



Oman

Information included in the following section is based on Oman's Laws and Legislations.

Domestic violence & Gender-based Violence

Are there laws recognising domestic violence in Oman?

There are no laws protecting against domestic violence in Oman.

Other areas of the law in Oman contain general prohibitions that are applicable to domestic violence.

- Under Article 20 of the Basic Law of Oman, no person shall be subjected to physical or psychological torture, inducement or demeaning treatment and obligates the law to punish anyone who commit such acts.
- Article 37(5) of Personal Status Law (1997) prohibits the husband from harming the wife financially or morally.
- Article 266 of the Penal Code (2018) states, every male who commits the following shall be punished by imprisonment for a period no less than a month and not exceeding a year, and a fine no less than (100) one hundred Rial Omani and not exceeding (300) three hundred Rial Omani, or one of those two punishments:
 - whoever harasses a female, by word or conduct, in a manner that offends her modesty.
 - whoever intrudes on the solitude of a female.
 - whoever impersonates a woman or enters, disguised, a venue dedicated to women or a venue whose entry is forbidden to non-women at the time.
 - whoever publicly appears in the likeness of women in his dress or guise.

Sexual Assault

Is Rape and Sexual Assault criminalized in Oman?

- Article 257 of the Penal Code (2018) provides, whoever engages in sexual intercourse, without consent, with a male or female, shall be punished by imprisonment for a period no less than (10) ten years and not exceeding (15) fifteen years.
- Article 258 of the Penal Code (2018) provides, whoever sexually assaults, without consent, a male or female shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years.
- If the offender is a guardian of the victim, or "Mahram", the punishment shall be no less than (7) seven years and not exceeding (10) ten years.

What is the age of consent to sexual activity in Bahrain?

According to Article 264 of the Penal Code, the age of consent is 18 years old.

Is sexual activity out of marriage illegal in Oman?

- Article 259 of the Penal Code (2018) prohibits engaging in sexual intercourse in the absence of a marriage contract and dictates punishment for both parties involved by imprisonment for a period no less than (6) six months and not exceeding (3) three years.
- If either one of the parties is married, the punishment shall be no less than (2) two years for both of them.

Violence in the workplace

There are no laws that specifically protect from workplace harassment.

Laws regulating equality in the workplace include:

- Article 81 of the Labour Law (2003) No. 35 provides: females shall not be required to work between 9PM and 6AM save in cases, works, and occasions specified by a decision by the Minister.
- Article 82 of the Labour Law (2003) No. 35 provides: women shall not be required to perform works which are harmful to the health or hard works or such other works as may be specified by a decision of the Minister.
- Article 83 of the Labour Law (2003) No. 35 provides: A female employee shall have the right to a special fifty-day maternity leave covering the periods before and after delivery with full salary for not more than three times during her service with the employer.
- Article 84 of the Labour Law (2003) No. 35 provides: The employer shall not dismiss a woman worker for her absence due to illness confirmed by a medical certificate which

is attributable to the pregnancy or delivery and that she cannot resume her work, provided that the total period of such absence shall not exceed six months.

- Article 85 of the Labour Law (2003) No. 35 provides: An employer who employs one or more women workers shall keep in the workplace a copy of the regulations of employment of women.

Marriage

What is the minimum age of marriage?

- Article 7 of Oman's Personal Status Law (1997) asserts the minimum legal age for marriage is 18 for both women and men.
- However, Article 10 of Oman's Personal Status Law (1997) allows a judge to permit those below 18 to marry on verifying that the marriage would be beneficial.
- The law does not specify an absolute minimum age a judge may authorize a marriage.

Can a women be forced into marriage?

Forced marriages are prohibited in Oman.

- Article 16 and 17 of Oman's Personal Status Law (1997) requires consent to be clearly indicated verbally or in writing.

Is consent of a marital guardian (wali) required?

- Article 10(a) specifies that a women requires the consent of a marital guardian (wali) to enter into marriage.
- However, Article 19 provides that a woman's marital guardian (wali) is not sufficient to conclude her marriage and requires her consent.

Divorce

What are the laws on Divorce under Sharia Law?

- For men, the right to divorce his wife is absolute and effective immediately.
- However, women's right to divorce is generally limited.

- Article 81-89 governs that, a husband may unilaterally divorce his wife by writing or verbally; with or without reason; with or without her presence; inside or outside the court room.

- Article 82 allows delegating a husband's unilateral right to divorce to his wife through a stipulation in the marriage contract.

Under Article 80 of Oman's Personal Status Law (1997), in the circumstances where the women's husband refuses to divorce her, **two options are available**. She can get a judicial divorce or Khul'.

According to Articles 98-100, 101(a), 109-113 of the Personal Status Law (1997), a wife may seek judicial divorce based on:

- non-payment of the dower (mahr)
- failure to provide maintenance
- incurable or severe physical or mental illness
- prolonged absence without reasonable excuse for more than four months or disappearance of more than one year
- imprisonment of more than three years
- Divorce on the basis of a harm that makes it impossible to continue living in normal matrimonial life.

What is Khul and what are the processes?

- Khul' is the process whereby the woman is required to pay her husband a sum of money to annul the marriage.
- Khul' requires the consent of the husband.
- Articles 87-89, 94-97 of the Personal Status Law (1997) govern the 'Khul' process.

Family planning

What are the laws on abortions?

Articles 242-246 of the Penal Code prohibits abortions, unless it is determined necessary to save the woman's life.

Child Custody

- According to Articles 129-130 of the Personal Status Law (1997):
 - A mother has priority right over the custody of her children until the daughter reaches puberty and or the son reaches seven.
 - This may be subject to changing based on the interest of the child, a judge may determine otherwise.

- Article 128 of the Personal Status Law (1997) also provides, where the mother belongs to a different religion than the father, he has priority right of her son until he reaches the age of seven.

Article 137 specifies that, if the child is under the care of either parent, the other has the right to visit the child and accompany the child in whatever way the judge might consider proper.

- Articles 126, 127(a), 135 of the Personal Status Law (1997) provides that, a mother may lose custody of her child if:
 - She is deemed immature, untrustworthy or does not have the ability to care and nurture the child pursuant
 - She has a contagious disease
 - She marries a man who is not a close blood relative of the children, or a "mahram" unless a court decides otherwise
 - She lives in a country where it is difficult for the father to carry out his duties as guardian
 - She waives her right for one year without valid excuse.
- Article 134 of the the Personal Status Law (1997) maintains that, the custodian of the child cannot travel abroad with the child without the approval of the guardian.
 - If the guardian refuses, the matter may be submitted to a judge for resolution.

Alimony under the Sharia

What are the women's financial entitlements after divorce?

A woman may be entitled to financial maintenance during the waiting period known as "iddah" after the divorce.

- Article 90, 121-122 of the Personal Status Law (1997) provide that the iddah period can range from three months to a maximum of one year.
- If the woman initiated the divorce and is determined to be at fault, she not entitled to financial maintenance during the iddah period.
- Article 91 of the Omani Personal Status Law (1997) provides a woman right to consolatory compensation, known as "mu'tah", which is based on the husband's financial capacity.

- Articles 60-61 and 91 of the Personal Status Law (1997) specify that the father is financially responsible for his children.