

Charles University in Prague

Faculty of Arts

**Environment for Female Employment in Oman:  
Public Policy and Legal Framework**

**Prostředí pro zaměstnanost žen v Ománu:  
veřejná politika a zákonný rámec**

Ph.D. Dissertation

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Herein I declare, that I have written this dissertation on my own, and have put to use only the sources and literature duly noted and quoted below; and that this dissertation has not been incorporated in any different field of university study or for the purpose of acquiring identical or dissimilar university degree.

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## Introduction

Since the 1990s we have witnessed concentrated activities of major international donors and organizations in the field of gender and development. Although women's issues have been broadly discussed since 1970s, when the first World Conference on Women has been organized and the General Assembly of the United Nations adopted the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), the turning point for coordinated action in women's empowerment is closely associated with the Fourth World Conference on Women in Beijing in 1995, where the new concept of "gender and development" emerged. It calls for removal of remaining sources of inequality between men and women, introduces gender equality as a human right, and contains the method of "gender mainstreaming" that requires the inclusion of a gender dimension throughout institutions, policies, planning and decision-making.<sup>1</sup> Increased interest in gender equality in the 1990s has contributed to the creation of several databases and regular reporting on gender and the role of women in the world.<sup>2</sup>

As the United Nations Millennium Declaration was adopted in September 2000 by the General Assembly, the world leaders have resolved "to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable."<sup>3</sup> Within the Millennium Development Goals (MDGs) the promotion of gender equality and women's empowerment is goal number three. This goal is unique because it underpins all the others goals, which, as is widely recognized, cannot be reached without achieving goal number three. Donor agencies and policy makers tend to agree that increased women's access to education, health, credit, formal legal rights and employment opportunities, in conjunction with economic growth, will substantially improve the socio-economic role of women in developing countries.

Women in the Middle East and North Africa (MENA)<sup>4</sup> region constitute about half of the 307 million population.<sup>5</sup> Arab women have made considerable gains in the past dec-

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<sup>1</sup> Morrison, Christian and Johannes Juetting. *The Impact of Social Institutions on the Economic Role of Women in Developing Countries*. May 2004. Working Paper No. 234, OECD. p. 11.

<sup>2</sup> UNDP *Human Development Reports*, GDI and GEM, UN'S *World's Women*, World Bank's *GenderStats*.

<sup>3</sup> United Nations General Assembly. *Resolution 2 sesion 55. United Nations Millenium Declaration*. 8. September 2000, p. 5.

<sup>4</sup> MENA: Algeria, Bahrain, Djibouti, the Arab Republic of Egypt, the Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, the Palestinian Territories, Qatar,

ade, particularly in the areas of health and education. However the improved access to education has not translated into equal access to economic participation. In 2001, the participation of women in global economy was estimated at 55.2 per cent. Participation of women in the East Asia and Pacific stands at 70 per cent, while the participation rate of Arab women in the national economies of Arab states is mere 29 percent.<sup>6</sup>

Within the MENA region the high-income GCC countries stand out as the area with overall lowest economic activity rate of female in the labor force.<sup>7</sup> While the statistics often mention that the rate has increased dramatically over the two decades between 1980 and 2000: almost doubled in Bahrain, Kuwait, Qatar and Saudi Arabia, and almost tripled in Oman and United Arab Emirates,<sup>8</sup> very large proportions of the female labor force are expatriate women. The data available from year 2002 assessed that expatriate women constitute 79.2% of the female labor force in Oman, 71.6% in Qatar and 71.5% in Kuwait.<sup>9</sup> Therefore the participation of female nationals is much lower than the statistics – where the division between expatriate women and nationals in labor force is not drawn - would indicate.

### **Research overview:**

The literature about employment of women in the MENA region has been growing steadily over the past years, which reflects the importance international organizations, national government and researchers attribute to the topic.

On the international organizations level (WB, UN-ESCWA, UN-POGAR, IMF) the female employment in MENA is discussed within two broad topics: Human resource development and economy, growth and labor markets. Data is usually extracted from their databases and compared across the region and world, to determine the issues specific to Middle East. In the last decade, since about 2000, reports and books concentrating on various aspects of female employment in the MENA region – women in public sphere, gender and employment, female entrepreneurship, country specific or sector specific case studies – have been published, both by the international organizations or individual researchers. A growing number of studies are discussing the methodology in assessing women's participation in the economy (both formal and informal) and designing conceptual frameworks or tools and kits aimed at encompassing the full

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Saudi Arabia, the Syrian Arab Republic, Tunisia, the United Arab Emirates, and the Republic of Yemen.

<sup>5</sup> ESCWA. *Where do Arab Women stand in the development process?* Gender-based statistical analysis. Economic and Social Commission for Western Asia, 2004. p. 9.

<sup>6</sup> Ibid, p. 21.

<sup>7</sup> Bahrain 21%, Kuwait 23%, Oman 17%, Qatar 16%, Saudi Arabia 18%, UAE 13% in the year 2000. Ibid. p. 20.

<sup>8</sup> ESCWA. *Women and Men in the Arab Countries: Employment.* Economic and Social Commission for Western Asia, 2002, p. 6.



range of women's engagement, which cannot be fully understood through the regular labor market indicators and statistics.<sup>10</sup>

The whole topic of female employment in MENA (participation in formal and informal economy, vocational training, environment for female employment and entrepreneurship, obstacles and challenges in promotions, wage gap, segregation of occupations, unemployment etc.) suffers from lack of gender disaggregated data. While the situation has certainly improved and many countries are incorporating gender dimension in their statistics<sup>11</sup>, the publicly available data remains scarce. Additionally in the case of Oman, the situation is further exacerbated as there appears to be complete ban on one type of indicator in national reports: unemployment.

Country specific research about Omani women in labor market, their participation in the workforce and their employment status is a matter of the last decade, which corresponds to increased interest in the topic of women's economic activity and its potential worldwide. The published research is limited to a handful of studies. Some of them: Al-Lamky, Asya (2007), Al-Lamki, Salma (1999) deal with women in leadership and managerial positions. While they are not explicitly connected with the environment for female employment they point out many obstacles that women are facing in public life due to societal conditions and traditions, which picture women foremostly as wives and mothers. Three studies – all of them about female entrepreneurs in Oman – have been published: Dechant, Kathleen and Al-Lamki, Asya (2005), Al-Riyami, Rahma (2001) and McElwee, Gerard (2003). All concentrate on established female entrepreneurs and their individual choices to become entrepreneurs. From various angles they discuss and analyze the reasons why women choose to set up businesses, what the biggest obstacles and challenges were in doing so, and what the expected rewards of that action would be and if they were fulfilled. Cultural conditions, state bureaucracy, problems in financing, lack of networks and role models are mentioned on the negative side, while husband or family support, broadened horizons by education and female entrepreneur friends are mentioned on the positive side. The focus of these studies lies with female entrepreneurs as individuals and as a group and their distinctive features as opposed to their male counterparts.

### **Data sources**

**Primary sources** are without exception Omani documents, about 90% of which are in Arabic. They include:

- Government long-term and medium term development plans and vision

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<sup>9</sup> UNDP. *The Arab Human Development Report 2005: Towards the Rise of Women in the Arab World*. United Nations Development Programme, Regional Bureau for Arab States: 2006, p. 121.

<sup>10</sup> For example toolkits of IFC (International Finance Corporation).

<sup>11</sup> ESCWA in cooperation with many international partners has launched the *Development of National Gender Statistics Programmes in the Arab Countries* (GSP). Information available at <http://www.escwa.un.org/gsp/index.html>.

- Laws of state and executive provisions (from 1971 to 2009, Sultan's decrees and where available also ministerial decisions)
- Government reports, publications, and bulletins
- News articles.

**Secondary sources:**

International reports and briefs, conference proceedings, academic and circular publications, reports and documents from international organizations.

**Methodology**

Presented research is a cross-sectional descriptive study of the Omani legal framework and public policy. Analysis of these is conducted with the environment for female employment as a central focus. The study uses qualitative research methods, primarily contents and gender analysis. In many chapters a chronological descriptive method is used to emphasize the developments overtime.

**Objectives:** The study aims to assess the environment in Oman as created by government through its policy, programs and laws and tries to pinpoint the gaps, impediments and obstacles that effect employment of female nationals in its current form. In conclusion it presents suggested policy measures and ammendments, to improve the situation.

The study is structured in two sections, one discusses long-term and medium term development policy and implemented programs, the second one concentrates on laws, executive provisions and law enforcement processes.

Constituent research questions:

- **Introductory:** What is the current structure of labor force in Oman? How are female nationals represented and in which sectors?
- **Public policy:** What is government doing to improve the participation of women in labor force and their status in society? According to what promulgated policy? Which government institutions participate and what do the realized programs concentrate on? Do they reflect the policy plan? Are they effective and to what degree?
- **Legal framework:** What is the current structure of legal framework concerning women at work? Who creates the law, and how is this done? Is the text of law gender blind/ differentiated/ discriminatory? In which instances? Why and how does it impede women's choices to work and access to paid formal employment? How is the law applied? Are women part of the law enforcement process? (police force, judiciary) Are there any legal literacy programs for women?

- **Conclusion:** Policy recommendations.

The study is formally divided into six chapters. First chapter is introductory and draws a picture of current status of female employment in Oman in comparison to male employment, with a distinction drawn between public and private sector employment and the Omani and non-Omani labor forces.

The second chapter provides a comprehensive overview of the state's development policy over the last forty years. Emphasis has been accorded to human resource development, labor market and employment policies and policies and programs aimed directly at women. The last ten years have been analyzed in detail to enable conclusions in the third chapter about government efficiency in implementing these policies. A special section has been accorded to Omanization policy, which has good potential to increase the employment of female nationals.

The third chapter summarizes realized programs in four fields directly connected to the aim of this study: education and vocational training; social welfare, insurance and retirement; employment programs; and entrepreneurship support.

The fourth chapter provides analysis of Omani legal texts, which are fundamental in creating environment for female employment. The scope of analyzed laws is very broad – ranging from constitutional, personal and civil status laws to labor law and civil code, social insurance and retirement legal provisions and international treaties.

The fifth chapter is about rule of law and describes both the process of law promulgation and its enforcement. The chapter discusses the role of *Majlis ad-Dawla* and possible further developments into a full legislative body and looks into the recent developments of the judiciary system in Oman. In line with the scarce data the chapter draws preliminary conclusions about women's participation in legislative, law enforcement and judiciary processes and the challenges and obstacles women might face when contemplating legal action.

The final chapter presents policy recommendations and courses of action, which would lead to improvements in the environment for female employment in Oman and also increases in the number employed.

#### **Limitations:**

- While the study does mention certain socio-cultural norms which influence female employment, it does not provide analysis of women's status in Omani society.
- The study does not include personal views of female workers or challenges they might face, once they enter the labor market as an employee or business woman, relating to wages, promotions or other developmental processes.

- Furthermore the whole enquiry is limited to the employment of female nationals and does not discuss the situation of foreign female workers in Oman.
- The analysis of legal texts is restricted only to legal texts published by the state from 1971 to 2009 and does not contain a specific chapter on Islamic law and *Shariah*, unless it is specifically mentioned in the promulgated state's laws.

**Keywords:** gender, law, public policy, employment, environment, Oman

# 1 Gender and the Economy

## 1.1 Macro-economic climate

Oman's economy changed dramatically with the discovery of oil at the end of sixties, and the subsequent transition of power to Sultan Qaboos, who ended long political and economical isolation of Oman maintained by his father. In 1967 Oman began exporting oil, revenues from which in early seventies enabled the new Sultan to embark on a journey, transforming the traditional Oman, with its scattered population dependent on agriculture and fisheries, to a modern state with economic and political ties to outside world, developing infrastructure and functioning health care and educational sectors. Oil remains a dominant factor in Oman's economy constituting about two fifths of Oman's GDP and almost three quarters of government income.<sup>12</sup> As the oil resources are rapidly diminishing and are expected to run out in about 17 years,<sup>13</sup> the Omani government is facing a huge challenge. The government's predicament is further exacerbated by rapid population growth (3.1%) and the pressures that this entails, such as massive investments in infrastructure. The situation is also being effected by an overstaffed public sector and the worldwide economic downturn.

Oman has a free market economy, but the government remains a vital player both as an employer and purchaser of goods and services. The main export commodities are oil, live animals, animal products, textiles, mineral products, and recently also liquified natural gas (LNG). The biggest proportion of exports go to China (29.3%), followed by UAE (10.9%), Japan (10.6%) and South Korea (9.6%).<sup>14</sup> Estimates for 2008 place export values at 37.7 billion US\$, and imports at 22.9 billion US\$. The biggest importing trading partners are UAE (27.2%) and Japan (15.6%), followed by USA, China and India, each with about 5%.<sup>15</sup> Oman joined World Trade Organization (WTO) in year 2000.

The manufacturing sector is concentrated around non-metallic mineral products, foods, chemicals and equipment for industrial development such as electric generators, desa-

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<sup>12</sup> Encyclopaedia Britannica. *Oman: Economy*. Encyclopaedia Britannica, 2010. [Available at [www.britannica.com](http://www.britannica.com), last access June 2010.]

<sup>13</sup> Encyclopedia of the Nations. *Oman: Overview of Economy*. Encyclopedia of the Nations, 2010. [Available at [www.nationsencyclopedia.com](http://www.nationsencyclopedia.com), last access July 2010.]

<sup>14</sup> U.S. Department of State. *Background Note: Oman*. U. S. Department of State, Diplomacy in Action, 2010. [Available at [www.state.gov](http://www.state.gov), last access July 2010.]

<sup>15</sup> Ibid.

linization complexes and cement plants. Agriculture and fisheries remain important sectors and generate extensive employment, although they constitute only 2.1% of GDP. Main agricultural products are dates, bananas, mangoes and alfalfa. The fishing sector is renowned for kingfish, tuna, shrimps, lobsters and abalone.

Oman is a middle income country with GDP around 60 billion US\$, and per capita GDP 21,646 US\$. For other economic indicators please refer to the table below.

Table 1: Macro-economic indicators

Indicator	Unit	1985	1990	1995	2000	2005
<b>Population</b>						
Total population	Millions	1.52	1.84	2.17	2.4	2.55 (2007)**
Female population	% of total	46	44	41	42	44
Sex ratio	Male per 100 females					121 (2007)**
<b>Economy ***</b>						
GDP	US\$, billion	10.0	11.6	13.8	19.8	30.9
GDP per capita, PPP	US\$	7,112	6,865	7,749	8,271	9,102
GNI per capita, PPP	US\$	9,100	10,360	13,160	15,100	18,920
<b>Economic participation</b>						
Labor force, total	Thousand	439	570	770	879	977
Labor force, female***	% of total labor force	15	14	12	15	18
Female economic activity rate	% ages 15 and older	18	19	20	23	25
Female economic activity	% of male rate, 15 and older					27 (2004)*
Number of expatriate working women	Thousands				145 (2002)*	
Percentage of female labor force who are expatriate women	%				79.2 (2002)*	
Unemployment, total	% of total labor force				23 (2001)**	

Indicator	Unit	1985	1990	1995	2000	2005
Unemployment, female	% of female labor force				40.1 (2001)**	
Unemployment, male	% of male labor force				19.4 (2001)**	
Agriculture employment, female	% of female employment			5		
Agriculture employment, male	% of male employment			7		
Industrial employment, female	% of female employment			14		
Industrial employment, male	% of male employment			11		
Services employment, female	% of female employment			80		
Services employment, male	% of male employment			82		
<b>Political participation</b>						
Proportion of seats held by women in national parliaments	% of total, lower house				2.4 (2003)*	0 (2007)*

Source: Talajeh Livani. *Middle East & North Africa: Gender overview 2007*. World Bank, 2007. WDI & GDF online.

\* UNDP POGAR, Arab Human Development Reports.

\*\* ESCWA. Oman: Economic and Social Indicators. Economic and Social Commission for Western Asia, statistical information about member countries.

\*\*\* WB, World databank, [www.databank.worldbank.org](http://www.databank.worldbank.org)

Although Oman's indigenous population has been growing rapidly, Omani development plans are heavily dependent upon the expatriate workforce. Foreigners (mostly guest workers from Asia) constitute about a third of Oman's current population, and about 75% of its total labor force. Employment of nationals proves to be rather difficult, due to high numbers of new entrants to job market every year, inadequate education, lack of experience, high expectations or any combination of the forementioned factors. The government is therefore faced with a challenge of balancing the available resources with growing needs of its very young population (43% of population is younger than 14 years).<sup>16</sup> The pressure exerted on services provided by government is therefore im-

<sup>16</sup> CIA. *The World Factbook: Middle East: Oman*. Central Intelligence Agency, 2010. [Available at [www.cia.gov](http://www.cia.gov), last access July 2010.]

mense, and attention to human resource development of the indigenous population is an imperative.

Table 2: Human development indicators

Indicator	Unit	1985	1990	1995	2000	2005
Fertility rate, total	Births per woman	7	6	6	4	3.13 **
Births attended by skilled staff	%	..	87 (1987)	91	95	98
Maternal mortality ratio	Modeled estimate, per 100,000 live births				87	64***
Infant mortality rate	Below 1 year per 1000 live births					10.25 (2006)**
Life expectancy at birth, total	Years	65	70	72	74	75
Life expectancy at birth, female	Years	67	71	74	75	77
Life expectancy at birth, male	Years	64	68	71	72	74
School enrollment, primary, female	% of net		68 (1991)		82	74
School enrollment, primary, male	% of net		71 (1991)		81	73
Primary net enrollment ratio	Female as % of male rate					1.01*
Secondary net enrollment ratio	Female as % of male rate					0.96*
Tertiary gross enrollment ratio	Female as % of male rate					1.09*
Literacy rate, adult total	% of people aged 15 and above		55			81 (2004)
Literacy rate, adult female	% of females aged 15 and above		38			74 (2004)
Literacy rate, adult male	% of males aged 15 and above		67			87 (2004)

Source: Talajeh Livani. *Middle East & North Africa: Gender overview 2007*. World Bank, 2007. WDI & GDF online.

\* UNDP POGAR, Arab Human Development Reports.



\*\* ESCWA. Oman: Economic and Social Indicators. Economic and Social Commission for Western Asia, statistical information about member countries.

## 1.2 Women in labor force

Unless otherwise indicated, the data presented in this chapter was extracted from the *Statistical Yearbook 2009* and represents the situation in 2008. The female ratios for different indicators were calculated by the author. The first section deals with public sector employment, the second describes the private sector. The data for these two sectors in the source publication were not structured according to same criteria and therefore detailed comparisons between sectors were not possible. Please note, that the data for the private sector includes only Omanis insured by the Public Authority for Social Insurance.<sup>17</sup>

### The Public sector

The labor force in the public sector is extensive and employs the majority of working Omanis and about 63% of working Omani women. The public sector is largely *Omanized*<sup>18</sup> and expatriate labor represents only about 14.5% of the work force. The public sector includes the civil service (ministries and institutions), Diwan of Royal Court, Royal Court Affairs institutions and public corporations. The last three mentioned categories are considerably smaller than the civil service and employ only about 35 thousand employees and only about 2.5 thousand Omani women. For employment indicators in the public sector please refer to Table 3.

Table 3: Public sector employees according to nationality and gender

	Total	Omani			Expatriate		
		Total	Male	Female	Total	Male	Female
Civil service	118,990	104,927	61,723	43,204	14,063	7,437	6,626
Diwan of Royal Court	9,314	5,702	5,151	551	3,612	3,564	48
Royal Court Affairs	16,446	13,864	13,385	479	2,582	2,554	28
Public corporations	8,778	6,716	5,198	1,518	2,062	1,083	979
Public sector total	153,528	131,209	85,457	45,752	22,319	14,638	7,681

<sup>17</sup> For more about PASI refer to chapter 3.

<sup>18</sup> Please refer to chapter 2.2 for omanization.

The participation of women in the public sector reflects the preference of Omanis – men and women alike - for public sector employment and thus the participation rate for Omani women is relatively high. The Omani female participation ratio (Omani female in public sector versus all other Omani and non-Omani employees in the same category) reaches its highest value in the civil service at 36.3%. In public corporations their representation stands at 17.3%, in Diwan of Royal Court only 5.9% and Royal Court Affairs mere 2.9%. When calculating the rate for female participation for both Omani and expatriates the average in the whole public sector is 34.8% and it reaches its highest value in the civil service at 41.9%.

Table 4: Female participation ration in public sector

	Total	Omani	Expatriate
Civil service	41.9	36.3	5.6
Diwan of Royal Court	6.4	5.9	0.5
Royal Court Affairs	3.1	2.9	0.2
Public corporations	28.4	17.3	11.1
Public sector total	34.8	29.8	5.0

As can be seen from the following table the number of civil service employees is constantly increasing, but so is women's proportionate participation in comparison to Omani males. The female workforce ratio has been gradually growing, from 35.8% in 2004 to 41.1% in 2008.

Table 5: Civil service employment of Omanis

	2008	2007	2006	2005	2004
Total	104,927	99,896	93,502	87,891	83,883
Male	61,723	59,939	57,703	55,325	53,886
Female	43,205	39,957	35,804	32,566	29,999
Female ratio (%)	41.1	40.0	38.3	37.1	35.8

Through a closer look at the age and educational level of women working in civil service we can infer that more than half of the women in the civil service have a university degree, and almost one third have a post-secondary diploma. However, 2% of women employed in civil service are illiterate and only 29 women out of the 43,204 women working in civil service hold a Ph.D. degree. The following table shows comparisons

between Omani men and women working in the civil service. Female participation is higher than that of their male counterparts in the educational categories of post-secondary diploma, university and post-graduate diploma.

Table 6: Civil service employment of Omanis by educational level and gender

Educational level	Male	Female	Total	Female: education ratio (%)
Illiterate	2,804	882	3,686	2.0
Read and write	7,795	384	8,178	0.9
Primary	3,659	212	3,658	0.5
Preparatory	3,903	259	4,162	0.6
Secondary	12,476	2,677	15,153	6.2
Diploma	9,614	12,862	22,476	29.8
University	19,272	23,717	42,989	54.9
Post-graduate diploma	714	1,562	2,272	3.6
Master's degree	1,302	620	1,922	1.4
Ph.D.	185	29	214	0.1
Total	61,723	43,204	104,927	100.0

Omani female participation in the civil service structured on the basis of age is shown in the next table. The highest proportion of working women is the age group 25 – 29, comprising of 36.3% of all Omani women working in civil service. This is closely followed by the age category 30 – 34 with a 27.2% participation rate. Altogether about 80% of Omani women employed in civil service are between 20 and 34 years old.

Table 7: Civil service employment of Omanis by age and gender

	Male	Female	Total	Female: age ratio (%)
Less than 20	39	29	68	0.1
20 – 24	4,104	6,343	10,447	14.7
25 – 29	14,246	15,704	29,950	36.3
30 – 34	14,424	11,767	26,191	27.2
35 – 39	10,973	5,702	16,675	13.2
40 – 44	7,765	2,015	9,780	4.7
45 – 49	5,297	1,130	6,427	2.6

50 – 54	2,681	201	2,882	0.5
55 – 60	2,116	294	2,410	0.7
60+	78	19	97	0.0
Total	61,723	43,204	104,927	100.0

The statistics about the civil service reveal that women occupy only 509 positions in the 6,404 leading and supervising posts. These positions were structured into 20 categories. In 9 of them women are not represented at all; e.g. Secretary General, Governor, Head of Municipality, Mayor, Head of Minister's office and other. The Omani female ratio in comparison to men reached over 10% only in three instances: the category of Department Manager Deputy 12.6%, Deputy Minister's office 13.3%, and Deputy General Manager. Altogether Omani women occupy only 7.9% of leading and supervising posts within the civil service held by Omanis.<sup>19</sup>

The distribution of Omani women in the public sector reflects societal norms prevalent in Oman about professions suitable for women. More than two thirds of Omani women working in the public sector are employed by the Ministry of Education, and a further 23% are employed by the Ministry of Health. The remaining 7% are employed by other ministries, with about 1% for each of the following: Ministry of Manpower, Ministry of Higher Education, and Ministry of Social Development. Female participation in other ministries, namely industry, religion and security related, such as Ministry of Interior, Ministry of Awqaf and Religious Affairs, Ministry of Transport and Communication; is insignificant.

### The private sector

The labor force in the private sector is made up of 84% foreign labor. Of the remaining 16% about 13% are Omani men and only 3% Omani women.

Table 8: Private sector employment of Omanis by age and gender

	Male	Female	Total	Female: age ratio (%)
Less than 21	10,578	1,421	11,999	5.3
21 – 25	37,561	7,726	45,287	29.0
26 – 30	31,577	7,599	39,176	28.5
31 – 35	15,603	4,653	20,256	17.5
36 – 40	7,104	2,281	9,385	8.7

<sup>19</sup> MONE. *Statistical Yearbook 2009*. Table 4-8. Please note, that the calculations encompass only Omanis.

41 – 45	5,521	1,409	6,930	5.3
46 – 50	5,524	907	6,431	3.4
51 – 55	3,704	436	4,140	1.6
56 – 60	2,401	165	2,566	0.6
60+	989	35	1,024	0.1
Total	120,562	26,632	147,194	100.0

The highest participation ratio for women according to age group is similar to public sector. About 29% of women working in private sector are in the age group 21 – 25 years, the second highest with 28.5 % is the age group 26 – 30, followed by 17.5% in the age group 31 – 35. Therefore 75% of Omani women working in private sector are between 21 and 35 years old and an additional 5% are younger than 21 years.

A similar pattern can be seen in the private sector employment of Omani men. In the category of working Omani men 70% are between 21 and 35 years old. The highest proportion is taken by the age group 21 – 25 years; and the second highest the category 26 – 30 years old.

On the wage structure scale the position of women is not appealing. The scale has 15 categories of monthly earned income ranging from 120 RO, to more than 2000 RO. Almost half of Omani women (45.3%) working in private sector belong to the lowest earning category of 120 RO a month. In comparison only 32% of Omani working men belong to the same category. About 0.5% of men are earning more than 2000 RO a month in comparison to 0.1% of women.<sup>20</sup>

### Conclusion:

The total labor force of Oman has about one million workers. About 75% are foreigners, and 25% are Omanis. In the category of Omanis about 74% are men; with 31% working in public sector and 43% working in private sector. The remaining 26% are Omani women; little over 16% are working in public sector and almost 10% are working in private sector. As has been shown above, the women working in civil service are often highly educated (post-secondary diploma, university degree), young, concentrated in educational and health sectors, and rarely occupy leading or supervising posts. The representation of Omani women in private sector is low (about 2.8% of private sector labor force) and almost half of them belong to the lowest earning category. As is the case with public sector most of them are younger than 36 years old. Overall Omani women represent a mere 6.6% of the total labor force in Oman.<sup>21</sup>

<sup>20</sup> As calculated by author from *Statistical Yearbook 2009*, table 5-2.

<sup>21</sup> As calculated by author from *Statistical Yearbook 2009*.

Table 9: Total labor force participation

	Total	Omani			Expatriate		
		Total	Male	Female	Total	Male	Female
Public sector	153,528	131,209	85,457	45,752	22,319	14,638	7,681
Private sector	942,128	147,193	120,562	26,632	794,935	716,631	78,304
Total labor force	1095,656	278,402	206,019	72,384	817,254	731,269	85,985

The current employment levels of Omani women reflect developmental changes in Oman. Most of the women have only recently received their education and as more opportunities for educated individuals are available in the labor market, women's participation is likely to increase steadily – especially in the public sector, where a degree usually means meaningful employment with career options. Besides education, there are other contributing factors that are having a positive influence on women's employment:

- Women nowadays tend to have fewer children than their mothers and grandmothers. (Within 20 years the birth ratio dropped from 7 children per woman, to 3.)
- Growing ambitions of women and slowly broadening horizons in the labor market environment, which were previously unavailable to women (engineering, finance etc.).

On the other hand some negative factors are still in play: although some women venture into the newly opened fields, most of them are still concentrated in sectors traditionally perceived as suitable for female employment such as education and health-care. Most women also terminate their employment when their social status changes; either when they get married, or when they have their first child. participation of Omani women in the private sector remains very low, and almost half of the Omani women employed in the private sector are in the lowest earning category. This can be attributed to fierce competition with the foreign labor force, which is often very experienced and willing to work longer hours for lower wages, and where labor market supply and demand forces are stronger than in the government proposed *omanization* policies. The employability of women would probably increase with active governmental support, especially if concentrated on bringing standing policies into force, as well as through the endorsement of female role models, making their success publicly known, and through assistance initiatives aimed at combining the role of woman both as a mother and worker.

## 2 Government policy

The research that is presented about government policy and development plans is limited to human resource development, specifically the labor force, employment related policies, and women's status under the development programs of Oman.

Within each sub-chapter the study aims to describe general policies, followed by employment strategies, the objectives and challenges, and policies aimed directly at women.

### 2.1 Development plans and vision

Oman's development process is based upon long and medium term national development plans. The government agency which holds the primary responsibility for setting the agenda and objectives, preparing development plans, policies and mechanisms and following-up implementation is the Ministry of National Economy (MONE, formerly known as Ministry for Development), but almost all government units participate in this process by assessing the previous period, recommending changes and suggesting financial allocation. The decisions regarding development plans are made by the Council of Ministers, based upon recommendations of the Planning Committee or formerly by the Development Council. It is necessary to mention that the significant role of His Majesty Sultan Qaboos bin Said in formulating both the directives for national plans as well as reviewing and amending the final proposal of the plans submitted by the Ministry of National Economy.

In this research, the development plans for the period 1970 – 1995 will only be briefly mentioned, while the three most recent strategies (Vision for Oman's Economy: Oman 2020; Sixth Five-Year Development Plan and Seventh Five-Year Development Plan) will be described and analyzed in detail.

#### 2.1.1 First Long Term Development Strategy (1970 – 1995)

The First Long Term Development Strategy covers the period from 1970 to 1995, but its outline was only adopted in February 1975, when the *Law for Economic Development for the Year 1975* was pronounced by Sultan's decree.<sup>22</sup> The law does not deal with specific objectives of development strategy per se, neither in the long-term nor medium-term. It specifies the process by which the development strategy should be set out, decided and implemented, where the above mentioned *Development Council* was the main body, coordinating the proposals of various governmental entities and deciding, which would be pursued and financed in the following year. The ministries have to

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<sup>22</sup> The law itself has a number 1/1975, but has been pronounced under the SD 9/1975.

submit their plans and projects to the *Development Secretariat* six month prior to the beginning of the following financial year.

The development, as stated in the law, is concerned primarily with economic development, but ministries put forward projects within their competencies and thus the social development could be included as well, depending on the submitted proposals. The Development Council determines the priorities for the following year, hands them to the Sultan for approval and then submits the yearly development budget to the Council for Financial Affairs, which incorporates it in the yearly state budget. The law also mentions that the first five-year development plan for years 1975-1980 and asks ministries to prepare development projects for this period.

The objectives of the *First Long-Term Development Strategy* were not available in their 1970s form and could be found only in a summarized version from the MONE publications from the turn of century. This might suggest that the concept of long term development strategy was put forward later on – especially considering that the sultan's decrees of 1970s and 1980s dealt directly with five-year development plans, but not with a long term development strategy.

Objectives of the *First long term development strategy*:<sup>23</sup>

1. Develop new resources for national income; besides oil.
2. Increase investment in income generating projects in industry, mining, agriculture and fisheries.
3. Emphasize the development of domestic human resources capable of assuming roles in Oman's economy.
4. Allocate investments among different regions to eliminate disparities among them, with priority given to the least developed regions.
5. Support and develop housing centers and prevent mass migration to populated centers.
6. Complete the infrastructure.
7. Give attention to water resources.
8. Support domestic trading activity.
9. Establish free national economy.
10. Promote efficiency of state administrative apparatus.

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<sup>23</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*. Muscat: Ministry of National Economy, 2002, p. 6.



The First Five-year Development Plan (1<sup>st</sup> FYDP)<sup>24</sup> as prepared by the Development Council was been sanctioned by sultan Qaboos in August 1976 through Sultani decree (SD) number 32/1976. The development plan covers both economic and social development and an attachment of the law specifies financial plan and allocations for its period 1976-1980.<sup>25</sup>

The 2<sup>nd</sup> FYDP for years 1980-1985 was approved in November 1980 by SD 82/1980 and expected expenditure for development included (in millions): 1414 rial omani (RO) for projects of ministries; 135 RO for support of private sector; 20 RO to raise the capital of Oman Development Bank (ODB); same amount for Housing Bank (HB) and 19 RO to establish and finance Credit Bank for Agriculture and Fisheries (OBAF). The total expected expenditure for development projects in 2<sup>nd</sup> FYDP was 2152 RO.

The 3<sup>rd</sup> FYDP for years 1986-1990 was authorized by Sultan Qaboos in December 1985 by SD 103/1985. The text of law specifies procedures to be followed in case of increase or decrease in governmental revenue and sets the financial agenda for the following five years. Total government expenditure for development projects was expected to reach 2211 million RO; for continuous projects of ministries 753 million RO, for new ministries' projects 730 RO, for natural gas exploration projects 33 million RO, and government share in expanding the Petrol Development Oman (PDO) company 695 million RO.<sup>26</sup> Unlike the previous development plans, the support for private sector was not included in the development expenditure, but had a special category. The industrial sector was assigned 50 million RO, Housing Bank 37 million RO, Oman Development Bank 13 millions RO, and Oman Bank for Agriculture and Fisheries 21 million RO.

The 4<sup>th</sup> FYDP is characterized by more refined and stringent financial policies. The attachment of the SD 1/1991 specifies not only allocations for sectors, but also clearly defines the strategies and policies on how to handle increase or decrease in oil prices, which would greatly influence the state budget and therefore the development process. The categories of expenditures were classified in a different way than in the previous plans, but priorities remained similar. The support for private sector development includes industrial sector with 30 millions RO, Oman Housing Bank with 30 million RO, ODB with 8 million RO, Oman Bank for Agriculture and Fisheries with 15 million RO. A substantial amount was allocated to development projects of ministries 1279 million RO.<sup>27</sup>

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<sup>24</sup> English written governmental sources use different labels for five-year development plans: capitalized, five-year as one word or two, and usually without any abbreviation for the whole term. For the purposes of this research the Arabic number will be used to mark the continuity 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> etc. and an abbreviation of FYDP will stand for "five-year development plan".

<sup>25</sup> Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah li-sanawāt 1976-1980, 32/1976, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 109.

<sup>26</sup> Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-thālīthah 1986-1990, 103/1985, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 326.

<sup>27</sup> Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-rābi`ah 1991-1995, 1/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 446.

The achievements of Sultanate of Oman in human resource development between years 1970 and 1995 were impressive in almost all fields. To mention just few: the life expectancy at birth changed from 49.3 years in 1970 to 71 years in 1995, government expenditure in the health sector grew from 2.8 million RO to 121.7 million RO, government expenditure on education sector grew from 1.3 million RO to 183.9 million RO and the number of schools expanded from 16 schools in 1970 to 953 schools in 1995.<sup>28</sup>

As far as women's status indicators in education, the number of female students grew from 1.1 thousand in 1970 to 236.5 thousand in 1995 and the percentage of female students as of total students in public and private schools grew gradually from 16.2% in 1970, to 26.9% in 1975, to 33.3% in 1980, to 42.5% in 1985, to 46.9% in 1990, to 48.3% in 1995.<sup>29</sup>

The workforce grew dramatically from about 126 thousand in 1975 to about 628 thousand in 1995, but the growth rate was much higher for expatriate workforce than Omani and percentages of Omanization decreased from 42.5% in 1975 to 24.2% in 1995.<sup>30</sup>

Table 10: Labor force and omanization

	1975	1980	1985	1990	1995
Total employees (thousands)	126.7	216.1	330.7	358.0	628.9
Omani	53.9	69.7	74.3	104.4	152.3
Expatriate	72.8	146.4	256.4	253.6	476.6
Omanization ratio (%)	42.5	32.3	22.5	29.2	24.2

Source: MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p.17.

During the *first long term development strategy* great strides in building infrastructure, stable government institutions, education and health care were achieved, but the development was primarily dependent upon supply of oil resources, high level of government expenditure, high levels of investment, and recruitment of large numbers of expatriate workers.<sup>31</sup> Development strategies based on these four pillars are, in the long run, unsustainable, especially with gradually diminishing oil reserves and ever higher pressure on government for provision of services for its growing population. The Ministry of

<sup>28</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*. Muscat: Ministry of National Economy, 2002, p. 17.

<sup>29</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p.17.

<sup>30</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 17.

<sup>31</sup> Ministry of National Economy webpage: [www.moneomen.gov.om](http://www.moneomen.gov.om), last access April 2008.

National Economy identified the challenges faced by Oman in its development process as follows:<sup>32</sup>

- Increasing deficit in the general budget: prominence of the government role in production of goods and services,
- Underdeveloped private sector: inadequate legal framework and environment for growth and private sector activities,
- Poor efficiency of government systems: imbalance in labor market (national versus expatriate labor force), and poor productivity of human resources.

### 2.1.2 Vision for Oman's Economy: Oman 2020

#### Second Long-term Development Strategy (1996 – 2020)

As a prerequisite for the formulation of the second long-term development strategy, a set of studies were carried out (not available to public) to assess the achievements of the previous twenty five years of development processes in Oman. The set of studies included the World Bank's report *Sustainable Growth and Economic Diversification*, a report prepared by the Ministry of Development *The Proposed Programme for the Achievement of Economic Balance and Sustainable Growth within the Next Stage of the Development Effort*<sup>33</sup> and various studies of production and services sectors, aimed at reviewing each sectors' performance, its contribution to the national economy and identifying measures to develop the sectors with high potential to broaden the economic base of the state and diversify away from oil production.<sup>34</sup> In all, twenty one studies were written, including seven about different aspect of human resource development (higher education – scholarships and Sultan Qaboos University, health, civil service, labor, education, technical and vocational training).<sup>35</sup> The Ministry of Development also prepared four detailed studies concerning sustainable development and macroeconomic framework, human resources development, economic diversification and private sector development, which later – after the amendments and approval from Council of Ministers and His Majesty the Sultan and many consultations and reviews of ministerial

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<sup>32</sup> Ministry of National Economy webpage: [www.moneomen.gov.om](http://www.moneomen.gov.om), last access April 2008.

<sup>33</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 1.

<sup>34</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 1.

<sup>35</sup> Ibid.

committees and ministerial council<sup>36</sup> - served as a starting point for formulation of the new long-term development strategy: *Vision for Oman's Economy: Oman 2020*.<sup>37</sup>

### **Vision for Oman's Economy: Oman 2020**

The vision is structured into five chapters; the first one is introductory and discusses the drafting process, the second one describes the strategy for achieving economic balance and sustainable growth. The final three chapters deal in detail with the three main dimensions of the *Vision*:

- human resource development
- economic diversification
- private sector development

Each chapter is further divided into sections about future vision, challenges in achieving them, strategy and its dimensions, policies and mechanisms and indicators. In the following paragraphs we briefly mention the overall objectives of the strategy, as presented in the *Vision* and later we will concentrate on human resource development objectives and policies, which are of utmost importance to our research.<sup>38</sup> Please note, that until now, three five-year development plans within the framework of second long-term development strategy have been agreed on and published (the fifth, sixth and seventh) and the later two will be described below, again with emphasis on human resource development and particularly women and the labor market.

### **Objectives of Vision for Oman's Economy: Oman 2020**

- Maintain current level of per capita income in real terms, and to strive to double it by 2020,
- Use the proceeds of oil and gas for suitable economic diversification,
- Promote basic health, education and training for Omani citizens, as well as their standard of living.

Approved policies and mechanisms for achieving Vision 2020:

### **Dimensions of the strategy:**<sup>39</sup>

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<sup>36</sup> Ibid.

<sup>37</sup> Please note, that while the *Vision* has been adopted already in 1995, it has been published and made available to public only in December 2007.

<sup>38</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007.

<sup>39</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 2, p. 4.

1. Provision of a stable macroeconomic framework (achievement of a balance between public revenues and uses, supporting government savings and building financial reserves, stable monetary policies)
2. Escalate the government role in basic fields (defence, security, justice, judiciary, public administration, education, health, infrastructure and social security) and reduce its role in production and services.
3. Human resource development – create qualitative and quantitative improvement in the human resource fields such as: general and technical education, vocational training, higher education, health services and labor market participation.
4. Promoting economic diversification: work toward efficient utilization of available resources and utilize favorable locations in the Sultanate.
5. Development of private sector, capable of efficient and environmentally sound activities, utilizing both natural and human resources of the country and promotion of strategies and mechanisms shared between private sector and government.
6. Promoting equitable income distribution.
7. Integration of Oman's economy into global economy.

### **Vision for Oman's Economy: Human resource development**

The human resource development (HRD) strategy represents one fourth of the long-term *Vision for Oman's Economy* and is divided into sections, dealing with particular aspects of HRD. These sections are: population, health care, general education, higher education, technical education and vocational training, and employment. All of these sectors are interrelated and even though our main concern is employment and labor force, policies from other sectors related to labor force participation outcome will be also mentioned.

Challenges facing human resource development range from unwillingness of Omanis to join certain occupations and professions and therefore make the substitution of foreign workforce hard; inadequacy of the education to cope with rapidly changing scientific and technological developments, lack of suitable employment for new entrants to labor market.

The stated focus of the vision for HRD is: "to develop human resources and the capabilities of the Omani people to generate and manage technological changes efficiently,

in addition to facing the continuously changing local and international conditions in a way that ensures maintaining the Omani traditions and customs.”<sup>40</sup>

While this statement does not directly correspond to the six dimensions of HRD strategy as defined in the *Vision*, it represents a broad goal of various policies and mechanisms in different sectors of HRD, to be defined and redefined within the scope of the second long-term development strategy until 2020 and its executive five-year development plans.

#### **HRD strategy and its dimensions:**<sup>41</sup>

1. To achieve a balance between population and economic growth by reducing the population growth rate to less than 3% by 2020.
2. To provide health services to entire population and reduce the mortality rates to levels of advanced countries.
3. To develop education and promotion of knowledge – eradication of illiteracy, equal basic education for all.
4. Establishment of a post-secondary and a technical education system according to the needs of national economy, capable of applied social and economic research.
5. Provision of a system of technical education and vocational training, adaptive to the needs of labor market and capable of delivering adequate training.
6. Creating employment opportunities for Omanis in public and private sector, equipping them with qualifications and training and substitute expatriate labor with Omanis. Particular emphasis is to increase participation of women.

#### **Employment**

The strategy for employment in Oman deals simultaneously with several topics. Long-term objectives strive to minimize the dependency on foreign labor and increase the participation of Omanis in formal employment. Particular emphasis is awarded to the increase of Omani participation in private sector, which is not as attractive for national labor due to lower wages, longer working hours and less other benefits, than employment in the public sector.

The following two tables summarize the policies, set by the *Vision for Oman's Economy*, for employment in civil service and private sector.

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<sup>40</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 3, p. 2.

<sup>41</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 3, p. 3 - 5.

Table 11: Civil service employment policies

<p><b>Employment in Civil Service</b></p> <ul style="list-style-type: none"> <li>• Broaden the executive role of Ministry of Civil Service (MOCS) <ul style="list-style-type: none"> <li>○ Tasks: revise and update organizational structures of government units, review civil service legislation, try to reduce the number of government employees to a maximum of 30 per each of 1,000 population, encourage early retirement for employees with long service, devise national test for civil service candidates, establish database of employees in civil service, continue <i>omanization</i> policy in government sector to reach 95% in 2020.</li> </ul> </li> <li>• Simplify procedures and regulations to enable ministries more autonomy in managing personal affairs.</li> <li>• Upgrade the <i>Institute of Public Administration</i></li> <li>• Standardize service rules in various civil service units.</li> </ul>
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Source: Vision for Oman's Economy: Oman 2020.

As seen above, Oman has a specialized Ministry of Civil Service, which has been assigned an important role in restructuring the current procedures and regulations governing civil service employment, which currently lack clarity and standards. MOCS will also follow and stimulate the *omanization*<sup>42</sup> policy in the government sector and limit the growing number of governmental employees.

Table 12: Private sector employment policies

<p><b>Employment in Private Sector</b></p> <ul style="list-style-type: none"> <li>• Provide Omani labor with adequate technical education and vocational training.</li> <li>• To raise the current direct cost of expatriate labor to the real cost level incurred by economy.</li> <li>• Provide social security umbrella for national labor in unorganized sectors and businessmen in small and medium establishments.</li> <li>• Regulate expatriate employment in certain professions.</li> <li>• Promote labor legislation.</li> </ul>
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<sup>42</sup> Please refer to chapter 2.2 for omanization.

- Raise awareness of private employers in regards to health care, nutrition and housing of workforce.
- Observe the Omanization policies and percentages as imposed on private sector establishments.
- Facilitate the expected change in structure of national labor force.
- Reduce disparities in employment benefits and allowances between public and private sector (change in working hours, official holidays and pension system).
- Develop handicrafts, traditional industries, agriculture and fisheries for future employment of large number of nationals.
- Increase participation of women in labor force.

Source: Vision for Oman's Economy: Oman 2020.

### Women and employment

It is important to note, that the *Vision* clearly states the objective of increasing women's participation rate in labor force, and aim to double the current (1995) participation rate before year 2020. The strategy also mentions the need to provide appropriate support for establishing women's economic projects.

While the objective is praiseworthy, it still limits the scope of this policy to "occupations that suit their capabilities."<sup>43</sup> It also does not differentiate between Omani and expatriate women in the statistical data and therefore it is hard to say, if the target should include only Omani women, who are part of the comprehensive HRD strategy, or also expatriate women, who are significant part of the labor force in the Sultanate.

By the year 2020 Oman hopes to achieve following results:

1. Offer rewarding employment opportunities for new national entrants into labor market.
2. Implement Omanization ratios in private sector and unify the allowances and benefits in both public and private sector.
3. Improve following indicators of the labor market

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<sup>43</sup> MONE. *Long-term Development Strategy (1996 – 2020): Vision for Oman's Economy OMAN 2020*. Muscat: Ministry of National Economy, 2007, chapter 3, p. 19



Table 13: Omanization of labor force

	1995 (% , actual level)	2020 (%)
Omani labor force of total population	17	50
Participation of women in total labor force	6	12
Omanization ratio in public sector	68	95
Omanization ratio in private sector	15	75

Source: Vision for Oman's Economy: Oman 2020.

### **Fifth five-year development plan (1996-2000)**

The fifth five-year development plan is the first executive plan of the second long-term development strategy and aims at achieving primary objectives as stated in the royal decree number 1/1996. Formally, the 5<sup>th</sup> FYDP has the same structure as *Vision for Oman's Economy* and strives for changes in four established areas:

- Economic balance and sustainable growth (fiscal performance, GDP, saving and investment balance, inflation, balance of payments, civil ministries development program)
- Economic diversification (non-oil sectors development, natural gas related projects, soft loans for non-oil sector)
- Private sector development (privatization program for service projects, domestic and foreign private investment, government financial support and sector restructure, to deepen private sector's role in labor market, especially for Omanis).
- Human resources development (increasing national labor force in labor market, resources for HRD implementation, free basic education and primary health care for all Omanis, technical and vocational training).

The HRD sector was characterized by strong performance in the education sector, where the educational service broadened, and the rate of total entry at primary level increased from 95.5% to 100.9%, for preliminary education from 81.1% to 97% and from 59.3% to 72.3% at secondary education.<sup>44</sup> Number of girl students grew from 236.5 thousand to 270.5 thousand in 2000 and percentage of girls out of all students grew from 48.3% to 48.7% in 2000. Within the same period the number of students at universities and colleges tripled and numbers of students attending technical college or

<sup>44</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 54.

vocational training also grew.<sup>45</sup> Further improvement in health care services attracted the attention of World Health Organization (WHO) and in its report Oman ranked first in the health care efficiency and eighth in the provision of the best overall health care.<sup>46</sup> The performance in labor market indicators was less distinguished, especially in Omanization rates and employment of Omanis in private sector.

The approved objectives for the labor and Omanization sector in the 5<sup>th</sup> FYDP was increasing the participation of the national labor force in the labor market and providing technical education and vocational training to Omanis interested in joining the labor force. The total labor force increased at an average annual growth rate of 2.3%, compared to the planned rate of 6.1%. The *Omanization* ratio in the private sector also did not reach its target of 25% and increased from its 1995 rate of 14.7% to 16.6% in the year 2000.<sup>47</sup> In the public sector the Omanization ratio increased slightly from 68.5% to 74% in 2000. Combined for both sectors the Omanization ratio in the year 2000 stood at 34.3% and the target of 38.9% was not achieved. At the same time some major changes were made to the institutional structure of the human resource planning and Omanization, the financial structure of the employment and training of the Omanization plan, and the labor market structure.<sup>48</sup>

### **Structure and characteristics of labor force (1996-2000)**

#### **1. Public sector**

The structure of the public sector during the 5<sup>th</sup> development plan remained largely unaffected by the introduced retirement system and Omanization process. The minor changes could be summarized as follows: Omanization rate increased by 4.5% and female employees (mostly in health care and education sectors) formed 33.2% of total labor force.<sup>49</sup>

#### **2. Private sector**

As mentioned above, the Omanization ratio increased from 14.7% in 1995 to 16.6% in 2000. The five economic sectors with lowest Omanization ratio were agriculture and fishing; wholesale and retail trade; restaurants and hotels; manufacturing and construction and building; community and personal service.<sup>50</sup> When determining the distribution of Omani labor force according to payment status, 57.7% Omanis are paid employees and 33.1% are self-employed. Omani women employed in private sector represent about 16%

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<sup>45</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 55.

<sup>46</sup> Ibid, p. 56.

<sup>47</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*. Sultanate of Oman: Ministry of National Economy, 2002, p. 12.

<sup>48</sup> Ibid, p. 15, 16. For more please refer to Omanization chapter 2.2.

<sup>49</sup> Ibid, p. 17.

<sup>50</sup> Ibid, p. 18.

of Omani labor force in private sector, which corresponds to 15.6 thousand. Expatriate women in private sector totaled 38.6 thousand. Omani women were predominantly concentrated in education, financial intermediaries, wholesale and retail trade, manufacturing and agriculture; expatriate women in health, education and domestic services.<sup>51</sup>

Table 14: Labor force indicators 1996 - 2000

	1996	1997	1998	1999	2000
Total employees (thousands)	665.2	678.8	675.5	674.9	703.2
Omani	147.9	153.2	159.4	169.0	180.0
Expatriate	517.3	525.6	516.1	505.9	523.4
Omanization ratio (%)	22.2	22.6	23.6	25.0	25.6

Source: MONE. The General Framework of the Sixth Five-Year Development plan, p. 55.

Within the framework of employment and labor force participation women are not specifically targeted, although women have been mentioned in the evaluation of the 5<sup>th</sup> FYDP in work related contexts. Women are mentioned in the outcome of programs for household income improvement, where they participate in tailoring and dress making programs. Out of the 1400 trainees 92.8% were women and 98 tailoring shops of the 114 were for women.<sup>52</sup> The other occasion that women are mentioned is a social development policy aimed at the enlightenment of women to ensure their effective participation in household and community affairs, but nothing more specific or any results of this policy have been provided.<sup>53</sup>

A special sector in the social affairs framework are *women and children*. Among the main objectives of this sector are to:

- Develop production skills of the population, especially women and achieve a more advanced stage in integrating women into the local development programs.
- Establish an information and statistics database on women and children.
- Upgrade women's associations' performance and enable them to obtain sustainable resources for implementation of their programs.

<sup>51</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*. Sultanate of Oman: Ministry of National Economy, 2002, p. 19.

<sup>52</sup> Ibid, p. 99.

<sup>53</sup> Ibid, p. 99.

Results in women-related policies are largely unavailable. The 6<sup>th</sup> plan retrospectively reviews the results of previous plan, but publishes only a highlight of achievements and not comprehensive results corresponding to objectives or planned policies. Therefore we are only able to ascertain, that 8 of the 12 women's qualification centers have been transferred from government to Omani Women Associations (OWA), and training sessions, lectures and studies were conducted.<sup>54</sup>

Within the economic diversification program of this development program, a Youth Project Development Fund and Intilaqa Project were established, both to support small businesses and self-employed or entrepreneurs among male and female Omanis.<sup>55</sup>

### 2.1.3 Sixth five-year development plan (2001-2005)

The Sixth FYDP was sanctioned by H.M. Sultan in royal decree number 1/2001, which states the 17 overall objectives of the plan and in its supplement allocates financial resources to governmental units. Ministry of National Economy was authorized to publish the comprehensive development plan.<sup>56</sup>

Although many of the main objectives of the plan stayed the same (growth of the GDP, employment for Omani citizens, private sector development, support of non-oil sectors, improvement of education and health care etc.), for the first time the development plan gives special attention in its overall objectives to programs and activities of youth, promotion of heritage and culture, promotion of the tourism sector and strengthening of standards in the judicial field.

The HRD plan is divided into nine subcategories: labor and Omanization, education and training, health sector, scientific research and development, social affairs, culture, information sector, heritage and youth. Within the approved policies and mechanisms for 6<sup>th</sup> FYDP women specifically are mentioned on few occasions.

1. In the education sector the aim is to improve women's participation in technical education and vocational training,<sup>57</sup> and to establish institutes for training the labor force in several mentioned sectors and for women in handicrafts.<sup>58</sup>
2. In the employment sector the government wishes to increase the female labor force participation and provide suitable support for them to establish private projects.<sup>59</sup>

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<sup>54</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*. Sultanate of Oman: Ministry of National Economy, 2002, p. 93-101.

<sup>55</sup> For more about these projects please refer to chapter 3.

<sup>56</sup> The first volume of 6<sup>th</sup> FYDP has been published in February 2002: The General Framework of the Sixth Five-Year Development Plan 2001-2005, and second volume - Human Resources Development has been published in June 2002.

<sup>57</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p.195; MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 62.

3. In the social affairs sector, the fourth objective of 6<sup>th</sup> plan is:

“To continue the policies of raising the general awareness of women and upgrading their educational, cultural and economic standard to enable women to effectively participate in her family life and community affairs.”<sup>60</sup>

*The General Framework of the 6<sup>th</sup> FYDP* includes women as one of the special needs groups, alongside children, handicapped, “old” and social insurance families, while more detailed *Human Resources development* classifies only children, elderly and handicapped as special needs groups.<sup>61</sup> A defined policy in this sector aims at: “Enlightenment of woman, especially in the least developed regions about cultural, social, health and legal fields and benefiting from agreements related to womens and childrens rights which do not contradict with Islamic Sharia, customs and traditions of Oman.”<sup>62</sup>

It is also worth mentioning, that for the first time in a national development plan - its official English translation - the text adopts gender sensitive language (referring to he/she and his/her) when explaining the importance of culture and heritage, and when discussing technical education and vocational training.<sup>63</sup> The Arabic original for consultation was not available.

Challenges facing the social affairs sector could be summarized as follows: Foremostly the sector suffers from limited financial resources and poor coordination with other units. The challenges specific to the *Women and children section* are:<sup>64</sup> unawareness of women with family problems about units offering counseling and help in solving problems; high dependence of housewives on domestic workers for all house, family, and children related affairs, low participation of educated women in associations’ activities, and lack of community awareness about importance of women’s voluntary social work and its role in development.

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<sup>58</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 59.

<sup>59</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p.196

<sup>60</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 104.

<sup>61</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 194; MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*. p.104.

<sup>62</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005.*, p. 104.

<sup>63</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p.70, MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 62.

<sup>64</sup> MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 103.

Throughout 6<sup>th</sup> FYDP about 296 women received training in women's qualification centers and the number of civil societies grew to 65; women's associations represent 45, charity associations 7, and 12 professional associations.<sup>65</sup>

Within the framework, which aims to transform the social welfare families into productive families, the Ministry of Social Development prepared and executed a program for elevation of women's status and their empowerment in economic and social activities by providing workshop training for 21 women from different parts of Sultanate in feasibility studies for small projects and marketing strategies. In cooperation with the Omani Women Association these women prepared similar workshops for 234 women.<sup>66</sup>

The Committee for Coordination of Women's Volunteer Work organizes activities at OWAs, undertakes planning, organizes women's volunteer programs and participation at forums and conferences.<sup>67</sup>

## Employment

The plan treats employment of Omanis not only as an objective, but also as a way to improve their standard of living and prosperity. As far as employment opportunities for Omanis are concerned, the plan places emphasis on the private sector, where it expects the majority of available jobs to be. According to the forecast of supply and demand of the labor force the plan anticipates that about 129 thousand Omanis will be able to join the labor force during the five-year period. The number has been calculated based upon population growth and expected increases in participation rates for both men and women. The male participation rate is expected to increase from 33% to 40% and the female participation rate from 7% to 9% during the 6<sup>th</sup> FYDP. On the demand side the plan expects 109 thousand new jobs, 93.2 thousand in the private sector and 16 thousand in the public sector to become available. Combined with the strategy of replacement of expatriate workers it is expected, that the Omani labor force will increase by 99 thousand with 74.5 thousand in the private sector and 24.6 thousand in the public sector, while the increase in expatriate labor force should not exceed 10 thousand workers.<sup>68</sup>

The labor market is characterized by low Omani participation, especially among women. It is also influenced by rising numbers of new Omani entrants as well as their expectations about jobs and salary packages. As a result, employers prefer cheaper expatriate labor.

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<sup>65</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah*. Sulṭanat `umān: Maṭba`at `umān, 2007, ṣ. 248.

<sup>66</sup> Ibid, ṣ 249.

<sup>67</sup> Ibid, ṣ. 251.

<sup>68</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 95-97.

Table 15: Labor force and Omanization objectives 6th FYDP

<ol style="list-style-type: none"> <li>1. Provide education, training and qualification for Omanis to be able to benefit from the available employment opportunities inside and outside the Sultanate.</li> <li>2. Introduce changes in the labor market structure in the private sector for the benefit of the Omani labor force and reduce the dependence on the expatriate labor force without prejudice to the development objectives.</li> <li>3. Addressing the phenomenon of disguised unemployment of the national labor force in some occupations and economic activities.</li> <li>4. Achieve upgrading of production efficiency of government units.</li> </ol>
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Source: Human Resources Development, p. 20-21.

Approved policies and mechanisms for the provision of suitable employment opportunities for Omanis as described in 6<sup>th</sup> FYDP:<sup>69</sup>

a) Government sector

- Support training and qualification programs to increase performance efficiency of employees
- All government units to prepare Omanization plans
- Develop the basis for early retirement options for targeted employees, while retaining the qualified, efficient and experienced ones.
- Provide MOCS with capacities to implement public sector labor force planning project.

b) Private sector

- Promote private sector and government roles in training and employment of Omanis,
- Pursue establishment of production projects with employment opportunities,
- Define policy for settlement of Omani labor force affected by privatization,
- Upgrade labor legislation to suit domestic labor market status,
- Establish integrated database of Omani labor market,
- Develop employment systems and private recruitment offices,
- Emphasis on observance of policies and Omanization ratios; their revision and development to cover all economic sectors,

<sup>69</sup> MONE. *The General Framework of the Sixth Five-Year Development Plan 2001-2005*, p. 195, 196; MONE. *Human Resources Development: Sixth Five-Year Development Plan 2001 – 2005*, p. 29, 30

- Broaden and upgrade the social insurance umbrella to cover all Omanis in the private sector and self-employment. Decrease the differences in insurance and retirement laws in public and private sector, or merge all retirement systems under the social insurance authority,
- Increase the participation of women in the labor market and provide suitable support for them to establish private projects.

### Results of labor force indicators:

In the scope of 6<sup>th</sup> FYDP the labor force grew from 803.4 thousand in 2000 to 911.8 thousand in 2005, which represents an average annual increase rate of 5.3% instead of the expected 3.0%. It offered 207.4 thousand new employment opportunities, while the expectation was only 109.2 thousand. Omani labor work force grew from 180 thousand in 2000 to 284.4 thousand in 2005, which stands for an increase rate of 9.6% in place of 9.2% expected and that means Omani workers held 104.4 thousand new jobs instead of expected 99 thousand.<sup>70</sup>

The growth of the expatriate workforce was even more impressive, especially when taking into account the efforts of governmental bodies to limit both future and current expatriate employment. Expatriate workforce grew from 523.4 thousand in the year 2000 to 627.4 thousand in 2005, which represent a growth of 3.7% instead of planned 0.4%. The expatriate workforce boomed to acquire a hundred thousand new jobs, while the plan envisaged only 10.2 thousand.<sup>71</sup> The overall Omanization rate in labor market grew from 25.6% to 31.2%, but still fell short of the 34,3% goal.<sup>72</sup>

### Private sector:

Employment in the private sector flourished. Instead of expected 92.3 thousand new job opportunities, the private sector offered 186.2 thousand, where 76.8 thousand were taken by Omanis and 109.8 thousand by expatriate workforce. Due to the unexpected rise in expatriate employment the Omanization ratio for private sector did not reached the targeted 25%, but only 22.5% which is still an impressive increase from 16.6% in 2000.<sup>73</sup> No less important is the fact that the share of private sector in the labor market grew from 74.3% in 2000 to 85.5% in 2005.<sup>74</sup>

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<sup>70</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah*, ṣ. 174, 175.

<sup>71</sup> Ibid., ṣ. 184.

<sup>72</sup> Ibid., ṣ. 184.

<sup>73</sup> Ibid., ṣ. 186, 187.

<sup>74</sup> Ibid., ṣ. 186, 187.



**Public sector:**

In the 6<sup>th</sup> FYDP public sector offered 21.7 thousand new employment opportunities, as compared to the 16.9 thousand expected and the labor force grew to reach 132.3 thousand employees. In conjunction with the Omanization policies and the aim to replace expatriate workers with Omanis, 27.6 thousand Omanis were able to find employment in the public sector and their total number reached 109.4 thousand.<sup>75</sup> The expatriate workforce shrank from 28.7 thousand to 22.9 thousand and almost reached the target of 20.9 thousand expatriate employees. The Omanization rate in the public sector during 6<sup>th</sup> FYDP grew from 74% to 82.7%, but still fell slightly short of the 84% target.<sup>76</sup>

Within the period of the 6<sup>th</sup> FYDP some new developments concerning labor market regulation and the organizational structure of governmental bodies were adjusted: among them, the issuance of the new *Labor Law*<sup>77</sup>, creation of a specialized department for career guidance at the Ministry of Manpower (MOM), development of employment offices in governorates, and participation of the private sector in the activities of the Omanization commission. Furthermore, the work on the National Register of Laborers continued at the MOM and the Social Security System underwent wide assessment.

**2.1.4 Seventh five-year development plan (2006-2010)**

In January 2006 H.M. Sultan Qaboos bin Said issued ministerial decree number 1/2006, about 7<sup>th</sup> FYDP specifying the major 16 objectives of the plan and its financial framework. The comprehensive 7<sup>th</sup> FYDP was published by MONE in November 2007, although it became available for purchase only in March 2008.<sup>78</sup> The formal structure of the plan is similar to its predecessor; it discusses firstly the general framework of the plan, its main objectives, the financial framework and the investment program of the 7<sup>th</sup> FYDP. The second part concentrates on goals, policies and mechanisms for the three main sectors: economic diversification, human resource development, and private sector development.

The section on social development mentions women a few times in its short summary about *Vision 2020*, but in the objectives of 7<sup>th</sup> FYDP there is only a short note about building women's capacities and strengthening their role in society and another remark in family policies, about upgrading the programs for women, so they could play active role in all aspects of life.<sup>79</sup> Women-related challenges in social development of the 7<sup>th</sup> FYDP are expected to be: the overdependence of women's organizations on govern-

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<sup>75</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah.*, ṣ. 187, 188.

<sup>76</sup> Ibid., ṣ. 188.

<sup>77</sup> Qānūn al-`amal 35/2003, marsūm sultānī Al-mulḥaq al-awwal lil-jarīdah al-rasmīyah raqm 44.

<sup>78</sup> Since May 2008 available in Arabic online at MONE, English version for public has not yet been published.

<sup>79</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah.*, ṣ. 454.

mental support, a lack of donations from the private sector and the confining effect on activities of groups and centers. The plan also mentions traditionalism of programs in some women's centers as an impediment.<sup>80</sup>

The culture section discusses the need for the involvement of youth, general public and private and non-governmental establishments and clubs in cultural activities at length. It also aims to provide care for the "culture of women, children and groups with special needs" and to support their talents in creativity and innovation.<sup>81</sup>

## Employment

The objectives regarding employment were to secure employment for interested Omanis, provide quality education and training for young Omanis, according to the needs of national economy; increase the Omanization rate in various economic sectors and promote the role of sectoral Omanization commissions in planning and follow-up. The 7<sup>th</sup> plan also strives to secure partnerships with "productive sectors" in training the national labor force and increase productivity, protection and care for the workforce in the workplace.<sup>82</sup>

Policies:

### a. Omanization

- To continue execute Omanization plans and their periodic reviews in cooperation with sectoral Omanization commissions, to further develop work plans of these commissions and their participation in training and employment. To support establishment of cooperatives and production projects of youth and provide funds for this reason.
- To prepare a study about increasing numbers of job seekers and ways of finding employment opportunities for them in private sector (entrusted to MOM, MONE, MOCI).
- To create a technical commission for the study of higher education graduates and needs of labor market. Representatives from MONE, Ministry of Higher Education (MOHE), MOM, State Council, Consultative Council and Omani Chamber of Commerce and Industry (OCCI) should be represented.
- To create a network of professional and business incubators connected to technical colleges and governmental vocational training institutes to encourage graduates to join vocational and technical professions.
- To find mechanisms to connect small and medium size establishments with big investment projects. To support the handicraft industries, the employment within

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<sup>80</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah*, ṣ. 453.

<sup>81</sup> Ibid., ṣ. 461.

local communities, and the establishment of cooperatives and youth production projects.

- To execute project in cooperation with productive establishments which aim to increase the employment of job seekers.
- To include educational, training, and media projects aimed at raising awareness of workers about the importance of work, self-satisfaction, body and mind endeavors, and to attract nationals to join the labor force. To change the perception of the national labor force about certain occupations and professions.
- To introduce the youth to the culture of self-employment through continuance of the SANAD program and the program for self-employment.<sup>83</sup>

b. Vocational training and technical education

c. Labor market structure

- To activate the role of the *Commission for Workplace safety and Health*, and guard that standards are maintained in the companies.
- To strengthen relations between productive sectors and support creation of a laborers committee from private sector establishments, to support the creation of professional associations of business owners in the main sectors of economy.
- To prepare executive regulations about the procedures for the expatriate workforce employed in the private sector.

d. Institutional structure for labor force planning

- To develop a database at the MOM and conduct research and studies about the labor market.
- To simplify the transfer of nationals for employment in Gulf Cooperation Council states (GCC) and strengthen the role of employment offices in this respect.
- To create governmental employment offices in Wilajaat with high population density and to publish guidance brochures for job seekers.
- To provide career counseling services and accelerate the creation of a national career counseling centre at the Ministry of Education, and to create a centre for employment culture at MOM.

Challenges in employment: the everrising numbers of school graduates, lack of interest of national labor to join the private sector and the inability of the public sector to accept

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<sup>82</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah.*, ṣ. 430, 431.

any more nationals; private employers' preference for expatriate labor. Employment and working conditions in small and medium-sized establishments do not attract Omanis, and the governmental program for the encouragement of self-employment is limited in scope. Further, Oman suffers due to increased occurrence of job hoppers and incomplete data and information about labor market.<sup>84</sup>

## 2.2 Omanization

One of the widely discussed governmental policies, directly connected to the labor market and employment, is *Omanization*. The Arabic term *ta<sup>c</sup>min* is a newly created word formed from the consonants <sup>c</sup>-m-n, carrying the basic meaning of Oman or Omani. In its verbal noun form, from the second grade verb it signifies the "process of changing something into an Omani-like product".

*Omanization* as used by the government is a pronounced policy aimed at providing employment opportunities, and as a complementary measure in education, training and skills development for Omanis who want to enter the labor market. Lately the term *ta<sup>c</sup>min* has become interchangeably used with "employment of national labor force". In the media the term *Omanization* also refers to the process of substituting expatriate labor with Omanis, not only the policy.

While the policy itself does not differentiate between Omani men and women and is directed to all in general, it might have positive influence on Omani female employment, especially due to the pressures which the government exercise on the private sector. The policy encompasses both the public and private sectors although the later experiences more difficulties in coping with this intrusive government policy.

A lot has been said about the *Omanization* policy and its goals, especially in connection with the development plans discussed in the previous chapter. This chapter is formally divided into two parts; the first will chronologically describe the legal and institutional developments related to *Omanization* specifically and the labor market generally and the second part will review the challenges of the *Omanization* process and its future prospects.

### 2.2.1 Legal and institutional reforms

We can see the first indications of what would later become the *Omanization* policy in the legislation of the early 1970s, when the SD 7/1973 forbade foreign merchants to bring workers from abroad who could become competition to Omani citizens.<sup>85</sup> In the

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<sup>83</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah*, ṣ. 430, 431.

<sup>84</sup> Wizārat al-iqtisād al-waṭanī. *Khuṭṭat al-tanmīyah al-khamsīyah al-sābi`ah*, ṣ. 429, 430.

<sup>85</sup> Bi-man`i `alā al-tujjār al-ajānb istīrād `umāl ajānib min al-khārij 7/1973, qarār sultānī. Al-jarīdah al-rasmīyah raqm 29.

complex of Omani legislation the term *ta<sup>c</sup>min* appears for the first time in 1988 in a ministerial decision (MD) by MOCI in a similar context as nowadays.<sup>86</sup>

Although one of the government-run information websites maintains that *Omanization* policy started in 1988, it does not provide any details about possible ministerial meetings, executive orders from the Sultan or policy statement excerpts. Source searches and detailed reviews of the legal measures (Sultani decrees, ministerial decisions) from that period do not support the claim. The official beginning of *Omanization* as pronounced in government policy can be traced to January 1991 – the issuance of 4<sup>th</sup> FYDP.

The institutional framework for *Omanization* started to develop in March 1991 and is represented by the creation of the *Supreme Committee for Vocational Training and Employment*, established on the basis of SD 31/1991. The decree cancels previously active councils (*Council for Vocational Education* and *Council for Education and Vocational Training*)<sup>87</sup> and defines the competencies as well as the structure of this newly established committee, which has direct powers and responsibilities for the *Omanization* process.

Competencies:

- To determine the labor force needs of national economy, and define a basis and rules which would help the concerned authorities in implementing the vocational training and education policies.
- To set down the necessary policies for the *Omanization* of jobs in the private and public sector and to overcome the difficulties which could hinder its implementation.
- To confirm plans for the national labor force requirements, to be prepared by concerned authorities.
- To confirm the necessary investment and employment plans to carry out the *Omanization* policies in coordination with relevant agencies.
- To determine necessary policies for employment of expatriate workforce in the country.

The Committee was to direct all suggestions and policy recommendations for approval to the Royal Court. Members of the Committee at the time of enactment of SD were expected to be: Deputy of Prime Minister for Financial and Economic Affairs, Manpower and Vocational Training Minister, Minister of Industry and Commerce, Minister of

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<sup>86</sup> Al-lā'ihah al-tanfīdhīyah lil-marsūm al-sultānī raqm 12/1988, 57/1988, qarār wizārī. Al-jarīdah al-rasmīyah raqm 389.

<sup>87</sup> Bi-inshā' majlis al-tadrīb al-mihnī 22/1975, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 82 and Bi-inshā' majlis lil-tarbīyah wa-al-ta'alīm wa-al-tadrīb al-mihnī 43/1977, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 128.

Civil Service, Secretary General of Diwan for Legislation, Secretary General of Development Council, Head of Police and Customs, Chairman of OCCI.

In 1993 a set of ministerial decisions related to employment and the labor force were issued. MD number 51/1993 regulates the import of foreign workers to Sultanate, sets the permitted numbers of foreign workers for a company according to its size and provides a list of occupations prohibited to foreign labor and exceptions to this rule. The occupations prohibited to foreign workers are: fishing, selling of fish and its transport; seamanship; livestock herdsman; public relations clerk; manufacturer of daggers, swords, jewelry and other traditional industries; typists; guards; operators of small machinery; drivers of light-weight vehicles; assistants in technical fields; makers of Omani sweets; and shop assistants in kiosks and small grocery stores, where the investment capital is not higher than two thousand RO.<sup>88</sup>

Ministerial decision 52/1993 specifies the responsibilities of the employer to provide an employment card for each of his/her Omani employees, sets deadlines and issuance fees. Ministerial decision 59/1993 regulates the establishment and activities of offices for bringing foreign workers into Oman. The decision also stipulates that the applicant for the permit to open such an office must be Omani citizen. Ministerial decision 81/1993 specifies the system of employment of nationals in private sector and determines responsibilities of governmental employment offices, Omani job applicants and briefly also the employer.

In October 1994 H.M. issued changes to Omani Labor Law 34/1973.<sup>89</sup> Without exception all of the amendments adjusted the regulation of the employers' contribution to vocational training of Omanis and penalties to be paid by employers who did not meet the *Omanization* target in their company.<sup>90</sup> The financial contribution of employers to the vocational training provided by Ministry of Social and Labor affairs (later divided into two separate ministries) was based upon basic monthly salaries of expatriate workers in the concerned company. The yearly contribution was not to exceed 7% of expatriate salaries within the company. The amendments further specified the possibility of providing vocational training for Omanis in the company in lieu of paying the above mentioned contribution. According to the new provision of the law (section 102) each employer in the private sector is responsible for fulfilling the *Omanization* ratio set for the company by MD for specific sectors.

The *Omanization* ratios for different sectors, as determined by MD 137/1994 in December 1994, are as follows:

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<sup>88</sup> Tanzīm istiḡdām `ummāl ghayr `umánīyīn 51/1993, qarār wizārī. Al-jarīdah al-rasmīyah raqm 510.

<sup>89</sup> New Omani Labor Law was issued in 2003.

<sup>90</sup> First omanization targets for private sector has been set by ministerial decree 85/1994 which is sadly not included in the "complete" compendium of Omani laws and decrees published by Ministry of Legal Affairs and therefore are not included in this research. Within the same year new omanization targets have been published in ministerial decree 137/1994 and are described below.

- Transportation, storage, communication 60%
- Finance, insurance, and real estate 45%
- Industry 35%
- Restaurants, hotels 20%
- Commerce sector 20%
- Contracting 15%

All establishments from these sectors were expected to submit an Omanization plan to the Ministry by 20<sup>th</sup> June 1995 (about six month from the promulgation), about how they aim to reach the targets. The targets were to be accomplished by the end of 1996.

When, in the beginning of 1995, the budget for the 1995 fiscal year was approved, *Reserve Fund for Omanization Program* received about 12.5 thousand RO.<sup>91</sup> In the framework of 5<sup>th</sup> FYDP, the HRD sector was allocated 272 million RO.<sup>92</sup>

In February 1997 MD 19/1997 amended MD 137/1994 about *Omanization* ratios in private sector establishments. According to the older MD 137/1994, the Omanization ratio targets were supposed to be achieved by the end of 1996 at the latest. In February 1997 the MD 19/1997 extended the timeframe until the end of 1997 and canceled the deadline for the establishments to submit Omanization plans to the Ministry of Social and Labor Affairs, although the duty to do so officially remained.<sup>93</sup>

In December 1997 the new *Commission for Omanization Follow-up* was established by SD 95/1997. The main aim of the commission was to follow and monitor the implementation process of plans and programs aimed at employment of Omanis in both the private and public sectors.

The responsibilities of the commission were further assigned as follows:

- To participate in the assessment of the national economy's needs for Omani manpower.
- In coordination with other relevant authorities, to participate in the preparation of necessary investment and operations plans to implement the Omanization policies.
- To prepare critical reports about implementation time of Omanization plans and programs in the private and public sectors and present suggestions on how to overcome difficulties in program execution.

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<sup>91</sup> Bi-al-taṣḍīq `alá al-muwāzanah al-`āmah lil-dawlah li-`ām 1995, 1/1995, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 542.

<sup>92</sup> Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-khāmisah 1996-2000, 1/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 566.

<sup>93</sup> Bi-tahdīd nisbat al-`ummāl al-`umānīn fī mansha`āt al-qīṭā` al-khāṣ 127/1994, qarār wizārī. Al-jarīdah al-rasmīyah raqm 541.; Bi-t`adīl al-qarār al-wizārī raqm 127/1994, 19/1997, qarār wizārī. Al-jarīdah al-rasmīyah raqm 594.

All of the concerned authorities were obliged to provide information, statistics and data to the commission for its works. The commission submitted their reports and proposals to the Sultan through the Minister of Sultan's Palace Diwan. The Ministry of Social and Labor Affairs was responsible for assessing the needs of the national economy for manpower and for devising the basis and rules on how to connect the needs to education and vocational training policies in individual ministries. The decree revoked SD 31/1991 and the assets and employees of *Supreme Committee for Vocational Training and Employment* were transferred according to joint decisions from the palace, Ministry of Social and Labor Affairs and Ministry of Financial Affairs.

In the 1998 most of the ministerial decisions specified either the financial contributions to be made by private sector employers to vocational training of Omanis (MD 83/1998 and MD 84/1998), concentrated on systemization of vocational training (MD 225/1998) or the compensation of training costs to private sector companies (MD 224/1998). The financial contribution of each employer to the vocational training of Omanis was fixed at 100 RO for every new foreign worker of the company and 100 RO each time a labour card was renewed.<sup>94</sup> MD 299/1998 sets out the conditions for operating recruitment or employment offices for Omanis. The activity is limited only to Omani entrepreneurs and could not be combined with an employment office for foreigners. It also prohibited offices from demanding a financial contribution from Omani job applicants. MD 222/98 modified previous regulations 12/1979 and 87/1987 and enacted a new minimum wage for Omanis working in private sector companies at 100 RO per month plus 20 RO allowance for accommodation and transport. A new Omanization ratio of 50% and a fine for not fulfilling it, was also assigned to employers at petrol stations by MD 41/1998.

At the institutional level a new dimension to *Omanization* policies was added through SD 3/1999, when the *Council of Businessmen* was established. Although the scope of activities is much broader, one of its responsibilities is to submit proposals for further development of the national labor force according to the needs of the national economy and put forward new policies for Omanization in the private sector and create mechanisms to reach them. It is worth noting, that each member of this council was appointed and that the council is not open to additional businessmen unless appointed.<sup>95</sup>

In the 2000 some new provisions for recruitment offices for Omanis were enacted and the MD 298/2000 codified the new status of GCC citizens working in the Sultanate, as equal to that of Omani citizens, in relation to employment, as well as, the Omanization processes and ratios.

To assess the real size of the national labor force a new SD was issued in July 2001, creating the *Register for National Manpower* at the Ministry of Social and Labor Affairs

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<sup>94</sup> Bi-taḥdīd qīmat al-musāhmah al-mālīyah allatī yuqaddimuhā aṣḥāb al-a`amāl li-mashārī` al-tadrīb al-mihnī 83/1998, qarār wizārī. Al-jarīdah al-rasmīyah raqm 619.

<sup>95</sup> Bi-sha`n inshā` majlis rijāl al-a`amāl wa-taḥdīd ikhtisāṣātihi 3/1999, qarār dīwānī. Al-jarīdah al-rasmīyah raqm 660.



and Vocational Training.<sup>96</sup> When completed, the register should contain information about all Omanis working in public and private sector, including the self-employed. It should also include a database of job seekers with their education, training and work experience. Employers were responsible to submit all the necessary information to the ministry within six months of SD promulgation, but the deadline was postponed by SD 93/2001 to August 2002. Registration is a prerequisite when looking for job or asking for a business permit. In November 2001 the Ministry of Social and Labor Affairs and Vocational Training was divided into the Ministry of Social Development and the Ministry of Manpower.<sup>97</sup>

Special Omanization ratios were set for the Free Zones, which were created by SD 56/2002.

In 2003 a new Omani Labor Law was issued, paying special attention to employment of nationals and defining duties of both the job applicant and governmental institutions which help Omanis to find a suitable employment. Under this law employers who do not meet the Omanization ratio in their company are to be fined 5% of monthly salary of every foreign worker who exceeds the Omanization ratio set for the particular sector. For detailed analysis of the Labor law please refer to chapter 4.

Based upon the directives from Sultan Qaboos, the 2<sup>nd</sup> National Manpower Seminar was held in February 2003.<sup>98</sup> Its main aims were:

- To activate the important role of the private sector in providing employment opportunities for the national labor force.
- To direct job seekers among citizens to take up available opportunities in the private sector.
- To encourage Omani youth to gain technical, vocational and professional skills and training, which are in harmony with the development process.
- To support and encourage individual initiatives, projects of self-employment, and to direct applicants towards independent business.

The importance and effectiveness of this seminar rested on the participation of the private sector. Up until this point, the involvement of the private sector was formal, – including the *Council of Businessmen* – however, representatives from private sector companies took an active part in this seminar. Even more importantly, representatives of the private sector constituted up to 90% of new committees for *Omanization* of the

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<sup>96</sup> Bi-inshā' sajjal lil-quwá al-`āmilah al-waṭanīyah 88/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 700.

<sup>97</sup> Bi-taqṣīm wizārat al-shu'ūn al-ijtimā'īyah wa-al-`amal wa-al-tadrīb al-mihnī 108/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 707.

<sup>98</sup> The 1<sup>st</sup> National Manpower Seminar was held in October 2001.

private sector,<sup>99</sup> although the committees are still chaired by the Undersecretary of the concerned ministry.

### **Omanization joint sector committees**

The committees represent a joint cooperation of the public and private sectors in providing training and employment for Omanis. The formal structure of the initiative was created by Ministry of Manpower and aimed to combine government goals with private sector involvement.

Summary of objectives as described by the Ministry of Manpower:<sup>100</sup>

- To identify steps and procedures of *Omanization* plans in each sector according to the final statement of the National Manpower seminars.
- To cooperate with the MOM in the implementation of approved policies.
- To coordinate efforts with companies in drafting their *Omanization* plan, to reach the goals as set in the sector plan.
- To cooperate with the MOM and companies in selecting candidates for training and reviewing and adjusting curricula of vocational training according to companies needs.
- To follow-up the *Omanization* process in the sector, evaluate results and take advantage of results to create a new strategy.
- To submit proposals about supporting individual initiatives of Omani youth within the sector, to help them establish their business through SANAD program.
- To examine any other issue of importance to the sector, and taking necessary steps to achieve sector's role in employing Omanis.

There are twelve Omanization committees working in following sectors:

Travel and tourism; accounting professions; contractors; consultancy offices; oil and gas sector; sale and distribution; private education; automobiles; electricity and water; telecommunications; information technology; transport and navigation.

After the second seminar new Omanization ratios for the private sector were introduced in MD 159-166/2003 and MD 176/2003. This time the Omanization ratios are divided not only for each sector, but also for different occupational positions, ranging from shop assistant, machinery operator to engineer and higher management. For a complete table please refer to Annex II.

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<sup>99</sup> The information about proportion of private sector representatives in commissions is provided by MOM and author was not able to confirm the information from other sources.

<sup>100</sup> Ministry of Manpower webpage: [www.manpower.gov.om](http://www.manpower.gov.om), last access 20<sup>th</sup> April, 2008.

The *Commission for Omanization Follow-up* was dissolved in January 2004 by SD 4/2004 and its competencies in private sector were transferred to MOM and in the public sector to MOCS.

The Third National Manpower Seminar was held in February 2005. Besides presenting working papers about individual sectors and its challenges, the seminar also discussed the imperfections of labor market and strategies for improving it, while maintaining the need for the *Omanization* process in the private sector. An outcome of the seminar was the MOM publication containing semi-detailed strategies and policies to reach the new Omanization targets in each sector, labor market regulation and improvements of SANAD program.<sup>101</sup>

New *Omanization* ratios for the 2006 – 2010 period can be found in Annex II.

2005 and 2006 witnessed the issuance of new labor related legislation through Ministerial decisions. MD 48/2005 specifies the fees for bringing and employing expatriate labor, MD 125/2005 deals with the employment of special needs groups, MD 128/2005 describes the type of work women are permitted to perform during night shifts,<sup>102</sup> and MD 294/2006 organizes collective bargaining and peaceful strike provisions.

For more information about the SANAD program for self-employment please refer to chapter 3.5.

## 2.2.2 Challenges and future prospects

The *Omanization* of the labor force faces many challenges. The main obstacles could be summarized in few points:

- Attitudes and expectations of Omanis,
- Financial demands on state budget and the economy,
- Unavailability of up-to-date labor force data and labor market data.

It is safe to say that the expectations of Omanis are high and that their employment preference tends clearly towards the public sector. Employment in the public sector has always offered stable employment, generous allowances and benefits both during the employment and after service conclusion. The many SDs issued purely to upgrade and increase the salaries in public sector confirm the status Omani's attitudes toward public sector employment and its desirability.

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<sup>101</sup> Wizārat al-quwá al-`āmilah. *Al-nadwah al-thālithah li-tashghīl al-quwá al-`āmilah al-waṭaniyah*. The reports do not contain any financial information.

<sup>102</sup> For detailed description please refer to chapter 4.

In comparison, private sector employment seems unstable, the working environment is not as appealing as civil service and is generally less attractive, both for the financial reasons and in the provision of status which Omanis ascribe to it. Therefore it is very hard, especially after decades of increasing public spending and boom of civil service sector employment opportunities, to persuade Omanis to accept employment in the private sector.

Closely related to the topic of readiness to take up private sector employment is the question of qualification. Although qualification has its importance in public sector as well, in the private sector Omanis face fierce competition from expatriate workers who are generally better qualified and at the same time willing to work harder and for lower wages, because they are still higher than the wages paid in their home countries. Besides the qualification hurdles and attitudes of most Omanis, who disregard manual labor opportunities as below them, government involvement in setting minimum and recommended wages for Omanis in the private sector, makes them less appealing to private sector employers. These factors make Omanis less employable in the view of private sector companies.

These obstacles create immense pressure on the government, which has had to adopt comprehensive policies and measures to make the Omani population competitive in the labor market and to make the Omanization policy a success. Firstly the state has to provide high-quality education that is relevant to the needs of national economy and in particular the private sector. A lot of effort has been put in upgrading vocational training and the recent involvement of private sector in shaping vocational training and its insight will be essential in long term. The second level is to increase the actual participation of Omanis in the private sector. The strategy in this field has to be two fold: to persuade private sector employers to employ Omanis and to persuade Omanis to take up the opportunities. While the pressure on private sector companies has been exercised steadily and increasingly – primarily through Omanization ratios and fines for not abiding to them and secondarily through measures which make it more expensive to employ foreigners – the effort of changing expectations and attitudes of Omanis has been neglected and allowed to stagnant.

Although there are incentives in place for the private sector to train and employ Omanis, where companies are reimbursed for the costs incurred for training and where certain rewards are in place for companies that meet the Omanization ratio for the sector, the overall strategy of government is intrusive. By putting pressure on the private sector the government could jeopardize other development goals such as diversification of economy from its dependence on oil, or the creation of vigorous private sector as a pivotal part of national economy.

Yet another challenge for the government is the financial demands of the *Omanization* program. Not only does the government pay for education and vocational training of Omanis, it also compensates the private sector companies that assume some of the training responsibilities. Furthermore there are immense operating costs for the various institutions and specialized commissions and committees, as well as newly established

departments of *Omanization* at the ministries. Another item on the list of government expenditure is the employment programs, such as self-employment and entrepreneurship programs run through SANAD, or the no interest loans and soft term loans for small income generating projects, offered by Oman Development Bank or Fund for Development of Youth projects. Offices for career guidance, training and employment in different governorates are also financed by the state.

Unlike the *Omanization* policy and some success stories and improvements in aggregate *omanization* ratios in the country, certain points and issues are rarely heard or read about. To name just two: economic cost of *Omanization* and comprehensive labor market data and statistics. As has been just mentioned the economic cost of the *Omanization* policy and processes are largely not available. When working with the laws and executive provisions of the country, it is easy to find both general financial frameworks for the five-year development plans and the yearly state budgets, and the ministerial decisions of the Ministry of Finance about pressing issues. Completely unavailable though – even after direct contact with the ministries – are the costs of adults' training, processes of targeted replacement of civil service foreign workers for Omanis, development of programs and policies at the Ministry of Manpower and costs for newly established career guidance offices, joint *Omanization* committees or projects aimed at self employment. While it has been expected that the governmental offices would not be eager to share information (expenditure or other) it is rather surprising that there appears to be complete lack of financial information about such a priority policy and its real costs both to the national budget and to the economy. While the lack of knowledge about public spending on this policy is disturbing, absolutely alarming is the fact that it seems there are no estimates and studies under way into the costs of the *Omanization* policy at the economy level. The hidden economic costs such as more expensive labor due to *Omanization*, pressure on the private sector and its increasing labor costs and therefore increasing costs of production as well as the uncompetitiveness of the national labor force on an international level creates many questions for the future of the Omani economy, which can not be answered without accurate data.

Even with the reservations mentioned previously, a lot has improved in the past few years. Many of the ministries, namely Ministry of National Economy, publish yearly, quarterly and monthly bulletins about recent developments. These bulletins are available on their internet pages or in print from their offices. We have very accurate information about employment numbers both in public and private sector, very often divided according to sex, nationality (or division between Omanis and expatriate is provided), education level and income level and its fluctuations over the time. Generally the data about current employment is available, as is a time series dating from about 1995 for the public sector and 2000 for the private sector. Unfortunately, data about unemployment is absent from any governmental publication. Estimates presented in this research are based upon sources from international organizations. Considering that one of the main objectives of labor force *Omanization* is to avoid and possibly prevent unemployment among Omanis and secure their welfare by providing employment oppor-

tunities and a stable income, it is surprising that the government does not reveal the information on which the Omanization policy has been based or on which it is running at the moment with appraisals of its advantages for Omani citizens in comparison to government investment in its continuation and the effects it has on private sector development.

## 2.3 Government and administrative structure

### Sultan

The Sultanate of Oman is a centralized hereditary monarchy, where power remains with the Sultan (since 1970 Sultan Qaboos), who is the head of state, supreme commander of armed forces and police; serves as the Prime Minister and presides over the Council of Ministers. The Sultan rules the country with a "hands on" approach, and appoints most of the government officials, including all ministers, members of Council of State, diplomats, judges, and public prosecutors. The Sultan also has primary legislative powers, and most of laws are promulgated by Sultan's decree and encompass everything from the penal code, labor law, changes in administrative structure of government, to new policies enactment or award of nationality to distinguished individual. Secondary legislative powers rest with ministers or head of important governmental units, who enact laws pertaining to the competencies of their ministry, as a ministerial decision. The division between executive branch and legislature in Oman is nonexistent. The bicameral Council of Oman has only advisory legal function. The Sultan also maintains the tradition of "meet the people tours", when he and his officials travel to various parts of the country during one month every year, to hear the grievances, suggestions and opinions of his subjects.

### Government administration

Oman's government is characterized by ever changing and growing administration. At the moment, there are twenty seven ministries and many other independent specialized bodies, such as Capital Market Authority, Tender Board, Institute for Public Administration etc. The Royal Court and its offices enjoy special status and are typically classified as a separate entity from all civil service ministries.

### Ministries:

- Agriculture
- Awqaf and Religious Affairs
- Civil Service
- Commerce and Industry
- Defence
- Education
- Environment and Climate Affairs
- Finance
- Fisheries
- Foreign Affairs
- Health
- Heritage and Culture
- Higher Education
- Housing, Electricity and Water
- Information
- Interior
- Justice
- Legal Affairs
- Manpower
- National Economy
- Oman Census
- Oil and Gas
- Regional Municipalities
- Social Development
- Sports Affairs
- Transport and Communication

- Tourism

As has been mentioned previously, ministers are hand picked and appointed directly by The Sultan and as such are the highest clerical workers, unlike in westerns countries, where ministers are often primarily politicians who won their seat as a result of an electoral process. Ministerial appointments are usually not limited in time, and certain ministers have been in their posts for a long time. It is not uncommon for a distinguished individual to serve as a minister in various ministries throughout his/hers career, as a result of a *cabinet reshuffle* by the Sultan. Oman also has many specialized councils and committees, such as the Defence Council, the National Security Council, the Financial Affairs and Energy Resources Council, the Supreme Judicial Council, the Scientific Research Council, the Economic Coordination Council.

Administratively the country is divided into nine areas: four governorates (Muscat, Dhofar, Musandam and al-Buraimi) and five regions (al-Batinah, al-Dakhiliyah, al-Sharkiyah, al-Dhahira and al-Wusta). Governorates and regions are further divided into wilayat, any decentralization from the central governmental institutions is weak.

The Omani government is characterized by an ever-changing institutional environment. New ministries are still being formed, special bodies established, and the already overpopulated civil service workforce is still growing. Although Oman achieved some success with the e-government initiative, bureaucracy and red tape remains an issue. The government faces challenges on few levels: There is an urgent need to limit the civil service workforce, while increasing efficiency of different governmental departments. Secondly interministerial coordination and communication is of concern as it appears that very often different ministries work on similar subjects without regard of other ministries already being involved in the same topic; the SME sector is a prime example. The third issue relates to transparency and accountability. Very often ministries present their goals and visions, but fail to provide any information about their projects - running or finished. The administration appears to be in constant phase of planning, without providing any information about achievements or basic data on which the new projects are being established. Even after repeated requests by the author (emails, phone calls, letters, and personal visits) the government was not willing to share any unpublished information for research purposes. On the other hand, government officials are very forthcoming in providing published materials, but as has been mentioned, the information available in them is very limited and, by the time of publication, is usually outdated.



### 3 Government action

Government public policy influences the lives of Omani citizens only for as long as it's being implemented - preferably with efficiency, transparency and accountability. This chapter looks at the progress and development in a few crucial fields, which have a direct effect on the employability and actual employment of women and men alike: education and vocational training, women's networking options, social safety net, employment programs and entrepreneurship support.

#### 3.1 Education

Traditionally education in Oman has been undertaken in qur'anic schools attached to mosques or at a residence of Islamic scholars. As the name of the school suggests the primary subject was religion, interpretation of the Qur'an, Arabic language and occasionally math.<sup>103</sup> The very modest beginnings of governmental education could be traced to 1930<sup>th</sup>, when first Sultan's School for Boys was established. Subjects taught included sciences, health, history, and geography. The second Sultani School established in 1935 and also admitted a few girls. Additionally subjects were included: English language and physical education.<sup>104</sup>

##### 3.1.1 Educational system

The development of the modern educational system started soon after Sultan Qaboos ascended the throne in 1970. The whole sector underwent tremendous development, with the goal of providing basic education to all, free of charge. Within forty years Oman has transformed to a modern state with comprehensive educational strategy and educational opportunities ranging from primary to tertiary schooling for its citizens, both male and female.

##### General Education

The educational system is divided into *Basic Education*, lasting ten years and further divided into two stages: 1-4 grade and 5-10 grade; and *Post-basic Education* for two years (grades 11 and 12), after which the pupils take *General Education Exams*. The Omani education system was been introduced to this classification in 1999 and does not make clear distinction between primary and secondary education. In statistical data

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<sup>103</sup> Wizārat al-tarbīyah wa al-ta`alīm. *Tārīch taṭawur al-ta`alīm fī sulṭanat `umān*. Muscat: Wizārat al-tarbīyah wa al-ta`alīm, 2010. [MOE. *History of educational development in Sultanate of Oman*. Muscat: Ministry of Education, 2010. Electronic version available at [www.moe.gov.om](http://www.moe.gov.om), last access February 2010.]

<sup>104</sup> Wizārat al-tarbīyah wa al-ta`alīm. *Tārīch taṭawur al-ta`alīm fī sulṭanat `umān*. Muscat: Wizārat al-tarbīyah wa al-ta`alīm, 2010.

available, the term *General Education* is used for grades 1-12. Education and all its related fields until grade twelve comes under the authority of the *Ministry of Education*.

### Statistics

During the school year 2008/2009 there were 1,047 schools; 19,666 classes; and 540,332 students enrolled in the *General Education* provided by government. Out of the half a million pupils 49% are female. In addition to governmental schools there are 200 private schools with about 43 thousand pupils, where female represents 44% of pupils; and 33 foreign community schools, with 38.5 thousand pupils, including includes kindergarten.

The 2003 census found that about 30% of women aged 15 years and above, and 15% of men are illiterate, while 10% of women and 12% of men can only read and write.<sup>105</sup> Although the numbers might seem high, this is a major improvement, as in 1993 the illiteracy rate for women (15+ yrs) was 52% and for men 28%.<sup>106</sup>

Table 16: Omani population by gender and educational level (15+ yrs)

	Men	Women	Gender gap ratio (%female/%male)
Illiterate	14.5	29.4	2.0
Can read and write	12.3	9.5	0.8
Primary stage	22.1	14.0	0.6
Preparatory stage	20.6	17.4	0.8
Secondary stage	21.8	23.0	1.0
Post secondary (non-tertiary)	3.5	2.9	0.8
University	5.0	3.6	0.7

Source: Census 2003.

The repetition rate in *General Education* varies between the genders in different stages of education. Please note, that the statistical data available represents the school year 2004/2005 and adopts a different classification of grades. The repetition rates in grade 1-6 for girls is 1.0% and 0.7% boys; for grades 7-9 the rate is even at 0.7% for both genders and repetition rate in grades 10-12 is 0.9% for boys and 0.8% for girls. Drop out rates for grades 1-6 stand at 0.2% for both genders, while 2.3% of boys and 1.1% of girls drop out between seventh and ninth grade and 4.2% of boys and 2.0% of girls

<sup>105</sup> Wizārat al-iqtisād al-waṭanī. *Al-mar'a wa al-rajul fī Sulṭanat `umān: ṣūra ihṣā'iyah*. Muscat: Wizārat al-iqtisād al-waṭanī, 2007. [MONE. Woman and Man in Sultanate of Oman: Statistical profile. Muscat: Ministry of National Economy, 2007. Electronic publication available at [www.mone.gov.om](http://www.mone.gov.om), last access February 2010.] § 18.

<sup>106</sup> Wizārat al-iqtisād al-waṭanī. *Al-mar'a wa al-rajul fī Sulṭanat `umān: ṣūra ihṣā'iyah*. Muscat: Wizārat al-iqtisād al-waṭanī, 2007, §.20.

drop out in grades 10-12.<sup>107</sup> The information about total enrollment according to gender is not available, and thus the comparison between girls and boys of the Omani population finishing the educational stages could not be calculated.

The success rate in the General Certificate examination in school year 2007/2008 stands at 84% (this includes government and private schools and adult education). In governmental schools the success rate was 87%, with 83.2% rate for men and 91.6% for women. The success rate in the General Certificate exams for private schools stand at 93.1%, and gender differentiated 92.1% for male candidates and 96.4% for female candidates. The success rate in adult education exams were considerably lower – 73% in general, 75% for men and 67% for women.<sup>108</sup>

### Tertiary education

Tertiary education starts after year 12 at both the governmental or private colleges and universities. For vocational training please refer to following subchapter. Tertiary education is supervised and monitored by a separate ministry, the *Ministry of Higher Education* (MOHE).

### Governmental tertiary education

MOHE currently operates Sultan Qaboos University (SQU), Colleges of Applied Sciences (CAS), and College of Banking and Financial Studies. The College of Law used to be mentioned as an independent higher education institution, but since school year 2006/2007 it has been affiliated to SQU, with separate campus in al-Wataya. The College of Banking and Financial Studies has gradually developed from Institute of Bankers (1983), to Institute of Banking and Financial Studies (1998) to the current status of college (2004).<sup>109</sup> CAS is a college with multiple campuses located in Ibri, Salalah, Nizwa, Sohar, Rustaq and Sur and in each location offers degrees in four departments (the model is currently under revision): communication, design, IT, and international business administration. Furthermore MOM runs six Colleges of Technology in Musana'ah, Nizwa, Ibra, Salalah, Shinas, and Ibri; and a Higher College of Technology in Muscat. Other higher education institutes also exist, and are operated by various ministries for various professions (e.g. police).

The oldest and the most versatile university in Oman is SQU was founded in 1986, and now has nine colleges: agricultural and marine sciences, arts and social sciences, commerce and economics, education, engineering, law, medicine and health sciences,

<sup>107</sup> Wizārat al-iqtisād al-waṭānī. *Al-mar'a wa al-rajul fī Sulṭanat `umān: šūra ihṣā'iyah*. Muscat: Wizārat al-iqtisād al-waṭānī, 2007, ṣ 35.

<sup>108</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, page 436.

<sup>109</sup> College of Banking and Financial Studies: [www.cbfs.edu.om](http://www.cbfs.edu.om)

science, and nursing. SQU offers five qualifications; diploma, bachelor degree, post-graduate diploma, masters degree, and since 2004/2005, doctorate degree.<sup>110</sup>

Table 17: Students at state operated universities and colleges 2008/2009

Institution	Students total	Male	Female	(%) Female
CAS	7,648	3,613	4,035	53
Technology Colleges	21,255	12,677	8,618	40
College of Banking and Financial Studies	1,556	591	965	62
Institute of Health	2,292	637	1,655	72
SQU	15,276	7,925	7,351	48

Source: MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, pages 383, 384.

### Private tertiary education

In addition to state run colleges and universities, the Sultanate of Oman has witnessed rapid growth of private tertiary educational institutions in the last few years. While in 2002 there were only 13 private colleges and universities with 8 thousand students, in 2008 the number reached 24 institutions with student body of 34 thousand (for complete list please refer to appendix).<sup>111</sup> Female students constitute 58.6% of students at private colleges and universities in school year 2008/2009.<sup>112</sup>

### Conclusion:

The educational sector has witnessed a rapid continuous development in the past forty years. No matter how many issues there might still be, the progress recorded in education is breathtaking. From a nonexistent education system in the 1970s, all stages of education are now available, ranging from primary to tertiary education, and basic education in governmental schools is provided free of charge. School attendance in Oman is not compulsory and statistics about proportion of population attending basic education is not available. Besides the general education system, Oman has also established

<sup>110</sup> Sultan Qaboos University: [www.squ.edu.om](http://www.squ.edu.om)

<sup>111</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, p. 381.

<sup>112</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, p. 442.

*Centres for Adult Learning, and Literacy Centers.* Over 95% of the students in literacy centers are women and around 30% of students in centers for adult learning.<sup>113</sup>

An issue for consideration is the number of students in tertiary education, where the female participation rate appears very high. While it might be possible, that male students opt out of education earlier in the pursuit of money making activities, it is also very important to notice that Oman has a long tradition of sending their citizens for tertiary education abroad. For decades the government has provided generous grants and scholarships (with an option of a spouse to accompany the student), which were mostly taken up by men. Although government funded studies abroad are no longer as readily available as those written five or ten years ago, and tertiary education within Oman has developed rapidly in that time period, male students studying in colleges or universities abroad constitutes about two thirds of the total students studying abroad.<sup>114</sup>

### 3.1.2 Vocational training

Vocational training unlike the primary, secondary and tertiary education comes under the *Ministry of Manpower (MOM)*, specifically the Directorate General (DG) of Vocational Criteria and Curricula Development. As the name suggests, the DG is tasked with developing vocational training programs, awarding certifications to privately owned institutes, and compliance and quality control inspections.

MOM runs four vocational training institutes (also considered SANAD program incubators) located in Seeb, Saham, Sur, and Ibri. They offer training in carpentry, electrical equipment maintenance, car repair and general maintenance. The training extends to 34 weeks per year, for 30 hours a week; it also includes at least 12 weeks of field training, which is mostly undertaken in cooperation with private establishments. Besides the training in the chosen field the program includes engineering sciences such as technical drawing and technology, as well as general skills including mathematics, physics, English language, computer use and project management skills. The vocational training institutes offer general qualifications on three levels according to years spend in training: one – limited skills, two – skilled, three – craftsman. Graduates with extraordinary skills and study results at the end of the three year training are able to join the foundation program at technical universities in Sultanate.<sup>115</sup>

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<sup>113</sup> MONE. *Facts and Figures 2009*. Muscat: Ministry of National Economy, 2010. [Available at [www.mone.gov.om](http://www.mone.gov.om), last access July 2010.] p. 27.

<sup>114</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, p. 405 – 420.

<sup>115</sup> Wizārat al-quwá al-`āmilah. *Marākiz al-tadrīb al-mihnī*. Muscat: Wizārat al-quwá al-`āmilah, 2009, ș.8. [Ministry of Manpower. *Vocational training institutes*. Muscat: Ministry of Manpower, 2009. Electronic publication available at [www.manpower.gov.om](http://www.manpower.gov.om), last access February 2010.]

Besides the general vocational training, the institutes also offer:

- a) Medium term courses for job seekers, lasting between one and nine months, to equip them with new qualifications or retrain them; and
- b) Short term courses with duration of one to four weeks, aimed at increasing and raising skills and abilities according to new developments in the chosen field.<sup>116</sup>

The MOM also administers two fishermen qualifying institutes, located in Salalah and al-Khabourah. The institutes teach the trainees the use of latest fishing equipment, safeguard the quality of catch and improve the fishing methods used in country. Additionally the two institutes assist in research concerning the fishing sector.

General conditions for admission to training institutes include: Omani or GCC nationality, minimum age of 15 years at the enrollment date, certification of class 9 completion or its equivalent; medical fitness, valid labor force registration card; and success at required entrance tests and interviews.<sup>117</sup> Omani trainees at the institutes receive a monthly grant during the training period of 60 RO for apprentice undertaking the training in location further than 100 km from his/her home or coming from mountainous area; and 50 RO for an apprentice living closer.<sup>118</sup> The vocational training centers also strive to find employment for graduates and follow-up with advice and support for those pursuing their career.<sup>119</sup> During the school year 2008/2009 the total number of trainees at vocational training institutes reached 2,929; where 129 studied at fishermen institutes and 2800 were distributed among other vocational training centres. The highest attendance was recorded in auto-mechanics and electricity field respectively – 582 and 462 trainees.<sup>120</sup>

For vocational training in tailoring and embroidery aimed at women please refer to Entrepreneurship support – SANAD.

### Conclusion:

Vocational training institutes in Oman offer a viable alternative career path for individuals, who have an inclination towards manual work and provide them with necessary knowledge and skills to find employment in this field. With due consideration, all of the training institutes are located away from the capital, where most of the higher educational institutions are located, and thus allow the attendance of trainees in various parts

<sup>116</sup> Wizārat al-quwá al-`āmilah. *Marākiz al-tadrīb al-mihnī*. Muscat: Wizārat al-quwá al-`āmilah, 2009, §. 9.

<sup>117</sup> Wizārat al-quwa al-`āmilah. *Shurūṭ wa qawā'id al-qubūl*. Muscat: Wizārat al-quwa al-`āmilah, 2009. [MOM. *Conditions and Regulation for Acceptance*. Muscat: Ministry of Manpower, 2009. Web based, available at [www.manpower.gov.om](http://www.manpower.gov.om), last access February 2010.]

<sup>118</sup> Wizārat al-quwá al-`āmilah. *Marākiz al-tadrīb al-mihnī*. Muscat: Wizārat al-quwá al-`āmilah, 2009, §. 17

<sup>119</sup> Wizārat al-quwa al-`āmilah. *Al-Khadamāt wa al-'anshiṭa al-'ukhrā*. Muscat: Wizārat al-quwa al-`āmilah, 2009. [MOM. *Services and Other Activities*. Muscat: Ministry of Manpower, 2009. Electronic publication available at [www.manpower.gov.om](http://www.manpower.gov.om), last access February 2010.]

<sup>120</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, p. 416.

of the country, without the need to leave their family and family responsibilities behind. The grants which are provided to trainees also have positive impact on attendance of courses by members of low income families, which in the long term run would result in better income opportunities and improved livelihood for the whole family. Nevertheless - the inconsistency of governmental documents about costs and fees of the training, might offset the benefits of weekly grant. Although the MOM does not mention anywhere, that the courses available are for men only, the author believes, that subjects on offer – electricity and electronics, construction work, carpentry, vehicle maintenance and repair, aquaculture and marine engine maintenance – have little appeal to Omani women. The MOM offers a tailoring course specifically designed for women, and makes funds available for women to start their own tailoring shops, which is clearly a step in right direction, as many women take the opportunity. However, more still needs to be done to diversify the course offer; such as courses in administration, secretarial or receptionist work, and other occupations women generally prefer.

## 3.2 Women's networking

The networking power of women in Oman is severely limited. Although the state is slowly opening the gates for its citizens to organize and establish groups or associations on the civil society level, the process is painfully slow, results uncertain and governmental support minimal, if available at all.

Oman does not have any NGO's dealing with women's issues, which would be able to network freely, or act as an advocate for changes in women's status. The only established women's group is Omani Women's Association.

### 3.2.1 Omani Women's Association

The first Omani Women's Association (OWA) was founded in 1972 in Muscat; shortly after Sultan Qaboos ascended the throne. The number of OWAs across various towns of Oman grew tremendously, and in 2008 there were a total of 52 associations; the large districts such as al-Batinah and al-Sharqiyah have at least 11 associations each. The total membership of these associations was just under five thousand women in 2008.

The associations aims to improve the quality of women's lives, enable them to reach their potential in knowledge, skills, professions and self development, eradicate illiteracy and computer shyness, and in Muscat branches specifically supports women's participation and nomination to various state councils and endorse their role on the local, national and international level.<sup>121</sup>

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<sup>121</sup> Jam`iyat al-mar`at al-`umānīyah masqaṭ. *Ahdāf al-jam`iyat*. [Omani Women's Association, Muscat. *Goals of Association*. Available at [www.owam.net](http://www.owam.net), last access March 2010.]

Goals and objectives:

- Offer assistance to needy families or families affected by natural disaster or personal tragedy
- Teach women handicrafts to improve family income
- Organize charitable events or activities for groups such as handicapped
- Spread awareness about basis of family happiness, provide guidance and advice on this subject through workshops and lectures
- Participate in national programs aimed at women or children, such as child care programs, awareness campaigns about the nearest vaccination clinic etc.
- Cooperate with similar groups.<sup>122</sup>

Officially the status of OWA was changed at the beginning of the millennium from governmental institutions to civil society associations, but the effect of that step on activities was negligible. As is the case with all civil society groups, OWA's activities are closely monitored and guided by the Ministry of Social Development, based on stringent Civil Society Laws (please refer to chapter 4). Presently most of the budget comes from state, supplemented by money raising activities of each OWA (sale of craftwork etc.). The OWA has limited power over choice of issues and topics it deals with, and like many other organizations, cannot network with associations from abroad, or accept funds without prior consent of MOSD. In spite of these limitations, OWAs play a significant role in lives of involved women and in rural areas provide a rare opportunity for networking not based on family relations.

### 3.2.2 Businesswomen Forum

The Businesswomen's Forum (sometimes also called Women in Business Forum) is a recently established specialized committee of Oman Chamber of Commerce and Industry (OCCI). Sadly not much is known about its current activities. The OCCI web page list only general goals, which include:

- Create conducive working environment and encourage women to start business
- Eliminate barriers and obstacles businesswomen face
- Promote pioneering culture among businesswomen and encourage their innovation and creativity
- Refine the culture of business administration of businesswomen

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<sup>122</sup> Wizārat al-tanmīyah al-'ijtimā'īyah. *Al-jam'īyāt al-nisā'īyah*. Masqaṭ: Wizārat al-tanmīyah al-'ijtimā'īyah, 2009. [MOSD. *Women's associations*. Muscat: Ministry of Social Development, 2009. Available at [www.mosd.gov.om](http://www.mosd.gov.om), last access March 2010.]



- Support and help individual establishments, and small and medium sized companies run by women
- Offer advice and guidance to owners of both individual and collective projects.<sup>123</sup>

On the occasion of the 4<sup>th</sup> Women in Business conference,<sup>124</sup> the president of the Businesswomen's Forum Natasha bint Yahya Nasib outlined the aims of the Forum, which included the establishment of businesswomen's committees all over the country through branches of OCCI and a launch of the *1st Omani Business Women's Directory*.<sup>125</sup>

### Conclusion:

Barring the two exceptions mentioned above, women's networking receives very little attention from governmental entities, and virtually no support. Although women are often encouraged by government officials to participate in development, the ways to explore options and receive guidance are limited mostly to family or friends.

Prospects for improved networking are rather dim, for as long as there are no other stakeholders or NGOs advocating change in women's status and while organizing social events or gatherings remains nearly impossible under the present, stringent civil society laws and constant monitoring by MOSD.

## 3.3 Social Safety net

The Sultanate of Oman provides two main schemes preventing poverty and destitution. The first one targets categories of society that are not able to provide for themselves; the second one safeguards the principles of peaceful retirement and supports former employees or their families in the case of occupational illness or death. Both of these programs are applicable to Omanis only. (Please refer to chapter 4.4 for detailed description of statutory provisions of these programs.)

### 3.3.1 Social welfare program

The social security program is administered by MOSD and reviews applications for state benefits and the living conditions of each claimant. Social security benefits consist of a monthly sum payable to the claimant, and are offered to eight distinct categories:

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<sup>123</sup> Ghurfat tijāra wa šinā`ah `umān. *Muntadā šāhibāt al-`a`māl bi-ghurfat tijāra wa šinā`ah `umān*. Ghurfat tijāra wa šinā`ah `umān, 2010. [OCCI. *Forum for Businesswomen at Oman Chamber of Commerce and Industry*. Oman Chamber of Commerce and Industry, 2010. Available at [www.chamberoman.com](http://www.chamberoman.com), last access March 2010.]

<sup>124</sup> Private sector initiative, conducted annually since 2007.

<sup>125</sup> Oman Daily Observer. "Move to Transform Women's Business into Economic Force." *Oman Daily Observer*; Muscat, 2010. [Available at [www.main.omanobserver.om/](http://www.main.omanobserver.om/), last access April 2010.]

divorced women, widows, orphans, disabled, retired, unmarried daughters, abandoned women and the families of imprisoned people.

In 2008 the number of cases registered and approved by MOSD, which qualified for state security benefits reached 50,612; and the expenditure for that year was slightly above 36 million RO.<sup>126</sup>

Table 18: Recipients of social security

Divorced	Retiree	Widow	Orphan	Disabled	Other
7,861	18,141	3,253	5,536	12,251	3,570

Source: MONE. Statistical Yearbook 2009, p. 456.

Besides the monthly pension mentioned above, social security beneficiaries are eligible for other benefits such as:<sup>127</sup>

- Exemption from government fees for:
  - issuance of passport, identity card and birth certificate; issuance of health card for governmental hospitals; issuance of documents from land registry or legal (shar'iyah) documents;
  - sponsoring household help (applicable to retirees and disabled);
  - litigation, experts' opinion, lawyer and other court services
- An extra amount to be paid in special circumstances
  - 50% of the pension's value for each of the two Islamic feasts
  - Extra 7 RO to be paid monthly for treatment of patients with chronic disease.
  - Extra 4 or 10 RO (as per trip), to be paid for transportation to hospital for patients with chronic disease such as liver failure.
  - Double the value of pension to be paid to a family in case the beneficiary of a pension passes away.
  - 10 RO for meat during the month of Ramadhan.
- The MOSD also pays for any medical equipment needed (crutches, hearing devices, medical beds, wheel chairs etc.), airplane tickets for non-Omani wives to visit their children;

<sup>126</sup> MONE. *Statistical Yearbook 2009*. Muscat: Ministry of National Economy, 2009, p. 456. [Electronic publication available at <http://moneoman.gov.om>, last access January, 2010. Bilingual.]

<sup>127</sup> Wizārat al-tanmīyah al-'ijtimā'iyah. *Al-ḍamān al-'ijtimā'ī*. Muscat: Wizārat al-tanmīyah al-'ijtimā'iyah, 2009. [MOSD. *Social Welfare*. Muscat: Ministry of Social Development, 2009. Electronic publication available at [www.mosd.gov.om](http://www.mosd.gov.om), last access February 2010.]

- Allowance for children's school necessities at the beginning of every school year; scholarship provided for 1500 students a year, who fulfill requirements to join governmental university, college or higher education institute. Monthly stipend provided for students studying at the Sultan Qaboos University.
- Priority in employment for members of social welfare families in both the private and the public sectors, in case that other job seekers received equivalent results in job interview and exams.
- Financial help for social welfare families (or their members) in the amount of 3000 RO (considered loan with zero interest), who are able to start income generating project.
  - This project is part of the effort to make social welfare families independent of the state benefits, and is commonly referred to as *Livelihood program*. According to certain sources it forms the second part of SANAD program for self employment (further described in chapter 3.5), though the connection could not be verified from MOSD.
  - The *Livelihood program* has been running since 2004 and 305 project has received funding up until the end of 2009. Out of the total number of projects financed 66% are being run by females, with the remaining 34% by males.<sup>128</sup>
- Eligibility for financial, housing, educational and medical help offered by charity associations in Oman.
- Eligibility for a housing grant from Ministry of Housing, to build appropriate house, or renovate current residence. (In 2005 a Sultan's Decree made 22 thousand plots of housing land available for social welfare families.)
- Financial help to undertake pilgrimage to Mecca and free stay at the Omani lodging therein.

### 3.3.2 Social insurance and retirement

Unlike social welfare, social insurance is a contributory scheme, where employees and employer pay monthly contributions toward a pension fund at the time of employment, and are covered for cases of occupational illness or death, retirement and are commonly eligible for other grants such as a marriage grant, funeral and mourning allowance and end of service gratuity.

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<sup>128</sup> Shehadeh, Hussein. "Dedication to Social Development – Significant Social Security in the Sultanate of Oman." *Middle East Online*; 2010; [Available at <http://middle-east-online.com>, last access February 2010.]

Social insurance is administered by various authorities, depending primarily on the sector of employment. Private sector employees are registered and pay their contributions to *Public Authority for Social Insurance (PASI)*.

Social insurance in the government sector is much more diversified; the employees of special units (mostly concerned with internal and external security of the country) have their own pension funds:

- Diwan of Royal Court Pension Fund,
- Internal Security Services Pension Fund,
- Ministry of Defence Pension Fund,
- Royal Guard of Oman Pension Fund,
- Royal Office Pension Fund,
- Royal Oman Police Pension Fund,
- Sultan Special Forces Pension Fund,
- Petroleum Development Oman Pension Fund
- Central Bank of Oman Pension Fund

These governmental pension funds and contributions payable to them are governed by special laws (described in chapter 4.4), and as expected, no information about the number of employees covered or the working capital of these funds are publically available. Please note that the contributions as well as the benefits vary in each fund.

All other public sector employees, not covered under a special unit funds, are enrolled in the *Ministry of Civil Service Pension Fund*. MOCS Pension Fund currently registers 111,600 employees, 68,037 male and 43,563 female. The number of pensioners reached 33,235 in 2008, and of this number 10,281 pensions are being distributed among descendants or family, due to death of the pensioner.<sup>129</sup> Following table shows different reasons for end of employment of cases receiving pensions, and financial costs involved.<sup>130</sup>

Table 19: Reasons for termination of employment

Reasons	Cases	Costs
Retirement age (60)	11,558	1,971,031

<sup>129</sup> Sundūq taqā`ud muwazzafī al-khidmah al-madanīyah. *Iḥṣā'iyāt*. Muscat: Sundūq taqā`ud muwazzafī al-khidmah al-madanīyah, 2010. [Civil Service Employees Pension Fund. *Statistics*. Muscat: Civil Service Employees Pension Fund, 2010. Available at <http://www.civilpension.gov.om>, last access February 2010.]

<sup>130</sup> The source material does not specify, whether the cost include additional allowances e.g. funeral and mourning allowance, or the mentioned sum is pensions paid up to 2008 only.

Death	3,737	662,119
Medical condition	1,575	242,262
Post cancellation	1,598	334,249
Resignation	987	296,067
Elective early retirement	9,561	2,250,300
Compulsory early retirement	3,961	974,599
Other reasons	258	170,723
Total	33,235	6,901,350

Source: MOCS, until 2008.

Conditions for receiving pension and level of contributions are further described in chapter 4 *Text of Laws* (subchapter 4.4 Social welfare, insurance and pension).

The PASI is rather new institution created in 1992 and as mentioned previously, collects contributions from Omani employees and employers in the private sector. PASI administers pensions (death, disability, old-age), end of service gratuity, and other allowances such as the death grant, funeral and mourning expense grant, and marriage grant for daughter of a deceased worker in the private sector.

In 2008 PASI had 147,194 active registered workers (120,563 males and 26,632 females). The number of cases receiving pensions (since the creation of PASI, until 2008) was 5,336; where old-age pension amounted to 2,189 cases, disability represented 1,001 cases and pensions paid to descendants 2,146 cases. End of service gratuity has been paid to 1809 workers. Additional benefits and grants were paid out in 576 cases, of which 228 were marriage grants, 229 funeral expense grants, and 119 death grants.<sup>131</sup>

### Conclusion:

The social safety net in Oman is developing rapidly, and follows a social security model currently in force in many countries in the developed world, slowly turning away from a traditional system where needy individuals are taken care of by other members of their families. The social welfare program is aimed at the most vulnerable individuals in society and interestingly women who find themselves out of wedlock for various reasons are considered vulnerable in Oman and their status (divorced, abandoned, widowed, unmarried) on its own, makes them eligible for social welfare. No such provisions apply to men; the remaining four categories are reserved for disabled, orphans, retirees not covered under social insurance scheme, and the families of imprisoned people. Al-

<sup>131</sup> PASI. *Statistics*. Muscat: Public Authority for Social Insurance, 2010. [Available at [www.taminat.com](http://www.taminat.com), last access February 2010.]

though the special attention awarded to women in Omani social welfare system may originate in traditional concepts of society and family – still very much alive in Oman - where women are homemakers and men breadwinners, so the state therefore guarantees unmarried women a livelihood; this precedent will in all likelihood have a negative impact on female employment, as there is no necessity or urgency for them to find an employment.

The social insurance system follows well established pattern of a contributory scheme, where benefits are paid after the termination of employment, based upon the amount contributed towards the system. Omani social insurance is gender neutral for pensioners and slightly more favourable for female descendants after pensioner's demise.

### 3.4 Employment

The sole authority entrusted with the employment of the national labor force is the Ministry of Manpower (MOM). A lot has been achieved in the past ten years, and although there are issues remaining, the development and steady increase in Omani employment indicates, that governmental policies are successful. The MOM has been created by splitting the former *Ministry of Labor and Social Affairs* into two independent ministries.

MOM strives to increase the percentage of Omanis working in both the public and private sectors by providing services to job seekers and by gathering information about vacancies which are then posted and regularly updated on the MOM webpage and available through regional employment offices. Besides the employment services described below, the MOM also runs a hotline for job seekers and provides advice about writing CVs or preparations for job interviews.

#### **Employment services:**<sup>132</sup>

Services for nationals are offered through employment offices (labor office or labor department) located in Thumrait, Marmul, Suwaiq, Rustaq, Massirah, Ibra, Sumail, Buraimi and the capital Muscat. The employment offices aim to provide job seekers with advice about three opportunities offered in employment office – availability of training, help with finding employment and establishing small businesses.

New skilled entrants to the labor market are matched with current vacancies and the conditions of the employment contract (requirements, salary level and benefits of the post) are discussed with the candidate. If he/she is interested, an interview with the prospective private sector employer is arranged. These interviews are held in govern-

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<sup>132</sup> As mentioned on MOM webpage ([www.manpower.gov.om](http://www.manpower.gov.om)), the information provided by Directorate General of Employment.

mental employment offices in the presence of ministry's representative. In the case that both the employer and the candidate agree on the terms of employment, the employment office shall prepare the contract, which must be signed by both parties and endorsed by the employment office. After signing the contract, and prior to commencing work, the newly appointed employee attends a guidance course about Omani labor law, employee's rights and duties, and work behavior, which is organized by the employment office. The new employee is entered in the PASI system, so he/she can be covered by the social insurance system.

New unskilled entrants to the labor market are encouraged to seize the opportunity for vocational training. The training is undertaken at one of the various training institutes certified by MOM. Before commencing the training program the candidate meets a representative from the training institute and the establishment which shall employ him/her after completing the training, and an employment office representative, and receive all the necessary information about the training and prospective job. An "Under Training" contract is prepared by the employment office and signed by the job seeker, his/her parent and approved by the tribe sheikh, and endorsed by the Wali of the district where job seeker resides. After completing the training a new labor contract is signed with the establishment. Job seekers who worked previously are divided into two categories based on the form of their previous contract's termination. Job seekers who resigned from previous employment in private establishment are not eligible to utilize any of the services that the employment office offers for one year after resignation. This measure is aimed to curb optional unemployment among Omanis. Terminated employees have access to all the employment office services as new entrants to labor market. Prospective entrepreneurs are directed to SANAD offices for advice and help on how to start their small income projects (please refer bellow for SANAD).

Besides acting as an intermediary between private sector companies with a vacancies and job seekers, the MOM undertakes various activities concerning the labor market in the Sultanate of Oman, for example, the manpower registry, statistics and research, policy formulation and manpower seminars.

The *Manpower Registry* is a large-scale project, which was first envisioned in 2001 and began implementation shortly after the SD 88/2001 was promulgated. It aims to gather and classify all relevant information about the labor force in Oman, and to paint a clear picture of current situation. Once the initial stage is finished, it should provide a valuable tool to policy makers, enabling them to see changes and shifts in the labor force structure, and thus making an informed decision possible. Furthermore, as an ongoing project, the *Manpower Registry* will also reflect the endorsed policies and enable assessment of their impact on the labor market.

Goals of *Manpower Registry*.<sup>133</sup>

- Establishing single labor force database, unifying the labor force terminology and concepts.
- Gathering all data about the labor force in the Sultanate, and monitoring the changing reality.
- By providing accurate data, assist in drafting policies, plans and procedures in human resource development, education and training.
- Improve the level of employment services offered by MOM.
- Issuance of periodical statistical bulletins about labor market indicators.

Although MOM advertises the issuance of a monthly statistical bulletin about the labor force in Oman, its execution falls short of the vision. As of February 2010, the last bulletin issued was for May 2009, and even though the bulletin provides exact numbers of people with a new job and those seeking employment, it does not include any calculation of job market fluctuations, percentages or conclusions. It rather resembles an inventory of the latest numbers of Omani nationals in or out of employment in the previous month. The situation is further exacerbated by a complete lack of information about unemployment and any gender distinction.

Besides programmes aimed at self-employment, which are discussed in the following subchapter; MOM does not run any campaigns targeting the unemployed. All Omanis are constantly encouraged by the Sultan and his government to contribute to the development process, be it by seeking employment, taking care of children or other social or economic activities, according to their abilities and skills. The Omani government does not offer any kind of unemployment benefits.

**Conclusion:**

Employment of the national labor force has been rising steadily in the past few years (for statistics please refer to chapter 1.5). This can be attributed to a rapidly maturing population, including both school leavers and graduates, who are joining the labor force and to the policies currently in place, such as no unemployment benefits and services provided by MOM to job seekers.

On the other hand, certain negative aspects of Omani employment remain. Firstly, as shown in the statistics mentioned above, Omanis prefer government employment to private sector employment, which in long term is unsustainable, as the government cannot absorb its whole population into the civil service, where the working hours, envi-

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<sup>133</sup> Wizārat al-quwa al-`āmilah. *Dalīl al-muwātin li-l-tasjīl fī sajal al-quwa al-`āmila al-waṭanīyah*. Muscat: Wizārat al-quwa al-`āmilah, 2009. [MOM. *Citizen's Guide for Enrollment in the Registry of National Manpower*. Muscat: Ministry of Manpower, 2009. Electronic publication available at [www.manpower.gov.om](http://www.manpower.gov.om), last access February 2010.]



ronment and salary appear to be more attractive to nationals. Secondly, the tendency of working women to leave their employment after marriage or bearing children is rather high. This could be prevented, or at least reduced through options for flexible working hours or part-time employment – both of which are virtually unheard of in Oman. The provision of affordable child-care facilities would also help with this.

Furthermore, the work of MOM leaves a lot to be desired. As mentioned previously, there has been no unemployment data available through any government publications, including the MOM labor force bulletin or employment seminars booklets in more than a decade. This seems very odd, considering how crucial this data is for any policy maker, because without it, the labor market structure remains hazy, if not outright obscure; and corrective steps and policy change are impossible. The author believes, that government officials do have the unemployment data, as without it all human resource development plans and visions would essentially be built on quick sand, but for some reason they are not made available to public or researchers. Transparency remains an issue with other MOM work as well. The Manpower Registry is a grand project with huge potential, but besides its aims and goals, no information is available on its progress, which, after nine years in operation, would be a reasonable expectation.

### **3.5 Entrepreneurship support**

Governmental entrepreneurship support in Oman has been developing since 2001, when the first program targeting at young Omanis was introduced. The government is trying to support potential entrepreneurs by making funds and consulting available, thus enlarging the indigenous work force in the private sector, diversifying the SMEs in the country and supporting innovation and creativity.

#### **3.5.1 SANAD and Oman Development Bank**

SANAD program has two components:

1. *SANAD Fund for the Support and Development of Small Projects* - is administered by the Ministry of Manpower (MOM) and financed by the Oman Development Bank and aims to support the establishment of small income generating businesses by Omani entrepreneurs.
2. *SANAD Fund for the Financing of Projects to Earn Living* – is administered by Ministry of Social Development. (Please refer to 3.3 Social security programs).

The SANAD programme is very closely related to Omanization and the general objectives of the SANAD Fund include: contribution to the employment of the national labor force by supporting job seekers in establishing self-employment projects in specified categories; establishment of incubators to provide individuals with required set of skills needed for setting up business; active participation actively in the Omanization plan of the private sector and the enlargement of the private sector's base; deepen the idea of

business endeavours and entrepreneurship among Omanis. The SANAD programme provides technical and financial support (small loans) for successful Omani candidates job seekers, both male and female, who wish to start their own businesses, or craftsmen or vocationally skillful applicants, who wish to expand their current business.

Initially there were twenty eight categories of small businesses eligible for support and funding from SANAD programme. (Please refer to appendix II. for complete list.) In 2009 eighteen categories were excluded from funding: only the following projects remain: distribution cars for fruits and vegetables; sale and rental of wedding dresses and accessories; sweets and nuts shops; nurseries; sports clothing and equipment; libraries; coffee shops; SANAD offices for citizens' services; transport of sand, bricks and stones; and calligraphy offices.

Conditions of applicants for small loans include: age between 18 and 40, Omani nationality (male or female), currently not in employment, ability to read and write well, personal guarantor (father, brother, sister, etc), place for establishing the project, good reputation and behavior. Furthermore the applicant is required to present two quotations for equipment and machinery needed for the project and write a feasibility study including the projected cash flow during the loan period. Assets of the project as well as the commercial registration will be mortgaged, or post-dated cheques need to be provided by the borrower. If the borrower does not adhere to the conditions of the loan agreement, the Fund has the right to take ownership of the assets of the respective projects, based upon previously signed abandonment form.<sup>134</sup> The project should provide new employment opportunities and its workforce have to be 100% Omani. When the project uses raw materials they should be of local provenience; and it must provide a quality product with a competitive price and also maintain the ability to continue and expand in the future.

The loan is disbursed to the applicant by Oman Development Bank, after all the MOM criteria have been fulfilled and the project has been approved. The maximum loan amount per person is 5000 RO. The maturity of loan is 7 years, including one year grace period. The settlement is paid in monthly, half yearly or yearly instalments. The interest rate on the loan is 2 percent per year and the head of project must present guarantees at the initial stage to cover the loan, such as mortgaging the project assets or commercial registration.

Integral parts of the SANAD program are services and support provided by offices in various regions to entrepreneurs. Currently there are offices in the Dhofar and Musandam governorates, and in the Dakhiliyah, Wusta, Sharqiyah, Batinah and Dhahirah regions. The offices receive applications from job seekers, transfer them to the main office in Muscat and inform individuals about the steps to be taken with regards to their

application. The offices aim to provide consultancy and advice in best practice, vocational guidance and help with implementation of required procedures to receive funding. They also follow-up on the projects, assisting owners in solving difficulties they might encounter.<sup>135</sup>

The offices are tasked with locating investment and business opportunities, undertaking field follow-up and evaluation of project execution and organizing short courses for business owners in management, accounting, and marketing. On a broader scale the offices pursue research and evaluation of the impact of small projects on the societal and economical climate in the Sultanate and undertake field studies to locate the best opportunities for further development of small businesses.<sup>136</sup>

The SANAD programme has been running since 2001 and by the end of 2007 the number of employed citizens through the programme reached 21,318.<sup>137</sup> With the exception of the table in Appendix II.<sup>138</sup>, an overview of SANAD's activities for the years since its inception is not available, neither is any reliable data according to sector, gender or geographical distribution. The only available documentation compares the milestones reached in 2006 and 2007.

In year 2007 a further 120 Omanis benefited from the Omanization drive of grocery shops, 38 Omanis found work in running and managing school cafeterias and 1344 Omanis availed job opportunities in a series of commercial and economic activities. In 2007 SANAD provided finance for 1316 projects, compared to 1079 projects financed in 2006. The participation of female trainees in the tailoring program fell slightly to 581 in 2007, in comparison to 606 trainees in 2006. In the same year 5,676 Omanis undertook a qualification and training program provided by SANAD.<sup>139</sup> Not surprisingly the jobs running and managing school cafeterias are mostly occupied by women. Out of the 373 Omanis employed in this line of work 292 are women.<sup>140</sup>

Women are encouraged to participate in the SANAD Fashion Programme. The programme offers a 16 month training course in tailoring and embroidery and includes short courses in occupational health and safety, English language, management, marketing and customer service of small enterprises. Successful graduates of the program may apply for funding from SANAD to establish their small business in tailoring. The requirements and conditions for the loan remain the same as in other SANAD supported projects, the only difference is in the possibility of starting a joint liability compa-

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<sup>134</sup> OCCI. *SANAD Programme*. Muscat: Oman Chamber of Commerce and Industry, 2009.

<sup>135</sup> MOM. *SANAD program*. Muscat: Ministry of Manpower, 2010; web based.

<sup>136</sup> OCCI. *SANAD Programme*. Muscat: Oman Chamber of Commerce and Industry, 2009.

<sup>137</sup> MOM. *Annual Statistical Report for 2007*. Muscat: Ministry of Manpower, 2008, p. 59.

<sup>138</sup> Classification unclear, results mentioned rather in appendix.

<sup>139</sup> MOM. *Annual Statistical Report for 2007*. Muscat: Ministry of Manpower, 2008, p. 59 and 60.

<sup>140</sup> MOM. *Annual Statistical Report for 2007*. Muscat: Ministry of Manpower, 2008, p. 64.

ny with no more than three ladies. In this instance the funding can be raised to 15 thousand RO.<sup>141</sup>

### **Oman Development Bank (ODB)**

Besides financing small businesses set up through the SANAD programme and various other professional projects with investment reaching one million RO, ODB has a special category of loans, aimed at individual entrepreneurs who wish to establish their business. At first sight it appears identical to the SANAD financing option, but some major differences exist.

#### Loans for small investors<sup>142</sup>

The targeted category includes farmers, fishermen, and graduates of technical colleges, craftsmen and people with experience in managing their own business. The borrower should be between 18 and 55 years old; Omani nationality is not a condition.

There are two types of loans depending on the scale of the project. In the smaller one, the investment cost of the project shall not exceed 20 thousand RO, and the ODB participation limit is five thousand RO. These loans are provided with a zero interest rate. The bigger one, where the capital needed is higher than 20 thousand RO, and ODB finances more than five thousand RO. The interest rate for this second type has not been mentioned by ODB.

The smaller loan maturity is six years plus one year grace period, the bigger loan maturity is up to ten years. The borrower is required to submit copy of their identity card, business-related documents (commercial registration, municipality permission), and price offers of assets to be financed by the bank. For the smaller loans, borrowers must additionally pay a fee for a feasibility study to be carried out. The borrowers for projects with required capital higher than 50 thousand RO, provide their own study. The borrower must submit an appropriate warranty to cover the project's risks.

The loan can be used to finance any of the following: workshops of all types; vehicles for home repair of electricity equipment, distribution of gas cylinders and water; vehicles for a driving school; nurseries; internet cafes; document clearance offices; tailoring shops; hairdressing saloons; purchase of fishing equipment or engines; and other activities based upon approval of ODB.

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<sup>141</sup> MOM. *Women's Tailoring Training Centres*. Muscat: Ministry of Manpower, 2009.

<sup>142</sup> ODB. *Products and Services*. Muscat: Oman Development Bank, 2010. [Available at <http://www.odboman.net/products.htm>]

### 3.5.2 Fund for Development of Youth Projects

The Fund for the Development of Youth Projects was created in 1998 based on a Sultan's Decree, with the purpose of funding and assisting Omani entrepreneurs to start their own venture; the Fund runs a program called *Sharakah* (Partnership) and Fund offers assistance for projects in hospitality (restaurants, coffee shops, motels), leisure and entertainment, ancillary industries, manufacturing, information technology, education and training, support services in construction industry, tourism and oil & gas.

*Sharakah* offers three types of assistance: equity, loan and bill discounting. Projects applying for assistance have to fulfill some base criteria, to be considered, such as: total project's costs not exceeding one million RO, the backing of a capable Omani entrepreneur, who is personally and financially committed to the success of the project; identification of products and/or services with competitive advantage, and potential for sales growth. The projects should also be able to attract additional funding from private investors, individuals or financial institutions and provide employment for Omanis.<sup>143</sup>

The equity assistance scheme for small and medium enterprises targets qualified and experienced Omani entrepreneurs, who have management capability and/or good support teams, with a product or service which has good market potential. The equity participation of the Fund is minimum 25% and maximum 49%, and the assistance is restricted to between ten thousand RO and two hundred thousand RO. The exit of the Fund should be expected in about six years. The funding is meant for new business set ups, expansion, modernization or diversification of a running business.<sup>144</sup>

The loan scheme is offered for investment to projects with costs up to one million RO, other than land and buildings. The finance may be used to set up a new enterprise, meet working capital requirements, marketing and business promotion activities, or expansion, diversification, modernization, technology upgrading and obtaining quality certification of currently running businesses. The amount of loan assistance is between ten thousand RO and two hundred thousand RO, with an interest rate based on the market conditions. The minimum contribution of the promoter is set at 33%, in exceptional cases, i.e. well performing companies, it can be lowered to 20%.<sup>145</sup>

The bill discounting scheme aims to provide small and medium enterprises with immediate cash against goods sold or services provided to or from large companies with a good financial track record. The bill discounting scheme includes two type of assistance: for purchaser and for seller. The credit period for both types is ninety days, with an interest rate based on current market conditions. The discounting value is between

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<sup>143</sup> FDYP. *Investment Guidelines*. Muscat: Fund for Development of Youth Projects, 2010. [Available at [www.youthfund.com.om](http://www.youthfund.com.om), last access February 2010.]

<sup>144</sup> FDYP. *Sharakah Equity Assistance Scheme for Small & Medium Enterprises*. Muscat: Fund for Development of Youth Projects, 2010. [Available at [www.youthfund.com.om](http://www.youthfund.com.om), last access February 2010.]

<sup>145</sup> FDYP. *Sharakah Term Loan Scheme*. Muscat: Fund for Development of Youth Projects, 2010. [Available at [www.youthfund.com.om](http://www.youthfund.com.om), last access February 2010.]

eighty and one hundred percent, with a value of ten to fifty thousand RO for the seller SME and between fifty thousand and two hundred and fifty thousand to the approved purchaser company, for discounting of bills of SMEs. For SMEs to qualify for this kind of support, they should have been in business for at least two years, have earned a profit or declared dividends and not be in default to any banks.<sup>146</sup>

### Conclusion:

Entrepreneurship support is one of the government's priorities, when it comes to employment of nationals. As nationals are reluctant to be employed in the private sector due to reasons mentioned previously (long working hours, assumed slow career progress towards management position etc.), the government encourages Omanis to start their own business, and thus eliminate the reasons usually associated with lack of interest in private sector employment. Although the currently running programs offer consulting and guidance (in case of SANAD and training), the main tool for their success is making funds available for prospective entrepreneurs. Additionally because the conditions require 100% Omanization of the project's workforce, it also creates job opportunities for other Omanis. It could be argued, that the strict eligibility conditions, small loan amount (especially in case of SANAD), and guarantees required, do not warrant attention of Omanis, but both SANAD and SHARAKAH programs have achieved some success. During the first five years of SANAD's operation 8,000 entrepreneurs started their own businesses and the repayment rate of the loans ranged between 70 and 80%. Furthermore about 17,000 job opportunities were created, and more than 3,000 men and women were trained.<sup>147</sup> Interestingly, more than 40% of SANAD's beneficiaries are women.<sup>148</sup> The SHARAKAH fund generated and handled 250 enquiries in 2009, and had 7 active projects in the same year. Furthermore it financially assisted business units, who have directly employed 24 Omanis, and provided advice to existing entrepreneurs which generated approximately 30 new employment opportunities.<sup>149</sup>

Without a doubt governmental entrepreneurship support makes it easier for interested candidates to start their ventures. For women especially entrepreneurship offers a career path more suited to the multidimensional tasks that women face in their daily lives,

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<sup>146</sup> FDYP. *Invoice/Bill Discounting Scheme*. Muscat: Fund for Development of Youth Projects, 2010. [Available at [www.youthfund.com.om](http://www.youthfund.com.om), last access February 2010.]

<sup>147</sup> ILO. *Sustainable Enterprise Development and Employment Creation in the Arab Region: A Review of Issues*. International Labor Organization, 2009. [Arab Employment Forum; Beirut, Lebanon 19-21. October 2009. Available at [http://www.ilo.org/public/english/region/arpro/beirut/downloads/aef/enterprise\\_eng.pdf](http://www.ilo.org/public/english/region/arpro/beirut/downloads/aef/enterprise_eng.pdf), last access August 2010.]

<sup>148</sup> MOI. *Oman 2009 – 2010*. Muscat: Ministry of Information, 2009, p. 145. [Available at <http://www.omanet.om>, last access August 2010.]

<sup>149</sup> FDYP. *Financial Statements for the Year Ended 31 December 2009*. Muscat: Fund for Development of Youth Projects, Sharakah, 2010. [Available at [www.youthfund.com.om](http://www.youthfund.com.om), last access October 2010.]

enabling them to manage their time both according to the needs of their business and their families. Although governmental support has been developing in the past ten years, the initiative still falls short of the vision. Firstly, it appears that there is no coordination between the two main governmental schemes. As is the case with other governmental activities, transparency remains an issue, and no conscious data and information about the programmes' operation, success rate of loan repayment etc. is available. Most of the information provided by the government concentrates on the vision, mission and eligibility criteria, and practically none is available about the number of candidates, awardees of loans or successful entrepreneurs aided by the governmental programmes. It is therefore hard to assess the outreach and scope of the programmes, or their success rate on a national level. Nevertheless the positive steps on the networking and access to information level have to be acknowledged, as the new magazine (*Ruwad*) for entrepreneurs and the SME was launched in May 2009. The magazine is published quarterly in both English and Arabic, as a joined initiative between *Sharakah* and *Intilaaqa* – a social investment programme operated by *Shell*.

## 4 Analysis of laws

Following chapter is an analysis of Omani legal texts and the environment they create for female employment in Oman. The range of laws studied is intentionally very broad to enable in-depth understanding of women's position under the legislation in force. The sections are arranged thematically, covering the topics of the basic law of the state; personal and civil status laws; labor law and civil service code; social security and pension; and other thematically unspecified laws directly concerning women and overview of international treaties that Oman acceded to.

The chapter is based solely on original Arabic law texts, as published in the *Official Gazette* or in yearly statute rolls, prepared by the Ministry of Legal Affairs (MOLA).<sup>150</sup> The laws are labeled and categorized by number, consisting of serial number and after slash mark the year of promulgation. For reference purposes it is also essential to distinguish whether the law has been enacted by *Sultan's Decree* (SD) or *Ministerial Decision* (MD). The citations in following text are in English as translated by the author. Unless clear from the text the number and name of discussed law is provided in footnote. Annex I. provides a complete list of analyzed laws or laws with relevance to the topic, divided thematically and further chronologically structured in each subject heading.

As has been mentioned in the introduction, the study is limited to enacted laws of state and it does not discuss Islamic law, traditions and customary law, unless the promulgated law refers to it.

### 4.1 The Basic Statute of State

The Basic Law of State 101/1996 was promulgated on 6<sup>th</sup> November 1996 by SD, twenty-six years after Sultan Qaboos bin Said acceded to throne. The Basic Law of State is practically constitution, although the appellation is not used.

In the following paragraphs the Basic Statute of the State will be described in detail, including the parts which have no direct connection to female employment, because many of its provisions are crucial for state administration and justice system, which will be further discussed in chapter 5.

The Basic Statute of State can be amended only the same way it was promulgated - by Sultan's Decree.<sup>151</sup> All of the laws have to be in accordance with the Basic Law of State; laws and legal provision currently in force are valid, unless they contravene the

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<sup>150</sup> The author works predominantly with yearly statute rolls made available by Ministry of Legal Affairs in an electronic form on CD.

<sup>151</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī. Mulḥaq al-jarīdah al-rasmīyah raqm 587, maddah 81.



Basic Law.<sup>152</sup> The laws necessary to implement Basic Law of State that were not yet issued are to be promulgated within a two year timeframe.<sup>153</sup>

The law is formally divided into seven sections: state and government system, pillars of state politics, universal rights and obligations, head of state, Council of Oman, judiciary and general provisions. The first chapter states that the Sultanate of Oman is an Arabic, Islamic, independent country; the religion of state is Islam and Islamic *shariah* is the foundation of legislation.<sup>154</sup> The Sultanate is hereditary monarchy of male descendants of Sayid Turki bin Sa'id bin Sultan.<sup>155</sup>

Article number 9 further states:

“The rule in the Sultanate is founded on justice, consultation and equality. The citizens – in accord with the Basic Law and conditions and principles stated by the law – have right to participate in public domain matters.”<sup>156</sup>

The theme of consultation is further mentioned in political principles guiding the state politics:

“To establish a sound basis for applying the pillars of correct consultation originating from country’s heritage, its values and Islamic *shariah* of mighty history, while drawing upon the beneficial [developments] of this age and its resources.”<sup>157</sup>

In the economic field the state aims for economic development, increased productivity and increased standards of living for its citizens; individual property rights are guaranteed by state.<sup>158</sup> It also notes that heritage is right and is governed by Islamic *shariah*.<sup>159</sup>

For the presented research the social principles for state politics described in article 12 are of utmost importance. Among others it states that (paraphrased):<sup>160</sup>

- The state guaranteed pillars of society are justice, equality and equal opportunities among Omanis.
- Family is the basis of society and law determines the means to protect it and preserve its legal status.
- The state guarantees aid for each citizen and his family in case of emergency.<sup>161</sup>

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<sup>152</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 77, 79

<sup>153</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 78; As we will see further, the deadline for promulgation had to be postponed in few instances (judiciary laws etc.).

<sup>154</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 1, 2. „Dīn al-dawlah al-islām wal-sharī`a al-islāmīyah hiyya asās al-tashrī`a.”

<sup>155</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 5.

<sup>156</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 9.

<sup>157</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 10.

<sup>158</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 11.

<sup>159</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 11.

<sup>160</sup> Al-niẓām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 12.

Two of the paragraphs of article number 12 deal directly with employment.

“The state enacts laws which protect the employee and employer and organize the relationship between them. Every citizen has right to practice an occupation he chooses for himself within the bounds of law.”<sup>162</sup>

The second paragraph deals with employment in civil service and specifically mentions that all citizens are equal in applying for civil service employment.<sup>163</sup>

### Universal rights and obligations

The nationality is regulated by law and no citizens can be expelled from the country or prevented in their return to it.<sup>164</sup>

Article 17:

“All citizens are equal before the law and equal in their universal rights and obligations. There is no discrimination between them on the ground of sex, origin, color, language, religion, doctrine,<sup>165</sup> residence or social status.”<sup>166</sup>

The state guarantees personal freedom according to provisions of law; no person can be arrested, detained or have his/her freedom curbed unless in instances specified by law.<sup>167</sup> Accused is innocent until proven guilty and has right for defense and legal representation.<sup>168</sup> Litigation is protected and guaranteed right for all people.<sup>169</sup>

Obligations of citizens mentioned in the law are connected to defense of the country, preservation of its secrets, payment of taxes, observance of the Basic Law of State, its laws and legal provisions and respect for general order and moral principles.<sup>170</sup>

Chapter four describes the roles of head of state, council of ministers, and financial affairs of state. It is important to note that besides many other political, administrative

<sup>161</sup> Please note, that the law uses male possessive pronoun in referring to family, but using both male and female is linguistically unfeasible. To include reference to both parents dual possessive pronoun would be an option.

<sup>162</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 12. As in the previous case, the law uses male gender, but in the opinion of author the reference is not discriminatory in its intention, and reflects the linguistic reality.

<sup>163</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 12.

<sup>164</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 15, 16.

<sup>165</sup> *Madhab*

<sup>166</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 17.

<sup>167</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 18, 19.

<sup>168</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 22, 23.

<sup>169</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 25.

<sup>170</sup> Al-niḡām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 36-40.

and military functions, the head of state – Sultan – is also responsible for issuance of laws and their ratification.<sup>171</sup>

Chapter five briefly mentions the *Council of Oman*, but besides its formal division on *Consultative Council* and *Council of State* does not provide any information, which is to be promulgated by special law.<sup>172</sup>

Chapter six deals with the judiciary and it also describes in detail its function and position within state. Many of its provisions are general, and the law often makes reference to laws, which are yet to be issued.<sup>173</sup>

### Conclusion:

The promulgation of the Basic Law of State was a crucial step in the creation of modern Oman. This fundamental law clarifies the power structure and rights and obligations of citizens. As we will see many laws elaborating on the elements of the Basic Law of State were issued in the following three years, establishing a modern judiciary and the participation of citizens in their governance through elections.

The clause about non-discrimination and equality of citizens provides a starting point for the development of society on an equitable basis and superiority of the Basic Law of State is held above other legal texts so as to ensure its observance. The right of every citizen to choose his/her occupation and work is also very positive step forward, especially providing that the provisions of the law applies to all citizens and there are no limitations imposed upon women.

Possible impediments for female employment stem from the reference to *shariah* as the basis of legislation. Although the Basic Law guarantees the equality of all citizens, it at the same time sanctions provisions of *shariah*, which applies differential treatment to men and women, which is often discriminatory towards women.

## 4.2 Personal and Civil Status laws

### 4.2.1 Personal status

The Personal status law was pronounced in June 1997 by SD 32/1997. The law was part of an intense legislative period between 1996-1999<sup>174</sup>, when many laws concern-

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<sup>171</sup> Al-nizām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 43.

<sup>172</sup> Al-nizām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 58. For development of Council of Oman please refer to chapter 5, for list of laws governing its structure and functions please refer to Annex I.

<sup>173</sup> Al-nizām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 59-61. Most of the judiciary related laws were promulgated in 1999, for its description and content please refer to chapter 5.

<sup>174</sup> Basic law of State, Personal status law, Civil status law.

ing the relationship between the state and citizens and citizens' interrelationships were issued, to avoid a variety of interpretations based upon customary or Islamic law; and to act as a basis for the rulings of courts on legal texts sanctioned by state.

The Personal status law is tightly based upon Islamic law, validates its provisions, and makes them part of modern legislature of the state. As can be seen from previous section *Shariah* is referred to as one of the pillars for legislature and while in many fields of the law its influence is imperceptible, the personal status law, as codified, retains its *Shariah* form without much regard to developments in society.<sup>175</sup>

The law is divided into sections about marriage, divorce, maturity and guardianship (relationship with children), and bequest.

### **Marriage**

The rights and obligations of marriage for man and woman are strictly differentiated. When entering into marriage, man acts on his own and a guardian acts on the behalf of the women, although article 11 and 19 specifies that the women's guardian has to be the one permitted by women and shall conclude the marriage with her consent.<sup>176</sup> Therefore a woman cannot conclude her own marriage; the competence is shared with the guardian. Reference is made to religion and tradition in maintaining this role of guardian.<sup>177</sup> The guardian is, by law, a male, a mature and mentally sound individual and Muslim, if the bride is Muslim.<sup>178</sup> Usually he is the father or close relative of the women. When a person aged 18 wishes to marry and guardian refuses, the person has right to submit the request to a judge.<sup>179</sup>

Marriage is defined as legal contract between man and woman with the aim to establish a stable family under the patronage of the husband.<sup>180</sup> The legal age for both the man and the woman is 18 years old.<sup>181</sup> The rights and obligations of the two spouses are defined in articles 36 – 38.

Firstly, the mutual rights and obligations: enjoyment of each other's company as revealed by religious law, to protect each other's confidentiality and chastity, to live together in shariah-based cohabitation, maintain good company, exchange respect and affection, preserve the good of the family, protect children and bring them up in proper manner, respect each other's parents and close relatives.

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<sup>175</sup> Exception: consent of women with marriage required.

<sup>176</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 601, m. 11, 19.

<sup>177</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 20.

<sup>178</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 11b.

<sup>179</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 10.

<sup>180</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 4.

<sup>181</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 7.

Secondly, the rights of wife, which are the husband's duty: *nafaqa*,<sup>182</sup> permission to visit her parents and close relatives, to keep her family name, to dispose with her own money at her will.<sup>183</sup> Further, woman cannot be harmed physically or psychologically.<sup>184</sup>

Thirdly, the rights of husband, which are the wife's duty: the man is to receive the attention and care of the wife as a parent of the family,<sup>185</sup> the woman is to oversee the house, organize its affairs and preserve its possessions and to look after his children from her and breastfeed them unless there is a hindrance.<sup>186</sup>

As seen from above the rights and obligations of man and women in marriage are different. They are based on cultural norms, which assign different roles to the man and woman within the family. While there are certain improvements (women cannot be forced to marry, in cases of disputes the issue can be brought to the judge), the woman is not independent in her actions. Before marriage it is her guardian who acts on her behalf and after marriage she is, by law, assigned a secondary role, which involves predominantly caring for her husband, children and household chores. On the other hand, the financial obligations and responsibilities that are placed on the husband are huge. Upon engagement the man pays a dowry to the woman, which is entirely the property of women which she handles as she likes.<sup>187</sup> The husband is further required to pay *nafaqa* for his wife(s) and children,<sup>188</sup> a duty which remains even if the wife is rich.<sup>189</sup> The law does not mention any financial responsibility on the part of woman.

The law includes many stipulations and clarifications for if and when the wife's *nafaqa* is not provided. For our research it is important to note the cases when wife is not entitled to *nafaqa*:<sup>190</sup>

- She prevents her husband from approaching her and refuses to move into matrimonial domicile without legitimate reason.
- She leaves the matrimonial domicile without legitimate reason.

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<sup>182</sup> Nafaqa: livelihood support or maintenance, which includes food, clothing, shelter, medical care etc.

<sup>183</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 37.

<sup>184</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 37. The terms used are *māddīyan wa-ma'anawīyan*, both of them having range of meanings according to context. Other possible translations could include *financially and morally*, or *materially and spiritually*.

<sup>185</sup> The English translation does not fully reflect the scope of term *rabb al-'usra*, more appropriate translation would include *goodman* or *paterfamilias*, which indicate husband's position as the one in charge, but for socio-cultural connotations they were not used in the main text.

<sup>186</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 38.

<sup>187</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 23.

<sup>188</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 44.

<sup>189</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 49.

<sup>190</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 54. Please note that in the following list the Arabic original of phrase 'legitimate reason' can be also translated as '*shariah-based reason*' or '*shariah-based excuse*'.

- She prevents her husband from entering the matrimonial domicile without legitimate reason.
- She refuses to travel with her husband without excuse.

The above mentioned reasons practically enlarge the scope of a wife's duties to her husband.

### Termination of marriage

The law recognizes four different types of termination of marriage: death, judge's ruling of divorce or abolition of marriage, *talaaq*, and *khul'a*.<sup>191</sup>

*Talaaq* is divorce at the insistence of the husband, without the need for the wife's agreement or judge's ruling. The law distinguishes revocable and irrevocable *Talaaq*. Revocable does not terminate the marriage contract except at the end of the *iddah*<sup>192</sup> period, irrevocable *talaaq* is further divided into *junior* – the wife would not be permissible for husband, unless new contract is drawn and dowry paid, and *major* – the wife is not permissible for husband unless she finishes her *iddah* period from other husband. The divorced woman deserves compensation.<sup>193</sup>

*Khul'a* is divorce at the insistence of the wife, where both of the spouses have to agree to it. It is irrevocable divorce and imposes compensation on the wife. It can take place only if the wife has the means to pay the compensation and with the husband's willingness to divorce.<sup>194</sup>

Both of the parties can submit their divorce case before a judge. The law deals with the instances of ailments, non-payment of dowry, suffering or serious disagreement, and abolition of marriage by judge. Interestingly, no rich wife shall be granted divorce from her poor husband,<sup>195</sup> and wife is granted divorce if husband does not approach her for at least four months.<sup>196</sup>

<sup>191</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 80.

<sup>192</sup> *Iddah* – period of waiting after the divorce (or death), to determine if woman is pregnant.

<sup>193</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 81-92.

<sup>194</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 94, 95, 96, 97.

<sup>195</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 109.

<sup>196</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 113.

### Relationship with children

The relationship with children is described in terms of *nafaqa*, nursing and guardianship. *Nafaqa* of small children is imposed on the father until a son is able to earn his own living and a daughter gets married.<sup>197</sup> Female's *nafaqa*, if she gets divorced or loses her husband is again imposed on her father or those concerned, unless she has enough money to support herself.<sup>198</sup> In the case that a child loses his/her father and there is no guardian capable of providing *nafaqa*, it is imposed on the rich mother.<sup>199</sup>

Nursing is the duty of both parents for as long as they are married. After separation, nursing is the right of first the mother, second the father, third the mother's mother etc.<sup>200</sup> Nursing continues for a son until he reaches the age of seven, for daughter, until she reaches puberty.<sup>201</sup> Importantly nursing does not and can not contradict the right of the guardian for the guardianship of individual.<sup>202</sup> Furthermore the mother does not have the right to provide a shelter for her children in a matrimonial domicile with a second husband, unless the child has no guardian and the new husband agrees to it.<sup>203</sup>

Guardianship of a legal minor has two forms: guardianship of individual and guardianship of his/her property. Guardianship of individual is the right of father, then a relative. Guardianship of property is the right of the father only.<sup>204</sup> The father's guardianship can be withdrawn by judge, but the stipulation in law mentions that any misdemeanor of a child's property on father's side and no other reasons for such withdrawal.<sup>205</sup>

Bequest and heritage in Oman follow the Islamic law provisions, where a female relative receives half the portion of a male relative with the same degree of relationship.

### Conclusion

Apart from discriminatory provisions governing inheritance, woman's property rights are very strong. She can dispose her dowry and other property or assets as she wishes from the age of 15 with the consent of her guardian, and after reaching the legal maturity age of 18 on her own.<sup>206</sup> Her powers within family are limited though. As seen above, she needs her guardian to conclude her marriage and once married, she needs

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<sup>197</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 60.

<sup>198</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 60.

<sup>199</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 62.

<sup>200</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 130.

<sup>201</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 129.

<sup>202</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 125.

<sup>203</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 58.

<sup>204</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 158-160.

<sup>205</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 169.

<sup>206</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 145-150.

to negotiate all her claims and wishes which might have influence on the family with her husband, who is, by law, the head of the household.

Unlike a man, she does not have the option of unilateral termination of marriage, although provisions of the law make it possible to present the case before a judge. Her rights towards children, vis-à-vis their guardianship (father or other close male relative)<sup>207</sup> are very limited, especially after separation, comprising mostly of nursing and the upbringing young children.<sup>208</sup> Any travel abroad with them is prohibited without the consent of the guardian.<sup>209</sup> As in the case of divorce, claims can be submitted to judge to decide otherwise, if it is beneficial for the child.

The institution of guardianship is strong and deeply rooted. While the aim of guardianship is to protect the best interest of the subject, it limits maneuverability of woman's actions, if in disagreement with guardian.

In the opinion of the author, the implications of *Personal Status Law* for female employment are far reaching. Although it does not prohibit women to work, nor does it require husband's permission for the same, it clearly indicates that women are not expected to take care of family or even themselves financially. While the provisions of the law aim to protect women from material hardship, either through the role of guardian or husband in providing her maintenance, they at the same time limit her role to wife and mother, submissive to and dependent upon a man, who is the sole provider. A woman's financial means are disregarded in connection to family, unless as a last resort: if the child has no father or guardian. Therefore, while a woman has property rights, she is by the law not financially responsible for anybody or even herself, and thus besides her ambition there is no real reason for her to seek formal employment or enter business to earn money and better the life of her family and community. We can infer the same attitude towards working women from the state programs, which are aimed at either women's voluntary work for the development of the community or at women from social welfare families, where they are included or targeted for small income enhancing projects. Women at large are not encouraged by their personal and family status to enter the labor market.

#### 4.2.2 Civil status

Civil Status Law number 66/1999 was promulgated in October 1999 through SD, effective one year after the promulgation. The Civil Status Law mainly clarifies the procedures of collecting the civil status information from citizens, creates General Directorate for Civil Status at the Royal Oman Police (ROP) and sets deadlines for reporting changes in civil status to the concerned authority.

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<sup>207</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 158- 169.

<sup>208</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 125-137.

<sup>209</sup> Qānūn al-aḥwāl al-shakhsīyah 32/1997, marsūm sultānī, m. 134.



The Directorate General of Civil Status records any changes in civil status of Oman's citizens and information about foreigners residing in the country. The reporting duty is primarily on individual members of Omani society and secondarily on governmental institutions, such as prosecutor's office, police or courts.<sup>210</sup>

The register of civil status keeps information regarding a person's name, nationality, and address and each Omani citizen receives a "civil number" after the registration. All registered Omanis are required to report any changes in their civil status to the directorate within 30 days (for details refer below), either personally or through their representative.<sup>211</sup> The reporting duty refers to civil status changes such as: birth, marriage, divorce and death, and also to includes changes in supporting information such as address.

### Birth

The news regarding a birth has to be reported to the Directorate within 14 days and has to include the following information: date of birth; date according to both the Islamic and Christian calendars; hour and place of birth; sex of the newborn; his/her name; the names of both parents and the father's civil number and tribe; in case that the father does not belong to any tribe, his family name, nationality, religion, address and occupation.<sup>212</sup>

The notification responsibility about the birth falls on seven categories of people, each being responsible only in case the preceding person does not exist. The first in the list is father, the last one mother.<sup>213</sup>

### Marriage and divorce

The deadline for reporting changes about marriage and divorce status are thirty days. The reporting is the responsibility of the husband or the wife or the husband's father or the wife's father. All courts are required to notify the registry within 7 days about any changes or rulings concerning marriage, nullification of marriage, divorce by repudiation, divorce by court decision or *khul'u*.<sup>214</sup> All government agencies are responsible for

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<sup>210</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī. Al-ja'īdah al-rasmīyah raqm 657, m. 7, 24, 32, 33.

<sup>211</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 7.

<sup>212</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 17. Please note that the law is clear in asking for names of both parents, but only father's civil number and his tribe.

<sup>213</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 16. Second category is adult relative closest to the newborn, who attended the childbirth, third category adult sharing lodging with mother of the newborn, fourth obstetrician or others from certified staff, who delivered the baby, fifth directors of institutions such as hospitals, clinics, prison etc., where delivery takes place, sixth sheikh or leader of the area.

<sup>214</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 24.

the issuance of permission for marriage of foreigner to an Omani and have to verify the information in the request with the registry.<sup>215</sup>

### Death

Any person's demise has to be reported within 14 days by firstly forefather, descendant or spouse of the deceased or secondly by anybody from six categories specified by law.<sup>216</sup> Special provisions apply for the deceased of unknown origin or affiliation, for prisoners sentenced to death and military personnel.<sup>217</sup>

The Civil Registry also processes requests for the recognition of Omani citizenship, the naturalization of a foreigner, and the loss of Omani citizenship.<sup>218</sup>

### Identity cards

All Omani men aged 15 and above are required to ask for the issuance of their identity cards. The issuance of an identity card for women is optional,<sup>219</sup> and is done under the same conditions as for men. Anyone below age 15 can ask for his/her identity card with permission of their guardian. The cards are accepted by all governmental and non-governmental establishments as proof of the identity of the holder.<sup>220</sup> Foreigners residing in the Sultanate of Oman are issued a residency card.<sup>221</sup>

It is mentioned in the general provisions of the law that no ministry, governmental unit, legal person or individual can employ or accept services of Omani or foreigner without his/her identity or residency card.<sup>222</sup> The law also regulates civil status of Omanis living abroad.

### Conclusion:

Civil status law adopts differential treatment of Omani men and women, but does not have any direct negative effect on employability of women, because it allows them to have identity card - which is prerequisite for any employment - at the same age and under the same conditions as men; no approval of guardian or husband is required. Indirect effects could be caused by the law's preference for male reporting of changes in civil status. Although this preference is understandable in the case of reporting a

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<sup>215</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 25.

<sup>216</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 30.

<sup>217</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 32, 33, 34.

<sup>218</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 37-39.

<sup>219</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 42.

<sup>220</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 43.

<sup>221</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 42.

<sup>222</sup> Qānūn al-`aḥwāl al-madanīyah 66/1999, marsūm sultānī, m. 48.

child's birth as the wife stays at home with the newborn, while husband fulfills his duty in reporting the birth. The preference for male reporting in connection with a change of marital status is unsubstantiated. This could undermine a woman's responsibility towards community and state and her ambition for self-assertion and fulfillment.

### 4.2.3 Nationality, passport

#### Nationality

Omani nationality has been regulated since 1972 (SD 1972/1) and a detailed law was pronounced in 1983 with various amendments promulgated in 1986, 1993, 1994 and 1999.<sup>223</sup>

The nationality of children is determined exclusively by the nationality of their father and therefore only child of Omani father can obtain Omani nationality. Exception to this rule applies to children born to Omani woman where father is unknown or without nationality, or when a child born to unidentified parents.<sup>224</sup>

Foreigners can apply for citizenship provided that when they reach adulthood (eighteen years of age)<sup>225</sup>, they can read and write Arabic, haven't been convicted in any court ruling and fulfill the conditions of legal residence in the country. The number of years of residence required was increased significantly in 1986 and was later confirmed in 1993, when a new SDs was issued and the time periods mentioned in SD 3/1983 cancelled. The general rule requires a minimum of twenty years of continuous residence. In this case the law does not differentiate between male and female. Conditions for foreigners married to Omani nationals are less strict: a foreign husband of an Omani woman needs to reside in Oman for at least ten years and a foreign wife of an Omani man needs to reside in the country and be married to him for at least five years (same condition applies to foreign wife of naturalized Omani).<sup>226</sup> In all previous cases the citizenship is conferred through individual SD and gives the recipient power to exercise his/hers civil rights as specified by Omani laws.

#### Passport

The issuance of an Omani passport is currently ruled by SD 69/1993, which replaced the older law SD 2/1972. The process resembles provisions which are common in other countries with one notable difference: wives and children are not allowed to receive

<sup>223</sup> Please refer to appendix I. for complete listing.

<sup>224</sup> Bi-ta'dīl ba'ḍ aḥkām qānūn tanzīm al-jinsīyah al-'umānīyah 95/1994, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 535. [Amendments to some provisions of Omani nationality law 95/1994, sultan's decree. Official Gazette number 535.], m. 1.

<sup>225</sup> Bi-qānūn tanzīm al-jinsīyah al-'umānīyah 3/1983, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 256. [Law of Omani nationality 3/1983, sultan's decree. Official Gazette number 256.], m. 18.

<sup>226</sup> Bi-l-tafwīḍ fī iṣḍār aḥkām tanzīm zawāj al-'umānīn min 'ajānīb wa 'ijrā' ta'adīlāt fī qānūn tanzīm al-jinsīyah al-'umānīyah 57/1993, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 514. [Authorization to issue provisions for marriage of Omanis to foreigners and amendments to Omani nationality law 57/1993, sultan's decree. Official Gazette number 514.], m. 2, 4, 5.

their passports unless they provide written, authenticated permission from their husband or for children their guardian.<sup>227</sup> The Omani passport law further specifies the various types of passports (regular, diplomatic, mission), fees, validity, as well as fines for transgressions, when applying for passport.

### 4.3 Labor law, Civil service code

The employment in Oman is regulated by many laws, depending on the establishment, where the employment takes place. Therefore, besides the Labor Law and its provisions, which apply almost exclusively to employment in private sector, there exists a special set of codes for civil service employment and yet another set of special provisions for employees in military, royal court, and positions within households such as gardener, cook, driver or maid.

#### 4.3.1 Labor law

The new Labor law 35/2003 was issued by sultan's decree in April 2003 and revokes Labor law 34/1973.<sup>228</sup> It came into force one month after the date of promulgation.

The formal structure of the new labor law is very similar to its predecessor. It includes the definitions and general provisions; a chapter about employment of Omanis and foreigners, employment contracts; wages, holidays and working hours; employment of juveniles and women; industrial safety; disputes and penalties. Unlike the old labor law the new labor law does not include the chapter about vocational training and additionally has two chapters: employment of workers in mines and quarries and representative commissions.

The first difference in wording of the labor law can be seen in the part, where terms and definitions are clarified. While the old labor law defined the term worker as "every male or female conducting work in return for wage...",<sup>229</sup> the new labor law uses "every natural person conducting work in return for wage...".<sup>230</sup> Please note that the night working hours are defined as being from 8 pm to 5 am.<sup>231</sup>

It is crucial to acknowledge that this labor law does not apply to following categories.<sup>232</sup>

- Members of the armed forces, security establishments and workers in administrative apparatus of state and other governmental units.

<sup>227</sup> Bi-`iṣḍār qānūn al-jawāz al-safar al-`umānī 69/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 610. [The issuance of Omani passport law 69/1997, sultan's decree. Official Gazette number 610.], m. 12.

<sup>228</sup> Qānūn al-`amal 34/1973, marsūm sultānī. Al-mulḥaq al-awwal lil-jarīdah al-rasmīyah raqm 44. Qānūn al-`amal 35/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 742.

<sup>229</sup> Qānūn al-`amal 34/1973, marsūm sultānī, m. 1.

<sup>230</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 1.

<sup>231</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 1.

<sup>232</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 2.

- Members of an employer's family, whom he supports.
- Household servants such as a driver, nanny, cook etc.

Section two of chapter five in the new labor law deals specifically with the topic of employing women. Article 80 states:

"Without prejudice to provisions mentioned in this section, all provisions of the law about employment apply equally to working women without their discrimination in the same job."<sup>233</sup>

The following six articles describe special circumstances which govern the employment of women:

- It is not allowed to employ women between 7 pm and 7am, except in cases specified by ministerial decision.<sup>234</sup>
- It is not allowed to employ women in occupations, which are harmful to health and arduous or other occupations to be specified by ministerial decision.<sup>235</sup>

It is interesting to note that both these provisions have been part of the old labor law, but in slightly different form. Firstly the old labor law prohibited women's work between 6 pm and 6 am. Secondly, women were not allowed to work in occupations as specified above and occupations which are harmful to them morally.<sup>236</sup>

Article 83 clarifies conditions of maternity leave. A woman is entitled to maternity leave before, during and after the delivery, not exceeding six weeks, if she has completed one year of service for employer. She can choose whether to consider her absence maternity leave without pay or sick leave with payments as specified in article 66.<sup>237</sup> If she decides for the second option she will receive her full salary for the first two weeks; three quarters of her salary for the third and fourth week; half of salary for the fifth and sixth weeks.<sup>238</sup>

Furthermore the employer is not allowed to dismiss a working woman for illness reasons connected to the delivery, when confirmed by a physician, unless her absence from work exceeds six months.<sup>239</sup>

If we compare the old and new labor law, we can notice that most of the provisions concerning female employment stayed the same (maternity leave), or almost the same (limitations on night employment). Unlike the old law, the new labor law does not ob-

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<sup>233</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 80.

<sup>234</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 81, please refer below for details.

<sup>235</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 82.

<sup>236</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 80, 81.

<sup>237</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 83.

<sup>238</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 66.

<sup>239</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 84.

serve that the special provisions guiding female employment are not applicable to agriculture.<sup>240</sup>

Besides the provisions mentioned above from the chapter on *Employment of women*, the law applies the same treatment of working Omani men and women. The only exception is in the rights for special leave with full salary. In case of demise of son, daughter, mother, father, wife, grandfather, grandmother, brother and sister the worker is entitled for three days of special leave. In the case that husband of a working Muslim woman dies, she is entitled for one hundred and thirty days of special leave with full salary.<sup>241</sup>

Ministerial decision 128/2005 on *Conditions, occupations and circumstances, allowed for employment of women at night and its employment requirements* specifies article number 81 of the Labor Law 35/2003. This ministerial decision revokes MDs 19/1984 and 88/1991. Although the title of the MD states that the ministerial decision regulates the employment of women at night, which by labor law definition is the time between 8 pm and 5 am, the decision uses the time from 7 pm to 7 am, as mentioned in chapter of female employment in paragraph 81 of labor law.

The occupations and circumstances, where women are allowed to work the night shift as indicated above, are structured into eleven categories (shortened translation below).<sup>242</sup>

- Tourist agencies, aviation offices, airports and communications,
- Hospitals, pharmacies, clinics, ambulances and other treatment vocations,
- Work in leading positions or positions which require high level of trust,
- Work in media,
- Hotels, cinema, restaurants,
- Security and guard service,
- During feast days, occasions, seasons and seasonal work specified by MD,
- Yearly inventory, preparation of budget, clearance and closing of accounts, readying for sale with lower prices,
- Nursing and care taking of special needs group,
- Work to prevent accidents, or to restore what accidents caused, to prevent losses of perishable goods,
- Commercial centers and shops during the month of Ramadan and three days preceding "*Eid al-Adhhaa*."

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<sup>240</sup> Comparison articles 80-86 from 34/1973 and article 80-86 from 35/2003

<sup>241</sup> Qānūn al-`amal 35/2003, marsūm sultānī, m. 67.

The ministerial decision also specifies occupations, where it is allowed to employ women until 10 pm.<sup>243</sup>

1. Beauty salons for ladies, tailoring shops for women,
2. Civil society groups,
3. Educational and training institutions,
4. Offices of lawyers and accountants and other similar independent professions
5. Commercial centers.

The employer, who employs women in above mentioned occupations during the specified time, has to provide all assurances for their protection in care, transport and safety measures and have these checked and approved by the concerned authority.<sup>244</sup>

### **Conclusion:**

The issuance of new labor law in 2003 has not changed significantly from its predecessor in relation to female employment. It retains its structure and special chapter about the employment of women and juveniles, as with many western type labor laws. The labor law does not limit women's choices of career and occupation. Women's rights are on an equal footing with their male counterparts, as stated by provisions of the Basic Law of State.<sup>245</sup>

Female employment is restricted during the evening, night and early morning hours, specifically from 7 pm to 7 am. The author intentionally does not use the wording night hours, as these are described by the labor law only as the time between 8 pm to 5 am. The employment of women from 7 pm to 7 am is permitted only in occupations and circumstances described by MD 128/2005. The ministerial decree also stipulates that the occupations where late evening and early night employment (until 10 pm) of women is possible. These restrictions limit female employment options, but also increase the pressure on employers, who have to implement further regulations and conditions and must have the compliance approved by the concerned authority before the permission for female employment in these hours is granted. While this increased regulation and bureaucracy is aimed at the protection of women, it might have negative effect on their employability in labor market.

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<sup>242</sup> Bi-sha'ni al-aḥwāl wa-al-a`amāl wa-al-munāsabāt allatī yajūzu tashghīl al-nisā' fihā laylan wa-shurūṭ al-tashghīl 128/2005, qarār wizārī. Al-jarīdah al-rasmīyah raqm 793, m. 1.

<sup>243</sup> Bi-sha'ni al-aḥwāl wa-al-a`amāl wa-al-munāsabāt allatī yajūzu tashghīl al-nisā' fihā laylan wa-shurūṭ al-tashghīl 128/2005, qarār wizārī, m. 2.

<sup>244</sup> Bi-sha'ni al-aḥwāl wa-al-a`amāl wa-al-munāsabāt allatī yajūzu tashghīl al-nisā' fihā laylan wa-shurūṭ al-tashghīl 128/2005, qarār wizārī, m. 3.

<sup>245</sup> Al-nizām al-asāsī lil-dawlah 101/1996, marsūm sultānī, m. 12.

The maternity leave of up to six weeks is granted to women who completed one year of service for their employer. In contrast to claims of certain sources,<sup>246</sup> the maternity leave is unpaid, unless the woman chooses to consider it sick leave and then the provisions for sick leave apply, and employer is responsible for the payment.

### 4.3.2 Civil service code

The new civil service code SD 120/2004 governs the employer – employee relationship in state administrative apparatus and public corporations and has replaced its predecessor SD 8/1980.

The civil service code is formally divided into following chapters: general provisions, employment, commission for employees' affairs, appointments, employee performance reports, promotion; salary, bonus, reimbursement, awards; redeployment, new appointment or mandate; training, mission and scholarship; working hours and vacations; occupational injuries; employee's responsibility and forbidden activities; administrative interrogation; termination of service; end of service gratuity; temporary provisions. Unlike the Labor law it does not have a special chapter dedicated to women and juveniles. The treatment of women and men under the Civil service code is the same, with only three exceptions in the seventh chapter about working hours and vacations:

- A female employee whose husband dies is given four months and ten days leave (*'idda*) with full pay.<sup>247</sup>
- Maternity leave is fifty days long, which includes days of leave before and after the delivery and the salary is paid in full. A woman is entitled to maximum of five maternity leaves during her employment in the civil service.<sup>248</sup>
- A female employee can also request a special leave without pay for a maximum period of one year for raising her child, provided she asks for it within one year of the end of her maternity leave.<sup>249</sup>

### Conclusion:

Majority of the civil service code provisions are gender neutral, and there is no negative discrimination of women present anywhere in the law. On the contrary, women receive

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<sup>246</sup> UNDP POGAR – United Nations Development Programme, Programme on Governance in Arab Region.

<sup>247</sup> Bi-*'i*ṣḍār qānūn al-khidma al-madanīyah 120/2004, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 782. [The issuance of civil service code 120/2004, sultan's decree. Official Gazette number 782.], m. 79.

<sup>248</sup> Bi-*'i*ṣḍār qānūn al-khidma al-madanīyah 120/2004, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 782, m. 80.

<sup>249</sup> Bi-*'i*ṣḍār qānūn al-khidma al-madanīyah 120/2004, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 782, m. 81.



preferential treatment in case of their spouse's demise and in connection to child bearing and upbringing. Unlike in the private sector, where maternity leave is generally unpaid, in public sector the fifty days maternity leave is paid in full, provided the woman has not used this provision more than five times already. A woman in the public sector can also request one year unpaid leave for raising her child, which is very advantageous, as neither the labor law nor the civil service code have any provisions for safeguarding and guaranteeing a woman's job after she returns from maternity leave.

## 4.4 Social welfare, insurance and pension

### 4.4.1 Social welfare

The first social welfare law in Oman was enacted in 1984 through SD 87/1984. It aims to provide help for Omani citizens who do not have a financial means living or a breadwinner able to cover the *nafaqa* costs.<sup>250</sup> The assistance offered includes, foremostly, financial help, but also retraining, consulting and education.

The law lists eight categories of people, who are eligible for a monthly pension from the state: orphans, widows, divorced women, unmarried daughters, disabled, retirees, abandoned women, and families of imprisoned.<sup>251</sup> As can be seen from this list, four out of the eight categories are women, who for any reason are not bound in a marriage. If the deceased had more than two wives, each deserves a pension. However, no pension is offered to a widower who has not reached retirement age.<sup>252</sup> If the deceased had been receiving a welfare pension, each of the widows keeps receiving a separate pension for *'idda* period and after its lapse can claim the widow's pension.<sup>253</sup>

The law prohibits the combination of the state welfare pensions with any kind of pension or insurance, unless the monthly amount paid does not reach the levels mentioned at the end of the law. When calculating the income of the applicant the following is not included: irregular income from handmade products of the household; help and aid offered by non-kinsman; aid in kind or cash offered by social or health establishment while undergoing treatment; aid or scholarship awarded to student(s) of the family from educational institution.<sup>254</sup>

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<sup>250</sup> Bi-'iṣḍār qānūn al-ḍamān al-'ijtimā'ī 87/1984, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 300. [The issuance of Social Welfare Law 87/1984, sultan's decree. Official Gazette number 300.] m. 2.

<sup>251</sup> Bi-'iṣḍār qānūn al-ḍamān al-'ijtimā'ī 87/1984, marsūm sultānī, article 2.

<sup>252</sup> Retirement age is 60 years old. Bi-'iṣḍār qānūn al-ḍamān al-'ijtimā'ī 87/1984, marsūm sultānī, m. 1.

<sup>253</sup> Bi-'iṣḍār qānūn al-ḍamān al-'ijtimā'ī 87/1984, marsūm sultānī, m. 17.

<sup>254</sup> Bi-'iṣḍār qānūn al-ḍamān al-'ijtimā'ī 87/1984, marsūm sultānī, m. 5.

Special provisions are applied to relatives of claimant, who are by law required to pay the *nafaqa* costs and can be obliged to do so by court ruling if they hesitate; and only if they are financially not able (income is sufficient to cover the cost of their family, but no one else), the pension will be paid by the state to the claimant.<sup>255</sup> The claimant has the right to appeal the decision of the local administration to the Minister of Social Affairs.<sup>256</sup>

At the time of the law promulgation the minimum pension for a family was 25 RO and 20 RO for individual.<sup>257</sup> The level of pensions has risen a few times over the years and the amount paid always reflects the number of family members in a household.<sup>258</sup> Those who draw a pension based on untrue information, will have to repay the unlawfully gained amount.<sup>259</sup> By law, begging is not tolerated, and anyone arrested for begging will be imprisoned for one month and will start receiving any pension which belongs to him/her according to this law.<sup>260</sup>

The Minister of Social Affairs has the authority to allocate additional aid in special and emergency situations; in the case of disaster, catastrophe, individual or social misfortune; to needy families or individuals who are not covered by this or any other law; to families of martyrs and families of those injured in military operations.<sup>261</sup>

The law provides a framework for the establishment of vocational training and social care and services institutions. These institutions should provide training, qualifications, assistance in finding productive work, and care for the needy.<sup>262</sup>

### Conclusion:

State social welfare law aims to provide help to the needy, but importantly places an obligation on the relatives of claimant to assist, if they have the means. Only if they are not able to assist, the state steps in and distributes financial help, provides assistance in training, education or finding productive work. Under normal circumstances only the eight mentioned categories are eligible and women out of wedlock constitute four of them. This provision might seem odd as it suggests that the government does not expect women to provide for themselves, however, this falls in line with the model codified in Personal Status Law, where men are the breadwinners and women the home-

<sup>255</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī., m. 6.

<sup>256</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī, m. 11.

<sup>257</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī, m. 7.

<sup>258</sup> Bi-ziyādat al-ma’āshāt al-shahrīyah al-muqarrarat bi-qānūn al-ḍamān al-‘ijtimā’ī 83/1988, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 390. [Increase in monthly pensions in Social Welfare Law 83/1988, sultan's decree. Official Gazette number 390.] Bi-‘ijrā’ ta’adīlāt fī qānūn al-ḍamān al-‘ijtimā’ī 78/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 460. [Amendments to Social Welfare Law 78/1991, sultan's decree. Official Gazette number 460.] Bi-‘ijrā’ ta’adīl fī qānūn al-ḍamān al-‘ijtimā’ī 74/2005, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 796. [Amendments to Social Welfare Law 74/2005, sultan's decree. Official Gazette number 796.]

<sup>259</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī, m. 24.

<sup>260</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī, m. 25.

<sup>261</sup> Bi-‘iṣḍār qānūn al-ḍamān al-‘ijtimā’ī 87/1984, marsūm sultānī, m. 19.

makers. Therefore women on their own – divorced, widowed, unmarried, abandoned – are automatically included in the social welfare system based purely on their single status. Special provisions apply in extraordinary circumstances, where Minister of Social Development may allocate additional aid.

#### 4.4.2 Social insurance

Social insurance in Oman is an employment related scheme for Omani employees in the private sector and is governed by the Social Insurance Law SD 72/1991, effective from 2<sup>nd</sup> November 1991. The law provides insurance against

1. Old age, disability, death
2. Occupational injuries and illnesses

The law replaces SD 40/1988 and its executive provisions concerned solely with occupational injuries and illnesses.

#### PASI

The administrative and financial management of the new insurance system was entrusted to the newly established *Public Authority for Social Insurance* (PASI). The membership to the board of directors has changed a few times<sup>263</sup> since the establishment of the PASI, reflecting the ongoing expansion of Oman's administrative apparatus. The board is chaired by the Minister of Manpower, and includes representative from the Ministry of Industry and Commerce, the Ministry of Finance, the Director General of the Manpower Register, two businessmen chosen by the Omani Chamber of Commerce and two insured persons selected by the Minister of Manpower.

The administration of the Authority is the responsibility of the general manager, who is appointed to the post by the Minister of Manpower<sup>264</sup> and represents PASI in all public relations and courts.

The Authority is financially independent although provisions for coordination with Ministry of Finance are set in place, as well as assistance from State Treasury in case the PASI is incapable of meeting its financial obligations.<sup>265</sup>

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<sup>262</sup> Bi-`iṣḍār qānūn al-ḍamān al-`ijtimā`ī 87/1984, marsūm sultānī, m. 21-23.

<sup>263</sup> Bi-`ijrā` ta`adīlāt fī qānūn al-ta`amīnāt al-`ijtimā`īyah 4/1992, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 473., Bi-ta`dīl qānūn al-ta`amīnāt al-`ijtimā`īyah 6/1998, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 618., Bi-`ijrā` ta`adīlāt fī qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2002, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 715.

<sup>264</sup> Changed by Bi-ta`dīl ba`ḍ al-`ahkām qānūn al-ta`amīnāt al-`ijtimā`īyah 54/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 656, previously appointed by sultan's decree.

<sup>265</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 459, m. 10-12.

## Coverage

The social insurance law covers only Omani employees with standing/valid working contracts in the private sector and who are fifteen to fifty-nine years old. The coverage of the law does not extend to foreign workers, craftsmen and household servants in accordance with the occupational definitions of the labor law.

## Contributions

The contributions are paid monthly and are calculated as a percentage of the basic salary of the insured person. In the case that the employee is paid by piece, productivity or hour the contributions are based on average earnings of the past three months.<sup>266</sup> The highest level of basic salary subject to calculation for social insurance contribution is three thousands RO, the minimum contributions cannot be lower than the contributions of person earning the minimum wage.<sup>267</sup> The contributions have to be transferred to the Authority within 15 days following the month for which the contributions are being paid. The payment of contributions is solely the responsibility of employer and he has the right to deduct the employees' part of contribution from his/her salary every month. Additional State Treasury contributions are set by the law and have different payment deadlines.

Table 20: Contributions towards insurance against old age, disability and death

Employee contribution	6.5%
Employer's contribution	9.5%
State Treasury contribution	5%

Source: Article 20, SD 19/2005

Contribution towards insurance against occupational injuries and illnesses is 1% of basic salary of worker and is paid solely by employer.<sup>268</sup>

Employers who have a private retirement program for their employees and wish to be exempt from the duties set by the Social Insurance Law have to inform PASI about the program. If the benefits are more favorable than the ones provided by PASI, the minister will grant an exception. If the benefits are the same or less favorable than those provided by PASI, the minister will issue a decision for merger of these systems with the PASI.<sup>269</sup>

<sup>266</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 13.

<sup>267</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 14.

<sup>268</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 31.

<sup>269</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 19.

## 1. Insurance against old age, disability and death

### a. Old age pension

An insured male person is eligible for a retirement pension at the age of 60, a female person at the age of 55. The pension is calculated on the basis of his/her contributions towards the social insurance system, but the number of monthly contributions can not be less than 180 for male and 120 for female (consecutive or not).<sup>270</sup>

Deferred retirement provisions:

These provisions are meant for men older than 60 and women older than 55, if they have been part of the social insurance system for at least 180 months (not further distinguished by gender) with at least 32 months of consecutive payments in the five years before retirement.

Early retirement provisions:

The insured can opt for early retirement provided that he and she is at least 54 years of age and a male has paid at least 240 of monthly contributions and female at least 180.<sup>271</sup> By this age the old age pension for woman would be lowered by 7%; man's pension at the same age by 12%. The deductions from a man's pension decrease as the retirement age increases (10% at 55, 9% at 56, 8% at 57, 7% at 58, 6% at 59)<sup>272</sup> There are no deductions to pension if it does not reach 80 RO.<sup>273</sup>

Note: The number of monthly contributions includes the time when person has been receiving daily allowances due to his/her work related injury, although he/she did not pay the contribution. If a person decides to pay contributions during the time he/she is without paid work, they are also included.<sup>274</sup>

Old age pension is calculated as one fortieth of the average basic salary during the past five years of contributions to social insurance (or the average of the period that the insured was part of the system if it is less than five years) and multiplied by the number of years of contributions. The minimum pension is set at 80 RO, the maximum at 80% of the average salary in past five years.<sup>275</sup>

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<sup>270</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 21 a.

<sup>271</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 786, m. 21 b.

<sup>272</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī, mulhaq 3.

<sup>273</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī, m. 21 b.

<sup>274</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 60/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 604, m. 21 b., c.

<sup>275</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī, article 27. Please note that restrictions against unreasonable rise in salary before retirement have been in place since 1997, but revoked by SD 19/2005, which changes the decisive period for

## **b. Disability and death**

If the employment of a person has stopped due to disability before he reaches 60 years or she reaches 55 years of age or death at any time he/she (or dependents; will be specified later) deserves a pension, if one of the following conditions are fulfilled:

- a) A person has been contributing towards social insurance for at least six consecutive months directly preceding the occurrence of disability or death.
- b) A person's contribution reached at least 12 months, out of which three were consecutive, directly preceding the occurrence of disability or death.<sup>276</sup>

Additionally the law specifies that if neither of the mentioned condition is fulfilled the person or dependents still have the right to a pension, if the time since the last contribution has not been longer than one year.

The pension is set at 40% of the last salary from which contribution has been paid at the time of occurrence of disability or death or as calculated by the provisions of old age pension, whichever is higher.<sup>277</sup>

## **End of service gratuity**

End of service gratuity is paid to an insured person, who does not reach the criteria for a pension and has been part of the social insurance system for at least a year. It is calculated on the basis of the last basic salary of the insured and he/she receives a pay equal to one month for every year of the first three years and two month pay for every following year he/she has been contributing towards social insurance. The gratuity is transferable to beneficiaries in case of death.<sup>278</sup>

## **2. Insurance against occupational injuries and diseases**

### **a. Daily allowances**

The employer pays the salary for the day the injury happened, the PASI pays the daily allowance starting from the following day at the level of 75% of daily salary of the injured until he/she resumes work again or partial/total permanent disability is proven.<sup>279</sup>

The law lists reasons, when daily allowance is not paid:

- The injured intentionally inflicted the injury on himself/herself

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calculation of average basic salary from formerly used two years to five years and introduces minimum and maximum pension.

<sup>276</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 22.

<sup>277</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī, m. 28.

<sup>278</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 24, 25, 26.

<sup>279</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 33, 34.

- The injured deviated from good conduct at the time of injury by: being under the influence of drugs or alcohol, not observing the safety and protection measures at work.<sup>280</sup>

## **b. Occupational injury compensation and pensions**

### Partial permanent disability

To an insured, who has partial permanent disability (not reaching 30% of complete permanent disability), belongs a compensation equal to 36 monthly pensions at the level corresponding to type and nature of disability.<sup>281</sup>

An insured, who has partial permanent disability at a level of 30% or more of complete permanent disability, but does not reach the level of complete permanent disability, receives a pension at a level corresponding to type and nature of disability. An insured with this disability can combine the state pension with any salaried work he/she is able to perform without any further conditions.<sup>282</sup>

### Complete permanent disability

An insured with complete permanent disability or who has passed away as a result of occupational injury has the right (and beneficiaries) to a pension at 75% level of his/her last basic salary subjected to contributions, at minimum 80 RO or old age pension, whichever is higher.<sup>283</sup>

The law provides tables with levels of disability which are not gender differentiated and thus will not be reviewed in this paper. Further provisions of law deal with medical examination, change of disability status a compensations, police investigations of accident and informing responsibility on the employer's side.

## **Categories of beneficiaries and conditions for obtaining deceased's pension**

Deceased's pension is divided into three shares and awarded to following categories.

1. One share equal to 1/2 of pension belongs to the sons and daughters of deceased, divided equally if there are more than one.
2. One share equal to 1/4 of pension is awarded to the widow/widows and divided equally or husband, if the deceased was woman.
3. The last share equal to 1/4 of pension belongs to father, mother, brother and sister and is divided equally among them.<sup>284</sup>

<sup>280</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 35.

<sup>281</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 36.

<sup>282</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 60/1997, marsūm sultānī, m. 37 a.

<sup>283</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī, m. 37 b.

<sup>284</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 51.

To qualify for the pension each from the mentioned categories must fulfill specific criteria:

- **Son:** can not be older than 22 years of age. An exception applies to disabled son, who can not earn his living. His disability must be certified by appropriate medical institution. The second exception is a son who continues his higher education studies, but only until the age 26.
- **Daughter:** can not be married. At the time of her marriage she loses the right to a pension and receives it again when she divorces or becomes widow.
- **Widow:** same condition as the daughter.
- **Husband:** is disabled and can not earn his living. His disability must be certified by appropriate medical institution.
- **Father and mother:** must prove their dependence on the deceased's pension, certified by Ministry of Social Development.
- **Brother:** must prove his dependence on deceased's pension, certified by Ministry of Social Affairs. The two exceptions to this rule are the same as for son.
- **Sister:** can not be married and must prove her dependence on deceased's pension, certified by the Ministry of Social Development. Her right to a pension ends at the time of marriage and is renewed if she becomes divorced or widowed.<sup>285</sup>

In case one of the previously mentioned three groups has no beneficiaries, the share is divided equally between the other two groups. If right of a person to a pension ceases his/her portion is divided equally among the remaining members of its group. If there exists only one group of the beneficiaries from the three mentioned categories, the whole pension belongs to them and is divided equally among them. If there is not any group of beneficiaries the pension belongs to the PASI.<sup>286</sup>

The PASI will not disburse more than one pension to a beneficiary, if he/she has the right for more, the higher one will be paid. An exception to this rule is: sons and daughters who deserve pension from both of their parents; a widow with a pension from her husband and her own or a widow with a pension from her husband and her own salary.<sup>287</sup>

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<sup>285</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, article 52.

<sup>286</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, article 53.

<sup>287</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, article 54.



### Additional allowances

1. Allowance for the widow of the insured/pensioner or his oldest son or his parents, which equals three months salary/pension.<sup>288</sup>
2. Allowance for a daughter who was beneficiary of deceased's pension on an occasion of her marriage, at a level 15 times the value of her pension. The allowance is paid only once and the pay of pension stops the month when she gets married.<sup>289</sup>
3. Allowance to cover the cost of funeral and mourning paid upon the death of deceased (male) to a widow or eldest son, which equals three months salary if he was insured or three months pension if he was pensioner. The maximum allowance paid is 1000 RO. If the deceased does not have widow or mature son the allowance is paid to the person who organized the funeral and mourning ceremony, provided he presents a deed from the *Waalī*.<sup>290</sup>

Special provisions apply to beneficiaries of a missing person.

### General provisions

The PASI loses every right for contributions and not paid claims after six years of their origination, unless they are requested in writing. The right of the insured and his/her beneficiaries to daily allowances and allowances for funeral cost ceases after one year of the death if written request has not been submitted. For all the other allowances, compensation and pensions, the insured and beneficiaries have a five year window to request in writing their payment.

### Fines and penalties

Any employer who does not pay the contributions in full, according to true earnings of employee(s), within the set deadlines or does not pay contributions towards the employee's end of service gratuity will be charged an additional 13.5% of contributions not yet paid.<sup>291</sup>

The employer is required to register a new employee within 15 days from the day he/she starts employment and to cancel the registration in the same deadline from the day the employee leaves his/her post. The fine for late reporting is 50 RO. The employer is also responsible for informing the PASI three months before any employee reaches retirement age.

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<sup>288</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 60/1997, marsūm sultānī, m. 55.

<sup>289</sup> Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`īyah 72/1991, marsūm sultānī, m. 56.

<sup>290</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 60/1997, marsūm sultānī, m. 57.

**Conclusion:**

Social insurance scheme covers all Omanis working in the private sector, who are required to pay monthly contributions towards the system, and are in turn insured for old age, disability, death, occupational injuries and diseases. Before the enactment of the Social Insurance Law in 1991, Omanis working in the private sector were not insured against old age, disability and death. Contributions paid by the employee and employer are gender neutral. Provisions for old age pensions are gender differentiated on two levels: retirement age (60 for male, 55 for female), and number of minimum contributions (180 for male, 120 for female) to be eligible for pension. Regulations of disability, death, end of service gratuity, and occupational injuries are gender neutral. Striking differences based on gender apply to beneficiaries. Female beneficiaries (daughter, widow, sister) are eligible only if they are not married and unmarried daughters receive a generous allowance at the occasion of her marriage. Male beneficiaries are eligible only if they are a) younger than 22 (or 26 if studying), b) disabled, and c) dependent on the deceased's pension. As is the case with social welfare system, the social insurance system adopts differential treatment of men and women in the category of beneficiaries, dependent mainly on female marital status. But significantly, male and female employees are treated equally. The law, in its main social insurance provisions, does not attribute any significance to the traditional role divisions as codified in personal status and which forms the basis for social welfare and treats male and female employees alike.

**4.4.3 Pension system**

The pension system in Oman is highly diversified, applies only to nationals and is - with the exception of state welfare pensions, which serve as the safety net - employment related.

A separate sets of laws defines the requirements and benefits for Omani employees in:

- Private sector (please refer to previous section about social insurance)
- Public sector (civil service),
- Royal Oman Police (ROP),
- Ministry of Defense and Royal Armed Forces (MOD, RAF),
- Royal Oman Guard (ROG)
- Royal Oman Court (ROC).

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<sup>291</sup> Bi-ta`dīl ba`ḍ al-`aḥkām qānūn al-ta`amīnāt al-`ijtimā`iyah 60/1997, marsūm sultānī, m. 17.

## Public sector

Public sector benefits and the pension system applies to all Omanis employed full-time in any occupation in the state administrative apparatus, with the exception of the categories described below, which are governed by separate systems.

The retirement age is set by the Law of Pensions and End of Service Rewards for Omani Governmental Employees at 60 years of age, without gender differentiation.<sup>292</sup> The employee contribution was raised from 5% to 6% of the basic salary in 1994, the contribution of government remains on the same level of 15% of the basic salary of individual employees.<sup>293</sup> The administration of pension system is entrusted to the *Fund for Pensions and Rewards of Public Sector*.

Criteria for receiving a pension:<sup>294</sup>

1. Retirement age, a minimum of 10 years of service
2. Death or health reasons certified by an appropriate medical institution, no set minimum for years of service.
3. Cancellation of post or terms of employment as decided by the minister, minimum 10 years of service (additional 5 years of service or less – if the retirement age is nearer - will be added to the employee, when calculating pension).
4. Conditional resignation, minimum 15 years of service. For employees older 50 only 10 years of service and additional 5 years or less (as above) will be added. Reinstatement in any governmental institution is prohibited.
5. Any other reasons for termination of employment, provided that the service reached at least 15 years and the employed was not precluded from receiving pension or gratuity at the time of termination.

The pension is calculated as 4% of the last basic monthly salary multiplied by the years of service, but not more than 80% of last basic salary and not less than 80 RO. If the service has ended due to death or health reasons the pension is 50% of the last basic salary or calculated according to the previous rule whichever is higher. If the death or health reasons were caused by occupational injury the pension will be 80% of last basic salary and no less than 80 RO.<sup>295</sup>

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<sup>292</sup> Bi-işdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 26/1986, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 330, m. 7.

<sup>293</sup> Bi-ta`dīl ba`ḍ `aḥkām qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 77/1994, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 532, m. 14.

<sup>294</sup> Bi-ta`dīl ba`ḍ `aḥkām qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 77/1994, marsūm sultānī, m. 22.

<sup>295</sup> Bi-ta`dīl ba`ḍ `aḥkām qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 77/1994, marsūm sultānī, m. 25.

Categories of beneficiaries and the conditions for obtaining the deceased's pension are the same as in Omani social insurance system (please refer to previous section). The deceased's pension is divided into shares and distributed among the three categories of beneficiaries, provided they fulfill the conditions mentioned above.<sup>296</sup> The only difference lies in the article added to the law in 1999 stating a condition that the beneficiary has not been convicted of killing the pensioner.<sup>297</sup>

End of service gratuity belongs to employees who do not fulfill the conditions to be awarded a pension. The end of service gratuity is paid once as a lump sum at the end of service: one and half months of the last basic salary of employee for every year of service preceding the enactment of this law (February 1986) and two month for every following year until the end of service. If the service ended due to cancellation of post or terms of employment the employee deserves reward as mentioned above, plus additional half of it.<sup>298</sup>

An additional allowance is paid in the event of the demise of employee/pensioner to cover funeral and mourning costs at an amount equal to three months salary/pension. For an employee the minimum allowance is 400 RO and maximum 1000 RO, for a pensioner the minimum stands at 200 RO and maximum at 500 RO.<sup>299</sup>

### **Royal Oman Police, Ministry of Defense and Royal Armed Forces, Royal Oman Guard, Royal Oman Court**

Although these four groups of employees have separate laws and provisions governing their retirement as well as separate pension funds, most of the legislation is very similar and therefore will be described together.

#### **Contributions:**

##### ROP

Officers and employees with military rank and civilian employees in first to sixteenth grades pay 7% contribution of their monthly salary and 7% contribution of their housing, electricity and water allowance. Employees in supportive roles (grade seventeen to twenty-five) pay 7% contribution of their salary. State contribution towards the pension fund is 13.5% of salary of respective employee.<sup>300</sup>

<sup>296</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 26/1986, marsūm sultānī, m. 27, 28.

<sup>297</sup> Bi-ta`dīl qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 70/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 657, m. 1.

<sup>298</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 26/1986, marsūm sultānī, articles 32, 33.

<sup>299</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 26/1986, marsūm sultānī, m. 34, 35.

<sup>300</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasabī shurṭat `umān al-sultānīyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultānīyah 2/2000, marsūm sultānī, m. 5.

## MOD, RAF

All military and civilian personnel contribute 7% of their salary, which includes also half of their housing, electricity and water allowance. State contribution towards the pension fund is 20% of salaries.<sup>301</sup>

## ROG

All employees of ROG contribute 7% of their salary monthly, state contribution is 14% of the salaries.<sup>302</sup>

## ROC

Employee contribution is 6% of monthly salary (including housing, electricity and water allowance, where applicable – military personnel), state contribution is 15%.<sup>303</sup>

**Pension:**

ROP: 3% of salary multiplied by the number of years of service, with a maximum pension set at 80% of salary,<sup>304</sup> and minimum 100 RO.<sup>305</sup>

All military employees and civilian employees with grade 1-16 continue receiving half of their housing, electricity and water allowance.<sup>306</sup>

MOD, RAF: 3% of salary multiplied by the number of years of service, with maximum pension set at 80% of salary,<sup>307</sup> and minimum 100 RO.<sup>308</sup>

ROG: There are two primary rules for calculating a pension, depending on employee's post.

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<sup>301</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultāniyah al-musallahah 3/2002, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 711, m. 5.

<sup>302</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 628, m. 3.

<sup>303</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānīn 86/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 586, m. 56.

<sup>304</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultāniyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultāniyah 2/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 663, m. 12.

<sup>305</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultāniyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultāniyah 2/2000, marsūm sultānī, m. 19.

<sup>306</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultāniyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultāniyah 2/2000, marsūm sultānī, m. 12.

<sup>307</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultāniyah al-musallahah 3/2002, marsūm sultānī, m. 20.

<sup>308</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultāniyah al-musallahah 3/2002, marsūm sultānī, m. 27.

a) 2.7% of salary multiplied by the number of years of service, with maximum pension set at 80% of salary for higher ranking military officers and civilian employees of grade eight and above.

b) 3.2% of salary multiplied by the number of years of service, with maximum pension at 80% level of salary for lower ranking military personnel and civilian employees of grade nine and lower.<sup>309</sup>

The minimum pension for both these categories is 100 RO.<sup>310</sup> The law sets a maximum limit for the number of years of service when calculating a pension at 32 years for group a) and 25 years for group b).<sup>311</sup>

ROC: 4% of the last salary (including housing, electricity and water allowance) multiplied by the number of years of service, not higher than 80% of salary and not lower than 100 RO.<sup>312</sup>

### Conditions:

#### ROP

An employee is awarded a pension when he/she reaches the retirement age, if the duration of service has been at least 15 years. If the service ended due to death or proven disappearance, the beneficiaries deserve a pension equal to 80% of the last salary or according to the previous rule, whichever is higher without any condition for period of service. If the service was terminated due to health reasons, the pension reflects the degree of disability, which has to be more than 50%. The employee can resign and still qualifies for pension, if the period of service is longer than 15 years. If the post and term of employment was cancelled, the employee deserves a pension according to primary rule, without any condition specifying period of service. And additional five years of service (or less if retirement age is nearer) will be added to his/her account when calculating the pension. The employee can request early retirement and deserves a pension if the period of service is longer than 20 years.<sup>313</sup>

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<sup>309</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 16.

<sup>310</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 21.

<sup>311</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 10.

<sup>312</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānīn 86/1996, marsūm sultānī, m. 25.

<sup>313</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī shurṭat `umān al-sultānīyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultānīyah 2/2000, marsūm sultānī, m. 12-17.

## MOD, RAF

An employee deserves a pension when he/she reaches the retirement age (55 years),<sup>314</sup> provided the service lasted at least 20 years. If service was terminated due to death or proven disappearance the beneficiaries are awarded pension at height of 80% of salary. If the death was a consequence of plane crash, explosion or sinking of ship the pension is 90%, if death, disappearance or 100% disability was result of military operation the pension is 100% of salary. In case the disability is lower than 100% the employee receives a pension corresponding to degree of disability. The employee can submit a request for early retirement and receives a pension according to the primary rule, if the service reached at least 20 years. An additional five years will be added to an employee, whose post was cancelled, when calculating pension.<sup>315</sup>

## ROG

To qualify for a pension an employee in group a) (please refer above) needs to reach retirement age (55 years),<sup>316</sup> and 25 years of service. For employees in group b) the same retirement age applies and 20 years of service.<sup>317</sup> Beneficiaries deserve a pension at a maximum of 80% of the salary of the deceased or disappeared, if the death or disappearance was a result of service, then 100% of salary. If the employment was terminated due at least 50% disability, the employee receives pension at 50% of salary or calculated according to primary rule, which ever is higher.<sup>318</sup> Employees of group a) can request early pension after 25 years of service, employees of group b) after 20 years of service. The pension is then calculated according to the primary rule. Additional five years will be added to the employee's service period when calculating the pension, if his/her service was terminated due to post cancellation.<sup>319</sup>

## ROC

A pension is awarded upon retirement age (60 years),<sup>320</sup> provided that the employment lasted at least 15 years. In the case of health reasons or death no minimum

<sup>314</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī, m. 1.

<sup>315</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī, m. 20-24.

<sup>316</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 8.

<sup>317</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 16.

<sup>318</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 16-18.

<sup>319</sup> Bi-ışdār nizām ma`āshāt wa mukāfa`āt `afrād al-ħirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 19.

<sup>320</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānī 86/1996, marsūm sultānī, m. 1.

period of service is required and the pensioner receives 50% of their salary as pension or according to primary rule, which ever is higher; or 80% of their salary if death or disability was an occupational injury. An employee whose post has been cancelled receives a pension if the service lasted more than 10 years at 80% of last salary. Resignation with full pension is possible if employee served more than 20 years or at least 15 years and pays the remaining difference of his/hers contributions.<sup>321</sup>

### **Beneficiaries:**

The same classifications, rules and conditions as in public sector apply to beneficiaries of the Royal Oman Police servants and employees of the Ministry of Defense, Royal Armed Forces and Royal Oman Guard, with one notable difference. The daughters, widows and sisters lose their right to a pension not only if she gets married but also if she enters employment.<sup>322</sup>

The system applied to beneficiaries in ROC differs from any previously mentioned, and is more closely related to inheritance rules in Islam. Although the rules for each category (widow, son, daughter etc.) remain the same as public sector system, the portions of pension awarded reflect firstly the number of beneficiaries, secondly their gender. The beneficiaries are classified into six groups: husband; widow; children; father; mother; siblings. The system uses fractions (half, third, quarter, sixth, eights) and the remainder of pension. For the groups of husbands, widows, fathers and mothers the prevailing rule is: the female beneficiary receives half of the amount of the male beneficiary, who has the same relationship to the deceased. Therefore if father receives a third, the mother receives a sixth, if the husband receives half, the widow receives a quarter. But it is crucial to note, that this rule does not apply to all cases. The law specifies 21 different constellations of beneficiaries' groups and their respective fractions of pension.<sup>323</sup>

### **End of service gratuity:**

Unlike public sector servants, who receive end of service gratuity only if they do not qualify for a pension, the employees of ROP, MOD, RAF, ROG have the right to both the pension (if they fulfill the conditions above) and the end of service gratuity. The

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<sup>321</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al`umānīn 86/1996, marsūm sultānī, m. 23, 25.

<sup>322</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultānīyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultānīyah 2/2000, marsūm sultānī, m. 22; Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī, m. 31.

<sup>323</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al`umānīn 86/1996, marsūm sultānī, m. 26-30, plus attachment.



gratuity comprises of one month salary for each year of service, at maximum 30 months' salary.<sup>324</sup>

Employees of ROC only receive end of service gratuity if they do not qualify for pension. The gratuity is one and half months salary for each year of service preceding 1986 and two months salary for every following year until the end of employment.<sup>325</sup> Unlike any other pension system in Oman, the ROC introduces a *pension bonus*, which is paid to the pensioner at the time when he leaves the service and stands at half a month's salary for each year of service.

#### **Additional allowances:**

An allowance to cover funeral and mourning costs is paid to deceased's family. The allowance covering police servants is 500 RO.<sup>326</sup> Higher ranking officers and civilian personnel with grade 8 and above of the MOD and RAF and group a) of ROG receive an allowance of 1000 RO, for other employees of MOD and RAF and group b) of ROG the allowance stands at 500 RO.<sup>327</sup> The allowance for deceased ROC servant is three month salary/pension, at minimum 500 RO and maximum 1000 RO.<sup>328</sup>

#### **Conclusion:**

Although the pension system in the public sector seems very complicated, it is generally less gender differentiated than in the private sector. The retirement age in civil service as well as in MOD & RAF, ROG and ROC is the same for men and women, albeit different among these various units (55 or 60). Differences also persist in the required years of service prior to retirement, to be able to qualify for pension: civil service ten years, MOD & RAF twenty years, ROG twenty or twentyfive years, ROC fifteen years – but as is the case with retirement age, it is not gender differentiated.

Strict gender differences apply to beneficiaries of a deceased pensioner. A special case unlike the systems anywhere else in the state administrative apparatus is the beneficiaries system in ROC. This system is closely related to inheritance rules in Islam,

<sup>324</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultānīyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultānīyah 2/2000, marsūm sultānī, m. 27; Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī, m. 35; Bi-ışdār nizām ma`āshāt wa mukāfa`āt `ufrād al-ḥirs al-sultānī al-`umānī 49/1998, marsūm sultānī, m. 29.

<sup>325</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānīn 86/1996, marsūm sultānī, m. 31.

<sup>326</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sultānīyah wa-l-nizām al-`asāsī li-şundūq taqā`ud shurṭat `umān al-sultānīyah 2/2000, marsūm sultānī, m. 30.

<sup>327</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī, m. 38.

<sup>328</sup> Bi-ışdār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānīn 86/1996, marsūm sultānī, m. 40.

and reflects the degree of relationship to the deceased and the gender of the beneficiary. Based on these two conditions the pension is allocated using fractions as is customary in Islamic law. Female relatives generally receive half the portion of male relatives with same degree of relationship. The beneficiaries in other specialized units (MOD & RAF, ROP, ROG) are classified under the same system which is used in the social insurance (private sector) and civil service. Distinction is drawn between male and female beneficiaries, where the decisive factor for pension allocation is marital status for women and age or illness for men. Surprisingly, the provisions governing the pension system in ROP and MOD & RAF include another stipulation preventing female beneficiary from receiving her portion of pension besides marriage – paid employment. While the stipulation probably aims to prevent combining state pensions with salaried work, the condition will very likely discourage women from joining the workforce, as the state pension provides guaranteed income without effort, provided they stay unmarried.

## 4.5 Various

### 4.5.1 Land laws

Oman has four different laws governing the acquisition and ownership of land. The first to be published was the general Land Law<sup>329</sup>, which makes the distinction between properties owned by *awqaf* (religious foundations) and individually owned land, both agricultural and non-agricultural. Two other laws, which do not come under the scope of this research, are laws governing foreign ownership of land in Oman, and ownership of land by citizens of Gulf Cooperation Council countries.

The last land law specifies procedures for the acquisition of governmental land. The initial law was promulgated in 1984, and has been amended many times since. An individual may approach the government with a request to be allocated a plot of land. The law recognizes three different types of land:

- a) Housing land
- b) Business and commercial land
- c) Agricultural land

The general conditions to be eligible for any type of land are: Omani nationality, minimum age (initially 21, later changed to 24, and in 2008 lowered to 23 years of age),<sup>330</sup>

<sup>329</sup> Bi-‘iṣdār qānūn al-‘arāḍī 5/1980, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 188. [The issuance of Land Law 5/1980, sultan's decree. Official Gazette number 188.]

<sup>330</sup> Bi-nizām ‘istiḥqāq al-‘arāḍī al-ḥukūmīyah 81/1984, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 299. [Arrangement for government land acquisition 81/1984, sultan's decree. Official Gazette number 299.]; Bi-ta`dīl ba`d ‘aḥkām nizām ‘istiḥqāq al-‘arāḍī al-ḥukūmīyah 88/2005, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 802. [Amendment to some provisions of Arrangement for governmental land acquisition 88/2005, sultan's decree. Official Gazette number

and a payment to be made by a set deadline. Based upon article two women were excluded from the opportunity to obtain any type of governmental land, except in cases where she was the sole provider for herself or her family.<sup>331</sup> This provision remained in force until 2008, when the law was amended again and article two no longer included this stipulation.<sup>332</sup> For each type of land there are further conditions, for example, the individual can not possess more than two plots of housing land; but there are no other gender based differences.

### Conclusion:

The process of governmental land acquisition upheld until 2008 had an entirely patriarchal structure, as only male Omanis were eligible. Although provisions regarding sole female provider existed, an absolute majority of women were excluded from this opportunity. Besides the issues of discrimination based on gender, it had a direct impact on prospective female entrepreneurs as land usually serves as a collateral or security when approaching banks for start-up capital. Although women could own land before 2008, acquired by and large through bequest, they could not secure a governmental plot. With the recent positive changes the gender discrimination disappeared from the text of laws, and it remains to be seen if the governmental administration adheres to the new gender neutral principles.

### 4.5.2 Civil society laws

The laws governing civil society are a very recent development in the corpus of Omani laws, as are the civil society groups themselves. Although there has been a law organizing the "clubs and groups" since 1972, a comprehensive set of guidelines were only issued in 2000 as SD 14/2000.<sup>333</sup>

Civil society groups are defined as gathering of natural persons for nonprofit purposes; with the objective of organizing social, cultural and charity activities, and include groups, social and cultural clubs, and charity funds.<sup>334</sup> Please note that groups and clubs, whose primary activity is sport, are not covered by this law. The law clearly states the five permitted fields of activities which can be amended only by the Minister

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802.], Bi-ta`dīl ba`ḍ `aḥkām niẓām `istiḥqāq al-`arāḍī al-ḥukūmīyah 125/2008, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 876. [Amendment to some provisions of Arrangement for governmental land acquisition 125/2008, sultan's decree. Official Gazette number 876.], m. 1b. Exceptions made for sole provider.

<sup>331</sup> Bi-niẓām `istiḥqāq al-`arāḍī al-ḥukūmīyah 81/1984, marsūm sultānī, m. 2.

<sup>332</sup> Bi-ta`dīl ba`ḍ `aḥkām niẓām `istiḥqāq al-`arāḍī al-ḥukūmīyah 125/2008, marsūm sultānī, m. 2.

<sup>333</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 665. [The issuance of Civil Society Groups Law 14/2000, sultan's decree. Official Gazette number 665.]

of Social Affairs, after receiving consent from the Council of Ministers. Each group can carry out work in only one of the allowed fields unless the Minister of Social Affairs decides otherwise. The fields are:

- Care for orphans
- Care for child and mother
- Services for women
- Care for elderly
- Care for handicapped and other special groups.<sup>335</sup>

The groups are explicitly forbidden to participate in politics, set up political parties, interfere in religious affairs, promote class or clan affiliations and/or allow gambling or consumption of alcohol at their events.<sup>336</sup> Furthermore they are not allowed any of the following, unless they obtain permission from the Minister of Social Affairs: to belong to, participate in or merge with a foreign group or club; to organize public festivities, festivals and lectures; to send delegations abroad or receive foreign delegations, to accept funding from abroad.<sup>337</sup>

The minimum membership of a group has to reach 40 people<sup>338</sup> when being set up and written statutes have to be submitted to the Ministry of Social Affairs for approval.

The statutes need to contain the following information.<sup>339</sup>

- a) Name of the group, its goals, means to reach them, chosen field of activities, as well as expected geographical coverage.
- b) Names of founding members, their title, age, nationality, religion, profession and place of residence.
- c) Resources of the group, and intended use.
- d) Organizational structure of the group and competencies of different units.
- e) Designated representative.
- f) Conditions of membership, rights and responsibilities of members, primarily concerning voting in general meetings.<sup>340</sup>

<sup>334</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, article 1; Bi-ta`dīl qānūn al-jam`īyāt al-ahlīyah 30/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 693. [Amendment to Civil Society Groups Law 30/2001, sultan's decree. Official Gazette number 693.], m. 1.

<sup>335</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 4.

<sup>336</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 5.

<sup>337</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 5., Bi-ta`dīl ba`ḍ `aḥkām qānūn al- al-jam`īyāt al-ahlīyah 23/2007, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 837. [Amendment to some provisions of Civil Society Groups Law 23/2007, sultan's decree. Official Gazette number 837.], m. 5.

<sup>338</sup> Bi-ta`dīl ba`ḍ `aḥkām qānūn al- al-jam`īyāt al-ahlīyah 23/2007, marsūm sultānī, m. 6.

<sup>339</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 7.

- g) Internal auditing provisions.
- h) Methods of changing the statutes, and ways of merger, division or branch creation.
- i) Methods of voluntary dissolution of the group and designated group for transfer of remaining resources.

Each group also has to follow administrative and organizational guidelines set out by the law. The governing body of each group is its board of elected officials (minimum of five, maximum of twelve), elected for two years. The board is responsible for group activities and board members cannot combine their work on the board with paid employment in the same group or with board membership of any other group with same goals.<sup>341</sup> Within the three month from the end of previous fiscal year a general assembly of all of the group's members is to be held to review a report from the board about the last year's activities, plans for the following year, budget plans and finance issues and other matters raised by the board. Extraordinary general assembly may be held for such issues as amendment of statutes, to fill a vacancy on the board, merger or dissolution of the group.<sup>342</sup>

There are only three approved sources for finances: membership fees, proceeds from activities and governmental aid. Donations, gifts, bequests and other sources can be accepted only after receiving the consent of the Minister of Social Affairs.<sup>343</sup> The group is prohibited from accepting money from foreigners or foreign associations; or sending any money abroad, with the exception of purchasing equipment or publications for its activities.<sup>344</sup>

Ministerial oversight of civil society groups and associations is based on article seventeen and is very stringent. Besides the cases mentioned above, and the closely monitored process of establishing a group, the board has a responsibility to inform the ministry on various occasions and to seek permissions: fifteen days before the general assembly the board has to submit an invitation, agenda and all relevant documents to the ministry and the minister then appoints a delegate to attend the meeting. Within fifteen days of the assembly the minutes and any decisions have to be delivered to the ministry.<sup>345</sup> The ministry also appoints a delegate with the right to attend board meetings and participate in discussions to advocate common good, but without the right to vote about decisions. the minutes of each board meeting have to be forwarded to the ministry within fifteen days and minister has right to revoke any decisions as he sees appropriate.<sup>346</sup>

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<sup>340</sup> The law states, that a member has to be at least 18 years old and have a clean criminal record. SD 14/2000, m. 7.

<sup>341</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 29, 30.

<sup>342</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 21, 22.

<sup>343</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 37.

<sup>344</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 42.

<sup>345</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 23, 27.

<sup>346</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 31, 32, 33.

Ministerial competencies are broad, ranging from monitoring, appointing a temporary director or board, imposing penalties for breaching the law and preapproved statutes, to force a merger or dissolution of the group in specified cases.<sup>347</sup>

### **Conclusion:**

The scope of activities that the civil society groups in Oman can carry out are very limited in the civil society laws. Furthermore the process of establishing an association is very complicated; the supervision of MOSD is very tight, and all activities are monitored. Civil society groups are also very isolated from similar groups abroad, as they cannot connect and interact freely, nor access opportunities for foreign funding. As civil society laws prohibit any political or politically related activities, it is unlikely, that their modest presence in Oman will have any effect on the change of women's status on a national level. They can however improve the lives of women through assistance, activities, or women's participation in their operation.

## **4.6 International treaties**

### **CEDAW**

Oman has ratified into the United Nations' Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in February 2006. As is the case with many Arab/Islamic states, Oman expressed its reservations to certain articles of the Convention, which do not reflect the view of state on women's position or gender roles in society.

Reservations:<sup>348</sup>

- Article 9, paragraph 2; State Parties shall grant women equal rights with men with respect to the nationality of their children.
- Article 15, paragraph 4; State Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.
- Article 16 (marriage and family matters), in particular subparagraphs a) the same right to enter into marriage; c) the same rights and responsibilities during marriage and its dissolution; f) the same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children.
- General reservation to all provisions not in accordance with the provisions of the Islamic sharia and the legislation in force in the Sultanate of Oman.

<sup>347</sup> Bi-`iṣḍār qānūn al-jam`īyāt al-ahlīyah 14/2000, marsūm sultānī, m. 17, 34, 36, 37.

<sup>348</sup> UN. Women Watch; Division for Advancement of Women, CEDAW. United Nations, 2010. [Electronic, available at <http://www.un.org/womenwatch/daw/cedaw/>, last access February 2010.

### International Labour Organization

Oman has been member of the International Labour Organization (ILO) since 1994, and has ratified four of its conventions:<sup>349</sup>

C029: Forced Labor Convention, on 30/10/1998,

C105: Abolition of Forced Labor Convention, on 21/07/05,

C138: Minimum Age Convention, on 21/07/05, and

C182: Worst Forms of Child Labour Convention, on 11/06/01.

Other conventions which would be beneficial to working women in Oman, such as Maternity Protection Convention, Workers with Family Responsibilities Convention, Equal Remuneration Convention, remain unratified.

### Arab Women Organization

Arab Women Organization (AWO) is an intergovernmental organization, which was established under the umbrella of the *League of Arab States*. Oman joined the agreement in July 2002 and the agreement came into effect on March 2003.

The AWO aims to promote solidarity among Arab women; coordinate joined Arab position on Arabic and international issues in regards to women; raise awareness about issues facing Arab women in fields of economy, society, culture, laws and media; cooperate and exchange experiences in the enhancement of women's status; empower women to play an effective role in society, labor market and decision making; widen essential health and education services to women.<sup>350</sup>

Every two years the AWO organizes conferences; the delegations are led by the first ladies, or their representatives. The outreach and influence of this organization remains largely unknown; although positive steps in organization and networking have to be acknowledged.

### Conclusion:

Sultanate of Oman acceded many international treaties and accords, but only few have the potential to improve employment conditions for women, and although Oman has been member of ILO since 1994, only four treaties were ratified, none of which are predominantly concerned with women. Oman also participates in the Arab Women Or-

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<sup>349</sup> ILO. NATLEX Database of national labour, social security and related human rights legislation, country Oman. International Labour Organization, 2010. [Electronic database available at <http://www.ilo.org/dyn/natlex/>, last access February 2010.]

ganization activities, which is positive step on the level of networking and coordinated Arab action, but as the AWO consists mostly of meetings of the first ladies or their representatives, the results might be limited to diplomacy and so far have had no effect at the national level. The most important international document concerning women's rights – CEDAW – has been ratified in 2006, but as in many Islamic countries, Oman expressed its reservations to certain paragraphs. The regular reporting about progress of the implementation of CEDAW on a national level is done every four years, and therefore no progress report is available on Oman yet. Taking into consideration, that Oman opposes all provisions not in accordance with *shariyah*, it is not expected that women's status will improve in the issues of marriage, divorce, relationship with children and their nationality, or freedom of movement. Additionally, Oman expressed reservations to any provision of CEDAW not in accordance with legislation currently in force, and therefore there are no prospects of changing discriminatory national laws to be in harmony with CEDAW. With no local women's rights activism and the main international tool for improving women's status being made unusable, the responsibility and attention on the improvement of women's lives rest with the rulers of the country.

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<sup>350</sup> LAS. *Ittifāqīyah inshā' munazzama al-mar'a al-'arabīyah*. League of Arab States, 2003, article 5. [Electronic edition available at <http://www.arableagueonline.org/las>, last access February 2010.]



## 5 Rule of Law

This chapter looks closely at the various branches of the Omani government and their role in either promulgating or enforcing law, which in turn creates the environment for women to work and demand their rights through legal action.

Since 1996 the World Bank has been compiling worldwide governance indicators, to provide researchers and policy makers with a database for informed decisions. Importantly, one of the six governance indicators covered by the program is rule of law.

"Rule of law measures the extent to which agents have confidence in and abide by the rules of society, in particular the quality of contract enforcement, the police and the courts, as well as the likelihood of crime and violence."<sup>351</sup>

As can be seen in the following table, the confidence different stakeholder's associate with the rule of law in Oman is high. Oman reached the seventy fifth percentile rank in 2008,<sup>352</sup> with its neighbors – United Arab Emirates and Saudi Arabia - faring only slightly behind, while Yemen is in the bottom eighteenth percentile.

Table 21: Rule of law

Country	Year	Percentile rank (0-100)	Governance score (- 2.5 to +2.5)	Standard error
Oman	2008	74.6	+0.82	0.16
	2003	70.5	+0.70	0.16
	1998	74.3	+0.82	0.19
Saudi Arabia	2008	59.8	+0.33	0.15
	2003	60.0	+0.22	0.16
	1998	62.4	+0.32	0.19
United Arab Emirates	2008	72.2	+0.75	0.16
	2003	76.7	+0.85	0.16
	1998	79.0	+0.91	0.19
Yemen	2008	18.7	-0.93	0.14
	2003	12.4	-1.15	0.17

<sup>351</sup> World Bank. *Governance Matters 2009: Worldwide Governance Indicators, 1996-2008*. World Bank 2009. [Available at <http://info.worldbank.org/governance/wgi/index.asp>, last access February 2010. Explanation notes.]

<sup>352</sup> Where zero corresponds to the lowest rank and hundred to the highest rank; comparison is made among all countries of the world.

	1998	13.8	-1.08	0.19
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Source: WB. *Governance Matters 2009: Worldwide Governance Indicators*. World Bank 2009.

## 5.1 Legislature

The ultimate legislative power in Oman resides with the Sultan who rules the country through his decrees (*Sultan's Decree, SD*). He is aided by appointed ministers, who issue decisions (*Ministerial Decision, MD*), in matters pertaining to their respective ministry. Although not as formally codified or officially acknowledged, MD usually elaborate or further define and specify provisions of the Sultan's Decrees. The authority entrusted with reviewing and publishing new laws in *Official Gazette* is the Ministry of Legal Affairs.

### 5.1.1 Council of Oman

The *Council of Oman* is a bicameral institution, loosely resembling western-type parliaments with its upper chamber the *Council of State*, and lower chamber the *Consultative Council*. Both chambers are formally administratively and financially independent of other state institutions.<sup>353</sup>

The Council of Oman in its present structure was first envisioned and codified in the Basic Law of State in 1996, the following year the Law of Council of Oman and its by-laws were published (SD 86/1997, SD 87/1997, SD 88/1997). It is important to acknowledge that the Council of Oman had predecessors of various names and competencies.

Certain provisions of the Council of Oman are same for both chambers. The Sultan summons all members of the respective chambers at the beginning of the new term and officially inaugurates the session. The attendance of each member is compulsory, and is also required for joint sessions of both chambers and meetings with the Defence Council.<sup>354</sup> The primary goal of the joint sessions is to issue recommendations, concerning matters referred to the Council by the Sultan.<sup>355</sup>

The Council of State and the Consultative Council initially had four regular sessions in a calendar year in of January, March, May and October, but this was changed in 2003 and the law now specifies only the requirement of eight months minimum yearly ses-

<sup>353</sup> Fī sha'n majlis `umān 86/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 614. [About the Council of Oman 86/1997, sultan's decree. Official Gazette number 614.] m. 1.

<sup>354</sup> Fī sha'n majlis `umān 86/1997, marsūm sultānī, m. 2.

<sup>355</sup> Fī sha'n majlis `umān 86/1997, marsūm sultānī, m. 3.

sion time, where the first session is joined and the Sultan addresses the members.<sup>356</sup> The head and members of the office of each chamber also attend the meetings of the Council of Ministers, where the representatives of each chamber rotate, and one meeting is attended by the upper chamber representatives and the following by representatives from the lower chamber. Ministries and other government institutions and entities are required to cooperate with the Council of Oman and submit data and information to the Council of Oman on demand.<sup>357</sup>

Originally both chambers applied a three year membership standard which was renewable once, but this condition has been removed for the Council of State in 2000, and its members could be reappointed numerous times.<sup>358</sup> A further amendment in 2003, meant that the membership in both chambers became four years.<sup>359</sup> The General Director of each chamber and the Head of Council of State are appointed by The Sultan in a decree.<sup>360</sup>

### Council of State

All of the members of the Council of State are appointed by the Sultan from former ministers, deputy ministers, ambassadors, judges, officers, distinguished businessmen, persons of superior knowledge or service to the state and other outstanding individuals as deemed appropriate by the Sultan.<sup>361</sup> Formal conditions to become a member include Omani nationality, minimum of forty years of age, integrity and clear criminal record.<sup>362</sup> An individual cannot combine membership in both chambers or membership in the Council of State and public office.<sup>363</sup> The Council of State does not have a set number of members, formerly the only condition stated that total membership should not exceed half of the number of members in the Consultative Council,<sup>364</sup> but that condition has been canceled in 2000.<sup>365</sup>

The mission of the State Council as per the law is "to help fulfill the development plans, to participate in the integration of the pure values of Omani society and to safeguard its

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<sup>356</sup> Bi-ta`dīl ba`ḍ al-`aḥkām nizām majlis al-dawlah wa al-shūrā 74/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 754. [Amendment to some provisions of Code of the State and Consultative Council 74/2003, sultan's decree. Official Gazette number 754.] m. 6.

<sup>357</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 6, 7, 8.

<sup>358</sup> Bi-ta`dīl ba`ḍ al-`aḥkām nizām majlis al-dawlah wa al-shūrā 104/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 683. [Amendment to some provisions of Code of the State and Consultative Council 104/2000, sultan's decree. Official Gazette number 683.] m. 2.

<sup>359</sup> Bi-ta`dīl ba`ḍ al-`aḥkām nizām majlis al-dawlah wa al-shūrā 74/2003, marsūm sultānī, m. 2.

<sup>360</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 2, 5, 11.

<sup>361</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 12.

<sup>362</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 13.

<sup>363</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 16.

<sup>364</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 11.

achievements, and to ensure that the fundamentals mentioned in the Basic Law of State."<sup>366</sup> Competencies of the State Council range from carrying out studies to help execute the development plan or rectify economical and societal challenges, to provide suggestions to encourage investment in production sectors, services and resources, and to submit studies or proposals regarding policies, plans and programs aimed at administrative reform. Legislative powers are limited to reviewing bills and new legal provisions prepared by ministries and government institutions after they have been submitted to the State Council by the Consultative Council.<sup>367</sup> Suggestions regarding laws are then passed on to the Council of Ministers. The result of studies, suggestions and proposals are referred to either the Sultan or the Council of Ministers.

### **Bylaws:**

Members of the State Council are guaranteed freedom to express their opinions. They are prohibited from: disclosing any information received in line of duty; allowing non-members to attend the sessions or meetings of committees; or take advantage of their position for personal gain.<sup>368</sup> The members have immunity from prosecution during the sessions, which can be lifted by the chairman of the State Council between the sessions.<sup>369</sup>

Formally the responsibilities of the Council of State are divided among the Chairman of the State Council, the office of the State Council, committees and the general secretariat. The Chairman is responsible for opening the sessions and their proceedings; he can also call for extraordinary meetings of committees to discuss urgent matters and also oversees the preparation of the State Council's budget and the work of the general secretariat.<sup>370</sup> The office of State Council sets up the agenda of the State Council, assigns work to the committees where necessary and makes the selection of members to participate in delegations both inside and outside the country.<sup>371</sup> Permanent committees are formed at the beginning of each term by decision of State Council members. In the beginning of each session the committee members decide upon topics and issues requiring attention and submit the plans to the Chairman, who presents them to the State Council. The committee reviews laws appertaining to its expertise in meetings

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<sup>365</sup> Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 50/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 672. [Amendment to some provisions of Code of the State and Consultative Council 50/2000, sultan's decree. Official Gazette number 672.] m. 1.

<sup>366</sup> Bi-ta`dīl ba`ḍ al-`aḥkām niẓām majlis al-dawlah wa al-shūrā 74/2003, marsūm sultānī, article 17., mala zmena od 86/2000 Art. 17, vypusteno slovo "government" as in help government.

<sup>367</sup> Fī sha`n majlis `umān 86/1997, marsūm sultānī, m. 18.

<sup>368</sup> Bi-iṣḍār al-lā`īḥah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 614. [Issuance of the Council of State's Bylaws 87/1997, sultan's decree. Official Gazette number 614.], m. 3, 4, 5.

<sup>369</sup> Bi-iṣḍār al-lā`īḥah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 6.

<sup>370</sup> Bi-iṣḍār al-lā`īḥah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 9, 10, 12, 13.

that are not open to the public.<sup>372</sup> The general secretariat assists members of the State Council in carrying out their work and prepares both the agendas and the minutes of Council's meetings.<sup>373</sup>

The bills referred to the State Council are firstly passed on to committee specialized in the area, secondly to the legislative committee, provided the first committee made amendments to the bill, and thirdly to the State Council for discussion and decision.<sup>374</sup> Similarly studies, reports, suggestions and recommendations of various topics follow the same route from committees to the plenary sessions, which are also close to the public.<sup>375</sup> The Council adopts resolutions by two third majorities.<sup>376</sup>

The State Council, in its current 2007 – 2011 session, has 71 members. Women represent 20% of the State Council members and eight of the total of fourteen hold doctorate degrees (only five male members have a doctorate). The female members have high representation in legal and social committees (four and three respectively), with two members for each of the following: human resource development committee, implementation of development plans committee and council's bureau. The remaining woman is a member of the economic committee. The social and human resource development committees are chaired by women.<sup>377</sup>

### Consultative Council

The process to become a member of the Consultative Council has changed few times since the adoption of the current bicameral institutional structure in 1996, developing from selection to election. In the beginning each district with a population higher than thirty thousand nominated four candidates, districts with lower population nominated two candidates, with a final selection of two from the former and one for the later was made by the Sultan.<sup>378</sup> Since 2000 general elections have been held and the candidate (or the first two candidates for bigger districts) with most votes wins.<sup>379</sup>

To become a member, person has to be of Omani nationality, thirty years of age, have a clean criminal record and integrity and be cultured and with appropriate working ex-

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<sup>371</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 16, 18, 20, 21.

<sup>372</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 25, 28, 29, 33.

<sup>373</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 45, 47.

<sup>374</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 49 - 51.

<sup>375</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 52-54, 56.

<sup>376</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 71.

<sup>377</sup> Information as provided by State Council web page: [www.statecouncil.om](http://www.statecouncil.om)

<sup>378</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 21, 23.

<sup>379</sup> Bi-ta'dīl ba'd 'ahkām nizām majlis al-dawlah wa al-shūrā 35/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 671. [Amendment to some provisions of Code of the State and Consultative Council 35/2000, sultan's decree. Official Gazette number 671.], m. 1.

perience.<sup>380</sup> These conditions were amended in 2007 to include: enrollment in the electoral registry, exclusion of member of the army or security forces, maintained financial record (never been declares bankrupt), no convictions in the court of law and not be mentally challenged.<sup>381</sup>

The last elections took place in October 2007, and among the 631 candidates there were 21 women, none of whom were successful meaning that there are currently no female representatives in the Consultative Council.<sup>382</sup>

The mission of the Consultative Council is "to help the government in all matters concerning Omani society."<sup>383</sup>

#### **Competencies:**<sup>384</sup>

The first duty mentioned by the law, when explaining the competencies of Consultative Council, is its responsibility to review bills prepared by ministries and other governmental entities. In the law 86/1997 this excluded bills, which were precieved by the Sultan as urgent for the public welfare and were printed as prepared. In year 2000, the exception included administrative and criminal code bills and bills recommended by the Council of Ministers to be raised directly to the Sultan.<sup>385</sup> In year 2003 the wording has changed yet again and the exception was applied to bills where public welfare requires their direct handover to the Sultan.<sup>386</sup>

The bills that were advanced to the Consultative Council are reviewed and together with recommendations were handed over to the Council of State. The Consultative Council was also given the authority to submit recommendations for further development of economic and societal laws and pass them to the State Council.

The Consultative Council also participates in the preparation of country's development plans, raising awarness of Oman's citizens about its goals, the priorities and efforts directed toward their achievement and thus creating bond between the government and citizens. The Consultative Council is also asked to express its opinion about topics and matters refered to it by either the government or the Sultan. The Consultative

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<sup>380</sup> Bi-işdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 22.

<sup>381</sup> Bi-ta`dīl ba`ḍ `aḥkām nizām majlis al-dawlah wa al-shūrā 2/2007, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 832. [Amendment to some provisions of Code of the State and Consultative Council 2/2007, sultan's decree. Official Gazette number 832.] m. 22.

<sup>382</sup> United Nations Development Programme, Programme on Governance in Arab Region. [available on [www.undp-pogar.org](http://www.undp-pogar.org), last access June 2010.]

<sup>383</sup> Bi-işdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 28.

<sup>384</sup> Bi-işdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 29, unless mentioned otherwise.

<sup>385</sup> Bi-ta`dīl ba`ḍ `aḥkām nizām majlis al-dawlah wa al-shūrā 104/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 683. [Amendment to some provisions of Code of the State and Consultative Council 104/2000, sultan's decree. Official Gazette number 683.] m. 29; same applies for Council of State in article 18.

<sup>386</sup> Bi-ta`dīl ba`ḍ `aḥkām nizām majlis al-dawlah wa al-shūrā 74/2003, marsūm sultānī, m. 29; same applies for Council of State in article 18.

Council receives yearly reports from service related ministries about their progress, and can demand a visit and presentation of facts and data for discussion.<sup>387</sup>

### **Bylaws:**

The Consultative Council's bylaws are very similar to the bylaws of the State Council. All of the above mentioned applies to the Consultative Council too, with the exception that although the plenary sessions are closed to public, the sessions where ministers answer questions from the Consultative Council's members are broadcasted on national television.<sup>388</sup>

Additionally the Consultative Council's bylaws define the following, which are not included in the bylaws of State Council:

- The office of the Consultative Council receives requests and suggestions from citizens and explains the position of the government on the matter, or passes the requests on to the appropriate committee. The General Secretariat may inform the citizen about his/her request.<sup>389</sup>
- The committees in the Consultative Council have to include the following: a legal committee, an economical committee, a committee for social and health issues, an educational and cultural committee and a committee for services and the development of local communities.<sup>390</sup>
- The committees may ask the Chairman of the Council for a meeting with a particular minister or his/her representative to obtain explanations, information or data on a given topic.<sup>391</sup>
- The committees of the Council may conduct studies reviewing existing laws, and where necessary, propose amendments. These are then submitted to the legal committee and after its examination forwarded to the office of the Council, which decides whether to include the proposed amendment to the agenda of the Council.<sup>392</sup>
- The Consultative Council also participates in the preparation of the five year development plan (FYDP). The general framework is delivered by the government to the Council and then submitted to the economical committee which, for this purpose, also includes all Chairmans of other committees. The committee prepares a study, after which all of the members write their notes, remarks and objections, to be further discussed and included in the study. The general

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<sup>387</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-dawlah 87/1997, marsūm sultānī, m. 31.

<sup>388</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 614. [Issuance of the Consultative Council's Bylaws 88/1997, sultan's decree. Official Gazette number 614.], m. 81.

<sup>389</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 22.

<sup>390</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 26.

<sup>391</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 37.

framework and the study is then given to the Consultative Council for discussion. The Chairmain of the Consultative Council reports the result to the Council of Ministers.<sup>393</sup>

- Every member of the Consultative Council has the right to express their wish to reexamine a certain topic, provided it concerns governmental services, public utilities or the economy. The written wish, with clearly stated reasons, is delivered to the Chairman of the Council, who submits it to the respective committee, or in urgent matters directly to the Council. The Chairman, with the consent of the office of Council, can reject the wish.<sup>394</sup>
- Members of the Counsultative Council can direct their written questions to ministers of services. The matter is closed, when the minister or his/her representative delivers his answer. It is prohibited for it to evolve into a discussion on a decision made by the Council.<sup>395</sup>
- A debate with a respective minister can be launched, based upon a written request of at least five members of Consultative Council and with subsequent Council's approval. The minister is informed about the request by the Chairmain or the office of Consultative Council and general points of the proposed debate are mentioned. After completion of the debate, the Consultative Council issues its recommendations and suggestions.<sup>396</sup>

### Conlusion:

Although Oman has a bicameral institution, which is in most international publications classified under the category of legislature, its legislative powers are severly limited, and the true legislative power remains with the Sultan and his appointed ministers. The advisory legal capacity of the Council of Oman applies to *Ministerial Decisions* only, and is further reduced by the broad exceptions of certain bills from the overview of the Council, namely those which are raised directly to the Sultan. On the other hand, the Consultative Council has the power to conduct studies about existing laws and propose amendments, which after the review by legal committee and a decision made by the Office of Council, can be included in the agenda.

The more tangible competencies of the Council concern its relationship with its citizens and an oversight of service ministries. Members of the Consultative Council can direct their written questions to the ministers for clarification, but the matter is closed after the

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<sup>392</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 55 - 59.

<sup>393</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 60 - 66.

<sup>394</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 67 - 69.

<sup>395</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 70 -76.

<sup>396</sup> Bi-ışdār al-lā'ihah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī, m. 77, 78.



minister's written answer has been delivered. A debate with a minister can only be launched following a written request of at least five members and subsequent to the Council's approval, provided the issue concerns one of service ministries, utilities or the economy. Topics such as defense, internal security or foreign relationship remain beyond the Council's competencies. The Consultative Council also serves as an intermediary between citizens and government and explains the government's position on the matters raised to the Council by the citizens. A citizen should then be informed directly.

Female representation in the Council of Oman may appear peculiar at first glance – no women in the Consultative Council and a yet there is 20% female representation in the Council of State – but given the two entirely different methods of selection (general elections versus appointment by the Sultan), and knowing that the Sultan is keen to increase female participation in the development process, the difference is easily explained. What is surprising, however, is the fact that out of the thirteen highly educated (Ph.D.) members of the State Council, eight are women. This indicates that a higher standard is expected of female nominees and is therefore not on par with their male counterparts.

Considering the pure advisory capacity of the Council of Oman in the legislative process, the author believes that the low female participation (10%) does not play a significant role in the final wording of the laws and that the legal environment for employment of women would look similar even with higher female representation in the Council of Oman. A higher significance could be attributed to the ministers who have legislative powers over the domain of their ministry and who are directly involved in choosing the bills to be amended. These ministers also influence the drafting process. There are currently four female ministers in the fields of education, higher education, tourism and crafts.

## **5.2 Law enforcement and judiciary**

### **5.2.1 Judiciary and hierarchy of courts**

The judicial system in Oman underwent tremendous changes at the end of the nineties when the Sultan's Decree codified a new hierarchy of courts and replaced the fragmented system that had been used previously. Independence of the judiciary was codified in the Basic Law of State in 1996.

Administratively and financially all courts and their employees come under the Ministry of Justice. Oman has three-tier court system: courts of first instance, appellate courts

and the Supreme Court.<sup>397</sup> In each of these courts a special *shar'iyah chamber* is established for lawsuits concerning personal status.

At the time that SD 90/1999 was promulgated, the courts of first instance were to be established only in Muscat, Salalah, Nizwa, Sohar, Suur and Buraimi, and if needed courts in other location would be convened. This was modified in 2001 and the courts of first instance were to be established in every district included in the amendment (fourty) and the proceedings to be presided by one judge. Additional courts of first instance were established in each administrative district with an appellate court, plus one for the *Inner region* and one for the *Musandam Governorate*. Proceedings in these courts are presided over by three judges with jurisdiction over special cases.<sup>398</sup>

There are six appellate courts with seats in Muscat, Sohar, Nizwa, Salalah, Ibra, and Ibri. Judgments in these courts are passed by three judges.<sup>399</sup>

The Supreme Court is based in Muscat and five judges preside over each case. An integral part of the Supreme Court is *Special Bureau*, with the following mission:

- Deduction of legal principles established by the ruling of the supreme court,
- Publication of a classified and assorted collection of judgements, accompanied by quotations of the legal principle or principles derived from them,
- Preparation of legal studies and research authorized by the Chairman of the Supreme Court,
- Publication of a periodical with selected judicial rulings and results of legal research.<sup>400</sup>

The *Special Bureau* also includes judges of appellate courts and courts of first instance, delegated by the Chairman of Supreme Court.

### Judicial profession

The Judicial Authority Law codifies eight grades of the judicial profession: associate judge, judge, second judge in the Court of First Instance, first judge in the Court of First Instance, Appellate Court judge, Supreme Court judge, deputy Chairman of Supreme

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<sup>397</sup> Initially the system was four-tier, but the lowest district courts have been cancelled in 2001 by SD 14/2001.

<sup>398</sup> Bi-ta`dīl ba`ḍ `aḥkām qānūn al- al-sulṭah al-qaḍā`īyah 14/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 689. [Amendment to some provisions of Judicial Authority Law 14/2001, sultan's decree. Official Gazette number 689.], m. 6.

<sup>399</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 660. [The issuance of Judicial Authority Law 90/1999, sultan's decree. Official Gazette number 660.], article 5; Bi-ta`dīl ba`ḍ `aḥkām qānūn al- al-sulṭah al-qaḍā`īyah 14/2001, marsūm sultānī, m. 5.

<sup>400</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 4.

Court, and Chairmain of Supreme Court.<sup>401</sup> Requirements to enter the judicial profession are clearly stated: Muslim, Omani nationality, legally competent, praiseworthy life and reputation, law degree, clean criminal record, successful exams and interviews for the job.<sup>402</sup> When enumerating the conditions, the law uses masculine gender, but the sex of candidate is not one of its conditions. This might mean that men only are allowed to enter this profession or that the gender is used as a general term, encompassing both men and women as is the case in Labor Law. Importantly, the law does not explicitly forbid women to become judges, but sadly, to the best knowledge of author, there are no female judges in Oman. With the exception of associate judges, who are appointed by the Minister of Justice, all judicial appointments are made by the Sultan.

The law further specifies procedures and conditions for career advancement of judges, as well as the conditions for individuals working in related fields (lawyers, academics in law school), who wish to become judges.<sup>403</sup>

All judges are forbidden from engaging in any business activity or activity contradicting the independence of the judiciary. They are also forbidden from expressing political views. A judge is not allowed to preside over a case which involves his relatives, or in a case where an acquittance may have a stake. Similarly a judge cannot offer advice to either sides in a lawsuit or express his opinion.<sup>404</sup> All judges enjoy immunity and cannot be arrested except after the approval of *Council for Administrative Affairs* (please refer below), with the exception of cases in flagrante delicto.<sup>405</sup>

The *Council for Administrative Affairs* is presided over by the Chairman of the Supreme Court and its members include the three most senior positions, Deputy Chairman of the Supreme Council, public prosecutor, senior judge of Appellate Court and senior judge of Court of First Instance. The Council executes its power over the appointment of judges, their promotions, delegation, loan to other institutions<sup>406</sup> and other employee affairs, such as lifting the immunity of a judge suspected of a crime.<sup>407</sup> The Council has a right to propose changes to laws regarding the judiciary<sup>408</sup> and its approval is needed for a Ministerial Decision assigning judges to courts for the following judicial year and in the selection of lower courts chairmen.<sup>409</sup>

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<sup>401</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 20.

<sup>402</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 21.

<sup>403</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 22 - 30.

<sup>404</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 51, 52, 53.

<sup>405</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 87, 88.

<sup>406</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 16, 17.

<sup>407</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 87.

<sup>408</sup> Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`īyah 90/1999, marsūm sultānī, m. 17.

The jurisdiction of the courts mentioned above includes all civil, criminal, and commercial cases, arbitration requests and labor taxation cases.<sup>410</sup> Of the original special courts e.g. the Commercial Court, the Labor Court, the Taxation Committee etc. only two have been upheld in the new system as special independent judiciary bodies: the *State Security Court* and the *Administrative Court*.

- The *State Security Court* deals with cases concerning assault on the Sultan, or his reins of power, including coup, obstruction of power, disobedience, provoking civil war, terrorism, usurpation of power, militant groups, political parties etc.<sup>411</sup> The State Security Court has two branches, the first one is for misdemeanor cases, which is presided over by the Chairman and two judges of appellate courts and the second is for felony cases, presided over by the Chairman and four judges of Supreme Court. In both courts a member or members of state security apparatus or military, with appropriate education, can be included in the judicial panel, but their number has to be lower than half of the regular judges.<sup>412</sup> It is prohibited to try a civilian in the State Security Court.<sup>413</sup>
- The *Administrative Court* tries cases concerning the decisions and actions of government bodies. These include lawsuits such as salary, end of service gratuity, forced retirement, pension and other issues raised by governmental employees. The Court does not have jurisdiction in requests concerning the work of the Sultan, his decrees or orders.

### Conclusion:

Since the introduction of the new judicial hierarchy in 1999, the system is simpler and no longer plagued by its previous fragmentation. Furthermore, courts of first instance have been established in forty different districts and make the judiciary more accessible by Oman's population. The readiness of women to take legal action remains questionable though. It is not clear if a women's testimony is worth only half of a man's as is the tradition in Islamic law or if the newly promulgated law (SD 68/2008) changed this situation. Furthermore, the fact that there are no female judges in Oman might deter women from seeking a verdict, despite the fact that the Ministry of Justice has female legal aids (mostly concentrated on family issues), who assist women in intricate situations.

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<sup>409</sup> Bi-ʿiṣdār qānūn al-sulṭah al-qaḍāʾīyah 90/1999, marsūm sultānī, m. 37.

<sup>410</sup> Bi-ʿiṣdār qānūn al-sulṭah al-qaḍāʾīyah 90/1999, marsūm sultānī, m. 8.

<sup>411</sup> Qānūn al-jazāʾ 7/1974, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 52. [Penal Code 7/1974, sultan's decree. Official Gazette number 52.], m. 123 – 139.

<sup>412</sup> Bi-ʿiṣdār qānūn maḥkamah ʿamn al-dawlah 64/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 752. [The Issuance of State Security Court Law 64/2003, sultan's decree. Official Gazette number 752.], m. 2.

<sup>413</sup> Bi-ʿiṣdār qānūn maḥkamah ʿamn al-dawlah 64/2003, marsūm sultānī, m. 14.

## 5.2.2 Law enforcement and public prosecution

### Police force

The mission of Royal Oman Police (ROP) is to maintain order, public safety and good manners; to protect lives and property; to ensure peace and tranquility in all fields; to work on crime prevention, arrest offenders, undertake investigations and collect evidence; and undertake other duties as prescribed by law or Sultan's Dqecree.<sup>414</sup>

The head of ROP is the Chief of Police, who is appointed by the Sultan and has broad competencies in the police force structure and in the appointment of lower ranking officers. However, the Sultan retains the post of supreme commander and his approval is necessary for appointment of high ranking officers.<sup>415</sup> In extraordinary circumstances to be decided by the Sultan himself, the police force or any of its units may be required to merge with Royal Armed Forces (RAF). In this case the leadership belongs to the RAF and the former police unit is tasked with duties of the army.<sup>416</sup>

Eligibility criteria for police service: Omani nationality, appropriate age, good health and fitness, not married to foreigner after 1986 without permission, dignified life and manners, clean criminal record and required education and experience as decided by the Chief of Police.<sup>417</sup>

Policemen can resort to the use of force in line of their duty, if all other means of compliance have been exhausted. They can use a weapon in three circumstances:

- Arrest: applies to a person sentenced to three or more months or person suspected of terrorism, who resists arrest or tries to escape; a defendant in a felony or misdemeanor charge, where penalty is a minimum of six month; other accused, who resists arrest and tries to escape.
- Guarding of prisoners, if they resist or try to escape.
- Scattering crowds, demonstrations or meetings of more than ten people, if public safety is at risk.

A policeman can discharge his weapon in the instances mentioned above, provided the order came from officer in charge and the perpetrator has been warned.<sup>418</sup>

Members of police force are prohibited from: engaging in politics or business activities; accepting membership on a board of private companies; disclosing any information received while in police service or misusing their power.<sup>419</sup> Police misconduct is dealt

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<sup>414</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 427. [The issuance of Police Law 35/1990, sultan's decree. Official Gazette number 427.], m. 11.

<sup>415</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 2, 5, 13.

<sup>416</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 8.

<sup>417</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 12.

<sup>418</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 50, 51, 52.

<sup>419</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 55.

with internally and in severe criminal cases the policeman is judged by the military court.<sup>420</sup>

### Public prosecution

The public prosecution office is an independent body (codified in the Basic Law of State) and was established by Sultan's Decree 92/1999. Previously the public prosecution office was a semi-dependent institution under the Royal Oman Police.

The mission of Public Prosecution Office is to: carry out lawsuits in name of society; oversee proper use of judicial mechanisms; guard the use and application of laws, pursue criminals and effectuate sentences.<sup>421</sup>

There are currently thirty two offices of Public Prosecution around the country, and women regularly serve as public prosecutors. In 2004 five of the twenty nine new appointees by Sultan to the public prosecutors office were women.<sup>422</sup>

The law recognizes seven staff levels of the public prosecution profession: public prosecutor, deputy public prosecutor, assistant public prosecutor, chairman of public prosecution, first deputy of public prosecution, second deputy of public prosecution, and associate of public prosecution. All the levels except the lowest – associate of public prosecution are appointed by the Sultan, after nomination by *Council for Administrative Affairs* mentioned in the subchapter about judiciary.<sup>423</sup> Employees of public prosecution are equal to employees in the judiciary in their salary and entitlements, conditions and methods of promotion, employee affairs organization, as well as in terms of immunity and the procedures of its cancellation.<sup>424</sup>

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<sup>420</sup> Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī, m. 58 – 67, 68 – 86. And appropriate amendments in: Bi-ta`dīl ba`ḍ `aḥkām qānūn al-shurṭah 42/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 695. [Amendmet to some provisions of Police Law 42/2001, sultan's decree. Official Gazette 695.].

<sup>421</sup> Bi-inshā` al-iddi`ā` al-`ām wa iṣḍār qānūnihā 92/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 660. [Establishment of Public Prosecution and issuance of its law 92/1999, sultan's decree. Official Gazette number 660.], m. 1.

<sup>422</sup> CRS. *Oman: Reform, Security, and U.S. Policy*. Congressional Research Service, The Library of Congress, 2005, p.5. [Electronic version available at [www.policyarchive.org](http://www.policyarchive.org), last access July 2010.].

<sup>423</sup> Bi-inshā` al-iddi`ā` al-`ām wa iṣḍār qānūnihā 92/1999, marsūm sultānī, m. 7.

<sup>424</sup> Bi-inshā` al-iddi`ā` al-`ām wa iṣḍār qānūnihā 92/1999, marsūm sultānī, m. 8, 9, 10.

### Lawyers' profession

The legal profession is regulated by SD 108/97.<sup>425</sup> Lawyers are prohibited from combining their practice with certain occupations: ministerial post, post in government, public corporation or organization, employment in companies or banks and running a business. The occupation can be combined with membership in the Consultative Council, and with temporary law teaching positions or scientific committee membership.<sup>426</sup> Conditions for practicing law include Omani nationality, minimum 21 years of age, law degree, good reputation and clean criminal record.<sup>427</sup> Furthermore all lawyers have to be entered into the appropriate lawyers' registry which is maintained by the Ministry of Justice, before starting their practice. The MOJ keeps four different registries which are classified according to advancement. They are the registry for junior lawyers (still in training), lawyers practicing in courts of first instance, lawyers for courts of appeal and lawyers for the Supreme Court. Following table shows Omani lawyers, registered in the four categories.

Table 22: Lawyers' registry

	Total	Female lawyers	Female lawyers' ratio
Junior lawyers	556	37	6.7%
Court of first instance lawyers	358	25	7%
Court of appeal lawyers	130	4	3%
Supreme court lawyers	111	1	1%

Source: Ministry of Justice, [www.moj.gov.om](http://www.moj.gov.om)

The law further specifies conditions for advancement, rights and duties of lawyers, and the relationship between a lawyer and his/her clients.

### Conclusion:

The police force, public prosecution office and legal profession in Oman has a similar structure and competencies as the same units in other countries. The situations where the police can use force, as well as the conditions that candidates for the police service have to fulfill before becoming policemen are clearly stated in the laws. The police service has been open to female aspirants since 1972<sup>428</sup> and Oman has an all female po-

<sup>425</sup> Bi-'iṣḍār qānūn al-muḥāmāh 108/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 590. [The issuance of Lawyers' Profession Law 108/1996, sultan's decree. Official Gazette number 590.]

<sup>426</sup> Bi-'iṣḍār qānūn al-muḥāmāh 108/1996, marsūm sultānī, m. 6.

<sup>427</sup> Bi-'iṣḍār qānūn al-muḥāmāh 108/1996, marsūm sultānī, m. 12.

<sup>428</sup> ROP. *Women in ROP*. Muscat: Royal Oman Police, 2010. [Available at [www.rop.gov.om](http://www.rop.gov.om), last access July 2010.]

lice unit. Female participation is also common in both the public prosecution and the legal profession and competencies and conditions of service are also clearly defined by laws which is gender neutral. Although women do not represent a substantial proportion of the law enforcement units, their participation appears to be increasing, which should, in long term, have a positive impact on women considering legal action.

### 5.2.3 Legal literacy

Legal literacy in Oman appears to be a major issue, mainly because there are, in reality, no stakeholders promoting the topic or spreading awareness about the rights and responsibilities of citizens and residents under the law of the country.

In this respect, the government is doing very little. The slowly developing civil society groups are closely monitored by MOSD and legal literacy campaigns either have not been conducted in Oman or their existence has never been acknowledged in the local newspapers.

The only notable exception is the work being done by American Bar Association (ABA), which under its *Rule of Law Initiative* (ROLI) is organizing judicial, legal and educational programmes in Oman. Both the judicial and legal programme targets legal professionals and aims to train new judges and lawyers, to help develop the curriculum or organize specialized workshops. These programmes are implemented in collaboration with the Ministry of Justice (judicial programme), and College of Law at Sultan Qaboos University (legal programme).

More importantly for the legal literacy situation in Oman, the ABA's ROLI includes public legal education programmes. These programmes are being developed in partnership with the Ministry of Legal Affairs and consist of public legal education campaigns to increase awareness of legal rights.<sup>429</sup> However, sadly it appears that these initiatives are still in their early stages.

### Conclusion:

When considering laws, legal awareness, access to justice and women, it is important to notice, that the barriers do not lie solely in lack of information or unawareness about the rights the law provides. In the Arab world particularly, where family plays crucial role in the structure of society and most issues are dealt with on a family or extended family level, women seeking law enforcement tend to encounter social pressure and constrains, discouraging them from formal legal action. Nevertheless increased legal

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<sup>429</sup> ABA. *Rule of Law Initiative 1990 – 2010; Promoting the Rule of Law. Programs*. American Bar Association. [Electronic version available at [www.abanet.org/rol/mena/oman.shtml](http://www.abanet.org/rol/mena/oman.shtml), last access April 2010.]



awareness and knowledge of the legal process would open an alternative pass for women in difficult situations.

## 6 Policy recommendations

### Government policy

Government policy and planning have developed into a complicated and intricate process over the past 40 years. Initially (1970s) more attention was given to issues such as infrastructure, financial planning and the establishment of government institutions. From about 1995 a shift towards the development of human resources and its interrelated issues such as population, labor and culture began to occur. The change of focus in planning and policy in Oman in the nineties reflects the development progress of the country as whole - the basic infrastructure, system of government and financial resource allocation were laid down in the first twenty five years of modern Oman, and the priorities at the end of millennium more became concentrated on human resources, the slow down of population growth, sustainability of government investment and development and the vitalization of the private sector. Based upon the available data, it appears to the author, that the general planning and policies of Omani government are sound and the analysis of conditions, challenges and needs are accurate. Nevertheless many issues – especially Omanization of labor force, weakness of the private sector and reluctance of Omanis to join certain occupations – are reappearing in consecutive development plans. This suggests that firstly the correction of the problem might require a prolonged period of time, especially if change of the population's traditions or attitude is needed, and secondly that the implementation of policies might be falling short of the vision. To distinguish between these two scenarios, timely data would be needed, but regrettably the government publishes only selected background information as part of the development plans and it is considerably time delayed. Although the various volumes of the statistical yearbook proved very helpful, they constitute only a fraction of the data required. Increased transparency and public accessibility of the base data for development planning processes would enable independent analysis and possibly a new point of view.

Women and development in government policy appear only sporadically. Attention is paid to women predominantly in its social dimensions and outreach – women as part of family and community, women's associations, importance of women's volunteer work and the role of women in preserving culture and heritage. Government policy on women's work appears rather problematic, largely due to its absence. The second long term development strategy – Vision for Oman's Economy: Oman 2020 – indicated a clear interest in women's employment and set targets to double women's participation between 1995 and 2020. Although neither the policy nor the goal distinguished between expatriate and national female labor force, which are vis a vis impropportionate, the government awarded the issue an attention and set clear targets to improve the situation. Regrettably, in the following three FYDP the issue hasn't been further explored or developed. The 5<sup>th</sup> and 7<sup>th</sup> FYDPs do not contain any women's employment related

policy or targets. The 6<sup>th</sup> FYDP briefly mentions the need to increase female participation in the labor force, but again, sets no targets nor discusses the possible ways of increasing women's employment. The only clear and mentioned strategy to increase productive activities of women is the *income enhancement projects* organized by MOSD, which aim to help low income families in establishing their small income generating project, usually sale of homemade items or crafts.

It appears to the author that the most problematic points in the government's policy are the concept of society and the social contract, the government's attitudes to its society and aims to preserve it. Emphasis is placed on family as the building unit of society (codified in the Basic Law of State) and not the individual. As the family and decision making powers in family matters belong to a husband, who by Personal Status Law is entrusted with the patronage of the family, a woman's role is limited to childbearing, bringing up the children and household duties. Furthermore a woman has no financial obligation for her children or even herself, this duty falls entirely on husband, who is by law required to provide for the whole family. This assumption of the 'male breadwinner and female housewife' model is intertwined throughout the government's planning and policy, and has a recognizable impact on a women's role in society, where the public sphere remains the domain of man and woman is expected to care for the family. Although this model does not reflect the situation in the changing society of Oman entirely, the fact, that the government places an emphasis on preserving it, will remain the single most restrictive factor in increasing women's participation in the labor market. Throughout the government's policy women's productive capabilities are treated on two levels – as a bonus or as a last resort. In the first case, both parents are working, the family income is higher and the standard of living of the family improves. In the second case the man is unable to support his family and generate enough income and as a result the woman's skills are utilized. A prime example of this case is the income enhancement project organized by MOSD.

The driving force behind female employment is ultimately her own will and desire, as there are no financial obligations requiring her to support herself or her children. Neither the societal set up as envisioned by the government, nor the policies currently in force encourage female employment. Not surprisingly, many women who found employment after finishing their studies cease working around the time that they get married or have their first child. In spite of the economical urgency for more nationals to join the labor market, the environment for female employment as created by the government is not favorable. Women are able to join the workforce, but are not supported in any tangible way by the government, and women who remain employed after marriage and the birth of their children have to negotiate between the demands of their job and their household and family duties. To improve the situation, government should strive to introduce gender mainstreaming in its policies and should regularly set targets and mechanisms to reach them, in order to have a clear picture about the changing conditions and effectiveness of policy tools. The government should further support the time management needs that women face by encouraging part time work options, the

possibility of work from home in certain situations (ill child), job sharing, and the establishment of affordable childcare. If the government succeeds in establishing an environment, which is supportive of combining family responsibilities with employment, more Omani women are likely to join the labor force and fulfill their professional dreams. The government, in turn, would gain some return on the investment in health care and education of the second half of population, which traditionally has not been part of the labor market.

### **Omanization**

Omanization of the workforce has been, for the last twenty years, one of the government's top priorities, but implementation of this policy remains rather problematic. The government realizes the urgency to increase Omani participation in labor market, and while improvements are perceptible, the progress has not been as fast as as evenly distributed as was envisioned. Huge disparities remain between the public sector, which is largely Omanized, and the private sector, which is dominated by foreign labor. With the exception of the banking sector, governmental initiatives to entice Omani workers to join the private sector in the Sultanate have fallen short of the projections. Furthermore the costs of the Omanization drive are undoubtedly (although no numbers are available) immense. Government is providing training and reeducation courses through SANAD incubators and employment offices, pays private sector establishments which train and subsequently employ Omanis and covers the costs of all specialized institutions and committees working on Omanization, plus the Omanization departments at individual ministries. Regrettably it is also assumed that the Omanization process has a negative impact on economy, namely on the competitiveness of Omani products. As an integral part of the Omanization policy, the government exerts strong pressure on private sector establishments. This is achieved through Omanization ratios which are set for each sector and subsector, penalties and blacklisting of companies not implementing the ratios, and an increase of direct costs in employing foreigners. Thus the private sector is experiencing increased cost of operation, which is further reflected in products' price.

If the Omanization of the labor force in the private sector is to succeed, one crucial step at the policy level is required: for salaries, benefits, allowances, working hours, working conditions and vacation time in private a public sector to be equalized. For as long as there are huge disparities (perceived or factual) between the two sectors, increased Omanization of the private sector labor force is unlikely. As the numbers show (please refer to chapter 1.2) that while Omanis prefer employment in public sector, the public sector, though largely Omanized, is extremely overstaffed. The government projected ratio aims to have 30 public service employees for every 1000 people of population, but currently instead of the 95 thousand projected, public sector has 153 thousand employees. It is therefore not expected that new entrants to the labor market will have the opportunity to win a public service job, and will therefore have to face competition with foreigners in the private sector, which is fierce. Besides equalizing working conditions in public and private sector, it is essential to start campaigns aimed at changing the atti-

tudes of Omanis towards less prestigious occupations, including all types of vocational professions and manual work.

### **Government and administrative structure**

As has been mentioned previously, the Omani government is overstaffed and the number of civil service employees is still rising, as is the number of ministries and specialized institutions, many of which are being newly formed. Almost all governmental bodies are struggling with issues of transparency, interdepartmental communication and public relations affairs. On the other hand, a prominent improvement can be seen on the internet where all ministries and most of the specialized institutions have their web-pages, and strive to improve services provided through the e-government initiatives.

### **Government action**

Tremendous progress has been achieved in education on all levels. For the employment of women it would be beneficial if the vocational training courses provided through governmental initiatives included more occupational options. Currently women are encouraged to join a tailoring programme, but no other alternatives aimed at women are available, such as training to be a receptionist or secretary.

Women's networking is severely limited and, with the exception of the OWA, there are no avenues for women's networking throughout the country. The situation would improve dramatically if government relaxed the rules for establishing and running NGOs. It takes an average of two years to establish a civil society group and even then monitoring and oversight of MOSD is very tight and restrictive. Civil society groups should also be allowed to cooperate with similar organizations from abroad and receive funding from various sources. The Business Women's Forum is still in its initial phases and its influence on women's networking still remains to be seen, but the vision of organizing seminars, lectures, legal advice for prospective female entrepreneurs appears to be helpful and sound.

The social safety net is a well designed system to protect the most vulnerable categories of citizens (as perceived by government). The welfare system includes not only monthly pension, but many other benefits, such as exemption from governmental fees and additional allowances on special occasions. The insurance and pension system in the private sector have witnessed a great change since the establishment of PASI and the introduction of insurance coverage for all Omanis in the private sector, which before 1991 was unavailable. The insurance and pension system in public sector is very scattered and diversified. All special units in government have their own pension fund and laws governing their insurance and retirement. Costs associated with the administration and manpower needs of these specialized pension funds could be decreased through the establishment of a single pension fund for the public sector, incorporating the different conditions and eligibility for various units.

In the employment sector an improvement can be seen in the numbers of Omanis employed and the services provided by the government. The MOM has nine employment offices located in various parts of the country. The recent introduction of clear procedures and conditions of services, and the fact that these services are provided to Omanis free of charge is a big step forward. The work done by MOM on labor market monitoring, planning and administration remains obscure, for example, no information or estimates are provided on the unemployment rate. Omanis do not receive any kind of unemployment benefits. The administrative structure for the employment of Omanis is still developing, and it would be expedient to establish more employment offices, in order to keep encouraging Omanis to find employment, and to start campaigns at schools and educational institutions about ways to find work, work ethics, rights and obligations of employees and employers and to bring the expectations of Omani youth in line with reality.

Government entrepreneurship support has been developing over the past ten years and has witnessed keen interest from both male and female Omanis – women form 40% of beneficiaries of the SANAD programme. The two programmes currently in place have potential to reach a greater numbers of Omanis, if following is done: SANAD, unlike Sharakah has offices located in various parts of the country and is thus able to connect with population on a local level. Regrettably, public relations and the activities organized do not reach the desired level. Sharakah's public relations and information provision are sufficient, but they only have an office in the capital. Both of the programmes are involved in outreach activities either through sponsoring awards and business incubators, or by publishing an entrepreneurs' magazine. Unfortunately the two programmes with a common goal do not appear to communicate in any way or coordinate their activities. Furthermore as is the case with most governmental projects, transparency is an issue: no comprehensive data is provided about the costs of running these two programmes, the number of their beneficiaries, the repayment ratio of loans, gender representation or the success rate of individual projects.

Although implementation of governmental plans might at times be challenging with transparency, accountability and efficiency failing to meet the desired level - the progress achieved in the last forty years in Oman is tremendous. Omani men and women have access to health care, all stages of education, the country has a stable political system and government, where citizens participate through elections, and an enlightened ruler who genuinely cares about his country and its population. The government is currently not doing much in relation to women and employment. Although employment of Omanis is high on the agenda, gender mainstreaming is not implemented and special circumstances which would apply to women seeking job are not taken into consideration, such as the infrastructure for accessible child care or part time employment options. One recent positive development aimed specifically at women was the established of Business Women Forum at OCCI, which has the potential to enable networking amongst female entrepreneurs. As has been mentioned previously, the author believes that even if there were jobs available for women and soft infrastruc-

ture to help with their time management needs (nurseries, nannies etc.), the employment of women will remain at similar levels, for as long as governmental point of view regarding male and female roles in the family and society stay the same. There are of course other factors influencing female employment, such as the will and desire of woman, dire family situations, or available opportunities, but these have influence over individual lives of women and not the society as a whole. Within the Omani society the government has encouraged the traditional model of 'male breadwinner and female homemaker' and this still remains deeply rooted.

### **Analysis of laws**

The Basic Law of State prohibits discrimination of grounds of sex in its article 17. It also guarantees a right to practice in an occupation of choice without any limits imposed on women and goes on to declare all citizens equal in civil service employment. Although the law does not guarantee equal pay for identical work, it does not discriminate against women in any way in relation to employment. The discriminatory provisions in the law stem from the codification of *shariah* as the foundation of the legislative and as a part of the country's heritage. *Shariah* is, by its nature, discriminatory and assigns different roles to men and women. This does not necessarily impede women in employment directly, as the *shariah* provisions upheld by Omani government in its modern legal codex deal foremostly with family matters. But the fact that Basic Law of State codifies family as the basis of society and aims to protect and preserve it, mirrors the secondary position that women are assigned in the family to wider society.

In the personal status law many of the *shariah* provisions are upheld and strictly differentiate the roles of men and women: the husband is entrusted with patronage over family, the position of guardianship (required to be male) is very strong, and the differentiated treatment of children based upon their sex is also maintained. In addition to the fact that women do not bear any responsibility for the financial sustenance of their families, they are also not independent in their actions, as their guardian or husband has the primary decision making power over them and their actions. A woman's relationship with her children is also limited in comparison to that of her husband, who acts as the children's sole guardian. Although women enjoy strong property rights in Islam, they are not reflected in their personal status, which is decided on their behalf by male relatives. Women at large are not encouraged by their personal and family status to enter the labor market. Changes in the personal status law would prove extremely beneficial to the role that women play in society, but the process would undoubtedly be very intricate as the current provisions of personal status reflect the traditions of the society. Changes can be successfully introduced, as is the case in Oman: through legislation, a woman can no longer be married without her consent and she can appeal the decision of her guardian to a judge. As this example shows, changes in provisions of personal status are possible, but they would require determination on the part of the lawmaker (ruler). As has been shown in the chapter about civil society in Oman, it is very unlikely that there would be a grassroot movement demanding change, mainly

because the options and avenues for action that the women's groups have in Oman are very limited.

Civil status adopts differentiated treatment of men and women, but does not have direct negative impact on women's employability because they are allowed to receive identification cards, which are a prerequisite for any employment, at the same age as men, without the permission of their husband's or guardian's. The law's preference for male reporting of changes in civil status might have an indirect effect on women as it undermines their responsibility to the community and the state and any ambition for self-assertion and fulfillment. Considering, that the provisions of this law are not based upon customary Islamic law, the change could be made easily and women would be one step closer to equality. Another necessary change is in regards to nationality. Women are currently not able to pass their nationality to their children; it is a right that only the father has. This stipulation likely aims to preserve paternal lineage, but imposes severe restrictions on women who are relegated to the position of second class citizenship without the right to pass on their nationality to their offspring. Further restrictions are imposed on women's freedom on movement. Women cannot obtain their passport without the written, authenticated permission of their husband. This limitation has direct implications for women's employability and should be addressed by the government.

The labor law follows a pattern prevalent in western countries: it does not impose limits on career choices and occupations and prohibits discrimination against of women in the same job. Women's employment is restricted in the evening, night and early morning hours, and it is only possible for women to work in certain circumstances, and only after the employer obtains permission from the MOM. Although this measure aims to safeguard women, it decreases their employment options. Maternity leave in Oman is very short and is either unpaid or paid partially through health insurance provided by employer. It would be beneficial to include paid maternity provisions in the system of social insurance. In all other provisions of the labor law men and women are treated equally and a wife does not require the permission of husband to enter employment. The civil service code is gender neutral with the exception of the three aforementioned exceptions; maternity leave, death of a husband and unpaid leave after birth of child. Maternity leave in civil service is paid by employer and is longer than in the private sector. Neither the civil service code nor the labor law includes provisions for safeguarding a women's position until she returns from maternity leave. If included, this could have big impact on employment of middle aged women as most of them leave paid employment permanently with the birth of their first child.

The social welfare law is structured in line with the concepts laid out in personal status law – women are not expected to provide for themselves, this responsibility rests with guardian or husband. For this reason alone, four out of the eight categories eligible for welfare support, are women out of wedlock. The social contract as presented is not viable. The government invests in education and health care for the whole population, but does not expect half of the population to enter into productive work. The social con-



cept needs to be readjusted to meet the changing situation in society and the progressive developmental stage of its population. The social insurance system law is mostly gender neutral and female employees are treated foremostly as employees. The only slight gender differentiation is in the retirement age and the number of contributions needed to qualify for a pension. The structure of the beneficiaries in insurance system follows the pattern set out in personal status law and therefore female beneficiaries are given preferential treatment and fewer conditions to fulfill. Neither the civil service pension system nor the special units' pension system is gender differentiated. Male and female employees have same retirement age and same amount of service. It remains unclear if a woman's maternity leave is included in the number of contributions they pay or not. The beneficiaries system is applied in a similar way to the social insurance system, with one exception: female beneficiaries are prohibited from receiving a pension following the death of an individual in the special units', if they are employed. This appears rather odd as in the social insurance system a widow qualifies for the deceased's pension while she is employed, and under the special units' regulations this is forbidden. The regulations governing pensions in Oman, especially in public sector, are very complicated. Simplifying the regulations would make the system more transparent and accessible.

Land laws are currently gender neutral. An important amendment was passed in 2008, making women eligible for governmental plots of land under the same conditions as men. This single step has had an important impact on women's entrepreneurship prospects because they can use their plot of land as collateral when applying for bank loans.

Civil society laws impose excessive limitations on both the establishment and operation of a civil society. Civil societies in Oman are not NGOs per se, due to the stringent regulation imposed by the MOSD and the funding and networking restrictions. Their activities are very limited and without comprehensive alterations to the civil society laws, no change in women's status can be expected to be achieved through grassroot activities or pressure on the government through such societies. It is very unlikely that the international treaties that Oman has acceded to will have any effect on women's status in the country. The CEDAW convention has been adopted with broad reservations, and is thus ineffective as a tool for change. Conventions of ILO related to women remain unratified and Oman's involvement in the AWO is mostly diplomatic and improvements through its actions are not yet visible. It appears to the author that with limited grassroots activities of Omani societies and the lack of pressure from abroad, the only means of introducing change to the discriminating laws of the country is the will, involvement and resolve of the ruler.

### **Rule of law**

The power and authority of the Council of Oman is limited, nevertheless it involves citizens through elections of the lower chamber and also allows citizens to direct their

questions to the Consultative Council. Citizens' representatives have a lesser role in legislative process, but oversee most of the legislation enacted by ministries and may recommend changes. The actual legislative power is held by the Sultan, who pronounces *Sultan's Decrees*, and is partially delegated to ministers who may enact laws in form of *Ministerial Decisions*. Although this legislative set up is highly unusual and does not follow the pattern of separation between executive and legislative power, it provides one major advantage to the legislative process: it makes prompt changes possible, through decisions made by the Sultan or competent ministers, knowledgeable about issues in their field. Women's participation in the upper chamber is very high (20%), and Oman currently has four female ministers. No women succeeded in last general election to populate the lower chamber of the Council of Oman. The legal environment for female employment may change rapidly, depending on the decision of the ruler, who enacts all crucial laws. Although the equality of genders has not been treated as an issue up until now, the position of women improved considerably under the leadership of sultan Qaboos and many changes rectifying previous impediments in laws have been introduced. The changes in legal framework usually happen very fast. It is expected, that further changes in the wording of laws currently discriminating against women may be introduced. However, the process is unlikely to include civil society consultations, consideration of the international climate on gender issues or a debate in the Council of Oman.

The judiciary underwent tremendous transformation and simplification, and is also currently more geographically accessible. There are no female judges in Oman, although the law does not explicitly ban women from becoming judges, and women regularly serve in other areas of the judicial system namely in the police force and as public prosecutors. The structure and competencies of these two authorities are similar those of developed countries and have recently been separated to form two independent entities, in order to insure more transparent legal proceedings. Legal literacy in the country is severely underdeveloped and the lack of NGOs' activities on this issue is felt.

## Conclusion

The numbers of Omani women joining the labor force is increasing and at first glance it could be presumed that governmental policy and its implementation is fruitful in areas influencing female employment. As can be seen in the first chapter, the Omani female participation ratio in the public sector is constantly rising, registering five percent increase between 2004 and 2008 (35.8% to 41.1%). Regrettably this indication of major improvement in female employment is one of the few. The willingness of women to work in the private sector appears to be almost non-existent, as women form only 3% of the total private sector labor force and almost half of them (45.3%) belong to the lowest earning category on the wage scale. Besides the issues associated with the preference of Omanis for public sector employment over private sector employment (valid for both male and female candidates), the current employment levels of female Omanis bears specific characteristics, and indicates problems for future development. First of all, the age distribution of working women is very uneven and is dominated by a very young workforce. Almost 80% of Omani women working in public sector are at age between 20 and 34 years, with the age group of 25 to 29 years represented by the highest numbers. Similarly in the private sector 75% of its Omani female workforce belong to the age group 21 and 35 years of age, with an additional 5% younger than 21 years. This could be partially explained by the fact, that Oman's indigenous population is very young and the population structure is therefore reflected in the structure of the labor force. This however does not explain the discrepancies in gender comparison, as the percentage of Omani males working in public sector, which, in the same age categories, represents only 52% of the total Omani male workforce. The difference in the private sector is not as prominent, but the female workforce is still proportionately younger. This variance suggests that women are leaving paid employment at an early productive age for some reason. Judging by the age distribution, it can be assumed that changes in family situation (marriage, birth of first child) are the primary reasons for resignation. While this is not unusual in other countries, women in Oman generally do not return to work after their children grow up and instead remain homemakers. This trend is very distinctive and influences other indicators of the female labor force. Only few women occupy leadership positions and belong to the high earning categories. Based on the data available it was not possible to make detailed comparisons of wage structures and career progression between genders based on age, educational level or years of experience, but the author believes, that when Omani women represent only 6.6% of the total labor force and generally remain in employment only until their family circumstances change, it is not reasonable to expect high proportion of female leaders and high earners and achievers. The second issue associated with the structure of the female labor force in Oman is its sectoral distribution and educational level. Although the MONE does not publish data about the educational level of the employees in the private sector, based on the wage categories it can be inferred, that the educational

level of the majority of women working in private sector is not high. In stark contrast, Omani women working in public sector are highly educated – more than half hold a university degree and almost a third have a post secondary diploma. This suggests that women with tertiary education (but not limited to them) clearly prefer employment in public sector. This assumption is further collaborated by actual numbers of women employed: there are currently about 72 thousand Omani women employed, and over 45 thousand of them work in public sector. The imbalance is even starker when we consider, that the public sector workforce represents only about one tenth of the total labor force. Besides the disproportion of Omani women employed in the public and private sectors, Omani women employed in the public sector tend to belong to two sectors: education and health care. More than two thirds of women are employed by the Ministry of Education, with a further 23% employed by the Ministry of Health. Only the remaining 7% of the Omani female workforce in the public sector are employed by other ministries and institutions. These numbers indicate that female employment remains concentrated to sectors traditionally perceived as a woman's domain and exploration of opportunities in other sectors is rather tentative. This tendency will, in all likelihood, prove problematic in future, as the preferred sectors will not be able to absorb the new entrants to the labor market. The government is thus faced with the challenge of attracting more women to the labor market, encouraging them to stay in the workforce longer or to rejoin the labor force after childbearing responsibilities are over. Furthermore it is important to encourage women to venture into the private sector, broaden their horizons and harness opportunities in sectors that are not traditionally associated with female employment.

Governmental planning, policy and implementation is sound on many levels, as is evident in the tremendous progress that the country has achieved in the last forty years. To name just few achievements; infrastructure, health care and educational services, governmental administration and many other areas have been developed from nothing to a good level. In the initial phases of Sultan Qaboos's rule the focus was concentrated on the immediate needs of the country such as large infrastructure projects like roads, bridges, sanitation services, electrical supply and governance issues associated with vast geographical area and scattered population living in traditional ways. During this time Oman became heavily dependent on foreign labor, financed by the proceeds of oil exploration and production. By 1990 the planning and policy focus had shifted to the development of indigenous population, and the attention was focused on the development and diversification of the private sector, which needed to increasingly represent the backbone of the economy, due to dwindling oil reserves. In spite of Oman's meticulous planning processes and sound policies and recommendations, the development in the critical area of employment is not progressing as fast as envisioned, which indicated a degree of ineffectiveness in government's implementation of its plans. The problem is a combination of a number of factors. Firstly, Omanis are generally not interested in private sector employment. This could be caused by competition with foreign labor, an issue which the government is actively trying to eliminate by making it harder and considerably more expensive for employers to employ foreign guest work-

ers. Other reasons for Omanis' reluctance to join the private sector might be the difference in employment conditions between the private and public sector. Working hours, salary and benefits, vacation time, career advancement and working environment are all believed to be much more favourable in the public sector. Although government officials realize existence of such disparities between the two sectors and mentioned an aim to reduce them in *Vision for Oman's Economy: Oman 2020* (adopted in 1995, published 2007), no such development has taken place so far. The same issue is appearing in the Omanization process. Even though the Omanization drive has achieved some success – as of 2008 figures showed that the public sector was 85% Omanized (17% increase since 1995) and Omanis are slowly taking up opportunities in the private sector - the progress does not reflect governmental projections. In the private sector in particular Omanization of the labor force is very slow. As has been demonstrated in chapters two and three, the government is pursuing many avenues, to increase the employment of Omanis. An intensive effort is concentrated on the private sector's involvement in training and consecutive employment of trained Omanis, various commissions and committees have been established to monitor progress and propose amendments to standing policies on Omanization. Two programmes for prospective entrepreneurs have been introduced, to help Omanis set up their own businesses. The MOM has established employment offices to mediate between private sector employers with vacancies and Omani job seekers. It is important to note that all services related to the employment of Omanis are equally available to both male and female candidates.

The government's attitude towards female employment appears to be torn between the need to have as many Omanis as possible working, and the countries' traditions which assign women the role of homemaker. This conceptual clash is repeatedly appearing in governmental policy and planning and is further mirrored in the actual implementation of Oman's plans. By 1995 the government had adopted its second *Long Term Development Plan*, and one of its policies aimed at doubling the participation of women in the workplace by 2020. Even though the policy limited the goal to occupations suited to women's "capabilities" and did not distinguish between the foreign female labor force and national women, it set a clear target focused on female employment. Regrettably, the policy has not been further pursued or developed in the three most recent and consecutive *Five Year Development Plans*. The 5<sup>th</sup> FYDP has no set targets for female employment and even the policy for the increase in female employment does not appear anywhere in the plan. The 6<sup>th</sup> FYDP mentions a general policy to increase female employment but does not provide a strategy or any tools by which to reach this goal; neither does it set any new targets based upon the changes of labor market in the previous five years. The 7<sup>th</sup> FYDP ignores the issue of female employment all together. On the policy and planning level, this is a huge setback, as the government is doing the utmost, to provide good quality education and training to all Omanis, but neglects the issues faced by prospective female employees or entrepreneurs in entering the job market. Gender mainstreaming in government planning and policies appears very problematic and the government fails to acknowledge that one policy may have differ-

ent effect on citizens, based on their gender. The government does pay attention specifically to women in certain areas of planning, but these areas are directly connected with fields such as children rearing, culture and heritage, youth, or volunteer work – where women are portrayed as an invaluable part of a bigger unit, such as family, community or state. Although women are undoubtedly part of the bigger units mentioned above, the fact that they are not treated as individuals with personal choices undermines their position in society and subsequently the roles that they are able to take on. On the government policy level, women's productive capacities are depicted in two ways: as a bonus or as a last resort. In the first case women may use their skills and knowledge to improve the living of their family, children or community by participating in employment, local development or volunteer activities. Please note that women may, but are not required to do so, as the financial welfare of a family is the sole responsibility of the father and women are by law obliged with different responsibilities. This brings us to the second case, where woman's capacities need to be utilized; when a husband is not able to provide for his family. The MOSD has been implementing an *income enhancement programme* for at least the last fifteen years which aims to help struggling families by establishing small family run projects – mostly concentrated on handmade products, crafts, tailoring etc. – to supplement the income of husband through the sale of products made by members of his family. Although the programme on its own is very praiseworthy, it demonstrates governmental attempt to preserve the traditional model of family based upon the concept of the male breadwinner and female homemaker, except in borderline circumstances where the government actively encourages other family members to participate in income generating activities.

As is the case with public policy and its implementation, the laws of Oman reflect a conceptual clash between the aim to preserve traditions and traditional values associated with family and the changing situation in society where citizens, both male and female, are guaranteed their rights and are increasingly participating in public sphere domains. On one hand, the status of women under the legislation in force has improved considerably: the *Basic Law of State* prohibits discrimination on grounds of sex, all rights and obligations codified herewith are equally applicable to both male and female Omanis; the *Labor Law* guarantees Omanis the right to pursue an occupation of their choice without any limits being imposed on women; under the *Civil Service Code* all Omanis are equal in public sector employment and all Omanis of minimum age are eligible to participate in general elections both as candidates and voters. On the other hand, women are, through the *Personal Status Law*, relegated into a subordinate position, as the patronage of the family belongs to husband; similarly the guardianship of children is a right of the father, or a male relative (a woman's right in relation to children is limited to nursing). According to the *Nationality Law* woman cannot pass their nationality on to their offspring, only the father can. Furthermore the *Passport Law* states that a woman cannot obtain her passport, without authenticated, written permission from her husband. In a broader perspective we can see that provisions related to employment do not discriminate against women. Certain provisions may apply differential treatment to men and women, but as a general rule they aim to provide increased se-

curity or well being to women. Therefore both the labor law and civil service code include provisions about maternity leave and labor law also includes regulation on women's night employment. There are gender differences in the *Social Insurance Law* and various pension systems, mostly concentrated around retirement age, the number of contributions required to qualify for a pension and the system of beneficiaries, which is strictly gender differentiated. Most of the discriminatory provisions appearing in modern Omani legislation stem from a dependence on *shariah* law as a guidance point. The *Basic Law of State* codifies *shariah* as the foundation of its legislation. Although *shariah* provisions as upheld in modern legislation are limited to personal status, the implications are far reaching. The role of guardianship remains very strong and is limited to men only: father, husband, or male relative if the preceding are not present. Women are placed into a subordinate position and their choices need to be constantly negotiated with their guardian or husband. Women cannot conclude their own marriages - a guardian acts on their behalf. Her rights over her children are very limited in comparison to those of her husband. A woman's responsibilities are clearly defined in terms of care for her husband and children, while a husband has responsibility for the financial sustenance of the family and retains the decision making power. Although this long standing tradition aims at providing a stable family environment, it does not conform to the changing situation in society. Increasingly families need two incomes in order to provide a decent standard of living. Additionally Omani women are often highly educated; their horizons are much broader than those of their mothers' and grandmothers', and some of them have career ambitions. Nevertheless, the law still places the primary responsibility of women on physical care for family members and neglects the productive capabilities that they have. This concept, where women are treated as "dependents" is illustrated by *Social Welfare Law*. The law codifies a framework of social assistance to individuals in need, and specifies eight categories of people whom are eligible for welfare: orphans, disabled, retirees, families of imprisoned people, widows, unmarried daughters, divorced women, and abandoned women. The gender disproportion in this framework is immense – men are not eligible for state assistance, unless they are orphans, retirees or disabled; while all abandoned women and those out of wedlock are included automatically, based on their gender. This is a clear indication that the government does not expect women to be able to provide for themselves. By the text of the law, a woman is considered to be either part of a family, dependent upon her husband, or else stands out as an individual in need of governmental help through the social welfare programme. The government places great emphasis on family as a basic unit of society and includes this stipulation in the *Basic Law of State*. This provision would not need to have negative implications on women's status, provided that the family was created on equitable basis. Regrettably this is not the case in Oman and the subordinate position of women in the family is further mirrored at a societal level through discriminating provisions such as the passport and nationality laws. The current legal framework and environment suggests that women are not independent in their actions and choices and that they remain under strong influence of their guardians or husbands.

Without a doubt, the position of women in Oman has improved dramatically during the reign of Sultan Qaboos, and is extremely good in comparison with other GCC countries. If we look at some gender indicators regarding political participation (chapter four), the progress that women in Oman have achieved in last forty years is immense: women are able to run for election to the lower chamber of Council of Oman and receive their voting right at the same age as men. Although female candidates did not win any seats in the last general elections, they have won two seats in each of the previous two elections. Women also constitute 20% of the upper chamber of the Council of Oman, which is appointed by the Sultan from a pool of distinguished individuals. Furthermore, Oman has four female ministers, few female ambassadors and women regularly serve in the law enforcement institutions, such as the police force and public prosecution office. However it is important to remember that at present, there are no female judges in Oman. Considering the extremely positive developments in political rights, women's achievements in education, and the opening of the public sphere; it is sad to note, that the governmental policy and legal framework are not more supportive of the potential, women can bring to labor market.

On a policy level introducing a few crucial changes is essential: the government needs to give appropriate attention to the time management needs of employees with children – childcare should be made accessible and affordable. Although tertiary education provides many options for all candidates, vocational training is heavily concentrated on men. Women can join tailoring programmes, but other options on offer (electrician, car repair, carpentry etc.), do not appear to be attractive to female applicants, and it would be advisable to include professions such as secretarial or receptionist work. It would also be helpful if government introduced part time, work from home and job sharing alternatives in the civil service and encouraged the private sector to follow the suit. The continuation of the Omanization drive should have positive effect on Omani female employment, provided that the private sector is able to withstand the pressure it places upon it. Changes should also be introduced in the administration of the MOM, making their work more transparent, timely and effective, and enabling the provision of vital statistics about labor market, such as unemployment rates. Transparency remains an issue with other governmental programmes as well – both SANAD and Sharakah are established on a sound basis and have a clear vision and goals, but a lack of data about their operations undermines the role that they are playing in helping prospective entrepreneurs establish their business.

Any changes in the text of laws in a country usually prove to be a time consuming and painstaking process. This is not necessarily the case in Oman, as changes in the laws are often made quickly and in response to certain situations. This can be done due to the set up of the legislature in Oman. Even though Oman has the bicameral Council of Oman, which in foreign publications is usually labeled as a legislature, its legislative powers are severely limited or almost non-existent. Primary legislative power is retained by the Sultan, who rules his country through *Sultan's Decrees*. Secondary legislative power is delegated to high governmental officials who are appointed by the Sul-



tan – mostly ministers – and who enact *Ministerial Decisions*, which usually further elaborate and specify laws promulgated by the Sultan in the area or field under their authority. The legislative process in Oman does not include any debates or referendum, and changes in discriminating legislation can happen quickly, if the issue is perceived to be urgent by the ruler. The challenge in changing the text of law lies in its dependence on *shariah* and the aim of the ruler to preserve tradition. It could be said that minor adjustments are possible and have been introduced in the legislation already – a woman can appeal to a judge, if she does not agree with a marriage arranged by guardian. Similarly, changes in the passport laws could be introduced, without offending traditional segments of society. Changing the legal set up of family or nationality laws would prove much more difficult, as both of them support a long standing patriarchal structure in Omani society. It is not expected, that there would be any pressure exerted on the ruler from segments of society demanding a change. Civil society in Oman is developing very slowly and groups and associations are subject to severely limiting *Civil Society Laws* and strict supervision by the MOSD. Besides individual petitions to the ruler, the people of Oman have no means by which to participate in the legislative process, a situation that will remain until the *Council of Oman* is awarded proper legislative powers.

In conclusion, it is safe to say, that the government of Oman, through its public policy and legal framework, enables women to join workforce but does not actively encourage their participation. Women may join the labor force if they wish: they are able to receive their identity card, prerequisite for formal employment, at the same age and under the same conditions as men; they can pursue an occupation of their choice without limits imposed on them by law; employment related laws do not discriminate against them, although sometimes differential treatment is applied. Women, however, still have to navigate through the guardianship system or negotiate with their husbands, as their employment would have an effect on the family. This conceptual clash, where women are not entirely responsible for their choices and actions, and are financially dependent upon their fathers, husbands or the state, is intertwined throughout public policy and is clearly not conducive to an increase in female employment. Ultimately, the driving force for female employment is a woman's own motivation, ambition and will. The government has an opportunity to reap the potential reward of increasing women's participation, but a more active approach is needed and concentrated policy decisions need to be made.

## Appendix

### Appendix I. – Laws and executive provisions

The following list provides an overview of Omani laws dating from 1971/2 to 2009, which are directly connected to development, employment and women. For easy understanding, the list is divided into subjects and their subcategories. Within each category and subcategory a chronological method has been followed from the oldest laws to the most recent ones. The names of the laws retain their heading as found in the yearly volumes of the Omani statute rolls, the only exception occurred when the heading was longer than two or three lines, in this case the name has been shortened.

As has been explained in chapter 5 Omani laws are promulgated in form of *sultan's decree* or *ministerial decision*. This fact is fully noted at the end of each law line in its abbreviated Arabic form. Certain inconsistencies prevail for the first few years (1971-1975), where the system used was not yet codified and developed to its current form, and therefore includes separate categories for *law*, *sultan's decree*, *sultan's decision* and none for *ministerial decision*. It is also important to note, that these categories are numbered separately and when searching for the law it is important to know not only the number, but also its classification as sultan's decree or ministerial decision. The sultan's decrees form a separate part of the yearly volumes classified in precise numerical order, while ministerial decrees are in the second part of the volume, divided under the heading of each ministry responsible for promulgation.

With the exception of *The Basic Law of State*, new *Labor Law* and some foreign investment related laws, no laws or legal provisions are available in English. Thus for the future reference of the researcher, the list has been written in Arabic script in the form as it appears in yearly statute rolls of Oman.

**Subject and subcategories list:**

- I. Development and planning  
Institutional structure, Investment and finance, Planning for development and economy
- II. Citizenship  
Citizenship, Human rights, Civil society
- III. Education
- IV. Employment  
Labor law and amendments, Civil service codes, Omanization
- V. Social welfare: social security, social insurance and retirement
- VI. Commerce, industry and entrepreneurship
- VII. Land laws
- VIII. International relations
- IX. Legal, legislature, judiciary
- X. Government apparatus, structure and institutions  
Royal court, Police and military, Majlis of Oman, Institutional structure and competencies

Note: Each law with relevance is mentioned only once in the most appropriate place.

## I.

## DEVELOPMENT AND PLANNING

## Institutional structure

- تأسيس المجلس الاعلى للتخطيط الاقتصادي والانمائي والمركز الاقتصادي والانمائي 1972/15 1972/16 1972/17 م س
- بتشكيل لجنة تخطيط تنمية المجتمع 1974/36 م س
- بتشكيل مجلس التنمية 1974/41 م س
- باضافة اعضاء جدد الى مجلس التنمية 1974/53 م س
- بنقل وكيل وزارة المواصلات الى مجلس التنمية وتعيينه وكيلا لشؤون التخطيط 1975/4 م س
- بانشاء بالامانة الفنية لمجلس التنمية المديرية العامة 1977/46 م س
- بتعيين معالي وزير التربية والتعليم عضوا بمجلس التنمية 1976/18 م س
- بالمصادقة على تاسيس بنك التنمية الاقتصادية باسم "بنك تنمية عمان" 1976/31 م س
- بالتصديق على اتفاقية انشاء المنظمة العربية للتنمية الصناعية 1979/48 م س
- بتعديل الهيكل التنظيمي للامانة الفنية لمجلس التنمية 1980/26 م س
- بتشكيل اللجنة الوطنية للطوارئ 1988/32 م س
- باجراء تعديل في المرسوم السلطاني رقم 1988/32 بانشاء اللجنة الوطنية للطوارئ 1988/73 م س
- باجراء تعديلات في المرسوم السلطاني رقم 1976/31 بالموافقة على تأسيس بنك تنمية عمان 1991/34 م س
- باعتماد الهيكل التنظيمي للامانة العامة لمجلس التنمية 1991/58 م س
- بتحديد اختصاصات وزارة التنمية والامانة العامة لمجلس التنمية 1994/19 م س
- باعتماد الهيكل التنظيمي لوزارة التنمية 1994/39 م س

## Investment and finance

- بالتصديق على اتفاقية القرض لمشروع تنمية واستغلال الغاز الطبيعي الموقعة بين حكومة سلطنة عمان وصندوق ابوظبي للانماء الاقتصادي العربي 1976/35 م س
- بالتصديق على اتفاقية القرض لمشروع تنمية واستغلال الغاز الطبيعي بين حكومة سلطنة عمان والصندوق العربي للانماء الاقتصادي والاجتماعي 1976/50 م س
- بالتصديق على اتفاقية القرض لمشروع تنمية واستغلال الغاز الطبيعي بين حكومة سلطنة عمان والصندوق الكويتي للتنمية الاقتصادية العربية 1976/51 م س
- بالتصديق على اتفاقية القرض لمشروع شبكة الطرق الجبلية بالمنطقة الجنوبية 1977/62 م س

بالتصديق على اتفاقية القرض لمشروع شبكة الطرق الجبلية بالمنطقة الجنوبية 1977/63 م س  
بالتصديق على اتفاقية القرض لمشروع شبكة الطرق الجبلية بالمنطقة الجنوبية 1977/77 م س  
بالتصديق على اتفاقية القرض لمشروع شبكة الطرق الجبلية بالمنطقة الجنوبية 1977/78 م س

## Planning for development and economy

بإصدار قانون التنمية الاقتصادية رقم 1 لسنة 1975. 1975/9 م س  
بشأن اعتماد خطة التنمية الخمسية للسنوات 1975 – 1980. 1976/32 م س  
بإصدار قانون تنظيم وتشجيع الصناعة لعام 1987. 1979/1 م س  
بإصدار خطة التنمية الخمسية الثانية 1981-1985. 1980/82 م س  
في شأن الدعم المالي للقطاع الخاص في مجالات الزراعة والاسماك والصناعة والمعادن والمحاجر 1980/83 م س  
بإصدار اللائحة التنفيذية في شأن الدعم المالي للقطاع الخاص (الزراعة والاسماك) 1981/71 م س  
بإصدار اللائحة التنفيذية في شأن الدعم المالي للقطاع الخاص (التعدين والمحاجر) 1982/6 م س  
بإصدار اللائحة التنفيذية في شأن الدعم المالي للقطاع الخاص (صناعات حرفية تقليدية) 1982/20 م س  
بإجازة تقديم القروض للمشروعات الزراعية والسمكية في ظل مرسوم الدعم المالي للقطاع الخاص 1984/23 م س  
بإنشاء لجنة التخطيط للتنمية والبيئة بالمنطقة الجنوبية 1984/48 م س  
بإصدار خطة التنمية الخمسية الثالثة 1986 – 1990. 1985/103 م س  
بإصدار خطة التنمية الخمسية الرابعة 1991 – 1995. 1991/1 م س  
بإصدار التقسيم الإداري للسلطنة 1991/6 م س  
بإجراء تعديلات في نظام الدعم المالي للقطاع الخاص في مجالي الصناعة والسياحة 1991/10 م س  
بإجراء التعداد السكاني الشامل 1991/50 م س  
في شأن اختصاصات اللجنة الوطنية للتعداد 1992/1 ق و  
بإعادة تشكيل اللجنة الوطنية للتعداد 1993/27 ق و

## II.

### CITIZENSHIP

#### Citizenship and human rights

قانون تنظيم الجنسية العمانية 1972/33

قانون جواز السفر العماني 1972/37

قانون اقامة الاجانب 1973/38

- بتعديل قانون الجنسية العمانية 1974/11 م س
- في تقدير الديات والاروش 1975/24 م س
- بقانون تنظيم الجنسية العمانية 1983/3 م س
- بتعديل الديات والاروش 1983/2 قر س
- بانشاء اللجنة الوطنية لرعاية الطفولة 1985/92 م س
- باجراء تعديل في قانون الجنسية العمانية 1986/5 م س
- باللائحة التنفيذية لقانون البطاقة الشخصية 1987/1 ق و
- باصدار قانون البطاقة الشخصية 1987/2 م س
- باصدار اللائحة التنفيذية لقانون البطاقة الشخصية 1990/4 ق و
- بالتقويض في اصدار احكام تنظيم زواج العمانيين من اجانب واجراء تعديلات في قانون تنظيم الجنسية العمانية 1993/58 م س
- باصدار احكام تنظيم زواج العمانيين من اجانب 1993/92 ق و
- بتعديل بعض احكام قانون تنظيم الجنسية العمانية 1994/95 م س
- باصدار قانون جواز السفر العماني 1997/69 م س
- بتعديل قانون الجنسية العمانية 1999/72 م س

### Civil society

- قانون بشأن تنظيم الاندية والجمعيات في السلطنة 1972/83
- باقامة صلاة الجمعة في المدن العمانية الكبيرة والمهمة 1974/16 قر س
- قانون المطبوعات 1975/3
- باصدار قانون الرقابة على المصنفات الفنية 1976/45 م س
- بقانون حماية المخطوطات 1977/70 م س
- باصدار قانون حماية التراث القومي 1980/6 م س
- بانشاء دار جريدة عمان 1980/49 م س
- بانشاء الهيئة العمانية للانتاج الفني التلفزيوني 1983/38 م س
- بتشكيل لجنة عليا للتخطيط الاعلامي 1983/36 ق و
- باصدار قانون المطبوعات والنشر 1984/49 م س
- بشأن اصدار اللائحة التنفيذية لقانون المطبوعات والنشر 1984/25 ق و
- بالموافقة على اعلان قيام جمعية المرأة العمانية بمرباط 1985/47 ق و
- بالموافقة على اعلان قيام جمعية المرأة العمانية بصلالة 1985/48 ق و
- بالموافقة على اعلان قيام جمعية المرأة العمانية بطاقة 1985/53 ق و

- بإنشاء وكالة الانباء العمانية 1986/39 م س  
 بالموافقة على اعلان قيام جمعية المرأة العمانية بالخابورة 1986/60 ق و  
 بالموافقة على اعلان قيام جمعية المرأة العمانية بعبرى 1986/61 ق و  
 بتنظيم الاعمال الخيرية لصالح المعوقين 1989/12 ق و  
 بشأن النظام العام للجمعيات الخيرية 1990/22 ق و  
 بشأن استبدال نص المادة (12) من النظام العام للجمعيات النسائية الثقافية 1991/58 ق و  
 باصدار قانون الجمعيات الاهلية 2000/14 م س  
 بتعديل قاون الجمعيات الاهلية 2001/30 م س  
 بتعديل قانون الجمعيات الاهلية 2001/55 م س  
 بتعديل قانون الجمعيات الاهلية 2002/41 م س  
 بتعديل بعض احكام قانون الجمعيات الاهلية 2007/23 م س

### III.

#### EDUCATION

- قانون المدارس الاهلية 1973/2  
 قانون البعثات والاعانات الدراسية 1973/7  
 بتعديل قانون البعثات والاعانات الدراسية 1977/22 م س  
 بإنشاء مجلس للتربية والتعليم والتدريب المهني 1977/43 م س  
 بتعديل اسم معهد الدراسات الاسلامية وتحديد اختصاصاته 1977/60 م س  
 بإنشاء المدارس الخاصة 1977/68 م س  
 باعادة تشكيل مجلس التربية والتعليم والتدريب المهني 1978/4 م س  
 باصدار نظام اللجنة الوطنية العمانية للتربية والثقافة والعلوم 1979/2 م س  
 بالغاء المديرية العامة لشؤون المناطق التعليمية وتقسيم المديرية العامة للشؤون الادارية والمالية 1979/3 م س  
 باعادة تشكيل مجلس التربية والتعليم والتدريب المهني 1980/63 م س  
 بالتصديق على اتفاقية انشاء جامعة الخليج العربي 1980/66 م س  
 بإنشاء لجنة باسيسية لمشروع جامعة قابوس 1981/44 م س  
 بالموافقة على انضمام سلطنة عمان الى اتفاقية الاعتراف بدراسات التعليم العالي وشهاداته ودرجاته العلمية في الدول العربية  
 1981/100 م س  
 بتاسيس النادي الجامعي 1983/31 م س  
 بتغيير تسمية مراكز التدريب المهني الى معاهد التدريب النهني 1984/2 ق و

- بشأن اللائحة التنفيذية لمعاهد التدريب المهني بالسلطنة 1984/16 ق و
- بشأن نظام تقويم طلاب معاهد التدريب المهني 1984/17 ق و
- باعتماد النظام العام للجمعيات النسائية الثقافية 1984/32 ق و
- بتعديل بعض احكام القرار الوزاري بشأن انشاء وادارة المدارس الخاصة 1984/17 ق و
- بانشاء مكتب عمان الدائم لليونسكو في باريس 1984/19 ق و
- في شأن ادخال التعليم الثانوي الصناعي في الخطة العامة للتعليم الثانوي 1984/50 ق و
- باصدار قانون البعثات والاعانات الدراسية 1985/13 م س
- في شأن معادلة الشهادة التي تمنحها اكااديمية الشرطة بنزوى 1985/1 ق و
- باصدار اللائحة التنفيذية لقانون البعثات والاعانات الدراسية 1985/7 ق و
- باعتماد اللائحة الموحدة للنظام الاساسي للنادية الرياضية 1985/8 ق و
- بشأن معادلة الشهادة الثانوية المهنية التي تمنحها مدرسة الحرس السلطاني المهنية للبنين 1985/12 ق و
- في شأن التعليم الصناعي 1985/12 ق و
- باصدار اللائحة التنظيمية للتربية العسكرية 1985/16 ق و
- بتشكيل لجنة توزيع الخريجين على القطاع الخاص داخل السلطنة 1985/20 ق و
- بشأن النظام الاساسي للكليات المتوسطة للمعلمين والمعلمات 1985/31 ق و
- باللائحة التنظيمية لانشاء معاهد ومراكز التدريب المهني 1985/34 ق و
- بتحديد مكافأة طلبة معاهد التدريب المهني 1985/89 ق و
- باصدار قانون جامعة السلطان قابوس 1986/9 م س
- باجراء تعديل في قانون جامعة السلطان قابوس 1986/82 م س
- باجراء تعديل في قانون جامعة السلطان قابوس 1986/86 م س
- بشأن اللائحة التنظيمية لمدارس التعليم الخاص 1986/45 ق و
- بشأن تحديد مكافآت طلبة معاهد التدريب المهني وكلية عمان الفنية الصناعية 1986/92 ق و
- باعتماد الهيكل التنظيمي لجامعة السلطان قابوس 1987/19 م س
- باجراء تعديل في التشكيل الوزاري 1987/32 م س
- بشأن اللائحة التنظيمية لمدارس الجاليات 1987/41 ق و
- باصدار اللائحة التنظيمية لمدارس التربية الخاصة 1987/42 ق و
- باصدار نظام معهد العلوم الصحية 1988/19 م س
- باجراء تعديل في قانون البعثات والاعانات الدراسية 1988/29 م س
- بنظام اللجنة الوطنية العمانية للتربية والثقافة والعلوم 1988/95 م س
- بتطبيق نظام الفصلين الدراسيين في المرحلة الثانوية 1988/50 ق و
- بتعديل بعض احكام قانون البعثات والاعانات الدراسية 1989/64 م س



- بتعديل بعض احكام نظام اللجنة الوطنية العمانية للتربية والثقافة والعلوم 1990/72 م س
- بشأن العمل باحكام لائحة تقييم المؤهلات ومعادلاتها 1990/44 ق و
- بانشاء لجنة عليا لتدريب المهني والعمل وتحديد اختصاصاتها 1991/31 م س
- بشأن معادلة الشهادات التي تمنحها وزارة الدفاع 1991/40 ق و
- باللائحة التنظيمية لمدارس الجاليات 1991/116 ق و
- بتشكيل مجلس ادارة لمعاهد السلطان قابوس للدراسات الاسلامية وتحديد صلاحياته 1992/50 م س
- باجراء تعديل في النظام الاساسي لهيئة التدريب المهني 1992/53 م س
- باللائحة التنظيمية للمدارس الخاصة 1992/11 ق و
- بالعمل باللائحة التنظيمية لمجالس الآباء 1992/17 ق و
- بالعمل باللائحة التنظيمية لمجالس الامهات 1992/18 ق و
- في شأن نظام المعاهد التعليمية التابعة لوزارة الصحة 1993/55 م س
- باصدار النظام الاساسي لكليات التربية للمعلمين والمعلمات 1995/79 م س
- بانشاء كلية الشريعة والقانون 1997/26 م س
- بتعديل بعض احكام نظام كلية الشريعة والقانون 1998/7 م س
- باصدار نظام الجامعات الخاصة 1999/41 م س
- بتعديل بعض احكام النظام الاساسي لكليات التربية للمعلمين والمعلمات 2000/3 م س
- بتعديل مسمى كليات التربية للمعلمين والمعلمات 2000/49 م س
- بتعديل بعض احكام نظام كلية الشريعة والقانون 2002/73 م س
- باصدار قانون البعثات والمنح والاعانات الدراسية 2002/83 م س
- بتعديل بعض احكام قانون البعثات والمنح والاعانات الدراسية 2003/2 م س
- بنقل تبعية كلية الحقوق 2006/38 م س
- باضافة وزير التربية والتعليم لعضوية مجلس البحث العلمي 2006/43 م س
- باصدار قانون جامعة السلطان قابوس واعتماد هيكلها التنظيمي 2006/71 م س
- باصدار قانون رعاية وتأهيل المعاقين 2008/63 م س

## IV.

## EMPLOYMENT

## Labor law and amendments

العطلات الرسمية 93/72 ق

قانون العمل 1973/34 م س

بتعديل قانون العمل العماني 1974/37 م س

بإصدار قانون تعويض اصابات العمل والامراض المهنية 1977/40 م س

بالغاء نص المادة من قانون تعويض اصابات العمل والامراض المهنية 1977/66 م س

بتعديل قانون العمل (مادة 22) 1983/52 م س

بشأن تنفيذ احكام المادة (58) من قانون العمل 1986/42 ق و

بتعديل بعض احكام قانون العمل 1989/96 م س

بإصدار قانون العمل 2003/35 م س

بتعديل بعض احكام قانون العمل 2006/74 م س

بتعديل بعض احكام قانون العمل 2006/112 م س

بتعديل بعض احكام قانون العمل 2009/63 م س

## Civil service

بزيادة رواتب موظفي الخدمة المدنية 1974/6 قر س

بخصوص اصدار قانون الخدمة المدنية 1975/27 م س

بخصوص زيادة رواتب موظفي الدولة المدنيين وتعديل قانون الخدمة المدنية 1976/7 م س

برفع رواتب موظفي الدولة بنسبة 10% من راتب الاساسي 1979/6 قر س

بإصدار قانون الخدمة المدنية 1980/8 م س

بتعديل الجدول العام للدرجات والرواتب 1980/32 م س

بتعديل جدول الدرجات والرواتب الملحقين بقانون الخدمة المدنية 1980/89 م س

برفع رواتب موظفي الدولة بنسبة 10 % من الراتب الاساسي 1980/1 قر س

بإصدار اللائحة التنفيذية لقانون الخدمة المدنية 1984/52 م س

بمنح بعض موظفي وزارة الصحة زيا خاصا 1985/8 ق و

بمنح بعض العاملين بوزارة الكهرباء والمياه بدل طبيعة عمل 1985/10 ق و

بمنح عمال المبيدات والمحاصيل الزراعية بلجنة تنمية المناطق بدل طبيعة عمل 1985/11 ق و

- بمنح شاغلي وظائف الحلقة الثالثة العاملين بميناء ريسوت بوزارة المواصلات بدل طعام 1985/12 ق و
- بمنح العساكر العاملين بمكتب صاحب السمو السيد الممثل الخاص لجلالة السلطان بدل خاص 1985/13 ق و
- بمنح الاطباء العمانيين بوزارة الصحة علاوة تشجيعية 1985/14 ق و
- بمنح شاغلي وظيفة قاريء العدادات بالمديرية العامة للكهرباء بالمنطقة الجنوبية بوزارة الكهرباء والمياه بدل انتقال 1985/15 ق و
- بمنح شاغلي الوظائف العاملين بالمراكز والورش الخارجية للطرق بالمديرية العامة للطرق بوزارة المواصلات بدل طعام وبدل انتقال 1985/16 ق و
- بتعديل الملحق رقم (15) من اللائحة التنفيذية لقانون الخدمة المدنية 1985/22 ق و
- بتعديل القيمة الاجارية للوحدات السكنية التي يقطن بها الموظفون العزاب 1985/23 ق و
- باجراء تعديل في قانون الخدمة المدنية 1986/6 م س
- في شأن الاشراف على اجهزة الخدمة المدنية وتعيين نائب متفرغ لرئيس مجلس الخدمة المدنية 1986/60 م س
- بانشاء امانة عامة لمجلس الخدمة المدنية 1986/64 م س
- بمنح قضاة المحكمة الجزائية في العاصمة والمحاكم الابتدائية الجزائية بدل طبيعية عمل 1986/1 ق و
- باجراء تعديلات في قانون الخدمة المدنية ولائحته التنفيذية 1988/9 م س
- بانشاء وزارة للخدمة المدنية وتحديد اختصاصاتها 1988/17 م س
- باعداد تشكيل مجلس الخدمة المدنية وتحديد اختصاصاته 1988/18 م س
- في شأن تعيين الموظفين غير العمانيين بعقود خاصة خارج نطاق قانون الخدمة المدنية 1988/8 ق و
- بتعديل مادة (122) من اللائحة التنفيذية لقانون الخدمة المدنية 1988/20 ق و
- باستثناء زوجات اعضاء السلكين الدبلوماسي والقنصلي ومن في حكمهم من حكم المادة 145 من اللائحة التنفيذية لقانون الخدمة المدنية 1989/1 م س
- بتعديل المادة (135) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/2 ق و
- باجراء تعديلات في اللائحة التنفيذية لقانون الخدمة المدنية 1989/3 ق و
- باستثناء قضاة المحاكم الشرعية من نظام الاسكان الحكومي 1989/4 ق و
- في شأن منح بدل مراجعة للقضاة وتوابعهم بوزارة العدل والاقواف والشئون الاسلامية 1989/5 ق و
- باستثناء بعض موظفي وزارة الاعلام عن بعض احكام الملحق رقم (10) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/8 ق و
- بمنح بدل طبيعة العمل (علاوة موقع) لمراقبي المباني العمانيين بوزارة الاسكان 1989/11 ق و
- في شأن منح بدل مناوبة لبعض موظفي وزارة الداخلية 1989/13 ق و
- في شأن منح الباحثين الاجتماعيين بوزارة الاسكان والسائقين المصاحبين لهم بدل طبيعية عمل 1989/14 ق و
- بشأن العطلة الاسبوعية في كافة الوزارات والوحدات والوحدات الحكومية ومواعيد الدوام الرسمي 1989/16 ق و
- بشأن منح بدل ضيافة للولاة ونوابهم بوزارة الداخلية 1989/18 ق و
- بمنح بدل انتقال لبعض موظفي وزارة العدل والاقواف والشئون الاسلامية 1989/19 ق و
- بتعديل بعض احكام اللائحة التنفيذية لقانون الخدمة المدنية 1989/21 ق و

- بتعديل المادة رقم (73) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/22 ق و
- بتعديل الملحق رقم (10) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/23 ق و
- بتعديل الملحق رقم (12) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/24 ق و
- بتعديل الملحق رقم (8) من اللائحة التنفيذية لقانون الخدمة المدنية 1989/25 ق و
- بشأن منح بدل اكل للعاملين بسفن نقل وتنزيح مياه الشرب التابعة لوزارة الكهرباء والمياه بمحافظة مسندم 1989/28 ق و
- باجراء تعديلات في قانون الخدمة المدنية 1990/41 م س
- بتعديل بعض احكام الملحق رقم (16) المرفق باللائحة التنفيذية لقانون الخدمة المدنية 1990/10 ق و
- بشأن تعديل فقرة (3) من المادة (22) من اللائحة التنفيذية لقانون الخدمة المدنية 1990/11 ق و
- بمنح بدل طبيعة عمل لمدرربي الحراثات بوزارة الزراعة والاسماك 1990/14 ق و
- بشأن تعديل المادة (145) من اللائحة التنفيذية لقانون الخدمة المدنية 1990/16 ق و
- بتعديل بعض احكام الملحق رقم 12 اللائحة التنفيذية لقانون الخدمة المدنية 1990/19 ق و
- بتعديل بعض احكام الملحق رقم 16 اللائحة التنفيذية لقانون الخدمة المدنية 1990/20 ق و
- بشأن شروط وقواعد اعتبار الاصابة الناتجة عن الاجهاد اوارهاق من العمل اصابة عمل 1991/1 ق و
- بتحديد الامراض المزمنة والمستعصية التي تعتبر عجزا كاملا مستديما 1991/37 ق و
- باجراء تعديلات في قانون الخدمة المدنية 1992/57 م س
- بتعديل بعض احكام اللائحة التنفيذية لقانون الخدمة المدنية 1992/15 م س
- بتعديل نص المادة 176 من اللائحة التنفيذية لقانون الخدمة المدنية 1993/6 ق و
- بتعديل بعض احكام الملحق رقم 10 من اللائحة التنفيذية لقانون الخدمة المدنية 1993/10 ق و
- بتعديل بعض احكام الملحق رقم 16 من اللائحة التنفيذية لقانون الخدمة المدنية 1993/16 ق و
- باستثناء الصيادلة غير العمانيين من بعض قواعد الاسكان الحكومي 1993/18 ق و
- باصدار قانون الخدمة المدنية 2004/120 م س
- باضافة بعض الاحكام الوظيفية والتعاقدية 2006/4 م س
- بتعديل جدول الدرجات والرواتب الملحق بقانون الخدمة المدنية 2007/31 م س

## Omanization

- منع وتحديد الجلب العمال الاجانب 1972/13 م س
- يمنع التجار الاجانب المعفيين من قانون استثمار الراسمال الاجنبي استيراد عمال اجانب من الخارج اذا كان في استبدال اولئك العمال الاجانب منافسة للمواطنين العمانيين 145/73 ق
- بتحديد نسبة المساهمة المالية التي يقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1983/35 ق و

- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1985/15 ق و
- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1986/8 ق و
- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1987/14 ق و
- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص 1988/12 ق و
- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1989/37 ق و
- بشأن الحد الادني لاجور العاملين العمانيين في القطاع الخاص 1989/87 ق و
- باصدار ظوابط تشجيع المواطنين على العمل في الورش المهنية 1991/59 م س
- بتحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1992/2 ق و
- بشأن قواعد الترخيص باستقدام عمال غير عمانيين 1993/51 ق و
- بشأن بطاقات العمل للعمال العمانيين العاملين في شركات ومؤسسات ومنشآت القطاع الخاص 1993/52 ق و
- في شأن تنظيم تشغيل المواطنين في القطاع الخاص 1993/81 ق و
- بشأن تحديد نسبة المساهمة المالية التي تقدمها اصحاب الاعمال بالقطاع الخاص لمشاريع التدريب المهني 1993/1 ق و

## V.

### SOCIAL WELFARE

- باصدار قانون الضمان الاجتماعي 1977/61 م س
- بتعديل المعاشات الشهرية الواردة بقانون الضمان الاجتماعي 1980/21 م س
- باصدار قانون الضمان الاجتماعي 1984/87 م س
- بتعديل قانون الضمان الاجتماعي 1985/38 م س
- بتعديل بعض مواد قانون المساكن الاجتماعية 1988/27 م س
- بزيادة المعاشات الشهرية المقررة بقانون الضمان الاجتماعي 1988/83 م س
- بتعديل بعض مواد قانون المساكن الاجتماعية 1988/92 م س
- بشأن لائحة المساعدات للأسر والافراد المحتاجين 1990/54 ق و
- بشأن القواعد المنظمة لمشروعات موارد الرزق 1991/69 ق و
- باجراء تعديلات في قانون الضمان الاجتماعي 1991/78 م س
- باصدار لائحة صرف معاشات العجز والوقاة الناشئين عن سبب غير مهني 1993/38 ق و
- في شأن اجراءات تسوية وصرف المنح الاضافية والمستندات اللازمة للصرف 1993/39 ق و
- باجراء تعديل في قانون الضمان الاجتماعي 2005/74 م س

### Social insurance and retirement

- بإصدار قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1986/26 م س
- بتعديل في قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1986/32 م س
- باجراء تعديل في قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1988/71 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1989/93 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1990/33 م س
- بإصدار قانون التأمينات الاجتماعية 1991/72 م س
- باجراء تعديلات في قانون التأمينات الاجتماعية 1992/4 م س
- بالموعد والشروط التي تتبع في تحصيل الاشتراكات والمبالغ الاخرى المستحقة لهيئة التأمينات الاجتماعية 1992/126 ق و
- بانشاء صندوق تقاعد وزارة شئون مكتب القصر 1993/6 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1994/77 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1995/64 م س
- بتعديل بعض احكام قانون التأمينات الاجتماعية 1996/72 م س
- بتعديل بعض احكام قانون التأمينات الاجتماعية 1997/60 م س
- بتعديل قانون التأمينات الاجتماعية 1998/6 م س
- بإصدار نظام معاشات ومكافآت افراد الحرس السلطاني 1998/49 م س
- بتعديل بعض احكام قانون التأمينات الاجتماعية 1999/54 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 1999/70 م س
- بإصدار قانون معاشات ومكافآت مابعد الخدمة لمنتسبي شرطة عمان السلطانية والنظام الاساسي لصندوق شرطة عمان السلطانية 2000/2 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 2000/48 م س
- بإصدار قانون معاشات ومكافآت مابعد الخدمة لمنتسبي وزارة الدفاع وقوات السلطان المسلحة السلطانية 2002/3 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لمنتسبي شرطة عمان السلطانية والنظام الاساسي لصندوق شرطة عمان السلطانية 2002/4 م س
- باجراء تعديلات في قانون التأمينات الاجتماعية 2002/19 م س
- بتعديل بعض احكام نظام معاشات ومكافآت مابعد الخدمة لمنتسبي وزارة الدفاع وقوات السلطان المسلحة السلطانية 2004/100 م س
- بتعديل بعض احكام قانون معاشات ومكافآت مابعد الخدمة لموظفي الحكومة العمانيين 2005/8 م س
- بتعديل بعض احكام قانون التأمينات الاجتماعية 2005/19 م س
- بإضافة بعض الاحكام الوظيفية والتعاقدية الخاصة بوكلاء الوزارات 2006/4 م س
- بتعديل بعض احكام نظام معاشات ومكافآت ما بعد الخدمة لمنتسبي وزارة الدفاع وقوات السلطان المسلحة 2006/44 م س

بتعديل بعض احكام قانون التأمينات الاجتماعية 2006/60 م س

بتعديل بعض احكام قانون التأمينات الاجتماعية 2008/71 م س

## VI.

### COMMERCE, INDUSTRY AND ENTREPRENEURSHIP

قانون استثمار رأس المال الاجنبي 1972/19 م س

مرسوم لضريبة الدخل 1972 /29 م س

تشكيل لجنة لحسم المنازعات التجارية 1972/94 م س

قانون السجل التجاري 1974/3 ق

قانون الشركات التجارية 1974/4 ق

قانون حماية الصناعات النامية 1974/6 م س

القانون المصرفي 1974/7 م س

بإصدار قانون الحرف الاجنبية واستثمار الرأسمال الاجنبي 1974/4 م س

بالغاء الضرائب الجمركية على الصادرات المعينة 1974/52 م س

بالغاء الضريبة الجمركية على المواد النفطية 1974/3 قر س

قانون الشركات التجارية 1974/4 م س

بشأن تشكيل جهاز اداري لتنفيذ قانون السجل التجاري 1974/13 قر س

باعفاء بعض المواد الغذائية ومواد البناء من الرسوم الجمركية 1974/15 قر س

بتفسير مرسوم ضريبة الدخل 1975/21 م س

بتعديل قانون الحرف الاجنبية واستثمار رأس المال الاجنبي 1977/2 م س

بتعديل القانون المصرفي 1977/32 م س

بانشاء بنك الاسكان العماني 1977/55 م س

بتعديل القانون المصرفي 1977/55 م س

بتخفيض ضريبة الدخل على الشركات المختلطة التي يملك المواطنون العمانيون نصيبا في راس مالها 1977/65 م س

بتعديل المرسوم السلطاني بشأن بنك الاسكان العماني 1978/11 م س

بتعديل المرسوم السلطاني بشأن قانون الحرف الاجنبية واستثمار الرأسمال الاجنبي 1978/16 م س

بإصدار قانون شركات التأمين 1979/12 م س

بتحمل الحكومة نسبة من فوائد القروض التي يمنحها بنك الاسكان العماني للمواطنين 1979/7 قر س

بقانون ضريبة الدخل على الشركات 1981/47 م س

- بتأسيس شركة مساهمة عمانية باسم "بنك عمان للزراعة والاسماك" 1981/50 م س
- بانشاء هيئة حسم المنازعات التجارية 1981/79 م س
- بانشاء الهيئة العامة لتسويق المنتجات الزراعية 1981/97 م س
- باصدار قانون الهيئات الخاصة العاملة في المجال الرياضي 1982/42 م س
- باصدار القانون المالي 1982/56 م س
- بتشكيل لجنة ضريبة الدخل على الشركات 1983/5 م س
- بتعديل بعض احكام القانون المصرفي العماني 1983/19 م س
- بانشاء هيئة منطقة الرسيل الصناعية 1983/51 م س
- بتأسيس المعهد المصرفي العماني 1983/64 م س
- بتعديل بعض احكام قانون السجل التجاري 1986/88 م س
- في شأن الدعم المالي للقطاع الخاص في مجالي الصناعة والسياحة 1987/40 م س
- بتعديل ضريبة الدخل على الشركات المختلطة التي يملك المواطنون العمانيون نصيباً في رأسمالها 1987/46 م س
- باصدار قانون العلامات والبيانات التجارية 1987/68 م س
- باجراء تعديل في القانون المالي 1988/14 م س
- بتشكيل مجلس ادارة سوق مسقط للاوراق المالية 1988/81 م س
- باصدار القانون الاحصائي 1988/87 م س
- باجراء تعديلات في قانون الشركات التجارية رقم (1984/4) 1989/13 م س
- باصدار قانون ضريبة الارباح على المؤسسات التجارية والصناعة 1989/77 م س
- باجراء تعديلات في قانون تنظيم وتشجيع الصناعة لعام 1978. 1989/80 م س
- باعفاء المؤسسات التجارية والصناعية والشركات المملوكة بالكامل للمواطنين العمانيين من ضريبة الارباح لمدة سنتين 1990/29 م س
- بانشاء لجنة للتنسيق التجاري والصناعي 1990/49 م س
- باصدار قانون التجارة 1990/55 م س
- باجراء تعديلات في نظام نظر الدعاوى وطلبات التحكيم امام هيئة حسم المنازعات التجارية 1990/73 م س
- باجراء تعديل في النظام العام لغرفة تجارة وصناعة عمان 1990/86 م س
- بتعديل تاريخ العمل بقانون التجارة 1991/3 م س
- باستمرار الاعفاء الضريبي المقرر للمؤسسات التجارية والشركات المملوكة بالكامل لمواطنين العمانيين 1992/68 م س
- باصدار الاحكام المنظمة للاستثمار الخليجي 1993/57 م س
- بالغاء العمل بالاعفاء الضريبي المقرر للمؤسسات التجارية والشركات المملوكة بالكامل لمواطنين العمانيين 1993/80 م س
- بتعديل بعض احكام قانون ضريبة الارباح على المؤسسات التجارية والصناعية 1994/61 م س
- باجراء تعديلات في قانون الشركات التجارية 1994/83 م س
- باصدار قانون استثمار رأس المال الاجنبي 1994/102 م س



- باجراء تعديلات في قانون الشركات التجارية 1996/16 م س
- بانشاء المركز العماني لترويج الاستثمار وتنمية الصادرات 1996/59 م س
- بتعديل بعض احكام قانون استثمار رأس المال الاجنبي 1996/90 م س
- باصدار قانون التحكيم في المنازعات المدنية والتجارية 1997/47 م س
- باجراء تعديلات في قانون الشركات التجارية 1997/66 م س
- باجراء تعديلات في قانون الشركات التجارية 1998/39 م س
- باصدار القانون المالي 1998/47 م س
- باصدار قانون سوق رأس المال 1998/80 م س
- بتعديل بعض احكام القانون المالي 1999/74 م س
- باجراء تعديلات في قانون الشركات التجارية 1999/85 م س
- باصدار القانون المصرفي 2000/114 م س
- بتعديل بعض احكام قانون سوق رأس المال 2002/18 م س
- باصدار قانون الاجراءات المدنية والتجارية 2002/29 م س
- باصدار قانون غسل الاموال 2002/34 م س
- باجراء تعديلات في قانون الشركات التجارية 2002/77 م س
- بتعديل بعض احكام النظام الاساسي للمركز العماني لترويج الاستثمار وتنمية الصادرات 2002/78 م س
- بتعديل بعض احكام قانون استثمار رأس المال الاجنبي 2003/56 م س
- بتعديل بعض احكام القانون المصرفي 2004/11 م س
- باصدار اللائحة التنفيذية لقانون غسل الاموال 2004/72 م س
- بتعديل بعض احكام قانون الشركات التجارية 2005/41 م س
- بتعديل بعض احكام قانون الاجراءات المدنية والتجارية 2005/92 م س
- باجراء تعديلات في قانون الشركات التجارية 2005/99 م س
- بتعديل بعض احكام قانون الاجراءات المدنية والتجارية 2006/119 م س
- بتعديل بعض احكام قانون التحكيم في المنازعات المدنية والتجارية 2007/3 م س
- بتعديل بعض احكام قانون سوق رأس المال 2007/5 م س
- باصدار قانون غرفة تجارة وصناعة عمان 2007/22 م س
- باصدار قانون حقوق الملكية الصناعية 2008/67 م س
- باصدار قانون ضريبة الدخل 2009/28 م س
- بتعديل احكام قانون استثمار رأس المال الاجنبي 2010/32 م س

## VII.

## LAND LAWS

- توزيع الاراضي الزراعية 1972/45 ق
- قانون تنظيم الاراضي 1972/52 م س
- قانون المساكن الشعبية 1973/11 م س
- بإصدار قانون المساكن الشعبية 1977/35 م س
- بتخصيص بعض الاراضي لاغراض السياحة 1978/33 م س
- بإصدار قانون نزع الملكية للمنفعة العامة 1978/64 م س
- بإصدار قانون الاراضي 1980/5 م س
- باعفاء جميع المنتفعين بالمساكن الشعبية من باقي قيمة تلك المساكن 1980/2 قر س
- بتخفيض اعباء فوائد القروض التي يحصلها بنك الاسكان العماني 1980/3 فر س
- بتنظيم انتفاع الاجانب والشركات باراضي السلطنة 1981/5 م س
- باعتماد اللائحة التنفيذية لقانون التنظيم انتفاع الاجانب والشركات باراضي السلطنة 1982/88 م س
- بنظام استحقاق الاراضي الحكومية 1984/86 م س
- في شأن تحديد ومسح الاراضي 1985/26 ق و
- بالعمل بسند الملكية 1985/50 ق و
- بتنظيم تملك العقار لمواطني دول مجلس التعاون لدول الخليج العربية 1987/70 م س
- في شأن تنظيم العلاقة بين ملاك ومستأجري المساكن والمحال التجارية والصناعة وتسجيل عقود الايجار الخاصة بها 1989/6 م س
- بإصدار نظام تملك الشقق والطبقات 1989/48 م س
- بتقرير استثناء من احكام قانون الاراضي 1989/57 م س
- بتعديل المرسوم السلطاني رقم 1989/6 في شأن تنظيم العلاقة بين ملاك ومستأجري المساكن والمحال التجارية والصناعة وتسجيل عقود الايجار الخاصة بها 1989/79 م س
- بشأن لائحة القروض السكنية لذوي الدخل المحدود 1991/50 ق و
- بالألغاء وتعديل بعض مواد لائحة القروض السكنية لذوي الدخل المحدود 1991/141 ق و
- باجراء تعديلات في احكام بعض القوانين الخاصة بالاراضي 1995/24 م س
- بإصدار نظام السجل العقاري 1998/2 م س
- بتنظيم تملك مواطني دول مجلس التعاون لدول الخليج العربية للعقار في الدول الاعضاء 2004/21 م س
- بتعديل في قانون الاراضي لعام 1980 2005/61 م س
- بتعديل بعض احكام نظام استحقاق الاراضي الحكومية 2005/88 م س
- بتعديل بعض احكام نظام استحقاق الاراضي الحكومية 2006/17 م س
- بتعديل بعض احكام نظام استحقاق الاراضي الحكومية 2006/68 م س

بتعديل بعض احكام قانون الاراضي 2007/32 م س

بتعديل بعض احكام نظام استحقاق الاراضي الحكومية 2008/125 م س

## VIII.

### INTERNATIONAL RELATIONS

قانون نظام اللجنة الوطنية العمانية ليونسكو 1974/5

بالتصديق على اتفاقية تأسيس البنك العربي للتنمية الاقتصادية في افريقيا والنظام الاساسي المرافق لها 1974/17 م س

بالتصديق على اتفاقية المؤسسة العربية للاتصالات الفضائية 1976/22 م س

بالتصديق على اتفاقية تأسيس صندوق النقد العربي والنظام الاساسي المرافق لها 1976/36 م س

بالتصديق على اتفاقية انشاء منظمة الخليج للاستشارات الصناعية 1976/38 م س

بالتصديق على اتفاقية الحصانات والامتيازات لمنظمة المؤتمر الاسلامي 1976/40 م س

بالتصديق على اتفاقية انشاء المؤسسة العربية لضمان الاستثمار 1977/1 م س

بالتصديق على اتفاقية الدولية للمواصلات السلكية واللاسلكية 1977/5 م س

بتعديل قانون نظام اللجنة الوطنية العمانية ليونسكو 1977/31 م س

بالتصديق على تعديلات مواد اتفاقية صندوق النقد الدولي 1977/34 م س

بانضمام حكومة سلطنة عمان الى اتفاقية لاهاي 1977/58 م س

بانضمام سلطنة عمان الى الاتفاقية الدولية الخاصة بالتدابير الواجب اتخاذها لخطر 1977/69 م س

بانضمام الى اتفاقية فلورنس لاستيراد المواد التعليمية والعلمية والثقافية 1977/72 م س

بالتصديق على زيادة حصة السلطنة في حقوق السحب الخاص في صندوق النقد الدولي 1978/50 م س

بالتصديق على النظام الاساسي لمكتب التربية العربي لدول الخليج 1979/61 م س

بالتصديق على اتفاقية جهاز تليفزيون الخليج 1980/11 م س

بالتصديق على انضمام سلطنة عمان الى اتفاقية الدولية لتنظيم صيد الحيتان 1980/55 م س

بالتصديق على وثائق انضمام حكومة السلطنة الى اتفاقية انشاء المعهد العربي للتخطيط بالكويت 1980/87 م س

بانضمام السلطنة للمنظمة البحرية الدولية للاقمار الصناعية 1980/88 م س

بالتصديق على زيادة حصة السلطنة في حقوق السحب الخاص في صندوق النقد الدولي 1981/1 م س

بالتصديق على الاتفاقية العامة للتعاون الاقتصادي والفني والتجاري بين دول الاعضاء في منظمة المؤتمر الاسلامي 1981/21 م س

بالتصديق على المادة الثامنة معدلة المتعلقة بانشاء المجلس الاقتصادي والتعاوني التابع لجامعة الدول العربية 1981/22 م س

بالتصديق على ميثاق منظمة الامم المتحدة للتنمية الصناعية "يونيدو" 1981/40 م س

بانضمام السلطنة الى البروتوكولين الخاصين بالصليب الاحمر الدولي 1981/41 م س

- بالمصادقة على انضمام سلطنة عمان الى اتفاقية وكالة انباء الخليج 1982/30 م س
- بتعديل دستور منظمة الصحة العالمية 1982/57 م س
- بانشاء لجنة عليا لمؤتمرات مجلس التعاون لدول الخليج العربية 1982/105 م س
- بالتصديق على زيادة حصة السلطنة في حقوق السحب الخاص في صندوق النقد الدولي 1983/49 م س
- بالتصديق على اتفاقية انشاء المنظمة العربية للسياحة 1984/51 م س
- بالتصديق على اتفاقية مزايا وحصانات مجلس التعاون لدول الخليج العربية 1985/22 م س
- بالموافقة على انضمام السلطنة الى عضوية المعهد الدولي للعلوم الادارية 1986/23 م س
- بالتفويض في توقيع الاتفاقية الاساسية بين منظمة الامم المتحدة للاطفال وحكومة سلطنة عمان 1987/36 م س
- بالتصديق على الاتفاقية الاساسية بين منظمة الامم المتحدة للاطفال وحكومة سلطنة عمان 1987/71 م س
- بالموافقة على انضمام سلطنة عمان الى الاتفاقية الدولية لمكافحة الجرائم ضد الاشخاص المتمتعين بحماية دولية 1988/24 م س
- بالموافقة على انضمام سلطنة عمان الى الاتفاقية الدولية لمناهضة اخذ الرهائن 1988/61 م س
- بالتصديق على مذكرة التفاهم مع اليونيسكو حول مساهمة السلطنة في مشروع دراسة طرق تجارة الحرير 1988/86 م س
- بالتصديق على اتفاقية التعاون بين الدول اعضاء مجلس التعاون لدول الخليج العربية وبين الجماعة الاوروبية 1989/68 م س
- بالتصديق على تعديل دستور منظمة الصحة العالمية 1990/44 م س
- بالموافقة على انضمام السلطنة الى اتفاقية فيينا لقانون المعاهدات 1990/63 م س
- بالتفويض في توقيع الاتفاق الاساسي بين حكومة سلطنة عمان ومنظمة الامم المتحدة للتنمية الصناعية 1991/21 م س
- بالتفويض في توقيع الاتفاقية العربية لتيسير انتقال الانتاج الثقافي العربي 1991/22 م س
- بالموافقة على انضمام السلطنة الى اتفاقية الامم المتحدة لمكافحة الاتجار غير المشروع في المخدرات والمعثرات العقلية 1991/29 م س
- بالتصديق على زيادة حصة السلطنة في حقوق السحب الخاص في صندوق النقد الدولي 1992/2 م س
- بالتصديق على الاتفاقية العربية لتيسير انتقال الانتاج الثقافي العربي 1992/10 م س
- بالتصديق على التعديل الثالث لاتفاقية صندوق النقد الدولي 1992/42 م س
- بالتصديق على تعديل بعض احكام ميثاق منظمة المؤتمر الاسلامي 1992/72 م س
- بالموافقة على انضمام السلطنة الى الاتفاقية الدولية للبحث والانتقاد 1993/22 م س
- بالموافقة على انضمام سلطنة عمان الى منظمة العمل الدولي 1994/10 م س

## IX.

## LEGAL, LEGISLATURE, JUDICIARY

قانون الجريدة الرسمية 1972/41 ق

قانون التفسيرات والنصوص العامة 1973/3 م س

- قانون الجريدة الرسمية 1973/4 م س
- باصدار قانون الجزاء العماني 1974/7 م س
- باصدار قانون السجون 1974/23 م س
- بشأن فرض الرسوم على الصكوك الشرعية 1974/7 قر س
- قانون بتعديل قانون الجريدة الرسمية 1975/2 م س
- بخصوص اعطاء الصلاحية لبعض المسؤولين في الدولة الطلب من السلطات المختصة باصدار الامر "بالتوقيف الاحتياطي" ضد الاشخاص المتهمين بقضايا تتعلق بالنظام والامن العام 1975/39 م س
- بنقل تبعية ديوان التشريع والجريدة الرسمية 1979/59 م س
- بتحديد صلاحيات مستشار الدولة للشئون الجزائرية 1981/66 م س
- بتعيين رئيس المحكمة الجزائرية 1981/116 م س
- باعتماد اختصاصات مكتب نائب رئيس الوزراء للشئون القانونية 1982/36 م س
- بتنظيم القضاء الجزائري 1984/25 م س
- بانشاء معهد القضاء الشعري والوعظ والارشاد 1986/24 م س
- بتعديل نص المادة (3) من مرسوم تنظيم القضاء الجزائري 1986/25 م س
- باجراء تعديلات في المرسوم السلطاني 1984/25 بتنظيم القضاء الجزائري 1987/44 م س
- بتحديد اختصاصات وزارة الشؤون القانونية 1994/14 م س
- باصدار قانون المحاماة 1996/108 م س
- بتعديل بعض احكام قانون الجزاء العماني 1997/12 م س
- باصدار قانون السجون 1998/48 م س
- بتعديل قانون الجزاء العماني 1999/77 م س
- باصدار قانون السلطة القضائية 1999/90 م س
- بانشاء محكمة القضاء الاداري واصدار قانونها 1999/91 م س
- بانشاء الادعاء العام واصدار قانونها 1999/92 م س
- باصدار قانون الاجراءات الجزائية 1999/97 م س
- باصدار قانون تسليم المجرمين 2000/4 م س
- بتعديل بعض احكام قانون السلطة القضائية 2001/14 م س
- بتعديل بعض احكام قانون الجزاء العماني 2001/72 م س
- بتعديل بعض احكام قانون الاجراءات الجزائية 2001/73 م س
- بتعديل قانون السلطة القضائية 2002/5 م س
- باصدار قانون تنظيم مكاتب الترجمة القانونية 2003/18 م س
- باصدار قانون الكتاب بالعدل 2003/40 م س

- بتعديل في قانون المحاماة 2003/41 م س
- بتعديل بعض احكام قانون الاجراءات الجزائية 2003/42 م س
- باصدار قانون محكمة امن الدولة 2003/64 م س
- بتعديل بعض احكام قانون المحاماة 2003/90 م س
- باجراء تعديل في قانون السلطة القضائية 2004/5 م س
- بتعديل بعض احكام قانون محكمة امن الدولة 2004/89 م س
- باجراء تعديل في قانون المحاماة 2005/64 م س
- بتعديل بعض احكام قانون الجزاء العماني والاجراءات الجزائية 2005/75 م س
- باجراء تعديلات على بعض احكام قانون الجزاء العماني والاجراءات الجزائية 2007/52 م س
- باجراء تعديلات في قانون المحاماة 2008/78 م س
- باجراء تعديل في قانون المحاماة 2008/140 م س
- بتعديل بعض احكام قانون محكمة القضاء الاداري 2009/3 م س
- باصدار قانون تسليم المجرمين 2009/36 م س
- باجراء تعديلات في بعض القوانين 2010/55 م س

## X.

### GOVERNMENT APPARATUS, STRUCTURE AND INSTITUTIONS

#### Royal Court

- بانشاء ديوان تشریفات جلالة السلطان المعظم 1974/54 م س
- بتنظيم ديوان تشریفات جلالة السلطان المعظم 1975/11 م س
- بالهيكل التنظيمي لديوان تشریفات جلالة السلطان 1980/47 م س
- باصدار القانون الخاص بنظام الموظفين بديوان تشریفات جلالة السلطان 1980/47 م س
- بتعديل جدول الدرجات والرواتب المرافق لقانون نظام الموظفين بديوان التشریفات 1980/90 م س
- باعتماد الهيكل التنظيمي لوزارة شؤون الديوان السلطاني 1981/24 م س
- بتعديل الهيكل التنظيمي لديوان تشریفات جلالة السلطان 1981/55 م س
- بتعديل الهيكل التنظيمي لديوان تشریفات جلالة السلطان 1982/8 م س
- بتعديل الهيكل التنظيمي لديوان تشریفات جلالة السلطان 1982/80 م س
- بتعديل جدول الدرجات والرواتب المرافق لقانون نظام الموظفين بديوان تشریفات جلالة السلطان 1982/81 م س

- بنقل صلاحيات مستشار الامن القومي الى مكتب القصر 1982/94 م س
- باعتماد اسم "ديوان شئون القصور والتشريقات السلطانية" 1982/95 م س
- باعتماد اسم "ديوان شئون البلاط السلطاني" 1982/96 م س
- بتعديل عبارة ديوان تشريفات جلالة السلطان الي ديوان شئون البلاط السلطاني واعتماد هيكله التنظيمي 1982/110 م س
- باعتماد الهيكل التنظيمي لديوان شئون البلاط السلطاني 1983/16 م س
- بتعديل الهيكل التنظيمي لديوان شئون البلاط السلطاني 1983/44 م س
- باعتماد الهيكل التنظيمي لوزارة شئون الديوان السلطاني 1983/65 م س
- بتعديل الهيكل التنظيمي لوزارة شئون الديوان السلطاني 1983/68 م س
- بتعديل الهيكل التنظيمي لديوان شئون البلاط السلطاني 1984/31 م س
- بسيان احكام قانون موظفي ديوان شئون البلاط السلطاني على موظفي بلدية العاصمة 1984/34 م س
- بتعديل الهيكل التنظيمي لديوان الشئون البلاط السلطاني 1984/76 م س
- بتعديل الهيكل التنظيمي لديوان تشريفات جلالة السلطان 1984/103 م س
- بتعديل اسم وظيفة مدير عام مكتب رئيس ديوان شئون البلاط السلطاني 1985/25 م س
- بتعديل في الهيكل التنظيمي لديوان شئون البلاط السلطاني 1985/67 م س
- بتعديل الهيكل التنظيمي الداخلي لمكتب الممثل الخاص لجلالة السلطان 1985/81 م س
- بتعديل اسم ديوان شئون البلاط السلطاني 1986/57 م س
- باعتماد الهيكل التنظيمي لديوان البلاط السلطاني 1988/8 م س
- باصدار القانون الخاص بالنظام المالي لديوان البلاط السلطاني 1991/128 م س
- باعتماد الهيكل التنظيمي لديوان البلاط السلطاني 1993/82 م س
- باجراء تعديلات في القانون الخاص بنظام الموظفين بديوان البلاط السلطاني 1993/83 م س
- باصدار القانون الخاص بنظام الموظفين بديوان البلاط السلطاني 97/97 م س

### Police and military

- قانون الشرطة 1973/5 ق
- بانشاء صندوق تقاعد شرطة عمان السلطانية 1980/45 م س
- باعتماد نظام رواتب التقاعد ومكافآت نهاية الخدمة في قوات السلطان المسلحة 1982/86 م س
- بتحديد المسميات والرتب الخاصة بوحدات قوة الشرطة والعاملين فيها 1982/91 م س
- باصدار قانون الشرطة 1990/35 م س
- باصدار قانون الدفاع المدني 1991/76 م س
- بانشاء صندوق تقاعد الحرس السلطاني العماني 1993/3 م س

- بانشاء صندوق تقاعد وزارة الدفاع 1993/87 م س
- بانشاء صندوق تقاعد جهاز الامن الداخلي 1994/7 م س
- بتعديل قانون الدفاع المدني 1999/75 م س
- بتعديل مسمى اكااديمية الشرطة واصدار نظام كلية الشرطة 2000/62 م س
- بتعديل بعض احكام قانون الشرطة 2001/42 م س
- بتطبيق قانون الجمارك الموحد لدول مجلس التعاون لدول الخليج العربية 2003/67 م س

### Council of Oman

- بتعديل في تحديد دورات انعقاد المجلس الاستشاري للدولة 1984/37 م س
- باستمرار المجلس الاستشاري للدولة بنفس تشكيله مدة اضافية 1985/89 م س
- بتعديل بعض الاحكام الخاصة بانشاء المجلس الاستشاري للدولة ونظامه الداخلي 1985/102 م س
- باجراء تعديل في النظام الداخلي للمجلس الاستشاري للدولة 1990/4 م س
- بانشاء مجلس الشورى 1991/93 م س
- بتسمية اعضاء مجلس الشورى 1991/95 م س
- باصدار اللائحة الداخلية لمجلس الشورى 1991/97 م س
- بتحديد مكافآت رئيس واعضاء مجلس الشورى 1991/98 م س
- بتسمية عضو في مجلس الشورى 1993/39 م س
- بتعديل بعض احكام المرسوم السلطاني بانشاء مجلس الشورى والمرسوم السلطاني باللائحة الداخلية للمجلس 1994/84 م س
- في شأن مجلس عمان 1997/86 م س
- باصدار اللائحة الداخلية لمجلس عمان 1997/87 م س
- باصدار اللائحة الداخلية لمجلس الشورى 1997/88 م س
- بتعديل بعض احكام نظام مجلسي الدولة والشورى 2000/35 م س
- بتعديل بعض احكام نظام مجلسي الدولة والشورى 2000/50 م س
- بتعديل بعض احكام نظام مجلسي الدولة والشورى 2000/104 م س
- بتعديل بعض احكام اللائحة الداخلية لمجلس الدولة 2000/105 م س
- بتعديل بعض احكام اللائحة الداخلية لمجلس الشورى 2000/106 م س
- بتعديل بعض احكام نظام مجلسي الدولة والشورى 2003/74 م س
- بتعديل بعض احكام اللائحة الداخلية لمجلس الدولة 2004/70 م س
- بتعديل بعض احكام اللائحة الداخلية لمجلس الشورى 2004/71 م س



بتعديل بعض احكام نظام مجلسي الدولة والشورى 2007/2 م س

### Institutional structure and competencies

- بتشكيل مجلس اعلى للدفاع 146/73 م س
- قانون انشاء وتنظيم بلدية العاصمة 1974/1 م س
- باجراء بعض التغييرات في الوزارات 1974/40 م س
- بتغيير اسم "وزارة الاعلام والسياحة" 1974/49 م س
- قانون اعادة تنظيم بلدية العاصمة 1975/4 م س
- بتشكيل لجنة في وزارة التجارة والصناعة تعرف باسم "لجنة التصنيع" 1975/16 م س
- بخصوص انشاء "سجل صناعي" 1975/17 م س
- بخصوص انشاء مجلس للتدريب المهني بوزارة الشؤون الاجتماعية والعمل 1975/22 م س
- بخصوص اصدار قانون تنظيم الجهاز الاداري للدولة 1975/26 م س
- بتشكيل مجلس الخدمة المدنية 1975/28 م س
- بتفويض وزير التجارة والصناعة اعطاء الترخيص 1975/34 م س
- بخصوص الحذف من اختصاصات محافظة العاصمة 1975/35 م س
- باصدار قانون اسرار الوظيفة والاماكن المحمية 1975/36 م س
- بنقل خدمات وكيل وزارة الاعلام والثقافة الي وزارة الخارجية 1976/1 م س
- باستبدال تسمية "دائرة الدفاع" الي "وزارة الدفاع" 1976/6 م س
- بخصوص ايقاف العمل بقانون الخدمة المدنية لعام 75 وتشكيل لجنة للنظر في تنظيم الجهاز الاداري للدولة 1975/3 م س
- باجراء بعض التغييرات في الوزارات 1976/12 م س
- بتعديل قانون تنظيم الجهاز الاداري للدولة 1976/13 م س
- بتغيير اسم "وزارة التراث العماني" باسم "وزارة التراث القومي" 1976/14 م س
- بنقل مسؤولية الاشراف على شؤون البلديات لوزارة الاراضي 1976/17 م س
- باستحداث مديرية عامة بوزارة الاشغال العامة 1976/20 م س
- بتحديد اختصاصات وزارة شؤون الشباب 1976/21 م س
- باستحداث مديريات جديدة بوزارة المواصلات 1976/26 م س
- باستحداث مديرية عامة بوزارة التجارة والصناعة 1977/76 م س
- بتحديد اختصاصات وزارة التراث القومي 1977/20 م س
- بتحديد اختصاصات وزارة الاعلام والثقافة 1977/21 م س
- بانشاء ثلاثة مديريات عامة بوزارة التربية والتعليم 1977/39 م س

- باختصاصات المديرية العامة للمواصفات والمقاييس 1978/1 م س
- بانشاء امانة عامة لمجلس الوزراء 1978/5 م س
- بنقل تبعية واختصاصات مكتب مقاطعة اسرائيل الى دائرة الجمارك العامة 1977/15 م س
- باصدار قانون نظام الجمارك 1978/22 م س
- بتنسيق العمل بين وزارة شؤون الاراضي والبلديات ووزارة الزراعة والاسماك والنفط والمعادن 1978/23 م س
- بتحديد مجال اختصاص وزارة المواصلات واستحداث وزارتين جديدتين 1978/37 م س
- بتخفيض وزارة الاشغال العامة الى مديرية عامة 1978/40 م س
- بالحاق المديرية العامة للاشغال العامة بوزارة الشؤون الاجتماعية والعمل 1978/45 م س
- بانشاء مديرية عامة للطرق بوزارة المواصلات والغاء مديرية الخدمات والعلاقات العامة 1978/53 م س
- بانشاء مديرية عامة بوزارة البريد والبرق والهاتف 1978/62 م س
- بتعديل اختصاصات وزارة المواصلات وهيكلها التنظيمي 1978/63 م س
- بانشاء مديرية عامة للشؤون الفنية بوزارة التراث القومي 1979/16 م س
- باختصاصات وزارة البريد والبرق والهاتف 1979/17 م س
- بشأن انشاء مجلس الزراعة والاسماك والصناعة 1979/19 م س
- بانشاء مديرية عامة للشؤون الاقتصادية بوزارة التجارة والصناعة 1979/27 م س
- باجراء تعديلات في تشكيل مجلس الوزراء 1979/28 م س
- باجراء تعديلات في تشكيل مجلس الوزراء 1979/66 م س
- بنقل دائرة المكتبة الاسلامية الي وزارة التراث القومي والثقافة 1979/5 م س
- بالهيكل التنظيمي لمكتب نائب رئيس الوزراء للشؤون القانونية 1980/2 م س
- بالهيكل التنظيمي لوزارة الزراعة والاسماك 1980/3 م س
- بالغاء مديرية عامة وانشاء مديرتين بوزارة التربية والتعليم 1980/4 م س
- بانشاء معهد الادارة العامة 1980/18 م س
- بانشاء مديريتين عامتين بوزارة الداخلية 1980/19 م س
- بالغاء مديرية عامة وانشاء مديريتين عامتين بوزارة الشؤون الاجتماعية والعمل 1980/20 م س
- بالهيكل التنظيمي لوزارة النفط والمعادن 1980/25 م س
- باعادة التنظيم المديرية العامة للمالية 1980/40 م س
- بانشاء الهيئة العامة للمواصلات السلكية واللاسلكية 1980/43 م س
- بالهيكل التنظيمي لوزارة الاعلام وشؤون الشباب 1980/48 م س
- بتحديد اختصاصات وزارة الاشغال العامة وتنظيمها 1980/51 م س
- بتقرير صفة المنفع العامة لمشروعات حكومية 1980/58 م س
- بتقرير صفة المنفع العامة لمشروعات حكومية 1980/59 م س

- بتقرير صفة المنفع العامة لمشروعات حكومية 1980/60 م س
- بانشاء الهيئة العامة للمخازن والاحتياطي الغذائي 1980/62 م س
- بالهيكل التنظيمي لوزارة التراث القومي والثقافة 1980/73 م س
- بانشاء مجلس استشاري للدولة 1981/73 م س
- بالنظام الداخلي للمجلس الاستشاري للدولة 1981/86 م س
- بانشاء سكرتارية مجلس الوزراء 1981/87 م س
- بانشاء مديرية عامة للخدمات والمشاريع بوزارة الداخلية 1981/104 م س
- بانشاء مديرية عامة للارصاد الجوية بوزارة المواصلات 1982/1 م س
- باعتماد اختصاص وزارة الكهرباء والمياه 1982/11 م س
- باجراء تعديل في التشكيل الوزاري 1982/13 م س
- باجراء تعديل في التشكيل الوزاري 1982/16 م س
- بانشاء مديريتان عامتان بوزارة التربية والتعليم 1982/26 م س
- بتعديل اختصاصات بعض الوزارات 1982/40 م س
- بانشاء مجلس الاعلى لرعاية الشباب 1982/41 م س
- بتعديل في تشكيل مجلس الوزراء 1982/48 م س
- باعتماد الهيكل التنظيمي لوزارة العدل والاقواف والشئون الاسلامية 1982/85 م س
- باصدار نظام القطاع الاعلامي في وزارة الاعلام 1982/2 قر س
- باجراء تعديل في التشكيل الوزاري 1983/4 م س
- باعتماد الهيكل التنظيمي لوزارة المواصلات 1983/13 م س
- باعتماد الهيكل التنظيمي لمكتب وزير الدولة وولي ظفار 1983/14 م س
- بانشاء مديريتين عامتين بوزارة الشؤون الاجتماعية والعمل واعتماد هيكلها التنظيمي 1983/32 م س
- باعتماد اختصاصات وزارة المواصلات 1983/48 م س
- باختيار اعضاء المجلس الاستشاري للدولة وتعديلات في المراسيم السلطانية الخاصة بانشاءه 1983/61 م س
- بتعديل في التشكيل الوزاري 1983/62 م س
- باجراء تعديل في التشكيل الوزاري 1983/66 م س
- باختيار من يتولى مهام سكرتير مجلس الوزراء بالوكالة 1984/2 م س
- في نقل مسئولية الاشراف على بلدية العاصمة لديوان شئون البلاط السلطاني 1984/18 م س
- باعتماد الهيكل التنظيمي للمجلس الاعلى لرعاية الشباب 1984/21 م س
- بانشاء وزارة للبيئة وتعيين وزير لها 1984/45 م س
- بتحديد اختصاصات وزارة البيئة 1984/47 م س
- بانشاء مديرية عامة بوزارة الزراعة والاسماك واعتماد الهيكل التنظيمي للوزارة 1984/63 م س

- باجراء تعديل في التشكيل الوزاري 1985/2 م س
- بتعديل الهيكل التنظيمي لوزارة التجارة والصناعة 1985/7 م س
- باعتماد الهيكل التنظيمي لوزارة النفط والمعادن 1985/28 م س
- بمنح لجنة تنمية المناطق سلطة اجراء المناقصات الخاصة بمشروعاتها 1985/32 م س
- باعتماد الهيكل التنظيمي لوزارة البيئة 1985/35 م س
- باعتماد الهيكل التنظيمي لوزارة شئون البلديات الاقليمية 1985/37 م س
- باعتماد الهيكل التنظيمي للسكرتارية الفنية للجنة التخطيط للتنمية والبيئة بالمنطقة الجنوبية 1985/45 م س
- باعتماد الهيكل التنظيمي لوزارة الشؤون الاجتماعية والعمل 1985/46 م س
- باعتماد الهيكل التنظيمي لوزارة الداخلية 1985/47 م س
- بتعديل اسم وزارة البيئة واختصاصاتها 1985/104 م س
- بتعديل في الهيكل التنظيمي لوزارة الاسكان ووزارة الشؤون الاجتماعية والعمل 1986/17 م س
- بإعادة تشكيل مجلس الشؤون المالية 1986/21 م س
- باعتماد الهيكل التنظيمي لوزارة الاسكان 1986/44 م س
- بإعادة تشكيل مجلس الشؤون المالية 1986/51 م س
- باجراء تعديل في الهيكل التنظيمي لوزارة المواصلات 1986/56 م س
- باجراء تعديل في تشكيل الوزاري 1986/61 م س
- بتعديل اسم وزارة التربية والتعليم وشؤون الشباب واعتماد هيكلها التنظيمي 1986/83 م س
- بتعديل الهيكل التنظيمي لمكتب السيد نائب رئيس الوزراء للشؤون القانونية 1987/11 م س
- باعتماد الهيكل التنظيمي لوزارة الاسكان 1985/20 م س
- باجراء تعديل في التشكيل الوزاري 1987/92 م س
- بتحديد اختصاصات وزارة الدفاع واعتماد هيكلها التنظيمي 1988/34 م س
- باعتماد الهيكل التنظيمي لوزارة الداخلية 1988/43 م س
- باعتماد الهيكل التنظيمي لوزارة الخدمة المدنية 1988/48 م س
- باعتماد الهيكل التنظيمي لسكرتارية مجلس الوزراء 1988/85 م س
- باعتماد الهيكل التنظيمي لوزارة التربية والتعليم والشباب 1988/93 م س
- باعتماد الهيكل التنظيمي لوزارة البلديات الاقليمية 1989/7 م س
- باجراء تعديل في التشكيل الوزاري 1989/14 م س
- بانشاء وزارة موارد المياه وتحديد اختصاصاتها 1989/100 م س
- بانشاء وزارة للعمل والتدريب المهني وتعديل اسم وزارة الشؤون الاجتماعية والعمل 1990/5 م س
- باجراء تعديل في التشكيل الوزاري 1990/6 م س
- بتحديد اختصاصات وزارة البيئة وتعديل هيكلها التنظيمي 1990/11 م س

- باعتتماد الهيكل التنظيمي لوزارة الصحة 1990/12 م س
- باعتتماد الهيكل التنظيمي لوزارة موارد المياه 1990/48 م س
- بانشاء الهيئة العامة لخدمات الاسعاف 1991/68 م س
- باجراء تعديل في التشكيل الوزاري 1991/106 م س
- بانشاء الهيئة العامة للرياضة والانشطة الشبابية 1991/113 م س
- باصدار نظام الهيئات والمؤسسات العامة 1991/116 م س
- بتحديد اختصاصات وزارة الكهرباء والمياه 1992/18 م س
- بتعديل اسم وزارة الزراعة والاسماك وتحديد اختصاصاتها 1992/30 م س
- بتحديد اختصاصات وزارة الخدمة واعتماد هيكلها التنظيمي 1992/56 م س
- باعتتماد الهيكل التنظيمي لوزارة النفط والمعادن 1992/58 م س
- باعتتماد الهيكل التنظيمي لوزارة البلديات الاقليمية والبيئة 1992/59 م س
- بتحديد اختصاصات وزارة المواصلات واعتماد هيكلها التنظيمي 1993/24 م س
- باجراء تعديل في التشكيل الوزاري 1994/2 م س
- بتحديد اختصاصات وزارة التعليم العالي 1994/15 م س
- باعتتماد الهيكل التنظيمي لوزارة التجارة والصناعة 1994/23 م س
- بتحديد اختصاصات وزارة المالية والاقتصاد 1994/47 م س
- بتحديد اختصاصات وزارة المالية واعتماد هيكلها التنظيمي 1996/39 م س
- بانشاء مجلس الشؤون المالية وموارد الطاقة 1996/60 م س
- بتحديد اختصاصات وزارة التربية والتعليم واعتماد هيكلها التنظيمي 1997/19 م س
- بتعديل بعض اختصاصات مجلس الشؤون المالية وموارد الطاقة 1997/37 م س
- بتحديد اختصاصات وزارة الاوقاف والشؤون الدينية واعتماد هيكلها التنظيمي 1999/6 م س
- بتحديد اختصاصات وزارة الزراعة والثروة السمكية واعتماد هيكلها التنظيمي 1999/83 م س
- بتحديد اختصاصات وزارة العدل واعتماد هيكلها التنظيمي 2000/47 م س
- بتحديد اختصاصات وزارة البلديات الاقليمية والبيئة والموارد المياه واعتماد هيكلها التنظيمي 2001/66 م س
- بتحديد اختصاصات وزارة التعليم العالي واعتماد هيكلها التنظيمي 2002/6 م س
- بتحديد اختصاصات وزارة الصحة 2002/38 م س
- بتحديد اختصاصات وزارة التنمية الاجتماعية واعتماد هيكلها التنظيمي 2003/32 م س
- بتحديد اختصاصات مكتب وزير الدولة ومحافظ ظفار واعتماد هيكلها التنظيمي للمكتب 2003/37 م س
- باصدار نظام الهيئة العامة للصناعات الحرفية واعتماد هيكلها التنظيمي 2003/53 م س
- بتحديد اختصاصات وزارة القوى العاملة واعتماد هيكلها التنظيمي 2004/76 م س
- بانشاء وزارة الشؤون الرياضية وتحديد اختصاصاتها 2004/112 م س

بتحديد اختصاصات وزارة التراث والثقافة واعتماد هيكلها التنظيمي 2005/24 م س

بتحديد اختصاصات وزارة السياحة واعتماد هيكلها التنظيمي 2005/95 م س

بتحديد اختصاصات وزارة البلديات الاقليمية والبيئة والموارد المياه واعتماد هيكلها التنظيمي 2006/55 م س

بتحديد اختصاصات وزارة الثروة السمكية واعتماد هيكلها التنظيمي 2008/83 م س

بتحديد اختصاصات وزارة الخدمة المدنية واعتماد هيكلها التنظيمي 2008/142 م س

## Appendix II. – Omanization tables and SANAD

Table 23: Omanization percentages 2003 - 2005

OMANIZATION PERCENTAGES PER SECTOR 2003 -2005 (2007) *						
Sector	Job/occupation or establishment classification	2003	2004	2005	2006	2007
IT	Senior management	0	15	25	n.a.	n.a.
	Sales & marketing	7	15	25	n.a.	n.a.
	Technical support and infrastructure	9	15	25	n.a.	n.a.
	Applications & service development	9	15	25	n.a.	n.a.
Communications	Engineers	20	25	30	40	50
	Technicians	25	35	45	55	65
	Skilled labor	25	35	45	60	80
	Total percentage	25	30	35	45	55
Travel and tourism	Aviation companies	76	78	80	82	83
	Tourist restaurant	35	50	70	85	100
	Travel & tourism	42	50	60	70	80
	Hotels (3, 4, 5 stars)	40	50	60	70	75
	Car rent	52	62	75	85	97
Oil and gas	Productive & operating	82	85	87	89	90
	Main contractors	68	75	80	85	90
	Assisting services	20	30	40	50	60
	Interior contractors	15	30	40	50	60
	Local cooperatives companies	15	25	30	40	50
Consultancy	Engineers	5	10	15	20	25
	Draughtsman	30	40	50	60	70
	Material supervision jobs	25	30	35	40	45
	Land survey	40	50	60	70	80
	Accountants	20	30	40	50	60
	Admin. Posts	50	60	70	80	90
Contracting	2 <sup>nd</sup> category & above	20	22.5	25	27.5	30
	Continued projects	40	50	60	70	80

Sector	Job/occupation or establishment classification	2003	2004	2005	2006	2007
Electricity & Water	Power plants in Ghubrah, Rusayl, Wadi al-Gizzi, Musandam, Dhahirah					
	Engineers	64	75	78	n.a.	n.a.
	Assistant engineers	80	100	100	n.a.	n.a.
	Technicians	66	74	76	n.a.	n.a.
	Skilled workers	100	100	100	n.a.	n.a.
	Power plants in Manah, al-Kamil, Barkah, and Salalah					
	Engineers	32	43	43	n.a.	n.a.
	Assistant engineers	45	45	45	n.a.	n.a.
	Technicians	47	51	51	n.a.	n.a.
	Skilled workers	43	50	50	n.a.	n.a.
	Debt collector companies					
	Manager/ supervisor/ programmer	28	33	39	n.a.	n.a.
	Accountant/ cashier	84	85	87	n.a.	n.a.
	Meter clerk	87	86	89	n.a.	n.a.
	Worker/ assisting occupations	92	98	100	n.a.	n.a.
Automobiles		30	35	40	45	50

Table 24: Omanization percentages 2006 - 2010

OMANIZATION PERCENTAGES PER SECTOR 2006 – 2010 **						
Sector	Job/occupation or establishment classification	2006	2007	2008	2009	2010
IT	Senior management	5	6	7	8	9
	Sales & marketing	100	100	100	100	100
	Technical support and infrastructure	11	12	13	14	15
	Applications & service development	11	12	13	14	15
Communications	Engineers	40	50	52	52	54
	Technicians	55	65	65	65	70
	Skilled labor	60	65	70	75	80
	Total percentage	52	60	62	64	68



Sector	Job/occupation or establishment classification	2006	2007	2008	2009	2010
Travel and tourism	Aviation companies	81	84	86	88	90
	Tourist restaurant	55	65	75	85	90
	Travel & tourism	55	65	75	85	95
	Hotels (3, 4, 5 stars)	65	70	75	80	85
	Car rent	65	75	80	85	90
	Hotels (1, 2 stars) & lodges	35	40	45	50	55
Oil & Gas	Productive & operating	82	85	87	90	90
	Direct services	70	75	77	80	82
	Assisting services	62	65	67	70	73
	Local companies	75	75	77	80	82
Consultancy services	Engineers	20	25	25	25	25
	Draughtsman	60	70	70	70	70
	Material supervision jobs	40	45	45	45	45
	Land survey	70	80	80	80	80
	Accountants	50	60	60	60	60
	Admin. Posts	80	90	90	90	90
Contracting	2 <sup>nd</sup> category & above	27.5	30	30	30	30
	Continued projects	70	80	80	80	80
Electricity & Water	Power plants in Ghubrah, Rusayl, Wadi al-Gizzi, Musandam, Dhahah					
	Engineers	78	78	78	78	78
	Assistant engineers	100	100	100	100	100
	Technicians	76	76	76	76	76
	Skilled workers	100	100	100	100	100
	Power plants in Manah, al-Kamil, Barkah, and Salah					
	Engineers	43	43	43	43	43
	Assistant engineers	45	45	45	45	45
	Technicians	51	51	51	51	51
	Skilled workers	50	50	50	50	50
	Debt collection companies					
	Manager/ supervisor/ programmer	39	39	39	39	39
	Accountant/ cashier	87	87	87	87	87
	Meter clerk	89	89	89	89	89
	Worker/ assisting occupations	100	100	100	100	100
	Total percentage	85	90	90	90	90

Secor	Job/occupation or establishment classification	2006	2007	2008	2009	2010
Automobiles		45	50	52	55	58
Sales & distribution		45	50	5	60	65
Transport and Navigation	Sea ports	70	74	78	78	78
	Navigation agencies, clearing offices	67	71	77	77	77
	Marine transport	90	90	95	95	95
	Shipping	64	74	84	84	84
Accounting occupations	Managers	15	20	23	26	29
	Specialists	30	40	45	50	55
	Professionals	40	50	55	60	66
	Clerical occupations	75	100	100	100	100
Private education	Private schools					
	Academic	9	10	11	12	15
	Non-academic	50	50	54	56	58
	Private universities & colleges					
	Academic	8	10	12	14	16
	Non-academic	62	65	68	71	74
	Private training centers and institutes					
	Management & finance	55	60	70	80	90
	Technicians & assistant trainers	15	20	25	30	35
	Trainers	15	20	25	30	35
Industry		35				
Tailoring factories		25				
Banks		90				

\* As provided by MOM according to MD 160-166/2003, 176/2003.

\*\* As provided by MOM according to 3<sup>rd</sup> National Manpower Seminar.

Table 25: Activities financed by SANAD programme

<b>Activities financed by SANAD programme *</b>	
1.	<i>Grocery shop</i>
2.	<i>Fruit and vegetable shop</i>
3.	<i>Fish, meat and poultry shop</i>
4.	Distribution cars for fruit and vegetables
5.	<i>Car wash and oil change outlets</i>
6.	<i>Readymade garments and cosmetics shop</i>
7.	<i>Fabrics and textile shop</i>
8.	<i>Flower shop</i>
9.	<i>Sale and maintenance of air conditioning</i>
10.	<i>Photography studios</i>
11.	<i>Car spare parts shop</i>
12.	<i>Car maintenance and spare parts workshop</i>
13.	Sale and rent of wedding dresses and its accessories
14.	Sweets and nuts shop
15.	Nurseries
16.	Sport clothes and equipment shop
17.	Library
18.	Coffee shop
19.	SANAD offices for citizens' services
20.	<i>Ladies' beauty salon</i>
21.	<i>Internet cafes</i>
22.	<i>Boat maintenance workshop</i>
23.	<i>Sale of used cars</i>
24.	Transport of breakers such as sand, bricks and stones
25.	<i>Sale and repair of mobile phones</i>
26.	<i>Lady garment tailoring</i>
27.	Calligraphist
28.	<i>Sale and supply of electrical appliances</i>

\* As provided by MOM, SANAD programme, Projects finance by SANAD programme.

Please note that in a document (Wizāra al-quwa al-`āmilah: Al-mihan wa al-`a`māl wa al-`anshiṭa al-maḥzūra min khilāl barnāmij sanad, 2009. ) made available by MOM in May 2009, following categories of small businesses are no longer supported: 1., 2., 3., 5., 6., 7., 8., 9., 10., 11., 12., 20., 21., 22., 23., 25., 26., 28. All exempted categories are marked in italics in the previous table.

Table 26: SANAD job opportunities

Activity	Number of outlets	Number of beneficiaries (Jobs available)
Grocery shops	5112	12162 (1010)
Fruit and vegetable shops	563	1010
Running and managing of school cafeterias	216	373 (38)
SANAD committees projects	2460	5106 (1344)
SANAD services centres	118	311 (77)
Supporting and financing individual initiatives to set up small enterprises	1316	1505
Women's tailoring activity	337	812
SANAD incubators	4	39
Total	10126	21318

Please note that the previous table has not been included in the main body of the dissertation, as the author does not find the data reliable. The number of jobs available through the programme at the end of 2007 should be 21318. In the same document, from which the table has been transferred, the new job opportunities in 2007 stand at 2255. Certain categories provided the exact numbers of opportunities taken in 2007 (provided in brackets in the above table). And rather annoyingly, the numbers do not add up. Furthermore, as the table appears to provide accumulative numbers for the duration of SANAD programme until 2007, it is clear that the category of *supporting and financing individual initiatives...* includes only the projects financed in 2007.

### Appendix III. – Education

#### Private universities and colleges in Oman

- Sohar University [www.soharuni.edu.om](http://www.soharuni.edu.om)
- Dhofar University [www.du.edu.om](http://www.du.edu.om)
- Nizwa University [www.unizwa.edu.om](http://www.unizwa.edu.om)
- Majan College [www.majancollege.edu.om](http://www.majancollege.edu.om)
- Modern College of Commerce and Science [www.mcbs.edu.om](http://www.mcbs.edu.om)
- Caledonian College of Engineering [www.cce.edu.om](http://www.cce.edu.om)
- College of Fire Fighting and Safety Engineering [www.fsecoman.com](http://www.fsecoman.com)
- Muscat College of Administrative Science and Technology
- Mazoon College of Administration and Applied sciences  
[www.mazooncollege.edu.om](http://www.mazooncollege.edu.om)
- Al-Zahra College for Girls [www.zahracol.edu.om](http://www.zahracol.edu.om)
- Oman Medical College [www.omc.edu.om](http://www.omc.edu.om)
- Waljat College for Applied Sciences [www.waljatcolleges.edu.om](http://www.waljatcolleges.edu.om)
- Sur University College [www.suc.edu.om](http://www.suc.edu.om)
- Middle East College of Information Technology [www.mecit.edu.om](http://www.mecit.edu.om)
- Oman College for Tourism [www.otha.edu.om](http://www.otha.edu.om)
- Gulf College [www.gulfcollegeoman.com](http://www.gulfcollegeoman.com)
- Scientific College of Design [www.scdoman.info](http://www.scdoman.info)
- Oman College of Management and Technology [www.omacollege.edu.om](http://www.omacollege.edu.om)
- International Maritime College Oman [www.imcoman.net](http://www.imcoman.net)
- Al-Buraimi College [www.buc.edu.om](http://www.buc.edu.om)
- Al-Bayan College [www.bayancollege.edu.om](http://www.bayancollege.edu.om)
- German University of Technology in Oman [www.gultech.edu.om](http://www.gultech.edu.om)
- Arab Open University [www.aouoman.org](http://www.aouoman.org)
- Oman Dental College [www.omandentalcollege.org](http://www.omandentalcollege.org)

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Bi-al-taṣḍīq `alá al-muwāzanah al-`āmah lil-dawlah li-`ām 1995, 1/1995, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 542. [Approval of state general budged for year 1995, 1/1995, sultan's decree. Official Gazette number 542.]

Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah li-sanawāt 1976-1980, 32/1976, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 109. [Confirmation of five-year development plan for years 1976-1980, 32/1976, sultan's decree. Official Gazette number 109.]

Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-thālithah 1986-1990, 103/1985, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 326. [Confirmation of 3<sup>rd</sup> five-year development plan 1986-1990, 103/1985, sultan's decree. Official Gazette number 326.]

Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-rābi`ah 1991-1995, 1/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 446. [Confirmation of 4<sup>th</sup> five-year development plan 1991-1995, 1/1991, sultan's decree. Official Gazette number 446.]

Bi-i`atimād khuṭṭat al-tanmīyah al-khamsīyah al-khāmisah 1996-2000, 1/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 566. [Confirmation of 5<sup>th</sup> five-year development plan 1996-2000, 1/1996, sultan's decree. Official Gazette number 566.]

Bi-`ijrā` ta`adīlāt fī qānūn al-ḍamān al-`ijtimā`ī 78/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 460. [Amendments to social welfare law 78/1991, sultan's decree. Official Gazette number 460.]

Bi-`ijrā` ta`adīlāt fī qānūn al-ta`amīnāt al-`ijtimā`īyah 4/1992, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 473. [Amendments to social insurance law 4/1992, sultan's decree. Official Gazette number 473.]

Bi-`ijrā` ta`adīlāt fī qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2002, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 715. [Amendments to social insurance law 19/2002, sultan's decree. Official Gazette number 715.]

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Bi-inshā` al-iddi`ā` al-`ām wa iṣḍār qānūnihā 92/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 660. [Establishment of public prosecution and issuance of its law 92/1999, sultan's decree. Official Gazette number 660.]

Bi-inshā' majlis al-tadrīb al-mihnī 22/1975, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 82. [Establishment of council for vocational training 22/1975, sultan's decree. Official Gazette number 82.]

Bi-inshā' maḥkamah al-qaḍā' al-'idārī wa 'iṣḍār qānūnihā 91/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 660. [Establishment of administrative court and issuance of its law 91/1999, sultan's decree. Official Gazette number 660.]

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Bi-iṣḍār al-lā'iḥah al-dākhilīyah li-majlis al-shūrā 88/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 614. [Issuance of the Consultative Council's bylaws 88/1997, sultan's decree. Official Gazette number 614.]

Bi-iṣḍār nizām ma'āshāt wa mukāfa'āt 'afrād al-ḥirs al-sultānī al-'umānī 49/1998, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 628. [Issuance of pension and bonus system law of Royal Oman Guard personnel 49/1998, sultan's decree. Official Gazette number 628.]

Bi-'iṣḍār qānūn al-'arāḍī 5/1980, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 188. [The issuance of land law 5/1980, sultan's decree. Official Gazette number 188.]

Bi-'iṣḍār qānūn al-khidma al-madanīyah 120/2004, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 782. [The issuance of civil service code 120/2004, sultan's decree. Official Gazette number 782.]

Bi-`iṣḍār qānūn al-ḍamān al-`ijtimā`ī 87/1984, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 300. [The issuance of social welfare law 87/1984, sultan's decree. Official Gazette number 300.]

Bi-`iṣḍār qānūn al-jam`iyāt al-ahlīyah 14/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 665. [The issuance of civil society groups law 14/2000, sultan's decree. Official Gazette number 665.]

Bi-`iṣḍār qānūn al-jawāz al-safar al-`umānī 69/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 610. [The issuance of Omani passport law 69/1997, sultan's decree. Official Gazette number 610.]

Bi-`iṣḍār qānūn al-muḥāmāh 108/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 590. [The issuance of lawyers' profession law 108/1996, sultan's decree. Official Gazette number 590.]

Bi-`iṣḍār qānūn al-shurṭah 35/1990, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 427. [The issuance of police law 35/1990, sultan's decree. Official Gazette number 427.]

Bi-`iṣḍār qānūn al-ta`amīnāt al-`ijtimā`iyah 72/1991, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 459. [The issuance of social insurance law 72/1991, sultan's decree. Official Gazette number 459.]

Bi-`iṣḍār qānūn al-sulṭah al-qaḍā`iyah 90/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 660. [The issuance of Judicial Authority law 90/1999, sultan's decree. Official Gazette number 660.]

Bi-`iṣḍār qānūn maḥkamah `amn al-dawlah 64/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 752. [The issuance of State Security Court law 64/2003, sultan's decree. Official Gazette number 752.]

Bi-`iṣḍār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li- muntasibī shurṭat `umān al-sulṭānīyah wa-l-niẓām al-`asāsī li-ṣundūq taqā`ud shurṭat `umān al-sulṭānīyah 2/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 663. [Issuance of pension and end of service gratuity law for affiliated personnel of Royal Oman Police and the statutes of Pension Fund for Royal Oman Police 2/2000, sultan's decree. Official Gazette number 663.]

Bi-iṣḍār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muntasibī wizārat al-difā` wa quwwāt al-sultānīyah al-musallahah 3/2002, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 711. [Issuance of pension and end of service gratuity law for Ministry of Defense and Royal Armed Forces 3/2002, sultan's decree. Official Gazette number 711.]

Bi-iṣḍār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 26/1986, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 330. [Issuance of pension and end of service gratuity law for Omani employees of government 26/1986, sultan's decree. Official Gazette number 330.]

Bi-iṣḍār qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī dīwān al-balāṭ al-sultānī al-`umānīn 86/1996, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 586. [Issuance of pension and end of service gratuity law for Omani employees of Royal Oman Court 86/1996, sultan's decree. Official Gazette number 586.]

Bi-nizām `istiḥqāq al-`arāḍī al-ḥukūmīyah 81/1984, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 299. [Arrangement for government land acquisition 81/1984, sultan's decree. Official Gazette number 299.]

Bi-l-tafwīḍ fī iṣḍār aḥkām tanzīm zawāj al-`umānīn min 'ajānib wa 'ijrā' ta`adlāt fī qānūn tanzīm al-jinsīyah al-`umānīyah 57/1993, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 514. [Authorization to issue provisions for marriage of Omanis to foreigners and amendments to Omani nationality law 57/1993, sultan's decree. Official Gazette number 514.]

Bi-qānūn tanzīm al-jinsīyah al-`umānīyah 3/1983, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 256. [Law of Omani nationality 3/1983, sultan's decree. Official Gazette number 256.]

Bi-ta`dīl ba`ḍ aḥkām nizām `istiḥqāq al-`arāḍī al-ḥukūmīyah 88/2005, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 802. [Amendment to some provisions of arrangement for governmental land acquisition 88/2005, sultan's decree. Official Gazette number 802.]

Bi-ta`dīl ba`ḍ aḥkām nizām `istiḥqāq al-`arāḍī al-ḥukūmīyah 125/2008, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 876. [Amendment to some provisions of arrange-

ment for governmental land acquisition 125/2008, sultan's decree. Official Gazette number 876.]

Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 35/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 671. [Amendment to some provisions of Code of the State and Consultative Councils 35/2000, sultan's decree. Official Gazette number 671.]

Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 50/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 672. [Amendment to some provisions of Code of the State and Consultative Councils 50/2000, sultan's decree. Official Gazette number 672.]

Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 104/2000, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 683. [Amendment to some provisions of Code of the State and Consultative Councils 104/2000, sultan's decree. Official Gazette number 683.]

Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 74/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 754. [Amendment to some provisions of Code of the State and Consultative Councils 74/2003, sultan's decree. Official Gazette number 754.]

Bi-ta`dīl ba`ḍ `aḥkām niẓām majlis al-dawlah wa al-shūrā 2/2007, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 832. [Amendment to some provisions of Code of the State and Consultative Councils 2/2007, sultan's decree. Official Gazette number 832.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 60/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 604. [Amendment to some provisions of social insurance law 60/1997, sultan's decree. Official Gazette number 604.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-jam`īyāt al-ahlīyah 23/2007, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 837. [Amendment to some provisions of civil society groups law 23/2007, sultan's decree. Official Gazette number 837.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-shurṭah 42/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 695. [Amendmet to some provisions of police law 42/2001, sultan's decree. Official Gazette number 695.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-sulṭah al-qaḍā`īyah 14/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 689. [Amendment to some provisions of Judicial Authority law 14/2001, sultan's decree. Official Gazette number 689.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 54/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 656. [Amendment to some provisions of social insurance law 54/1999, sultan's decree. Official Gazette number 656.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn al-ta`amīnāt al-`ijtimā`īyah 19/2005, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 786. [Amendment to some provisions of social insurance law 19/2005, sultan's decree. Official Gazette number 786.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 77/1994, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 532. [Amendments to some provisions of pension and end of service gratuity law for Omani employees of government 77/1994, sultan's decree. Official Gazette number 532.]

Bi-ta`dīl ba`ḍ `aḥkām qānūn tanzīm al-jinsīyah al-`umānīyah 95/1994, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 535. [Amendments to some provisions of Omani nationality law 95/1994, sultan's decree. Official Gazette number 535.]

Bi-ta`dīl fī qānūn al-ḍamān al-`ijtimā`ī 38/1985, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 309. [Amendment to social welfare law 38/1985, sultan's decree. Official Gazette number 309.]

Bi-ta`dīl qānūn al-jam`īyāt al-ahlīyah 30/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 693. [Amendment to civil society groups law 30/2001, sultan's decree. Official Gazette number 693.]

Bi-ta`dīl qānūn al-ta`amīnāt al-`ijtimā`īyah 6/1998, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 618. [Amendment to social insurance law 6/1998, sultan's decree. Official Gazette number 618.]

Bi-ta`dīl qānūn ma`āshāt wa mukāfa`āt mā ba`ada al-khidmah li-muwazzafī al-ḥukūmat al-`umānīn 70/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 657. [Amendments

to pension and end of service gratuity law for Omani employees of government 70/1999, sultan's decree. Official Gazette number 657.]

Bi-taqṣīm wizārat al-shu'ūn al-ijtimā'iyah wa-al-'amal wa-al-tadrīb al-mihnī 108/2001, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 707. [Partition of Ministry of Social Affairs, Labor and Vocational Training 108/2001, sultan's decree. Official Gazette number 707.]

Bi-ziyādat al-ma'āshāt al-shahrīyah al-muqarrarat bi-qānūn al-ḍamān al-'ijtimā'ī 83/1988, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 390. [Increase in monthly pensions in social welfare law 83/1988, sultan's decree. Official Gazette number 390.]

Fī sha'n majlis `umān 86/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 614. [About the Council of Oman 86/1997, sultan's decree. Official Gazette number 614.]

Qānūn al-'aḥwāl al-madanīyah 66/1999, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 657. [Civil status law 66/1999, sultan's decree. Official Gazette number 657.]

Qānūn al-'aḥwāl al-shakhsīyah 32/1997, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 601. [Personal Status law 32/1997, sultan's decree. Official Gazette number 601.]

Qānūn al-'amal 34/1973, marsūm sultānī. Al-mulḥaq al-awwal lil-jarīdah al-rasmīyah raqm 44. [Labor law 34/1973, sultan's decree. First supplement to Official Gazette number 44.]

Qānūn al-'amal 35/2003, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 742. [Labor law 35/2003, sultan's decree. Official Gazette number 742.]

Qānūn al-jazā' 7/1974, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 52. [Penal Code 7/1974, sultan's decree. Official Gazette number 52.]

Qānūn al-tanmīyah al-iqtisādīyah li-sanah 1975, 1/1975, marsūm sultānī. Al-jarīdah al-rasmīyah raqm 75. [Law for economic development for year 1975, 1/1975, sultan's decree. Official Gazette number 75.]



### Executive provisions

Al-lā'ihah al-tanfīdhīyah lil-marsūm al-sultānī raqm 12/1988, 57/1988, qarār wizārī. Al-jarīdah al-rasmīyah raqm 389. [Executive bylaws for sultan's decree number 12/1988, 57/1988, ministerial decision. Official Gazette number 389.]

Bi-man`i `alá al-tujjār al-ajānb istīrād `umāl ajānib min al-khārij 7/1973, qarār sultānī. Al-jarīdah al-rasmīyah raqm 29. [Ban on foreign merchants to import foreign workers from abroad 7/1973, sultan's decision. Official Gazette number 29.]

Bi-sha`ni al-aḥwāl wa-al-a`amāl wa-al-munāsabāt allatī yajūzu tashghīl al-nisā' fihā laylan wa-shurūḡ al-tashghīl 128/2005, qarār wizārī. Al-jarīdah al-rasmīyah raqm 793. [About situations, occupations and circumstances, in which it is permissible to employ women at night, and conditions of employment 128/2005, ministerial decision. Official Gazette number 793.]

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## List of abbreviations

FYDP	Five Year Development Plan
GCC	Gulf Cooperation Council
HRD	Human resource development
IFC	International Finance Corporation
MD	Ministerial decision
MEPI	Middle East Partnership Initiative (US)
MOD	Ministry of Defence
MOM	Ministry of Manpower
MONE	Ministry on National Economy
MOCS	Ministry of Civil Service
MOSD	Ministry of Social Development
OCCI	Omani Chamber of Commerce and Industry
OECD	Organization for Economic Cooperation and Development
OWA	Omani Women Association
PASI	Public Authority for Social Insurance
POGAR	Programme on Governance in the Arab Region
RAF	Royal Armed Forces
ROC	Royal Oman Court
ROG	Royal Oman Guard
ROP	Royal Oman Police
SANAD	Governmental program for self-employment and entrepreneurship
SD	Sultan's decree
SDec	Sultan's decision
SQU	Sultan Qaboos University
UNDP	United Nations Development Programme
WB	World Bank
WHO	World Health Organization

## Resume

Presented dissertation discusses the topic of environment for female employment in the Sultanate of Oman as created by the state. The research is done on two levels. In the first one analysis of public policy and its implementation is presented, the second one examines the laws and legislative process. Besides analysis of the environment for female employment, the dissertation aims to pinpoint the gaps and obstacles in current planning and legal framework, and to offer recommendations for improving the situation. The study uses qualitative research methods, primarily contents and gender analysis, complemented by chronological descriptive method.

## Abstrakt

Předložená disertace rozebírá prostředí pro zaměstnanost žen v Sultanátu Omán, tak jak jej vytváří stát. Předmětem výzkumu je v první části proces plánování, veřejná politika a její realizace, v druhé části zákony státu a zákonodárný proces. Kromě popisu prostředí pro zaměstnanost žen je cílem disertace snaha o zdůraznění nedostatků současného plánování a zákonů a poskytnutí návrhů na možnosti zlepšení. K rozboru dostupných materiálů byly použity především kvalitativní výzkumné metody (obsahová a genderová analýza), doplněné chronologickou popisnou metodou.