

Trafficking in Persons Report 2008

Oman Country Narrative

Oman is a destination and transit country for men and women primarily from India, Pakistan, Bangladesh, Sri Lanka, the Philippines, and Indonesia, most of whom migrate willingly as low-skilled workers or domestic servants. Some of them subsequently face conditions of involuntary servitude, such as withholding of passports and other restrictions on movement, non-payment of wages, long working hours without food or rest, threats, and physical or sexual abuse. Unscrupulous labor recruitment agencies and their sub-agents at the community level in South Asia and the United Arab Emirates (U.A.E.) may also coerce or defraud workers into accepting exploitative work, including conditions of involuntary servitude, in Oman. Oman is also a destination country for women from China, India, the Philippines, Morocco, and Eastern Europe who may be trafficked for commercial sexual exploitation.

The Government of Oman does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Oman failed to report any law enforcement activities to prosecute and punish trafficking offenses this year under existing legislation. The government also continues to lack victim protection services or a systematic procedure to identify victims of trafficking among vulnerable populations, such as undocumented migrants and women arrested for prostitution.

Recommendations for Oman: Enact legal reforms to prohibit all forms of trafficking, including forced labor, commercial sexual exploitation, and the use of force, fraud, or coercion in the recruitment process; significantly increase investigations and prosecutions of trafficking crimes, and convictions and punishment of trafficking offenders; institute a formal victim identification mechanism; afford victims of trafficking protection services, such as medical, psychological, and legal assistance; and cease deporting possible victims of trafficking.

Prosecution

Oman failed to report any progress in prosecuting or punishing trafficking offenses over the last year. Although Oman lacks a comprehensive anti-trafficking law, it prohibits slavery under Articles 260-261 of its Penal Code, which prescribes penalties of three to 15 years' imprisonment. Oman also prohibits coerced prostitution through Article 220, with prescribed penalties of three to five years' imprisonment. Prescribed punishments for both crimes are sufficiently stringent and commensurate with penalties prescribed for other grave crimes. Although Royal Decree 74 prohibits forced labor, the prescribed penalties of up to one month in prison and/or fines are not sufficiently stringent to deter the offense. A legally enforceable circular prohibits employers from withholding workers' passports; the circular, however, does not specify penalties for noncompliance, and the practice continues to be widespread. The government did not report any arrests, prosecutions, convictions, or punishments for trafficking offenses under these laws in the last year and has taken no active measures to criminally investigate trafficking in persons. In 2008, the Ministry of Manpower (MOM) received 297 grievances from laborers, including some possible trafficking cases; the ministry negotiated all but 12 of these cases out of court. Oman did not report enforcing any criminal penalties against abusive employers.

Protection

During the reporting period, Oman made no discernible efforts to improve protection services for victims of trafficking. The government does not provide shelter services, counseling, or legal aid to trafficking victims. Oman also lacks a systematic procedure to identify victims of trafficking among vulnerable groups, such as migrants detained for immigration violations and women arrested for prostitution. Furthermore, workers who are trafficking victims and have fled from their abusive employers without obtaining new sponsorship are subject to automatic deportation if detained by the authorities. Such victims may be reluctant to report abuse or participate in investigations for fear of detention and deportation. Oman does not offer foreign trafficking victims legal alternatives to removal to countries in which they may face hardship or retribution.

Prevention

Oman made modest efforts to prevent trafficking in persons during this reporting period. The MOM published and began distributing a brochure in nine languages, including Urdu, Hindi, and Malayalam; these brochures provide information on rights and services available to migrant workers, as well as the contact information for the Ministry's 24-hour labor abuse hotline. The MOM also hired approximately 100 new labor inspectors and, in cooperation with the ILO, trained them in the requirements of core ILO conventions and how to recognize the signs of trafficking in persons. The government did not take any known measures

during the reporting period to reduce the demand for commercial sex acts, or educate its citizens about child sex trafficking, including thorough public awareness campaigns targeting citizens traveling to known *child sex tourism* destinations.