WOMEN’S RIGHTS IN THE SULTANATE OF OMAN

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Self-Introduction:

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■ **Position:** Advisor on Evidence Based Health Care and guideline development, Ministry of Health (MoH).

■ **Education:**
  - 2013-2015: MSc, Evidence Based Health Care, University of Oxford
  - 1993-1996: MSc, Nutritional Biochemistry and Epidemiology, Cornell University
Experiences:
- 2016-Present: Founder, Al Asfoor Consulting.
- 2009-Present: Member, Omani Women Association.
- 2012-2016: Vice-chair, Oman Public Health Society.
- 2010-2013: Member, National Human Rights Commission.

Some publications:
- 2010: Spina bifida and birth outcome before and after fortification of flour with iron and folic acid in Oman, *Eastern Mediterranean Health Journal*.
- 2007: Determinants of persistent underweight among children, aged 6–35 months, after huge economic development and improvements in health services in Oman, *Journal of health, population, and nutrition*. 
Objectives:

- Provide a perspective on Omani women throughout history.
- Specify some general information about Oman.
- Provide an outlook on women’s rights in Oman.
- Assess the conformity of the Omani legal framework with women’s rights.
- Provide a viewpoint regarding the participation of Omani women in politics.
Introduction

“We call on Omani women everywhere, in the village and the city, in urban areas and in the countryside, in the plains and in the mountains to contribute to economic and social development with their individual abilities, skills, expertise, and positions in society. The homeland needs all citizens to continue the march towards progress, stability, and prosperity. We call on Omani women from this podium to shoulder their vital part in the society, and we are convinced they will respond”.

His Majesty Sultan Qaboos bin Said (Shura Council 2007)
Oman in Numbers

- Area: 309,500 Km²
- Coastal area: 3,165 km
- Revenue from: Natural resources: oil, gas, copper, asbestos.
- Tourism, fisheries, contribute to national economy.
- Religions: mainly Islam, and other religions practice freely including Christians and Hindu.
Population
Omani Women throughout History:

- Traditional Omani attire for women, although varying slightly from region to region, is characterized by brightly colored fabrics and jeweled adornments.

- The most common form of education before 1970 was the kuttab, a traditional method where a group of boys and girls were taught to recite the Quran, basic writing and arithmetical skills.

- Omani women have traditionally shared the division of labor in agricultural activities. For example men work the date gardens while women tend to the fields of wheat and barley.

- Sayyida Moza bint Ahmed bin Said Al Busaidi - a prominent female political figure in Omani history: ruled the country from 1804 (1749-1832).
Samira

- Age: 40 years old
- Education: Doctorate of Change management, Villanova University, USA.
- Position: Director of research in MoH.
- Marital Status: Married, five children.
Shamsa

- Age: 30 years old
- Education: secondary school.
- Occupation: Runs a home business that includes cooking and sewing.
- Marital status: Married with four children.
- Husband: Oil company employee.
Omani women in the constitution

Article 17 of the Basic Law (1996):

“All citizens are equal before the law, and they have equal rights and responsibilities. There shall be no discrimination based on gender, origin, color, language, religion, sect, or social status”.
2010 UNDP Report

- The analysis identifying top movers relative to the starting point in 1970 ranks Oman first out of 135, followed by Saudi Arabia (5th), Tunisia (7th), Algeria (9th) and Morocco (10th).

- “This progress is not attributable to oil and gas earnings, as might be assumed,” said Jeni Klugman, the lead author of the Human Development Report. “The high-achieving Arab countries can attribute their success largely to impressive long-term improvements in health and education, the non-income dimensions of the HDI.”
HEALTH
Under Five Mortality Rates

![Graph showing Under Five Mortality Rates from 1998 to 2016 with data for males and females separately.](image-url)
<table>
<thead>
<tr>
<th>1990 rank</th>
<th>2016 rank</th>
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</thead>
<tbody>
<tr>
<td>1 Neonatal disorders</td>
<td>1 Transport injuries</td>
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<tr>
<td>2 Transport injuries</td>
<td>2 Cardiovascular diseases</td>
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<tr>
<td>3 Other non-communicable</td>
<td>3 Mental disorders</td>
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<tr>
<td>4 Cardiovascular diseases</td>
<td>4 Other non-communicable</td>
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<tr>
<td>5 Diarrhea/LRI/other</td>
<td>5 Diabetes/urog/blood/endo</td>
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<td>6 Mental disorders</td>
<td>6 Musculoskeletal disorders</td>
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<td>7 Unintentional inj</td>
<td>7 Neurological disorders</td>
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<tr>
<td>8 Diabetes/urog/blood/endo</td>
<td>8 Unintentional inj</td>
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<td>9 Musculoskeletal disorders</td>
<td>9 Neoplasms</td>
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<td>10 Nutritional deficiencies</td>
<td>10 Diarrhea/LRI/other</td>
</tr>
<tr>
<td>11 Neurological disorders</td>
<td>11 Neonatal disorders</td>
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<tr>
<td>12 Neoplasms</td>
<td>12 Chronic respiratory</td>
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<td>13 Chronic respiratory</td>
<td>13 Self-harm &amp; violence</td>
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<td>14 Other group I</td>
<td>14 Nutritional deficiencies</td>
</tr>
<tr>
<td>15 Self-harm &amp; violence</td>
<td>15 Other group I</td>
</tr>
<tr>
<td>16 Digestive diseases</td>
<td>16 Cirrhosis</td>
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<tr>
<td>17 Cirrhosis</td>
<td>17 Digestive diseases</td>
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<tr>
<td>18 NTDs &amp; malaria</td>
<td>18 HIV/AIDS &amp; tuberculosis</td>
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<tr>
<td>19 HIV/AIDS &amp; tuberculosis</td>
<td>19 NTDs &amp; malaria</td>
</tr>
<tr>
<td>20 War &amp; disaster</td>
<td>20 War &amp; disaster</td>
</tr>
</tbody>
</table>

Communicable, maternal, neonatal, and nutritional diseases
Non-communicable diseases
Injuries
EDUCATION
Education

Samira

■ Studied in public schools.
■ Received a scholarship for her higher schooling in the US for BSc, through to PhD.
■ Her children: both boys and girls attend schools.

Shamsa

■ Studied in public schools.
■ Left school to get married at the age of 18.
■ Children range in the ages of 5 to 21.
■ All children are educated, one at the University.
Right to Education

- The state’s Basic Law has guaranteed the right to education for women.
- Article 13 of the law stipulates that education is an essential pillar for the advancement of a society and is guaranteed by the state, which attempts to spread public education.
- There are no legal texts restricting the right to education to men.
Gross enrolment ratio for tertiary education, gender parity index (GPI) (1970)

Data by the UNESCO Institute for Statistics

- Women disadvantaged (less than 0.80)
- Women disadvantaged (0.80-0.89)
- Women disadvantaged (0.90-0.96)
- Gender parity (0.97-1.03)
- Men disadvantaged (1.04-1.10)
- Men disadvantaged (1.11-1.20)
- Men disadvantaged (greater than 1.2)
- No data
Gross enrolment ratio for tertiary education, gender parity index (GPI) (1974)

Data by the UNESCO Institute for Statistics

- **Women disadvantaged (less than 0.80)**
- **Women disadvantaged (0.80-0.89)**
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Gross enrolment ratio for tertiary education, gender parity index (GPI) (1995)
Higher Education Acceptance and graduation rates of males and females
EMPLOYMENT AND ECONOMIC EMPOWERMENT
So what if?

- Samira was discriminated against or attacked at work?
- Shamsa is forced to face her husband in a divorce trial?
Women have **the right to possess and monopolize their property** and deal with it however they please; this is a right guaranteed to women **regardless of their marital status**. It is stipulated in Article 11 of the Basic law of the State that private ownership is guaranteed. This right of women is **absolute** and includes all property that can be owned, be it real estate or personal property (movables).

Royal decree 2003/35 guarantees a **woman’s right to work on an equal footing with men**. The text of the law mentions the “workers” regardless of their gender. Moreover, **special articles of the law provide privileges for women, such as the protection of their social role and their particular conditions.**
Workforce participation
Female participation in the workforce
Percentage of women in Middle and High Management
Omanis in private sector by gender and wage group

Source: Ministry of National Economy, 2010, Statistical Year Book
SOCIAL AND CULTURAL RIGHTS
International Conventions and Treaties

Civil Service Law

- This is the general legislation that organizes state administrative employees. The provisions of the law address employees regardless of their gender.

- The Civil service law confirms the principle of equality between men and women in taking up public service posts, as stipulated by Article 12 of the Basic Law of the state, and in accordance with the conditions required by law.

- Special provisions:
  - Women have the right to a maternity leave up to forty-five days with full salary and unpaid leave for over one year.
  - Women have the right to accompany their husband for a maximum period of two years and six years for wives of diplomats, which will be considered as full years of service (paid leave).
Family Law

- The Personal Statute (Family) Law issued by Royal Decree 97/32 guarantees women a balanced relationship with men based on justice and fairness,
- Article 10 allows a judge to permit a female whose age is above eighteen to marry in cases of a lack of justification for her legal guardian refusal of the marriage,
- Article 23 stipulates that women have full rights to determine their dowry money.
- Clause 1 of Article 37 and Article 49 stipulate the man’s duty to support his wife even if she is wealthy.
- Clause 3 of Article 37 confirms the woman’s right to keep her family maiden name after the marriage.
- Clause 4 of Article 37 stresses the woman’s right to manage her private property.
- Article 82 grants the woman the right to divorce if that is her wish without giving reasons, provided this has been included in the original conditions of the marriage contract.
In other cases a woman might ask the judge to grant her divorce her from her husband in the following cases:

- Owing to **incurable disease** over one year (Article 98).
- **Non payment of the dowry money** and **non execution of the wedding in cases of damages or impossibility of conjugal life** (Article 11).
- If the **husband becomes lost or imprisoned for no less than three years** and after one year of the application for divorce (Article 111).
The committee on Elimination of all forms of discrimination against women, 2011 and 2017

- The Committee notes that the fundamental human rights principles are integrated into the State party’s Basic Law (1996) and its Civil and Penal Codes do not discriminate between women and men in law, procedures and testimony.

- The Personal Status Act contains provisions on inheritance that are in accordance with the Islamic sharia and do not discriminate against women in any form. Omani legislation views men as having more obligations than women; in fact, there are provisions on inheritance under which a woman can inherit a larger share than a man if there is no male heir who is a first- or second-degree relative.
CEDAW concluding remarks 2017

- **Female domestic workers** who are victims of violence have recourse to the competent legal authorities, as they are covered by provisions that criminalize harm to persons.

- The Omani Penal Code addresses, in a general sense and without discrimination based on civil status or nationality, violent acts that are committed specifically in the context of human trafficking. Women are considered victims and are entitled to protection and care until a judgment is made in their cases.

- The **Anti-Trafficking Act** is exceptional in its treatment of women victims of human trafficking. Under the Act, women victims are **provided with health care and psychological counselling through the Dar al-Wifaq women’s shelter until their cases have been resolved, and they are provided with legal protection as well.** The courts assign particular importance to such cases and begin proceedings without delay.
Violence against women (Concluding remarks), CEDAW 2017

- Adopt a specific law on violence against women, including domestic violence, in line with the Committee’s general recommendation No. 19 (1992) and establish appropriate redress mechanisms accessible to all women including domestic workers, who are victims of violence, and ensure that perpetrators are prosecuted and adequately punished;

- Domestic violence and violence against women are not endorsed by current Omani legislation. In fact, such acts of violence are criminalized by the Omani Penal Code, which was promulgated by Royal Decree No. 7/74. That law criminalizes all forms of physical and psychological violence; its provisions are general in nature and do not make distinctions on the basis of sex. Victims of violence have recourse to the competent judicial authorities as a first step toward the prosecution of perpetrators.
CEDAW concluding remarks

- Oman therefore views that it is unnecessary at the moment to adopt a specific law regarding violence against women because adequate measures have already been taken and effective mechanisms developed.
POLITICAL PARTICIPATION
Omani Women in Politics:

- They have the right to vote and to run for elections.
- Female Members of Parliament are present in both the Consultative Council and the State Council.
- They hold ministerial posts in the Sultanate and serve as ambassadors abroad.
CONCLUDING REMARKS
Concluding remarks

- Strong political support for women empowerment on all fronts by the leader and the law.
- Health, Social, and economic rights are guaranteed by law.
- The example of Shamsa and Sameera show that cultural and societal influence the realization of the the rights to vote, education, etc.
- History and culture of Oman is liberal.
- Wide gap between the culture of the society and the policy makers.