



**International Convention for
the Protection of All Persons
from Enforced Disappearance**

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Committee on Enforced Disappearances

**Report submitted by Oman under article 29 (1) of
the Convention, due in 2021^{*}, ^{**}**

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Introduction

1. The Sultanate of Oman acceded to the International Convention for the Protection of All Persons from Enforced Disappearance under Royal Decree No. 44/2020. This is a clear indication of the country's readiness to abide by the provisions of the Convention, although it should be noted that Oman entered a reservation concerning the competence of the Committee on Enforced Disappearances under article 33 of the Convention and another reservation stating that it does not consider itself bound by article 42 (1) of the Convention.
2. The present report – which has been drafted under the provisions of article 29 (1) of the Convention and in accordance with the reporting guidelines – describes the measures taken by Oman to implement its obligations under the Convention and to uphold the rights enshrined therein.
3. The report consists of two parts. Part I includes information about the Sultanate of Oman, its political structure and the general legal framework that safeguards and protects human rights in the country. Part II concerns the measures and procedures put in place for the implementation of each of the provisions of the Convention.
4. It is important to mention that the Basic Law of the State – which is the country's supreme legislative text that regulates all other Omani legislation, whatever its type or degree – contains a body of principles that uphold the human rights to enjoy a decent life, freedom, security and stability and that envisage protection against any infringement of such rights. This is duly reflected in national legislation and in bilateral and international treaties that have been ratified and that serve the same goal.
5. Under national law, any act of detention, abduction, arrest or deprivation of liberty outside the framework of the law is illegal and amounts to an offence of enforced disappearance. Under no circumstances may individuals, institutions, individuals supported by institutions or State officials be allowed to perpetrate such acts, any of which is considered as a legally punishable offence. Perpetrators, accomplices and instigators of such acts are all liable to be punished.
6. Legislators in Oman have acted to place all the actions of law enforcement officials under the supervision of the judiciary – i.e., the Office of the Public Prosecution – pursuant to article 32 of the Code of Criminal Procedure, which was promulgated by Royal Decree No. 97/99. The Office of the Public Prosecution conducts the investigation and brings the charges; it oversees the correctness of procedures; assesses whether or not to issue arrest and search warrants; monitors the conduct of interrogations and orders detention on grounds authorized by law. All these measures, which are subject to the control of the competent court, constitute a fundamental safeguard for accused persons, preserve the integrity of public proceedings and protect personal rights and freedoms.
7. Enforced Disappearance is defined in article 2 of the Convention: "For the purposes of this Convention, 'enforced disappearance' is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law." It should be noted that Oman has not, to date, had any recorded instance of enforced disappearance. The few instances of detention that have come to light were committed by individuals against individuals. Naturally, all due measures were taken in respect of those cases which do not, in any case, meet the definition of enforced disappearance enshrined in the Convention.
8. The judiciary in Oman is fully independent and any criminal activity envisaged in the Convention, whether committed individually or in an organized manner by civilians or by military personnel, is subject to criminal, civil and administrative liability.
9. The Oman Human Rights Commission was set up under Royal Decree No. 124/2008 then restructured under Royal Decree No. 57/2022. In line with its mandate, it operates to monitor, protect and promote human rights in accordance with the Basic Law of the State and relevant international covenants and treaties.

10. By a decree of the Council of Ministers, a team has been formed to follow up on the implementation of the Convention, discuss any challenges facing that process and draft the relevant reports. The team is led by the Supreme Council of the Judiciary (Office of the Public Prosecution) and has members from a number of government institutions: the Ministry of Foreign Affairs, the Ministry of Justice and Legal Affairs, the Ministry of Social Development and the Royal Oman Police.

11. Several government institutions have been involved in collecting the data and information for the report, including the Ministry of Health, the Higher Judicial Institute and the Office of the Military Prosecution. Consultations were also held with the Oman Human Rights Commission and with representatives from civil society groups such as the Bar Association and the Children First Association. The Commission holds regular meetings to discuss the implementation of the Convention and associated laws, and to discuss any challenges that might arise.

Part I

I. General information about the Sultanate of Oman

A. Overview

12. The Sultanate of Oman is an independent, fully sovereign, Arab Islamic state that has Muscat as its capital city. The religion of the State is Islam, and Islamic sharia is the basis of legislation. The official language of the State is Arabic, and Oman is a Member of the United Nations (joining in 1971), the League of Arab States, the Cooperation Council for the Arab States of the Gulf, the Organization of Islamic Cooperation and the Movement of Non-Aligned Countries.

B. Geographical location

13. The Sultanate of Oman is located in the extreme south-east of the Arabian Peninsula, extending between latitudes 40°16' and 20°26' north and longitudes 50°51' and 40°59' east. It has a coastline that extends for 3,165 km, from the extreme south-east (the Arabian Sea and the entrance to the Indian Ocean) to the Sea of Oman, ending at Musandam in the north which overlooks the strategic Strait of Hormuz and the entrance to the Arabian Gulf. The Sultanate of Oman borders Yemen to the south-west, Saudi Arabia to the west and the United Arab Emirates to the north.

14. The total area of Oman is around 309,500 km³ (three hundred and nine thousand five hundred) and includes multiple landforms of varying topography.

C. Population

15. According to data from the 2023 census, the population of Oman stands at 5,165,602, with Omanis numbering 2,928,957 and migrants 2,236,645.

D. Organizational, political and legal structure of the State

16. The system of government in Oman is that of a hereditary sultanate founded on justice, consultation and equality. Citizens have the right to participate in public affairs in accordance with the Basic Law of the State and under the terms and conditions prescribed by law.

17. The Basic Law of the State (the Constitution) governs all aspects relating to the creation of a modern State. It constitutes the frame of reference for relations between State institutions and defines the responsibilities and duties of the three branches: the legislature, the executive and the judiciary. It serves to ensure that each of these branches plays its national role smoothly and harmoniously, with the interests of the nation in view, and it

guarantees the rights and freedoms of citizens within the framework of the rule of law. The organizational structure of the State consists, as illustrated below, in the Head of State and the three branches: the legislature, the executive and the judiciary.

Head of State

18. The Sultan is Head of State and supreme leader. His person is inviolable, he is due respect, and his order is to be obeyed. He is the symbol of national unity and the guardian who cares for and protects the nation. His duties are defined in article 49 of the Basic Law of the State.

The executive

19. The Council of Ministers is the highest executive authority in the Sultanate of Oman. It is headed by His Majesty the Sultan – God protect him – and assists the Sultan in formulating and implementing general State policy. In particular, the Council is responsible for forwarding recommendations to the Sultan regarding economic, political, social, operational and administrative questions that are of interest to the Government. This includes proposing draft laws and decrees; attending to the interests of citizens; ensuring the provision of vital services; raising economic, social, health and cultural standards; defining general goals and policies for economic, social and administrative development; proposing means and measures for the implementation of such goals and policies while ensuring the correct use of financial, economic and human resources; and discussing development plans prepared by the competent authorities and submitting them to the Sultan for approval and follow-up. The Council also discusses proposals from ministries regarding matters that fall within their purview and emanates recommendations and decrees in that regard; oversees the operation of the administrative apparatus of the State, monitoring its performance and the fulfilment of its duties and coordinating between different units; and it undertakes more general oversight of the enforcement of laws and decrees, regulations, covenants and treaties to ensure due compliance. Additionally, the Council performs any other tasks conferred upon it by the Sultan or by the law, and it has its own secretariat with which it cooperates in the exercise of its functions.

20. Article 50 of the Basic Law of the State includes provisions for the creation of specialized councils to assist His Majesty the Sultan, alongside the Council of Ministers, in formulating and implementing general State policy. These include the Defence Council, the National Security Council, and the Board of Governors of the Central Bank.

The legislature

21. According to article 72 of the Basic Law of the State, the Council of Oman is responsible for proposing, approving and amending bills and for discussing development plans and the general budget of the State, as set forth in the law.

22. The Act regulating the Council of Oman was issued pursuant to Royal Decree No. 7/2021. The Council consists of the State Council, with members appointed by the Sultan, and the Consultative Council (parliament) with members elected by the citizens of Oman to act on their behalf. The Council of Oman holds a regular session lasting not less than eight months per year, which is convened at the invitation of His Majesty the Sultan during the month of November each year. The decisions of the Council are taken by majority.

23. The two Councils undertake their legislative functions in accordance with the Basic Law of the State and the Act regulating the Council of Oman. These functions consist in considering bills, which are prepared by the Government then brought before the Council for approval or amendment before being submitted directly to His Majesty the Sultan for promulgation. The Council of Oman can also draft bills, which are then referred to the Government before coming back to the Council. Under the Basic Law of the State, draft development plans and the annual State budget must be referred by the Council of Ministers to the Council of Oman which discusses them and makes recommendations. For its part, the Act regulating the Council of Oman specifies what monitoring tools the Council can use in its oversight of the executive. These tools include interrogation, consultation, requests for information, urgent statements and discussion of ministerial statements. The two Councils

also play an important part in monitoring the implementation of international human rights treaties and covenants.

The judiciary

24. Article 76 of the Basic Law of the State reads: “The rule of law is the basis of governance in the State. The honour of the judiciary and the integrity and fairness of judges constitute a guarantee for rights and freedoms.” According to article 77: “The judiciary is independent, and its authority is to be exercised by courts of different types and degrees, which hand down their rulings in accordance with the law.” Article 78 of the Basic Law stipulates that, when rendering judgment, judges are subject to no authority other than that of the law. Furthermore, they may not be dismissed save in circumstances defined in the law. No one may interfere in judicial cases or in the course of justice, and such interference constitutes an offence punishable by law. All provisions pertaining to judges are set forth in the law, such as the conditions to be fulfilled by persons aspiring to join the judiciary; the procedures for the appointment, transfer and promotion of judges; the safeguards they enjoy and all other matters relating to them.

25. The Supreme Council of the Judiciary is headed by His Majesty the Sultan while its members and functions are identified in Royal Decree No. 35/2022 regarding the administration of the judiciary. The main functions of the Council consist in formulating overall judicial policy, overseeing the proper functioning of the courts and the Office of the Public Prosecution, facilitating recourse to the courts and making the organs of justice more accessible to litigants. It also proposes draft laws and royal decrees on matters affecting the judiciary and expresses its views on draft judicial cooperation agreements between Oman and other countries.

26. The Office of the Public Prosecution, which is part of the judiciary, conducts prosecutions on behalf of society, oversees the activities of the police and ensures the application of criminal law, the prosecution of offenders and the enforcement of judgments, as stipulated in article 86 of the Basic Law of the State.

27. According to Article 83 of the Basic Law of the State, the military judiciary is an independent judicial body competent to adjudicate military offences committed by members of the armed forces and the security forces, as detailed in the Military Judiciary Act promulgated by Royal Decree No. 87/2022.

II. Legal framework for the protection of human rights at the national level

28. The supreme framework for the protection of human rights in Oman is the Basic Law of the State, which regulates social, economic, educational and other kinds of rights. In fact, the Basic Law of the State includes numerous provisions safeguarding the rights and freedoms of citizens and residents of Oman. One guiding principle of State policy is enshrined in article 13 of the Basic Law, which reads: “A sound system of administration is a guarantee of justice, tranquillity and equality for citizens. It ensures respect for public order and protects the supreme interests of the nation.” For its part, article 15 of the Basic Law focuses on social principles, stating that justice, equality and equality of opportunity among Omanis underpin society and are to be guaranteed by the State. Those social principles also entail certain rights, such as healthcare; assistance during times of emergency and in case of illness, disability or old age; the right to work; and equality among citizens in access to public sector employment, in accordance with the law. In the light of the vital role played by families in the correct upbringing of children and with due respect for women’s rights which are embodiments of the values of humanity, peace and social solidarity, the social principles enshrined in the Basic Law of the State lay emphasis on the need to protect families and to ensure that they remain compact and united. The Basic Law also stipulates that the State has an obligation to attend to the welfare of children, persons with disabilities and the young, and to pursue the empowerment of women.

29. The Basic Law of the State places a particular emphasis on public rights and duties. According to article 18: “Every human being has the right to life and dignity, and the State

is to be responsible for respecting and protecting that right, in accordance with the law.” Article 21 upholds the principle of equality and stipulates that all citizens are equal before the law and have equal public rights and duties, without discrimination on grounds of sex, origin, colour, language, religion, confession, place of origin or social status. Also with a view to protecting rights and freedoms, article 23 of the Basic Law states that personal freedom is guaranteed and that no person may be arrested, detained, imprisoned or searched, or have their freedom of residence or movement curtailed, except in accordance with the law. Torture in all its forms, whether physical or mental, is prohibited under article 25, while article 30 guarantees the right of recourse to justice for all persons. This latter right is also upheld in articles 77 and 78 of the Basic Law, which establish the independence of the judiciary and of courts of all types and degrees, as well as the independence of judges, who may not be dismissed from office. No one, moreover, may interfere in the course of justice in any way, and such interference constitutes an offence punishable by law.

30. All forms of degradation of human dignity are also prohibited under the Basic Law, which provides effective protection for the sanctity of private life. Article 33 of the Law stipulates: “Dwellings are inviolable, and it is not permitted to enter them without the permission of the occupants except in the circumstances and the manner prescribed in law.” Article 35 safeguards freedom of opinion and expression in speech, writing or any other medium, within the limits of the law, while article 36 protects electronic correspondence of all kinds, via telephone or telegraph, as well as correspondence via post and other means of communication. Confidentiality is guaranteed and such correspondence may not be censored, inspected, accessed, revealed, delayed or sequestered except in the circumstances and the manner prescribed in law. Article 37 of the Basic Law guarantees freedom of the press, printing, and publishing, which may not be restricted save in aspects that give rise to civil strife, undermine State security or offend against human dignity and human rights. Article 40 stipulates the freedom to establish national associations for legitimate objectives, using peaceful means and in a manner that does not contradict the aims of the Basic Law of the State. However, it is prohibited to establish associations whose activities are hostile to societal order, that are secret or that are military in nature. No one may be forced to join an association.

31. Article 97 of the Basic Law of the State stipulates: “No institution of the State may emanate regulations, decrees or instructions that violate extant laws or royal decrees or international covenants or treaties that are part of national law.” The competent authorities of Oman strive to implement the provisions of the Convention as part of national law. They undertake not to emanate any regulations, decrees or instructions in violation thereof and to criminalize all instances of the offence of enforced disappearance, as detailed in the present report. Article 13 of the Basic Law of the State identifies adherence to international covenants or treaties as one of the guiding principles of State policy.

III. Regional and international human rights instruments to which Oman has acceded

32. In the light of the significance of the core international human rights instruments, the Sultanate of Oman has become a party to the majority of them, including the following:

1. Convention on the Rights of the Child and its two Optional Protocols
2. International Convention on the Elimination of All Forms of Racial Discrimination
3. Convention on the Elimination of All Forms of Discrimination against Women
4. Convention on the Rights of Persons with Disabilities
5. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
6. International Covenant on Economic, Social and Cultural Rights
7. Arab Charter on Human Rights.

IV. National human rights agencies and institutions

33. In conjunction with the efforts it has made and continues to make to protect human rights, Oman has also established a number of national institutions whose job it is to protect all human rights. Perhaps the most important of those institutions are the Oman Human Rights Commission, the National Committee for Combating Human Trafficking, the National Committee for Monitoring the Implementation of the Convention on the Rights of the Child, the National Committee for Monitoring the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the National Committee for the Welfare of Persons with Disabilities. In addition to this, there are media groups, civil society organizations and youth and sports clubs. The Council of Oman also plays a significant role in this connection.

Oman Human Rights Commission

34. The Oman Human Rights Commission was established in 2008 as an independent national institution for the protection and promotion of human rights at the national level. It cooperates with international human rights mechanisms and seeks to disseminate a human rights culture throughout the country. The Commission, which was reorganized under Royal Decree No. 57/2022, is consistent with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). According to the Royal Decree, the Oman Human Rights Commission is to have – in addition to representatives of governmental human rights bodies – 14 members with experience in the field of human rights. The members are to elect a head of the Commission from among their own number, not including the governmental representatives. The Commission then issues its decisions by a majority vote of the civil society members who are present. In the case of tie, the side supported by the head of the Commission prevails. The representatives of governmental human rights bodies attend the meetings of the Commission and participate in its work but do not have the right to vote.

35. The Oman Human Rights Commission runs regular programmes and workshops to raise awareness about its work and its operating mechanism and to explain its function to promote and protect human rights. It also participates in programmes run by other human rights institutions and bodies, including a 2024 summer programme for school children (“My summer of commitment and values”). The Commission ran summer programmes for 700 students of both sexes in 13 centres in various governorates of Oman during which it distributed some 1,500 educational brochures. Apart from explaining the Commission and its function, the programmes also served to illustrate children’s rights and the laws and treaties protecting such rights. In March 2024, the Commission held an awareness-raising session for officers from the armed forces medical services serving the Royal Oman Army during which it explained its mandate and functions, its monitoring and complaints mechanism and the way it handles the reports it receives.

National Committee for Combating Human Trafficking

36. As part of its efforts to combat the growing global phenomenon of trafficking in persons, Oman issued the Trafficking in Persons Act pursuant to Royal Decree No. 126/2008. Under article 22 of the Act, it then established its National Committee to Combat Human Trafficking by decree of the Council of Ministers in 2009. The National Committee – which has members from various governmental and non-governmental bodies as well as from the Oman Human Rights Commission – submits a regular report to the Council of Ministers detailing the efforts made at the national level to combat trafficking in persons. A rapid intervention team has been set up comprising a number of law enforcement officers whose job it is to intervene promptly and directly to prevent trafficking and protect victims. In addition to this, the Committee has signed a memorandum of understanding with the Oman Bar Association under which the Association undertakes to represent trafficking victims before the judicial authorities in Oman. In cooperation with the competent authorities, such as the Ministry of Labour and the Ministry of Education, seminars and campaigns have been run to raise awareness about the crime of trafficking in persons and how to combat it. Under Decision No. 50/2017 dated 1 November 2017, the Office of the Public Prosecution set up a

special department to investigate and prosecute cases of human trafficking. The Ministry of Labour has set up, as part of its Inspection Department, a human trafficking unit which monitors cases, protects victims and facilitates access to the relevant authorities. The Royal Oman Police has also set up a department to gather evidence in cases of human trafficking

National Committee for Family Affairs

37. The National Committee for Family Affairs, which was established under Royal Decree No. 12/2007, has members from various government agencies: the Ministry of Social Development, the Ministry of Health, the Ministry of Education, the Ministry of Information, the Ministry of Finance, the Ministry of Heritage and Tourism, the Office of the Public Prosecution, the Royal Oman Police and the Oman Chamber of Commerce and Industry. The Committee proposes public policies and programmes aimed at promoting family welfare in areas such as social affairs, healthcare and culture. It also monitors the implementation of those policies and programmes in coordination with the competent authorities and with official and voluntary bodies involved in family-related matters. In addition, the Committee encourages study and research into the family, and it implements and follows up on decisions and recommendations made by international and regional conferences on family affairs. It also expresses its views on relevant treaties, it cooperates with Arab and international committees and other bodies concerned with family matters and it proposes and administers financial resources to fund family-related programmes.

38. Of course, several other bodies also engage with victims of enforced disappearance and with persons accused of committing an offence of enforced disappearance in any form. These bodies include the Office of the Public Prosecution, the Royal Oman Police, the Office of the Military Prosecution, the military courts and the Ministry of Social Development.

V. Status of the International Convention for the Protection of All Persons from Enforced Disappearance in the legal system of the Sultanate of Oman

39. Article 13 of the Basic Law of the State stipulates that a guiding principle of State policy is to be the observance of international, of regional charters and treaties and of generally recognized rules of international law. According to article 93 of the Basic Law: “International charters and treaties are not to have force of law until they have been ratified. In no instance may any charter or treaty contain secret provisions that contradict its public provisions.” Article 97 stipulates: “No institution of the State may emanate regulations, decrees or instructions that violate extant laws or royal decrees or international covenants or treaties that are part of national law.” This means that the Convention, once ratified by Oman, became part of national law and has binding effect on all the organs of State. The provisions of the Convention, moreover, may be invoked in proceedings before the courts and elsewhere. Thus, all governmental and judicial bodies – as well as the Council of Oman – are bound by the Convention, which is part of the nation’s law, and they may not issue any rulings, decrees or laws that are inconsistent therewith. In that connection, the Office of the Public Prosecution issued its Circular No. 5/2024, which concerns the accession of Oman to the International Convention for the Protection of All Persons from Enforced Disappearance. The Circular enjoins prosecutors to abide by the Convention in the same way as they abide by national law and to refer to the Public Prosecutor regarding any reports or information they receive that might constitute a violation of the Convention. Article 49 of the Code of Conduct for the Judiciary stipulates that it is incumbent upon judges to respect human rights and freedoms, social and economic rights and all relevant Arab, regional and international standards. The same principles are enunciated in the Code of Conduct for Prosecutors.

Part II

Measures and procedures for the implementation of the Convention

Article 1

40. The Basic Law of the State provides a solid foundation for the preservation of rights and freedoms. It emphasizes the importance of a life of dignity for all persons in all circumstances and in conditions, and it underscores the importance of an effective system to safeguard and protect freedoms and to obviate any threat they may face. These principles are upheld in a number of provisions of the Basic Law, as detailed below:

- Article 18: “Every human being has the right to life and dignity, and the State is to be responsible for respecting and protecting that right, in accordance with the law.”
- Article 22: “Every human being has the right to security of life, and the State is to be responsible for providing security and tranquillity for its citizens and for all persons who reside on its territory.”
- Article 23: “Personal freedom is guaranteed under the law, and no person may be arrested, detained, imprisoned or searched, or have their freedom of residence or movement curtailed, except in accordance with the law.”
- Article 24: “No person may be detained or imprisoned except in places that are designated for that purpose and that are humanely and hygienically suitable in the manner prescribed by law.”
- Article 29: “Persons who are arrested or detained must be informed immediately of the reasons for their arrest or detention. They have the right to contact or seek assistance from a person of their choice in the manner regulated by law, and they must be promptly informed of the charges against them. They and their representatives have the right to appeal before the courts against any measure restricting personal freedom. The law regulates the right to appeal in a manner that ensures that a decision is made within a specified period of time, otherwise the detainee must be released.”

41. The constitutional tenets outlined above have been translated by legislators into the Code of Criminal Procedure, which states that persons who have witnessed a crime or who learn that a crime has taken place are under an obligation to report the matter to the Office of the Public Prosecution or to a law enforcement official. Any public official or public servant who, in the course of their duties, comes to learn that an offence has occurred that entails prosecution without any requirement for a complaint, request or authorization must likewise immediately inform the Office of the Public Prosecution or a law enforcement official.

42. Law enforcement officials undertake to investigate crimes and the persons who perpetrate crimes, to collect evidence and to conduct the proceedings necessary to establish the facts behind the reports they receive. They may use all means necessary to preserve the evidence of an offence (arts. 28–30).

43. The Code of Criminal Procedure stipulates that the statements of accused persons must be heard before any pretrial detention order can be issued or extended. If a pretrial detention order has been issued against accused persons who have absconded, their statement must be taken within 24 hours of their eventual arrest. Accused persons or their representatives have the right to appeal to the criminal court against pretrial detention orders and the court, sitting in chambers, must rule on the appeal within three days. If the court finds no justification for the order, the accused person concerned must be released immediately (arts. 58 and 59). Article 41 of the Code states that no person may be arrested or imprisoned except by order of a legally competent authority and that arrested persons must be treated in a manner that preserves their dignity. Law enforcement officials and any person holding public authority are prohibited from using torture, coercion, inducement or degrading treatment to obtain statements or to prevent statements from being made during the evidence-gathering, the preliminary investigation or the trial.

44. There can be no derogation from the rights and freedoms guaranteed under the Basic Law of the State, and national laws and legislation uphold those safeguards, not only in normal circumstances but also in exceptional situations and in states of emergency, should they arise. Under Article 7 of the Emergency Act, promulgated by Royal Decree No. 75/2008, all persons who have been arrested or detained have the right to be informed immediately of the reasons for their arrest or detention and the right to contact or seek assistance from a person of their choice including, if they are foreigners, the embassy of their country of origin.

45. The Code also regulates the procedures to be followed when an accused person is arrested, the procedures for releasing such persons and appeal mechanisms. According to article 8, persons who have been arrested or detained must be brought before a competent judge, in accordance with the provisions of the Code, within a maximum of 30 days from the date of their arrest or detention. The judge may then release them, either on bail or on their word, or order that they be held in detention for a period of up to 30 days, which may be extended for one or more similar periods. Persons who have been arrested or detained may appeal against their arrest or detention order if 60 days have elapsed without them having been released. The appeal is referred, at no cost, to the competent court which must issue its ruling within 30 days from the date of submission. If the court fails to issue a ruling, the accused person concerned must be released forthwith. Persons whose appeal has been rejected may submit a fresh appeal every 60 days after the rejection of their previous appeal. The court may, during its consideration of a case, order the temporary release of the arrested or detained person concerned (art. 9 of the Code).

Articles 2 to 5

46. Personal freedom is inviolable under the Basic Law of the State, and any infringement of such freedom is prohibited by national law which has set mandatory legal constraints governing criminal proceedings such as arrests, searches, detention, imprisonment, restriction of freedom or travel bans. Omani legislators have established that any such action perpetrated against any individual or group outside the framework of the law – whether committed by an individual, a group or a public official, individually or systematically – to be a criminally punishable offence. In fact, such actions can be taken only by the competent authority and in the circumstances defined in the law. The relevant provisions of the Criminal Code, promulgated under Royal Decree No. 7/2018, are as follows:

- Article 205: “Any public official who arrests, imprisons or detains a person in circumstances other than those specified in law, or who orders a penalty other than the penalty imposed by law, or a penalty that is not imposed by law, shall be liable to a term of imprisonment of between 3 months and 3 years.”
- Article 322: “Anyone who, by any means, arrests, detains or deprives persons of their liberty in violation of the law shall be liable to a term of imprisonment of between 3 months and 3 years. Anyone who abducts a person thereby depriving that person of liberty shall be liable to a term of imprisonment of between 3 and 7 years. A penalty of imprisonment of between 7 and 15 years is to be imposed if the abduction, arrest, detention or deprivation of liberty occurs in one of the following circumstances:
 - (a) If the action is committed by a person who is wearing, without entitlement, the uniform or distinctive official insignia of a public servant, assumes a false public identity or produces a fake warrant of arrest, detention or imprisonment while claiming that it was issued by a competent authority.
 - (b) If the action is accompanied by the use of deceit or force, or the threat of death or of physical or mental torture.
 - (c) If the offence is committed by two or more persons or by a single person carrying a weapon.
 - (d) If the period of the abduction, arrest, detention or deprivation of liberty exceeds 15 days.

(e) If the purpose of the action is to obtain material gain, to perpetrate indecent assault against the victims or force them to engage in prostitution, to take vengeance on the victim or on others, to harm the victim or to cause the victim to commit a crime.

(f) If the action is committed against public officials during, by reason of or in connection with the performance of their duties.

(g) If the victim is female, a juvenile, has a mental or physical disability or is incapacitated.

The penalty envisaged in the present article is to be imposed on anyone who knowingly conceals a person who has been abducted, arrested, detained or deprived of liberty.”

47. Article 153 of the Penal Code envisages penalties for anyone who, as part of an organized criminal group, intentionally smuggles migrants by land, sea or air in order to obtain, directly or indirectly, a material or non-material benefit. The Code also penalizes anyone who, for the purpose of facilitating the smuggling of migrants, places them in conditions that endanger or are likely to endanger them, threaten their life and safety or expose them inhuman or degrading treatment.

48. Article 41 of the Code of Criminal Procedure states that no one may be arrested or imprisoned without an order from the competent authority and in accordance with legally prescribed procedures.

49. The Code of Military Justice, promulgated by Royal Decree No. 87/2022, criminalizes actions amounting to generalized or systematic enforced disappearance, which it defines as crimes against humanity. Article 91 of the Code reads: “Any of the following actions constitutes a crime against humanity when committed as part of a widespread or systematic attack directed against the civilian population: ...

4. Enslavement
5. Enforced deportation or removal
6. Torture
7. Imprisonment or other forms of deprivation of liberty
8. Persecution of a specific population group for political, racial, national, cultural, religious or gender-related reasons, with the intention of depriving persons of their fundamental rights
9. Racial segregation.”

Persons who perpetrate such actions are liable to a term of imprisonment of between 3 and 10 years, under article 92 of the Code.

50. In addition to this, the Code considers unlawful displacement or imprisonment, or the unlawful detention of protected civilians, to be a war crime when such actions are committed in the context of an armed conflict against property or persons who are protected under treaties of international humanitarian law (art. 93). Perpetrators are liable to a term of imprisonment of up to 10 years – or to the death penalty, if their actions result in the death of their victims (art. 94). Section VIII of the Code – “Crimes involving abuse of authority and breach of duty” – envisages penalties for anyone who improperly detains another person and fails to bring that person before a court or to submit the person’s case to the competent authority for investigation. Penalties are likewise envisaged for anyone who arbitrarily detains another or who keeps persons in custody when an order has been issued for their release (arts. 98 and 108).

51. Article 56 of the Children’s Code, promulgated by Royal Decree No. 22/2014, prohibits the abduction or sale of children or the transplantation of their organs in any form, whether with or without remuneration.

52. According to the Anti-Terrorism Act, promulgated by Royal Decree No. 8/2007, it is a crime to arrest persons in circumstances other than those permitted by law, to hold them

hostage or to threaten to keep them in detention for the purpose of committing a terrorist offence or of influencing the operation of the public authorities of the State, other States or international organizations, or to obtain a benefit from any of them. Persons who perpetrate such actions are liable to life imprisonment – or to the death penalty if their actions result in the death of the persons detained or others (art. 5 of the Act).

53. The law of Oman does not envisage enforced disappearance as a separate offence. However, the legal provisions detailed in the preceding paragraphs do cover all actions that might constitute the commission of – or assistance in the commission of – enforced disappearance, as set forth in article 2 of the Convention. Such actions are considered to be legally punishable offences, irrespective of whether committed by a public official or a private individual. Nonetheless, on the occasion of a recent introductory workshop on the Convention, the Office of the Public Prosecution reached out to the Oman Human Rights Commission with a view to engaging with the competent authorities so that an explicit provision covering the crime of enforced disappearance could be added to the Criminal Code or to the Trafficking in Persons Act, thus harmonizing national legislation with the Convention in that regard.

54. Between 1 January 2020 and 30 June 2024, a total of 237 cases involving violation of freedom were reported to the Office of the Public Prosecution. Of these cases, 119 were referred to the courts, which handed down convictions in 84 cases. Also, the courts issued rulings to archive 112 cases with reasoning that ranged from insufficient evidence to the non-existence of a crime to incorrect facts. The cases also varied in nature from arrest in violation of the law; to detention using deception, force or threats; to deprivation of liberty via abduction; to arbitrary detention; to detaining persons for ransom; to indecent assault. All these were isolated actions, committed by individuals against individuals, and did not fulfil the definition of enforced disappearance enshrined in article 2 of the Convention (annex 1).

Article 6

55. Under the Criminal Code – and in accordance with the general rules governing involvement and participation in criminal acts – instigators and accomplices of a crime are criminally liable alongside the main perpetrator of the offence. Under article 37 of the Code, the perpetrator of a crime is anyone who commits an offence, alone or with others; anyone who intentionally assists in the commission of an offence, if the offence consists of a series of actions; or anyone who, using any means, causes another person to commit an action that constitutes an offence, if that person bears no criminal responsibility or acted in good faith. According to article 38 of the Code, an accomplice to a crime is anyone who reaches an agreement with others to commit an offence, which then effectively occurs on the basis of that agreement; anyone who knowingly provides the perpetrator with a weapon, tool, information or other item which the perpetrator then uses to commit an offence; anyone who intentionally assists the perpetrator in any way in actions that serve to prepare, facilitate or complete the commission of an offence; or anyone who instigates the perpetrator to commit an offence, which then effectively occurs on the basis of that instigation. Accomplices remain liable irrespective of whether their contact with the perpetrator was direct or indirect. Under article 39 of the Code, accomplices who were present during the commission of the crime or any of the actions constituting the crime are liable to the same penalty as the perpetrator, and the same applies to accomplices without whose assistance the crime would not have been committed.

56. Under article 96 of the Code of Military Justice, persons who are in positions of command or vigilance, or who are entrusted with special duties, are liable to the same penalty as the perpetrator of an offence if they disregard the commission of that offence or if they could have prevented it, or were entrusted with preventing it, and failed in their duty to do so. According to article 104 of the Code, anyone who forces another to perform an action in violation of military laws, regulations or directives is liable to a term of imprisonment of between 3 months and 2 years.

57. As stated earlier, the Basic Law of the State prohibits all actions that might constitute the offence of enforced disappearance. Such actions are likewise criminalized under the

Criminal Code and the Code of Military Justice. National law, which admits no derogation to the prohibition on such actions even in states of emergency and exceptional situations, also criminalizes officials who choose to ignore crimes that take place in their presence or with their knowledge. Moreover, in its treatment of aggravating and attenuating circumstances, the Criminal Code does not admit “acting on superior orders” as a justification; in fact, it explicitly states that this can only arise for actions committed in implementation of legitimate orders issued by a competent authority in accordance with legally prescribed procedures (art. 45 of the Code). It follows from this that a superior officer cannot order a subordinate to commit a crime, and such an order does not exempt the subordinate from criminal or civil liability. Thus, Omani law does not recognize the right of subordinates to appeal for exemption from liability, as superior orders do not exempt them from responsibility if those orders entail the commission of a criminal offence punishable by law. In such cases both the superior and the subordinate are criminally liable.

Article 7

58. Reference has been made above to laws and other legal provisions that criminalize various forms of the offence of enforced disappearance, prescribing penalties of different durations for each form. In no case do such offences attract prison sentences of less than 3 years and, in some cases, they can attract a more severe penalty, such as when committed by a public official or a person claiming to be a public official or by two or more persons; when committed for religious motives; or when the victim is a child, female, has a disability or is incapacitated (arts. 82 and 83 of the Code).

59. The Children’s Code envisages severely penalizes crimes against children, such as their abduction or sale. Article 56 of the Code expressly stipulates: “It is forbidden for anyone to commit any of the following acts: (a) Abducting or selling children or transplanting their organs in any form, whether with or without remuneration.” According to article 72 of the Code: “Anyone who commits any of the actions prohibited under articles 55 and 56 of the present Code is liable to a term of imprisonment of between 5 and 15 years and to a fine of between 5,000 and 10,000 Omani rials (RO).”

60. All forms of enforced disappearance are considered crimes against public order. The prosecution of such crimes does not depend upon any complaint or report being filed but is initiated by the competent authority acting on its own initiative. The withdrawal of a complaint on the part of the victim does not then halt proceedings.

61. Since it is their intention to encourage criminals to desist from criminal action and release their victims, legislators have made it possible to recognize an attenuating circumstance if the victim is voluntarily released unharmed within 24 hours or if perpetrators voluntarily hand themselves in to the authorities before the whereabouts of the victim are discovered, indicate the victim’s location and identify any other perpetrators, and such action results in saving the victim unharmed (art. 323 of the Criminal Code).

62. Criminal penalties and disciplinary measures are handed down against persons who perpetrate the offence of enforced disappearance in any form. The penalty varies depending upon the organization to which the perpetrator belongs. Perpetrators who are members of the military or security services may be suspended from duty, if the nature of the crime or the interests of the investigation so require. According to article 58 of the Police Act, promulgated by Royal Decree No. 35/90, if police officers violate the duties of their office, as stipulated in the Act or in any other law, regulation or decree, or if they violate orders issued in implementation of the Act or any other law, or if they deviate from the requirements of their duty, they are thereby committing a disciplinary offence which is punishable by law. This is without prejudice to any criminal proceedings to which they might also be liable. According to article 62 of the Police Act: “The authorities, each within their respective jurisdiction, may suspend from duty any police officer accused of having committed a crime, if the nature of the crime or the interests of the investigation so require.” Police officers may, moreover, be remanded in custody if the interests of the investigation so require and if the alleged action amounts to a crime or misdemeanour punishable by more than 3 months’ imprisonment. A pretrial detention order is to be issued by a military prosecutor for a period

not exceeding 2 weeks, and judges at the competent military court may extend that order for a further period or periods not exceeding 6 months, unless the police officer has been referred for trial (art. 63 of the Act). Other officials, who do not belong to the military or security services and who are subject to the Civil Service Act, promulgated by Royal Decree No. 120/2004, can also be suspended from duty if they are under investigation. In fact, article 110 of the Act states: "The head of unit or person authorized by the head of unit may suspend from duty an official who is under investigation, if the interests of the investigation so require." This too is without prejudice to any criminal proceedings if the act in question constitutes a criminal offence.

63. Under article 60 of the Police Act, police officers are to be held accountable for any violations they commit and, if the violation in question amounts to a criminal offence, disciplinary proceedings are not subject to a statute of limitations unless the criminal proceedings have lapsed. The deadline for the lapse of proceedings is to be suspended by the investigation, the levelling of charges or the trial; that deadline comes into force once again as soon as the last of those procedures is complete. In cases involving multiple accused persons, the suspension of the deadline for one of them has the effect of suspending the deadline for the others, even if no procedures have been launched in their regard. Also, according to article 18 of the Code of Military Justice, if a public prosecution is suspended or if an acquittal or a conviction is handed down, this does not obviate disciplinary accountability, if the action concerned amounted to a disciplinary offence. According to Articles 108, 109 and 133 of the Civil Service Act, serving officials are accountable for any violations they might commit and, if the violation in question amounts to a criminal offence, administrative proceedings are not subject to a statute of limitations unless the public proceedings have lapsed. The deadline for the lapse of proceedings is to be suspended by the investigation, the levelling of charges or the trial; that deadline comes into force once again as soon as the last of those procedures is complete. Moreover, the dismissal of officials does not under any circumstances (other than the death of the official concerned) mean that they can no longer be held administratively accountable, if an investigation was initiated against them before the end of their term of service.

Article 8

64. Time limits for the statute of limitations are defined in article 16 of the Code of Criminal Procedure, as follows: 20 years for serious crimes that attract the death penalty or life imprisonment, 10 years for other crimes, 3 years for misdemeanours and 1 year for infractions. In all cases, the time is calculated from the day the offence occurred. In the case of offences committed by public officials, the calculation begins only from the date they cease to be public officials.

65. Article 3 of the Code of Military Justice stipulates that the statute of limitations is inapplicable to public proceedings against persons subject to the Code who are accused of the offence of enforced disappearance, be it as a crime against humanity or as a war crime. Likewise, the statute of limitations is not applicable to sentences handed down in cases involving such crimes. The same is applicable to the Anti-Terrorism Act, if the action in question amounts to a terrorist offence (art. 25 of the Act). Otherwise, and more generally, instances of enforced disappearance are considered to be continuous offences, and the statute of limitations is calculated from when the enforced disappearance ceases. Under national law, enforced disappearance in all its forms is considered to be a major offence and the limitation on the public prosecution is set at 10 or 20 years, depending upon the case. These are long periods of time proportionate to the gravity of the offence.

66. The prosecution of cases of forced enforced disappearance is conducted by the Office of the Public Prosecution, while victims have a legally guaranteed right to claim compensation for the harm they have suffered. They can bring that claim before the criminal court in conjunction with the criminal case, or they can submit it separately to a civil court. Article 20 of the Code of Criminal Procedure stipulates: "Anyone who has suffered direct personal injury as a result of a crime may – after paying the prescribed fees – bring a civil suit as a plaintiff before the court hearing the public proceedings, at any moment during the course of those proceedings until such time as the pleadings are closed. Such a course of

action is inadmissible before the Court of Appeal. Civil plaintiffs may pursue their case during the course of the preliminary investigation by submitting a request to a prosecutor. They can also name the person liable to pay compensation, either in the case they bring or during the preliminary investigation. Claims for civil compensation are made via a declaration on the part of the accused person or by a request during the course of the public proceedings, if the accused person is present. The referral of the public prosecution to court already includes the civil case, if this has been accepted during the preliminary investigation.” According to Article 23 of the Code, in the rulings handed down in respect of the criminal case, the court is also to rule on the compensation requests made by the parties concerned. If the court finds that its ruling in the civil case would entail a delay in its ruling in the public case, it may issue a ruling concerning the public case alone and postpone its hearing of the civil case or refer it to a competent civil court.

67. The right to compensation for an unlawful action is also regulated under articles 176 and 180–184 of the Civil Transactions Act, promulgated by Royal Decree No. 29/2013. Article 176 of the Act reads: “(a) Any harm caused to third parties places an obligation on the party responsible to pay compensation, even if that party lacks discernment. (b) If the harm was direct, compensation is required even in the absence of any violation. If the harm was caused by another action, the obligation to pay compensation is conditional on the existence of an infraction.” According to article 180: “If more than one person is responsible for the harmful action, each shall be liable, not communally but in proportion to their involvement in that action, unless the court determines otherwise.” Article 181 stipulates: “In all cases, compensation is to be estimated on the basis of harm suffered and loss of earnings, provided that these are the natural result of the harmful action.” Article 182 states: “Compensation is to be estimated in monetary terms, and the court may – depending upon the circumstances and at the request of the injured party – order the restoration of the pre-existing status quo or rule that a specific action related to the harmful action be accomplished by way of compensation.” According to article 183: “Any condition that exempts liability for the harmful action is to be considered null and void.” Lastly, article 184 reads: “Civil liability does not affect any eventual criminal liability, if the conditions for criminal liability subsist. Moreover, the criminal penalty has no effect on the determination of the extent of civil liability or the amount of compensation.”

Articles 9 and 10

68. Under the Basic Law of the State and the general rules governing criminal law, Oman has full jurisdiction over all offences committed on its land, air and sea. In this connection, article 15 of the Criminal Code reads: “The provisions of the present Code are applicable to all crimes committed within the territory of the State, including the lands under its sovereignty, its territorial waters and the airspace above those lands and waters. This includes crimes committed aboard ships and aircraft that are owned by the State, that fly the national flag or that are managed by the State for any purpose, wherever they may be located. A crime is considered to have been committed within the State if any of the actions that constitute that crime takes place inside the State or if the results of the crime are produced or are intended to be produced inside the State.” The Criminal Code is also applicable to crimes committed aboard foreign vessels and aircraft that are located in or that are passing through the territory of the State, if such crimes affect State security, if the offender or the victim is an Omani national, if the captain of the ship or the pilot of the aircraft requests assistance from the Omani authorities or if the action extends beyond the confines of the ship or aircraft (art. 16 (a) of the Code).

69. In cases where a crime is committed by an Omani national, even if the crime in question is committed outside State borders, the jurisdiction of Oman is regulated by article 18 of the Criminal Code, which stipulates: “The provisions of the present Code are applicable to all Omani nationals who, outside the State, commit an action that amounts to an offence under this Code, if they return to Oman and if the crime in question is punishable in the State where it was committed by a term of imprisonment of at least 1 year. This remains applicable even if the persons concerned have either acquired or lost Omani nationality after committing the crime, unless it can be shown that they have already been tried abroad, found

innocent or guilty and served their sentence, or if the sentence has been overturned or the case has been dropped. In the case of any divergence between the law of Oman and the law of the country where the crime was committed, that divergence is to be interpreted in favour of the accused person.” The Criminal Code is also applicable to crimes committed abroad by Omani officials during or in connection with the exercise of their duties and to crimes committed abroad by Omani diplomatic and consular staff who enjoy diplomatic immunity under international treaties (art. 19 of the Code). Under article 20 of the Code, Omani jurisdiction also extends to crimes committed abroad by foreign nationals if, after committing the crime, the foreign national is discovered within Oman, if the offence in question is punishable by a term of imprisonment of at least 1 year under the law of the State where it occurred and if no request for the extradition of the foreign national concerned has previously been made. This remains applicable unless it can be shown that the foreign nationals have already been tried abroad, found innocent or guilty and served their sentence, or if the sentence has been overturned or the case has been dropped. In the case of any divergence between the law of Oman and the law of the country where the crime was committed, that divergence is to be interpreted in favour of the accused person.

70. The jurisdiction of Oman as set forth in articles 15, 16 and 18–20 of the Code of Criminal Procedure is overarching and applicable to all crimes, including all forms of enforced disappearance.

71. Under the Code of Military Justice, members of friendly or allied forces, or military personnel who are on secondment, sent for training or on contract, are subject to the provisions of the Code while they are on the territory of the State, even if they are off duty, if when a crime occurs it falls under the Code or concerns confidential matters related to their functions, unless such confidentiality has lapsed with the passage of time or unless otherwise envisaged in a treaty that Oman has ratified. The Code also envisages penalties for anyone who is subject to its provisions and who, outside the territory of Oman, commits a crime or misdemeanour that falls under the jurisdiction of the military courts. This does not apply if the individual in question has already been tried abroad and the sentence has been enforced, if the case was dropped or if the sentence was overturned by a general or specific pardon or by virtue of the statute of limitations (arts. 14 and 17 of the Code).

72. Legislators in Oman have clearly delineated the procedures to be followed when a crime is suspected to have taken place, including procedures governing investigation; the arrest, search and detention of suspects; the hearing of witnesses; the engagement of experts and the examination of the crime scene. If there is sufficient evidence to indicate that a person has committed an offence of enforced disappearance, in any form, a written arrest warrant is to be issued, duly signed by the competent person who is to indicate his or her capacity. It is then up to law enforcement officials to enforce the warrant. Persons who have been arrested may seek the assistance of a lawyer, or contact a person of their choice including, if they are foreigners, the embassy of their country of origin. This also means that the embassy and the Bar Association may visit arrested persons and communicate with them directly in their place of detention. Those persons may also choose a lawyer to represent them before the judicial authorities and allow embassy representatives to attend their trial. Law enforcement officers must immediately take down suspects’ statements and, if nothing emerges to exonerate the suspects, refer them within 48 hours to the competent investigative authority. Having questioned accused persons, the Office of the Public Prosecution must decide either to remand them in custody or to release them. All this is regulated under articles 48–52 of the Code of Criminal Procedure, which read as follows:

- Article 48: “In cases other than those envisaged in article 42 of the present Code, if there is sufficient evidence to charge a person with having committed a crime or a misdemeanour punishable by imprisonment, law enforcement officials may take appropriate precautionary measures and make an immediate request to the Office of the Public Prosecution to issue and arrest warrant against the accused person.”
- Article 49: “Arrest warrants must be written, signed and dated by the issuing authority who must state his or her capacity, the name of the person whose arrest is being sought, that person’s place of residence and all information necessary for identification as well as the reason for the arrest warrant. If the warrant is not enforced within three months from the date of its issuance, it expires and cannot be enforced

save via the issuance of a fresh written order. Law enforcement officials enforcing an arrest warrant must notify the person to be arrested and immediately inform the person of the reasons for the arrest. Persons who have been arrested have the right to contact a person of their choice and to seek the assistance of a lawyer.”

- Article 50: “When law enforcement officials arrest an accused person or take an arrested person in charge, they must immediately take down that person’s statement. If nothing emerges to exonerate the person, the officials must refer the person to the competent investigative authority, within 15 days in the case of State security crimes or crimes envisaged under the Anti-Terrorism Act, or within 48 hours for all other offences. That period may be extended just once and for the same length of time, with the approval of the Office of the Public Prosecution.”
- Article 51: “The Office of the Public Prosecution is to question accused persons who have been arrested, within 24 hours, then order either that they be remanded in custody or released.”
- Article 52: “The arrest warrant may stipulate that an arrested person is to be released if that person signs an undertaking to appear, accompanied by a guarantee.”

73. The Office of the Public Prosecution may also remand accused persons in custody in order to prevent them from fleeing or from interfering in the course of the investigation. The relevant provisions are enshrined in article 53 of the Code of Criminal Procedure, which reads: “If the interests of the preliminary investigations require that accused persons, after having been questioned, should be prevented from fleeing or from interfering in the course of the investigation, prosecutors may issue an order to remand those persons in custody. Such an order may not be issued unless the case concerns a crime or misdemeanour that attracts a sentence of imprisonment. The custody order may include – in addition to the information mentioned in article 49 of the present Code – a mandate for the official in charge of the place of detention to admit the accused persons thereto, and an indication of the applicable legal provisions.”

Article 11

74. Under article 20 of the Criminal Code, Omani jurisdiction extends to crimes committed abroad by foreign nationals if, after committing the crime, the foreign national is discovered within Oman, if the offence in question is punishable by a term of deprivation of liberty of at least 1 year under the law of the State where it occurred and if no request for the extradition of the foreign national concerned has previously been made. This remains applicable unless it can be shown that the foreign nationals have already been tried abroad, found innocent or guilty and served their sentence, or if the sentence has been overturned or the case has been dropped. In the case of any divergence between the law of Oman and the law of the country where the crime was committed, that divergence is to be interpreted in favour of the accused person.

75. Under the Extradition Act, promulgated by Royal Decree No. 4/2000, and the treaties ratified in that regard by the Sultanate of Oman, procedures relating to the extradition and trial of offenders are governed by the jurisdictional provisions detailed earlier. At the same time, account is taken of the safeguards due to accused persons such as informing them of the charges against them; presumption of innocence; communication with a person of their choice including, if they are foreigners, the embassy of their country of origin; communication with a lawyer; and the right to a fair and impartial trial. These rights are enshrined in the Basic Law, article 27 of which states that accused persons are innocent until proven guilty in a fair trial during which they are afforded the necessary safeguards to exercise their right to a defence, in accordance with the law. It is, moreover, prohibited to inflict any physical or mental suffering on accused persons. According to Article 28 of the Basic Law, accused persons have the right to engage the services of a person capable of defending them during the trial. The law specifies the circumstances in which the presence of a lawyer is required and envisages guarantees whereby persons who do not have the financial wherewithal can nonetheless engage with the courts and defend their rights. Persons who are arrested or detained must be informed immediately of the reasons for their arrest or

detention. They have the right to contact or seek assistance from a person of their choice in the manner regulated by law, and they must be promptly informed of the charges against them. They and their representatives have the right to appeal before the courts against any measure restricting personal freedom. The law regulates the right to appeal, and a decision in that regard must be made within a specified period of time, otherwise the detainee must be released (art. 29 of the Basic Law).

76. According to article 86 of the Basic Law of the State and article 4 of the Code of Criminal Procedure, responsibility for investigating crimes of enforced disappearance, whatever form they take, lies with the Office of the Public Prosecution which can initiate proceedings at its own initiative or on the basis of a report from an investigating authority, the police, victims themselves or any competent public official. Article 196 of the Criminal Code stipulates: "Any public official responsible for investigating or preventing crimes who fails to report or delays reporting a crime that comes to his or her attention shall be punished by a prison term of between 1 and 3 years and a fine of between RO 100 and RO 500. Any public official not responsible for investigating or preventing crimes who fails to report or delays reporting to the proper authorities a crime that comes to his or her attention in the course of duty shall be punished by a prison term of up to 1 year and a fine of between RO 100 and RO 300."

77. The Office of the Military Prosecution, acting under articles 34 and 47 of the Code of Military Justice, has the authority to conduct investigations and to bring charges in cases involving any form of the offence of enforced disappearance envisaged under articles 91 and 93 of the Code, when such offences are committed by any of the categories delineated in article 14 of the Code. Those categories are as follows: members of the armed forces and security forces, including officers and other ranks; civilians and students at military colleges, institutes and training centres; retired officers, other ranks, civilians and reservists who have been called up for military service; volunteers for military service; prisoners of war; members of friendly or allied forces, or military personnel who are on secondment, sent for training or on contract, if they are on the territory of the State. This is applicable even if the persons concerned are off duty, if when a crime occurs it falls under the Code or concerns confidential matters related to their functions, unless otherwise envisaged in a treaty that Oman has ratified. This is without prejudice to the provisions of the Code of Criminal Procedure.

78. Procedures for extending the period of preventive custody are defined in law, thereby safeguarding against the excessive use of such procedures and providing an incentive to ensure that they are applied only when required and rescinded when no longer necessary. In that connection, article 54 of the Code of Criminal Procedure stipulates: "A preventive custody order issued by the Office of the Public Prosecution is to be for 7 days, which may be extended for further period up to a maximum of 30 days. For offences involving public funds or narcotics and psychotropic substances, prosecutors may order that accused persons be held in custody for periods that together must not amount to more than 45 days. If prosecutors wish to extend preventive custody beyond those limits, they must, before the expiration of the period of custody, bring the matter to the attention of the court for it to issue an order for the extension of the preventive custody for a period of up to 15 days, renewable up to a total of 6 months. If the accused person is then sent for trial, the court can extend the preventive detention for up to 45 days renewable otherwise, in all cases, the accused person must be set at liberty."

Article 12

79. The Basic Law of the State ensures justice and equality among citizens, the right of recourse to the courts for all persons and protection for parties involved in public proceedings. The Office of the Public Prosecution conducts those proceedings on behalf of society as a whole. It also supervises the operation of the police, oversees the enforcement of criminal law and prosecutes offenders. In that connection, the Office is responsible for investigating all crimes, including those of enforced disappearance, and it receives reports from law enforcement agencies, victims or any other concerned party.

80. All forms of enforced disappearance are considered crimes against public order. The investigation and prosecution of such crimes does not depend upon any complaint or report being filed but is initiated by the competent authority acting on its own initiative as soon as it learns that such a crime has occurred. The public prosecution may not be set aside, suspended or interrupted except as stated in law (art. 4 of the Code of Criminal Procedure). Law enforcement officials undertake to investigate crimes and the persons who perpetrate crimes, to collect evidence and to conduct the proceedings necessary to establish the facts behind the reports they receive. They may use all means necessary to preserve the evidence of an offence. Legislators have set a requirement for law enforcement officials to accept all complaints and reports they might receive concerning crimes and to enter a summary of the complaint or report, along with the date, in a special register. If law enforcement officials receive a report of an offence or learn that an offence has taken place, they must notify the Office of the Public Prosecution then go to the location concerned in order to inspect and protect the scene of the incident, seize all items related to the offence that may be useful to the investigation and otherwise gather and protect evidence. All the measures they take must be written in the record, which the officials are required to sign, indicating the time and place each particular measure was put into effect. The record should also be signed by any witnesses or experts whose statements have been taken down (arts. 30 and 33 of the Code). Prosecutors may also visit any location they deem necessary in order to verify places, objects and persons, and all other evidentiary material relating to a crime (art. 76 of the Code).

81. The actions to be taken by law enforcement officials to gather evidence and determine that a crime has been committed – including the conduct of searches, both of individuals and of places – are set forth in the Code of Criminal Procedure (arts. 36, 80 and 84). Searches are to be conducted under written and reasoned warrants issued by the Office of the Public Prosecution against persons charged with having committed, or participated in the commission of, an offence of some kind, or if there is evidence that a person is harbouring goods related to the offence, unless the case is one of *flagrante delicto*. The search is to be conducted in accordance with the rules set forth in the law and under the terms of the relevant search warrant. No search warrant may be enforced more than seven days after its issuance, unless a new warrant is obtained.

82. Omani legislators have ensured that legal aid is available for persons unable to appoint a lawyer to defend their rights. This means that all members of society are able to exercise their right to take legal action. Under Ministerial Decree No. 91/2009, which regulates legal aid for indigent persons, such persons are exempt from the court fees involved in taking legal action. This includes the fees associated with publishing judicial notices and engaging experts. Requests for legal aid are to be forwarded to the registrar of the court competent to hear the case. The request must include attachments proving the applicant's inability to pay legal fees in the form, for example, of a social security card, a salary certificate or a jobseeker's certificate. It is up to the competent court to designate a lawyer to appear on behalf of insolvent parties whom it has decided to exempt from legal fees. The court must also provide legal assistance to indigent persons in legal proceedings in which the law stipulates that a lawyer must be present. Lawyers are to be assigned by rote from lists drawn up by the Lawyers' Admission Commission, although the court may make deviate from the sequence of names in the light of the nature or circumstances of the case. Lawyers who have been designated must undertake their duties and may not withdraw except for reasons acceptable to the court, as per articles 52 and 54 of the Lawyers Act, promulgated by Royal Decree No. 108/96 and amended by Royal Decree No. 140/2008.

83. Oman acts to ensure that victims and witnesses of enforced disappearance are able to access the competent authorities via multiple channels, including free hotlines, which can be used to submit complaints and reports in complete confidentiality. Victims and others can submit a complaint or report to the Oman Human Rights Commission by attending the Commission's offices, either in person or through a representative, via email, via the website of the Commission using the form provided there for that purpose, by leaving a voice message on the Commission's free hotline (for persons unable to write), via WhatsApp or via social media platforms such as X or Instagram. Having filed their report, the persons concerned receive a follow-up number. It should be noted, however, that the Commission has never received any reports relating to enforced disappearance of any kind.

84. Article 107 of the Code of Criminal Procedure stipulates that the statements of witnesses and victims must be taken down in private and that they may be confronted with accused persons or with other witnesses. If necessary, complainants and witnesses are to be provided with protection by being placed in a temporary care facility run by the Family Protection Department of the Ministry of Social Development. The law admits that the relatives and in-laws of accused persons – both antecedents and descendants up to the fourth degree of kinship, as well as the accused person’s spouse, even after the end of the marriage – may refuse to give evidence against the accused person unless the crime was committed against one of them or in the absence of any other evidence (art. 104 of the Code). If a witness is ill or otherwise prevented from attending, a prosecutor may travel to the witness’s location to take down the testimony there (art. 112 of the Code).

85. With a view to the protection and equal treatment of complainants, legislators have set a requirement for law enforcement officials to accept all complaints and reports they might receive concerning crimes, then examine those reports, gather information and evidence, and record the case in a special register. If a decision is made to archive the case, the victim or the civil plaintiff – or their heirs – may appeal against that decision within 10 days from the date they were notified thereof. The appeal is to be submitted, depending upon the case, to the criminal court or the court of appeal (arts. 33, 126 and 127 of the Code of Criminal Procedure).

86. The Code of Criminal Procedure and the Criminal Code envisage measures to protect investigators and other judicial officials, and to provide them with the powers necessary to perform their tasks and duties. These tasks include engaging the services of doctors and experts, and accessing correspondence, telegrams and other documentation. Articles 27, 34, 92, 94 and 116 of the Code of Criminal Procedure, article 59 of the Code of Military Justice and articles 192–196, 232, 233 and 247 of the Criminal Code all expressly prohibit any actions that might hinder the course of investigations, as follows:

- Article 27 of the Code of Criminal Procedure states: “All persons are required to provide law enforcement officials with any assistance they may request during the exercise of their legal authority to arrest accused persons, prevent them from fleeing or foil crime.”
- Article 34 of the Code states: “In the course of gathering evidence, law enforcement officials may take statements from anyone holding information about the offence or the perpetrator of the offence. They may also question the accused person and seek assistance from doctors and other experts.”
- Article 92 of the Code reads: “Only a member of the Office of the Public Prosecution is entitled to examine seized correspondence, telegrams and documentation. Such examination is to take place in the presence of the accused person and of the holder or addressee of the seized correspondence, telegrams or documentation. Their comments on the documents in question are to be taken down. Prosecutors may seek the assistance of a police officer or other person they deem appropriate in order to sort the seized correspondence, telegrams and documentation. They may also, depending upon the outcome of their examination, order that the documents be included in the casefile or returned to the holder or addressee.”
- Article 94 of the Code states: “Law enforcement officials may order the holder of an item they wish to seize to surrender that item. Anyone who fails to obey such an order is liable to the provisions prescribed for the offence of refusing to testify.”
- Article 116 of the Code stipulates: “If the investigation requires that a doctor or other expert be called upon to provide evidence on some aspect of the case, prosecutors may issue an order for them to submit a report on the matter assigned to them and the evidence required.”
- Article 59 of the Code of Military Justice stipulates: “The Office of the Military Prosecution is to oversee investigations involving any person subject to the provisions of the present Code, at any stage of the investigation and irrespective of the investigating body involved.”

- Article 192 of the Criminal Code states: “Anyone who assaults public officials or uses force or violence against them during, by reason of or in connection with the performance of their duties is liable to a term of imprisonment of between 3 months and 2 years and/or the payment of a fine of between RO 300 and RO 1,000. If the aggression occurs against a member of the judicial authorities or the military or security forces, the party responsible is liable to a term of imprisonment of between 6 months and 3 years and the payment of a fine of between RO 300 and RO 1,000.”
- Article 193 of the Code reads: “Anyone who uses force, violence or threats against public officials to cause them to discharge the functions of the office unlawfully, or to fail to discharge such functions, irrespective of whether the perpetrator achieves the intended goal, is liable to a term of imprisonment of between 1 and 3 years.”
- Article 194 of the Code states: “Public officials who exploit their position or abuse their authority to cause harm to an individual or to gain a benefit for themselves or for a third party are liable to a prison term of between 1 and 3 years and a fine of between RO 200 and RO 500.”
- Article 195 of the Code reads: “Public officials who deliberately refrain from carrying out any of the duties of their office to investigate the crimes that fall within their jurisdiction and to arrest perpetrators, is liable to a term of imprisonment of between 1 and 3 years and a fine of between RO 200 and RO 1,000.”
- According to article 196 of the Code: “Any public official responsible for investigating or preventing crimes who fails to report or delays reporting a crime that comes to his or her attention shall be punished by a prison term of between 1 and 3 years and a fine of between RO 100 and RO 500. Any public official not responsible for investigating or preventing crimes who fails to report or delays reporting to the proper authorities a crime that comes to his or her attention in the course of duty shall be punished by a prison term of between 1 month and 1 year and a fine of between RO 100 and RO 300. However, no offence has taken place if, in the circumstances stipulated in the two preceding paragraphs, legal action is dependent on a complaint or request.”
- Article 232 of the Code stipulates: “Anyone who, with the intention of misleading the course of justice, interferes with persons, places or objects, conceals the body of a person who has been killed or any other evidence of a crime, or knowingly provides false information related thereto, is liable to a term of imprisonment of between 3 months and 1 year and a fine of between RO 100 and RO 1,000.”
- Article 233 of the Code reads: “Anyone who, under oath, delivers false testimony before a judicial or investigative authority, denies the truth, or withholds all or part of his or her information about an incident is liable to a term of imprisonment of between 3 months and 3 years.”
- Article 247 of the Code states: “Anyone who – using orders, demands, threats, pleas or recommendations – attempts to induce a judicial official to take actions that are contrary to the law or to refrain from taking the actions that are required by law is liable to a term of imprisonment of between 1 month and 1 year.”

87. Reference has already been made to other measures intended to ensure non-interference in the course of the investigation, to prevent accused person from fleeing and to ensure the integrity of the investigation and trial procedures. These include preventive detention, travel bans and suspension from duty.

Articles 13 to 16

88. By acceding to the Convention, Oman has undertaken to consider all forms of enforced disappearance as extraditable offences under any extradition treaty between it and other States Parties. It has also agreed to take the Convention as a legal basis for extradition in respect of such offences if it receives a request for extradition from a State with which it does not have an extradition treaty. Moreover, in accordance with the Convention, Omani

legislators do not consider enforced disappearance, in any form, to be a political offence, an offence connected with a political offence or an offence inspired by political motives.

89. In the event that a request for extradition is received from a country that is not a party to the Convention and does not have an agreement with Oman, national legislation decrees that the Convention – which under the Basic Law of the State is an integral part of national law – is nonetheless applicable. The provisions of the Extradition Act are likewise applicable, which are not in any case inconsistent with the treaties signed by Oman. Article 97 of the Basic Law of the State stipulates: “No institution of the State may emanate regulations, decrees or instructions that violate extant laws or royal decrees, or international covenants or treaties that are part of national law.” It follows from this that the Convention can be used as a legal basis for requests for juridical assistance. In fact, article 1 of the Extradition Act expressly states that the Act is without prejudice to the relevant treaties and that such treaties do constitute a legal basis for extradition.

90. The Extradition Act regulates the mechanism and procedures for requesting the extradition of accused persons, including the conditions, circumstances and grounds for such requests. Article 1 of the Act states: “Without prejudice to treaties with other countries signed by Oman, offenders are to be arrested and extradited to the requesting State in accordance with the provisions of the present Act.” The Act also stipulates that, in all cases, the offence for which extradition is being requested must be a crime or misdemeanour punishable by a term of imprisonment of not less than 1 year under national law. If the person whose extradition is being sought has already been convicted, the offence involved must entail a penalty of deprivation of liberty of not less than 6 months. This is set forth in article 2 of the Act, which delineates the cases in which the perpetrator of a crime may be extradited, namely:

1. If the offence was committed on the territory of the requesting State or if the perpetrator is a national of that State.
2. If the offence, though committed outside the territory of the requesting State, violates the security of that State or affects its financial status or the authenticity of its official seals.
3. If the offence constitutes a transnational organized crime.

91. Under Omani law, enforced disappearance, whatever form it takes, is considered to be a serious offence that attracts a minimum penalty of 3 years’ imprisonment. And more serious penalties are envisaged if the offence is committed by a public official or a person claiming to be a public official, by two or more persons, or when the victim is a child, female, has a disability or is incapacitated.

92. Article 4 of the Extradition Act stipulates that persons whose extradition is being sought may not be arrested until an extradition request has been received, accompanied by the documents specified in article 11 of the Act. However, in urgent cases, extradition requests may be accepted by telephone, telegram or in writing. The request must state the type of offence involved and the legal provision under which it is penalized, the nationality and identity of the person being sought and, if possible, the person’s whereabouts in Oman. Under article 11 of the Act, the request must be accompanied by a statement describing the criminal action committed by the person whose extradition is being requested and the evidence indicating that the action in question was effectively committed by that person. The requesting State must also provide an undertaking that it will not prosecute the person for anything other than the crime on which the extradition request is based, that it will conduct a fair and impartial trial and that it will provide the accused person with the means of defence. Furthermore, the extradition request must be accompanied by copies of the following documents, officially certified and stamped by the competent judicial authority in the requesting State: a statement detailing the identity and description of the person being sought; an arrest warrant issued by a competent authority or a copy of a court judgment; a copy of the legal texts penalizing the action in question; evidence indicating that the action was effectively committed by the wanted person; and an undertaking from the requesting State that it will not prosecute the person for anything other than the crime on which the extradition request is based, that it will not extradite the person concerned to a third country without the agreement of Oman and that it will conduct a fair and impartial trial in which the accused person is provided with the means of defence.

93. According to articles 7 and 8 of the Extradition Act, extradition requests are to be directed to the Royal Oman Police which is to conduct inquiries, collect evidence and arrest wanted persons in accordance with the law. The Office of the Public Prosecution is to question such persons and, if necessary, to order their detention or prevent them from leaving Oman until a decision on the request has been taken. Under article 10 of the Extradition Act, the Criminal Court of Appeal in Muscat has responsibility for accepting or denying extradition requests, and its rulings in this regard are final. According to article 12 of the Act, the Court may turn down an extradition request if it is not accompanied by the documents mentioned in the preceding paragraph and if the requesting State has not provided the documents within the period stipulated in article 9 of the Act. It may also reject the request if it considers that the legal conditions have not been met or if the evidence contained in the extradition request or emerging from investigations is insufficient to prove the crime attributed to the wanted person. If the court rules in favour of extradition, the ruling must mention the offence for which the person is being extradited.

94. The extradition of political refugees is prohibited under article 43 of the Basic Law of the State which stipulates: "The extradition of political refugees is prohibited. The provisions governing the extraction of criminal offenders are set forth in international law and treaties." Article 3 of the Extradition Act lists the circumstances in which extradition is not permissible, as follows: If the person whose extradition is being requested has Omani nationality; if the offence or one of the actions constituting the offence was committed on the territory of Oman; if the person whose extradition is being requested enjoys judicial immunity in Oman, unless the person concerned chooses to waive that immunity (in cases where such a course of action is permissible); if the person whose extradition is being requested was granted the right of political asylum before the request was received and continues to enjoy that right after the request was received; if the crime for which extradition is being requested is a political crime or a crime of a political nature, or if the extradition is for a political purpose; if the person whose extradition is being requested has already been tried for the offence in question or is under investigation or trial in Oman for the same offence; or if the criminal case or the penalty have lapsed for legal reasons under the law of Oman, of the requesting State or of the State where the offence occurred. With these exceptions, extradition is permissible in all other circumstances. This includes all forms of enforced disappearance, which are extraditable under the conditions and procedures outlined earlier. This state of affairs is consistent with the Convention.

95. Extradition requests under the Anti-Money-Laundering and Financing of Terrorism Act, promulgated by Royal Decree No. 13/2016, are regulated by chapter VIII ("International cooperation"). Under those provisions, it is the Office of the Public Prosecution that receives extradition requests relating to crimes of money laundering and financing of terrorism, and such requests remain subject to the rules and procedures stipulated in extradition treaties and conventions to which Oman is a party as well as to the Anti-Money-Laundering and Financing of Terrorism Act and the Extradition Act. The law specifies that extradition is not to be granted if there are serious grounds to believe that the request was made for the purpose of prosecuting or punishing a person on grounds of sex, race, religion, nationality, origin or political views; if the enforcement of the extradition request would jeopardize that person's status on any of these grounds; if the person had been or would be subjected to torture or cruel, inhuman or degrading treatment; or if criminal procedure does not and would not offer that person minimum guarantees as recognized in the relevant international standards. Extradition requests may also be refused on humanitarian grounds, such as the age, health or other personal circumstance of the person concerned, with due regard to the nature and background of the offence, or if the extradition request is based on a definitive judgment delivered in absentia against a person without due fair trial safeguards and the person's case will not be reconsidered (arts. 61, 62, 75, 76 and 77).

96. Article 20 of the Basic Law of the State stipulates that citizens may not be expelled, exiled or prevented from returning to the territory of the State. Under article 42 of Law, protection is also extended to the person and property of individuals who are legally resident or present in Oman. The entry, stay and departure of foreigners from Oman is regulated by the Foreigners' Residency Act, promulgated under Royal Decree No. 16/95. This is without prejudice to the provisions of the international treaties to which the State is also a party (art. 3 of the Act). Article 24 of the Act stipulates that foreign nationals who are being

prosecuted for political reasons by a non-Omani body may request political asylum and residency in Oman, if such prosecution threatens their life or freedom, until such time as that danger no longer subsists. Article 27 of the Act states that the right of political asylum may be revoked, that the foreigner concerned may be expelled from the country and that the right of political asylum may be restricted with new conditions at any time, as circumstances dictate. If a decision is made to expel political refugees, they may not be deported to a country where they fear for their life or freedom. The deportation and expulsion of foreigners is regulated under articles 29–32, 34 and 35 of the Act. Foreigners who entered Oman unlawfully are expelled at their own expense or at the expense of the party who brought them into the country or employed them. Nonetheless, foreigners who have been expelled may re-enter Oman if they fulfil the legally prescribed conditions. Foreigners are also to be deported if, having entered Oman lawfully, they are then convicted of an offence or if they are convicted of a misdemeanour wherein the sentence envisages deportation. In all cases, the deportation is carried out after the sentence has been served. Similarly, the residency of foreign nationals may be revoked and they may be expelled from the country if they engage in any activity that undermines national security; that endangers the political, economic or financial cohesion of the State; that violates public order or runs contrary to public morals; or that harms the interests of Oman with other nations. Expulsion orders are enforced by informing the persons concerned that they are required to leave the State, using their own means and within the period specified in the order. An entry visa cannot be granted to a foreigner who has previously been expelled until two years have elapsed since the expulsion.

97. Oman applies personal and territorial jurisdiction to all criminal offences and is, moreover, committed to legal and judicial cooperation with other countries, in accordance with international and bilateral agreements and the principle of reciprocity. In that regard, Oman has acceded to a number of international and Arab treaties, including the following:

1. Riyadh Arab Treaty on Judicial Cooperation, under Royal Decree No. 34/99.
2. Arab Convention on the Suppression of Terrorism, ratified under Royal Decree No. 55/99.
3. United Nations Convention against Transnational Organized Crime and the Protocols thereto, under Royal Decree No. 37/2005.
4. Security Agreement between the States of the Cooperation Council for the Arab States of the Gulf, under Royal Decree No. 5/2014.
5. Arab Convention against Transnational Organized Crime and the Protocols thereto, under Royal Decree No. 6/2015.
6. Agreement on Legal and Judicial Cooperation between the Sultanate of Oman and the Arab Republic of Egypt, under Royal Decree No. 64/2002.
7. Agreement on Legal and Judicial Cooperation in Civil, Commercial and Criminal Matters between the Sultanate of Oman and the Republic of Türkiye, under Royal Decree No. 102/2008.
8. Agreement on Legal and Judicial Cooperation between the Government of the Sultanate of Oman and the Government of the Kingdom of Morocco, under Royal Decree No. 23/2012.
9. Agreement on Legal and Judicial Cooperation in Criminal Matters between the Sultanate of Oman and the Government of the Republic of India, pursuant to Royal Decree No. 2/2015.

98. Oman reaffirms its commitment to work with other States Parties to the Convention, to support any action aimed at combating all forms of enforced disappearance and to do everything necessary to assist victims of enforced disappearance. It should be noted that victims of crime may receive medical care from the medical services department of the Royal Oman Police and other healthcare institutions. Civil society organizations, foremost among them the Oman Human Rights Commission, also work to protect and promote human rights in Oman, in accordance with the Basic Law of the State, the international treaties and conventions to which Oman has acceded and current law.

99. In the event of the death of a crime victim, article 116 of the Code of Criminal Procedure stipulates that the Public Prosecutor, or his deputy, may issue an order for an autopsy or for the exhumation of the remains, if such a course of action is necessary in order to gain the required evidence. Death is to be certified by a doctor, who is to describe the state of the remains on the basis of an external examination. Unidentified body parts are to be reported to the competent police station for it take the necessary measures to identify them, in coordination with the relevant authorities. The Office of the Public Prosecution has issued its Circular No. 15/2015, which concerns the measures to be taken when handling the mortal remains of foreign nationals. According to the Circular, the employer, the representative of the heirs or the embassy of the country of origin of the deceased are to be notified as soon as the death occurs, irrespective of the cause (whether due to natural causes or considered suspicious), and they are to be informed of the follow-up procedures for disposing of the body, as soon as the autopsy is completed if one takes place.

Article 17

100. Articles 23 and 24 of the Basic Law of the State guarantee personal freedom. No person may be arrested, detained, imprisoned or searched, or have their freedom of residence or movement curtailed except in accordance with the law. No person may be detained or imprisoned except in places that are designated for that purpose and that comply with humanitarian and health standards. There are no unofficial places of detention or imprisonment in Oman. Under article 29 of the Law, persons who are arrested or detained must be informed immediately of the reasons for their arrest or detention. They have the right to contact a person of their choice, such as their lawyer or the embassy of their State if they are a foreign national, or any other person of their choice, in order to inform them of what has happened or to seek their assistance, in accordance with the law. They must be promptly informed of the charges against them, and they or their representative may lodge a complaint with the courts against any measure that restricts their personal freedom. The law regulates the right to appeal and provides that appeals must be decided within a specified period, failing which the individual must immediately be released.

101. In line with the provisions of the Basic Law of the State, article 41 of the Code of Criminal Procedure stipulates that no one may be arrested or imprisoned without an order from the legally competent authority. No person may be detained or imprisoned except in the places designated for that purpose. No person may be admitted to such a place except pursuant to an order signed by the competent authority, and no person may be held beyond the period specified in that order, in accordance with article 60 of the Code and article 11 of the Prisons Act promulgated by Royal Decree No. 48/98, which stipulates that: “No person may be placed in a prison or place of pretrial detention except by written order issued by the competent authority and signed by the person legally authorized to issue it”. Upon receiving an order for imprisonment or pretrial detention, the officer examines the order and verifies that it is valid, was issued by the Office of the Public Prosecution, and complies with the provisions of the Code of Criminal Procedure and the Prisons Act, in accordance with article 9 of the implementing regulations for the Prisons Act, promulgated by Decision No. 56/2009 of the Royal Oman Police. Article 49 of the Code of Criminal Procedure stipulates that arrested persons must be informed of the reasons for their arrest and have the right to communicate with their family, any other person they wish to inform, or the embassy of their country if they are a foreign national, and to have the assistance of a lawyer. Articles 205 and 322 of the Criminal Code establish the penalties for anyone who arrests, detains, imprisons, or deprives a person of his or her liberty by any means in violation of the law.

102. Reference has been made above to the rules governing the issuance of pretrial detention orders. The accused may be remanded in custody by the Office of the Public Prosecution to prevent him or her from fleeing or influencing the course of the investigation if the acts in question constitute a less serious or more serious offence that carries a prison sentence. The accused must be heard before the pretrial detention order is issued or extended. The defendant or his or her representative may appeal against the pretrial detention order before the criminal court sitting in chambers, which must rule on the appeal within a maximum of three days. If it finds no justification for the order, the defendant must be

released immediately, as stipulated in articles 53, 58 and 59 of the Code of Criminal Procedure. Article 54 of the Code of Judicial Conduct also stipulates that the rule requiring suspects to be released whenever possible should be applied, based on the principle of the presumption of innocence on which a fair trial is based. Articles 51–53 of the Code of Military Justice stipulate that a member of the military prosecution may issue an order for the pretrial detention of an accused person – subject to the provisions of the Code – in accordance with the rules and procedures set forth in the Code of Criminal Procedure. The military prosecution must inform the command or employer of the person placed in pretrial detention or released. The order to place the accused person in pretrial detention is to be executed in his unit or in another place designated for the detention of individuals, in coordination between his unit and the military prosecution.

103. Articles 36 and 39 of the Prisons Act guarantee the right of detainees and prisoners to receive visitors and correspondence. Chapter 7 of the implementing regulations of the Prisons Act regulates this right. Inmates can meet with visitors twice a month during official visiting hours, in the designated area and under the supervision of the visitation officer. Some visits outside the official visiting hours and official holidays may be exceptionally allowed with the permission of the prison director or his or her delegate. Inmates also have the right to communicate by sending and receiving letters from their family. Inmates may make telephone calls to anyone they want. Female inmates with children are allowed to visit them at childcare facilities. All visits, correspondence and communications are recorded in a dedicated register, indicating the number, dates and names of the persons in question.

104. Prisons and places of detention in the Sultanate of Oman are subject to judicial supervision, as specified by law, and any practices that violate human dignity or endanger health are prohibited. The reform and rehabilitation of convicted persons are regulated by law, as stipulated in article 31 of the Basic Law of the State. In accordance with articles 61 and 62 of the Code of Criminal Procedure, members of the Office of the Public Prosecution visit prisons and places of detention within their jurisdiction to ensure that no one is being held illegally. To this end, they have access to records and orders for pretrial detention and imprisonment and hear complaints from prisoners. Those responsible for the administration of places of detention and their staff provide all necessary assistance in this regard. All inmates have the right to submit complaints to the prison administration, which must be forwarded to the Office of the Public Prosecution after being recorded in a register kept for that purpose. Article 34 of the Prisons Act stipulates that complaints from prisoners and detainees must be accepted and the necessary measures must be taken. If the complainant wishes to refer the complaint to another authority, it must be forwarded to that authority. In all cases, this must be recorded in the register kept for this purpose. Without prejudice to the powers of the Office of the Public Prosecution, a team was set up at the central prison to carry out inspections, ensure the application of laws and regulations, and examine inmates' complaints, in accordance with article 60 of the Prisons Act. The military prosecution also monitors the treatment of pretrial detainees and convicted prisoners in prisons and detention centres in cases that fall under the jurisdiction of the military courts to ensure that they are treated properly and that no one is detained illegally, checks records and orders for pretrial detention and imprisonment, and hears complaints from prisoners.

105. Prisons and detention centres are also subject to visits by the Oman Human Rights Commission. These visits include prison inspections and private interviews with prisoners and detainees to assess the human rights situation. The Commission is an independent institution established under article 6 of the Commission's Statute annexed to Royal Decree No. 57/2022 and enjoys full independence in the exercise of its functions. It receives and handles reports and complaints from inmates and others on all matters relating to human rights. The Commission received and examined 11 complaints from prison inmates in 2022 and 9 in 2023. On 21 April 2024, the Commission visited the central prison, where it inspected all prison facilities (cells, dining halls, the prison hospital, the library, and craft workshops), listened to prisoners' requests and identified their needs. The Commission also conducted six other visits to prisons and detention centres in 2024.

106. In September 2022, the Office of the United Nations High Commissioner for Human Rights (OHCHR) team visited the central prison in Samail province. The United Nations team was briefed on the prison facilities, the sections and the various services provided to

inmates and had discussions with some inmates. The team commended the application of international law, respect for human rights and the treatment of prisoners in Omani prisons.

107. Prisons and places of pretrial detention keep records containing all information relating to pretrial detainees and convicted prisoners, in accordance with article 7 of the Prisons Act and article 5 of its implementing regulations. These include a register of prisoners, which records each prisoner's prison number, name, age, nationality, the number and date of the prison sentence, the type and number of the case in which the prisoner was convicted, the referring authority, the length of the sentence and the date on which it began. A register of detainees is also kept, containing the same information, as well as records of releases, complaints and inspections. The director of the prison may amend the data in the registers and start other registers whenever necessary. Article 10 of the implementing regulations also stipulates that a file shall be kept for each prisoner or detainee containing their personal data, including their full name, tribe or clan, nationality, sex, religion, age at the time of admission to prison, physical description, including height, weight and distinguishing features, place of residence and country of habitual residence prior to imprisonment, level of education and profession or trade practised before entering prison, three colour photographs of the inmate, the inmate's personal papers, the prison or pretrial detention order, their number in the register of prisoners or pretrial detainees, the type of crime committed, the place and date of its commission, the case number, a copy of the judgment, the court that issued it, the authority that referred the judgment for execution, the date of entry to prison, the length of the sentence, the date of release, their criminal record, the prison from which they were transferred and the reasons for the transfer – if any – and the name of their sponsor if they are a foreign national, medical reports, correspondence and documents about them, fines imposed or financial compensation they have been ordered to pay, and any other observations or details about the pretrial detainee or convicted prisoner, and anything that might be useful for the execution of the sentence or the inmate's release, employment or accommodation in prison.

Article 18

108. The Basic Law of the State guarantees the right to litigation for all and establishes that the accused has the right to appoint a person capable of defending him or her during the trial. Those who are unable to do so due to lack of financial resources are guaranteed the means to seek justice and defend their rights, in accordance with article 28 of the Basic Law of the State. Persons who are arrested or detained must be informed immediately of the reasons for their arrest or detention. They have the right to contact their family, the embassy of their country if they are a foreign national, their lawyer or any other person to inform them of what has happened or to seek their assistance in the manner prescribed by law, and must be informed promptly of the charges against them. They or their representative have the right to appeal before the courts against any measure restricting their personal freedom. The law regulates the right to appeal in a manner that ensures that a decision is made within a specified period of time – three days – otherwise the detainee must be released in accordance with article 29 of the Law.

109. Article 49 of the Code of Criminal Procedure stipulates that arrested persons must be informed of the reasons for their arrest and have the right to contact whomever they wish to inform and to seek the assistance of a lawyer. The accused, the victims, the civil claimants and the person responsible for them, and anyone defending any of them have the right to attend the preliminary investigation proceedings. Defendants charged with a crime may be accompanied by a lawyer. Article 115 of the Code stipulates that the lawyer must be allowed access to the investigation the day before the interrogation or confrontation. In any case, the accused may not be separated from his or her lawyer, who shall be present during the investigation. Article 58 of the Code of Military Justice stipulates that the accused, the victim and their defence counsel have the right to attend the preliminary investigation proceedings, and the accused has the right to appoint a civilian lawyer, an officer or the equivalent to defend him or her. The Basic Law of the State guarantees a safe life for all, including the relatives, representatives and lawyers of persons deprived of their liberty. No one may be subjected to any form of torture, inducement or degrading treatment, and those who commit such acts are punished by law. The State guarantees the protection of the person and property

of every resident or person present in Oman, in accordance with articles 22, 25 and 42 of the Basic Law of the State. Article 203 of the Criminal Code stipulates that any public official who uses cruelty in the course of his duties towards any person, thereby causing him harm or violating his honour or dignity, shall be punished by imprisonment for a term of up to 3 years and/or a fine of up to RO 500. Articles 52, 53, 55 and 59 of the Code of Judicial Conduct provide that judges must inform accused persons of the charges against them before hearing their statement or defence, allow them to have access to a lawyer before the court, and enable them to exercise the right of defence. Coercion or physical or psychological pressure to confess are prohibited.

110. By law investigators have the right to obtain all data and information necessary for the conduct of the investigation. Article 94 of the Code of Criminal Procedure provides that judicial police officers may order a person in possession of an object they wish to seize or examine to hand it over, and if he or she refuses to do so, the provisions relating to the offence of refusal to give evidence are applied. In addition to this, there are the penalties set forth in the Criminal Code, as mentioned above, in connection with failure to enable public officials to perform their duties or inducing them to violate or not to apply the law.

Articles 19 and 20

111. According to the principles established in the Basic Law of the State, the accused is presumed innocent until proven guilty and is treated in a manner that preserves his or her dignity and privacy. The accused's personal data, including health, genetic, biometric and other data, cannot be used except in accordance with the controls and procedures specified by law. Personal data is protected under the Personal Data Protection Act promulgated by Royal Decree No. 6/2022. The Act prohibits the processing of personal data, including genetic, biometric and health data and data related to ethnic origin, sexual life, political opinions, religious beliefs, criminal convictions or security measures, save with the authorization of the competent authority. If the data subject is a child, processing is prohibited without the consent of the child's legal guardian, unless the processing is in the best interests of the child, in line with articles 4–6 of the Act.

112. The Act authorizes the owners of personal data or any other interested persons to submit a complaint or report to the competent authority if they consider that their personal data have been compromised. Article 10 of the Act stipulates that personal data must be processed in a transparent and honest manner, with respect for human dignity, and with the explicit consent of the data subject and that any request to process personal data must be made in writing and be clear, explicit and understandable. The data controller is required to prove that the written consent of data subjects has been obtained for the processing of their data. Article 12 of the Act provides that data owners may submit complaints to the Ministry if they consider that the processing of their personal data is not in line with the provisions of the Act, in accordance with the controls and procedures specified in the corresponding regulations. In order to protect the rights of personal data subjects, the Ministry of Transport, Communications and Information Technology orders the correction and deletion of personal data processed in violation of the provisions of the Act, warns the data controller or processor of the violation, temporarily or permanently suspends processing, or takes any other measure necessary to protect the personal data, in accordance with article 8 of the Act. Under the Act, anyone who violates articles 5 or 6 faces a fine of up to RO 20,000, without prejudice to any harsher penalty provided for in the Criminal Code or any other law.

113. As an exception to these provisions, article 3 of the Act provides that personal data may be processed if it is done to protect the vital interests of the data subject, in fulfilment of a legal obligation under any law, order or court decision, in a personal or family context, or to detect or prevent a criminal offence at the request of the investigative authorities. If that information is the subject of an investigation, the parties to the proceedings have the right to review it, in accordance with article 74 of the Code of Criminal Procedure, which stipulates that: "The accused, the victims, the civil claimants and the person responsible for them, and anyone defending any of them have the right to attend the preliminary investigation proceedings". If the case is pending before the competent court, the parties to the case have the right to attend the hearings, even if they are closed, pursuant to article 181 of the Code,

which stipulates that “The parties and their representatives have the right to attend the hearings, even if they are closed”.

114. A biometric database has been established pursuant to article 3 of the Biometric Act promulgated by Royal Decree No. 21/2024. The database contains data obtained from the biometric traces recovered from crime scenes or other places, from unidentified bodies and remains, or the reference biometric samples taken from criminal defendants and convicted persons, the relatives of missing persons or the missing persons themselves after they appear or are found, fingerprints, palm prints, facial recognition, eye recognition, and any other biometric identification. Any other relevant data may be added to the database. The Act guarantees respect for the dignity of persons and the inviolability of their private lives and the protection of their personal data during the various stages of collecting samples and biometric data and the use of genetic fingerprinting. The data recorded in the biometric database are confidential and may only be accessed with the permission of the Inspector General or his or her authorized representative. It is prohibited to use such data for purposes other than those stipulated in the Act. The authorities responsible for gathering evidence and conducting investigations and prosecutions may also use the biometric database to identify perpetrators of crimes or in any other cases required by the public interest. Articles 2, 4, 5 and 15 of the Act criminalize the disclosure of the contents of the database by anyone who has access to it by virtue of their work or who deliberately accesses it without the permission of the competent authority.

115. The National Centre for Statistics and Information was established pursuant to Royal Decree No. 31/2012, as amended by Royal Decree No. 15/2022. It is responsible for statistical activities and official statistics in the Sultanate of Oman. These activities aim to provide economic, population, social, demographic, technical, cultural, and environmental data and information. The Centre analyses and disseminates information and data in accordance with regulations set forth in the law, such as ensuring quality and credibility, maintaining the confidentiality of individual data, updating data regularly and systematically, and verifying that there are no discrepancies or inconsistencies between data, in accordance with the Statistics and Information Act promulgated by Royal Decree No. 55/2019 and its implementing regulations promulgated by Decision No. 9/2023.

Articles 21 and 22

116. As mentioned above, a member of the public prosecution may remand an accused person in custody if so required in the interests of the investigation and may at any time issue an order for his or her release if it is found that detention is no longer justified, or that his or her release will not harm the investigation and there is no fear of the accused absconding. If the accused has been referred to the competent court, his or her release falls under the court’s jurisdiction, according to article 63 of the Code of Criminal Procedure. Similarly, military prosecutors may remand an accused person in custody if the interests of the investigation so require, and release him or her if the reasons for the detention are no longer valid, in accordance with articles 51 and 60 of the Code of Military Justice.

117. As mentioned above, prisons and places of pretrial detention keep records containing all information relating to pretrial detainees and convicted prisoners, in accordance with article 7 of the Prisons Act and article 5 of its implementing regulations. These include a register of prisoner releases, which records the prisoner’s prison number, name, the type and number of the case in which he was convicted, the referring authority, the number of the release order and the release date. The release register for detainees includes the detainee’s number, name, type and number of the case, the referring authority, the number of the release order and the release date. Articles 59 and 60 of the regulations regulate the release mechanism. The officer responsible for release must review the release register and determine which prisoners and detainees are to be released the following day, ensure that the period specified in the release order is correctly applied and review the relevant records. The inmate is released on the date specified in the release order, in the presence of an officer to ensure that the release procedures have been properly followed and that the inmate has received the personal belongings deposited upon arrival.

118. The Prisons Act guarantees the physical, psychological and social safety of inmates. Article 35 provides for the establishment of a social welfare department for inmates, staffed by a sufficient number of experts and specialists. Its responsibilities include the psychological, social and vocational rehabilitation of inmates and coordination with the competent authorities to facilitate their access to suitable employment prior to release. Chapter 8 of the Acts contains provisions on the release of prisoners. Prior to release, prisoners spend a transitional period aimed at facilitating their reintegration into society, during which restrictions are gradually eased and privileges are granted. Article 58 of the implementing regulations of the Prisons Act regulates the transitional period. Prisoners whose prison stay is more than four years long undergo a transitional period of six months, while those whose stay is more than eight years long serve a two-year transitional period. During this period, restrictions are eased and privileges are granted, such as family leave of a maximum of four days per month, in accordance with the conditions laid down by law. Prisoners and detainees receive free health care. Each prison is assigned a resident doctor, assisted by a sufficient number of assistants, who is responsible for taking measures to safeguard inmates' health and protect them from disease, in accordance with articles 28 and 29 of the Prisons Act. Prisoners or detainees whose health condition necessitates special tests or healthcare are transferred to the police hospital or any other government hospital where such tests or care are available. The prison doctor is responsible for monitoring their health, in accordance with article 33 of the implementing regulations of the Prisons Act.

119. The Ministry of Social Development launched the "*Takayyuf*" (Adaptation) programme, which provides post-release support for persons who have spent time serving a prison sentence or in pretrial detention, with the aim of reintegrating them into society through family, development and rehabilitation programmes that enable them to adapt to their social and family environment. The Ministry has also published a guidance and rehabilitation manual for inmates, which helps specialists providing guidance and rehabilitation services to inmates to strike the right balance between security measures and humane treatment, in accordance with international human rights standards.

120. As mentioned above, prisons and places of detention in the Sultanate of Oman are subject to judicial supervision, as specified by law. Pursuant to articles 61 and 62 of the Code of Criminal Procedure, members of the Office of the Public Prosecution visit prisons and places of detention within their jurisdiction to ensure that no one is being held illegally. To this end, they have access to records and orders for pretrial detention and imprisonment. To ensure that this goal is achieved, the Office of the Public Prosecution established, by Decision No. 78/2011, a public prosecutor's office at the Central Prison. In the same connection, circular No. 7/2024 was issued regarding periodic visits by members of the Office of the Public Prosecution to prisons, places of detention and observation and rehabilitation centres for juveniles at risk of delinquency and juvenile offenders, to ensure that no one is detained unlawfully, review records and pretrial detention orders, and hear inmates' complaints and submit them to the Office of the Public Prosecution. In addition to the team established under the Prisons Act to inspect prisons to ensure the implementation of laws and regulations and examine inmates' complaints, the Oman Human Rights Commission also plays a role in this respect, as mentioned above.

121. The Basic Law of the State guarantees citizens and residents the right of access to justice and personal freedom. No person may be arrested, detained, imprisoned or searched, or have their freedom of residence or movement curtailed, except in accordance with the law, and no one may be subjected to any form of torture or degrading treatment. Laws, regulations, decisions and instructions issued by the authorities must be consistent with the provisions of the Basic Law as well as with agreements and treaties that are part of national law. National legislation reaffirms this point. It provides that everyone has the right to access to justice and sets out the procedures and conditions necessary for the exercise of this right. It prohibits arrest, detention or imprisonment, except in circumstances provided for by law and with the permission of the competent authorities, and establishes criminal and disciplinary penalties for those who violate the provisions of these laws, in accordance with the Criminal Code, the Code of Criminal Procedure, the Code of Military Justice, the Police Act and other laws mentioned above.

122. The Criminal Code provides that public officials must perform the duties associated with their position and act within the limits of their powers, and must not obstruct or interfere with any proceedings or violate any obligation imposed by law with the intention of harming others or benefiting themselves or others, or for any reason whatsoever. Under the Code, a public official exceeding the limits of his or her functions or failing to fulfil his or her duties constitutes an offence punishable by law, thereby ensuring the proper functioning of public institutions and protecting rights and freedoms. Some of the punitive articles of the Code are as follows:

- Article 194: “Any public official who uses his or her position or breaches his or her duties in order to harm an individual or to gain a benefit for him or herself or a third party shall be punished by a prison term of between 1 and 3 years and a fine of between RO 200 and RO 500.”
- Article 195: “Any public official who deliberately refrains from carrying out any of the duties of his or her office in prosecuting a crime that falls within his or her jurisdiction, or in investigating or arresting the perpetrator thereof, shall be punished by a term of imprisonment of between 1 and 3 years and a fine of between RO 200 and RO 1,000.”
- Article 196: “Any public official charged with investigating or preventing crimes who fails to report or delays reporting a crime that comes to his or her attention shall be punished by a prison term of between 1 and 3 years and a fine of between RO 100 and RO 500.”
- Article 200: “Any public official who uses the authority of his or her office to halt the implementation of laws, decrees, royal orders, judgments or orders issued by a judicial body shall be punished by a prison term of between 1 and 3 years.”

123. In accordance with article 232 of the Code, anyone who, with the intent to pervert the course of justice, misrepresents the status of persons, places or things, conceals the body of a deceased person or any evidence of a crime, or knowingly provides false information relating to the crime, is considered to have committed a crime, the penalty for which is 1 year in prison and a fine of RO 1,000.

Article 23

124. The Oman Human Rights Commission organized an introductory workshop to mark the accession of Oman to a number of international conventions, including the International Convention for the Protection of All Persons from Enforced Disappearance pursuant to Royal Decree No. 44/2020. The workshop was held over three days, from 25 to 27 September 2022, under the auspices of the Undersecretary for Diplomatic Affairs of the Ministry of Foreign Affairs, and was attended by the Head of the Middle East and North Africa Section of OHCHR and the Secretary General of the Arab Network for National Human Rights Institutions. During the workshop, the head of the Middle East and North Africa Section emphasized that the accession of Oman to the Convention is evidence of its adoption of international human rights standards and its efforts at comprehensive modernization in order to provide the necessary human rights guarantees. During the workshop, 13 specialized working papers on human rights were presented by OHCHR officials and representatives of the Ministry of Foreign Affairs, the Ministry of Social Development, the Ministry of the Economy, the Office of the Public Prosecution, the Royal Oman Police, the Lawyers Association, and the Oman Human Rights Commission. The workshop began with an introductory session on the objectives of the workshop, the training team, and participants’ expectations. It also included discussion sessions on strengthening the role of the more than 90 participants, who were from various government bodies, civil society organizations and human rights bodies, and academics and researchers in the field of human rights. The aim of the workshop was to disseminate and clarify the concept, objectives and provisions of the Convention, promote and raise awareness of the Convention, review its working mechanisms and the means of monitoring its implementation, and emphasize the preparation and submission of reports on the implementation of the Convention according to the established mechanism. The workshop also aimed to strengthen complementarity between the various

authorities involved in implementing the Convention and train national officials in dealing with human rights issues, especially since the Convention became part of national law after Oman acceded to it, in accordance with the provisions of the Basic Law of the State.

125. The Sultanate of Oman is keen to ensure that people working in the fields of investigation and the judiciary are properly qualified and to involve them in training programmes and courses. One of the most important training courses is a special programme in judicial science run by the Higher Institute of the Judiciary, which includes the teaching of approved courses and related subjects. In addition, all public officials and military personnel receive training and qualifications at specialized training centres.

126. Convinced of the importance of training programmes for capacity-building and their positive impact on society in consolidating the principle of the protection of rights and freedoms, the Sultanate of Oman has trained law enforcement professionals, including public prosecutors, judges, officers of the Royal Oman Police and specialists working in the field of children's rights. The Ministry of Social Development signed a memorandum of cooperation with the Higher Institute of the Judiciary, aimed at providing intensive training to persons who work with children, caregivers, and all professional groups that come into contact with children on the principles of human rights conventions, including on the rights of women, children and persons with disabilities, in order to strengthen the principles of these conventions. In this context, three training programmes were implemented, bringing the total number of training programmes implemented by the Ministry in the field of human rights to 333 between 2020 and mid-2024. (See annex 2). The National Committee for Family Affairs also ran 10 training programs between 2021 and 2024 entitled "Investigative interviewing of children", for specialists from the Royal Oman Police, the Office of the Public Prosecution, the Ministry of Health, the Ministry of Social Development, and the Ministry of Education. The Royal Oman Police organized a number of training courses, including a human rights workshop, a risk mitigation programme (provisions of humanitarian assistance), a prison and detention facilities management programme, a programme for monitoring of human rights in penitentiary institutions, and basic training courses for prison staff and detention centre staff (see annex 3). In addition, law enforcement officers receive specialized and technical training in this area, both at home and abroad. The military judiciary also organized a series of lectures and workshops for military and security agency personnel on the legal procedures to be followed by law enforcement officers when conducting investigative work, such as arrest, seizure and search procedures.

127. In order to achieve cooperation and integration with institutions concerned with the protection of human rights, including civil society organizations, the Office of the Public Prosecution meets regularly with the Oman Human Rights Commission to discuss mechanisms for protecting and promoting human rights, complaints and reports received by the Commission and challenges and efforts to address them, and to share their experiences and efforts as well as international experiences in the field of human rights. On 23 January 2024, a team from the Oman Human Rights Commission visited the Office of the Public Prosecution and met with the Public Prosecutor to discuss mechanisms of cooperation and coordination between the two entities. They also held another meeting at the headquarters of the Oman Human Rights Commission in March 2024, during which they reviewed the vision and objectives of the Office of the Public Prosecution aimed at achieving efficiency and effectiveness and enhancing the protection of human rights and freedoms by simplifying procedures and making them available online, and by establishing electronic links with partners with a view to having an effective justice system. In addition, it was decided to no longer seize the personal documents of the accused and to strengthen and extend the application of restorative justice by issuing criminal orders, subject to the conditions laid down by law, which exempt the accused from custodial sentences, the imposition of fines being sufficient. A total of 494 criminal orders were issued during the period from 1 January 2020 to 30 June 2024 (see annex 4). In order to facilitate legal proceedings and bring them closer to litigants, the Office of the Public Prosecution launched an e-services portal, which enables litigants to receive services without having to visit the Office of the Public Prosecution headquarters, including filing complaints, accessing case files, and requesting the deferral of custodial sentences or release on bail.

128. The Omani media help to promote and raise public awareness of human rights, deepening understanding of human rights concepts and consolidating human rights principles through television programmes, online platforms, and radio broadcasts in both Arabic and English, sometimes with the participation of representatives of government agencies, committees, associations and other civil society organizations working in the field of human rights. In addition, Omani media outlets publish information about and highlight events, programmes, meetings and visits carried out by government agencies and civil society organizations in local newspapers, on social media platforms, on Ayn, the first interactive digital platform in Oman, and on the information portal. Between 2020 and July 2024, a total of 99 articles on human rights-related topics were published in local newspapers (see annex 5). The *Oman Observer*, an English-language newspaper, published 26 articles during the period from 2022 to July 2024 (see annex 6). The Oman News Agency published 28 articles on its website (see annex 7). Thirteen pieces of content – 6 videos and 7 audio programmes – were posted on the Ayn platform between 2021 and 2023 (see annex 8). Seventy television and radio programmes were broadcast during the period from 2020 to July 2024 (see annex 9). Six articles were published on the information portal (see annex 10).

129. Under articles 93 and 97 of the Basic Law of the State, the Convention is part of national law. No entity may issue regulations, decisions or instructions that contravene its provisions, such as permitting or encouraging forms of enforced disappearance. As has already been noted, Omani law criminalizes all forms of enforced disappearance, requires officials to report any such crime that comes to their attention, and does not consider orders from a superior as a reason to permit the act in question or to evade responsibility for its commission.

Article 24

130. Under national law, a victim is any person who has been subjected to an act legally defined as a criminal offence, including all forms of enforced disappearance, and who has suffered harm as a result of that act. Thus, any person who has been subjected to any of the acts that constitute enforced disappearance, as well as any person who has suffered direct harm, is considered a victim, which is consistent with the definition of a victim set forth in article 24 of the Convention as “the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance”. Victims are entitled to claim civil damages in accordance with the procedures and conditions established by law. The victim’s family, lawyer or legal representative have the right to have access to and review the case file and obtain information about the victim, in accordance with the procedures, controls and guarantees described above.

131. All forms of enforced disappearance are considered crimes against public order, whose prosecution does not require the filing of a complaint by the victim or a report, but is initiated by the competent authority on its own initiative. The victim’s withdrawal of their complaint does not result in the cancellation of the public prosecution.

132. The Constitution and national legislation guarantee the right of accused persons, arrested or detained persons, victims and persons with legal standing to obtain relevant information and data, as well as providing for the possibility of exhuming bodies after burial or performing an autopsy if required to establish the facts of the case. Reference has already been made in detail to the relevant provisions of the Code of Criminal Procedure in this regard.

133. The competent authorities are required to immediately search for the victim when any form of disappearance is reported, to develop an action plan and a timetable for conducting the search and investigating the disappearance, and to designate a focal point, such as a specific entity or person, for this purpose. If the victim is a foreign national, the competent authority must contact the authorities in the victim’s country and the relevant States through the liaison offices of the International Criminal Police Organization (INTERPOL) to discuss international mutual legal assistance measures to be taken to search for the victim. Each State informs the other States of the measures taken and their outcome, periodically informs the victim’s family and representative of these measures, allows them to participate in the search and investigation process, and provides them with access to relevant information. The

competent authorities may request DNA samples from the victim's relatives to compare against unidentified bodies using the INTERPOL I-Familia DNA database.

134. The Sultanate of Oman reaffirms its continued commitment to international standards and principles that contribute to the protection and promotion of human rights and to efforts to harmonize national laws and legislation with international conventions. In this regard, the Code of Criminal Procedure establishes the right of victims of crime to claim compensation through criminal proceedings, with the option of also claiming compensation through civil proceedings. Anyone who has suffered direct personal harm as a result of a crime may bring a civil claim before the court hearing the criminal case at any stage of the proceedings, until the closing arguments, and does so as a joint plaintiff in the public action. The civil plaintiff may assert this right during the preliminary investigation by submitting a request to a member of the Office of the Public Prosecution or by allowing the civil rights officer to appear in the lawsuit he or she files or in the preliminary investigation.

135. The civil claim is brought either by notification to the defendant or by application at the public hearing, if the defendant is present, and if it has already been accepted in the preliminary investigation, the referral of the case to the trial court includes the civil claim. Pursuant to article 23 of the Code, in its judgment on the public action, the court also rules on the claims for compensation brought by the parties. If the court considers that the decision to be made on the civil action would delay the adjudication of the criminal proceedings, it may rule only on the criminal proceedings and postpone consideration of the civil action or refer it to the competent civil court. The civil claimant may waive his or her claim before the court hearing the criminal case and file it before the competent civil court, without this affecting the conduct of the criminal proceedings.

136. Articles 176 and 180–184 of the Code of Civil Procedure regulate the right to fair and adequate compensation for unlawful acts committed against victims. The Code provides that any damage to a third party entails an obligation upon the party that caused that harm, even if the party is incapable of discernment, to provide compensation. If the damage is direct, compensation is required even in the absence of a violation. If the damage is indirect, compensation is conditional on the commission of a violation. If multiple persons are responsible for the harmful act, each of them is liable in proportion to their degree of participation in the act, without all being jointly and severally liable, unless otherwise decided by the court. In all cases, compensation is assessed according to the damage suffered by the injured party and the loss of earnings, provided that this is a natural consequence of the harmful act. Compensation is calculated in cash, on the understanding that the court may, depending on the circumstances and at the request of the injured party, order the re-establishment of the *status quo ante* or rule on the enforcement of a specific order related to the harmful act by way of compensation. Any clause that exempts the responsible party from liability for the harmful act is null and void. Civil liability is without prejudice to criminal liability when the conditions are met, and criminal penalties have no bearing on the determination of the scope of civil liability or the assessment of compensation.

137. Articles 190–196 of the Personal Status Code promulgated by Royal Decree No. 32/97 contain provisions on absent and missing persons, defining an absent person as one whose domicile or place of residence is unknown, and a missing person as one whose fate is unknown, whether dead or alive. The Code guarantees the protection of the assets of absent or missing persons by appointing a legal representative, if they do not have one, so that their assets can be inventoried and managed in accordance with the procedures for administering the assets of minors. An absence or disappearance ends when the missing person is confirmed to be alive or when it is determined that they have died. A judge must rule that the absent or missing person is dead if there is evidence of death or if four years have passed since their absence or disappearance. The date of this ruling is considered the date of death. In all cases, the judge must search for the absent or missing person by all available means to ascertain whether he or she is alive or dead before ruling on his or her death. Article 6 of the Civil Status Code promulgated by Royal Decree No. 66/99, as amended by Royal Decree No. 59/2021, stipulates that: "In all transactions that require proof of a person's address, the address registered in the Civil Registry shall be considered valid. The address of a minor or absent, missing or incapacitated person shall be the address of his or her legal representative."

138. Article 197 of the Personal Status Code provides that the wife of an absent or missing man returns to her husband's guardianship if he is found alive after being declared dead by a court, unless she has remarried and consummated the marriage in the meantime. If the judge rules that the absent or missing person is legally dead, the provisions on inheritance apply. Article 237 of the Code stipulates that "The conditions for entitlement to inheritance are: the actual or legal death of the deceased, the existence of heirs who are alive at the time of death, whether actual or presumed, and knowledge of the inheritance." If the estate of an absent or missing person is distributed among their heirs after they have been declared dead, and they then reappear, the absent or missing person is entitled to recover estate, except for what has been consumed, in accordance with articles 197 and 273 of the Code. Legislators have also taken account of the situation that arises when one of the beneficiaries to the estate of a deceased person is missing or absent. Article 272 of the Code provides that "absent or missing heirs shall be given their share of the estate of the deceased if they are presumed alive". Article 282 of the Code states that "the personal status of non-Muslims shall be governed by the provisions applicable to them, unless they request the application of the provisions of this Code."

139. The Sultanate of Oman has made well-being and social protection a national priority and ensuring a decent and sustainable life for all a strategic objective. Social cohesion and strength, and the achievement of social peace, require social justice through the maintenance of sustainable social welfare services and decent livelihoods for all segments of society, for both current and future generations, in accordance with Oman Vision 2040. Support for the families of victims of crime is guaranteed, as the Social Protection Act, promulgated by Royal Decree No. 52/2023, extends the scope of social protection to this category of beneficiaries. In the event of the disappearance of an insured person or pensioner, in accordance with the provisions of the Act, their beneficiaries receive a monthly benefit equivalent to the pension to which they would have been entitled had the person died, in accordance with the provisions of the Act, starting from the first day of the month in which the disappearance is confirmed until the person is found alive or his or her death is confirmed as fact or is declared by a court. Payment of the benefit ceases from the date on which the death certificate of the insured person is issued, and a pension calculated based on the date of the disappearance is then paid to his or her beneficiaries. The social protection system also guarantees care and financial support for all segments of society, providing them with a decent and secure life and shielding them from the effects of certain measures and circumstances by granting cash benefits to particular groups, including persons with disabilities, children and older persons, and family income support, provided that the conditions for each benefit are met. With regard to family income support, the husband is not counted as a member of the family and his income is not included in the total income when calculating eligibility for this benefit. All the income of other family members is taken into account, except for the equivalent benefit if the husband is imprisoned or detained for at least one month, in accordance with article 56 of the implementing regulations of the Social Protection Act, promulgated by Decision No. R/7/2023 of the Social Protection Fund. According to the 2022 annual statistical report, 177 persons (men and women) from prisoners' families benefited from social security that year and received a total of RO 403,684. According to the 2023 statistical report, 835 persons (men and women) from prisoners' families received social security benefits of a total of RO 495,150 that year, which was disbursed in accordance with the Social Security Act promulgated by Royal Decree No. 87/84. The social welfare department for inmates mentioned above coordinates with the competent authorities to provide social and material support for prisoners' families while they are serving their sentences.

140. Article 40 of the Basic Law of the State guarantees freedom to form associations at the national level, for legitimate purposes, by peaceful means and in a manner that is not contrary to the provisions and objectives of the Law. The establishment of associations whose activities are hostile to the social order, secret, or military in nature is prohibited, and no one may be compelled to join any association. The Civil Associations Act promulgated by Royal Decree No. 14/2000, as amended by Royal Decree No. 23/2007, lists the areas in which associations may operate, namely childcare and maternal care, care for orphans, care for older persons, services for women, care for persons with disabilities and special groups, and any other areas or activities that the Ministry of Social Development deems appropriate. The Act sets out the conditions for the establishment of civil society organizations and the

management of their affairs. Civil society organizations are supervised by the Ministry of Social Development. The Ministry is responsible for the official declaration of the establishment of such organizations by entering their statutes in a register kept for this purpose. A summary of the statutes and registration number is published in the *Official Gazette* free of charge, and the organization acquires legal personality from the date of publication. The State has worked to facilitate the procedures for the registration and approval of associations with a view to encouraging the establishment of associations and the construction of a civil society that is actively involved in development and human rights programmes. There are many social and humanitarian associations in Oman that contribute to social development alongside government institutions in the fields of welfare and development. These associations include the Lawyers Association, the Journalists Association, the Children First Association, and the Oman Association for Persons with Disabilities. All victims of enforced disappearances can have recourse to human rights bodies, such as the Oman Human Rights Commission. There are no legal impediments to the establishment of associations that aim to raise awareness of the Convention and provide support to victims. Freedom to join such associations is guaranteed by the Civil Society Associations Act.

Article 25

141. The Sultanate of Oman pays great attention to human rights in general and children's rights in particular. This is evident in national laws, particularly the Basic Law of the State and the Children's Code and its implementing regulations promulgated by Ministerial Decision No. 125/2019 of the Ministry of Social Development, in the context of providing care and protection for children and ensuring that their rights are respected and that their best interests are the primary consideration in all proceedings. Article 15 (3) of chapter 3, "Social Principles", of the Basic Law of the State provides that: "The family is the cornerstone of society, and its pillars are religion, morals and patriotism. The State shall endeavour to maintain its cohesion and stability and consolidate its values. The State shall guarantee equality between women and men and shall be committed to providing care for children, persons with disabilities, and young people, in the manner prescribed by law."

142. The Children's Code promulgated by Royal Decree No. 22/2014 guarantees many civil, health, social, educational, cultural and economic rights that seek to ensure the protection of children. The Code defines a child as any person under the age of 18 and provides for the following fundamental rights for children:

- (a) The rights to life, survival and development
- (b) The right to non-discrimination on the basis of colour, sex, origin, language, religion, social status, or any other grounds
- (c) The right to have their best interests prioritized in all decisions and measures taken that affect them, whether by the administrative units of the State, judicial authorities, or bodies entrusted with their care
- (d) The right to participate, share their opinions, and express themselves in a manner compatible with the rights of others, public order, public morals, and national security, and to be given the opportunity to fully express their views.

143. Within the framework of protecting children's civil rights, the Code guarantees the rights to life, to protection against violence, exploitation and abuse, and to humane treatment that preserves their dignity, reputation and honour. It also recognizes the rights of the child, in the context of the protection of his or her social rights, to education, survival and development in a context of freedom and human dignity. It places this obligation on parents and requires the State to ensure that they fulfil it.

144. The Omani legislature has extended legal protection to the children of women deprived of their liberty. Article 33 of the Children's Code stipulates that a nursery must be established in every central prison to allow imprisoned mothers to place their children there until they reach preschool age. The Code also regulates contact between imprisoned mothers and their children and sets out the conditions applicable to them in caring for their children.

Under the Code, mothers are not allowed to be accompanied by their children in cells and they cannot be prevented from seeing or caring for their children as punishment for a violation of prison rules.

145. In the Children's Code, legislators have codified a number of rights that guarantee the necessary protection for children and their personal data from the moment of birth. The Code stipulates that children must be given a distinctive name at birth and that this name be recorded in the birth register in accordance with the rules and procedures laid down in the Civil Status Act. It is also prohibited to give children a name that is derogatory or that offends their dignity. Article 9 of the Code requires all public officials responsible under the Civil Status Act to report births within Oman and the births of Omanis outside the country, and the concerned authorities to register them in accordance with the rules and procedures set forth in the Act. Under article 12 of the Civil Status Act, the civil registrar is prohibited from making any erasures, deletions, additions or alterations in the registers and documents, or accepting any certificate, form or document containing changes, unless they have been certified by the issuing authority or the parties concerned, as the case may be. The Act also requires anyone who finds a newborn baby to hand him or her over to the nearest police station, along with any clothes or items found on the baby, and indicate the time, place and circumstances in which he or she was found. The police must draw up a report on the incident, including the apparent age of the child and any distinguishing features, as well as the name, occupation and address of the person who found the child, and entrust the child and submit the report to one of the social welfare agencies under the Ministry of Social Development. The agency must name the child immediately upon arrival and inform the registrar within the legal period, in accordance with article 19 of the Act. The Civil Status Act provides for a prison sentence of up to 1 year and/or a fine of up to RO 200 for anyone who violates this article. In addition, anyone who knowingly makes false statements or submits forged documents or certificates to obtain a card or record a civil status event, or who falsifies a card or any certificate issued by the public administration or Omani missions abroad, is considered to have committed a crime punishable by imprisonment and/or a fine of up to RO 500, without prejudice to any more severe penalty stipulated by another law, in accordance with article 57 of the Act. The Criminal Code also criminalizes the falsification of written entries, records, reports, certificates and other official documents, whether by affixing forged signatures or seals, or by altering them through deletion, addition or modification. Below are some of the relevant punitive articles of the Code:

- Article 181: "Any competent public official who, with the intent to commit forgery, alters the content of a document, either by knowingly modifying the declaration by the person concerned to make something untrue appear to be true, or by making an unrecognized fact into a recognized fact, shall be liable to a term of imprisonment of between 3 and 10 years."
- Article 182: "Any public official who, in the course of or in connection with the performance of his or her duties, commits forgery of judgments, reports, minutes, documents, records, registers, books or other official documents, whether by affixing false signatures or seals, or by altering the documents, seals or signatures, whether by deletion, addition, modification, insertion of names of other persons or in any other manner, shall be punished by imprisonment of between 3 and 7 years. The penalty shall be a prison term of between 3 and 5 years if the forgery is committed by a person other than a public official."
- Article 186: "Any person who knowingly issues a false certificate or statement concerning pregnancy, birth, illness, disability, death or any other matters relating to his or her profession shall be punished by a prison term of between 1 month and 3 years."

146. Under article 10 of the Children's Code, children have the right to a nationality from birth, in accordance with the Omani Nationality Act promulgated by Royal Decree No. 38/2014. Children have the right to be recognized and cared for by their parents and to establish their legitimate parentage by all lawful means, in accordance with article 11 of the Code. Under article 25 of the Code, children also have the right to survival and to grow up in a close-knit and supportive family, and the State guarantees the enjoyment of this right by all available means.

147. In terms of child protection, article 55 of the Children's Code prohibits the compulsory recruitment of children into the armed forces, their recruitment into armed groups, or their direct involvement in hostilities. Article 56 of the Act prohibits the following acts:

- (a) Abducting or selling a child or transferring a child's organs in any form, whether for payment or without payment;
- (b) Rape, indecent assault or sexual harassment of a child;
- (c) Inducing or coercing a child to engage in any sexual activity, or exploiting a child for prostitution, other sexual practices or pornography;
- (d) Encouraging a child to engage in real or simulated sexual activity, filming or photographing them during such activities or filming or photographing their sexual organs for immoral purposes by any means whatsoever;
- (e) Publishing, displaying, circulating, or possessing printed, visual, or audiovisual works that appeal to the baser instincts of children or encourage behaviour contrary to the values of society, the law, public order or public morals;
- (f) Using a child in any form of slave trade, slavery, or forced or compulsory labour;
- (g) Trafficking a child, or assisting him or her to cross borders for the purpose of exploiting him or her or subjecting him or her to any form of violence;
- (h) Using any form of violence against a child.

The State guarantees the implementation of the prohibition stipulated in the previous clauses and takes all necessary measures to that end.

148. Reference has already been made to the procedures for searching for persons who have disappeared or are presumed to be victims of some form of enforced disappearance, as well as to the biometric database used in the process of gathering evidence, conducting investigations, and identifying disappeared persons and perpetrators of crimes.

149. The Sultanate of Oman endeavours by all available means to rehabilitate children who are victims of any form of violence, exploitation or abuse and to reintegrate them into society, in accordance with article 59 of the Children's Code. The Code provides for mechanisms to protect all the children's rights set forth therein. Article 60 of the Code provides for the establishment, by decision of the Minister of Social Development, of committees to protect children from violence, exploitation and abuse, known as "child protection committees", whose members have judicial powers to enforce the provisions of the Code and to receive complaints and reports of any violations of children's rights. Under the Code, all persons have the right to report any incident that constitutes violence, exploitation or abuse of a child, or a violation of any of the children's rights set forth in the Code. Child protection committees are required to take all necessary measures to protect persons who reports such incidents and not to disclose their identity. The Ministry of Health has also formed committees in the provinces to study any form of violation of the Children's Code, even if it is within the child's family, and reported cases, and to find solutions to them. It is worth noting that the Family Protection Department has not received any reports of any form of enforced disappearance or any request to file such a report.

150. By law, doctors, teachers, and other persons who, by virtue of their profession, job, or work, become aware of the existence of violence, exploitation, or abuse of any child, or a violation of any of his or her rights under the Code, are required to report it to the child protection committees. It is mandatory to place any child who has been subjected to violence, exploitation, or abuse in temporary care by decision of the public prosecutor based on the recommendation of the child protection commissioner. Without prejudice to the best interests of the child, he or she may be returned to his or her guardian, based on the recommendation of the child protection commissioner, once all guarantees of his or her proper care are in place, the reasons for the placement and its effects have ceased to exist, and the guardian has undertaken in writing to care for him or her in accordance with the provisions of the Code, with follow-up of the returned child in accordance with the conditions and procedures specified by law. Article 6 of the Code of Conduct for Members of the Office of the Public

Prosecution stipulates that prosecutors must abide by all regulations related to the rights of the child, give priority to the best interests of the child in any action they take, without prejudice to the law or the rights of others, and protect all persons from torture and all forms of cruel or inhuman treatment.

151. Children have the right to seek civil compensation for all damages sustained as a result of violence, abuse or exploitation against them, or as a result of a crime set forth in the Children's Code that has been committed against them, in accordance with the judicial procedures provided for in the laws in force in the Sultanate of Oman, including article 76 of the Children's Code.

152. The Sultanate of Oman guarantees children whose circumstances prevent them from growing up in their natural family, such as orphans and children of unknown parentage, the right to alternative care. The State guarantees the enjoyment of this right by all available means, in accordance with article 34 of the Children's Code. Article 1 of the Code defines alternative care as services provided to children temporarily or permanently deprived of their natural family, such as orphans or children of unknown parentage, through a care home, the *kafalah* system, or foster families. Chapter 4 of the implementing regulations of the Children's Code regulates alternative care and foster care. Article 80 stipulates that foster children enjoy the same rights as children in their natural families, including the right to enjoy the privileges and facilities granted to their peers living with their natural families. As provided for in article 81 of the regulations, the placement of a child in foster care is terminated in the following cases: if the child is subjected to violence, exploitation, or abuse by the foster family; if the foster parent dies or is absent for a long period of time; or if the couple separates, unless the competent authority decides to award custody of the child to one of the spouses, or if the best interests of the child so require. Article 79 of the regulations also guarantees the right of the child's family of origin to regain custody of the child, as follows: "In the event that the parentage of the foster child is established in a final court ruling and he or she had previously been registered in the birth register and placed in a care home or foster family, the child shall be re-registered (with the name of the person whose parentage has been established) and placed in his or her custody, unless it is in the best interests of the child to remain in the care home or foster family, on the basis of a report from the competent authority." According to the 2022 annual statistical report, 86 children were placed in the Ministry of Social Development's child protection home and 21 in foster care.

153. The Personal Status Code regulates guardianship of children. The Code allows the father to appoint a guardian (the chosen guardian) for his minor children and for the minor children of the children who are under his guardianship. If a minor does not have a chosen guardian, the judge appoints a guardian to manage his or her affairs, taking into account the minor's interests. The judge may appoint a special or temporary guardian whenever the minor's interests so require. The guardian's duty ends in a number of cases, including if it is proven that the guardian has disappeared or is absent, or is unable to perform his or her guardianship duties, or the disappearance or absence ends, or the minor's father's legal capacity is restored. The guardian may be removed if he or she mismanages or neglects his or her duties, if his or her continued presence poses a danger to the interests of the minor, or if he or she no longer fulfils one of the conditions that must be met by the guardian, as stipulated in article 172 of the Code, based on articles 170, 171, 185 and 187 of the Code.

154. The political principles of the State are based on strengthening and promoting cooperation with other countries and observing international and regional charters and treaties and generally recognized rules of international law. The State is committed to fulfilling its responsibilities and obligations under this Convention and other human rights conventions and takes all measures to cooperate with the States Parties to the conventions to which it has acceded. Reference has already been made to the Supreme Judicial Council's competence to promote and develop cooperation in judicial matters with relevant State authorities and specialized regional and international organizations and institutions. The Sultanate of Oman has concluded several international agreements in the field of judicial cooperation.

155. Respect for children's opinions in schools is ensured through the formation of student councils, class councils and educational activity groups, which can propose plans and programmes and express their opinions on them. To facilitate, ensure and promote children's

meaningful participation in decision-making, the Sultanate of Oman adopted a participatory approach to the preparation of Oman Vision 2040, with the participation of all segments of society, including children. In addition, children participated in the review of the voluntary report on the progress made in achieving the Sustainable Development Goals 2019 and the discussion of the draft combined fifth and sixth periodic reports on the implementation of the Convention on the Rights of the Child in 2022.

156. In this connection, article 121 of the implementing regulations of the Children's Code provides that, in the event of a report or complaint, the child protection committee is obliged to seek the opinion of the child in order to ascertain his or her needs and wishes, provide him or her with sufficient information about the measures to be taken in his or her regard, inform him or her of the results of the measures, and give him or her an opportunity to respond to them. During the investigation of juvenile cases, members of the Office of the Public Prosecution listen to and record the child's statements. The competent court also takes into account the child's opinion in choosing a guardian or taking a decision on custody.

Conclusion

157. The Sultanate of Oman, through its legislative, executive and judicial institutions, attaches great importance to combating all breaches of public order and anything that may pose a threat to the rights and freedoms of individuals, by working to establish justice, combat corruption and promote integrity. To this end, it has worked to develop its security, legal and technical systems to improve the early detection of crime, facilitate reporting and effectively investigate crime. It should be noted that the Sultanate of Oman has not recorded any cases of enforced disappearance. The few incidents of detention that have come to light were committed by individuals against individuals, and all the necessary measures have been taken in respect of them. The Sultanate of Oman reaffirms its commitment to the protection of all persons from all forms of enforced disappearance and considers all forms of general or systematic enforced disappearance to be a crime against humanity that entails the punishment prescribed by law. This principle is enshrined in the Basic Law of the State and in national laws, as mentioned above.
