

OMAN (2000-2017)<sup>1</sup>

**THE ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION**

<b>REPORTING</b>	<b>Fulfilment of government's reporting obligations</b>	YES, except for the 2000 Annual Review (AR).	
	<b>Involvement of employers' and workers' organizations in the reporting process</b>	YES, according to the Government: Involvement of the Omani Chamber of Commerce and Industry (OCCI), The General Federation of Oman Trade Unions (GFOTU) and the Board of Employers' and Workers' Organizations (the Oman Oil Company; Khimji Ramdas, Oman Oil Company, Ahmed and Mohammed Khunji, W.J. Towel and Baqir Salman) through communication of Government reports and tripartite meetings on reporting issues.	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	<b>2015 AR:</b> Observations by the OCCI. <b>2013 AR:</b> Observations by the OCCI. <b>2009 AR:</b> Observations by the OCCI and the GFOTU. <b>2007 AR:</b> Observations by the OCCI.	
	<b>Workers' organizations</b>	<b>2015 AR:</b> Observations by the GFOTU. <b>2014 AR:</b> Observations by the GFOTU. <b>2013 AR:</b> Observations by the GFOTU. <b>2012 AR:</b> Observations by the GFOTU. <b>2008 AR:</b> Observations by the General Federation of Oman Trade Unions (GFOTU) that substituted the Main Omani Workers' Committee (MOWC). <b>2007 AR:</b> Observations by the MOWC. <b>2006 AR:</b> Observations submitted by the Main Omani Workers' Committee.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>Ratification</b>	<b>Ratification status</b>	<b>Oman has ratified neither the Equal Remuneration Convention, 1951 (No. 100) (C.100), nor the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (C.111). However, Oman ratified the Convention on the Elimination of All Forms of Discrimination Against Women Convention (CEDAW) in February 2006.</b>

<sup>1</sup> Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: governments' reports, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: [www.ilo.org/ilolex](http://www.ilo.org/ilolex).

		<p><b>Ratification intention</b></p>	<p><b>YES, since 2008 for both C.100 and C.111.</b></p> <p><b>2015 - 2017 AR:</b> The Government reiterated its intention to ratify C.100 and C.111 once national laws are aligned with international standards.</p> <p>GFOTU stated that, currently, there is no shared, official momentum on the part of the tripartite partners toward ratification of the two Conventions. However, in general, the Basic Statute of the State forbids discrimination on grounds of sex, ethnicity, colour, language or religion and, as applied in the public and private sectors, national legislation forbids the discrimination which is the subject of the C.100 and C.111.</p> <p><b>2014 AR:</b> The Government indicated that ratification should be made once national laws come in line with C. 100 and C.111.</p> <p>OCCI reaffirmed its supports for the ratification of C.100 and C.111.</p> <p>The GFOTU expressed its support for the ratification of C.100 and C.111, but observed that the GFOTU is unable to give full priority to the ratification of C.100 and C.111 before it has strengthened its organizational capacity and fully established itself as a legitimate and recognized counterpart to the employers.</p> <p><b>2013 AR:</b> The Government reiterated the statement it made under the previous review.</p> <p>According to the OCCI: The OCCI supports the ratification of C.100 and C.111 by Oman. The implementation of the principle and right (PR) will take time as the working population needs to better understand how to use efficiently the fundamental principles and rights at work (FPRW) in particular collective bargaining. Moreover, enhance tripartite discussions have considerably improved the working conditions of all workers by reducing the working days from six to five days and increased basic wages by 70 per cent. However, the working conditions of expatriate still need to be progressively levelled off from national workers.</p> <p>The GFOTU reiterated its support for the ratification of C.100 and C.111 by Oman.</p> <p><b>2012 AR:</b> The Government indicated that the ratification of C.100 and C.111 would be done after the implementation of the Decent Work Country Programme (DWCP) and the adoption of new laws in line with the PR.</p> <p>The GFOTU expressed its supports for the ratification of C.100 and C.111, and emphasized its anti-discrimination position, both between men and women workers, and between national and foreign workers.</p> <p><b>2010-2011 ARs:</b> The Government reiterated the statement it made under the 2009 AR, and further mentioned that the process of ratification of C.100 and C.111 would be initiated.</p>
			<p><b>2009 AR:</b> The Government indicated that it was strongly supporting the ratification of C.100 and C.111,</p>

		<p>however, national laws needed to be reviewed to incorporate the provisions of those Conventions.</p> <p>The OCCI and the GFOTU stated their support for the ratification of C.100 and C.111.</p> <p><b>2008 AR:</b> The Government reiterated its support for the ratification of C.100 and C.111 and added that once national labour laws come in line with international standards, the process of ratification will be initiated.</p> <p>The GFOTU expressed its support for the ratification of C.100 and C.111.</p> <p><b>2007 AR:</b> The Government, the OCCI and the MOWC mentioned the need for tripartite discussions and ILO support for the ratification of all ILO fundamental Conventions by Oman.</p>
<p><b>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</b></p>	<p><b>Constitution</b></p>	<p><b>YES.</b></p> <p><b>2007 AR:</b> According to the Government: Article 17 of the Basic Law provides that: “All citizens are equal before the law, and they are equal in public rights and duties. There shall be no discrimination between them on the grounds of gender, origin, colour, language, religion, sect, domicile, or social status.” Articles 18, 25, 26, 28, 29, 30, 31, 32, 33, and 34 of the said law include the same concept about discrimination.</p>
	<p><b>Policy, legislation and/or regulations</b></p>	<ul style="list-style-type: none"> <li>• <b>Policy:</b></li> </ul> <p><b>2005 AR:</b> The Labour Ministry has developed the SANAD Programme to provide employment opportunities for young persons and to encourage initiatives for self-employment.</p> <p><b>2004 AR:</b> According to the Government: Following the adoption of the new Omani Labour Law in 2003 and its amendments, a series of activities have been implemented in line with the Declaration on Fundamental Principles and Rights at Work.</p> <ul style="list-style-type: none"> <li>• <b>Legislation:</b></li> </ul> <p><b>2015 AR:</b> The Government provided information on a new law in effect as of 1 July 2014 which would disable expatriots to return to Oman after two years of absence, except domestic workers.</p> <p>The Labour Law, 2003 and its amendments.</p> <ul style="list-style-type: none"> <li>• <b>Regulations:</b> Ministerial Order No. 19/74.</li> </ul>
	<p><b>Basic legal provisions</b></p>	<p>According to the Government: The Basic Law (articles 12, 17, 18, 25, 26, 28-34); the Labour Law, 1973; Ministerial Order No. 19/74.</p>
	<p><b>Grounds of discrimination</b></p>	<p><b>2003-2004 ARs:</b> According to the Government: Discrimination in respect of employment and occupation is prohibited on grounds of race, colour, sex, religion, political opinion, national extraction.</p>
	<p><b>Judicial decisions</b></p>	<p><b>2007 AR:</b> According to the Government: Judicial decisions are made by independent courts and are regulated by articles 59-71 of the Basic Law.</p>

<p><b>Exercise of the principle and right</b></p>	<p><b>Special attention to particular situations</b></p>	<p><b>2015 AR:</b> The Government indicated that the current focus is on all sectors and all workers; however possible future focus might be given to the oil and gas industry.</p> <p><b>2001 AR:</b> According to the Government: Women and handicapped persons.</p>
	<p><b>Information/ Data collection and dissemination</b></p>	<p><b>2015 AR:</b> GFOTU reported that several trade unions have complained about discrimination in the oil and gas sector, with many oil and gas companies paying much higher salaries, benefits and incentives to foreign workers, particularly workers from European countries, than those paid to Omani citizens. However, their demands went unanswered, in spite of the fact that these companies have formulated written rules and regulations for foreigners that are considered more advantageous than those applying to Omani workers.</p> <p><b>2012 AR:</b> The Government indicated that it was planning to collect further data on the PR under the Labour Market Information Programme of the DWCP for Oman.</p> <p><b>2007 AR:</b> According to the Government: The Department of Labour Affairs in the Ministry of Manpower collects data on the issue of PR.</p>
<p><b>Prevention/monitoring, enforcement and sanctions mechanisms</b></p>	<p><b>2015 AR:</b> According to the Government: There are more than 150 inspectors who have been trained on a regular basis.</p> <p><b>2010 AR:</b> According to the Government: Sixty (60) new labour inspectors have been recruited by the Ministry of Labour.</p> <p><b>2001-2002 ARs:</b> According to the Government: Prevention/monitoring and sanctions are implemented through the Basic Statute of the State, laws and regulations for the realization of the PR.</p>	
<p><b>Involvement of the social partners</b></p>	<p><b>2013 AR:</b> The Government indicated that amendments to labour laws during late 2011 were carried out in discussion with the social partners. The OCCI and the GFOTU indicated that harmonious tripartite dialogues have been going on to improve the working conditions of all workers in Oman.</p> <p><b>2008 AR:</b> The GFOTU indicated that it also reviewed Ministerial Resolution concerning minimum wages for workers in the private sector.</p> <p><b>2003 AR:</b> According to the Government: Employers' and workers' organizations have been involved in the development and implementation of governmental measures in relation to the PR, including the revision of the 2003 Labour Law.</p>	
<p><b>Promotional activities</b></p>	<p><b>Institutions to promote equality</b></p>	<p><b>2015 AR:</b> OCCI indicated that it has been involved in various social dialogue and awareness raising activities.</p> <p><b>2011 AR:</b> According to the Government: A tripartite delegation of Oman participated in an ILO/Gulf Cooperation Council (GCC) Regional Seminar on Reporting Issues in October 2010 in Beirut. During this activity, Core labour standards were reviewed and discussed among other topics.</p> <p><b>2009 AR:</b> The Government stated that it had sent a representative to the ILO Turin Centre for training on gender issues.</p> <p><b>2008 AR:</b> The GFOTU indicated that it participated in a number of tripartite activities organized by the Arab Labour Organization (ALO).</p>

			<p><b>2007 AR:</b> According to the Government: The Ministry of Manpower.</p>
		<p><b>Other activities</b></p>	<p><b>2015 AR:</b> GFOTU indicated that it has held a series of training courses and programmes at its first session, designed to promote the elimination of gender-based discrimination in employment and occupation. Courses and programmes designed to promote gender equality included: a) suitable employment and gender equality; b) the working woman and the importance of union activity; c) incorporating the gender approach; and d) the role of women in promoting union activity. A committee of the GFOTU – the Expatriate Workforce Committee – is responsible for designing programmes to raise awareness among the expatriate workforce of their acknowledged rights and for carrying out visits to private sector businesses to inspect the situation of expatriate workers, receive complaints and monitor any violations of workers’ rights.</p> <p><b>2014 AR:</b> According to the Government: An officer of the Ministry of Labour had participated in the ILO/TURIN Pre-Conference Course on International Labour Standards held in May-June 2013 where issues concerning the PR were addressed. Moreover, a Decent Work Country Programme (DWCP) is being developed in Oman in close cooperation with ILO.</p> <p><b>2012 AR:</b> The Government indicated that an official of the Ministry of Labour had participated in the ILO/TURIN Pre-Conference Course on International Labour Standards (ILS) in May-June 2011 where issues concerning the PR were addressed.</p> <p><b>2010 AR:</b> The Government indicated that capacity building activities on the PR were undertaken in cooperation with the ILO.</p> <p><b>2008 AR:</b> The Government indicated that several tripartite seminars and trainings have been organized in collaboration with ILO, in particular the 5<sup>th</sup> Regional Seminar on ILO Declaration on Fundamental Principles and Rights at Work (FPRW).</p> <p><b>2007 AR:</b> The Government, the OCCI and the MOWC referred to their participation in the Fourth ILO/Gulf Cooperation Council (GCC) Regional Workshop on the ILO Declaration and International Labour Standards (ILS) held in Kuwait City in April 2006. Moreover, tripartite activities were organized in Oman with the support of the Arab Labour Organization (ALO).</p>
	<p><b>Special initiatives/Progress</b></p>	<p><b>2012 AR:</b> According to the Government: A Social Dialogue Committee was established to strengthen social dialogue among tripartite partners and to study new developments on ILS. Moreover, reforms are being made to</p>	<p><b>2005 AR:</b> According to the Government: (i) training and awareness programme related to the PR; (ii) dissemination of the new Omani Labour Law and its provisions, including on discrimination in employment; (iii) various activities of the Ministry of Manpower such as the organization of training programmes and symposia, and publication of public information pamphlets, including on women’s employment, work practices and the publication a manual on small project management in 2004.</p>

		<p>the labour relations so that they will be in line with ILS. In addition the Ministry of Labour issued new regulations governing the recruitment of migrant workers in respect of the PR.</p> <p>According to the GFOTU: A major step forward in the implementation and realization of the PR in Oman was the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women Convention (CEDAW).</p> <p><b>2010 AR:</b> According to the Government: Sixty (60) new labour inspectors have been recruited for the Ministry of Labour.</p> <p><b>2005 AR:</b> According to the Government: Publication of public information pamphlets, including on women’s employment and work practices.</p>	
<p><b>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</b></p>	<p><b>According to the social partners</b></p>	<p><b>Employers’ organizations</b></p>	<p><b>2007 AR:</b> The OCCI mentioned its lack of capacity building and training on the ILO Declaration and its follow-up.</p>
		<p><b>Workers’ organizations</b></p>	<p><b>2015 AR:</b> GFOTU stated that there are no significant obstacles that might impede the elimination of discrimination in employment and occupation. However, it indicated that from time to time, there is some difficulty in determining the criteria of discrimination, given the different nature of jobs and conditions of appointment. Also, lack of capacity building of trade unions, public awareness and social dialogue on the PR are other challenges.</p> <p><b>2014 AR:</b> According to the GFOTU: The trade union movement is still at an early stage of its organization in Oman, and there is a lack of awareness on the FPRW.</p> <p><b>2013 AR:</b> The GFOTU indicated the following challenges: (i) promoting the culture of trade unionism in Oman between workers and employers still needs to be strengthened; (ii) capacity building and training of workers and trade unions members on the Declaration Follow-up is lacking in Oman; and (iii) skills for collective bargaining amongst trade union members should be raised.</p> <p><b>2012 AR:</b> The GFOTU mentioned that the main challenge is the existing poor social dialogue in the country.</p> <p><b>2007 AR:</b> The MOWC also mentioned its lack of capacity building and training on the ILO Declaration and its follow-up.</p>
	<p><b>According to the Government</b></p>	<p><b>2013 AR:</b> The Government indicated that amendments to labour laws during late 2011 were carried out in discussion with the social partners.</p> <p><b>2012:</b> According to the Government: The current functioning of the labour relations, based on the KAFEEL-system, is operating in contradiction to the PR. The whole employment system, and in particular the discriminatory employment situation against migrant workers, needs to be changed. National laws need to be amended for the future ratification of C.100 and C.111.</p> <p>The GFOTU mentioned that the main challenge is the existing poor social dialogue in the country.</p> <p><b>2010 AR:</b> According to the Government: The main challenge for Oman is the lack of capacity building.</p> <p><b>2009 AR:</b> According to the Government: The need to adapt national laws to the requirements of C.100 and C.111 is a major challenge.</p>	

		<p><b>2008 AR:</b> The Government indicated that it had not encountered serious challenges in realizing the PR.</p> <p><b>2007 AR:</b> According to the Government: Further awareness programmes are required.</p>
<p><b>TECHNICAL COOPERATION</b></p>	<p><b>Request</b></p>	<p><b>2015 AR:</b> The Government, OCCI and GFOTU requested ILO technical assistance in strengthening awareness, social partners' capacity and social dialogue on the PR through DWCP.</p> <p>GFOTU further reported that there is a need for undertaking a) a scrutiny of pertinent national legislation, comparing it with the relevant Arab and international principles and conventions and putting forward the necessary observations which, if adopted, will help eliminate discrimination in employment and occupation, and b) a compilation of a reference manual to assist trade unions to recognize the types of discrimination and how to present evidence of discrimination to the competent bodies and courts.</p> <p><b>2014 AR:</b> According to the Government and The GFOTU requested continuous ILO technical cooperation through the DWCP, along with targeted capacity building activities for trade union leaders.</p> <p><b>2013 AR:</b> According to the Government and the GFOTU: ILO technical support is needed to strengthen the capacity of workers' organizations and ILO Decent Work Country Programme should be sustained.</p> <p><b>2012 AR:</b> The Government requested ILO technical and material support to develop an information system for storing, monitoring and analysing labour market data, so as to equip the Government with the proper tools for reporting once the ratification process has been completed.</p> <p>The GFOTU required ILO technical assistance to: (i) strengthen social dialogue; and (ii) organize workshops on the ratification process.</p> <p><b>2010-2011 ARs:</b> The Government requested ILO's technical cooperation in the following areas: (i) training of the 60 new labour inspectors on the PR; (ii) strengthening capacity building; and (iii) awareness raising campaign on the PR.</p> <p><b>2009 AR:</b> The Government indicated that the ILO's cooperation was needed for the training of civil servants in identifying discrimination issues: Moreover, the ILO Decent Work Country Programme should be continued.</p> <p><b>2008 AR:</b> The Government reiterated the same requests mentioned in the 2007 AR.</p> <p>According to the GFOTU: ILO technical support is needed for the elaboration of workshops and seminars to raise awareness on the trade union's role in promoting equality at work and other ILO FPRW.</p> <p><b>2007 AR:</b> According to the Government: The OCCI and the MOWC: ILO technical cooperation would be needed to organize in Oman a national tripartite workshop on ILS and the ILO Declaration. Moreover, employers' and workers' organizations need special training on their roles in the Declaration's Follow-up.</p> <p>The Government stated that there should be continuous dialogue between the Ministry of Manpower, the ILO and the social partners.</p> <p><b>2006 AR:</b> According to the Main Omani Workers' Committee: ILO technical cooperation would be necessary in establishing Workers' Committees and raising awareness on their role in promoting the PR and other ILO Fundamental Principles and Rights at Work (FPRW) in Oman.</p>
	<p><b>Offer</b></p>	<p>ILO (Decent Work Country Programme (2004-2005) and capacity building activities) ILO/GCC Joint Plan of activities; ALO.</p>
<p><b>EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS</b></p>	<p><b>2008 AR:</b> The ILO Declaration Expert-Advisers (IDEAs) observed that the Annual Review had made it possible to highlight and follow up country situations that required greater attention, and that some countries, such as the Gulf States (as well as China and new member States, in particular in the South Pacific), had made important efforts during this process. However, according to them, more needed to be</p>	

	<p>done. The IDEAs noted the intentions expressed by most governments, including the Government of Oman, to ratify or consider ratification of Conventions Nos100 and/or 111. They encouraged the governments to accelerate this process so as to make an important step forward towards universal ratification (cf. paragraphs 12 and 66 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p><b>2005 AR:</b> The IDEAs noted with interest the continuing efforts made by the countries of the Gulf Cooperation Council (cf. paragraph 148 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p> <p><b>2004 AR:</b> The IDEAs noted that the GCC States had been providing more information on freedom of association and the right to collective bargaining, but not enough on the other three PRs. This would help to illustrate the link between all four PRs (cf. paragraph 85 of the 2004 Annual Review Introduction – ILO: GB.289/4).</p> <p><b>2003 AR:</b> The IDEAs commended Oman and other GCC States for their continuing dialogue with the Office through the annual review process (cf. paragraph 4 of the 2003 Annual Review Introduction – ILO: GB.286/4).</p> <p><b>2002 AR:</b> The IDEAs acknowledged the high-level dialogue and agreement on a plan of activities between the Office and the GCC Governments, including Qatar (cf. paragraph 82 of the 2002 Annual Review Introduction – ILO: GB.283/3/1).</p> <p><b>2001 AR:</b> The IDEAs hoped in particular that the governments of GCC countries would continue a dialogue with the Office regarding the ways in which respect for fundamental principles and rights at work and positive changes could be achieved through technical cooperation (cf. paragraph 77 of the 2001 Annual Review Introduction – ILO: GB.280/3/1).</p>
<p><b>GOVERNING BODY OBSERVATIONS RECOMMENDATIONS</b></p>	<p><b>2015 AR:</b> At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office’s resource mobilization initiatives.</p> <p><b>2013 AR:</b> At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact. In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.</p> <p><b>2011 AR:</b> At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101<sup>st</sup> Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.</p> <p><b>2009 AR:</b> During its March 2009 Session, the Governing Body included the review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99<sup>th</sup> Session (2010) of the International Labour Conference.</p>
<p><b>INTERNATIONAL LABOUR CONFERENCE RESOLUTION</b></p>	<p><b>2013 AR:</b> In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director- General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316<sup>th</sup> Session in November 2012.</p> <p><b>2011 AR:</b> Following a tripartite debate at the Committee on the 1998 Declaration, the 99<sup>th</sup> Session (2010) of the International Labour Conference adopted a resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled “Annex to the 1998 Declaration (Revised)”. In particular, the resolution “[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf</a>.</p>