



Factsheet: Oman Country Visit

UN Special Rapporteur on the rights to freedom of peaceful assembly & of association



May peaceful assemblies take place without a permit or official authorization?

No

Article 32 of Oman's Basic Law provides that "[t]he citizens have the right to assemble within the limits of the Law", but there are no laws that clearly and explicitly establish the presumption in favor of holding peaceful assemblies (A/HRC/29/25/Add.1, para 17). Any private gatherings of more than nine people require de facto approval from authorities, an administrative procedure that cannot be contested before a court of law (*Id.*, para 23). The authorities are under no obligation to offer reasons for their decision to disperse an assembly and can broadly interpret what is perceived to be a threat to public order. Under international human rights law prior authorization is not required for the exercise of the freedom of peaceful assembly. At most a prior notification regime may be in place (A/HRC/23/39, para 52).

Are unregistered associations permitted to operate freely?

No

The right to form associations is nominally protected as a Constitutional right under article 33 of the Basic Law (A/HRC/29/25/Add.1, para 37), but the 1972 Law on Associations places severe restrictions on the right, requiring registration and making it virtually impossible to establish a legal association without government consent, cooperation and control (*Id.*). The law also makes registration mandatory, gives the government the ability to deny registration applications for any reason deemed "relevant," requires associations to notify the Government of meetings at least 15 days in advance and prescribes that a representative of the Government attend these meetings (*Id.*). These restrictions run counter to international law on the subject of freedom of association: individuals involved in unregistered associations should be free to carry out any lawful activities without government involvement or approval (A/HRC/20/27, para 56).

Are there restrictions on associations' ability to access resources?

Yes

The 1972 Law on Associations requires associations to obtain government approval before they work with, or receive funding from, foreign organizations (A/HRC/29/25/Add.1, para 37(e)). This runs counter to international human rights law and best practice, which states that associations' ability to seek, receive and use resources from domestic, foreign and international sources is an integral and vital part of the right to freedom of association and should not be subject to undue interference (A/HRC/23/39, para 8).

Are there special restrictions limiting assembly and association rights online?

Yes

The Special Rapporteur found that authorities use a variety of tactics to clamp down on and control the use of information and communications technologies. There were widespread reports of authorities hacking into social media accounts and otherwise disrupting activists' online activity (A/HRC/29/25/Add.1, para 19(d)). Voice over Internet Protocol (VoIP) services such as Skype are blocked in Oman, a situation which the Special Rapporteur experienced first-hand (*Id.*, para 34). The Special Rapporteur firmly believes that the rights to freedom of peaceful assembly and of association apply both "offline" and "online," as the Human Rights Council has affirmed (*Id.*, para 53).

Is the registration process for associations impartial and independent from the Government?

No

The Ministry of Social Development has vast control over civil society: handling the registration of associations, monitoring of associations' operations and supervising their activities (A/HRC/29/25/Add.1, para 42). Associations may only be registered if they fall into one of four identified thematic categories. An association may also be denied registration if its objectives are deemed "too similar" to an existing association. For example, the Special Rapporteur was told that an association working to protect forestland in the Dhofar region was denied registration because its work was "too similar" to that of another group working more generally on environmental issues, based in Muscat. The Ministry may also step in to "promote efficiency" if an association is deemed not to be running smoothly. Associations can be de-registered if they do not carry out the activities they were established for (*Id.*, paras 42-46).

Are political parties and political associations permitted to operate freely?

No

Political parties are banned in Oman, as are associations pursuing objectives "against Oman's statutes or social and economic systems" (A/HRC/29/25/Add.1, para 39). Any breach of these provisions may result in dissolution of the association, confiscation of assets, and three to 10 years' imprisonment of the founding members and board of directors. Members face one to three years' imprisonment (*Id.*). Reports from civil society indicate that associations pursuing political reforms and government accountability and transparency are systematically denied registration (*Id.*, para 50).

About this factsheet

This factsheet was produced by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai. It summarizes the findings of the Special Rapporteur's official visit to the Sultanate of Oman on Sept. 8-13, 2014, which he made at the invitation of the Government.

What are country visits?

The Special Rapporteur conducts country visits, when invited, to examine in detail the enjoyment of the rights to freedom of peaceful assembly and of association, to identify any problems and to make recommendations on how these could be resolved. Following the visit, the Special Rapporteur presents a final report to the Human Rights Council. The Government is then invited to respond to the report.

Oman at a glance

- **Official name:** Sultanate of Oman
- **Population:** 4,157,783
- **Capital:** Muscat (pop 812,000 in 2014)
- **Type of government:** Monarchy
- **Head of state:** Sultan Qaboos bin Said Al-Said (Sultan since 23 July 1970)
- **Head of government:** Sultan Qaboos bin Said Al-Said (prime minister since 23 July 1972)
- **UN Member State since:** Oct. 7, 1971
- **Member of the Human Rights Council:** No
- **Standing invitation to UN Special Procedures:** No
- **Visits by other Special Procedures mandate holders:** 2 (since 2006)

Check out the full report

The report (A/HRC/29/25/Add.1), along with the Government of Oman's official response, is available at <http://freeassembly.net/rapporteurreports/oman/>

"At a glance" sources available via hyperlinks

Factsheet: Oman Country Visit (A/HRC/29/25/Add.1)

UN Special Rapporteur on the rights to freedom of peaceful assembly & of association - page 2

Reprisals and the case of Said Jadad

Omani human rights defender Said Jadad - whom the Special Rapporteur met with during his visit to Oman - was **arrested** On Dec. 10, 2014, in his home city of Salalah. He was subsequently released and **arrested again** on Jan. 21, 2015. Maina Kiai and other UN Special Rapporteurs issued a public statement on Jan. 30, 2015, calling upon the Government of Oman to release Jadad and to drop all charges. One UN expert noted that Jadad's arrest seemed "to be an act of reprisal for cooperating with international organizations." Despite this, on March 8, 2015, the Court of First Instance in Muscat allegedly **sentenced** Jadad to three years' imprisonment on charges relating to "undermining the prestige of the state", inciting the public to join an illegal gathering and publishing material that disturbs the public order via the Internet (see also [here](#)). He was reportedly released on bail in April pending appeal.

What are the Special Rapporteur's findings?

The legal environment for the exercise of the rights to freedom of peaceful assembly and of association in Oman is problematic and needs to be strengthened with reference to international human rights standards. The country's impressive achievements in building the economy, maintaining stability and modernizing society are threatened in the long term by a climate in which the populace is not free to associate and organize itself to address its concerns or pursue its own interests.

Silencing voices of dissent is not a viable approach going forward. When a Government fails to provide an outlet for popular sentiment, it loses a valuable opportunity to feel the pulse of the nation, and effectively creates a sealed vessel under pressure that will eventually explode with dire consequences ([para 67](#)).

What is the Oman Government's response?

In its official response to the Special Rapporteur's report, the Government of Oman rejected "serious fallacies ... which have no basis in reality for anyone living in the good land of Oman." The Government said it is making every effort to uphold and advance human rights, and cited its cooperation with the UN's Universal Periodic Review mechanism - and the invitation to the Special Rapporteur - as evidence of this. The Government further asserted that the laws of Oman allow for the exercise of fundamental freedoms, but that they prioritize "public convenience over disturbance, or peace and quiet over commotion ... and other practices that go beyond the bounds of peaceful assembly or freedom of expression." They denied the use of torture, harassment, threats and kidnapping against activists. The full response can be [read here](#) (A/HRC/29/25/Add.4).

"The freedom to form associations is virtually non-existent in Oman. The law ... places severe and sweeping restrictions on the right, making it virtually impossible to establish a legal association without government consent, cooperation and control."

A/HRC/29/25/Add.1, para 37

A note on 'consensus' and FoAA rights

In his meetings with the Government, the Special Rapporteur observed a consistent focus on maintaining peace, order and stability in Oman. This was often used as the rationale for limiting assembly and association rights ([para 51](#)).

The Special Rapporteur views human rights as the foundation for true and sustainable stability. Stability flows organically through involvement and consensus, as part of a social contract in which everyone freely participates ([para 66](#)).

Consensus, however, requires open, unhindered dialogue among all stakeholders and should not involve silencing dissenting or critical voices. The Special Rapporteur emphasizes that an independent, free and robust civil society is a valuable partner in conceiving and implementing policies for combating corruption, promoting human rights, and for promoting further development of Omani society at large ([para 51](#)).

Scorecard: Oman's ratification of key UN human rights treaties

International Convention on the Elimination of All Forms of Racial Discrimination	
International Covenant on Civil and Political Rights	
International Covenant on Economic, Social and Cultural Rights	
Convention on the Elimination of All Forms of Discrimination against Women	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	
Convention on the Rights of the Child	
International Convention on the Protection of the Rights of All Migrant Workers and their Families	
International Convention for the Protection of all Persons from Enforced Disappearance	
Convention on the Rights of Persons with Disabilities	

(Green circles & check marks indicate Oman is a State party to the instrument in question)
Source: [OHCHR](#)