custody arrangement shall continue until the child reaches the age of seven in the case of a male and maturity in the case of a female, unless the court determines otherwise in the interests of the child. When a judge decides to award custody to someone, he is guided by the best interests of the child namely, the person best placed to support the child financially, provide a sound environment, shield the child from delinquency, provide the best kind of care, education and preparation for the future, give the child a sound moral upbringing and any other advantages. The court shall have recourse to letting the child choose which of the parents will have custody. Observing the best interests of the child, the father shall be required to pay the woman entrusted with custody, in addition to providing her with accommodation, money to rent accommodation or, if she lives with her parents, her share of the rent. As regards visiting rights, the law stipulates that a parent has the right to visit the child, if he is in the care of the other, by agreement or court order, in order to preserve the family, family ties and parental guidance. Disputes over visiting rights are dealt with as urgent cases by the courts.

61. By means of the Labour Act, the legislature protects and promotes the best interests of the child. Children who have reached the age of 15 may be employed, subject to the consent of father or guardian. Additionally, there are rules and restrictions to prevent damage to the child's health or moral welfare. Employers are required to grant working women 50 days' maternity leave with full pay, covering the pre- and post-delivery period. While it is the woman who primarily benefits, this represents protection for the child during pregnancy and after delivery.

62. The legislature has enacted a special law to deal with criminal cases where one or more of the parties are children or juveniles under the age of majority and to regulate the appropriate penalties. This is the Juvenile Accountability Act, which seeks to achieve and protect the best interests of children. It stipulates that those under the age of nine shall not be held criminally liable. It further stipulates the care measures to be applied to those over the age of nine but under the age of 16 who have committed a misdemeanour or a felony and who may not be sentenced to prison. It further stipulates that the Juvenile Police are responsible for gathering evidence in juvenile cases and arresting juvenile delinquents and those vulnerable to delinquency, with due regard to the procedures stipulated in the Criminal Procedure Act. The Juvenile Police are responsible for investigating juvenile cases and bringing public prosecutions before the courts, together with specially trained members of the juveniles' department of the Public Prosecution Service, in order to ensure the rights of the child regarding criminal liability. No pre-emptive measure appropriating the authority of the parent/guardian may be taken without the permission of the latter. Without the court's authorization, it is forbidden to publish in the media a juvenile's name or photograph or the court proceedings. This is to protect the identity of the child and his family. Furthermore, sentences handed down to juvenile delinquents shall not be recorded

in the criminal record, the provisions on recidivism shall not be applied and no fine may be imposed.

63. In continuation of the policy of the legislature to protect children and guarantee their interests, a section of the Omani Penal Code has been devoted to crimes prejudicial to the guardianship of a minor, which are considered as social crimes. Article 214 imposes a penalty on anyone who abducts or sequesters a minor under the age of 18, even with his consent, in order to remove him from the authority of his legal guardian or custodian. Article 217 penalizes anyone who neglects or abandons a child under the age of seven or a person unable to protect himself due to physical or mental incapacity, or causes him to resort to begging. The penalty is doubled if the child or invalid is abandoned in a desolate, uninhabited place or if the act is committed by relatives of the victim or someone charged with protecting or caring for him. According to article 224, there is a severe penalty for anyone who exploits children in publishing materials that offend against decency and public morals.

64. In application of the same right, article 220 of the Omani Penal Code penalizes anyone who incites to debauchery, prostitution or vice. The punishment is more severe if the victim is under the age of 18.

65. Articles 218 and 220 of the Omani Penal Code penalize anyone who commits indecency or debauchery by coercion, menace or deceit, if the victim is under the age of 18. The punishment is increased if the victim is under the age of 15 or physically or mentally infirm or if the offender is an older relative of the victim, responsible for her education or care or has authority over her. Under article 239, the legislature penalizes the mother who kills her child born out of wedlock to avoid shame. To protect the right of the foetus and out of respect for the right to life, articles 242, 243, 244 and 245 criminalize abortion and penalize anyone who causes a woman to abort with or without her consent. Article 214 penalizes anyone who abducts, sequesters or deprives of liberty a male or female juvenile. Article 217 penalizes anyone who neglects or abandons a child under the age of seven or a person unable to protect himself due to physical or mental incapacity or causes him to resort to begging. The penalty is doubled if the child or invalid is abandoned in a desolate, uninhabited place or if the act is committed by older relatives of the victim or someone charged with protecting or caring for him.

66. To safeguard their rights and interests, article 8 of the Criminal Procedure Act requires that, in cases where the aggrieved party in a criminal action is under the age of 15 or mentally handicapped, the petition shall be filed by the guardian of that person.

67. To ensure the best interests of the child, article 293 thereof stipulates that a sentence of death imposed on a pregnant woman shall be postponed until she has given birth and stayed for two years to enable her to nurse the child. Article 301 allows a sentence of imprisonment imposed on a pregnant woman to be deferred until three months after delivery. Article 304 allows a husband or his wife, both of whom have been sentenced to a term of imprisonment, to have the sentence of one deferred until the other is released, if they are both responsible for a child under the age of 15.

68. The Nationality Act guarantees children born in the Sultanate of unknown parents the right to acquire nationality. It further regulates the acquisition of nationality by the children of naturalized persons.

69. Given the provisions and principles it contains to ensure the right of the child to free, compulsory education, the Education Bill is in itself an embodiment of the principle of the child's best interests. It imposes specific obligations equally on a child's legal guardian and the State.

### **C. The right to life, survival and development**

70. The Omani legislature guarantees the right to life, survival and development within a materially and morally suitable environment in numerous pieces of legislation, including by way of example:

(a) The Oman Criminal Code devotes numerous passages to ensuring the right of the child to life, survival and the child's best interests, as per clauses 40 and 41 of the principle of the child's best interests;

(b) The Food Safety Act, promulgated by Royal Decree no. 84/2008, stipulates that it is the responsibility of those who handle food that it be handled under safe and hygienic conditions. It forbids the advertising or marketing of foodstuffs without the approval of the competent authorities. Furthermore, it provides for a mechanism to monitor and inspect food exports and imports and stipulates penalties for violations. All of this is to ensure the health of the people, including children, and ensure that their food does not contain harmful substances;

(c) The Juvenile Accountability Act prohibits the passing of the death penalty on a person under the age of 18 at the time the crime was committed. If a juvenile aged sixteen or over commits a crime for which the penalty is death or life imprisonment, he shall be sentenced to a term of imprisonment of not less than three years and not more than ten years. If he commits a crime for which the penalty is a term of imprisonment, he shall be sentenced to a term of imprisonment of not more than half the maximum mandatory term for the crime committed; this shall be not less than three years for a felony. It was pointed out in the Sultanate's second periodic report that the law does not allow a child to be deprived of the right to life, by legislation, implementing measures or by the will of anyone. The death penalty is not imposed on children and children may not be killed, even for reasons of compassion, nor may they be induced to commit suicide.

71. The Sultanate affirms that there has been no case of a child under the age of 18 being executed. Furthermore, the records of the Ministry of Health, the courts and the Royal Oman Police make no mention of any case of child suicide or infanticide. Family solidarity and commitment to Islamic and social values that promote the dignity of man contribute to the absence of these problems in the Sultanate.

### **D. Respect for the views of the child**

72. Regarding the Committee's observation that children are only allowed a limited level of expressive freedom and its recommendation that children be given opportunities to participate at all levels, it should be pointed out that respect for the views of the child is taken seriously in the Sultanate and is reinforced by the love and family solidarity existing in Omani society and the Omani family. Nurseries and kindergartens embody this principle in educational activities and programmes, in a manner consistent with the ages and capacities of the children and it is gradually strengthened in schools through the formation of the student administrative council, class committees and educational activity groups. These give children opportunities to express themselves by taking part in discussions and proposing plans, programmes and projects appropriate to their capacities and the needs and resources of the school. There are also student councils and parent councils. Through these channels, children express their views on matters that matter to them, such as the administrative system, lessons, teachers etc.

73. At media and cultural level, the relevant agencies provide a number of programmes and activities to strengthen respect for the views of the child. These include face-to-face

interviews with children, public meetings, competitions and literary activities, particularly essays, stories and poems.

74. Since the Sultanate's accession to the Convention on the Rights of the Child in 1996, the Ministry of Social Development, in coordination with the Follow-up Committee, has sought to organize annual and periodic children's forums and dialogue sessions to hear the views of children on the Convention in particular and children's issues in general, in collaboration with regional, Arab and local organizations. The ministry publishes the outputs of these events in booklets for children. The Ministry of Education and Ministry of Heritage and Culture publish the results of children's competitions and creative events.

75. Furthermore, the Omani legislature affirms the need to respect freedom of opinion and expression in numerous pieces of legislation, from the Basic Statute of the State to various laws and regulations, as follows:

(a) Article 29 of the Basic Statute of the State guarantees people's freedom of opinion and expression by all available means, in accordance with the limits of the law. Articles 28, 30, 31, 32 and 33 guarantee the freedom to practice religious rights, freedom of all forms of correspondence, freedom of the press, printing and publication and freedom of association for all, without discrimination;

(b) Pursuant to these basic constitutional rights and freedoms, other legislation contains provisions that promote taking the views of children into account and grant children freedom of opinion and freedom to express their ideas and choices. These include the Personal Status Act, under which the court will hear the view of the child regarding choice of custodian, on the one hand, and whether or not to remain in a particular person's custody, on the other. Further, the law gives a child the right to express his view on accepting a gift, even if he has a legal guardian;

(c) Many subjects and concepts have been included in the academic curriculum to implant among children the importance of expressing themselves freely. Every year, the Sultanate organizes children's forums and numerous activities are held that fall under the heading of the principle of listening to children.

## **V. Civil rights and freedoms**

76. With regard to the Committee's observations on corporal punishment in the second periodic report, the Sultanate would like to point out that protection of the child from corporal punishment is evident from the enactment of a considerable amount of penal legislation banning all forms of physical and mental violence against children, including corporal punishment, deliberate abuse and harm, mistreatment, neglect or exploitation to which children may be exposed in the family or foster family environment or in other types of care in public and private institutions, such as prison and school.

77. Regarding protection of the child within the family environment, articles 212–217 of the Omani Penal Code stipulate that a parent or guardian is to be punished for the dereliction of family duties, such as leaving a minor in a state of need, failing to pay maintenance, interfering in the guardianship of a minor or neglecting a minor or a person who is incapacitated. Furthermore, the code punishes anyone who indecently assaults a child, with the punishment made more severe if the offence is committed against a child under 15 years of age or if the offender is an older relative of the victim, a person responsible for the child's care, a person with authority over the child or a servant in the house of those persons.

78. Additionally, the Juvenile Accountability Act ensures that the child is protected from abuse, assault or neglect on the part of his foster family. The Act also provides for



measures and punishments in the event that a juvenile commits a crime; these exclude corporal punishment.

## **A. Name and nationality**

79. Pursuant to the observations of the Committee on granting nationality to the children of an Omani woman married to a non-Omani man and ensuring acquisition of the mother's nationality, without discriminating between parents on the basis of gender, the Sultanate would first of all like to point out that it has withdrawn its objection to article 7, on nationality. Furthermore, the Children's Bill guarantees an Omani child born in the Sultanate the right to acquire name and nationality.

80. Furthermore, the Sultanate would like to advise that the Convention stipulates that every child shall have a nationality. As the Sultanate is committed to the said Convention, there is no child within its territory that does not have a nationality, whether Omani or otherwise. The Omani Nationality Act grants Omani nationality to a child born in Oman of unknown parents, a child having an Omani mother but unknown father, a child having an Omani father who has lost his nationality or a child born in Oman and who has made Oman his place of residence, on condition that his father was born in Oman but lost nationality at birth.

81. Given the Sultanate's commitment to the Convention, the Sultanate is of the view that the Committee's observation is inappropriate. In addition, granting Omani nationality to the children of an Omani woman married to a foreigner leads to the problem of dual nationality, which is forbidden under the Omani Nationality Act for political, social and economic reasons.

82. International law acknowledges that nationality law is best left to the absolute discretion of the domestic legislature in each State and that the laws of each State is competent to determine those who are to enjoy its nationality. Other States recognize these laws inasmuch as they do not conflict with international conventions, international customary law and the principles of common law generally recognized by States in matters of nationality.

83. Article 14 of the Civil Status Act provides for specific measures to ensure proper registration of each new-born child. Notice of birth shall be given within two weeks from date of birth, in the form of a birth certificate. In accordance with article 17, all necessary data and dates necessary to register the birth shall be recorded in the register, including information on both parents, such as name, nationality, religion, address and occupation. Article 20 requires the registration of a child of unknown parents, in accordance with the regulations and procedures set out in the implementing regulation to the Civil Status Act promulgated by Decree no. 40/2007 and adopted. The legislature is keen to ensure that the child, whether legitimate or not, is registered as a matter of urgency in order to uphold the right of the child affirmed by the law, as long as the child was born in the Sultanate.

## **B. Preservation of identity**

84. With reference to the Committee's comments on protecting the right to identity of children born out of wedlock, it should be noted that such children enjoy full rights in terms of being granted names, tribe, nationality and health, education and social services. Their situation is the same as that of Omani children born within wedlock. In this regard, the following should be observed:

(a) Article 17 of the Basic Statute of the State affirms, “All citizens are equal before the law and share the same public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect or social status.”

(b) The Omani Nationality Act affirms the right to identity of a child born to Omani parents in Oman or abroad or born in Oman to an Omani mother and an unknown father or if filiation to the father is not legally established or if the father has lost nationality.

(c) On 31 December 2012, the implementing regulation of the Civil Status Act was amended to grant the illegitimate child a four-part name, attached to a particular tribe, after completion of the proper form. If the child’s kinship is established, the entry in the civil register will be corrected. This measure is to protect the child from any embarrassment regarding tribal name, given that Omani society takes pride in tribal identity.

### **C. Freedom of expression and the right to seek information**

85. Under the Basic Statute of the State, freedom of expression in speech and writing are guaranteed within the limits of the law. In the section on general principles and the principle of respect for the views of the child, reference has already been made to the details. In addition, the Children’s Bill stipulates the right of the child to express his views, including the right to seek, receive and impart information, the right to knowledge, the right to use the tools of creativity, innovation and expression and the right to participate in cultural, leisure, scientific and artistic programmes. Furthermore, the bill affirms that the State guarantees to satisfy the cultural needs of children in all fields, including literature, art and science and to establish children’s cultural centres and libraries in all governorates, in line with available resources.

86. The Copyright and Related Rights Act, promulgated by Royal Decree no. 65/2008, regulates the rights enjoyed by an author, including the literary and financial rights to his intellectual creation, regardless of the value, type, purpose or means of expression of this creation. The Omani legislature has not stipulated a specific age or particular sex as a condition for enjoying the above rights and benefitting from the stipulated protection. All that is required is that any natural person has exerted mental effort resulting in the production of a creative literary, artistic or scientific work in a form that can be expressed. As such, a child under the age of 18 may be an author in the sense of the Copyright and Related Rights Act and enjoy the right to express his ideas and impart his creative work to all, on condition that this does not violate public order and decency.

87. The statute regulating student affairs in public schools and basic education schools, promulgated by Ministerial Decision no. 56/2008 and amended by Ministerial Decision no. 105/2012, promulgating the statute regulating student affairs in public schools, affirms the importance of scholarly activity, such as literary, cultural, artistic and sports associations, which give children a platform to express themselves. There is a student activity department that supervises school activities in general, as well as a museum, library and theatre for children. These centres are platforms for children to express themselves.

88. This right is embodied in the statute regulating the Juvenile Reform Home, promulgated by Ministerial Decision no. 126/2010, and the statute regulating the Childhood Care Centre, promulgated by Ministerial Decision no. 125/2009, which contain several articles guaranteeing the right of a child detained in a reformatory to express an opinion on the care and rehabilitation programmes and activities.

## D. Freedom of thought, conscience and religion

89. Reference was made above to freedom of thought and conscience in the Sultanate's first and second reports and it is worth noting here that article 28 the Basic Statute of the State affirms that the freedom to practice religious rites according to recognised customs is guaranteed, provided it does not disrupt public order or conflict with morality. The Sultanate allows the houses of worship of all sects and religions without restriction or condition and people in Oman have the right to practice their religious rites in complete freedom, as long as this does not conflict with public order or violate the demands of duty and public morality on which the structure of society is based. The Sultanate steers a course of tolerance, dialogue and rapprochement between religions that the countries of the world and international and regional organizations bear witness to. Examples of this are the convening of international conferences and forums on the dialogue of religions and religious tolerance and the magazine *Tafahum* ("Understanding") — formerly *Tasamuh* ("Tolerance") — published by the Ministry of Endowments and Religious Affairs, which seeks to disseminate the culture and values of peace, tolerance and dialogue between nations, people, communities and individuals.

## E. Freedom of association and peaceful assembly

90. Articles 32 and 33 of the Basic Statute of the State guarantee citizens the right of assembly, within the limits of the law. This right is guaranteed to children, alongside the right to participate in associations that safeguard and uphold their rights and freedom of assembly on national bases and for legitimate objectives by peaceful means, provided that there is no conflict with the provisions and goals of the Basic Statute of the State.

91. Furthermore, the Non-Governmental Organizations Act, promulgated by Royal Decree no. 14/2000 and the non-governmental organizations founding statute, promulgated by Ministerial Decree no. 150/2000, guarantee the formation of associations in many areas. Most of these deal with aspects of child issues and rights. Although the said Act and statute focus on the efforts of adults, not children, in forming NGOs, the greater part of their efforts are directed toward the interests of children. The right of children to participate is fostered by means of associations and clubs formed in schools — principally the Boy Scouts and Girl Guides — and literary, cultural and art societies in public and private primary and secondary schools.

## F. Protection of private life and reputation

92. The Basic Statute of the State guarantees all individuals — young and old — personal freedom and sanctity of home, correspondence and communications. The Omani Penal Code affirms that the violation of privacy is a criminal offence in law and no-one has the right to violate the sanctity of the home of others or enter by force or stealth without the consent of the master of the house. Furthermore, the law punishes anyone who demeans the dignity of a person or passes slander about him to another person. The act of violating a person's reputation and dignity is considered a crime punishable by law.

93. Article 18 of the Basic Statute of the State states that personal freedom is guaranteed under the law. It is unlawful to arrest, search, detain, or imprison any person or have his place of residence or freedom of movement or residence restricted except in accordance with the provisions of the law. In the same context, article 26 forbids any medical or scientific experiment to be conducted on a person without his freely given consent. Article 27 affirms that places of residence are inviolable and entry without the permission of the lawful occupant is illegal. This is to ensure peace of mind and uphold personal dignity.

Under article 30, freedom of correspondence by post, telegraph, telephone and other means of communication is protected and confidentiality guaranteed.

94. The Electronic Transactions Act, promulgated by Decree no. 69/2008, devotes an entire section to the protection of the personal data of individuals, including children, in order to protect their reputation. The Act stipulates: "A government body or authentication service provider may collect personal data directly from the concerned person or from others after his explicit approval has been obtained, only for the purpose of issuing a certificate or keeping it or facilitating such issuing or keeping. It is not permitted to collect or process or use such data for any other purpose without the explicit consent of the person from whom such data is collected."

95. As an exception to the above paragraph, the collection, disclosure, provision or processing of personal data shall be lawful in certain cases namely, if necessary to prevent or uncover a crime pursuant to an official request from the investigating authorities, if required or authorized by law or court ruling or if the data are necessary to estimate or collect any taxes or duties.

96. Furthermore, the Act obliges the authentication service provider to follow proper procedures to ensure the confidentiality of the personal data in his care. He may not disclose, transfer, declare or publicize these data for any purpose without the prior approval of the person from whom such data has been collected. Any person who has control over personal data by virtue of his job in electronic transactions shall, before processing such data, notify the person from whom it is collected by special notice of the procedures he is following to protect the data. These procedures shall identify the person responsible for processing the data, the nature of the data, the purpose of processing it, the processing methods and sites and all information necessary to ensure secure data processing.

97. The Act forbids the users of the personal data from sending electronic documents to the person from whom such data is collected, if he explicitly refuses to accept them. No person in control of personal data is allowed to process these data, if the processing will cause damage to the persons from whom such data is collected or prejudice their rights and freedoms.

98. Article 38 of the statute regulating the Juvenile Reform Home stipulates the rights of a juvenile detained in a reformatory, including non-dissemination of any information about him or photographs of him in any visual, aural or written media. This is to ensure the inviolability of the child's private life.

## **G. Access to information and protection from harmful material**

99. The Sultanate upholds the right of the child to have access to information. The Children's Bill stipulates that the child has the right to knowledge, the right to use the tools of creativity, innovation and expression and the right to participate in various programmes. The State provides all means available to satisfy the information needs of children in various fields, in the form of public libraries and mobile libraries.

100. Additionally, there are nine daily newspapers in Oman and some 80 daily, weekly, fortnightly, monthly, quarterly and annual newspapers and magazines. The number of publishers stands at around 20 and more than 70 printing presses are in operation throughout the country. These provide awareness raising programmes and publications of special interest to children. Furthermore, there are a number of State-run radio and television channels as well as State-owned internet. All of these are available for children to receive information of interest to them.

101. It should be noted that all schools in the Sultanate are equipped with information technology tools and all have learning resources centres for the first cycle (grades 1–4) and second cycle (grades 5–10). These are provided with various learning resources, including books and educational aids. There are 247 centres in first cycle schools and 385 centres in second cycle schools. These train students in how to use the computer to access information. The Ministry of Education has established class libraries in most (i.e. 520) basic education public schools.

102. Civil society organizations have an active role to play in providing children with access to information and a mobile library has been established under an initiative of the Dar al-Ata association. A non-governmental library (Nadwa public library) has been established in Bahla province, offering books and scientific materials to children of all ages, providing ease of access thereto and seeking to arouse in children the desire to study and visit the library. The library holds 25,000 books, 1,200 video tapes and 1,500 compact discs.

103. Royal Decree no. 37/2008 defines the mandate of the Ministry of Education, which includes introducing learning technologies into school teaching with the aim of raising the skills level of school graduates within the framework of Oman's digital society and developing their technical skills to facilitate their access to information. Given the importance of the idea of continuous development and of keeping pace with rapid technological change, the Oman educational portal was built in three phases between 2006 and 2014. It contains four key elements: school management systems, e-education, document archiving systems and correspondence. The system has been put into operation on the internet to provide the educational community with easy and constant access to services.

104. To protect children from harmful materials, articles 3 and 14 of the Cybercrime Act, promulgated by Royal Decree no. 12/2011, provide for the punishment of any person who intentionally and unlawfully accesses a website or informational system or information technology facilities or exceeds his authorized access thereto, as well as the punishment of any person who uses the internet or information technology facilities to produce, supply, distribute, sell, purchase or import pornographic materials, except for permitted scientific or technical purposes, if the pornographic content is of a juvenile of under eighteen years of age.

105. Article 4 of the Consumer Protection Act, promulgated by Royal Decree no. 81/2008, stipulates that all goods that are potentially harmful to people, including children, must have a clear and explicit warning attached, indicating the correct method of use and how to treat any harmful effects of use. It further stipulates that the consumer has the right to obtain correct information about the goods, as well as the right to full guarantees for the health and safety of the consumer upon supply and a guarantee that no harm shall befall him upon use. The consumer shall have the right to be compensated for any harm.

106. The Narcotics and Psychotropic Substances Control Act, promulgated by Royal Decree no. 17/91 to protect children from substances harmful to their health, prohibits the possession, acquisition, delivery, receipt, trafficking or use of narcotic and psychotropic substances and prescribes the penalties for offenders.

107. The National Committee for Narcotics and Psychotropic Substances was formed pursuant to the Narcotics and Psychotropic Substances Control Act. A subcommittee, formed under Administrative Decree no. 5/2003, has undertaken a number of activities, including:

(a) Formation of a national narcotics forum in 2008 to protect and raise the awareness of society about the dangers of falling into the grip of addiction;

(b) Preparation and implementation of a variety of lectures and exhibitions to raise awareness of all social groups of the dangers of narcotics and how to protect against them;

(c) Making use of the media to raise society's awareness and provide people with correct information about the services available.

108. Furthermore, the school curriculum contains much in the way of information, facts, ideas and attitudes regarding narcotics and psychotropic substances, and talks about them directly and indirectly in a manner appropriate to the grade and age of pupils.

## **H. The right not to be subjected to torture**

109. The Basic Statute of the State prohibits the subjection of anyone to physical or psychological torture, inducement or demeaning treatment and stipulates the punishment for offenders. Any statement or confession proven to have been obtained under torture, inducement, demeaning treatment or threat thereof shall be rendered void.

110. The Juvenile Accountability Act stipulates that the Juvenile Police are responsible for gathering evidence in juvenile cases and arresting juvenile delinquents and those vulnerable to delinquency, with due regard to the procedures stipulated in the Criminal Procedure Act. The Juvenile Police are responsible for investigating juvenile cases and bringing public prosecutions before the courts, together with specially trained members of the juveniles' department of the Public Prosecution Service in order to ensure the rights of the child regarding criminal liability. No pre-emptive measure appropriating the authority of the parent/guardian may be taken without the permission of the latter.

111. Under article 214 of the Omani Penal Code, anyone who abducts or sequesters a minor under the age of 18, even with his consent, in order to remove him from the authority of his legal guardian or custodian, shall be punished. Article 217 penalizes anyone who neglects or abandons a child under the age of seven or a person unable to protect himself due to physical or mental incapacity, or causes him to resort to begging.

112. Article 4 of the Tourism Act, promulgated by Royal Decree no. 33/2002, forbids all facilities, companies and offices engaged in any sort of tourism activity from allowing any acts that conflict with public order and public morals or are prejudicial to the well-being of society or the security and stability of the country.

113. Article 4 of the Trafficking in Persons Act, promulgated by Royal Decree no. 126/2008, holds that a person shall be deemed to have committed the crime of trafficking in persons if, intentionally or for purpose of exploitation, he makes use of, transports, shelters or receives a person. Article 9 imposes a more severe penalty, if the victim is a juvenile or has special needs.

## **I. Measures taken to promote rehabilitation and social integration**

114. The Care and Rehabilitation of the Disabled Act is an indication that the State works tirelessly to train specialists in the field of disability, enabling them to make an early diagnosis of disability and provide appropriate assistance and services for persons with disabilities. The State provides services for the disabled, commensurate with their sensory, physical and mental capacities. The Ministry of Social Development, in coordination with the relevant bodies, provides suitable vocational rehabilitation for persons with disabilities.

115. The Juvenile Accountability Act provides for the establishment of special departments for the care and rehabilitation of juvenile delinquents, such as the Department

of Juvenile Affairs, the Juvenile Guidance Home, the Juvenile Supervision Home (within the Juvenile Police unit) and the Juvenile Reform Home. Juvenile cases are heard exclusively by special courts.

116. The Act clarifies the reform measures to be applied to a juvenile delinquent: confinement in a suitable reformatory for rehabilitation; probation (i.e. placement in the juvenile's natural environment under the guidance and supervision of a social worker); enrolment in vocational training at a special centre or State-owned factory or farm, where the juvenile delinquent is obliged to carry out certain social or religious duties on a regular basis at set times; or confinement in a health institution attached to a specialist hospital. Furthermore, the law regulates subsequent welfare measures designed to help the juvenile delinquent integrate into society after the term of the reform measure ends, to overcome any difficulties he may face adjusting to his new circumstances and to ensure that he will not return to delinquency.

## **VI. Family environment and alternative care**

117. With reference to the Committee's observations on the Sultanate's reports on violence, harm, neglect and mistreatment, which focus on a lack of data, information and awareness of the extent of the mistreatment and exploitation of children within the family and in institutions, and the Committee's recommendation to conduct a study to assess the nature and extent of ill-treatment and exploitation of children, review legislation and formulate policies and programmes to address these problems, it should be noted that the subject of child protection was discussed at a meeting of the NCFI in May 2007. Pursuant thereto, it was decided to form teams to study the extent of the abuse of children, both within the family and wider society. Ministerial Decision no. 78/2008 was subsequently issued, to regulate the work of these groups in all governorates. Membership of these groups consists of the following bodies: the Ministry of Social Development, Ministry of Education, Ministry of Health, the Public Prosecution Service, Royal Oman Police and Omani women's associations. The Ministry of Social Development convened a seminar on social protection in December 2011 to review and assess achievements and the difficulties faced. The aforementioned teams were reformed, pursuant to Ministerial Decision no. 345/2012, by the addition of new members representing relevant bodies, with the goal of furthering the work and unifying diverse efforts.

118. Within the framework of cooperation with UNICEF, the Ministry of Social Development benefitted from the expertise of the River Jordan Foundation in making a full assessment of the situation in relation to abuse and the efforts of the said teams. An assessment study of the situation was prepared, followed by an action plan that included the preparation of a manual and training programme for those working in areas of abuse. The plan is currently being implemented with UNICEF and involves the preparation of a handbook for family protection workers and the training of professionals, including teachers, law enforcement staff and professionals working in the relevant fields.

119. The Ministry of Social Development organizes public awareness raising campaigns through workshops, seminars and forums dealing with programmes to protect children from abuse and making families aware of positive methods of raising children through the family-oriented programmes of the Department of Family Guidance and Counselling.

120. The Ministry of Education seeks to raise the awareness of teachers and students of the effects of abuse. Furthermore, the Ministry of Health implements guidance programmes for children, specialists and physicians and runs seminars for physicians and healthcare auxiliaries on how the registration form is to be used by the victim of abuse, as well as workshops for media specialists and legal workers.

121. The system of reporting followed when receiving, monitoring and investigating complaints undoubtedly plays a fundamental role in protecting children from abuse. Reports are usually submitted through police stations, hospitals, schools and family development offices in each governorate. Furthermore, the reporting and follow-up section of the National Human Rights Commission has a clear role to play, given the cases it monitors and receives.

122. The Ministry of Social Development has established a free family counselling telephone hotline that families and children can contact. It is a simple matter for the operators of this hotline to get in touch with State agencies, such as police, health and social welfare bodies and child-focused NGOs in order to enhance its intervention and follow-up model. The advice line service helps to address many complaints concerning family and child.

123. Welfare, recuperation and social reintegration services are provided by specialist hospitals. Furthermore, the Ministry of Social Development has been working upon creating a suitable mechanism for abused children and has set up a welfare and rehabilitation home for such children. Ministerial Decree no. 330/2012 concerns the Family Protection Department which, in addition to this home, has special woman and child protection sections. The ministry called upon the assistance of an Arab and international expert to present a study on this matter and subsequently to formulate concepts for rehabilitation programmes and after-care.

124. The training of teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of cases of ill-treatment of children is one of the key programmes implemented by the ministries of health, education and social development, either within their own plans or within the framework of the teams studying and monitoring the extent of child abuse.

125. It is undoubtedly the case that the participation of child protection specialists from the relevant ministries and teams studying and monitoring abuse of children in Arab and international conferences and workshops to discuss courses of action and the challenges facing several Arab States will help to promote the exchange of expertise.

126. It should be pointed out here, too, that the Sultanate has participated in most international and regional conferences and workshops on stopping violence against children. It is an active member of the committee monitoring implementation of the recommendations of the United Nations Study on Violence against Children. In addition, fact-finding visits have been made by carers and specialists to several countries to study their experience in protecting women and children.

127. The relevant ministries, with the help of UNICEF, have benefitted from Arab expertise in child protection. In collaboration with the River Jordan Foundation, a comprehensive evaluation of the situation of child protection has been prepared and a three-year action plan formulated. In this regard, the relevant ministries are currently liaising with the WHO to learn from its health programmes.

128. With reference to the Committee's observation on the preamble to Secretary-General's in-depth study on the question of violence against children and related questionnaire, and to the recommendations of the report of the independent expert for the United Nations study on violence against children, it should be noted that the Sultanate has participated in providing the information required for these documents and, through the mechanism of the Arab League committee monitoring implementation of the recommendations of the Secretary-General's study, is keen to provide periodic reports on its own efforts. The establishment recently of a Family Protection Department in the Ministry of Social Affairs is one of the most significant child protection measures. This



department is also involved in the process of monitoring the recommendations of the Secretary-General's study and the independent expert's study.

129. With reference to the Committee's observations on the second periodic report and its recommendations on alternative care, involving taking appropriate measures to abolish such punishments for behaviour deemed immoral (pregnancy outside wedlock), which separate children from their parents and affect the right of the child to be cared for by his/her parents, it should be noted that the Sultanate adheres to the Islamic Shariah, which regulates relations between people. Furthermore, the values, customs and culture of Arab and Islamic societies, including our Omani society, do not acknowledge or encourage relationships outside marriage.

130. It should likewise be noted in this context that the Sultanate is committed to the preamble to the Convention on the Rights of the Child and article 5 thereof, which regard the family as the fundamental unit of society and natural environment for the growth and well-being of all its members, particularly children. Accordingly, the family should be afforded the protection and assistance to necessary to enable it to assume fully its responsibilities within the community. The measures followed by the Sultanate in such cases are based upon the principle of protection of the child and its best interests and involve providing full protection and care for the child by means of alternative care in the bosom of a normal family or care within an institutional framework, such as the Childhood Care Centre.

131. To ensure an effective mechanism for the system of alternative care, including the care provided by the Childhood Care Centre, the Ministry of Social Development worked toward promulgation of the statute regulating family care and fostering, pursuant to Ministerial Decision no. 49/2007, amended by Ministerial Decision no. 138/2011, which sets out the procedures for placing a child with a foster family. Furthermore, the statute regulating the Childhood Care Centre regulates the provision of integrated services designed to integrate the child into society. The ministry forms teams to monitor children in foster families on a continuous, regular basis and to report on the extent to which the foster family fulfils its obligations. Monitoring is carried out by a special section, helped by a team of trained professions.

132. A database has been created for this purpose, containing full information on children and foster families. Its data and indicators make it possible to assess the standard of living and the health and educational situation of children in foster care; the living standard of foster families is monitored on a regular basis. The Department of Family Guidance and Counselling offers counselling programmes in certain cases where a child has difficulty adapting to and integrating into a foster family.

133. In addition to the aforementioned regulations and measures adopted, the ministry benefits from counselling manuals and programmes made available by the specialist organizations of the Arab League and Gulf Cooperation Council, as well as from pioneering Arab and Islamic experience through visits to these countries, in developing the quality of the care and associated programmes and services offered.

134. The statute regulating the Childhood Care Centre guarantees children the right to express their opinions, including submitting complaints in the event of problems. Suitable opportunities are available for them to seek advice at their own request or at the request of child specialists. The ministry's Department of Children's Affairs holds counselling sessions and interviews families prior to fostering. It also organizes educational and instructional lectures for foster families. Through this department, the Department of Family Guidance and Counselling and the Family Protection Department, the ministry implements many programmes aimed at providing guidance for parents and other caregivers on their child-rearing responsibilities and on children's development, including

their evolving capacities. In addition, the Ministry of Social Development has published booklets and informational literature for families on developing children's capacities and solving the problems they face at different stages of growth.

*Data on the numbers of children in childcare facilities can be found in the statistical annex.*

#### **A. Family environment and parental guidance**

135. The Sultanate's concern with the family environment and parental care has its roots in the Islamic Shariah and the Basic Statute of the State, article 12 (social principles) of which stipulates that the family is the basis of society and the law regulates the means of protecting it, preserving its legal entity, reinforcing its ties and values, looking after its members and providing suitable conditions to develop their potential and capabilities. As such, the Government has been concerned to take a number of administrative measures to strengthen the role of the family and parental care by, for example, establishing the General Directorate of Family Development, the organizational framework of which includes the Department of Children's Affairs.

136. Article 133 of the Personal Status Act stipulates that the father or legal guardian(s) of the child shall take an interest in the child's affairs and instruct, guide and educate him/her. Section 3 regulates the rights of the parents, the most important of these being kindness, mutual respect, safeguarding the well-being and cohesion of the family, caring for the children's education and providing a proper upbringing. The Personal Status Act further regulates the legal amount of maintenance and sets out the terms and conditions of payment and terms under which it may be claimed. It is stipulated that the wife shall receive the lawful home and the husband shall be obliged to support his family – voluntarily, in compliance with the demands of family life, and compulsorily, if he breaches his obligation to pay support.

137. Through its directorates and centres distributed across the entire Sultanate, the Ministry of Social Development runs family education activities to raise parents' awareness of the importance of their role in their children's lives. These activities cover topics relating to the stages of a child's development, the psychological, health and educational needs which are prerequisites for the development of personality and capacities, and how parents should deal with children's needs.

138. Certain non-governmental organizations, such as the Omani Women's Association and Omani Association of Social Workers, disseminate information on the Convention on the Rights of the Child in the community and educational institutions, targeting all sections of society, including children. Furthermore, they undertake specialist orientation programmes linked to the nature of the services offered (e.g. eradication of illiteracy, learning difficulties).

#### **B. Parents' common responsibilities, assistance to parents and the provision of childcare services**

139. Parents' responsibility to care for and supervise their children has its roots in the Islamic Shariah. In addition, the Personal Status Act regulates the rights and duties of parents and children. The responsibility of parents consists in providing all the requirements of the stages of physical, psychological and social development which help the child to develop a sound, balanced personality, raised on the higher principles and values. The Government and NGOs are keen for the family bond to be preserved and for the child to remain with his family. As such, parents are given help to provide care and protection. Help

and support are provided by Ministry of Social Development centres and consist of family programmes to help both parents, as well as training workshops for families and childcare workers, in collaboration with UNICEF, to rehabilitate the individual and enable him to integrate into the community and social environment through support and rehabilitation programmes in the home/family (e.g. the care for the elderly programme). Alongside this, health seminars and health education activities are held in every governorate of the Sultanate by the Ministry of Health and Omani women's associations. The Ministry of Education offers a literacy programme.

140. Article 36, clause 5 of the Personal Status Act stipulates that it is the responsibility of both parents to raise their children and that they are jointly responsible in respect of personal and shared duties and obligations to build a sound family that will provide the children with a proper and thorough upbringing to prepare them to assume responsibility in society. Furthermore, under the law, child maintenance takes precedence over any other maintenance, including parental maintenance. The father is obliged to pay such maintenance, which covers food, housing, clothing, education, health and all other needs of the child, including breastfeeding.

141. Articles 212 and 213 of the Omani Penal Code punish a father who fails to support his legitimate or illegitimate child or abandons him in a state of need, either by refusing to support him or failing to provide the means of his support.

### **C. Separation from parents**

142. The Personal Status Act guarantees that a child shall remain under the guardianship, custody and care of his parents and only be separated from them in the cases defined by law. The parents shall provide all the requirements for the child's physical and moral development. To ensure that the child's best interests are protected, if the parents separate, the Personal Status Act regulates the right of custody and right of visitation on a basis that maintains the relationship between the child and his parents to ensure his psychological balance and upbringing so that he will be a fit member of his family and homeland. It should be noted that the Omani judiciary takes into account the right of the child (i.e. a child who has reached the age of discrimination) to choose whether he should remain under the custody of the mother or father after separation. The judiciary guarantees children the right to stay with the mother, if that is their wish. Note that, in the Islamic Shariah courts, there are social workers whose job it is to assist judges by conducting a social investigation into the family situation of children and the effect on them of separation, with the aim of bringing about a rapprochement and reconciliation between the parents to ensure reunification of the family and proper upbringing of the children.

143. It should be noted that the right of the child to maintain good relations with both parents in the event of separation is the intended goal of the custody system. In the event that separated parents fail to agree on visitation arrangements, the judge will set places and times for visitation. Article 15 of the statute regulating family care and custody indicates that a child may be removed from his family, if the situation requires and may be returned to the family, if the reasons which led to his being confined in a social institution no longer apply.

### **D. Family reunification**

144. The Personal Status Act ensures the right of the child to preserve his family relationship. Accordingly, conditions have been placed on the right of the child and the parents to leave the country, taking into consideration that the best interests of the child are

served by maintaining his relationship with the parents and living with them together in the same house, so that he can be provided with health, psychological and social care and be provided for, looked after and raised. The law specifies measures designed to preserve the rights of the child. To reunite a child with his family, the Aliens' Residence Act grants residence to either of the spouses and those of their children living with them who have not yet reached the age of 21, unless they have been granted residence for themselves. There were no cases in the period 2006–2012 due to the absence of refugees or any case requiring family reunification.

## **E. Recovery of maintenance for the child**

145. To protect the child's economic interests, the Personal Status Act makes financial support of a girl the father's responsibility until she marries and of a boy, until he is able to work, unless he is a student pursuing a course of study. Furthermore, under article 47 of the same Act, the legislature accords maintenance priority over other financial obligations.

146. The Social Security Act, promulgated by Royal Decree no. 78/84, defines the persons entitled to receive a monthly stipend, including orphaned and disabled children and the families of prisoners, on condition that they lack an adequate source of livelihood and have no benefactor. Pursuant to Royal Decree no. 100/2007, amending certain provisions of the Social Security Act, monetary assistance or assistance in kind is distributed to needy families and individuals not in receipt of a stipend. Assistance is also paid to alternative families.

*Data on amounts disbursed on social security cases can be found in the statistical annex.*

147. To ensure that legal maintenance is paid, Royal Decree no. 115/94 was promulgated, defining cases of assignment and attachment of employee earnings. Article 1 stipulates that the assignment or attachment of salaries, allowances and entitlements of employees of the administrative apparatus of the State, whose employment affairs are regulated by laws, royal decrees and special rules is impermissible except in payment of lawful maintenance or a fixed debt to the Government and then of not more than one-quarter of salary, allowance or entitlement. Upon compliance, a debt of maintenance shall have priority.

148. Omani society has expressed concern for the rights of orphan or minor children by vesting certain powers in the Directorate General for the Management and Investment of Orphans' and Minors' Funds pursuant to Decision no. 87/2000 of the Ministry of Justice. These powers consist in receiving the lawful shares of the cash funds of orphans and minors transferred by the Shariah courts, as well as investing the funds transferred to them by the courts in a range of lawful commercial investments. The Shariah courts go to great lengths to disburse to orphans and minors funds belonging to them that are held with the directorate general or have accrued to them from these investments on the basis of written orders from the competent courts until they reach the age of majority or their majority is established by court decision. The directorate general conducts a final accounting and liquidation of the investment and returns the capital, with profits, to adults of full legal age or minors whose majority has been established by legal decision.

## **F. Children deprived of a family environment**

149. The Government has taken full measures to protect children deprived temporarily or permanently of a family environment. Such children have the right to protection and help and the State, pursuant to national laws, makes alternative care available to them — in accordance with the concepts of fostering (*hadana*) and tutelage (*kafala*) in the Islamic

Shariah — or residence in appropriate childcare institutions. It should be noted here that Omani society began applying the alternative care system for needy children in November 1988, after the issuance of Ministerial Decision no. 96/88, amended by Ministerial Decision no. 49/2007. The alternative care system is defined as the admission of one or more children of unknown parentage or unknown father or from a broken home into an Omani family with the aim of sheltering and caring for that child and assuming responsibility for his upbringing on behalf of the State. The fact is that this system has met with acceptance on the part of citizens, who have sought thereby to obtain merit and divine reward and, in some cases, to satisfy the maternal and paternal instinct, especially of those who cannot have children of their own. The statute regulating family care and fostering sets out the conditions and procedures for fostering as follows: the family must be Muslim and Omani, consist of two virtuous spouses (if necessary, a child may be fostered by a woman only) and aged between 25 and 55; they must be of good character and conduct and be able to care for the child socially, psychologically and economically, according to the social investigation to be conducted by the competent bodies; priority in fostering is given to an economically affluent family.

*Data on the numbers of children placed in the Childhood Care Centre can be found in the statistical annex.*

150. Article 21 of the statute regulating family care and fostering requires the foster family to be helped financially to care for the children they are fostering. This assistance is paid monthly, with the regulation specifying the amount based on the circumstances of the foster family. With this measure, the Government helps foster families to provide for the needs of the children they foster.

151. Additionally, the alternative care section of the Department of Children's Affairs works hard to explain the fostering process: the competent body studies the application and, after ascertaining that the above conditions are met, the department undertakes a field visit to the family applying to foster. A report is prepared on the results of the visit and submitted, with the departments' recommendations, for approval. The family then receives the child from the competent body, after signing an undertaking to provide the child with all-round care. The situation of foster families is regularly monitored. It should be noted that, according to the statistics for the second quarter of 2011, there were 344 (three hundred forty-four) foster children across the country.

*Data on the number of children in foster families can be found in the statistical annex.*

152. Under the Social Security Act, promulgated by Royal Decree no. 87/84, and the Personal Status Act, the ministry provides financial assistance and assistance in kind to orphans in foster families, through the Directorate General of Social Care and directorates of the Ministry of Social Development in the governorates and provinces.

153. The concern with this group of children is evident from the provision of social security assistance, if they belong to families with limited incomes. Assistance is provided in the form of a monthly payment received by the orphan to help him meet his basic needs.

*A schedule showing the number of orphans and the amounts disbursed to them by governorate in 2011 can be found in the statistical annex.*

154. Children deprived of a family environment are further cared for through the institutional alternative care programmes of the Childhood Care Centre which, as a social institution, seeks to provide services and programmes for the children in its care. These services include: living care, which consists in the provision of special residential accommodation for children aged from one month to 13 years old, with suitable accommodation provided for older girls, as well as accommodation for boys from the age

of 13 until they finish school and enter society. They are assigned self-contained rooms under the care of trained supervisors and follow programmes to help their rehabilitation. The children are provided with suitable clothing, meals and healthcare, including treatment at referral hospitals and health centres, as well as recreational activity services to bring happiness and joy into their hearts. Their knowledge is developed and visits and trips to heritage sites in the Sultanate are arranged to inform them about the achievements of their country and deepen their sense of national belonging. However, the services provided to these children are not confined to the above. The Childhood Care Centre is concerned with education, too, and enrolls children in public and private schools, in addition to enrolling those between the ages of one and three years in its own in-house nursery. Older children of pre-school age attend kindergarten outside the centre. The statistical data show that 64 children are enrolled in school, including nurseries and private and public schools.

155. In view of the nature of the social circumstances which cause children to be enrolled, the centre goes to great lengths to provide psychological and social healthcare programmes that consist in implanting sound values and habits in the child to give him a proper upbringing.

### **G. Periodic review of child placement**

156. The competent bodies in the Ministry of Social Development are responsible for monitoring the foster family on a regular basis or as needed and reporting on the extent of the family's commitment to its obligations. If it is established in the course of regular monitoring or on the basis of the reports that the family has failed to meet its obligations to the foster child or has harmed him, the competent body will give the family a written warning regarding the deficiencies in its care. If the family does not respond or if the failure is a serious one, the minister or undersecretary will issue a ruling cancelling the fosterage and the child will be returned to the competent body to be placed with another foster family or social institution. The ministry runs courses to train social workers in how to study cases of fostering and monitor children in foster families.

157. The ministry amended the statute regulating the position of children in need of care, promulgated by Ministerial Decision no. 96/88, by promulgating a new statute on family care and fostering pursuant to Ministerial Decision no. 49/2007, placing children with disabilities who have lost parental care and are subject to abuse in special institutions.

158. The Ministry of Health is responsible for providing treatment and essential medical services for children placed in the centre. Furthermore, teams study and monitor cases of child abuse among orphans and the like. If it is evident that children are being abused, the team informs the ministry accordingly and the ministry, in turn, takes the necessary measures to ensure the child is protected, including transferring him to the Childhood Care Centre.

### **H. National and inter-country fostering and adoption**

159. Pursuant to the stipulation in the Basic Statute of the State that the Islamic Shariah is the basis of legislation and in the light of the fact that the Shariah does not permit adoption, Omani law, too, does not permit adoption. However, it does admit the possibility of fosterage by families wishing to care for children who have lost parental care, in accordance with the statute on family care and fostering, promulgated by Ministerial Decision no. 49/2007. This statute permits the fostering of children by Omani families, particularly those who are unable to have children of their own. Furthermore, the Government provides these children with various types of assistance, including social

security benefits pursuant to the Social Security Act, promulgated by Royal Decree no. 87/84. Additionally, these children have the right to a full name, including assignment to a tribe, the right to Omani nationality and the right to be educated to university degree level. They are also offered vocational and other types of educational guidance programmes.

## **I. Illicit transfer and non-return of children**

160. Under article 134 of the Personal Status Act, it is prohibited for the custodian of a child to travel outside Oman without the consent of the child's legal guardian. If the guardian fails to give consent, the matter is brought before the summary proceedings judge. If the child is transferred contrary to the above, the court may order his or her return to the country.

161. The Omani Penal Code punishes anyone who removes a minor under the age of 18, even with his consent, from the authority of his legal guardian. Furthermore, the last amendment to the statute regulating family care and fostering, promulgated pursuant to Ministerial Decision no. 352/2012, restricts fostering to Omani families. According to information and data from the Directorate General of Inquiries and Criminal Investigations of the Royal Oman Police, no children have been transferred abroad unlawfully. However, Omani families may take a foster child abroad and travel on holiday with him. An authorized certificate in Arabic and English is issued by the Ministry of Social Development to make it easy for foster families to take a foster child abroad with them and to complete and facilitate travel arrangements. Note that some families send foster children abroad to complete their tertiary education.

## **J. Abuse and neglect (protection of the child from all forms of violence)**

162. Like other Arab countries, the Sultanate of Oman suffers from a scarcity of recorded statistics on instances and numbers of children who have been subject to violence and abuse. The Directorate General of Inquiries and Criminal Investigations of the Royal Oman Police indicates that most cases of child abuse in the Sultanate between 2006 and 2011 were crimes of simple bodily harm, followed by affront to dignity and crimes of indecent assault. The smallest percentage of crimes were cases of abduction, deprivation of liberty and grievous bodily harm.

*A schedule showing the numbers and cases of child abuse in the period 2006–2011 can be found in the statistical annex.*

163. In the light of the Sultanate's concern to develop methods of family protection, Ministerial Decree no. 330/2012 was adopted, establishing the Family Protection Home. This consists of three sections: family protection home, programme section and protection mechanisms). The department will monitor cases of abuse referred to it and seek to give fresh impetus to the Children's Bill. Furthermore, Ministerial Decision no. 345/2012, on reforming teams to study and monitor cases of child abuse in the governorates, has been adopted.

164. The types and numbers of cases of child abuse vary by governorate. Al-Batinah North and Al-Batinah South occupy first place for crimes of simple bodily harm, with 571 (five hundred seventy-one) victims, followed by Muscat Governorate, where there were 279 (two hundred seventy-nine) cases. Al-Wusta Governorate had the lowest incidence of such crimes, with only seven cases.

*A schedule showing the types and numbers of cases of child abuse by governorate can be found in the statistical annex.*

165. The Sultanate of Oman has taken numerous measures to put an end to violence against children by enacting legislation forbidding all forms of physical and mental violence against the child, including corporal punishment, deliberate humiliation, physical harm, ill-treatment, neglect and exploitation. These are the forms of violence which are practised against children within the family environment, foster family or other types of care and public and private institutions, such as prisons and schools.

166. Regarding protection of the child within the family environment, articles 212–217 of the Omani Penal Code stipulate that a parent or guardian is to be punished for dereliction of family duties, such as leaving a minor in a state of need, failing to pay maintenance, endangering the guardianship of a minor or neglecting a minor or a person who is incapacitated. The code also ensures protection of the child from any abuse, assault or neglect he may face from a foster family. Article 218 sets penalties for indecent assault, which is more severe if committed against a child under 15 years of age or if the offender is an older relative of the victim, a person responsible for the child's care, a person with authority over the child or a servant in the house of those persons. Articles 220–222 set the penalty for pandering or running a place of prostitution, the punishment being more severe if the victim is a child under the age of 18. Article 224 of the code punishes those who commit scandalous sexual acts in public. Furthermore, the code punishes any person who causes harm to anyone in such a way as to endanger his life, dignity or body or who incites to or assists in suicide. In this case the punishment is more severe if the victim is a child under the age of 15. Killing, even out of compassion at the request of the victim, is punishable.

167. The concerned ministries go to great lengths to raise the awareness of educational and social institutions of the need to avoid violence. Examples include the production by the Ministry of Education of several educational programmes and regulations, such as the student affairs statute in basic education schools, which stresses the need to end certain traditional practices when addressing student behaviour. This statute clearly regulates the relationship between teacher and student at school.

168. The statute emphasizes the importance of using modern, positive methods in dealing with student behaviours. Articles 16–21 contain procedures for dealing with different student behaviours, ranging from advice and guidance to caution and verbal and written warning to temporary suspension in its various forms. Guidance programmes have been prepared to ensure that the situation does not get to the point of expulsion. Additionally, other regulations ensure that the child is physically and legally protected and physical aggression is avoided. The Ministry of Health has issued directives to the accident and emergency departments of the country's hospitals concerning the need for practising physicians to identify the slightest signs and indications of abuse and to take measures to protect the child.

## **VII. Disability and basic healthcare and welfare services**

### **A. Children with disabilities**

169. With reference to the Committee's comments on the Sultanate's first report, concerning providing proper means of access for children with disabilities to adequate social and health services, including community-based support services, inclusive quality education, the physical environment, information and communication facilities and standard advanced services, the Sultanate would like to advise that it has conducted numerous studies and surveys to understand the causes and extent of disability among children. Furthermore, it has sought to implement a number of programmes to promote



access of children with disabilities to services in all areas, including rehabilitation programmes and family support. The report subsequently sets out in detail these programmes, activities and measures, which, in their implementation, observe the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the committee's recommendations on the day of general discussion regarding children with disabilities.

170. Regarding the Committee's comment on the second periodic report, that the State party expedite adoption of the bill for the care and rehabilitation of persons with disabilities, develop a national policy or strategy on persons with disabilities and extend the services offered to children with disabilities, the Sultanate would like to advise that the Disabled Persons Welfare and Rehabilitation Act was promulgated by Royal Decree no. 63/2008 and work is currently underway on preparing a national strategy on persons with disabilities. Furthermore, the Ministry of Social Development, in coordination with the Ministry of National Economy (previously) and the Supreme Council for Planning (currently), has set up a statistical database on the disabled that covers children with disabilities. When conducting the last population census (2010), data was compiled on persons with disabilities in general and children with disabilities in particular.

171. It should be noted that the Sultanate has made it possible for children with disabilities to access suitable health, education and social services in each governorate, just like able-bodied children, through Al-Wafa Centres for Rehabilitation of Children with Disabilities in the governorates, where services are offered free of charge to children, with Government supervision and support, working alongside the private sector to advance the situation of persons with disabilities.

172. In the light of the Disabled Persons Welfare and Rehabilitation Act, the National Committee for the Care of Persons with Disabilities was formed pursuant to Ministerial Decision no. 1/2009, under the chairmanship of the Minister of Social Development and with representatives of relevant governmental bodies and the private sector, as well as of persons with disabilities. Its mandate is to coordinate and strengthen plans and programmes for the prevention of all types of disability and to detect disability early on and limit its impact. It also prepares training programmes to rehabilitate and integrate disabled persons, including children, into society and enable them to participate fully in social life with their peers.

173. The results of the last population census and a number of studies and surveys show that persons with disabilities make up 3.2% of Omani society. Among Omani children, the figure falls to only 1.2%, of whom 55.6% are male and 44.4% are female. Approximately 73% of disabilities are congenital and the most widespread disability among children is poor vision, even with the use of glasses (visual impairment). As regards the numerical distribution of children with disabilities, Al-Batinah South Governorate is in first position (21.6%), followed by Muscat Governorate (17.5%). On the basis of the scientific methodologies recommended by the United Nations Statistical Commission for monitoring disability, Al-Dhahirah Governorate came first in terms of the spread of disability among Omani children in the 2010 census.

*Data on the numerical distribution of children with disabilities in the governorates of the Sultanate and the percentage distribution of disability among Omani children can be found, together with other data, in the statistical annex.*

174. Examples of healthcare measures aimed at persons with disabilities are as follows:

(a) The services offered in the health sector are of two kinds: preventive and curative. As regards preventive services, the Ministry of Health goes to great lengths to eradicate a number of diseases that cause disability, such as diseases of the nervous system, hypothyroidism, poliomyelitis etc. Indeed, the Sultanate is at the forefront of the battle

against poliomyelitis and no cases of the disease have been recorded in the country since 1994, due to the high level of inoculation (99% in 2010). As regards curative services, the medical rehabilitation centres found in a number of hospitals offer natural therapy, occupational therapy, chiropractic therapy, stroke therapy and speech and language therapy for persons with disabilities, in line with available resources. In addition, an orthotics and prosthetics service is available. Furthermore, other health services for children with disabilities accompanied by mental and psychological disorders are offered at Al-Masarra Psychiatric Hospital, which has a special clinic for children and adolescents for the treatment of psychological and nervous diseases. The Ministry of Health is studying the possibility of opening an occupational therapy programme in health sciences institutes.

(b) All new-born babies in the Sultanate receive a thorough examination to ascertain that they are free of congenital malformations and congenital hip dislocation. Since 2006, two early screening programmes for new-born babies — for hearing and hypothyroidism — have been introduced in Ministry of Health hospitals and other Government hospitals.

(c) All cases of congenital malformation identified at healthcare facilities are monitored by means of a dedicated database.

(d) The Ministry of Health, in collaboration with the Ministry of Social Development and other concerned bodies, is working to raise the level of awareness among citizens of the aetiology of disability, the problems it causes, methods of preventing it, how to live with it and ways of dealing with children with disabilities and helping them to gain confidence in their abilities.

(e) Health services are provided for children with disabilities in schools through the school health programme, in collaboration with the Ministry of Education. Healthcare is provided for students of the Amal School for the Deaf and Tarbiya Fikriya School. The oral and dental hygiene programme offers dental check-ups and tooth coating for children with disabilities from mobile dental units.

175. Examples of education measures aimed at persons with disabilities are as follows:

(a) The Ministry of Education has adopted two approaches to the provision of educational services for children with disabilities capable of studying. The first is enrolling students with disabilities in one of three specialist schools: Amal School for the Deaf, which is concerned with those with hearing disabilities (deafness and poor hearing), Tarbiya Fikriya School, which educates those with mild and moderate intellectual disabilities and Omar bin al-Khattab Institute for the Blind. The other approach has been in operation since school year 2004/2005 and consists in absorbing certain children with hearing or intellectual disabilities into regular school classes in order to provide opportunities for teaching the largest possible number of children with such disabilities in all governorates of the Sultanate and promote their social and educational development alongside their fellow, non-disabled, students, as well as families and relatives. Furthermore, children suffering from motor disabilities are enrolled in public schools.

(b) The efforts mentioned in the previous paragraph have undoubtedly contributed to increasing the percentage of disabled Omani children in the 10–17 age group holding educational qualifications to 58% in 2010. According to the 2010 population census, the illiteracy rate among disabled Omani children in the age group 10 and above is approximately 26% – i.e. 1,592 (one thousand five hundred ninety-two) children. Approximately 80% are severely disabled and 60% suffer from memory problems, lack of concentration and lack of self-concern, according to the 2010 population census. It appears that around 51.5% of Omani children with disabilities were enrolled in educational institutions at the time the census was being conducted, of whom 5% were attending kindergarten.

(c) The number of schools pursuing educational integration in school year 2010/2011 was 85, attended by 919 (nine hundred nineteen) male and female students. The expansion in the enrolment of children with disabilities in these schools and rise in the number of children absorbed into the public school system helped to reduce the number of children in special education schools both inside the Sultanate and abroad between 2006 and 2010. Note that integration of students in the Sultanate covers the 6–25 year age group, while outside the country, it covers students in the 8–21 year age group.

(d) In order to provide the best care for persons with disabilities enrolled in education, a department of special education has been established within the new organizational framework of the Ministry of Education, pursuant to Ministerial Decree no. 69/2008. The department consists of three sections: special education schools, care for the talented, and integration and learning difficulties. Furthermore, a committee has been formed by the Ministry of Education to study amendment of the statute regulating special education schools, promulgated by Ministerial Decision no. 26/2006.

(e) Under a ministerial decision of 2005, a team has been formed at the department of special education to prepare intelligence, psychometric and social tests for students, given the importance of identifying educable cases and pinpointing the position of students with disabilities on the normal distribution curve in terms of intellectual capacities. The team includes a number of specialists from ministries concerned with the welfare of children with disabilities, UNICEF and several international organizations.

176. Examples of education measures aimed at persons with disabilities are as follows:

- The Ministry of Social Development's sustainable development plans focus on a number of goals, including supporting and strengthening the active involvement of the family in the provision of services to persons with disabilities, integration of the disabled into society and social and educational life, early detection of disability, provision of services in such cases at an early age and other goals consistent with the United Nations' Standard Rules on the Equalization of Opportunities for Persons with Disabilities;
- To reduce the material burden on families of children with disabilities, the Ministry of Social Development pays financial assistance to children with disabilities under the age of 18, pursuant to the Social Security Act, as amended by Royal Decree no. 100/2007. The total number of children in receipt of the social security stipend in 2011 was 3,427 (three thousand four hundred twenty-seven);
- Disability diagnosis and identification services are provided, as well as appropriate rehabilitation services and support for children and their families, through centres for the care and rehabilitation of the disabled, whose job it is to provide rehabilitation, therapeutic and training services to children with disabilities from every governorate of the Sultanate;
- In view of the vast geographical area of the Sultanate and in order to meet the welfare and rehabilitation needs of persons with disabilities, a total of 23 Al-Wafa Social Centres have been established across the entire country, where specially trained and qualified staff provide welfare and rehabilitation services. Female volunteers follow the diploma programme in special education at Sultan Qaboos University and, in 2012, 25 female volunteers working in these centres took a one-year intensive training course in autism, in collaboration with the Kuwait Centre for Autism;
- Within the context of the concern to foster the role of the private sector in the provision of welfare services in general and welfare and rehabilitation services for persons with disabilities in particular, five special rehabilitation centres in Muscat

Governorate have been licensed to practice as rehabilitation centres for the disabled by the Ministry of Social Development under the statute regulating the establishment of rehabilitation centres for the disabled, promulgated by Ministerial Decision no. 124/2008;

- On 15 January 2012, construction began on a home for the care of children with severe disabilities, at a cost of OMR 2,095,682.811. The home will admit new cases, in addition to 34 cases sent to the Hashemite Kingdom of Jordan, where they are currently being provided with care and shelter, and nine cases in care homes attached to the Ministry of Social Affairs and Labour in the State of Kuwait. This home will also admit a number of cases attached to the Ministry of Education, who were repatriated in March 2013 to complete rehabilitation in the Sultanate and are currently being cared for in a temporary rehabilitation facility until the home is complete;
- The Ministry of Social Development's concern to foster the role of the non-governmental sector in the area of care and rehabilitation of persons with disabilities is exemplified by encouraging NGOs to support the Government's efforts, creating other sources of funding and making available the expertise necessary to support children with disabilities and their families. There are two Omani NGOs working in this area: the Association for the Welfare of Handicapped Children and Association of Early Intervention for Children with Disability;
- The Ministry of Social Development is concerned with the sporting life of persons with disabilities, including children, and works in coordination with the Ministry of Sports Affairs to ensure their participation in social, sporting and cultural activities by establishing local, regional and international sports camps and competitions. The ministry is also keen to provide ways of enriching their cultural lives and their participation in events at home and abroad. Sports events have been organized within the Sultanate for the disabled in general and children with disabilities in particular. These include sport days targeting Omani children in the 6–14 age group in all governorates and provinces;
- To foster easy and relaxed contact between persons with hearing disabilities and others, 11 courses and seminars were organized to introduce the Omani signing dictionary in all governorates. These courses were designed for carers and specialists from governmental and non-governmental organizations, family and friends of persons with hearing disabilities and those with whom they have contact, such as members of the Royal Oman Police, court staff and the staff of ministries and Government bodies;
- In coordination with specialists from the Public Authority for Radio and Television, the ministry provides simultaneous interpretation of news bulletins and certain programmes, events etc. by its own experts in sign language. The ministry has also worked in coordination with the Royal Oman Police to translate certain traffic signals;
- To ensure that persons with disabilities take advantage of the services and facilities on offer, the Government requires the relevant bodies to take the appropriate measures. These include compliance with the proper engineering specification for public places, highways and buildings, places of worship, leisure centres, shop entrances, parking spaces and other facilities used by the disabled, and providing public transport to facilitate their movement at airports and ports and on roads. In addition, the prosthetic and orthotic equipment and aids essential to the disabled and imported by rehabilitation centres or by disabled persons for their own personal use are exempt from customs duties;

- In coordination with the relevant bodies, the Ministry of Social Development provides a number of facilities for persons with disabilities, such as: granting, pursuant to Ministerial Decision no. 94/2008, the disabled person's card, which facilitates the provision of special services for the disabled and provides accurate and up-to-date statistics to support scientific planning; providing medical and prosthetic equipment and a variety of aids for persons with disabilities and the like, in accordance with the regulation on assistance to needy families and individuals promulgated by Ministerial Decision no. 54/90; working to facilitate access by persons with disabilities by removing architectural obstacles, particularly at entrances and exits of public buildings and facilities, thereby facilitating their movement and ensuring their safety; providing travel on public transport free of charge or at reduced prices; and offering reductions on airline travel.

177. It should be noted that the Sultanate completed a number of projects in 2006–2012 within the framework of cooperation with UNICEF, including training trainers in the home care programme (Portage), the action plan for persons with disabilities and the preparation of a handbook for the families of children with disabilities, as well as training trainers from every governorate in the country on the United Nations Convention on the Rights of Persons with Disabilities.

## **B. Survival and development of children**

178. Childcare services are provided in most hospitals and all health centres in the country. There were 50 hospitals and 186 health centres at the end of 2011. The health services provided to children cover all aspects of support, preventive, therapeutic and rehabilitative care, through a network of primary healthcare institutions, which support secondary referral hospitals. Furthermore, specific programmes targeting major health problems and sensitive groups have been formulated and implemented, adopting progressive, holistic strategies based on international scientific foundations and evidence.

179. The Ministry of Health accords special attention to training and raising the scientific and professional level of physicians through its Directorate General of Education and Training, the education and training sections in certain referral hospitals and the Oman Medical Specialty Board (established in 2007). The seventh five-year plan focuses on raising the capacities of health professionals in: the cardiac and respiratory resuscitation of new-born children, safe transport of children, reporting of mistreatment, integrated care strategies for childhood diseases and monitoring cases of child malnutrition.

180. The Sultanate has achieved a marked and rapid reduction in infant and child mortality rates in a relatively short period of time, due to the quantitative and qualitative expansion in health services, reinforced by continuously increasing levels of education and economic well-being. Infant mortality fell from 64 per 1,000 live births in 1980 to 9.5 in 2011, while child mortality (under-5 mortality) fell from 86 per 1,000 live births to 11.9 in the same period. Ministry of Health data indicate that the mortality rate among females is lower than males, with infant mortality standing at 8.9 for females and 9.8 for males and child mortality standing at 10.5 for females and 12.0 for males. These variations are consistent with global mortality patterns. Life expectancy at birth rose to 72.4 in 2011 from 57.5 in 1980. The raw mortality rate in Omani society was 3.1 per 1,000 population. The total fertility rate was 3.24 children per woman during her reproductive lifetime in 2011. Average age of first marriage rose to 26.8 for a woman and 29.1 for a man. It should be noted that there were no child deaths in the period 2006–2012 from poliomyelitis, respiratory diseases or malaria.

181. In 1976, the Ministry of Health began formulating five-year plans for health development and in 1986, it began implementing specific child health programmes within

the framework of the national plan for child welfare. Child health was incorporated as a separate area in itself, based on an existing executive plan developed from the strategic plan, as well as community plans supporting the governorate-level health plan contained in the seventh five-year plan (2006–2010).

### C. Health and health services

182. With reference to the Committee's observations on the initial report and second periodic report, focusing on malnutrition indicators of children under the age of five, anaemia among women and girls, vitamin A deficiency among nursing mothers and iodine deficiency among children, we would like to advise that the Ministry of Health adopted the national strategy to combat malnutrition in 2001, in collaboration with other governmental sectors and institutions and international organizations, with action continuing on the national plan over a ten-year period (2001–2010). Malnutrition-related diseases recorded a marked decline, from 128 cases per 1,000 children in 1995 to 5.2 cases per 1,000 children in 2011.

183. The most significant efforts in the period 2006–2012 were:

(a) Development of the capacities of clinics at primary healthcare centres to examine and monitor children suffering from malnutrition. Special handbooks have been developed for pregnant women, nursing mothers and children under the age of five and health workers have been trained in their use; monitoring and evaluation components have been included. A total of 15,657 (fifteen thousand, six hundred fifty-seven) children were registered in these clinics in the period 2006–2010;

(b) Establishment and supervision of provincial health committees, which make an effective contribution to the planning, implementation and tracking of solutions to the health problems of the community. Committees adopt community-based health programmes that rely upon their own resources. These include projects to address the problem of malnutrition among children under the age of five. Health committee projects entered in the best community-based project competition include:

1. A project to eradicate malnutrition among children under five in Wadi al-Muawil province;
2. A project to combat diarrhoea among children under five in Niyabat Tiwi, Sur province;
3. Addressing the problem of malnutrition among children under five in villages in the province of Dama Wa Taiyyin, and numerous interventions to ensure the health and proper nutrition of children.

184. Through Ministry of Health healthcare centres, exclusive breastfeeding up to six months is encouraged, with continued breastfeeding up to two years. Furthermore, breastfeeding units have been set up to store mother's milk and provide breast pumps for use in premature baby sections. Instructional booklets are provided on breastfeeding and nutritional supplements for infants. Every year, the Ministry of Health celebrates breastfeeding awareness week throughout the entire country, seeking to raise awareness among health workers of the importance of breastfeeding. The ministry works with community support groups to promote continuity in breastfeeding. Despite a fall in rates of exclusive breastfeeding in the period 2006–2010, breastfeeding rates of up to six weeks are considered high. The reason behind this may be that nursing mothers are required to return to work after 50 days' maternity leave. The idea of extending breastfeeding leave to three months is proposed in the Children's Bill.

185. It should be noted that the Sultanate began to pay attention to iodine deficiency disorders among infants in the early 1990s, when the Ministry of Health, in collaboration with Sultan Qaboos University and WHO, carried out a study to assess the situation nationwide. The study showed that the average level of iodine among schoolchildren in the 8–11 age group varied from 90 mg/l to 100 mg/l, indicating a slight problem according to WHO standards. On the basis of these results, the Sultanate took appropriate measures to combat and eradicate iodine deficiency disorders, including:

- An assessment study of the starting situation at national level in 1993, from which it was concluded that the existence of iodine deficiency disorders in the Sultanate represented a slight public health problem;
- Adoption of Ministerial Decision no. 92/95, determining the level of iodine to be added to table salt;
- A national survey monitoring global salt iodization (1996, 1997, 1998, 2000, 2004);
- Regular check-ups for thyroid hormones (since 2007);
- A visit from a UNICEF expert in 2008 to formulate an action plan for a programme to eradicate iodine deficiency disorders and monitor global salt iodization;
- Review of Ministerial Decision no. 92/95, determining the level of iodine to be added to table salt and revision of the recommended amounts on the basis of updated WHO recommendations;
- Formulation of a protocol for a national survey study on combating iodine deficiency (2012).

186. As regards promotion of sound nutritional practices for everyone, combating erroneous customs and protecting against malnutrition-related illnesses on the basis of the national policy for infant and young child feeding, the Department of Nutrition, in collaboration with UNICEF, launched a year-long national campaign in 2010 on child nutrition. The campaign sought to involve various sections of the community, including mothers and fathers, schoolchildren, Omani women's associations, health professionals and community support groups. It was designed to raise the level of awareness of mothers of the causes of malnutrition, instil the principle of the joint responsibility of fathers and mothers in looking after children, raise the level of awareness among mothers and fathers and raise society's level of awareness of the importance of the relationship between the mother's nutrition and the health of the child, the relationship between well-spaced births and health and the importance of using healthy nutritional supplements.

187. Awareness raising campaigns aimed at mothers and families and dealing with the full range of health-related issues in many fields have continued. These include: proper nutrition, the benefits of breastfeeding, nutritional supplements during breastfeeding and protecting children from malnutrition and malnutrition-related diseases. There were 12,624 (twelve thousand six hundred twenty-four) instructional activities on breastfeeding, 33,015 (thirty-three thousand and fifteen) on supplementary nutrition and 8,900 (eight thousand nine hundred) on malnutrition.

188. On prevention of accidents, Ministry of Health statistics for 2010 recorded approximately 231,000 (two hundred thirty-one thousand) injuries, with 52% of them occurring in the 0–19 age group. Most injuries were caused by falls, followed by road accidents. Accidents are the leading cause of mortality in this age group and the ministry is taking several measures to protect against them. An accident monitoring and safety support section has been set up in the Ministry of Health to monitor all types of accident and undertake nation-wide schemes, such as formulating policies to reduce accidents and

involving relevant sectors in community awareness projects. There have been many achievements, including:

- Development of medical care for the injured at the site of the accident, in partnership with the Royal Oman Police, which provided technical support to set up a national first response unit (2009);
- Review and analysis of the occurrence of accidents in the Sultanate, in collaboration with UNICEF (2008);
- Project to develop a national accident monitoring and pre-analysis system using GIS (2009);
- Workshops held in partnership with relevant bodies to provide instruction in the importance of the accident protection system (2008, 2009);
- Risk assessment projects in the school environment (2009);
- Representation on national road accident committees (2009);
- Participation in awareness-raising events to reduce road accidents and the annual Traffic Safety Expo (2010);
- Preparation of a draft national plan to prevent accidents, in collaboration with WHO (2010).

189. The Ministry of Health monitors deliberate accidents reported to healthcare centres by incorporating a deliberate accident report form, which was brought into use at the beginning of 2007. All reported cases are examined and discussed by a special committee and the data analysed to address any form of child abuse observed. The ministry runs training workshops for healthcare providers on how to complete the form and the best way of dealing with cases, in collaboration with the relevant bodies.

190. A child protection committee has been set up at Sultan Qaboos University Hospital and the College of Medicine. This committee receives and treats cases referred to it from all specialized units in the paediatric department of Sultan Qaboos University Hospital and certain cases referred from other hospitals in the Sultanate. The committee is engaged in a number of other educational, instructional and social activities, for example:

- Updating the student curriculum to cover identifying and dealing with cases of abuse, in collaboration with the College of Medicine;
- Incorporating how to deal with cases of child abuse in the academic curriculum of the Oman Medical Specialty Board;
- Discussion of certain cases at scientific meetings at the College of Medicine with the aim of raising awareness among members of the college of the existence of such cases and the difficulties faced by medical professionals in finding appropriate solutions;
- The committee recently collaborated with the National Bioethics Committee to hold a jurisprudential forum on the impact of medical customs and beliefs on children's health, to which all child welfare specialists in the medical and social spheres were invited;
- A start has been made on several research projects and studies on the subject of abuse; three have been published and four others are still being prepared;
- Joining the Oman Paediatric Society to help to raise awareness in society of how to avoid accidents among children;
- Raising awareness in society of children's health, physical and social rights;



- Partnering physicians from the paediatric department in various activities designed to improve the general health of children in Omani society.

191. As regards healthcare, the Sultanate would like to advise that it began implementing the motherhood and childhood care programme nationally in August 1987 with the aim of reducing rates of illness and mortality among new-born infants and mothers by providing medical supervision and fully comprehensive care. This programme has been incorporated within primary healthcare. The 2011 statistics indicate that the proportion of mothers receiving prenatal care has risen to 99.4% and that more than 98% of deliveries are carried out by trained healthcare professionals. Services offered to women during pregnancy include early diagnosis of pregnancy, regular and systematic pregnancy care, promotion of healthy pregnancy, proper nutrition for mothers, iron tablets for mothers when a danger to pregnancy is identified and specialist care. Furthermore, basic laboratory tests are available in all primary healthcare centres and pregnant women are immunized against tetanus under the national immunization programme. In 2009, the ministry added HIV/AIDS screening to the series of tests conducted on pregnant women in order to reduce the chances of transmission of the virus from mother to foetus by early intervention. Service providers are trained in the counselling skills necessary to deliver this service.

192. The Integrated Management of Childhood Illnesses (IMCI) strategy in primary health services was adopted by the Ministry of Health in 2001. This recommends a set of key practices that have a positive effect on the health of the child, offers protection from childhood illnesses and seeks to standardize the quality of service and conduct of service providers. Within the framework of the ongoing implementation of phase 2 — the expansion phase — of this strategy, training programmes for physicians and nurses in the principles of the strategy are continuing in order to increase the number of IMCI-trained staff to 61% and 70%, respectively. A strategy manual has also been published to act as a reference for carers. The strategy is currently being applied in 80% of primary healthcare institutions. Sultan Qaboos University has recently begun teaching the strategy to students of the College of Medicine and it has been decided to incorporate the strategy into the curriculum of non-governmental universities and colleges of medicine as soon as possible.

193. A system of comprehensive examination of children's health was introduced in 2007. This includes a general assessment, screening for certain diseases and congenital malformations and special care in certain cases. The Ministry of Health has started providing services for sufferers from type 1 diabetes aged 12 and above in primary healthcare centres and records cases in a national register. The programme seeks to test sufferers regularly in order to detect any complications of the disease and to educate them and their families by providing information and literature on how to deal with their condition. A booklet entitled, "Ahmad can ... and so can you", has been printed.

194. Health awareness is an important and integral part of all the health services and programmes offered by the different institutions of the Ministry of Health. As such, the ministry seeks to expand the activities of community health support groups as a link between health programmes and the community. Currently, these groups perform three other basic roles: promoting health by encouraging members of the community to change unhealthy behaviour and adopt healthy lifestyles in terms of nutrition, reproductive health, sport and physical activity, smoking and preventing traffic and household accidents. The second role consists in documenting particular data on the health of population clusters and updating this information on a regular basis. The third role consists in directing and organizing the community and mobilizing its energies to implement, monitor and evaluate programmes and activities. There are currently more than 4,000 (four thousand) volunteers.

195. Health committees in the provinces continue to make an effective contribution to the planning, implementation and monitoring of community health problems, including mother and child health, health preservation and prevention of accidents. The health committees

adopt community-based health projects that rely on their own resources. These include projects to combat the problem of malnutrition in children under the age of five and to prevent traffic accidents. Health communities operate on the basis that health protection is not the sole responsibility of the health sector but a joint responsibility shared by all. In collaboration with the WHO and other ministries, including agriculture, social development, education, housing and municipalities, environment, religious affairs, information and sport, numerous model community health initiatives have been implemented, including the Nizwa healthy lifestyles project, the Sur and Sohar healthy city projects, the healthy village projects in Qalhat and Nasib and the six healthy village projects in Muscat.

#### **D. Health problems and protection against communicable and non-communicable diseases**

196. The expanded immunization programme provides all the vaccines for the diseases covered by the programme (a schedule of vaccinations in Oman is attached) and adheres to a meticulous system of supervision, monitoring, observation and control of the infectious diseases occurring among the under-fives and the side-effects of vaccinations. The programme covers vaccinations for children in the first two years of life and for schoolchildren, as well as vaccinations for pregnant women. A feature of the programme is a high rate of coverage of more than 99%. All children (both citizens and residents) are exempt from charges when visiting healthcare institutions for vaccination and inoculation. The number of types of inoculation has increased from eight to 12 and among those introduced into the programme recently are the pneumococcal vaccine (in 2008) and chicken pox vaccine (in 2011). Between 98% and 99% of infants under the age of one were covered by the immunization programme between 2006 and 2011.

197. Rates of HIV/AIDS infection in Oman are low: 93.4 per 100,000 population in the 15+ age group and 5.1 per 100,000 population in the under-15 age group in 2011. The most significant achievement in this area in recent years was the formation, in 2008, of the national committee to combat HIV/AIDS and sexually transmitted diseases, the membership of which includes representatives from various ministries and bodies and several private sector organizations. In 2009, a national campaign was inaugurated to disseminate health awareness and to reach out to the community in general and young people in particular in order to remove the stigma and discrimination against AIDS sufferers. Additionally, it encourages the participation of governmental and non-governmental organizations in educating about AIDS and the nature of the health, treatment and counselling services available. Furthermore, an AIDS test has been part of the healthcare package for pregnant women since 2009, as a necessary precaution to stop the transmission of the virus to the foetus. A child born to an infected mother is monitored up to the age of 18 months to ensure that it is free from infection.

#### **E. Adolescent health**

198. "Adolescent and young people's health" is included in the seventh five-year health development plan (2006–2010) under a separate heading. This resulted in an evaluation and inventory of health services for adolescents and the young being conducted in 2006, covering school health services and primary healthcare services. In 2007, a sector-based action plan was formulated from the perspective of a strategy of cooperation and coordination between the relevant bodies with the goal of achieving the integration required to support adolescent health services.

199. Work has started on producing a guide to reproductive health services for adolescents among the services provided by primary healthcare centres.

200. School health services for the 10–19 year-old age group are currently available within the health system. These services focus on health awareness, the promotion of a healthy lifestyle, improving nutrition and certain preventive measures, including the early detection of disease and inoculations. The national strategy for school health was drafted in 2006 and introduced in 2008. The strategy seeks to improve the health of the school community and meet its health-related needs, with due regard to fairness and equality of opportunity, which is to be achieved by the end of 2015. These services include conducting several awareness-raising sessions and the comprehensive medical examination of children enrolled in grades one, seven and ten in order to detect health problems at an early age and treat these at school and health institutions. Children's eyesight is tested at grades one, four, seven and ten in order to identify vision problems and provide diagnosis and treatment, including prescription spectacles for these students, the use of which is monitored. Tests of hearing are carried out on grade one students to detect and treat hearing difficulties at an early age. The hearing test has a coverage of approximately 98.9% annually. Furthermore, an oral and dental test is carried out on grade one and two students to identify the extent of decay in milk teeth. Fluoride is applied to the surfaces of the milk and permanent teeth of students with medium and high risk factors of tooth decay. Preventive treatment is given, as well as restorative treatment for decayed teeth. In 2008, the programme covered about 94% of students. Some 64% of students received fissure sealant fillings and 92% had topical fluoride applied.

201. A number of vital health-related subjects, important for the health of children and society, are dealt with in the book, "The Facts of Life", which is distributed to secondary school students of both genders, as well as other societal groups, such as female executives of voluntary NGOs, for use in awareness raising activities. The book contains 22 chapters on, for example, birth spacing, safe motherhood, breastfeeding, child development, inoculation, diarrhoea, disability, genetic disorders, lifestyle and other health-related subjects. It is hoped to hold a "facts of life" competition, in collaboration with UNICEF, in order to extend the benefit of the book.

202. Furthermore, the school health programme seeks to increase young people's awareness through the "I've grown up" programme for girls in the sixth grade, in which they are made aware of the changes happening to them during adolescence and enabled to acquire lifestyle skills, particularly in relation to nutrition, physical activity and personal hygiene. In 2006, an anti-tobacco campaign targeting schoolchildren in grades 5 to 12 was launched, with the aim of enabling them to acquire the knowledge, attitudes and behaviours to combat the use of tobacco. The campaign provided high-quality instructional materials, including compact discs with specially designed games. The project began in 171 schools and was extended to a further 222 schools each year to reach the target number of 836 schools by the end of 2010.

203. In 2004, a peer education project for young people in the Sultanate was launched on the subject of HIV/AIDS, with the aim of imparting to adolescents the skills and knowledge to protect themselves from the disease. The project was evaluated by a UNICEF expert who visited in 2008, with the aim of developing the programme and incorporating health-related issues other than HIV/AIDS. Adolescents are instructed using lively materials that are attractive to adolescents and help to develop their skills. Work is underway on incorporating the following: healthy nutrition, combating tobacco, youth violence, road safety and sexually transmitted diseases, including HIV/AIDS.

204. The number of schools adopting the health-promoting schools initiative — launched in collaboration with WHO and UNICEF — has increased from 19 in school year 2004/2005 to 109 schools currently, distributed across all the governorates of the Sultanate. The schools endeavour, with the human resources they have and in a systematic and carefully planned manner, to implant and encourage a healthy lifestyle in students, staff and

community. The schools were evaluated in school year 2008/2009 and 18 were declared top health-promoting schools at gold, silver and bronze levels. A study evaluating the impact of the health-promoting schools initiative on the knowledge, attitudes and practices of students and staff was prepared and its key recommendations were that, given its positive impact on improving the practices of the school community, the initiative should be made universal. Moreover, a national network of health-promoting schools was announced, with the goal of exchanging expertise and experience among one another. The network's first action was to convene the first health-promoting schools forum in Muscat in 2006, followed by the second in Dhofar Governorate in 2008. Many topics concerning children and adolescents in schools were discussed and many health-promoting recommendations were made.

## **F. Prohibition of harmful traditional practices**

205. Ministerial Decision no. 52/98, promulgating the regulations on paramedical occupations, makes general reference to circumcision in sections two and eight, indicating that it may only be performed in health institutions under licence from the ministry and on condition that the physician had passed an examination establishing his competence to conduct such an operation. However, it does not specifically mention male circumcision and a study is currently being conducted on defining circumcision to mean male circumcision, wherever required. Through its health centres, the Ministry of Health goes to great lengths to raise awareness of harmful health practices.

## **G. Protection of children from narcotic drugs**

206. The Royal Oman Police exerts efforts to combat narcotic drugs and psychotropic substances and its anti-narcotics department pays great attention to children. The department has adopted many awareness raising and instructional programmes for schools and has held exhibitions and distributed pamphlets raising awareness about the dangers of narcotics and how parents and guardians should deal with their children. According to Royal Oman Police statistics, 18 juveniles were victims in narcotics cases in 2009–2010.

207. The fight against narcotics and psychotropic substances is included in the seventh five-year plan (2006–2010), with the aim of combating drugs in the Sultanate, increasing the awareness of society in general and young people in particular of the dangers of falling into the grip of addiction and reducing the level of infirmity and disability resulting from addiction.

208. The National Committee for Narcotics and Psychotropic Substances was formed under the Anti-Narcotics and Psychotropic Substances Act, promulgated by Royal Decree no. 17/1999; a subcommittee was formed pursuant to Administrative Decree no. 5/2003. Decisions of the national committee are implemented through a special executive office of the committee. This office has a number of functions, including:

- (a) Organizing the national forum on narcotics affairs in 2009 to protect society from and raise awareness of the dangers of falling into the grip of addiction;
- (b) Preparing and delivering lectures and exhibitions to raise awareness among different groups of society of the dangers of narcotics and how to protect against them;
- (c) Employing the various media to raise social awareness by providing people with correct information and services.

## **H. Protection of children of incarcerated parents and children living in prison**

209. The Royal Oman Police looks after the welfare of female inmates, providing regular prenatal care for a pregnant inmate until her transferral to hospital to give birth. Infants are permitted to stay with their mothers in prison until the age of two, during which time they receive comprehensive healthcare from the hospital doctor. If necessary, they will be sent to a specialist hospital for check-up. All necessary inoculations are given, as well as nutrition appropriate to the child's age. Their day-to-day needs are met and they receive gifts and clothes on special occasions. When the child reaches the age of two or prior to that, if the mother does not wish the child to stay with her during that period, he/she will be handed over to the father or whoever has the legal right of custody over the child. If he has no father or relatives to provide for him, the child will be placed in a childcare centre supervised by the Ministry of Social Affairs. The mother will be informed of the child's location and be allowed to visit once a month. Article 27 of the Prisons Act, promulgated by Royal Decree no. 48/98, stipulates that a pregnant inmate, with effect from the appearance of the symptoms of pregnancy until 40 days after delivery, shall receive special medical treatment in terms of nutrition and the work she is given to do. Article 28 further stipulates that a child born in prison shall stay with its mother until the age of two. Upon reaching the age of two or if the mother does not wish the child to stay with her during that period, he/she will be handed over to the father or whoever has the legal right of custody over the child.

210. Article 33, paragraph 3 of the implementing regulation for the Prisons Act, issued by Decision no. 56/2009 of the Inspector General of Police and Customs, stipulates that female inmates and detainees who are pregnant shall be provided with regular prenatal care and be transferred to hospital to give birth. After delivery, the department shall take possession of the birth certificate, which is to be handed to the mother upon her release.

211. Paragraph 4 of the same article stipulates that the hospital doctor shall be responsible for examining all children accompanying their mothers. In the event of illness, the child shall be referred to a paediatrician. Children in prison shall be vaccinated and inoculated systematically. Article 46, paragraph 6 further stipulates that the department shall enable an inmate mother to visit her child who has been placed in a care institution once a month, if she wishes, as long as that does not conflict with the regime followed in the institution. It is worth noting that, according to Royal Oman Police statistics, nine children were born in prison in 2011.

## **I. Standard of living**

212. Childcare services are available in most hospitals in the country and all health centres, of which there were 176 at the end of 2010. Health services for children include all forms of promotive, preventive, therapeutic and rehabilitative care, provided through a network of primary healthcare institutions in support of secondary referral hospitals. Qualitative programmes are being mapped out and implemented to target key health problems and vulnerable groups, following advanced strategies based on international scientific foundations and evidence and employing a holistic approach.

213. The Sultanate has made considerable achievements in health development, reflected in the remarkable improvement in the health of Omani society, which has accompanied the development in health services and healthcare on the one hand, and the improvement in the economic, social and environmental situation on the other. Many international organizations have commended these achievements and health services in the Sultanate are now comparable with those in developed countries.

214. This is reflected in the improvement in vital indicators. Thus, life expectancy at birth in Omani society was 75.2 years for females and 70.1 for males in 2011. The raw mortality rate was 3.1 per 1,000 population. The infant mortality rate was 9.5 per 1,000 live births and the rate of child mortality under the age of five was 11.9 per 1,000 live births. The total fertility rate was 3.24 children per woman during her reproductive lifetime. Average age of first marriage was 26.8 for a woman and 29.1 for a man (Global Health Survey, 2008).

## **VIII. Education, leisure and cultural activities**

### **A. The right to education, vocational training and guidance**

#### **Basic education and general education diploma**

215. It was noted in the previous two reports (the first and second) that work is underway on making primary education compulsory under the Education Bill. Furthermore, the Children's Bill indicates that education is to be compulsory. At present, education in the Sultanate is free at all stages, pursuant to the statute of public school student affairs, promulgated by Ministerial Decision no. 105/2012. There are no measures limiting enrolment in education and all applicants without exception are admitted at basic level. On the Committee's observations regarding exerting further efforts to address the issues of absence from school and drop-out, it should be noted that regular attendance at school is encouraged and drop-out rates have declined. Research has been conducted and the situation assessed. Incentives have been introduced to encourage regular attendance and alternatives are available for children who have dropped out from school. To reduce discontinuation, a student behaviour management programme was implemented in school year 2009/2010 and an implementation plan was formulated to extend this to all governorates. The programme is designed to enable new and experienced teachers and school social workers to acquire the knowledge and skills necessary to deal with different student behaviours, including stimulating and motivating students and arousing their interest so that they will attend school regularly each day and obey class and school rules of behaviour.

*Data on the relative distribution of children by gender, governorate and rate of enrolment by year, age group etc. can be found in the annexes.*

216. Pursuant to the Committee's observation on taking measures to prevent children dropping out of primary school, we would like to point out that an action document has been designed to promote regular attendance and discipline among students at school. The document defines the roles of the pedagogic groups within the school. The support measures are designed to promote regular attendance and discipline among students in order to improve their behavioural and attainment level both inside and outside school, increase contact with parents/guardians, foster the role of local community organizations that can play an educational role, offer specific guidance and advice to schools pursuant to the statute of public school student affairs and distribute instructional brochures and posters on drugs and psychotropic substances to grades 10–12.

217. As regards the Committee's observation on corporal punishment, it should be pointed out that corporal punishment is forbidden in Omani schools, the aforementioned statute of public school student affairs setting out other forms of punishment for breach of school rules and discipline by a student.

### **The right to education and vocational training**

218. The Ministry of Manpower has developed vocational training programmes and systems appropriate to the needs of the labour market. Furthermore, the vocational training and technical education system sets out training paths in the Government's vocational training centres and provides opportunities for its most capable and outstanding graduates to continue their education at advanced level by transferring to the higher technical colleges. The goal of the vocational training centres is to train and qualify children by offering high quality training programmes consistent with approved professional standards and the needs of the labour market, and to strengthen and consolidate fruitful relations with civil society and private sector organizations. In addition, the Ministry of Social Development is at pains to train persons with disabilities. A total of 4,000 male and female students were enrolled in vocational training centres in 2010.

#### *Child literacy*

219. The literacy rate among children is 87%. There has been a marked increase in school enrolment rates and the enrolment rate of girls in primary and secondary schools exceeds the net enrolment rate of boys. The illiteracy rate among those aged 10 and above in the total Omani population was 12.2 per cent, according to the census of 2010, as against 17.7 per cent in the census of 2003.

#### *Development and vocational guidance programmes*

220. As regards the Committee's recommendation on continuing to take measures to increase enrolment rates in secondary education and technical and vocational training, it should be pointed out that the Government of the Sultanate set up the National Career Guidance Centre in the Ministry of Education, pursuant to Royal Decree no. 37/2008. The centre has the status of a general directorate and comes under the organizational structure of the Ministry of Education annexed to the said royal decree. Designed for all schoolboys and schoolgirls, it seeks to raise the quality of vocational guidance services and programmes offered, help them identify their inclinations, abilities and personal qualities and prepare them for the job market by raising the quality of the vocational guidance programmes on offer. The goal is to foster a culture of continuous learning and vocational development and enable students to acquire confidence-building, decision-making, problem analysis and problem-solving skills through specialist vocational guidance. A further goal is to build and make use of a job market knowledge base to help students make decisions about their future and set up small businesses. Vocational advice is also given to persons with disabilities to help them develop their capacities and abilities.

#### *Educational evaluation*

221. The organizational structure of the Ministry of Education includes a general directorate of educational evaluation, responsible for implementing the following educational programmes:

- Cognitive development programme: The ministry implements a qualitative programme, the fruit of a lofty idea of His Majesty Sultan Qaboos bin Said for the cognitive development of students. The programme is designed to bring out the capacities and talents of students and achieve integrated academic indicators to help develop all the elements in the educational process, principally the students. Students are stimulated and motivated to study mathematics, the sciences and the concepts of environmental geography. They are encouraged to engage in research, academic study and systematic scientific thinking and to develop their creative faculties;

- International studies: The ministry applies the Trends in International Mathematics and Science Study (TIMSS) and Progress in International Reading Literacy Study (PIRLS) to improve students' level of academic acquisition in both subjects and measure the reading level of grade four students against international standards;
- TIMSS has been conducted at international level every four years since 1995 and is designed to assess students' knowledge, skills and capacities in the subjects of mathematics and science by studying attainment in these subjects by students in participating educational systems around the world. The study is designed to identify and measure differences between national educational systems to help develop and improve the teaching and learning of mathematics and science world-wide. The supervising body is the International Association for Evaluation of Educational Achievement (IEA);
- By participating in PIRLS, the ministry seeks to measure the level attained by grade 4 students in the Sultanate against the international standards adopted by the PIRLS regulatory body and to obtain data and statistics to help it achieve higher levels of excellence in the educational system in general and in the teaching of grade 4 reading skills in particular, representing the end of the first cycle of basic education.

## **B. Aims of education**

222. As regards the Committee's recommendation to further strengthen efforts to improve the quality of education in public and private schools through providing appropriate and continuous training to teachers, it should be noted that the ministry's eighth five-year plan (2011–2015) is based upon a set of premises that have made a substantial contribution in two key respects. The first of these is the reading of the situation on the basis of its approximation to or deviation from these premises. The second is the approach to formulating the plan's key goals. The ministry bases its educational planning on strategies for developing the educational system in accordance with quality standards consistent with educational goals and policies. The academic plan and school curriculum are developed in a way that ensures an educational output consistent with the requirements of development and the labour market. This goal is to be achieved by including programmes employing educational technology in the teaching process, by developing the current educational plan for grades 11 and 12 and by raising the effectiveness of the student performance evaluation system to help further the level of academic attainment.

223. The two previous reports (the first and second) made mention of collaborating with UNESCO and UNICEF to improve the education sector. To improve the quality of education within the framework of fruitful collaboration and partnership between UNICEF and the Ministry of Education, which has resulted in the implementation of many educational programmes with a positive impact on the education process, special education programmes have been implemented, incorporating the concepts of human rights and the rights of the child within the Omani school curriculum at grades 1–12. Furthermore, courses on the rights of the child have been designed for pre-school teachers, in collaboration with Sultan Qaboos University. A child-friendly activity booklet entitled, "I know my rights", has been designed and prepared. Additionally, early childhood and pre-school education stage programmes, as well as peer education and literacy programmes, are implemented in Omani schools. Higher thinking skills manuals have been prepared for schools. Furthermore, the Child-Friendly Schools project has been implemented. This is a vital project, supported and put into practice by UNICEF, in collaboration with the ministry, to improve the quality of teaching and create a child-friendly school atmosphere. Its main elements are: the rights of the child, effective teaching, inclusivity, gender equality, community involvement and health, safety and security. Furthermore, the fourth edition of



the Wechsler tests has been adapted to the Omani environment. These tests measure intellectual capacities in order to determine student intelligence.

224. Educational goals are derived from a pedagogical philosophy that consists of a set of principles, beliefs, concepts and assumptions set out in an interlinked and integrated manner and having the function of a pedagogical guide and advisor. As such, the pedagogical philosophy represents the intellectual authority for education in the country. Its sources are the Islamic faith, the lofty thought of His Majesty Sultan Qaboos bin Said, the Basic Statute of the State and the special characteristics of Omani society. The principles of Oman's pedagogical philosophy include: the integrated development of the individual, the Omani character and identity, modernization of Omani society through modern technology, adoption of the methodology of scientific thinking in everyday life, adaptation to the challenges of the future, lifelong education and learning skills, quality in teaching methods, economic development and vocational training, national unity and Gulf and Arab affiliation, national pride and confidence, social emancipation, care for the environment and population, nurturing of the emotions, fostering international peace and understanding and making good use of free time.

225. The quantitative goals of education consist in continuing the spread of education and making it available to all citizens, increasing rates of net enrolment in general education and increasing the level of enrolment of children in pre-school education to 50% of the 3.5–5.5 age group, as well as reducing problems of school drop-out.

226. The qualitative goals of education consist in continuing to develop and improve the quality of teaching, teaching programmes and the curriculum, in a manner consistent with the demands of contemporary development.

### **The course of education in the Sultanate of Oman**

#### **Pre-school education (the role of the nursery and kindergarten)**

227. Regarding the Committee's observations on early childhood education, it should be noted that the Ministry of Education is in charge of the licensing, supervision, technical monitoring and preparation of the kindergarten curriculum and teacher training. The kindergarten stage has been associated with private schools since first being introduced. In school year 1972/1973, two private kindergartens were established, both attached to a primary school. There were 39 boys and girls, taught by a staff of 12 male and female teachers. The kindergarten system continued to grow horizontally and vertically in terms of the number of kindergartens, numbers of children enrolled and numbers of teachers and administrators. In 2011, there were approximately 31,251 male and female children in the age group 3.2–5.4 years in Ministry of Education kindergartens. The ratio of boys to girls was 16,115: 15,136. Most Ministry of Education kindergartens are run by the private sector, although there are 13 kindergartens belonging to the Royal Oman Police, which cater for 622 boys and girls. Early education and pre-school education programmes are implemented in collaboration with UNICEF in order to increase enrolment rates in kindergartens and raise local community awareness of the importance of kindergarten education. According to 2012/2013 statistics, there are 38,104 children in 107 kindergartens, taught by 519 teachers.

228. Enrolment levels in early childhood education programmes and activities did not exceed 30% in 2011, which is low in the light of the importance of what can be achieved at this stage in terms of the formation and training of the child, the development of his mental capacities and the acquisition of the ethical and social values to enable him to progress successfully to the basic education stage. This is attributable to the fact that this type of education is optional and not Government-run.

### **The system of education in the Sultanate at school age**

229. The education system in the Sultanate consists of:

- General education, lasting for 12 school years, used to be the most common type of education but since school year 1998/1999, the Government has been gradually replacing it with basic education;
- Basic education lasts for 10 school years, at the end of which successful students transfer to the two-year, post-basic stage. The 10 years of basic education are divided into two cycles: the first, from grade one to grade four and the second, from grade five to grade 10. The first cycle of this system was introduced in school year 1998/1999 at grade one and two in 17 schools. By school year 2001–2002, the first batch had progressed to grade five and the second cycle was introduced. In the current year, there are 802 basic education schools;
- Post-basic education lasts for two school years and covers grades 11 and 12. Students who have been successful in basic education or general education grade 10 study a special curriculum that takes into account the wishes and choices of the students.

230. Special education: the Ministry of Education established a special education section that began operation in 1974/1975, sending students with disabilities to study at special institutions abroad. In the same year, a section for the deaf was opened in a general education school. The Amal School for the Deaf was opened in Muscat in 1980/1981 and a boarding section was added in 1982/1983. The Tarbiya Fikriya School was opened in 1984/1985 and the Omar bin al-Khattab Institute for the Blind in 1999/2000. In the sixth five-year plan, the Ministry began implementing a policy of integrating those with special needs in basic and general education schools.

231. Literacy and adult education is divided into two stages: adult literacy which, until 2005/2006, lasted two years but has now become a three-year programme. Stage two begins at grade five and teaching continues in adult education centres until the end of grade 12. It is worth noting that women's guidance centres have existed since school year 1976/1977 to provide training in various domestic activities. Women's guidance has become a subject with its own special curriculum taught at all female literacy branches, following abolition of the centres. Furthermore, some schools and educational institutions are attached to bodies other than the Ministry of Education.

232. Education in the Sultanate is free at all stages and students are transported to and from school in accordance with articles 12 and 13 of the statute of public school student affairs. The ministry provides a boarding section free of charge to children from remote regions to enable them to continue their education. Curricula have been standardized to embrace the fundamental qualities and goals to which society aspires. Following the application of the curricula at all stages, an evaluation was conducted, beginning with the curricula for grades one to six in 1987/1988, followed by the curricula for grades seven to nine in 1988/1989 and grades 10 to 12 in 1989/1990. There then followed a process of development and updating to arrive at the basic education curriculum.

### **C. Instruction in human rights and civic education**

233. Pursuant to the Committee's observations on including human rights, including the rights of the child, in school curricula, particularly in relation to promoting respect for human rights, tolerance and gender equality, we would like to point out that the Ministry of Education has produced a document incorporating the concepts of human rights, the rights of the child and education for peace in the school curriculum at all levels. The document is

designed to ensure inclusion within the grades one to 12 curricula of the concepts, values and principles of human rights and the rights of the child, employing a single, holistic approach based on horizontal integration within school subjects and vertical integration across grades. It will help pupils discover their basic rights and essential needs and enable them to exercise these rights and corresponding duties. It will help teachers provide the conditions to enable pupils to acquire a set of essential values and attitudes and guide them to discover, understand and exercise in practice their rights and duties. In the final analysis, it will make students upright citizens, capable of participating in the development of society, given the fundamental role of education and learning for the sustainable development of the nation. Furthermore, children's rights curricula have been designed for pre-school teachers, in collaboration with Sultan Qaboos University, and inform the curriculum in a range of subjects including Islamic education and culture, Arabic language, social studies and life skills. Note that the Sultanate has adopted the rights-based approach to education.

234. Thinking skills guides have been included in the school curriculum, given that this is one of the key goals of education, imposed by the need to provide education that is able to keep pace with the constant increase in human knowledge, on the one hand and the rapid transformation in modern societies and continuous development of communication technologies and working methods, on the other. Creativity has become absolutely essential to enable innovative solutions to be found to the problems which have begun to appear and spread in a world of change.

235. The Ministry of Education accords the subject of environmental education considerable importance, on the basis of an important principle namely, that the development of environmental concepts is an integral part of education and that the school curriculum is an effective tool for disseminating the culture of environmental education among learners – who are the future generation and the builders of tomorrow. The curriculum includes numerous environmental concepts, enabling students to keep pace with contemporary global approaches to the environment, which is a major educational need. The environmental education document in the school curriculum is designed to develop environmental awareness among learners, form positive attitudes toward the best way of exploiting and conserving environmental resources, provide opportunities for learners to participate in making decisions on solving environmental problems in the capacity of citizens who will be responsible for planning and running society, form positive attitudes among learners to enable them to deal purposefully and responsibly with contemporary local, regional and global environmental issues and problems, develop the capacity of learners to employ scientific thinking, foster their abilities to address environmental issues and problems, highlight environmental issues on the basis of a single, holistic approach in the school curriculum and address them in a way that emphasizes horizontal and vertical integration in a manner commensurate with the age and intellectual level of learners and present environmental concepts, using modern teaching strategies in the classroom such that the teacher is a guide and facilitator of the educational process and the learner is its focal point.

#### **D. Rest, play, leisure time and cultural and artistic activities**

236. All public and private schools and vocational training centres have football pitches for students and trainees, as well as leisure and relaxation facilities, such as basketball and volleyball. They also have playgrounds and learning resources rooms for reading and recreation. This is an essential precondition in the school curriculum and an integral part thereof. It should be noted that the ministry accords special care to the diversity of school cultural, sporting, investigative, social and theatrical activities and provides various means of stimulating students to participate.

**1. “Connecting Cultures” project**

237. The Ministry of Education, represented by the Oman National Commission for Education, Culture and Science, organizes an annual forum for groups of young people of both sexes, in collaboration with the Connecting Cultures initiative and under the auspices of UNESCO and the Arab League Educational, Cultural and Scientific Organization (ALECSO). The project is aimed at the 17–24 age group and involves encounters between young people from Arab and European countries, coming together in places bereft of modern communications to enjoy nature at its most picturesque, take part in numerous events and engage in a cultural and intellectual dialogue that represents a model for extra-curricular learning and implicit associative learning. A particular group of young people is chosen who, it is hoped, can form the basis for serious dialogue between cultures. The Connecting Cultures project has been chosen twice by the United Nations Alliance of Civilisations as one of the best pioneering civil society initiatives. Between 2007 and April, 2012, seven journeys were organized in the Sultanate, in which male and female students from 17 Arab and European countries took part. Some 14.6 million people followed these journeys through the local, Arab and European press, the project website and the BBC. The United Nations decades for cultural diversity and education for sustainable development and Arab-European dialogue have been given fresh impetus by the activities and discussions undertaken by participants in these journeys.

**2. Culture of peace project – “Life link”**

238. Within the framework of concern for global issues, a number of UNESCO-affiliated Omani schools have taken part in a joint trial project between UNESCO and Sweden’s Life-Link organization, linking schools with one another and developing bonds of friendship to enable a generation of young people to work toward strengthening the values of peace, love and mutual understanding. The Life-Link Friendship-Schools organization supports key, independent trajectories for peace under the following headings: care for ourselves, care for each other and care for nature and water as the source of life. More than 50 UNESCO-affiliated schools in Arab countries and 50 UNESCO-affiliated schools in European countries have participated in this project.

**3. Omani children’s forum**

239. A number of forums have been held by the Ministry of Social Development. The ministry also organized, with the League of Arab States, the eighth Arab Children’s Forum in 2006 under the banner of “The right of the child to integrated healthcare”, simultaneously with Arab Child Day. This took place in the Omani capital on the occasion of Muscat being chosen as Arab Capital of Culture that year. Furthermore, the Sultanate hosted the Arab Children’s Forum in 2012, on the occasion of Muscat being chosen as Arab Tourism Capital. In addition, the Sultanate has hosted festivals of children’s culture.

**4. Information technology activities**

240. The Information Technology Authority (ITA) has launched IT awareness campaigns and training programmes free of charge. Many of these target children, as an integral part of society, and have taken place during the tourism festivals held in the Sultanate of Oman, in view of the large numbers of visitors — citizens and residents — attracted to these festivals. Lectures have been given on information security and various events have been held to develop children’s awareness of IT culture. Furthermore, the ITA organized a regional workshop calling for the protection of children online in the Arab region. In the form of the National Centre for Information Security, the ITA has launched a national campaign to protect children online, in collaboration with local, regional and international authorities. It has also organized a workshop advocating policies and capacity-building in the area of the

protection of children online in the Arab region, designed to help formulate a strategy to protect children and discuss ways and means of building human and institutional capacities to protect children online.

241. A Kids Online Website Security website ([www.cop.gov.om](http://www.cop.gov.om)) has been set up, providing children and parents/guardians with important information on how to protect their personal data when using the internet. The website has a special fun section, offering games and pictures for amusement and learning at the same time.

#### **5. Royal Oman Police activities**

242. The Royal Oman Police publishes *AlShurti AlSaghir* (“The Young Policeman”) magazine, which seeks to raise the awareness of and instruct children in different areas through drawing, creativity, stories, popular games and developing their talents. In a series of civil defence publications, the Royal Oman Police seeks to raise awareness among children of how to protect against storms, torrential rain and floods, as well as of precautionary measures to be taken vis-à-vis gas cylinders, mixers, freezers and water pools, and when travelling by land and sea. A driving school has been launched by the Directorate General of Civil Defence, in the form of the Directorate General of Traffic, and other leisure and cultural events have been organized for children and to train and instruct those who deal with children of all ages.

#### **6. Media activities**

243. The audio-visual and print media produce recreational and instructional programmes and presentations designed to develop various aspects of a child’s character. These include stories published in local newspapers, recreational games, colouring and spotting the differences between two pictures in order to understand similarity and difference. There are also competitions on radio and television to make the child feel that he is an active part of society, whose different needs are met by these diverse media programmes.

#### **7. Sporting activities**

244. The Ministry of Sports Affairs has been running “Summer of Sport” programmes in all governorates and regions of the Sultanate for the last six years in a row. The sixth programme was held in 2011. The ministry has identified 42 activities and games for inclusion in training centres at sports complexes and clubs and private clubs. The “Summer of Sport” offers a wide range of events, including camping in Jabal Akhdar under strict conditions and criteria.

#### **8. Activities of the Ministry of Regional Municipalities and Water Resources**

245. The Ministry of Regional Municipalities and Water Resources, in the form of the Human Resources Development Centre, held a summer forum in 2009, designed to provide a service to the community by making optimum use of children’s free time in summer. Forum events consisted of a diverse range of courses and cultural events, including courses on computer, self-development and fine arts.

246. Furthermore, several recreational activities were organized, including visits and trips to certain tourist sites in Muscat Governorate, such as the Museum of Natural History, the Bait al-Baranda Museum, the ice rink and the planetarium. In 2010, the ministry held a summer forum comprising a number of programmes, including a workshop on self-confidence and a course on positive thinking for 14–17 year-olds. The forum programme included a number of training courses on computer, recreational chemistry and fine arts for 8–17 year-olds. There was also a recreational programme for forum participants, including a visit to sports city, a submarine trip and a visit to several museums in Muscat.

247. In 2012, the ministry prepared a compact disc for children entitled, *Kawkab al-Atfal* (“Kids’ Planet”) to raise awareness among this important group of the services provided by the ministry and to urge them to conserve natural resources, with the goal of fostering the concept of citizenship and consolidating the principles of assuming responsibility and social solidarity.

#### **9. Activities of the municipalities of Muscat and Dhofar**

248. Muscat Municipality has organised the Muscat Festival since 1998. It is a cultural event and tourism window that boosts tourism and the economy in the Sultanate. Targeting all sections of society, as well as visitors to the country, the festival is enhanced by the large number of educational and recreational events it puts on for children, through which it brings joy and entertainment to children. Moreover, the 2012 Muscat Festival focused on children, in line with the Sultanate’s concern for the child as the foundation on which the future of the nation is built. The festival consists of a diverse range of events, offering children all that is new and instructive. Muscat Municipality set aside special corners for children to express their creativity.

249. Furthermore, Muscat Municipality seeks to develop green spaces and flower beds and allow greenery to flourish in streets and residential areas in order to achieve environmental balance and provide clean air. It is carrying out a number of projects to create public parks, recreation areas, children’s playgrounds and football pitches to create a natural retreat for all members of society, particularly families with children. In Muscat Governorate, there are 27 public parks, 18 recreation areas and 37 children’s playgrounds. The Salalah Tourism Festival is one of the Sultanate’s most prominent festivals and enjoys widespread interest at global and Arab level. Visitors to the festival, which is held each year in the autumn, express great interest in the various recreational, cultural and artistic events, in addition to special events for children, such as competitions and theatrical productions organized and supervised by various bodies. The slogan of the 2012 festival was, “Safe childhood and promising future”.

#### **10. Ministry of Heritage and Culture activities**

250. The Ministry of Heritage and Culture runs a number of activities for children in the Sultanate, including:

(a) The Science Club, which is designed to disseminate scientific culture in society, detect scientific talent and develop a love of research. The club held several training courses for children in the 13–18 age group during the 2010 summer vacation, with some 277 children taking part;

(b) The Children’s Museum, established pursuant to His Majesty’s royal decrees, is a cultural and scientific institution that seeks to provide an experience based upon the element of participation and to stimulate intellectual capacities in the fields of science and technology;

(c) The children’s theatre at Qurum Nature Park puts on cultural and recreational competitions, singing events and short plays for children. The park, covering an area of suitable size, contains amusement areas with rides and games of individual skill and entertainment. There are also instructional and recreational programmes for the entire community, including children, designed to change negative patterns of behaviour and protect the environment and the health of the individual.

## **IX. Special protection measures**

### **A. Child refugees and children of migrants**

251. With reference to the Committee's observation regarding migrant workers, some of whom do not have legal status, and the situation of the children of these workers, as well as the Committee's recommendation to develop and implement policies to protect the children of migrant workers, the Sultanate would like to advise that only a very small percentage of migrant workers do not enjoy legal status and typically consist of those who entered the country illegally by sneaking across land and sea borders. The procedure followed with those workers is to deport them from the country. This illegal group is made up of individuals unaccompanied by their children.

252. The children of migrant workers under contract to work in the country enjoy full health, education, welfare and social rights. The law gives proper protection to the children of migrant workers by licensing nurseries, kindergartens and schools and providing suitable accommodation.

253. Under article 36 of the Basic Statute of the State, a foreigner may apply for political asylum and residence in Oman for himself and his children, if he faces political persecution, provided that this does not run counter to the general policy of the Sultanate, and until such time as the danger ceases to exist. In this regard, we would like to re-affirm what was said in the second periodic report to the effect that no child refugees have been registered in the Sultanate.

### **B. Children in armed conflicts, including physical and psychological recovery and social reintegration**

254. It was noted in the Sultanate's previous report that no persons under the age of 18 in the Sultanate are recruits, volunteers or participants in hostilities and that the minimum age of enlistment in the Sultan of Oman's Armed Forces is 18. The Sultanate has no regulation permitting voluntary recruitment, nor it does not impose compulsory military service or any form of voluntary recruitment. In recent decades, the Sultanate has not witnessed any armed conflicts. As a member of the United Nations and pursuant to international treaties and the Basic Statute of the State, the Sultanate seeks to strengthen the bonds of cooperation, affirm the ties of friendship with all States and peoples on the basis of mutual respect, mutual interests and non-interference in the internal affairs of States and uphold international and regional charters and treaties and the generally recognized norms of international law, which foster peace and security among States and peoples.

255. As regards the Committee's observations on the Sultanate's first two reports concerning awareness among the public, and especially children, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, the Sultanate would like to note that, despite not having experienced armed conflicts, the Sultanate has taken several measures in this regard. These include holding training and awareness courses on international charters and treaties concerned with armed conflict, including the Protocol on the involvement of children in armed conflict, for members of the armed forces, the Royal Oman Police, media workers and the judiciary. Over the last three years (2010–2012), implementation of periodic, intensive courses on the Protocol for the armed forces, Royal Oman Police and several other security agencies has been stepped up.

256. Through children's forums, the Ministry of Social Development has focused on providing information on the Optional Protocols, alongside information on the Convention

on the Rights of the Child. The Ministry of Education is planning to include the Protocols as part of the course on the rights of the child given in schools.

257. As regards the Committee's observations on giving instruction on peace, it should be noted that, since the blessed renaissance, the Sultanate has entrenched the concept of peace and striven to consolidate internal peace in practice and resolve disputes. Today, the country is reaping the fruits in terms of security and prosperity. However, the Sultanate has not been content to foster social peace on a country-wide level but has striven to strengthen its role in the service of international peace and cooperation. Pursuant to the approach of His Majesty Sultan Qaboos, peace, dialogue and environment prizes have been introduced and Sultan Qaboos academic chairs have been established in a number of venerable international universities. The focus here is on extending bridges of friendship, fostering good relations with all the peoples of the world and promoting the creation of a world community guided by mutual understanding, where harmony prevails and tolerance is universal. When developing school curricula and writing textbooks, the Ministry of Education is anxious to include the concepts of the culture of peace in courses, classroom activities and extra-curricular activities.

258. In the endeavour to benefit from the experience of other States in the area of education for peace and human rights, the Ministry of Education took part in a series of meetings of Arab experts to formulate a study entitled, "Teaching human rights: general guidelines for the teaching of Arab human rights". The ministry made use of this study to classify human rights concepts in terms of their relationship to peace, tolerance and dialogue with the other in accordance with the stages of basic and post-basic (grades 11–12) education.

259. The ministry further benefitted from the "peace bag", production of which was supervised the UNESCO office in Doha on the occasion of International Decade for a Culture of Peace and Non-violence for the Children of the World. The peace bag is an educational toolkit that addresses in simple fashion the concepts of peace, tolerance, non-violence etc. It was tried out on a sample of schools in the Sultanate (UNESCO-affiliated schools) with textbooks and various academic curricula. Furthermore, a student activity group — "the peace group" — was set up in schools implementing the peace bag. The task of supervising the group was handed to two teachers, without focus on any academic subject in particular.

260. The efforts of several bodies have been devoted to spreading the culture of peace, including the Royal Court and Sultan Qaboos Centre for Culture and Science, and a number of experts and lecturers have been invited to take part in scientific and intellectual forums and symposiums, including "Human Harmony Week", that seek to widen the encounter between civilizations and spread the culture of peace. This is in addition to the work of the Ministry of Endowments and Religious Affairs and its call for dialogue and rapprochement between religions, for tolerance and understanding among peoples, through its periodical *Tafahum* ("Understanding") – formerly *Tasamuh* ("Tolerance") and its cultural and instructional activities inside the Sultanate and abroad.

## **C. Children in situations of exploitation, including physical and psychological recovery and social reintegration**

### **1. Child labour**

261. With reference to the Committee's recommendation to prohibit the use of child camel jockeys and ensure that no children are used in camel races, we would like to advise that the Sultanate has stopped the use of children as jockeys in camel races and instead uses robot jockeys, following the instructions of His Majesty Sultan Qaboos in 2008.



262. The Sultanate introduced the use of robot jockeys in camel races with effect from the 2009/2010 season. The Sultan's directives met with positive response as they are consistent with international laws and regulations and give Omani camels the opportunity to compete forcefully in overseas races. However, even before the royal orders were issued, the Sultanate had mechanisms and controls to protect children put in place by the Oman Camel Racing Federation and other relevant bodies.

263. Article 9 of the statute of the Oman Camel Racing Federation, promulgated by Ministerial Decision no. 7/2009, does not allow any jockey under the age of 18 to participate in camel races and requires the jockey to submit his ID card to the committee to ensure that the conditions stipulated in the statute are met. Additionally, the main camel racing committee regularly inspects the sites where races are held. Under article 16 of the said statute, the committee imposes penalties on anyone who violates the provisions of the statute and the federation's articles of association and implementing regulations, as follows: caution — warning — disqualification for one year (with the punishment doubled in the event of a repeat offence).

264. With reference to the Committee's observation that some children work in the informal sector, for example in agriculture, fishing and small family businesses and its recommendation to prohibit the employment of children in that sector, it should be noted here that the committee's observation on the employment of children in the informal sector relates only to individual cases linked to the culture of society and the preservation of certain crafts and occupations passed down from one generation to the next. These are not considered to be acts of economic exploitation of children, requiring a child to earn an income at the expense of his education or causing him physical and psychological problems. As such, these instances cannot be described as a phenomenon. Furthermore, Omani society is one that preserves customs, traditions and artisanal heritage and families are keen to teach their children these crafts so that they will not die out.

265. Through the community programmes implemented by municipalities and governorates, the State makes families aware of the importance of enrolling their children in education and not dropping out. The following measures and steps have been taken:

(a) The Omani Labour Act regulates the necessary rules and conditions of employment. Article 75 prohibits the employment of juveniles of both sexes and forbids them from entering the workplace, if they are under the age of 15. This age may be raised in certain industries and businesses, if necessary, by decision of the minister. Article 77 stipulates, "In all circumstances juveniles shall not be required to work for additional hours, nor shall they be caused to stay in the workplace after the prescribed period or be required to work during days of rest or public holidays". Under article 79, juvenile employees under the age of 18 may not be required to work between the hours of 6 pm and 6 am or be required to do actual work for a period exceeding six hours a day;

(b) The Ministry of Manpower seeks to stop the employment of children by means of the labour inspection programme and the joint inspection team, in collaboration with the concerned bodies.

266. From the primary data on the forms of the Ministry of Social Development's anti-begging team, it is clear that most of the children arrested are forced by parents/guardians or those in charge of their welfare to engage in begging and certain other acts. Note that, in most cases, the relatives of children arrested are summoned and made to give an undertaking that they will not abandon their children or force them to beg or engage in any life-threatening acts or acts inappropriate to their age. They are urged to encourage them to continue their education and to create the conditions to help them have a sound and healthy upbringing. Under the Social Security Act, these families receive allowances and assistance to meet their needs.

267. In collaboration with a number of bodies, including the Ministry of Education, Muscat Municipality, the Royal Oman Police and Ministry of Manpower, the Ministry of Social Development is currently conducting a field study on child labour in one of the markets in Muscat Governorate. The Ministry of Social Development has resolved in its forthcoming plan to conduct a comprehensive study of child labour in the informal sector in all governorates.

*Data on 15–17 year olds in the workforce in 2007–2012 can be found in the statistical annex.*

## **2. The use of illegal substances by children and trafficking in narcotics and psychotropic drugs**

268. In addition to what was stated in the second periodic report about the Sultanate's efforts — in the form of the Anti-Narcotics and Psychotropic Substances Act, promulgated by Royal Decree no. 17/99 and the formation in 2000 by Decision no. 28 of the Minister of Health of the National Committee for Narcotics and Psychotropic Substances, which consists of a number of Government bodies — there are several subcommittees, including the narcotic and psychotropic substance control and inspection committee, the inpatient supervision committee and the executive office for narcotics and psychotropic substances, which implements the decisions of the national committee and collects and analyses information received from various bodies. The most significant achievements of the various bodies include the creation of a specialized department to combat narcotics and psychotropic substances, the establishment of anti-narcotics sections in the governorates and at border windows, the opening of a hotline (1444) for the Royal Oman Police to receive reports about narcotics and psychotropic substances and the implementation of awareness-raising programmes through daily newspapers, *Al-Ain As-Sahira* ("The Ever-Watchful Eye") magazine, radio, television and the website of the Royal Oman Police, as well as numerous informative lectures presented by the committee in collaboration with civil society organizations, universities, colleges and schools and the annual publication of a book on the work of the National Committee for Narcotics and Psychotropic Substances. Implementation of the national strategy to combat narcotics (prevention is better than cure) by each body in its particular area of competence is currently being monitored. A study entitled, "The impact of narcotics on young people" is currently being prepared. As regards juvenile addicts, the approach is one of coordination between the juvenile's family and a health institution specializing in treating addiction, either in the Sultanate or abroad, to help the addict kick his addiction before beginning the process of rehabilitation and reintegration into society. The family is given counselling and advice on how to deal with him after his discharge from the clinic and keep him away from bad company. Note that the Sultanate has an addiction treatment unit, which is a public body concerned with the treatment and rehabilitation of addicts. Furthermore, the wise Government accords great importance to combating narcotics by supporting the anti-narcotics agencies of the Royal Oman Police, making available all requirements and training officers and personnel by sending them on specialized courses abroad, designed to boost the chances of success in curbing the use of illegal substances by children and the trafficking of narcotics and psychotropic substances.

269. The Ministry of Health is keen to raise the awareness of children of the dangers of narcotics and psychotropic substances and has published a book entitled, "The Facts of Life", to be used by students as a reference for up-to-date information on a fit and healthy lifestyle. The book is distributed to grade 11 students, both male and female, to encourage them to take an interest in the book's contents. Competitions will be held, requiring students to research and prepare reports on a topic in the book.

### 3. Sexual exploitation and assault

270. With reference to the Committee's recommendation to conduct an in-depth study on sexual exploitation of children, including trafficking in children for this purpose, develop a comprehensive procedure for the early identification of child victims of trafficking, ensure that victims of sexual exploitation and trafficking are not criminalized and that they are provided with adequate recovery and social reintegration programmes and services and seek to establish agreements and bilateral cooperation programmes, it should be noted that a number of measures have been taken within the framework of the legal system, under several articles of the Omani Penal Code and the Trafficking in Persons Act, and within the framework of those institutions concerned with taking penal measures and giving effect to the rules of justice, such as the Public Prosecution Service and Royal Oman Police, as well as other relevant institutions, including hospitals, the Childhood Care Centre, the shelter for trafficked persons and shelter for abused children. Furthermore, the acts stipulated in the Protocol, specifically those associated with the sale of children, have been criminalized and constitute, in their entirety, the crime of trafficking in persons. The law guarantees that the perpetrators of such crimes against children will be punished.

271. At international level, there is coordination and collaboration with labour exporting countries (countries of origin and transit), such as India, Pakistan and Bangladesh, to prevent the trafficking and sale of children and women. There is also ongoing coordination with UNICEF in this regard.

272. As trafficking in persons is a global phenomenon, combating it requires regional and international cooperation. Accordingly, the national committee collaborates with the relevant international organizations, including the International Criminal Police Organization (Interpol), United Nations Office on Drugs and Crime (UNODC), International Labour Organization (ILO) and other organizations. The Sultanate participates in international conferences and symposiums on this issue.

273. With reference to the Committee's observation on treating adolescent victims of sexual exploitation as children and not as adults, it should be realised that the Sultanate determines age on the basis of official documents, such as birth certificate and passport. Furthermore, article 1, paragraph (d) of the Juvenile Accountability Act states that a juvenile delinquent is any person between the ages of nine and 17 who commits a crime punishable by law. Article 2 of section 1 (definitions and general provisions) makes it clear that age is determined by an official birth certificate. If birth was not registered, age is estimated by the Ministry of Health on the basis of the Gregorian calendar.

274. In relation to the Committee's observation on seeking help and cooperation at the penal or criminal procedural stages in relation to crimes under article 3, paragraph (1) of the Optional Protocol — i.e. discovery, investigation, prosecution, sentencing and extradition procedures — the Sultanate would like to note that the sexual exploitation of children, the transplantation of their organs for profit and the employment of children in forced labour are acts which come within the crime of trafficking in persons, as defined in article 1 of the Trafficking in Persons Act. The said Act guarantees that the victims of these crimes will be well treated and claims made by child victims of consent to crimes covered by the provisions of the Act shall not be accepted, as provided for in article 3 of the aforementioned Act. Furthermore, article 5 of the Trafficking in Persons Act guarantees that victims shall be informed of the rights guaranteed to them under the law in the language they understand and shall be accorded the opportunity of declaring their psychological, physical and social situation, as a prelude to providing them with the proper care. Furthermore, the Act guarantees protection for victims and witnesses. Finally, the Act guarantees that victims can remain in the Sultanate until the penal procedures have concluded and a verdict in the case has been delivered.

*Data on child abuse can be found in the statistical annex*

### 3. Sale, trafficking and abduction of children

275. Concerning the Committee's concern about the potential of the Sultanate to be or become a destination country of trafficking in children and their exploitation in prostitution and pornography, owing to the large number of migrants in search of employment, and its concern at the lack of data and research on the prevalence of national and cross-border trafficking, as well as the lack of a comprehensive procedure to identify children who may be victims, it should be pointed out that article 18, section 2 (regulation of the employment of foreigners) of the Omani Labour Act forbids an employer from recruiting non-Omani labour unless he has obtained a licence from the Ministry of Manpower.

276. As already noted in the second periodic report, the phenomenon of the sale, trafficking and abduction of children does not exist in the Sultanate. Nevertheless, following ratification by the Sultanate of the Convention on the Rights of the Child and accession to the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography pursuant to Royal Decree no. 41/2004, the Trafficking in Persons Act was promulgated by Royal Decree no. 126/2008. Article 2 of the Act classifies human trafficking as a criminal offence and defines the perpetrator of such an offence as anyone who, by means of coercion, threat, deception, abuse of position or influence or by taking advantage of a person's vulnerability or by using power over that person or by any other illegitimate means, whether direct or indirect, deliberately uses, transfers, houses or receives a person for the purpose of exploiting him or her. Paragraph 2 of the same article states that for the purposes of child protection, a perpetrator of a human trafficking offence is anyone who uses, transfers, houses or receives a minor, even by means other than those described above. Articles 3 and 5 of the Act set out some of the measures that may be taken in relation to victims during questioning or trial: as regards child victims of prostitution or other acts constituting the crime of trafficking in persons, it should be noted that Omani legislation does not criminalize child victims of the crimes stated in the Protocol but treats them as victims and, as such, they receive proper health and psychological care. In addition, both they and the witnesses to the said crimes are given protection. Victims are given shelter until such time as a verdict is delivered by the competent court. Furthermore, under the Juvenile Accountability Act, they are given protection, care and means of reintegration into society by the Ministry of Social Development.

277. In relation to what was indicated in the initial report on the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and what has been implemented with regard to the concluding observations previously made in the context of the Optional Protocol, it should be noted that the Sultanate does not suffer from this problem. Furthermore, criminal legislation comprehends that the acts stipulated in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child are incorporated in the Omani Penal Code, promulgated by Royal Decree no. 7/74 and the Trafficking in Persons Act, promulgated by Royal Decree no. 126/2008. Accordingly, any perpetrator of these acts, if committed on Omani territory in the manner stated in articles 3, 4 and 5 of the Omani Penal Code, is subject to the jurisdiction of the Omani judiciary. Furthermore, Omanis who commit the crimes covered by the provisions of the Protocol shall be punished, even if the acts are committed outside Omani territory, as clearly stated in article 10 of the Penal Code, on the basis of the personal competence stipulated in the said Act. Furthermore, a foreigner is subject to the jurisdiction of the Omani judiciary, if found on Omani territory after the commission of a crime under Omani law, pursuant to the terms and conditions of article 12 of the Penal Code.

278. The Sultanate has taken a number of measures, including those mentioned in article 10 of the Trafficking in Persons Act to the effect that, if the crime of human trafficking has been committed through the agency of a corporate person, the punishment stipulated for the crime shall be imposed on the person responsible for the management of that corporate

person, if his knowledge of the crime is proven. If committed on its behalf and for its benefit, the corporate person shall be responsible for the crime and punished by a fine of not less than OMR 10,000 and not more than OMR 100,000.

279. The Sultanate has implemented a number of preventive measures and endeavoured to promote awareness of the harmful effects of the crimes stipulated in the Optional Protocol. These include holding seminars and forums to introduce and raise awareness of the family advice hotline, the Convention on the Rights of the Child and the Optional Protocols thereto, through various media.

280. On measures taken to provide social reintegration and physical and psychological rehabilitation for child victims of offenses under the Optional Protocol, a committee known as the National Committee to Combat Human Trafficking (NCCHT) was established pursuant to article 23 of the Trafficking in Persons Act and a national action plan to combat human trafficking has been formulated, focusing on the following themes: description and definition of the concept of human trafficking, ways of applying the Trafficking in Persons Act in the Sultanate, combating crimes of human trafficking, disseminating instructional information on human trafficking, training and qualifying those working to combat human trafficking, international cooperation, the role of the committee secretariat and outlining the roles of the relevant bodies concerned with combating the trafficking of persons. The committee set up a website in 2009, giving an overview of its role, the laws and regulations designed to combat trafficking in persons, the national plan to combat trafficking in persons and news of the committee. Furthermore, the website provides a means of reporting instances or suspected instances of human trafficking.

281. We might draw attention to the role of the Department of Juvenile Affairs of the Ministry of Social Development. When a juvenile is placed in a correctional facility, his physical and psychological well-being is attended to by practising sport and participating in various activities, such as carpentry, mechanics, drawing and handicrafts. Religious and instructional lectures are given on different aspects of life and how to deal with these. Article 26 of the Juvenile Accountability Act — section 2 (measures and punishments) — states that this department is responsible for follow-up care procedures.

282. As for measures adopted to protect child victims of and/or witnesses to practices prohibited under the Optional Protocol at all stages of the criminal justice process, it should be noted that, under the Sultanate's Juvenile Accountability Act, child victims and witnesses to prohibited practices are guaranteed protection. These measures are dealt with in articles 10, 11, 12, 15, 17, 20, 21 and 26.

283. As regards the allocation of adequate human and financial resources to the relevant authorities and civil society organizations to enable them to implement programmes relating to the provisions of the Protocol, especially for criminal investigations, legal assistance and the physical and psychological recovery of victims, it should be noted that, pursuant to Ministerial Decision 330/2012, the Ministry of Social Development established the Family Protection Department and has made financial and human resources available under the Ministry of Finance budget. The Sultanate has been active in promoting international cooperation and coordination between national authorities and relevant regional and international organizations, as well as national and international NGOs concerned with the prevention of crimes covered by the Optional Protocol. Furthermore, the Sultanate cooperates with Gulf and Arab States through the Gulf Cooperation Council and League of Arab States and concludes agreements with labour-exporting countries.

284. With reference to the Committee's observation on the Protocol on the sale of children that the National Human Rights Committee (NHRC) has not yet commenced operation, the Sultanate would like to advise that the committee has been in operation since its establishment. Its efforts have consisted of publishing instructional booklets and

brochures to disseminate the culture of human rights among children, as well as a book entitled, “My Childhood is My Right”. Additionally, the NHRC has delivered instructional lectures for children at Sultan Qaboos School and Saham School and organized an instructional forum on human rights at Saham Secondary School for Girls in 2012. Together with the relevant bodies, the NHRC scrutinized the draft third and fourth national report on the rights of the child. In addition, the NHRC encouraged the State to withdraw its reservations to the Convention. The NHRC has been concerned to raise the profile of the following aspects of human rights in the Sultanate:

- The right to life and physical safety (in relation to forced disappearance): the NHRC has not observed any instances of violation of the right to life or of forced disappearance. Furthermore, no forms of extra-judicial proceeding were witnessed in 2011, reflecting positively on the protection of these rights and the State’s respect for the judiciary, rule of law and the rights and freedoms of the individual;
- The right to freedom and personal security: the NHRC has received five reports on this matter, mostly from inmates of the central prison, seeking inclusion on the amnesty list. The necessary procedures are currently being followed with the relevant bodies in this regard;
- Places of detention: the NHRC has made a number of visits to places of detention and made the appropriate observations;
- The NHRC monitors human rights in relation to freedom of opinion and expression, the right to equality, the right to participate in political life, the right to a decent life, the right to work, the right to accommodation, the right to healthcare and the rights of groups entitled to care (women, children, workers and the elderly). The necessary resources have been made available.

285. With reference to the Committee’s observation on adoption of the Trafficking in Persons Act and its concern that not all the offences covered by the provisions of the Protocol have been fully incorporated into the Penal Code (no. 126), it should be noted that this issue has been given impetus by the establishment of the National Committee to Combat Human Trafficking — chaired by the general secretary of the Ministry of Foreign Affairs — with Cabinet approval in mid-2012. Also, the Ministry of Social Development has assumed responsibility for protection, through the Department of Family Protection and its shelter for victims of human trafficking.

286. With reference to the Committee’s recommendation that the State Party promptly adopt the Children’s Act and ensure that it is in conformity with the Convention and its Protocols, it has previously been noted that the Sultanate formed a committee of experts to study current Omani legislation and prepare the bill. The State Council and Consultative Assembly have reviewed the bill and the necessary measures have been taken for submission to the competent bodies. All that remains is for it to be promulgated by Royal Decree.

287. With reference to the Committee’s recommendation that all necessary legal and practical measures be taken by the State Party to establish its de facto jurisdiction over offences in accordance with article 4 of the Protocol, we would like to advise that article 3 of the Omani Penal Code, promulgated by Royal Decree no. 7/74, extends Omani jurisdiction over crimes committed on Omani territory. Omani jurisdiction extends to cover crimes that take place on Omani land territory, territorial airspace and territorial waters, in addition to Omani ships and aircraft. Accordingly, the commission of any crime on Omani territory, as stated above, is subject to Omani jurisdiction.

## **D. Street children**

288. The Sultanate would like to advise that there are no street children in the Sultanate. The traditions of the Omani family call for adherence to the faith and protection of and care for children. Moreover, the acknowledged role of family solidarity within the social structure of Omani society does not allow this.

## **E. Delinquent children**

289. Articles 34, 35, 36, 37 and 40 of section 3 of the juvenile Accountability Act regulate the prosecution of juveniles. The minimum age of criminal liability is set at nine years. It should be noted that the Children's Bill raises the minimum age to 12.

### **1. Department of juvenile justice affairs**

290. With reference to the Committee's observation that the minimum age of criminal responsibility, which is set at nine years, is too low, and that there is insufficient information and data on the implementation of current laws, penal practice and other matters, including adoption of the Juvenile Act, we would like to clarify that the Sultanate adopted the Juvenile Accountability Act pursuant to Royal Decree no. 30/2008 and the Ministry of Social Development — in the form of the Department of Juvenile Affairs — is in charge of applying it. The department collaborates with the competent bodies in matters relating to penal practice, alternative reform measures and the establishment of a juvenile court system with judges who have specialized knowledge of juvenile law, pursuant to Ministerial Decision no. 100/2008, setting up the Department of Juvenile Affairs. Care is provided for youth at risk of delinquency in the Juvenile Guidance Home, while juvenile delinquents are confined in the Juvenile Reform Home, which provides care, rehabilitation and follow-up programmes. The Juvenile Accountability Act defines a juvenile delinquent as any person between the ages of nine and 17 who commits a crime punishable by law. As such, the minimum age of criminal responsibility is nine years. We noted above that the competent officials are considering raising this age to 12.

291. With reference to the Committee's observation on continuing to develop and implement a comprehensive system of alternative measures to deprivation of liberty, such as probation and community service orders, it should be noted that the Sultanate's Juvenile Accountability Act makes reference to "care measures", such as handing over the child to the care of his parents or legal guardian, preventing him from frequenting certain places or engaging in a certain type of work. A probation order ensures that the juvenile delinquent is placed in his natural environment, subject to supervision and guidance by a social worker. The requirements and the duration of the probationary period, which must not exceed two years, are set out in the order. The juvenile delinquent may be enrolled in vocational training, whereby he is confined to a special centre or a factory or farm owned or overseen by the State and which has been designated by decision of the minister. The duration of such measures, which shall not exceed three years, must be specified in the court order. The law provides for conditional release, if the delinquent has served half his sentence and been of good conduct during time served in the reformatory, based on reports.

292. With reference to taking the necessary measures, such as suspended sentencing and early release, to ensure that deprivation of liberty is limited to the shortest time possible, the Sultanate would like to advise that, in most cases, a sentence of confinement in a reformatory handed down by the juvenile court will be suspended and replaced by probation, obligatory religious or community service duties or other measures provided for in the Juvenile Accountability Act. We might further point out that, in most cases, juveniles

benefit from release under the amnesty granted by His Majesty Sultan Qaboos bin Said on religious and national occasions.

293. On measures to improve collection of data on relevant aspects of the juvenile justice system in order to obtain a clear and transparent picture of practices in this area, the practical framework applied in the Ministry of Social Development (Department of Juvenile Affairs) is consistent with the Juvenile Accountability Act. A social worker is responsible for conducting the investigation and this is the system followed with respect to collection of data. There is cooperation between the Sultanate — i.e. the Ministry of Social Development (Department of Juvenile Affairs) — and UNICEF in training workers in the technique of dealing with juveniles. Furthermore, the department participated in an Arab conference on “Systems of juvenile justice in the Arab region”, held in Algeria and organized and managed by Penal Reform International. Some 38 participants took part in the conference. The department also organized a workshop on judicial enforcement.

294. With reference to the committee’s observation on earmarking human and financial resources to ensure that all child victims obtain legal representation, it should be noted that there are special juvenile departments within the investigative bodies (the juvenile justice department of the Public Prosecution Service) and courts (the juvenile courts), as well as the Royal Oman Police (the juvenile police unit). Furthermore, under article 39 of the Juvenile Accountability Act, the court will appoint an attorney to defend a juvenile delinquent, if the family lacks the resources to engage counsel. Under article 11 of section 1 (definitions and general provisions) of the same Act, a juvenile is exempt from paying any juvenile court fees or costs.

## 2. Children deprived of liberty

295. It should be noted that article 18 of the Basic Statute of the State stipulates that personal freedom is guaranteed by law. It is unlawful to arrest, search, detain, or imprison any person or have his place of residence or freedom of movement or residence restricted except in accordance with the provisions of the law. Furthermore, article 256 of the Omani Penal Code makes it a criminal act for one person to deprive another of his personal freedom. It has already been noted in the report that the Juvenile Accountability Act protects juveniles by guaranteeing them full rights with regard to legal proceedings and allowing them to be kept in preventive custody for not more than 48 (forty-eight) hours. There are three juvenile confinement institutions in the Sultanate:

- Juvenile Observation Home: a home attached to the Royal Oman Police in which a delinquent is confined until the court delivers its verdict; the period of confinement may not exceed 48 hours but can be extended to five days by the public prosecutor. The home provides full recreation and care facilities for juveniles. It is worth noting that, when the report was discussed at the first national conference on childhood, it was recommended that responsibility for the home be transferred from the Royal Oman Police to the Ministry of Social Development; this matter is currently under discussion with the relevant bodies;
- Juvenile Guidance Home: a home attached to the Ministry of Social Development in which juveniles who are vulnerable to delinquency are confined in order to readjust their behaviour and protect them from deviance. Although this home is currently not in operation, work is underway on providing its services to juveniles;
- Juvenile Reform Home: a home attached to the Ministry of Social Development in which convicted juveniles delinquents are confined. The home provides juveniles with a range of social, psychological and educational care services that contribute to and, indeed, expedite the process of their reform. Trained, professional staff resolve the social and psychological problems of juveniles, strengthen the bonds with their



families, foster their self-confidence and help them to complete their studies. The home's specialized workshops teach juveniles how to operate electrical equipment and repair automobiles. There are also handicraft and drawing workshops to bring out and develop their talents. The physical and psychological aspects of juveniles are developed by sports training given by specialized sports instructors.

### **3. Sentencing of children, in particular the prohibition of capital punishment and life imprisonment**

296. Under the Omani Penal Code and Juvenile Accountability Act, the death penalty and life imprisonment are not imposed on children. Alternative punishments to prison for a juvenile include probation, where the juvenile is placed in his natural environment under terms and conditions set by the court, such as social and religious duties that the juvenile must undertake. Articles 20, 42 and 43 of the same Act provide for care and reform measures. These measures are set out at length in articles 21, 22, 23, 24 and 25.

### **4. Physical and psychological rehabilitation and social reintegration**

297. This aspect has previously been noted in the report. The law and the measures adopted guarantee the provision of physical and psychological rehabilitation and social reintegration.

### **5. The training available for all professionals involved with the juvenile justice system**

298. Training is designed to produce competent and qualified specialists in the field of juvenile justice. As part of its training programme, the Ministry of Social Development — in the form of the Department of Juvenile Affairs — organizes workshops and seminars for its staff on how to deal with and protect juveniles. The most appropriate measures in each case are considered. In these courses, participants are introduced to the Convention on the Rights of the Child and its two Optional Protocols, as well as other international instruments relevant to the field of juvenile justice, including the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.

299. The Royal Oman Police has participated in a number of training programmes on combating trafficking in persons. Training measures adopted by the Sultanate's Ministry of Manpower include the following:

(a) Strengthening the inspection system by the appointment of 160 (one hundred sixty) male and female labour inspectors in 2007–2011, tasked with conducting field investigations to curb violations of the Labour Act, including violations relating to the employment of juveniles. Inspectors have taken a series of training courses, principally:

- A course on labour inspection policy and strategy, in collaboration with the International Labour Organization (24–25 August 2008);
- A training course on the future perspective of labour inspection (29 November–1 December 2008);
- Field training on applying the basic standards of labour inspection (December 2008–February 2009);
- A training course on the principles of inspection (3, 6 and 7 October 2009);

(b) The Ministry of Manpower actively seeks to raise awareness of the law relating to the employment of juveniles by distributing brochures containing the relevant legal provisions;

(c) The task of judicial officers (labour inspectors) in Muscat Governorate and all other governorates in the Sultanate is to record violations of the Labour Act involving

the employment of juveniles and to take the legal steps to enforce the punishment stipulated in law;

(d) A number of training programmes have been organized for personnel working in the area of care and protection of juvenile delinquents, including:

- A training course on labour inspection policy and strategy (13–14 March 2010);
- A training course on developing the efficiency of labour inspection (10–12 May 2010);
- A workshop on judicial enforcement, organized by the public prosecutor’s office (2011);
- A workshop on the technique of dealing with juveniles, organized by the UNICEF office (2010);
- A training session for those working with juvenile delinquents on techniques for addressing behavioural problems, emotional disturbances and capacity-building, organized by the executive office of the Gulf Cooperation Council (2010);
- A training course for juvenile specialists on ways and means of dealing with juvenile delinquents, organized by the Ministry of Social Development (2011);
- A training course on first aid, organized by the public prosecutor’s office and Ministry of Health (2011);
- A training course on psychometrics, organized by Sultan Qaboos University and the Ministry of Health (2012);
- A training programme on counselling the families of addicts on how to deal with their children, organized by the Ministry of Social Development (2012);
- An Arab conference on “Systems of juvenile justice in the Arab region”, held in Algeria and organized by Penal Reform International (2011);
- Fact-finding visits to the State of Kuwait, Kingdom of Saudi Arabia, Hashemite Kingdom of Jordan and the Lebanese Republic to study the experience of other countries in the field of juvenile care; organized by the Ministry of Social Development (2011–2012).

## **F. Children belonging to minority groups**

300. Omani society is a single fabric, with a single historical origin. Given the social, cultural and economic structure of society, there are no groups that form minorities or are considered as the original inhabitants, as there are in some countries. The Sultanate is an Arab Muslim State that recognizes the presence on its territory of other religions and sects. It rejects all forms of extremism and fanaticism and calls at all times for mutual understanding and freedom of thought and belief. Religious tolerance is a distinguishing feature of the country’s modern renaissance.

## **X. Conclusion**

301. This report is the result of institutional and collective efforts to monitor achievement in many areas relating to human rights in Oman. What sets it apart this time is that it is the

product of teamwork and all governmental and non-governmental organizations working with children in the Sultanate have been involved. Furthermore, it has had the benefit of the participation of children and of being publicly discussed at a conference on childhood. As such, the Follow-up Committee has established new conventions in the preparation of periodic reports. For example, it has concluded from the many organizational and technical studies that it is essential to prepare an annual report on the rights of the child in the Sultanate and to foster children's rights monitoring frameworks in ministries and non-governmental organizations. Furthermore, the recommendations of the conference represented a foundation for further strengthening the rights of the child in the Sultanate, which will be reflected in the development of better working methods.

---