

Articles Quoted in the First Report of the Sultanate of Oman
on the International Convention for the Protection of All Persons from Enforced
Disappearance

1- Basic Law of the State issued by Royal Decree 6/2021:

- **Article 5:** “The system of governance is Sultani, hereditary in the male descendants of Sultan Turki bin Said bin Sultan, in accordance with the following provisions:
 - Title to throne passes from the Sultan to his eldest son, followed by the eldest son of this son, and so forth layer by layer. If the eldest son dies before the title to the throne passes to him, the title to the throne passes to his eldest sons, even if the deceased has brothers.
 - If He who has title to the throne has no sons, the title to the throne passes to his eldest brothers. If He has not brothers, it passes to the eldest of his sons. If the eldest brother has no sons, it passes to the sons of his other brothers, in accordance with the age of the brothers.
 - If He who has title to the throne has no brothers and no sons of brothers, the title to the throne passes to the uncles and their sons in the order specified in the second clause of this article.Whoever assumes the title to the throne must be Muslim, rational, and a legitimate son of Muslim Omani parents.
- **Article 12:** “The governance of the state is based on justice, shura, and equality. Citizens, in accordance with this statute and the conditions and circumstances prescribed by law, have the right to participate in public affairs.”
- **Article 13:** “Political principles of the state consist of the following:
 - Preserving the independence and sovereignty of the state, and safeguarding and protecting its statehood, security, and stability.

- Strengthening cooperation and affirming the bonds of friendship with all states and nations on the basis of mutual respect, common interest, non-interference in internal affairs, and the adherence to international and regional treaties as well as generally recognised principles of international law, in a manner conducting to the advancement of peace and security among states and nations.
 - Laying sound Shura pillars that emanate from Islamic Sharia and the heritage and values of the country, take pride in its history, and employ useful contemporary methods and means.
 - Establishing a sound administrative system that guarantees justice, tranquillity, and equality for citizens, that ensures respect for public order, and that protects the supreme interests of the country.
- Article 15: “The social principles of the state consist of the following:
- Justice, equality, and equal opportunities for citizens are the pillars of society, and the state shall guarantee them.
- Mutual support and compassion are close bonds between citizens, strengthening national unity is a duty, and the state shall prohibit all that leads to division, discord, or prejudice to the national unity.
- “The family is the basis of society, it is based on religion, morals, and patriotism; the state shall promote its cohesion, stability, and the solidification of its values; the state shall guarantee equality between women and men; and it shall care of children, the disabled, youth, and young persons in the manner specified by the law.”
- The state shall guarantee social security services for citizens; and it shall guarantee aid for them in cases of emergency, illness, incapacity, and old age in the manner specified by the law. The state shall work for the solidarity of the society in bearing the burdens that result from national disasters and catastrophes.
- The state shall guarantee health care for citizens; shall provide means for the prevention and treatment of diseases and epidemics; it shall encourage the establishment of

hospitals, clinics, and private treatment centres under the supervision of the state and in the manner specified by law.

- The state shall protect the environment and its ecological balance in order to achieve comprehensive and sustainable development for all generations; and the citizens and residents shall preserve them and shall not harm them.

- Work is a right and an honour; every citizen may practise the work they choose for themselves within the limits of the law; no citizen may be forced to work except by virtue of a law, in performance of a public service, for a specific period of time, and for a fair remuneration; the state shall enact laws that protect the worker and the employer, govern their relationship, and provides conditions for occupational safety, security, and health.

- The state shall encourage the system of awqaf and guarantee its independence; the affairs of awqaf shall be managed through the conditions of the waqf in the manner specified by the law.

- **Article 18:** “Life and dignity are a right for every human, and the state shall respect and protect them in accordance with the law.”
- **Article 20:** It is not permitted to deport, exile, or prohibit citizens from returning to the territory of the state.
- **Article 21:** All citizens are equal before the law, they share the same public rights and duties, and there shall be no discrimination between them on grounds of sex, origin, colour, language, religion, sect, domicile, or social status.
- **Article 22:** “Security of life is a right for every human, and the state shall provide security and tranquillity to all citizens and residents on its lands.”
- **Article 23:** “Personal freedom is guaranteed in accordance with the law, and it is not permitted to arrest a human, search or detain them, determine their residence, or limit

their freedom of residence and movement except in accordance with the provisions of the law.”

- **Article 24:** “it is not permitted to detain or imprison an individual except in places designated for this purpose and that are humanly and hygienically appropriate in the manner specified by the law.”

- **Article 25:** “No human shall be subjected to physical or mental torture, enticement, or degrading treatment. The law shall specify the punishment to whoever carries out such acts, and it shall invalidate all statements or confessions proven to have been obtained by under torture, enticement, or such treatment, or under the threat of any of these acts.”

- **Article 27:** “The accused is innocent until proven guilty in a legal trial in which the guarantees necessary for the exercise of the right to defence are ensured in accordance with the law, and it not permitted to harm the accused physically or mentally.”

- **Article 28:** “The accused has the right to appoint a person capable of defending him during trial, and the law shall specify the circumstances in which the presence of a lawyer on behalf of the accused is required, and shall guarantee to those who those who do not have the financial capabilities the means to resort to judicial redress and defend their rights.”

- **Article 29:** Whoever is arrested or apprehended must be immediately informed of the reasons for their arrest or apprehension, and they shall have the right to contact whoever they wish to inform of what has taken place or to seek their assistance in the manner governed by the law, and they shall promptly be informed of the charges against them. He and his representative may appeal before the judiciary against the procedure that has restricted his personal freedom.
The law shall regulate the right to appeal in a manner that guarantees that adjudication takes place within a specific period or else have the accused released.”

- **Article 40:** “Freedom to establish associations is guaranteed, and that is on national foundations, for legitimate objectives, using peaceful means, in a manner that does not conflict with the provisions and objectives of this statute, and in accordance with the terms and conditions specified by the law; it is prohibited to establish associations whose activities are hostile to societal order or are secret, or those that have a military character; and it is not permitted to force a person to join any association.”

- **Article 42:** “Every resident and person legally present in the Sultanate enjoys the personal protection and the protection of their property in accordance with the law, and they shall abide by the legislation and laws, observe the values of society, and respect its traditions and sentiments.”

- **Article 43:** “Extradition of political refugees is prohibited, and laws and international agreements shall determine the provisions for extraditing criminals.”

- **Article 48:** “The Sultan is the head of the state, its most supreme representative, and its supreme commander; his person is inviolable, respect for him is a duty, and his command is obeyed; and he is the symbol of national unity and the vigilant guardian and protector of the state.”

- **Article 49:** “The Sultan undertakes the following functions and powers:
 - Preserving the independence of the country and the integrity of its lands, protecting its security, safeguarding the rights and freedoms of citizens, guaranteeing the rule of law, and directing the public policy of the state.
 - Taking prompt measures to counter any danger threatening the safety of the Sultanate, its territorial integrity or the security and interests of its people, or impeding State institutions in the performance of their functions.
 - Presiding over the Council of Ministers, or appointing a person to preside over it.

 - Presiding over specialised councils, or appointing a person to preside over them.

- Establishing, regulating, and abolishing units of the administrative apparatus of the state.
 - Appointing deputy prime ministers, ministers, and their equivalent, and relieving them of their posts.
 - Appointing undersecretaries of ministries, secretaries-general, and their equivalent, and relieving them of their posts.
 - Appointing senior military and security officers, and relieving them of their posts.
 - Appointing senior judges, and relieving them of their posts.
 - Declaring state of emergency, public mobilisation, war, and conciliation, in the manner prescribed by the law.
 - Ratifying and promulgating laws.
 - Signing international treaties and agreements in accordance with the provisions of the law, or authorising their signature, and issuing decrees for their ratification.
 - Appointing political representatives to other states and international organisations, relieving them of their posts, in accordance with the conditions prescribed by the law, and accepting the accreditation of representatives of states and international organisations.
 - Pardoning or commuting any punishment.
 - Conferring orders and military ranks.
- **Article 50:** “The Sultan shall be assisted by a council of ministers and specialised councils in formulating and implementing the public policy of the state.
 - **Article 51:** “The Council of Ministers is the body entrusted with implementing the public policies of the state, and in particular it undertakes the following:
 - Submitting recommendations to the Sultan on matters of concern to the state, including proposing draft laws and royal decrees.
 - Safeguarding the interests of citizens and guaranteeing the availability of the necessary services to them.
 - Determining the objectives and general policies for comprehensive development, and the necessary procedures for their implementation.

- Discussing development plans prepared by the competent authorities after their presentation to Majlis Oman, submitting them to His Majesty the Sultan for approval, and following up their implementation.
 - Discussing proposals by ministries in the areas of their respective competences, and making appropriate recommendations and decisions in regard to them.
 - Overseeing the functioning of the administrative apparatus of the state, following up the performance of its duties, and coordinating between its units.
 - Generally Overseeing the implementation of laws, royal decrees, regulations, decisions, treaties, agreements, and court judgements in a manner that ensures adherence with them.
- Any other competences the Sultan assigns to it, or are assigned to it by virtue of the provisions of the law.”
- **Article 72:** The Majlis of Oman shall pass or modify laws, discuss development plans and the General Budget of the State, and it may propose draft laws, in the manner prescribed by the law. Majlis Al-Dawla and Majlis Al-Shura shall also exercise their other competences in the manner prescribed by the law.”
 - **Article 76:** “The rule of law is the basis of governance in the state, and the honour of the judiciary and the integrity and justice of judges are a guarantee of rights and freedoms.”
 - **Article 77:** “The judicial authority is independent, it is exercised by the courts in their various types and hierarchies, and its judgements shall be rendered in accordance with the law. The law shall designate the various types and hierarchies of courts, and shall prescribe their functions and jurisdiction.”
 - **Article 78:** “There shall be no power over judges in their ruling except for the law, they shall be irremovable except in the cases specified by the law, and it is not permitted for

any entity to interfere in lawsuits or the affairs of justice and this shall be a crime punishable by law, and the law shall prescribe all provisions pertaining to judges.”

- **Article 83:** “The military judiciary is an independent judicial body with the exclusive jurisdiction to rule on all military crimes committed by members of the armed forces and the security forces in the manner prescribed by the law.”
- **Article 86:** “Public prosecution is part of the judicial authority; it undertakes public prosecution in the name of society; oversees the affairs of judicial enforcement; and strives to implement criminal laws, prosecute offenders, and execute judgements; in the manner prescribed by the law.” The law shall organise public prosecution, regulate its competences, and determine the conditions and guarantees for those who undertake its functions.”
- **Article 93:** “International treaties and agreements do not have the power of law except after their ratification, and it is not permitted in any case for a treaty or an agreement to include secret terms that contradict its public terms.”
- **Article 97:** “It is not permitted for any entity in the state to issue regulations, decisions, or instructions that contradict the provisions of the laws and royal decrees in force, or international treaties and agreements that are considered part of the law of the land.”

2- Penal Procedures Code issued by Royal Decree 97/99

- **Article 4:** “The Public Prosecution shall have the authority to initiate the criminal case and to follow it up before the competent court. The criminal case shall not be waived, stopped or disrupted except under circumstances stipulated by the law. The Public Prosecution may, in its opinion that a case of misdemeanours and violations is valid for submission based on evidence gathered, summon the accused person to present before

the competent court. Public security authorities may coordinate with the Public Prosecution to investigate crimes committed in regard to the state security and crimes stipulated in the Counter Terrorism Law.

- **Article 15:** The criminal case shall elapse by the demise of the accused or pardon of crime or passage of time or waiver of complaint or application or passing final judgment or cancellation of the punitive provision; however, this shall not prevent passing a ruling to confiscate in cases stipulated by the Law.

- **Article 16:** “The criminal case shall elapse after 20 years regarding felonies in which the death penalty or life imprisonment is pronounced, and after 10 years regarding other felonies, three years in cases of misdemeanour, one year for other violations. The elapse starts from the date of commission of crime, save the crimes stated in Articles from 155 to 161 of the Penal Code where the period commences from the date of termination of an employee’s service or removal of his capacity.”

- **Article 18:** The period whereby the criminal case elapses shall be ceased by the investigation procedures, the accusation or the trial or penal orders or gathering evidence that was used to against the accused or if he was formally notified of the same. The period shall be valid again following the date of expiry. In case of the existence of many procedures that end the period, it shall come into force following the date of the last procedure.

- **Article 20:** “Anyone personally directly damaged by the crime, may instigate a suit for his civil right before the court trying to public suit regardless of the its status until the trial is closed by considering him a joint plaintiff in the public suit, that is upon the payment of the set fees, and that is not acceptable for him before the court of appeal. It is permitted for the civil right plaintiff to demand his right during the preliminary investigation through a request he submits to the member of the Public Prosecution. It is also permitted for him to insert the person responsible for the civil right in the suit that he submits or in the preliminary investigation. Prosecuting the civil right takes place by

announcing the accused or by requesting in the session in which the public suit is tried if the accused is present, and if he previously accepted into the preliminary investigation, the transfer of the public suit to court includes the civil suit.”

- **Article 23:** “The court shall decide in the same verdict is issues in the public suit the compensation requests submitted it from the litigants. If the court finds that the deciding on the civil suit could lead to the delay of deciding on the public suit, it may decide on the public suit on its own and postpone deciding in the civil suit or transfer it to the competent civil court.

The civil plaintiff may abandon his case before the court trying the criminal case and submit his case before the competent civil court. However, this shall not affect the progress of the criminal case. The civil plaintiff may abandon his case before the court trying the criminal case and submit his case before the competent civil court. However, this shall not affect the progress of the criminal case.”

- **Article 27:** “Each person shall provide to law enforcement officers all possible requested support, during the exercise of their legal powers, regarding arresting accused persons or preventing them from escaping or committing any crime.”
- **Article 28:** “Every person witness to the committing of a crime or aware of it shall inform the Public Prosecution or one of the law enforcement offices about it.”
- **Article 29:** “Every public employee or one assigned to undertake a public service who is aware, while conducting his work or as a result of it, of the committing of a crime that the Public Prosecution is permitted to instigate a public suit about without a complaint, request, or permission, shall instantly inform the Public Prosecution of the closest law enforcement officer.”

- **Article 30:** “Law enforcement officers shall search for crimes and their perpetrators, collect evidence, and conduct the necessary inspections to facilitate investigating the facts reported about them. They shall take all necessary measures to preserve the evidence of the crime.”

- **Article 32:** “The law enforcement officer shall be under the supervision of the Public Prosecution regarding their function. The Attorney General may request the concerned authority to consider any violations or default in their function or request initiation of disciplinary action without prejudice to initiating the criminal case.”

- **Article 33:** “Law enforcement officers shall accept statements and complaints received about all crimes. They must examine them, collect information about them, and keep them in a record. The summary of the statement or complaint and its date shall be recorded in the register made for this purpose. If a law enforcement officer is informed or is aware of the committing of a crime, he shall instantly inform a member of the Public Prosecution about the committing of the crime. He shall travel to the place of the incident to preserve it, to conduct the necessary inspection, seize all that relates to the crime and is beneficial for the investigation, and conduct all other procedures for preserve the evidence of the crime. He shall record all these procedures in a document that he signed and he must state in it the time of his work, the procedures, and the location it took place. It shall also include a record of the signatures of the witnesses and experts heard.

This record shall be sent to the Public Prosecution along with the seized evidence.”

- **Article 34:** “During the collection of evidence, the judicial police officers have to hear the statements of those who may have information on criminal acts and their perpetrators and question the accused about it. They may also seek the assistance of physicians and other experts but they may not ask the witnesses and experts to take oath unless there is fear that there is an impossibility of hearing their testimony later on.”

- **Article 36:** “If any of the law enforcement officers, during the course of gathering evidence, thinks that it is necessary to search a specific person or residence, he shall obtain a permission from the Public Prosecution.”

- **Article 41:** "No person may be arrested or imprisoned except by order of the legally competent authority. The arrested person must be treated in a manner that preserves their dignity. Judicial officers and any person with public authority shall not resort to torture, coercion, inducement, or degrading treatment to obtain statements or to prevent the making of statements during the collection of evidence, the preliminary investigation, or the trial.”

- **Article 48:** “In cases other than those stipulated in article 42 of this law, if there is sufficient evidence to accuse a person for committing a felony or a misdemeanour punishment by imprisonment, the law enforcement officer may undertake the appropriate precautionary procedures and instantly request the Public Prosecution to issue an order to arrest the accused.”

- **Article 49:** “The order to arrest must be written, dated, and signed by the person who issued it while indicating his position. It must indicate the name of the person wanted for arrest, his place of residence, all that is needed to identify him, and the reason for ordering to arrest him. If the order is not executed within three months from the date of its issuance it shall become invalid and it is not permitted to execute it after this except by virtue of a new written order. The law enforcement officer responsible for executing the arrest order shall inform the person wanted for arrest and to inform him instantly of the reasons for the arrest. This person has the right to call whoever he sees to inform and to use the help of an attorney.”

- **Article 50:** “The law enforcement officer shall when arresting the accused, or if an arrested person is delivered to him, instantly hear these statements. If he cannot prove his innocence, he must transfer him to the competent investigating authority within fifteen days for crimes relating to the state security and crimes stipulated in the Counter

Terrorism Law, and within forty-eight hours for other crimes. It is not permitted to renew this period except for one time and for an identical period with the approval of the Public Prosecution.”

- **Article 51:** “The Public Prosecution shall interrogate the arrested accused within twenty-four hours and then order to provisionally detain him or release him.”

- **Article 52:** “Release of the arrested person may be stated in the arrest warrant if he undertakes to appear and provides a guarantee.”

- **Article 53:** “Any member of the Public Prosecution may, after interrogating the accused at the preliminary investigation, issue a provisional detention order, if necessary, with a view to prevent the accused from escaping or to prevent influencing the investigation process. Provisional detention shall not be ordered unless the incident constitutes a felony or a misdemeanour punishable with imprisonment. Besides information stated in Article 49 of this Law, the detention order shall contain an assignment to the specified jail warden to accept the accused and the Law applied to the crime.”

- **Article 54:** “The detention order issued by the public Prosecution shall be for seven days. The said period may be renewed for additional periods not exceeding 30 days. The member of the Public Prosecution may issue a provisional detention order for periods not exceeding a total of 45 days in connection to crimes of public funds and drug and narcotic substance. If a member of the Public Prosecution considers extending the detention period thereafter, he shall, before the expiry of the period, refer the matter to the misdemeanour court with a view to extend the provisional detention for a period not exceeding 15 days, renewable for a maximum of six months. If the accused is transferred to the court, it may extend the provisional detention for a period not exceeding forty-five days, and it may be renewed again, or else the accused must be released in all cases.”

- **Article 58:** “The statements of the accused shall be heard before issuing any order for provisional detention or its extension. If an order is issued against a feeling accused, his statement must be heard within twenty-four hours from the time of his arrest.”
- **Article 59:** “The accused or his representative may challenge the provisional detention order before the misdemeanour appeal court in the consultation room. It shall decide on the challenge within three days at most, and if does not find a justification for the order the accused shall be released instantly.”
- **Article 60:** “It is not permitted to detain any human or imprison him except in places designated for this. It is not permitted to accept any human into them except by virtue of an order signed by the competent authority, or to keep him after the period specified in this order.”
- **Article 61:** “Any member of the Public Prosecution may visit prisons and detention places to ensure that no prisoner is detained illegally. For this purpose, they shall inspect the records, provisional detention orders and prison, and hear the prisoner’s complaints. The official responsible of these places shall offer all possible assistance in this regard.”
- **Article 62:** “Any prisoner shall have the right to submit his compliant to the prison administration. The Public Prosecution shall be informed about this complaint, after being recorded in a register set for this purpose.”
- **Article 63:** “The member of the Public Prosecutor may, at any time, issue a discharge order for the accused if he is convinced that imprisonment of the accused is no longer justified or investigation will not be affected by discharging him or there is no fear of his fleeing. If the accused is referred to the competent court, then it shall be responsible for issuing the discharge order. In all events, discharge shall only be permitted following personal guarantee, withholding his official documents or the submission of financial guarantee. The submission of financial guarantee shall be obligatory in financial crimes.”

- **Article 74:** “Any accused, victim or civil plaintiff or his representative and whoever represents them may attend the preliminary investigation. The accused in a felony may bring with him a lawyer to his defence. This lawyer may not make any statement unless he is permitted to do so. If not permitted, this shall be mentioned in the investigation record.”

- **Article 76:** “Public Prosecutors may move to any place they believe to be suitable to identify the status of places, objects and persons and physical details of the crime and whatever he might be required to establish the same.”

- **Article 80:** “Residences shall not be searched except under a written warrant issued by the Public Prosecutor in accordance with a charge being directed towards a person staying in that premises sought to be searched for a felony, a misdemeanour, an accessory to a crime or if there are indications that he possesses objects relating to the crime unless he was caught in the act. The search and seizure for objects and documents shall be in the manner specified in this law. Search for objects and documents wanted to be seized shall be in the residence, its attachments, and its contents. A search warrants may not be executed after seven days from the date of its issuance unless a new warrant is issued.”

- **Article 92:** “The public prosecutor shall alone read the confiscated correspondences, telegrams, documents provided that it shall be in the presence of the accused, their possessors or to who they are sent the public prosecutor may seek any assistance required from the police force or others to classify these confiscated correspondences, telegrams and documents. He may also, as he may see appropriate, order attaching the same to the case file or returning them to their possessor or receiver.”

- **Article 94:** “The law enforcement officer may order a person, who possess an object that he finds to be seized or viewed, to submit it. Whoever refuses this order shall be subject to the provisions set for the crime for refusing to testify.”

- **Article 104:** “The public prosecutor shall take the testimony of the witnesses as requested by litigants unless he deems it not necessary. He may take testimonies from any witness whom he deems of benefit concerning the facts that establish or lead to establish the crime, its conditions, its assignment to the accused or his innocence from that.”
- **Article 107:** “The public prosecutor shall hear every witness separately and he may confront the witnesses with each other or with the accused.”
- **Article 112:** “If the witness is sick or has excuses for not appearing, his testimony shall be taken in his location. if the public prosecutor moves to his location to take his testimony and finds that the excuse is not true, he may be sentenced to a fine not exceeding OMR 200.”
- **Article 115:** “The attorney shall be permitted to view the investigation on the day prior to the interrogation or confrontation, and in all cases, it is not permitted to separate the accused and his attending attorney during the investigation.”
- If the investigation requires the assistance of a physician or any other expert to establish a condition, the public prosecution may issue an order assigning him to submit his report on the relevant assignment. If a particular case requires postmortem examination or exhuming a buried body, the order shall be issued from the Attorney General or his representative. The public prosecutor may attend at the time when the expert carries out his assignment. The expert may carry out his assignment without the presence of the litigants.
- **Article 126:** “The victim, the civil plaintiff or their heirs may appeal against the decision to dismiss the investigation within 10 days from its notification.”
- **Article 127:** “The appeal shall be forwarded to criminal court or the appellate misdemeanour court, as the case may be, in the consultation room. The court, if it decides

to reverse the dismissal decision, shall refer the case back to the Public Prosecution with details of the crime, its constituent elements, the applicable articles in order for the same to be submitted before the concerned court.”

- **Article 181:** “Litigants and their representatives shall have the right to attend the court sessions even if they are held in-camera. They may not be expelled from the session unless they commit an act that is deemed to be a violation of the prestige of the court or the order of the session.”

3- Penal Code issued by the Royal Decree No (7/2018) and amendments thereto,

- **Article 15:** “The provisions of this Law shall apply to every crime committed within the territory of the State including the lands under its sovereignty, its territorial waters, and the airspace above them, including crimes committed aboard vessels and aircrafts owned by the State, flying its flag, or managed by it for any purpose, wherever they are. A crime is deemed committed in the State if one of the acts that constitute the crime is committed within the State, or if the results of that act are realised or intended to be realised within it.”
- “Without prejudice to the agreements and conventions to which the State is a party, the provisions of this Law shall not apply to: (a) crimes committed aboard foreign vessels and aircrafts in or passing through the territory of the State, unless such crimes affect the security of the State, or the offender or the victim is an Omani national, or the captain of a vessel or the pilot of an aircraft requests assistance from the Omani authorities, or the act exceeds the boundaries of the vessel or aircraft.
- **Article 18:** “The provisions of this Law shall apply to every Omani citizen who commits outside the State an act that is considered a felony or misdemeanour in accordance with this Law, if he returns to the State, and the act is punishable in the state in which the crime was committed by imprisonment for a period no less than a year, even if he loses

or obtains Omani citizenship after he committed the crime, unless 5 it is proven that he was tried abroad, and found innocent or guilty, and served the sentence or the sentence was nullified or the proceedings have expired. If Omani law and the law of the place of the crime differ, such difference shall be observed in favour of the accused.

- **Article 19:** “The provisions of this Law apply to:
 - (a) crimes committed abroad by an Omani official in the course of performing his job or as a result of performing his job.
 - (b) crimes committed by an Omani official in the diplomatic and consular sector abroad while enjoying diplomatic immunity in accordance with international agreements.”

- **Article 20:** “The provisions of this Law shall apply to any alien found in the State after committing a crime abroad punishable by a deprivation of liberty sentence for a period no less than a year under the law of the state in which the crime was committed, and whose extradition has not been previously requested, unless it is proven that he was tried abroad, and found innocent or guilty, and served the sentence or the sentence was nullified or the proceedings have lapsed, and if Omani law and the law of the place of the crime differ, such difference shall be observed in favour of the accused.”

- **Article 37:** “The following is deemed the perpetrator of a crime:
 - (a) whoever commits it on his own, or with others.
 - (b) whoever participates in committing it, if it comprises a number of acts, and wilfully carries out one of its constituent acts.
 - (c) whoever uses another, in any manner, to execute the act constituting the crime, if the latter person is not criminally liable for it or has acted in good faith.”

- **Article 38:** “The following is deemed an accomplice to a crime:
 - (a) whoever agrees with others to commit it, and it is committed on the basis of this agreement.

(b) whoever gives the perpetrator a weapon, instruments, information, or any other article used in committing the crime, with knowledge thereof, or willingly assists him using any other means in the preparatory, facilitating, or concluding works for its commission.

(c) whoever incites its commission and it is committed on the basis of such incitement. The liability of the accomplice is established whether his connection with the perpetrator is direct or indirect.”

- **Article 39:** “Every accomplice present during the commission of the crime or any of the acts constituting the crime is punished by the punishment of the perpetrator. The accomplice is whoever, but for his assistance, the crime would not have been committed.” Other accomplices are punished by life imprisonment if the prescribed punishment is the death sentence. If the prescribed punishment for the act is life imprisonment, the accomplice is punished by imprisonment for no less than (10) ten years and not exceeding (15) fifteen years. In other cases, the punishment shall not exceed half of the maximum limit prescribed for it.”

- Article 45: “There shall be no crime if the act is committed by a public official in any of the following two cases:
 - (a) if the act is committed in the performance of a duty imposed by law or imposed by a legitimate order issued from competent authorities.
 - (b) if the act is committed in good faith to enforce a law.”

- **Article 82:** “The punishment shall be aggravated in cases stipulated by the law.”

- **Article 83:** “Without prejudice to Article 82 of this Law, the following are deemed aggravating circumstances:”
 - (a) committing a crime for abhorrent motives.
 - (b) if the perpetrator intentionally puts himself under the influence of intoxicating, narcotic, or psychotropic substances in order to commit the crime.
 - (c) committing the crime by taking advantage of the inability of the victim to resist, and in circumstances that do not allow others to defend him.

(d) using savage methods to commit the crime, or mutilating the victim.

(e) in case of recidivism in accordance with Article 85 of this Law.”

- **Article 153:** "Whoever wilfully smuggles migrants through land, sea, or air, as part of the activity of an organised criminal group, and for the purpose of directly or indirectly acquiring a material or non-material benefit, shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years, and a fine no less than (500) five hundred Omani rials and not exceeding (5,000) five thousand Omani rials. Whoever undertakes the any of the following acts with the purpose of facilitating the smuggling of migrants shall be punished by imprisonment for a period no less than (3) three years and not exceeding (5) five years, and a fine no less than (1,000) one thousand Omani rials and not exceeding (10,000) ten thousand Omani rials:
 - a- producing a forged travel document or identification.
 - b- procuring the acquisition, provision, or possession of such documents.
 - (c) enabling a person who is not a citizen or permanent resident of Oman to remain, without adhering to the conditions required to remain in it, using illegitimate means.
 - (d) putting migrants in circumstances that expose them, or likely to expose them, to danger, threatening their lives and safety, or treating them a treatment that is inhumane or degrading.

- **Article 181:** “Every competent public official who alters – with the intention of forging – the subject matter of documents by altering a declaration of a person concerned, and does so by knowingly making an untrue incident appear as true, or by making an unrecognised incident appear as recognised, shall be punished by imprisonment for a period no less than (3) three years and not exceeding (10) ten years.”

- **Article 182:** “Every public official who forges, in the course of performing his job, or as a result of it, issued adjudications, reports, minutes, records, registers, books, or other official instruments by forging signatures or seals, or changing the instruments, seals, or signatures by deletion, addition, or modification, through the insertion of names of other

persons, or in any other form shall be punished by imprisonment for a period no less (3) three years and not exceeding (7) seven years. The punishment shall be imprisonment for a period no less than (3) three years and not exceeding (5) five years if the forgery is committed by a person who is not a public official.

- **Article 186:** “Whoever knowingly issues a forged certificate or statement concerning pregnancy, birth, sickness, disability, death, or any other matter connected to his profession shall be punished by imprisonment for a period no less than a month and not exceeding (3) three years.”
- **Article 193:** “Whoever uses force, violence, or threat against a public official to make him, without having the right to, perform a function of his office or to refrain from it, regardless of whether the objective of the offender is realised, shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years.”
- **Article 194:** “Every public official who uses his job, or violates its duties, to harm an individual or to attain a benefit to himself or another, shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years, and a fine no less than (200) two hundred Rial Omani and not exceeding (500) five hundred Rial Omani.”
- **Article 195:** “Every public official who wilfully refrains from undertaking a duty of his job to pursue a crime of which its detection, investigation, or arrest of its perpetrator falls within the scope of his competencies shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years, and a fine no less than (200) two hundred Rial Omani and not exceeding (1,000) one thousand Rial Omani.”
- **Article 196:** “Every public official, assigned to search for or detect crimes, who neglects or delays reporting a crime connected to his knowledge, shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years, and a fine no less than (100) one hundred Rial Omani and not exceeding (500) five hundred Rial Omani. Every public official, not assigned to search for or detect crimes, who

neglects or delays reporting to competent authorities a crime he is aware of as a result of his office, 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. There shall be no crime if the commencement of prosecution in the cases stipulated in the preceding Paragraphs is conditional on a complaint or a request.”

- Article 200: “Every public official who abuses the authority of his office to stop the execution of laws, royal decrees, royal orders, or a sentence or order issued by an authority of judicial capacity shall be punished by imprisonment for a period no less than a year and not exceeding (3) three years.”

- Article 203: “Every public official who uses cruelty – by virtue of his office – with any person shall be punished by imprisonment for a period no less than (3) three months and not exceeding (3) three years, and a fine no less than (100) one hundred Rial Omani and not exceeding (500) five hundred Rial Omani, or one of those two punishments, if that leads to his harm or the violation of his honour or dignity.”

- **Article 205:** “Every public official who arrests, detains, or incarcerates a person, outside the cases stipulated in the law, orders a punishment contrary to the one adjudicated for him, or orders a punishment not adjudicated for him, shall be punished by imprisonment for a period no less than (3) three months and not exceeding (3) three years.

- **Article 232:** “Whoever alters, with the intention of misleading justice, the status of persons, locations, or effects, conceals a corpse of a deceased or any evidence of a crime, or knowingly provides false information connected to it, shall be punished by imprisonment for a period no less than (3) three months and not exceeding a year, and a fine no less than (100) one hundred Rial Omani and not exceeding (1,000) one thousand Rial Omani.”

- **Article 233:** “Whoever falsely testifies, denies the truth, or omits all or some of what he knows of an incident before a judicial body or investigating authority, after taking the oath, shall be punished by imprisonment for a period no less than (3) three months and not exceeding (3) three years. The punishment shall be reduced to half the minimum limit if the testimony is not given under oath. If the false testimony, on its own, results in the adjudication of punishment, and it is executed, the punishment of the witness shall be no less than that punishment.

- **Article 247:** “Whoever attempts to make an official of judicial competence undertake procedures contrary to the law, or to refrain from undertaking procedures required by law, through an order, request, threat, plea, or recommendation shall be punished by imprisonment for a period no less than a month and not exceeding a year.”

- **Article 322:** “Whoever arrests or detains a person, or deprives him of his liberty, using any means in violation of the law, shall be punished by imprisonment for a period no less than (3) three months and not exceeding (3) three years. Whoever deprives another of his personal liberty by kidnap shall be punished by imprisonment for a period no less than (3) three years and not exceeding (7) seven years. The punishment shall be imprisonment for a period no less than (7) seven years and not exceeding (15) fifteen years, if the kidnap, arrest, detainment, or deprivation is undertaken in any of the following circumstances:
 - (a) if the act is committed by a person wearing – without having the right to – a uniform, carries a distinctive official mark of a public official, assumes a false capacity, or presents a forged order for the arrest, detainment, or imprisonment claiming its issuance from a competent authority.
 - (b) if the act is accompanied by the use of trickery, force, threat to kill, or physical or psychological torture.
 - (c) if the act is committed by (2) two or more persons or by one person carrying a weapon.
 - (d) if the period of kidnap, arrest, detainment, or deprivation of liberty exceeds (15) fifteen days.

(e) if the purpose of the act is to acquire a financial return, assault the honour of the victim, make him practise prostitution, exact revenge on him or another, cause harm to him, or make him commit a crime.

(f) if the act is committed against a public official in the course of, because of, or by reason of performing his job.

(g) if the victim is female, a minor, insane, an imbecile, or lacks perception.

Whoever conceals a person kidnapped, arrested, detained, or deprived of liberty, with knowledge thereof, shall be punished by the punishment prescribed in this Article, as the case may be.”

- **Article 323:** “It is permitted to grant the offender an extenuating excuse, if the victim is not harmed and the offender voluntarily releases him before the lapse of (24) twenty-four hours, or if he voluntarily proceeds to competent authorities prior to the discovery of the location of the victim, guides to this location, and identifies other offenders – if any – and that results in the rescue of the victim unharmed.”

4- Royal Decree 57/2022 Reorganizing the Oman Human Rights Commission - The Oman Human Rights Commission Bylaw:

- Article 1: “The Oman Human Rights Commission shall be formed from (14) fourteen members with expertise and interest in human rights and representatives of a number of governmental bodies relevant to human rights.”
- Article 3: “Members of Oman Human Rights Commission shall elect in its first meeting a chairman and a deputy chairman from non-government representatives.”
- **Article 6:** “The Oman Human Rights Commission shall have full independence to exercise its human rights-related activities.”
- Article 11: “The Oman Human Rights Commission shall be competent to:

- 1- Developing a national human rights strategy and following up on its implementation in coordination with all human rights entities.
 - 2- Supervising the protection of human rights and freedoms in the Sultanate of Oman in accordance with the Basic Statute of the country, as well as the international covenants and conventions to which the Sultanate of Oman has acceded and the applicable laws.
 - 3- Monitoring any observations that may be raised by foreign governments, international organizations and non-governmental organizations in the field of human rights in the Sultanate of Oman, and coordinating with the concerned authorities to verify and respond to the same.
 - 4- Advising the concerned authorities in the country on matters relating to human rights and freedoms, and contributing to the preparation of reports dealing with these topics.
 - 5- Monitoring any human rights violations or abuses in the Sultanate of Oman and contributing to their resolution.
 - 6- Conducting field visits to prisons, places of detention, hospitals and workers' housings to monitor human rights conditions therein.
 - 7- Receiving and reviewing complaints in the field of human rights, recommending the same to the competent authorities, and following up on them.
 - 8- Cooperating with relevant international human rights mechanisms, preparing reports and participating in relevant human rights meetings at the regional or international level.
 - 9- Organizing conferences, courses and seminars related to human rights in coordination with the competent authorities.
 - 10- Representing the Sultanate of Oman in regional and international conferences, events and meetings related to human rights.
- **Article 13:** "The Omani Human Rights Commission shall meet at the invitation of its Chairperson (4) four times a year or whenever the need arises. Its meeting shall be valid in the presence of two thirds of its members, including the Chairman or Deputy Chairman. Its decisions shall be taken by a majority vote of the members present from representatives of civil society. In case of deadlock, the side that chair of the meeting takes shall be counted. Representatives of governmental bodies shall participate in the work of the Oman Human Rights Commission and attend its meetings without the right to vote. "

5- Law of Council of Oman issued by Royal Decree 7/2021

- Article 1: “Council of Oman consists of:
 - 1- Council of State.
 - 2- Shura Council.”

- **Article 5:** “Council of State shall consist of a chairman and members whose number, inclusive of the chairman, does not exceed the number of the members of Shura Council, and who shall be appointed by royal decree.”

- **Article 13:** Shura Council shall consist of elected members representing all the Wilayats of the Sultanate. The number of the members of the Council shall be specified so that each Wilayat is represented by a single member if its population does not exceed thirty thousand on the date on which nominations are opened, and two members if the population of the Wilayat exceeds this limit on that same date.

- **Article 38:** “Council of Oman shall have an ordinary session that is not less than eight months in a year, which the Sultan shall call to convene during the month of November of every year.”

- **Article 45:** Decisions by each of Council of State and Shura Council shall be issued by the absolute majority of the members attending, and that is in the cases that do not require special majority. In the case of a tie vote, the side that includes the chair of the session shall prevail.

- **Article 47:** “Draft laws prepared by the government shall be referred to Majlis Oman for adoption or review, and then presented directly to the Sultan for ratification and promulgation. In the event that amendments are made to the draft law by Majlis Oman, the Sultan may return it to the majlis to reconsider these amendments, and then it shall be presented to the Sultan.”

- **Article 48:** “Council of Oman may propose draft laws and refer them to the government to study and return them to the council within a maximum period of one year. If the proposal is approved, the same procedures stipulated in article 47 of this law shall apply to it, and if it is not approved, the government shall notify Council of Oman of the reasons for this within the same time limit.”

- **Article 52:** “Drafts of the development plans and the General Budget of the State shall be referred from the Council of Ministers to Shura Council to debate them and make its recommendations in regard to them within a month at most from the date of the referral to it, and then they shall be referred to the State Council to debate them and make its recommendations within a month at most from the date of the referral to it. The Chairman of the State Council shall return them to the Council of Ministers accompanied by the recommendations of both councils, and the Council of Ministers shall notify the two councils of the recommendations that were not approved in this regard with the reasons for this. The sessions of the State Council and Shura Council designated for discussing drafts of the development plans and the General Budget of the State shall be held in secret.”

- **Article 53:** “In addition to its other competences that are stipulated in this law, the State Council may - at its own initiative - study and debate matters relating to the implementation of development plans and submit its proposals regarding it to the government. It may also submit proposals and studies that contribute to the entrenchment of inherent values of Omani society and the preservation of its accomplishments.”

- Draft economic and cultural agreements that the government intends to sign or accede to shall be referred by the Council of Ministers to Majlis Al-Shura in order to provide its views and present its findings to the Council of Ministers, which shall take what it deems appropriate in regard to them.

- **Article 56:** “Shura Council may exercise its competence in following-up using the following tools:

- 1- Urgent statement.
- 2- Request for briefing.
- 3- Expression of a wish.
- 4- Question.
5. Request for debate.
6. Debating ministerial statements.
- 7- impeachment.

The internal regulation of the council shall prescribe the procedures and timings to be observed by the chairman and the members of the council when using these tools in a manner that does not conflict with the provisions of this law.

6- Royal Decree 35/2022 regarding the Governance of the Administration of Judicial Affairs- Schedule (1)

- Article (1): “The Supreme Judicial Council shall be formed under the chairmanship of the Sultan and the membership of:”

- 1- Deputy Chairman of the Supreme Judicial Council who shall be in the rank of a minister and his appointment shall be by a royal decree.
- 2- President of the Supreme Court.
- 3- Senior Deputy President of the Supreme Court
- 4- Chairman of the Administrative Circuit in the Supreme Court
- 5- Attorney General
- 6- Head of the General Directorate of Inspection
- 7- Two senior heads of courts of appeals.

The Council may meet under the chairmanship of the Deputy Chairman of the Supreme Judicial Council, in which case the Council's decisions shall not be effective with regard to matters provided for in article 2, sections (1) to (7) of this Annex until they have been adopted by the Sultan. A decision on the Council's System shall be issued by a decision from the Deputy Chairman of the Supreme Judicial Council after the approval of the Council.”

- Article 2. "The Supreme Judicial Council shall have all the powers of the Council of Administrative Affairs for the judiciary provided for in laws and royal decrees. The Council shall also have the following competence:
 - 1- Formulation of the general policy for the judiciary.
 - 2- Ensuring and developing the proper functioning of the courts and Public Prosecution.
 - 3- Facilitating litigation processes and bringing its institutions closer to litigants.
 - 4- Proposing bylaws and royal decrees relating to judiciary.
 - 5- Expressing an opinion on the draft agreements on judicial cooperation between the Sultanate of Oman and other states.
 - 6- Strengthening and developing cooperation in the competences relating to the judiciary with other relevant bodies in countries and specialised regional and international organisations and institutions.
 - 7- What the Sultan considers to be submitted to the Council.
 - 8- Any other tasks provided for in laws and royal decrees"

7- Law on Combatting Human Trafficking issued by Royal Decree 126/2008:

Article 22: "A committee called (the National Committee to Combat Human Trafficking) shall be established by a Council of Ministers' decision, and shall be chaired by a minister."

- **Article 23:** "The Committee shall be responsible for the following:
 1. Set up an action plan to combat trafficking in persons in coordination with the authorities concerned.
 2. Coordinate with all authorities concerned in Oman, international agencies and organizations concerned to set up rules and procedures to combat transnational crimes of trafficking in persons.
 3. Coordinate with national and international organizations to establish a database, which includes international legislation in relation to the trafficking in persons, studies, and the techniques of trafficking and traffickers.

4. Set up care and rehabilitation programmes to help the victims to integrate rapidly with the community.
5. Carry out relevant studies and researches, media campaigns to combat trafficking in persons, and to protect the victims.
6. Suggest rules and procedures to support the border restrictions, controls means of transport, and coordinate in this regard with authorities concerned.
7. Organize training programmes for those involved in enforcing this Law.
8. Prepare periodic reports on the trafficking in persons depending on judicial statistics, actions taken on victims, results of the actual application of this Law, proposals and recommendations to consolidate the trafficking in persons' procedures and efforts, and submit such reports to the Council of Ministers.
9. Suggest the amendment of this Law and other relevant laws.
10. Carrying out any other works in the trafficking in persons assigned to the Committee by the Council of Ministers.

8- Royal Decree 12/2007 on the promulgation of the National Committee System

- Article 1: "The National Committee for Family Affairs shall be established as follows:

- | | |
|---|--------------|
| - Minister of Social Development | Head. |
| - Undersecretary of Ministry of Health for Health Affairs | Deputy Head. |
| - Undersecretary of Ministry of Social Development | Member. |
| - Undersecretary of the Ministry of Education for Education and Curricula Affairs | Member. |
| - Undersecretary of Ministry of Information | Member. |
| - Undersecretary of Ministry of National Economy for Development Affairs | Member. |
| - Undersecretary of Ministry of Heritage and Culture for Cultural Affairs | Member. |
| - Attorney General | Member. |
| Assistant Inspector General of Police | |

and Customs for Operations Member.

Chairman of Oman Chamber of
Commerce and Industry Member.

-Directorate General of Women
and Child Affairs Member and Rapporteur.

The Committee may invite to its meetings those it considers to use their expertise when examining or discussing any of the subjects within its competence without having a counted vote. "

- **Article 2:** "The Committee shall be responsible for the following:

- Proposing general policies and programmes for family welfare in various social, health and cultural fields and following up their implementation in coordination with the competent authorities;

- Coordinating the efforts of official and voluntary bodies and bodies working on family matters.

- Promoting family-related studies and research.

- Following up to and implementing the decisions and recommendations of international and regional meetings and conferences on family issues and expressing opinion on the relevant conventions.

- Cooperating with other Arab and international committees and councils and family organizations.

- Proposing and managing financial resources to finance family-specific programmes.

- Adopting decisions and internal regulations relating to its labour system.

- Any other competence or functions entrusted to it by the authorities concerned with the family. "

9- Law of State of Emergency issued by Royal Decree 75/2008.

- **Article 7:** "Those who violate the provisions of this Act and the orders issued thereunder may be arrested immediately. Anyone who is arrested or arrested shall be informed of the reasons for the arrest or detention immediately and shall have the right to

communicate with, or to avail himself of, any person who considers himself to be informed.”

- **Article 8:** “A person arrested or detained shall be brought within (30) thirty days of the date of arrest or detention before a competent judge in accordance with the provisions of this Law. The judge shall release him on financial or personal bail or order his detention for a period not exceeding thirty days, which may be extended for a similar period or other periods.”
- **Article 9** “Anyone arrested or detained in accordance with the provisions of this Act may complain about the arrest or detention warrant by expiring (60) sixty days from the date of arrest or detention without release. and an application for a fee-free application shall be submitted to the competent court, The Court shall adjudicate on the appeal within (30) thirty days of the date of its filing, failing which he must be released immediately. A person who rejects his appeal may lodge a new complaint whenever two months have elapsed from the date of the rejection. During the proceedings, the court may issue a decision on the provisional release of the arrested or detained person.”

10- Military Justice Law issued by Royal Decree 87/2022

- **Article 3:** "The expiration of public proceedings shall not apply to the offences of espionage, rebellion, disobedience, sedition, genocide, crimes against humanity and war crimes provided for in this Act, nor shall the sentences for such offences be dropped over time."
- **Article 14:** "The following categories shall be subject to the provisions of this law, even if they have been discharged from service, where the offences at the time or place of occurrence are within their competence or relate to the secrets of employment, unless they have expired over time:
 1. Affiliates of the armed and security forces, including officers, other ranks, civilians and students of colleges, institutes and military training centres.
 2. Retired officers, other ranks and civilians.

3. Reserve force once called to military service.
 4. Volunteers for military service.
 5. Prisoners of war.
 6. Members of friendly or allied forces, seconded personnel, personnel dispatched for training or contracted are subject to the provisions of this law if they are on the State's territory unless otherwise indicated in an agreement.
- **Article 15:** "Without prejudice to article 14, military courts shall have exclusive jurisdiction over the following offences:
 - 1- The crimes stipulated in this Law.
 - 2- Offences under the Penal Code or any other law, committed in camps or other military or security zones.
 - 3- Offences committed on grounds or in the performance of a job duty.
 - 4- Offences against the security of the State from within or abroad provided for in the Penal Code."
 - **Article 17:** Any person subject to the provisions here of, who commits a felony or a misdemeanour outside the territory of the Sultanate, within the jurisdiction of the felony court, shall be punished in accordance with the provisions hereof except if the penalty has been tried abroad and served, or if the case or penalty has lapsed by general or special pardon or by statute of limitations.
 - **Article 18:** "The discontinuation of public action, acquittal or conviction does not preclude disciplinary accountability, if the act involves a disciplinary offence."
 - **Article 34:** The military prosecution shall be competent to initiate cases within the jurisdiction of the military justice, prosecute them before military court, exercise investigatory and prosecutorial competencies, supervise military law enforcement, and implement laws and judgement in addition to the competencies set by law. The military prosecution shall exercise its competence in accordance with the provision of article 47

of this Law, and individuals shall not complain directly to the military prosecution contrary to the provision of this article. "

- **Article 51:** “Any member of the Military Prosecution may, after interrogating the accused at the preliminary investigation, issue a provisional detention order, if necessary, with a view to prevent the accused from escaping or to prevent influencing the investigation process.”
- **Article 52:** “Military Prosecution shall, whenever it issues detention or release order on the accused, inform his headquarters or place of work.”
- **Article 53:** “The provisional detention order of the accused shall be conducted in his unit or any other places dedicated to detaining individuals in coordination between his unit and the Military Prosecution.”
- **Article 59:** “The Military Prosecution may access the investigation procedures against any individuals who are subject to the provisions of this law conducted by any investigation authority and at any stage thereof.”
- **Article 91:** “For acts to be considered as constituting crimes against humanity, they have to have been committed within the context of a widespread or systematic attack knowingly launched against a civilian population.
 - 1- Premeditated murder.
 - 2- Genocide
 - 3- Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity.
 - 4- Enslavement.
 - 5- Deportation or forcible transfer of population.
 - 6- torture.”
 - 7- Incarceration or any form of deprivation of freedom.
 - 8- Persecution against an identifiable group on political, racial, national, ethnic, cultural, religious or gender grounds with intent to severely deprive the person of his basic rights.
 - 9- Racial segregation.”

- **Article 92:** “The perpetrators of the acts set forth in Article 91 of this law shall be punished as follows:
 - 1- Capital punishment or life sentence in cases provided for in items (1), (2) and (3).
 - 3- Imprisonment for not less than (3) three years and not exceeding (10) ten years in cases provided for in other items.”

- **Article 93:** “Any of the following acts shall be considered a war crime when committed in an armed conflict against property or persons protected under international humanitarian law conventions.
 - 1- Premeditated murder.
 - 2 - Torture or inhuman treatment, including biological, chemical or other experiments.
 - 3 - Intentional infliction of severe pain or suffering or serious harm to physical or mental integrity or public health.”
 - 4 - Destruction or seizure of property without justification of military necessity.
 - 5- Compelling a prisoner of war or other protected person to serve in the military forces.
 - 6- Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial.
 - 7- Unlawful deportation, transfer or imprisonment.
 - 8-Taking of hostages.
 - 9- Unlawful detention of protected civilian persons.
 - 10- Attacks on the civilian population or individuals.
 - 11- An indiscriminate attack on civilian populations or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects.
 - 12 - Attack on engineering works or installations containing hazardous materials, knowing that such attack causes severe loss of life, injury to civilian persons or damage to civilian property.
 - 13- Attacks on non-defended localities and demilitarized zones.
 - 14- Attacks on a person who is hors de combat.

15- The perfidious use of the distinctive emblem of the Red Cross, Red Crescent, or other protective signs.

16- Transfer or deportation of the civilian population beyond their territory.

17- Unjustifiable delay in the repatriation of prisoners of war or civilians to their lands

18- the practice of racial segregation and other methods based on racial discrimination and degradation of human dignity.

19- Attacks against historical monuments, places of worship and clearly known pieces of art, provided that they are not used for military purposes or in locations directly close to military objectives.

20- perform or refrain from any action which may impact the public health or physical or mental integrity of persons deprived, detained or detained, to perform amputations or medical or scientific experiments or to remove tissues or organs in violation of medical standards.

– **Article 94:** “The perpetrators of the acts set forth in Article 93 of this law shall be punished as follows:

1- with death penalty or life imprisonment under the conditions provided for in sections (1), (11) and (12).

2- with imprisonment for a period not less than (10) ten years and not more than (15) fifteen years under the circumstances provided for in sections (4), (15) and (20)

3- with imprisonment from (3) three years to (10) ten years under the conditions specified in other sections. The penalty of any crime shall be aggravated to death penalty if the committed act leads to death.

– **Article 96:** “The penalty of the original offender shall be imposed on any warden, guard or any person assigned with a special task if he condones the commission of a crime which he could prevent or is in charge of preventing but fails to carry out his duty in that.”

– **Article 98:** “Whoever unnecessarily detains a person and fails to produce him to trial or cause him to fail to present his case before the authority responsible for investigation shall be punished by imprisonment for a period not less than one month and not exceeding one year.”

- **Article 104:** “Whoever forces an individual to perform an act or a work contrary to military laws, regulations or instructions shall be liable to a term of imprisonment of not less than (3) three months and not more than (2) two years.”
- **Article 108:** “Whoever arbitrarily detains individuals or keeps them detained despite that a release order was issued shall be punished by imprisonment for a period not less than (3) three months and not exceeding (2) two years.”

11- Child Law issued by Royal Decree 22/2014

- In the application of the provisions of this law, the following words and phrases have the meaning assigned to each of them, unless the context requires otherwise: g) Alternative care: Services provided through care homes, the sponsorship (kafalah) system or foster families to a child who is, temporarily or permanently, deprived of his or her natural family, such as orphaned children or children whose one or both parents are unknown.
- **Article 2:** “The present law shall particularly guarantee the child the following rights:
 - a) The right to life, survival and development;
 - b) The right to non-discrimination on grounds of colour, sex, origin, language, religion, social status or any other considerations;
 - c) The right to have his or her best interests given priority in all child-related decisions and procedures adopted by organs of the Administrative Apparatus of the State, judicial bodies or other childcare entities;
 - d) The right to participation, to a voice and to expression in accordance with the rights of others, public order and morals, and national security; as well as the right to have the full opportunity to formulate views.
- **Article 8:** “The child shall have, from birth, the right to a name that distinguishes him or her, and be registered in birth records pursuant to the rules and procedures stipulated by the Civil Status Law. The name of the child may not imply a denigration or humiliation of the child, or contravene religious beliefs.

- **Article 9:** “The persons commissioned to report births in the Sultanate and Omani births abroad and all concerned authorities must register the said births in accordance with the rules and procedures stipulated by the Civil Status Law.”
- **Article 10:** “The child shall have, from birth, the right to acquire a nationality; and the State shall ensure his or her enjoyment of the said right in accordance with the provisions of the Omani Nationality Regulatory Law.”
- **Article 11:** “The child shall have the right to be attributed to and be cared for by his or her parents, and may not be attributed to other parents. The child shall also have the right to prove his or her legitimate filiation by all legitimate means.”
- **Article 25:** “The child shall have the right to survive and develop within a family living in cohesion and solidarity; and the State shall ensure his or her enjoyment of such right by all available means.”
- **Article 33:** “A nursery school for children shall be established in every central prison, so as to allow prisoner mothers to place their child therein until he or she reaches the age of pre-basic education, provided that the contact between the prisoner mother and her child and her taking care thereof be regulated by a decision of the Inspector General of Police and Customs. The prisoner mother may not take her child into her cell; and she may not be denied the right to see or care for her child as a punishment for committing a violation.”
- **Article 34:** “Children whose circumstances precluded them from being raised up in their natural family, such as orphaned children and children whose one or both parents are unknown, shall have the right to alternative care; and the State shall ensure their enjoyment of such right by all available means. The regulation specifies the conditions and procedures applicable to providing the said care.”
- **Article 55:** “The forced recruitment of children in armed forces, their recruitment in armed groups or their direct involvement in military actions shall be prohibited. Voluntary enlistment in armed forces is permitted to children who have completed sixteen years of age. The State shall ensure the implementation of such prohibition and the adoption of all the necessary procedures and measures to this end.”

- **Article 56:** “It is prohibited to any person to undertake any of the following acts:”
 - a. The abduction or sale of a child, or removal of any of his or her organs in any way, whether or not for consideration;
 - b. Rape, non-violent indecent assault or sexual harassment against a child;
 - c. The incitement or coercion of a child to engage in any sexual activity, or the exploitation of a child in prostitution, any other sexual practices or any pornographic performances or material;
 - d. The encouragement of a child to engage in real sexual intercourse or a simulation of sexual intercourse, filming him or her during such act or filming his or her sexual organs for immoral purposes – in any way whatsoever;
 - e. The publication, offer, distribution or possession of audio or visual work of art that panders the basest instincts of the children or projects an attractive image of behaviour that contravenes social values, the law, or public order or morals;
 - f. The employment of children in all forms of slave trade, servitude, or forced or compulsory labour;
 - g. Child trafficking, facilitation of child flight across borders for exploitation purposes or to practice any form of violence against him or her;
 - h. The exercise of any form of violence against a child.

The government shall ensure the implementation of the prohibition stipulated by the previous provisions and the adoption of all necessary procedures and measures to this end.”

- **Article 59:** “The State shall seek, by all available means, to rehabilitate child victims of any sort of violence, exploitation or abuse and socially reintegrate them.”
- **Article 60:** “Committees for child protection against violence, exploitation and abuse called (Child Protection Committees) shall be formed, pursuant to a decision issued by the Minister. This decision shall set out the terms of reference and working mechanism of the said committees, without any prejudice to the provisions of the present law. The members of (the Child Protection Committees) shall enjoy judicial enforcement powers with regards to the implementation of the provisions of the present law.”

- **Article 62:** “Every person shall have the right to report any incident that constitutes an act of violence, exploitation or abuse against a child, or a violation of any of his or her rights which are stipulated by the present law. Child Protection Committees must take all necessary measures to protect the reporting person and ensure his or her anonymity.”
- **Article 63:** “Physicians, teachers and other individuals, to the attention of whom, by virtue of their profession, occupation or activities, comes a case of violence, exploitation or abuse against any child or violation of any of his or her rights which are stipulated by the present law should report such case to the Child Protection Committees.”
- **Article 64:** “A child who was victim of violence, exploitation or abuse shall be placed in a temporary care home pursuant to a decision of the public prosecution on the recommendation of the child protection delegate.”
- **Article 65:** “Without prejudice to the best interest of the child, the child who was placed in a temporary care home shall be discharged to his or her parent pursuant to a decision of the public prosecution on the recommendation of the child protection delegate, after the reasons of placement and its effects cease, and after the guardian undertakes, in writing, to provide care to the child, in accordance with the provisions of the present law; and the child protection delegate must follow up on the discharged child according to the conditions and procedures prescribed by the regulation.”
- **Article 72:** “Any person who commits any of the prohibited acts stipulated by articles (55) and (56) of the present law shall be subject to imprisonment for a period of not less than five (5) years and not more than fifteen (15) years and a fine of not less than five thousand Omani riyals (OR 5000) and not more than ten thousand Omani riyals (OR 10000).”
- **Article 76:** “The child shall have the right to pursue a civil compensation claim, for all the damages inflicted upon him or her by any exercise of violence, abuse or exploitation, or as a result of a crime stipulated in the present law and committed against him or her, against the perpetrator of such acts, in accordance with the judicial procedures stipulated by the applicable laws in the Sultanate.”

12- Law on Combating Terrorism issued by Royal Decree 8/2007:

- **Article 5:** “The penalty of life imprisonment shall be applied to any person who arrests a person illegally, takes him/her as hostage or threatens to keep him/her detained for with view to committing a terroristic crime or influencing public organs of the state, any other country or international organizations in performing their work or obtaining a benefit or advantage of any kind. The penalty shall be capital punishment if this act leads to the death of the detained person or any other person.”
- **Article 25:** “In exception to the provisions of Articles (16) and (328) of Penal Procedure Code, the penal case shall not extinguish and the penalty shall not expire with prescription for the crimes stipulated in this Law.”

13- Police Law issued by Royal Decree 35/90:

- **Article 58:** “A police officer who violates, neglects, or fails to perform the job duties stipulated in this law, or any other law, or in the regulations, decisions, or orders issued in implementation of this law or other laws, or deviates from what is required of his duty in the work of his job, or if someone commits an action or conduct that is not consistent with what the job requires from a policeman, such as self-control and integrity, or engages in behaviour that would undermine the dignity of the job, shall have committed a disciplinary offense and shall be punished under the provisions of this law, without prejudice to filing a criminal case against him when necessary.”
- **Article 60:** “A policeman may not be held accountable for an offence that occurred three years after its occurrence. However, if the offence is a criminal offence, the disciplinary action shall not be abated unless the criminal action is discontinued. This period shall be interrupted by any procedure of investigation, indictment or trial. The duration shall be renewed from the date of the last procedure. If there are multiple accused persons, the duration shall be interrupted for the remainder, even if no conclusive action has been taken against them.”
- **Article 62:** "The governing authorities in their respective jurisdictions may suspend the police officer charged with any offence if the nature of the offence or the interest of the investigation so requires for a period not exceeding one month. The Inspector General or those he authorized may extend the period of suspension for a period or for a further

period not exceeding two months. The extension, after that, shall be made from the competent military court.

- **Article 63:** “The Military Prosecution may, if the investigation requires after interrogating a policeman to detain him provisionally, issue an order of his detention. Provisional detention shall not be ordered unless the incident constitutes a felony or a misdemeanour punishable with imprisonment for a period over three months. The provisional detention order issued from the military prosecutor shall not exceed two weeks. The judge in the competent military court shall be extended for a period or additional periods not exceeding six months unless the policeman was referred to the court. The policeman may not be released if he was arrested for a crime punishable by the death penalty or life imprisonment. Detaining the policeman shall result in the suspension of his work during his arrest and the suspension of half of his salary. If the investigation is discontinued or he was ruled to be innocent, he shall be paid the suspended financial benefit”

14- Civil Service Law issued by Royal Decree 120/2004.

- **Article 110:** "The Head of Unit or his delegate may suspend the staff member subject to the investigation if the interest of the investigation so requires, while his full salary continues to be paid. The suspension may not be extended for more than three months without a decision of the competent Accountability Council; In this case, the Council may decide to suspend half of its salary. If the investigation is kept or the employee is acquitted or is punished by warning or deduction of salary not exceeding five days, the suspended part of his salary shall be paid."
- **Article 108:** “An employee who is on duty shall not be held accountable for a violation after three years from its occurrence. However, if the violation constitutes a criminal offence, the right to administrative accountability shall be abated only by the lapse of the criminal action.”
- **Article 109:** The period provided for in the previous article shall be interrupted by any procedure of investigation, indictment or trial. The duration shall be renewed from the date of the last procedure. If there are multiple accused persons, the duration shall be interrupted for the remainder, even if no conclusive action has been taken against them.”

- **Article 133:** “The termination of the employee's service for any reason, other than death, shall not prevent him from continuing the disciplinary accountability against him if the interrogation with him has started before the termination of his service.” Financial irregularities resulting in the loss of a public treasury right may be referred to the competent Accountability Board, even if it has not been investigated prior to separation from service, within three years from the date of separation. ”

15- **Civil Transactions Law issued by Royal Decree 29/2013**

- **Article 176:** “1- the party responsible for damage of any kind, even if he lacks capacity, must make restitution for the damage caused. 2- If the damage is direct, restitution must be made even if there is no transgression. If the damage is causal, it must be accompanied with a transgression. “
- **Article 180:** “If the numerous parties are responsible for the harmful act, each party shall be responsible for his share without being in solidarity with others unless the court determines otherwise”
- **Article 181:**” In all cases, compensation shall be estimated by the amount of damage and *lucrum cessans* inflicted on the affected party, provided that the same shall be the natural result of the tort.”
- **Article 182:** “Damages shall be estimated in money but the Court may subject to the circumstances and on the application of the injured person order restoration to the former position or decree by way of damages the execution of a certain matter attached to the injurious act.”
- **Article 183:** “Any requirement for exemption from liability for wrongful act is invalid.”
- **Article 184:** “Civil liability shall not affect criminal liability when its prerequisites are fulfilled and the criminal penalty shall not affect the limitation of the extent of the civil liability and the estimation of damages.”

16- Extradition Law issued by Royal Decree 4/2000

- **Article 1:** “Without prejudice to treaties which the Sultanate concludes with other States, the arrests and extradition of criminals to requesting States shall be effected in conformity with the present Act.”
- Article 2: "Extradition may be granted in the following circumstances:
 1. If the offence is committed in the territory of the requesting State or is committed by one of its nationals.
 2. If the offence is committed outside the territory of the requesting State and it violates its security, its financial status or the validity of its official seals.
 - 3- If the crime has become a transnational organized crime.In any event, the offense for which extradition is requested shall be a felony or misdemeanour punishable by a term of imprisonment of not less than one year in accordance with the laws of the Sultanate. If the extraditable person is a convict, the imposed sentence shall be a penalty of deprivation of liberty of not less than six months or any heavier penalty. "
- **Article 3:** "Extradition is not permitted in the following circumstances:
 1. If the person whose extradition is requested is an Omani national.
 - 2- If the offence or one of the elements of the offence is committed on the territory of the Sultanate.
 - 3- If the extraditable person enjoys immunity from legal process in the Sultanate of Oman, unless he expressly waives immunity in cases where he may waive it.
 - 4- If the extraditable person is granted the right to political asylum in the Sultanate before the extradition request and continues to be entitled to this right after receiving the request.
 - 5- If the extraditable offence is a political offence or of a political nature or the extradition is for a political purpose.
 - 6- If the extraditable person has already been tried for the extraditable offence, or is under investigation or trial in the Sultanate for such offence.
 - 7- If the criminal proceedings or the penalty has abated on one of the legal grounds as per the laws of the Sultanate of Oman, the requesting state or the state where the crime is committed on its territories.”

- **Article 4:** No person wanted by another state shall be arrested except after receiving the request of his extradition and accompanied by the documents set forth in Article 11 hereof, but in urgent cases the request received by phone, fax or in writing may be accepted provided that such requests shall include crime type, the legal text criminalizing the act, the nationality and identity of the sought person and his whereabouts in the Sultanate if possible.”
- **Article 7:** “Extradition requests shall be addressed to the Royal Oman Police for investigation, interrogation and arrest of the person sought in accordance with the provisions prescribed by law.”
- **Article 8:** "Public Prosecution shall order that the arrested person be questioned and remanded in custody or released on or without bail, as appropriate, and may prevent him from leaving the Omani territory until the request has been decided."
- **Article 9:** "The period of preventive detention of a person whose extradition is sought shall not exceed two months and shall be released thereafter if the file of the extradition request does not arrive."
- **Article 10:** "The Criminal Court of Appeal in Muscat shall adjudicate requests for extradition by accepting or rejecting the request. Its decisions in this regard shall be final."
- **Article 11:** "The request for extradition shall be accompanied by a copy of the following documents formally certified and sealed by the competent judicial authority of the requesting State.
 1. A detailed account of the identity and description of the person sought and, if possible, the attachment of whatever is required to determine the person's exact identity and image.
 2. A warrant of arrest or habeas corpus issued by a competent authority if the person is not sentenced and a copy of the sentence if the person is sentenced, whether or not the judgement acquires the force of the injunction.
 3. A copy of the legal texts criminalizing the act and evidence establishing the person's liability.
 4. Undertaking from the Requesting State that it will not pursue, prosecute or punish the extraditable person for any offence prior to extradition other than the offence or offences that were the subject of the extradition request.

5. Undertaking from the Requesting State not hand over the person to a third state the Sultanate agrees thereto.

6. Undertaking from the requesting State to try the extraditable person fairly and impartially and to provide him with guarantees of self-defence. "

- **Article 12:** "The Criminal Court of Appeal shall reject any extradition request to which the documents set forth in the preceding article are not attached and which has not been completed by the requesting State within the period provided for in article 9 of this law."

It may also refuse the request if it considers that the legal conditions are not met or that the evidence contained in the request for extradition or investigations is insufficient to establish the offence alleged to the extraditable person. If the court's decision to extradite the person sought is issued, the extradition decision shall include the offence for which the person is extradited. "

17- The Lawyer Law issued by Royal Decree 108/96:

- **Article 52:** "The competent court shall appoint a lawyer to attend for the litigant to be waived from judicial fees for insolvency or to provide legal assistance to those unable to continue in cases that require by law to be initiated through a lawyer."
- **Article 54:** "The appointment of lawyers in the previous circumstance shall be in the chronological order in the schedules prepared by the Lawyers' Admission Committee for this purpose." The court may skip the sequence based on the nature and circumstances of the case. The assigned lawyer shall do his assigned task and may not recuse himself except for reasons accepted by the court."

18- Law on Combating Money Laundering and Terrorism Financing issued by Royal Decree 30/2016

- **Article 61:** "Public Prosecution shall be competent to receive a request for legal and judicial assistance and extradition request from the competent foreign authorities in connection with the offence of money-laundering, related predicate crime and financing of terrorism."

- **Article 62:** Requests for legal and judicial assistance or extradition must include the following information: ... D- In the case of an extradition request:
 1. An arrest warrant or subpoena issued by the competent authority if the person is not sentenced and a copy of the enforceable and unappealable judgement if the person is sentenced.
 2. An undertaking by the requesting country that it will not prosecute or sanction the person to be extradited for any crime that occurred prior to the extradition request other than the crime mentioned in the extradition request.
 3. An undertaking by the requesting country to refrain from extraditing the person to a third country unless after obtaining the approval of the Sultanate.
 4. An undertaking by the requesting country to provide a fair trial of the extradited person and ensure sufficient guarantees for him to defend himself. “
- **Article 76:** “Requests for extradition may be denied in the following cases:
 - a. If investigations are currently underway against the person to be extradited in the Sultanate of Oman, in connection with the crime for which the extradition is requested.
 - b. If the crime was committed outside the territory of both the Sultanate of Oman or the requesting country, and Omani law does not stipulate for jurisdiction over crimes committed outside its territory with respect to the crime for which the extradition is requested.
 - c. If a final judicial order was issued against the person to be extradited for committing the crime for which the extradition is requested, or if he would be prosecuted in the requesting country by an irregular court, an exceptional court, or by a special court or other body for this purpose.
 - d. If the Sultanate of Oman believes, that due to the nature of the crime and its circumstances, that extraditing the person in question would be incompatible with human considerations because of their age, health, or other personal circumstances.
 - e. If the request for extradition is based on a final ruling in absentia of the convicted person without providing him with legal guarantees for a fair trial, and giving him the opportunity for the case to be reviewed.

f. If the crime falls within the Sultanate judicial jurisdiction.”

- **Article 77:** “Extradition is not possible in the following cases:
 - a. If the person to be extradited is an Omani citizen.
 - b. If there are serious reasons to believe that the request for extradition was submitted for the purposes of prosecuting or sanctioning a person on account of his gender, race, religion, nationality, origin, or political opinions, or that implementing the request would lead to their being harmed for any of these reasons, or that the person to be extradited was or will be subjected to torture or harsh, inhuman or humiliating treatment, or does or will not have the minimum guarantees of security with respect to the criminal procedures, in accordance with international standards on this subject.
 - c. If a final judgment has been issued in the Sultanate of Oman concerning the crime for which the extradition was requested.
 - d. If criminal liability of the person to be extradited no longer exists for any reason whatsoever.”

19- Foreigners’ Residence Law issued by Royal Decree 16/95/

- **Article 3:** "Without prejudice to the provisions of the international conventions to which the Sultanate is a party, foreigners shall be subject to the provisions of this Act concerning their entry to, residence and exit from the Sultanate."
- **Article 5:** “A foreigner may enter or exit the territory of the Sultanate only if he holds a passport or travel document of similar nature issued by the competent authorities of his country or by any other recognized authority. The document requires that the holder be authorized to return to the country of the issuing authorities.

The holder of a passport or document shall be the holder of a visa from the competent authority, embassies or consulates of Oman or the authority responsible for the care of Omani interests abroad. "

- **Article 24:** “A foreigner may, if he is prosecuted by a non-Omani authority for political reasons, request that he be granted political asylum and residence in the Sultanate, when such prosecution threatens his life or freedom, and when the reasons for prosecution do not contradict the general policy of the Sultanate and don't prejudice the Islamic beliefs, until the dangers to which he is exposed disappear. The State Minister for Foreign Affairs, in coordination with the competent authorities, organizes matters related to refugees and political residents.”

- **Article 27:** “Granting political asylum to a foreigner may be reversed and he may be deported from the Sultanate. At any time, the right to political asylum may be restricted under new conditions if circumstances so require. If the political asylum seeker is deported, he shall not be deported to a state where he fears for his life or freedom.”

- **Article 29:** “The alien who entered the Sultanate illegally shall be expelled by order of the Inspector General, at the alien's expense or at the expense of the person who brought or recruited him. Without prejudice to the provisions of article 11 of this law, an alien who has been removed in accordance with the preceding paragraph may enter the Sultanate if the provisions of Article 5 apply to him.”

- **Article 30:** “A foreigner, who has been convicted in a felony by a final judgment or the judgment issued against him in the misdemeanour contains an order to deport him from the Sultanate, shall be deported. Under all circumstances, the deportation shall be implemented after the penalty has been served.”

- **Article 31:** “The Inspector General may revoke the alien's residence and order his removal from the Sultanate in the following circumstances:
“1- If he carries out any activity or action that may harm the security or integrity of the Sultanate or endanger its political, economic or financial entity, violates public order or morals.
2- If he carries out any activity that may cause harm to the Sultanate's interests with other states.”

3- If he is a member to or support undesirable party.

4 - If he has taken up arms at home or abroad against the Sultanate's regular forces, or served in the ranks of its enemies.

5 - If he has no visible and legitimate means of subsistence.

The expulsion decision shall include the alien's spouse and his or her foreign children accompanying their dependents. "

- **Article 32:** "The deportation decision shall be executed by informing the foreigner that he must leave the Sultanate on his own means within the grace period specified in the deportation decision. If the deadline ends without executing the deportation decision, he shall be removed by force." A foreigner whose deportation has been ordered may be arrested for a period not exceeding two weeks, if such arrest is necessary for the execution of the deportation order. "
- **Article 34:** "An entry visa may be granted to a foreigner who has already been deported only after two years of deportation and with the special authorization of the Inspector General."
- **Article 35:** "The name of any foreigner who has been removed or expelled from the Sultanate shall be included in the list of undesirable persons entering the Sultanate."

20- Prison Law issued by Royal Decree 48/98:

- **Article 7:** "The Regulation shall specify the registers held in prisons and places of remand and shall set forth the rules for recording thereto."
- **Article 11:** "No individual shall be placed in a prison or a place of provisional detention without a written order issued by the competent authority and signed by who has a legal authority to issue it." The regulation shall define the rules and procedures for admission of inmates and detainees"
- **Article 28:** "Detainees and prisoners shall enjoy free health and social care in prison and in places of remand. The regulation shall specify the applicable provisions."

- **Article 29:** “Every prison shall have a resident doctor in charge of health matters, as well as a number of assistants to help him.”

- **Article 34:** “The administration shall accept the complaints from the inmates and detainees and shall take the necessary action regarding them. If the complainant wishes to report his complaint to another body, the administration must submit it to them. In any event, this is established in the register prepared for this purpose.’

- **Article 35:** "The General Directorate of Prisons shall establish the Department of Social Welfare for Inmates, with a sufficient number of experts and specialists, and shall have sections in prisons whenever necessary. The Department shall be competent to the following:
 - 1- Contribute to the preparation and implementation of programs to receive inmates, with regard to examining their personalities and categorizing them.
 - 3- participate in the development of programs for the treatment, education, training and rehabilitation of inmates and supervise and modify the implementation of these programs.
 - 3- prepare social researches and psychological studies that help rehabilitate inmates to be good members of the society.
 - 4- Monitor the social activity of inmates and study their individual problems, providing the assistance needed to solve them
 - 5- psychological, social and occupational preparation and rehabilitation of inmates, and coordinating with competent authority to arrange suitable work for them prior to their release,
 - 6- Coordinate with competent authorities for social and material care of inmates and their families throughout the enforcement of the penalty.

- **Article 36:** "The inmate shall have the right to receive visitors and correspondence. The permission to visit shall be given to the Director-General or his delegate in accordance with the Regulations."

- **Article 39:** "The inmate shall have the right to receive visitors and correspondence in accordance with the Regulations."
- **Article 60:** "Without prejudice to the competence established for Public Prosecution, the Director-General shall establish a prison inspection team to ensure the application of laws and regulations and to examine the complaints submitted to him by inmates, and to examine the issues assigned to him."

21- Personal Data Protection Law issued by Royal Decree 6/2022

- **Article 3:** "The provisions of this law shall not apply to the processing of personal data made in the following circumstances:
 - A- Protection of national security, or public interest.
 - B- Implementation by the units of the State's administrative apparatus and other public legal persons of their legally established competencies.
 - C- Implementation of a legal obligation on the controller under any law, judgement or decision of the Court.
 - D- Protection of the economic or financial interests of the state.
 - E- Protection of a vital interest of the personal data holder.
 - F- Detection or prevention of any criminal offence based on an official written request of the investigation authorities.
 - G- Performance of a contract to which the holder of personal data is a party.
 - H- If the processing is in a personal or family setting.
 - I- The purposes of historical, statistical, scientific, literary or economic research by the authorized entities, provided that no indication or reference relating to the holder of personal data is used in the research and statistics it publishes, to ensure that personal data is not attributed to an identified or identifiable natural person.
 - J- If the data are publicly available and not contrary to the provisions of this law."
- **Article 4:** "Personal data shall be protected under the provisions of this law."

- **Article 5:** "The processing of personal data relating to genetic data, vital data, health data, ethnic origin, sexuality, political or religious opinions, beliefs, criminal conviction or security measures is prohibited until such time as authorization has been obtained from the Ministry, in accordance with the controls and procedures established by the Regulation."
- **Article 6:** "The processing of a child's personal data shall be prohibited except with the consent of his or her guardian, unless such processing is in the best interests of the child, in accordance with the regulations and procedures established by the Regulations."
- **Article 8:** "In order to protect the rights of personal data holders, the Ministry shall take any of the following measures:
 - a- Warn the controller or handler of the violation of the provisions of this Law that occurred from him.
 - b- Order the correction and deletion of personal data processed in violation of the provisions of this Law.
 - c- Stop processing personal data on a temporary or permanent basis.
 - d- Stop the transfer of personal data to another State or international organization.
 - e- Any other measure that the Ministry deems necessary to protect personal data in the manner determined by the regulation."
- **Article 10:** "Personal data may be processed only in the context of transparency and honesty, respect for human dignity, and after the explicit consent of the personal data holder. The request for the processing of personal data must be in writing, in a clear, explicit and understandable manner, and the controller shall be obliged to establish the written consent of the holder of personal data for the processing of his data. "
- **Article 12:** "A personal data holder may file a complaint with the Ministry if he considers or deems that the processing of his personal data is incompatible with the provisions of this Law, in accordance with controls and procedures specified by the Regulation."

22- Biometrics Law issued by Royal Decree 21/2024.

- **Article 2:** During various stages of collection of samples, biometric data and use of DNA, human dignity and the inviolability of their private lives shall be respected and their personal data shall be protected as per the provisions of the law.
- **Article 3:** Biometric database shall be established in the concerned directorate in which the following collected data shall be recorded:
 - 1- Biological traces lifted from crime scenes or another places.
 - 2- biological traces lifted from bodies or unknown remains.
 - 3- biological reference samples taken from suspects and convicts.
 - 4- biological reference samples taken from relatives of the missing person or missing persons themselves after being discovered.
 - 5- Reference biological samples, fingerprints, handprints, facial or eye recognition data or any other biometric data. New relevant data may be added to biometric database after the approval of the Inspector General or whoever he delegates.”
- **Article 4:** The data registered in the biometric database is classified. It is not accessible without a permission from the Inspector General or whoever he authorizes. It is prohibited to use such data for purposes other than those provided for in this law.
- **Article 5:** Evidence-gathering, investigation and trial authorities may also use the biometric database to detect offenders, or under any other circumstances required by the public interest after the approval of the Inspector General.
- **Article 15:** Whoever discloses any biometric data that he has access to it or deliberately access it without an authorization from the competent authority shall be sentenced to imprisonment for a period not less than (3) three year and not exceeding (5) five years and a fine not less than (500) five hundred Omani rials and not exceeding (2000) two thousand Omani rials.

23- Royal Decree 31/2012 on Establishing the National Centre for Statistics and Information

- **Article 1:** A centre named the "National Centre for Statistics and Information" is hereby established subordinate to "the Council of Ministers".

24- Statistics and Information Law issued by Royal Decree 55/2019

- **Article 2:** Statistical activities aim to achieve the following:
 - A - Providing accurate and updated data and information for various aspects of the economy, population, sociology, demography, technology, culture, environment, and so on.
 - B - Supporting and developing scientific and technical research.
 - C - Raising the awareness of individuals and government and non-governmental bodies on the importance of statistics and information.
- **Article 16:** The centre is responsible for the statistical activities and the official statistics of the Sultanate.
- **Article 28:** "The centre is responsible for making available statistical data and information under an annual work plan."
- **Article 29:** "Without prejudice to the text of article 28 of this law, superintendents and statisticians shall analyse, publish, and make available statistical data and information related to their work, under the controls specified by the regulation."

25- Personal Status Law issued by Royal Decree 32/97

- **Article 170:** “A- A father may appoint a guardian (chosen guardian) over his minor or prospective child, and minors who are children of his interdicted son, and may refrain from appointing him a guardian, even if he undertakes not to return.
B- If the minor has no chosen guardian. The judge may appoint a guardian to manage his affairs taking into account the interest of the minor.”

- **Article 171:** “The judge may assign a special or temporary guardian whenever the interest of the minor so requires.”

- **Article 172:** “The guardian is required to be:
 - 1- a Muslim if the guarded person is a Muslim.
 - 2- of full capacity.
 - 3- trustworthy.
 - 4- able to carry out the guardianship requirements.
 - 5- not convicted in an offence of theft, breach of trust, fraud, forgery and any crime of moral turpitude or dishonesty.
 - 6- not sentenced to bankruptcy.
 - 7- not sentenced to be deprived of guardianship.
 - 8- not a party in a litigation against the minor, not enmity between them or family dispute that is feared to be against the interest of the minor.

- **Article 185:** “The duties of the guardian shall terminate in the following instances:
 - 1- His death, total or partial incapacity.
 - 2- Upon evidence that he is missing or absent.
 - 3- Acceptance of his request to abandon his mission.
 - 4- Impossibility to discharge the guardianship’s duties.
 - 5- The minor becoming or declared an adult.
 - 6- Removal of interdiction from the interdicted.
 - 7- The missing or absent status has ended.
 - 8- The capacity of the father of the minor has been restored.

9- The death of the minor.”

- **Article 187:** “The guardian shall be removed:
 - a- If one of the conditions provided for in Article 172 of this Law is not met.
 - 2- mismanagement or negligence or if his maintenance as a guardian constitutes a danger to the interests of the minor.”

- **Article 190:** “1- The absent is the person whose domicile or residence is unknown.
2- The missing is the person of whom it is not known whether he is alive or dead.”

- **Article 191:** “If the absent or missing person has no proxy, a judicial proxy shall be appointed to administer his property.”

- **Article 192:** “An inventory shall be made of the property of the absent or the missing person upon appointing the judicial proxy and the property shall be administered in accordance with the administration of the minor’s property.”

- **Article 193:** The absence or missing status shall end:
 - If the life or death of the missing person is established.
 - If the absent or missing person was declared dead.”

- **Article 194:** “A-The judge shall declare the absent or missing person dead if the evidence of death is established. B- The judge may declare the absent or missing person dead if four years have passed from being absent or missing.”

- **Article 195:** “In any event, the judge shall search for the absent or missing person using all means to determine whether he is alive or dead before declaring his death.”

- **Article 196:** “The day of declaring the absent or missing person dead shall be the death date.”

- **Article 197:** “If the absent or missing person is declared dead and then appears alive,”
 - 1- The heirs shall return inheritance except for what was consumed.
 - 2- His wife shall return to him unless she marries and consummate her marriage.”

- **Article 237:** “The entitlement to inheritance requires: The real or legal death of the inherited person, the life of their heirs when the inherited person dies or is assumed dead and knowledge of the heirs.”

- **Article 272:** “Any absentee or missing person shall get his share of the inheritance on the presumption of being alive.”

- If the absentee or missing person is declared dead and the estate of the absentee or the missing person is distributed to their heirs, and then they appear to be alive, the provisions of paragraph one of Article 197 hereof shall apply.

- **Article 282:** “The personal status of non-Muslims shall apply to their own provisions unless they request the application of the provisions of this Law.”

26- The Civil Status Law promulgated by Royal Decree 66/99

- **Article 6:** "All transactions requiring proof of a person's address shall be deemed the address registered in the Civil Registry. The address of a minor, absentee, missing person or interdicted person shall be the address of their legal representative. “

- **Article 12:** "The Registrar may not record in the civil registry any incident except on the basis of documents supporting the application for registration. he may conduct any erasure, abrasion, insertion, filling, addition in records and documents, or acceptance of any certificate, form or document with a change, unless it has been ratified by its issuing authority or stakeholders as the case may be.”

- **Article 19:** “Whoever finds a newborn child shall hand him over to the nearest police station with clothing or objects found with him and shall indicate the time, place and circumstances in which he was found. The police shall produce a report to establish the incident, including the age of the child, as it shows, the marks, the name, occupation and address of the person found; and to hand over the newborn and the report to one of the social institutions of the Ministry of Social Development. The institution upon receiving the child must name the child and inform the registrar within the legal period.”

- **Article 57:** Without prejudice to any heavier penalty set forth in another law, the penalty of imprisonment and/or a fine of up to 500 riyals shall be imposed on any person who:
 - (a) Knowingly gives incorrect information or submits forged documents or certificates in order to obtain a card or record an entry in the civil status register;
 - (b) Deliberately gives his card to another person for use, facilitates the use of the card by such person or deposits the card as security;
 - (c) Deliberately destroys a card or claims in bad faith that it is lost;
 - (d) Forges a card or any certificate issued by the Directorate General or Omani missions;
 - (e) obtains illegally a card and claims it belongs to him by impersonating someone else.”

27- Social Protection Law issued by Royal Decree 52/2023

- **Article 29:** "Elderly persons shall be entitled to the benefit of (115) one hundred and fifteen Omani rials per month if they meet the following conditions:
 - 1 - Be Omani.
 - 2 - Reach the age of the elderly.
 - 3- Be resident in the Sultanate of Oman in accordance with the provision of article (8) of this Law."

- **Article 31:** "Persons with disabilities shall be entitled to a benefit of (130) one hundred and thirty Omani rials per month, if the person meets the following conditions:
 - 1 - Be Omani.
 - 2 - Have a permanent disability or disease requiring care or support as described in the Regulation.

3- To be resident in the Sultanate of Oman in accordance with the provision of Article 8 of this Law....”

– **Article 37:** "The child shall be entitled to a benefit of (10) ten Omani rials per month for each child, if the following conditions are met:

1. The child must be Omani.

2 - The child has not reached the age of 18 (18).

To be resident in the Sultanate of Oman, in accordance with the provision of article (8) of this Law... ”.

– **Article 39:** "The benefit of family income support shall be eligible if the following conditions are met:

1. The family is resident in the Sultanate of Oman, in accordance with the provision of article 8 of this Law.

2. The Omani non-Omani widow, who has no Omani children, must be an Omani member of the family, provided that she is continuously residing in the Sultanate of Oman after the death of her Omani husband, as indicated in the Regulations.

3 - The total family income shall be below the level established in accordance with the provision of article (40) of this Law... ”.

– **Article 63:** "In the event of loss of the insured person or pensioner, the beneficiaries shall be entitled to a monthly benefit equal to the pension they are entitled to on the assumption that he dies in accordance with the provisions of this Law, from the first month when the fact of the loss is established until it appears or proves to be a fact or judgement... The benefit shall be discontinued from the date of issuance of the insured person's death certificate, and the beneficiaries shall receive a pension calculated on the date of loss... ”

28- Civil Associations Law issued by Royal Decree 14/2000

- Article 4: “The areas in which the Association operates shall be determined as follows:
 - 1- Orphan care.
 - 2- Child and maternity care.
 - 3- Women services.
 - 4- Elderly care
 - 5- Care for the disabled and persons from the special categories.
 - 6- Any other areas or activities that the Minister considers adding after the approval of the Council of Ministers. The Association may not operate in more than one field without the approval from the Minister.”

- **Article 6:** "The establishment of the association shall require that it have a written system signed by the founders, whose number shall not be less than forty individuals. The Association shall provide a suitable venue for the commencement of its activity within a period not exceeding one year from the date of its publication. "

- **Article 10:** "The Ministry shall publicize the Association by registering its regulations in the registry prepared by it for this purpose. The summary of the Regulations and the registration number shall be published in the Official Gazette without charge. The association shall acquire the legal personality from the date of publication."

- **Article 17:** “Associations shall be subject to the supervision of the Ministry. Such oversight shall examine the annual audit reports of the accounts of such associations and shall verify that the Association's work conforms to the laws, regulations and decisions of the General Assembly. Such oversight shall be carried out by officials who shall have the right to enter the headquarters of the Association and review its records, books, documents and offices...”

29- Royal Decree 44/2020 on the Accession of the Sultanate of Oman to the International Convention for the Protection of All Persons from Enforced Disappearance

- **Article 1:** The accession of the Sultanate of Oman to the International Convention for the Protection of All Persons from Enforced Disappearance is hereby approved in the form attached, subject to the following reservation:
- **First:** The Sultanate of Oman declares that it does not recognise the competence of the Committee on Enforced Disappearances stipulated in article 33 of the aforementioned convention.
- **Second:** The Sultanate of Oman declares that it is not bound by the provisions of paragraph 1 of article 42 of the aforementioned convention.
- **Article 2:** Competent bodies shall deposit the instrument of accession to the aforementioned agreement in accordance with its provisions, subject to the aforementioned reservation.”

30- Royal Decree 54/96 on the Accession of the Sultanate of Oman to the Convention on the Rights of the Child and Royal Decree 41/2004 on the Accession of the Sultanate of Oman to the two Additional Protocols of the Convention on the Rights of the Child

- **Article 1:** The accession of the Sultanate of Oman to the Convention on the Rights of the Child is hereby approved.
- **Article 2:** Competent bodies shall undertake the procedures to accede to the aforementioned convention in accordance with its provisions, subject to the attached reservation.

31- Royal Decree 87/2002 on the Accession of the Sultanate to the International Convention on the Elimination of All Forms of Racial Discrimination

- **Article 1:** The accession to the International Convention on the Elimination of All Forms of Racial Discrimination is hereby approved.
- **Article 2:** Competent bodies shall deposit the instrument of accession for the aforementioned convention in accordance with its provisions.

32- Royal Decree 42/2005 on the Sultanate of Oman’s Accession to the Convention on the Elimination of All Forms of Discrimination against Women.

- **Article 1:** The accession of the Sultanate of Oman to the Convention on the Elimination of All Forms of Discrimination against Women is hereby approved.

- **Article 2:** Competent bodies shall undertake the procedures to accede to the aforementioned convention in accordance with its provisions, subject to the attached reservation.
- 33- Royal Decree 121/2008 the Sultanate of Oman's Accession to the International Convention on the Rights of Persons with Disabilities.**
- **Article 1:** The aforementioned Convention is hereby ratified, save the attached protocol.
 - **Article 2:** Competent bodies shall deposit the instrument of ratification of the agreement in accordance with its provisions.
- 34- Royal Decree 45/2020 on the Accession of the Sultanate of Oman to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**
- **Article 1:** The accession of the Sultanate of Oman to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is hereby approved in the form attached, subject to the following reservation:
 - **First:** The Sultanate of Oman declares that it does not recognise the competence of the Committee against Torture stipulated in article 20 of the aforementioned convention.
 - **Second:** The Sultanate of Oman declares that it is not bound by the provisions of paragraph 1 of article 30 of the aforementioned convention.
 - **Article 2:** Competent bodies shall deposit the instrument of accession to the aforementioned agreement in accordance with its provisions, subject to the aforementioned reservation.
- 35- Royal Decree 46/2020 on the Accession of the Sultanate of Oman to the International Covenant on Economic, Social and Cultural Rights.**
- **Article 1:** The accession of the Sultanate of Oman to the International Covenant on Economic, Social and Cultural Rights is hereby approved in the form attached, subject to the reservation on the provisions of clauses (a) and (d) of paragraph 1 of article 8 of the aforementioned covenant relating to the right to form trade unions and the right to strike, in relation to employees in governmental units.
 - **Article 2:** Competent bodies shall deposit the instrument of accession to the aforementioned covenant in accordance with its provisions, subject to the aforementioned reservation.

36- Royal Decree 16/2023 on the Accession of the Sultanate of Oman to the Arab Charter for Human Rights

Article 1: The accession of the Sultanate of Oman to the Arab Charter on Human Rights is hereby approved in the form attached, subject to the reservation on paragraph 2 of article 19 of the aforementioned charter.

Article 2: The competent entities shall deposit the instrument of accession for the aforementioned charter in accordance with its provisions, subject to the aforementioned reservation.

37- Royal Decree 34/99 on the Accession to Riyadh Arab Agreement for Judicial Cooperation ratified by Royal Decree 34/99.

– **Article 1:** The aforementioned convention is hereby ratified.

38- Royal Decree 55/99 Ratifying the Arab Agreement on Combating Terrorism.

– **Article 1:** The aforementioned Arab Agreement on Combating Terrorism is hereby ratified.

39- Royal Decree 37/2005 on Accession to the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

– **Article 1:** The Accession of the Sultanate of Oman to the United Nations Convention against Transnational Organized Crime and the Protocols thereto is hereby approved.

– **Article 2:** Competent bodies shall deposit the instrument of accession to the aforementioned Convention and the Protocols thereto in accordance with their provisions.

40- Royal Decree 5/2014 Ratifying the Security Agreement between the Gulf Cooperation Council for the Arab States of the Gulf.

– **Article 1:** The said agreement is hereby ratified in accordance with the attached format.

– **Article 2:** Competent bodies shall deposit the instrument of accession to the aforementioned Agreement in accordance with its provisions.

- 41- Royal Decree 6/2015 Ratifying the Arab Agreement on Combatting Transnational Organized Crime.**
- **Article 1:** “The aforementioned agreement is hereby ratified in the form attached.”
 - **Article 2:** Competent bodies shall deposit the instrument of ratification of the agreement in accordance with its provisions.”
- 42- Royal Decree 64/2002 endorsing the Legal and Judicial Cooperation Agreement between the Sultanate of Oman and the Arab Republic of Egypt**
- **Article 1:** The Legal and Judicial Cooperation Agreement between the Sultanate of Oman and the Arab Republic of Egypt is hereby ratified.
- 43- Royal Decree 102/2008 endorsing the Agreement on Legal Cooperation in the Civil, Commercial and Penal matters between the Republic of Turkey and the Sultanate of Oman**
- **Article 1:** There said agreement is hereby endorsed.
- 44- Royal Decree 23/2012 endorsing the Agreement on Legal and Judicial Cooperation between the Government of the Sultanate of Oman and Government of the Kingdom of Morocco**
- **Article 1:** There said agreement is hereby endorsed in accordance with the attached format.
- 45- Royal Decree 2/2015 Ratifying the Agreement on Legal and Judicial Cooperation in Criminal Matters between the Government of the Sultanate of Oman and the Government of the Republic of India**
- **Article 1:** There said agreement is hereby endorsed in accordance with the attached format.

46- Regulation on Legal Aids for the insolvents issued by Ministerial Decision 91/2009.

- **Article 1** “Legal aid means the exemption of insolvent litigants from the judicial fees prescribed for the filing of a case and the assignment of a lawyer to initiate proceedings in cases which are prescribed by law to be initiated through a lawyer. The exemption shall include payment for the publication of judicial declarations and expenses of experts.”

- **Article 3:** "A request for legal aid shall be submitted to the secretariat of the court to hear the case or the appeal for which the legal aid is made , including a statement of the rationale for aid along with the Social Security Card or a certificate for employees of the government , public bodies, institutions and employees of the private sector stating that the total monthly salary of the applicant does not exceed four hundred Omani riyals or an official certificate confirming that the applicant has no work."

47- Prison Bylaw issued by ROP’s Decision 56/2009.

- **Article 5:** The following records shall be kept in the prison or places of pre-trial detention:
 - 1- Register of inmate’s record: The serial number of the inmate, his name, age, nationality, prison order number and date, type and number of the sentenced case, the referring institution, sentence duration and its start date shall be recorded in it.
 - 2- Register of the detainee’s record: The serial number of the detainee, his name, age, nationality, detention order number, the detainee case date, type and number and the referring institution shall be recorded in it.
 - 3- Inmate Housing Register The inmate’s number, name, age and nationality, type of the sentenced case, duration of the sentence, the room number and notes shall be recorded in it.
 - 4- Detainee Housing Register The detainee number, name, age, nationality, type of the case that he is accused of, duration of the pre-trial detention, the room number and notes shall be recorded in it.

5- Daily Work Register The note number, time, date, type and signature shall be recorded in it.

6- Inmates and detainees visitation register. The inmate's or detainee's number and name, visit time and date, names of visitors, their personal information and relation to the inmate or detainee shall be recorded in it.

7- Inmates and detainees correspondences register: The inmate's or detainee's number and name, letter type and content, addressee and date of dispatch or receipt shall record in it.

8- Inmates release register: The inmate's number and name, sentenced case type and number, referring authority, release order number and release date shall be recorded in it.

9- Detainees Release Register: The detainee's number and name, case type and number, referring institution, release order number and release date shall be recorded in it.

10- Register of the deposits from detainees and inmates: The inmate's number and name, deposit number and contents, depositor name and signature, date of receipt and handover, and the signature of the inmate or detainee shall be recorded in it.

11- Register of detainees and inmates' calls: The inmate's or detainee's number and name, date of submitting the request, person whom he wishes to contact and call date shall be recorded in it.

12- Register of detainees and inmates' requests: The inmate's or detained person's number and name, request date and type, addressee and actions taken therein shall be recorded in it.

13- Register of inmates' complaints: The inmate's number and name, the complaint submission date and its contents, addressee, date of referral and action taken shall be recorded in it.

14- Register of inmates' employment The inmate's number and name, work type and date and the number of daily hours shall be recorded in it.

15- Pay register: The inmate's number and name, the value of the earned pay, receipt date and his signature shall be recorded in it.

16- Inspection team register: The time, date, room number, type of seized material and name of the inmate or detainee found in his possession and disposal procedures shall be recorded in it.

17- Disciplinary sanctions register: The inmate's number and name, violation date and type, and penalty type and expiration date shall be recorded in it. The director general may amend the registers and create new registers, if need be, based on the approval of the Inspection General.”

- **Article 9:** “Law enforcement officers when receiving an imprisonment or detention order must verify it, ensure the validity of its information and that it was issued by Public Prosecution in line with provisions of the Penal Procedures Code and the Prison Law. He shall record it in the inmate and detainee register and shall order to place the inmate or detainee in the place dedicated for the reception until the medical examination result appears for the purpose of classification or isolation.”

- **Article 10:** "Each inmate or detainee shall be assigned a file containing the following data and documents:
 - 1- Personal information of the inmate or detainee including his full name, tribe or surname, as the case be, nationality, sex, and religion, taken from his identity card, resident card, passport or any other identification documents and shall be matched with the prison or detention order.
 - 2- His age at the time of admission to prison, taken from his identity card, passport, birth certificate, age estimation certificate and if none is available, the prison doctor shall determine his age.
 - 3- Description of his height (bare-footed) and weight, distinctive physical marks and comparing it to his personal picture.
 - 4- Place of residence and country of habitual residence prior to imprisonment, whether he was born there or not.
 - 5- His level of education, occupation or industry before he went to prison.
 - 6- Three coloured photos of the inmate, and his papers.
 - 7- A prison or pretrial detention order.
 - 8- His serial number in detainee or inmate register.
 - 9- crime type and the place and date of its occurrence.
 - 10- Case number, the operative part of the judgement, and the court that issued it.
 - 11- the authority that has sent the court judgement to be served.

- 12- Date of admission to prison.
- 13- Duration of sentence.
- 14- Date of release.
- 15- Criminal record.
- 16- The transferring prison and reasons for transfer - If any.
- 17- The sponsor's name if the inmate or detainee is a foreigner
- 18- Personal medical reports, correspondence and documents.
- 19- Fines or financial damages imposed on him.
- 20- Any other observations or statements relating to the inmate or the detainee like being charged in another case or habitual felon/prison breaker, and any other details on the execution, release, employment or housing in the prison.

- **Article 33: Health Care for Inmates and Detainees:**

1- If the inmate's or detainee's state of health requires special examinations or health care, he shall be transferred to the police hospital or any other government hospital where such examinations or care are available. His health shall be monitored by the prison doctor. A medical report shall be submitted to the director general when the inmate returns from the hospital.

2- The prison doctor shall regulate the work of medical professionals operating in the prison clinics, as required, and he may visit these clinics regularly or whenever necessary and make the necessary suggestions to improve their function.

3- The health care required for a pregnant inmate or detainee in the prenatal period shall be provided periodically and systematically. Inmates or detainees in the event of childbirth shall be referred to a hospital. After childbirth, the administration shall receive the birth certificate, which in turn shall be received by the mother upon her release.

4. All children accompanying their mothers shall be examined by the prison doctor and, where there is a pathological condition, shall transfer the child to the child specialist. Children shall be vaccinated and immunized in the prison on a regular basis. "

- **Article 58:** "Transitional period for inmates: If an inmate's term of imprisonment exceeds four years, before his release, he must go through a transition period of six months. If the sentence exceeds eight years, the transition period shall be two years.

Restrictions shall be relaxed and benefits granted to that category gradually during the transition period, as follows:

1- be transferred to a medium-level security ward.

2- be treated as a detainee in terms of clothing.

3- The inmate may be granted a leave, by an approval from the Inspector General, to spend time with his family provided it shall not be over four days in one month and not over 48 hours at one time, excluding the travel time, provided he is not convicted in state security crime and that his leave poses danger to public security, his person or other and provided that the conduct of the inmate outside the prison or his regular return to prison shall be considered when granted a leave.

4- If the inmate exceeds his return time, he shall be deprived of the benefits of the transitional period and may face a disciplinary action. If the delay exceeds (24) hours, he shall be an escapee and legal action shall be taken against him.

- **Article 59:** "An inmate shall be released on the day specified in the release order unless he is wanted for another sentence or by another body. the release shall be carried out in the presence of an officer in order to ensure that the release proceedings are proper and that his deposits have been handed over to him."

- **Article 60:** "1. The release officer shall consult the release registry and specify which inmates and detainees should be released the following day and shall review and reconcile them with the records, so as to ensure the validity of their implementation for the period specified in the release order.

2- The inmates' cards shall be stamped on the date of release. The date of release shall be indicated in the inmates' register. The competent deposit officer shall receive their cards to take the necessary action for the delivery of their deposits.

3- Those released in cases of narcotics, theft, embezzlement, forgery, breach of trust, cheque without credit, forgery of money, forgery of securities and State security offences shall be handed over to the Directorate General of Criminal Investigations and Inquiries."

48- Executive Regulation of the Statistics and Information Law issued by the Decision 9/2023 from the National Centre for Statistics and Information

- **Article 22:** "The Centre shall make statistical data and information available on paper and electronic basis in accordance with an annual workplan against fees established in accordance with Annex No. (4) annexed to these Regulations by issuing the following:
 1. Annual statistical book of national statistics covering all available statistical data.
 2. Monthly statistical bulletin on the most important economic and social statistical indicators.
 3. Any other specialized periodic statistical bulletins or reports that need to be issued.
 4. Population projections.
 5. Any non-periodic statistical bulletins or reports "
- **Article 25:** "When publishing and making available statistical data and information on their work, the operator and officer of statistical activities shall comply with the following:
 - 1- Using the best means of dissemination and publication of statistical data and information.
 - 2 - Publishing and making available statistical data and information with geographical dimension available in coordinates using geospatial maps of all kinds (digital and paper) approved in the Sultanate of Oman.
 - 3- Adhering to the policy of disseminating and exchanging spatial information adopted in the Sultanate of Oman when publishing and making available data and information with a geographical dimension.
 4. Maintaining quality and credibility.
 5. Observing the confidentiality of individual data.
 6. Timely dissemination and publishing of statistical data and information in accordance with the plans and timelines approved by the Centre.
 7. Updating statistical data and information periodically and systematically.
 8. Ensuring that there is no discrepancy or inconsistency between the statistical data and information to be made available and those owned by the Centre."

49- Executive Regulation of the Social Protection Law issued by Decision 7/2023 from the Social Protection Fund

- **Article 56:** “The husband shall not be counted as a family member and his income shall not be counted as part of the total income of the family when calculating the family income support benefit. All income shall be accrued to the rest of the family without calculating their equivalent income in the following cases: ... 2- Imprisonment or detention of the husband for a period not less than a month ...”

50- Executive Regulation of Child Law issued by Ministerial Decision 125/2019 from the Ministry of Social Development

- **Article 79:** If the filiation of the child in custody is established by a final judicial ruling and the child was already registered in the birth registry and placed in a care home or a foster family, the child shall be re-registered (under the name of his ascendent) and shall be included under his custody unless the best interest of the foster child requires him to remain the care home or foster family by a report from the competent authority.”
- **Article 80:** the foster child shall have the same rights enjoyed by a child in a normal family including his right to get privileges and facilities given to his counterparts in normal families and all other rights in a manner that does contravene the provisions of Islami Sharia.
- **Article 81:** "The care of the foster family of the foster child shall cease in the following cases:
 - 1- Based on a reason report from the foster family after the approval of the competent authority.
 - 2- If the child suffers from violence, exploitation or abuse from the foster family.
 - 3 - If the foster dies, or is absent for a long time.
 - 4- In the event of separation of the spouses, unless the competent authority decides to assign custody of the child to one of the spouses.
 - 5- If the best interests of children require so.”

- **Article 121:** “In the event of a communication or complaint, the Child Protection Committee is obliged to take the child's opinion in order to know his needs to ensure that the following is achieved:
 - 1- that he obtains adequate information on the procedures and decisions to be taken on him.
 - 2- that he is free to express opinions and wishes.
 - 3- that he is informed of the results of the proceedings and to give him the opportunity to respond to them.

51- Code of Conduct for Judicial Work

- **Article 49:** “The judge must respect human rights, freedoms, social and economic rights and all relevant Arab, regional and international standards in accordance with the international norms adopted in this regard.”
- **Article 52:** "Every litigant shall be permitted to avail himself of a lawyer before the court, and to appear before the judge without delay and whenever necessary".
- **Article 53:** The litigants in the case shall be allowed to exercise the right to defence without any derogation and shall be given appropriate time to do so.”
- **Article 54:** "Whenever possible, the rule of release shall apply on the basis of the principle of innocence on which a fair trial is based."
- **Article 55:** "The judge shall inform the accused of the charge against him before hearing his statement or defence and that he has the right to a lawyer."
- **Article 59:** “Coercion or physical or psychological pressure to cause confession or negate the accused person’s right to silence is prohibited. No restriction shall be imposed inside the courtroom. The judge must exclude evidence based on coercion, torture or maltreatment.”

52- Code of Conduct for Public Prosecutors

- **Article 5:** "Public prosecutors shall respect the rights and guarantees of the accused guaranteed by the Basic Law, applicable laws and international instruments and conventions ratified by the Sultanate."
- **Article 6:** "Public prosecutors shall be obliged to act in accordance with all relevant regulations on the rights of the child, to give priority to the best interests of the child in any action taken without prejudice to the law or the right of others, to prevent all forms of discrimination and violence against women, to protect all persons from being subjected to torture and to all cruel, inhuman or degrading treatment."

53- Public Prosecution Decision No. 50/2017 on the Establishment of Human Trafficking Cases Administration

Based on the Public Prosecution Law Promulgated by Royal Decree 92/99

Penal Procedures Code promulgated by Royal Decree 97/99

The Law on Combating Human Trafficking promulgated by Royal Decree 126/2008

Royal Decree 25/2011 on the Independence of Public Prosecution

Judicial Decision 106/2012 on the competences of Directorates General and Administrations of Public Prosecution in the Governorates and Wilayats and amendments thereof.

Based on the public interest,

It is decided:

Article 1: A specialized administration called Public Prosecution Administration for Human Trafficking Cases under the Attorney General shall be formed. Its office shall be in Public Prosecution main office. Its jurisdictions shall include cases committed within the Governorate of Muscat.

Article 2: It shall be headed by a public prosecutor whose rank shall be no less than chief public prosecutor and he shall be aided by a sufficient number of members.

Article 3: The administration shall be competent for investigation and initiation of cases before courts in crimes on illegal use of people including prostitution, any form of sexual exploitation, servitude, forced labour, enslavement, slavery-like practices and illegal removal of organs as per the provisions of the Law on Combatting Human Trafficking and the relevant applicable law.

Article 4: The director of the Public Prosecution Administration for Human Trafficking Cases shall inform the Attorney General of cases of high importance as per the Judicial Instructions.

Article 5: Directors and directors general in the governorates shall inform the director of Public Prosecution Administration for Human Trafficking Cases in writing immediately of any cases listed in Article 3 of this decision and shall coordinate with him and then send him a copy of the disposal decision to decide based on the circumstances.

Article 6: This decision shall come into force from the date of its issuance and those concerned shall make it enforceable.

Hussain bin Ali Al Hilali

Attorney General

Issued on Wednesday

12 of Safar 1439 A.H

Corresponding to 1 of November 2017

54- Public Prosecution Circular 6/2024 on the Sultanate of Oman’s Accession to the International Convention for the Protection of All Persons from Enforced Disappearance.

With reference to Royal Decree 44/2020 issued on 13 of Shaban 1441 A.H corresponding to 07 of April 2020 on the Accession of the Sultanate of Oman to the International Convention for the Protection of All Persons from Enforced Disappearance, which contains the following:

Article 2 of the Convention states: “For the purposes of this Convention, "enforced disappearance" is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.”

Article 6 of the Convention states: “1. Each State Party shall take the necessary measures to hold criminally responsible at least:

- (a) Any person who commits, orders, solicits or induces the commission of, attempts to commit, is an accomplice to or participates in an enforced disappearance etc.”

Article 17 of the Convention also states: “... 2. Without prejudice to other international obligations of the State Party with regard to the deprivation of liberty, each State Party shall, in its legislation: ... (c) Guarantee that any person deprived of liberty shall be held solely in officially recognized and supervised places of deprivation of liberty; (d) Guarantee that any person deprived of liberty shall be authorized to communicate with and be visited by his or her family, counsel or any other person of his or her choice, subject only to the conditions established by law, or, if he or she is a foreigner, to communicate with his or her consular authorities, in accordance with applicable international law; (e) Guarantee access by the competent and legally authorized authorities and institutions to the places where persons are deprived of liberty, if necessary with prior authorization from a judicial authority;

(f) Guarantee that any person deprived of liberty or, in the case of a suspected enforced disappearance, since the person deprived of liberty is not able to exercise this right, any persons with a legitimate interest, such as relatives of the person deprived of liberty, their representatives or their counsel, shall, in all circumstances, be entitled to take proceedings before a court, in order that the court may decide without delay on the lawfulness of the deprivation of liberty and order the person's release if such deprivation of liberty is not lawful.”

Article 93 of the Basic Law states: “International treaties and agreements do not have the power of law except after their ratification ...etc.”

Article 97 of the Basic Law also states: “It is not permitted for any entity in the state to issue regulations, decisions, or instructions that contradict the provisions of the laws and royal decrees in force, or international treaties and agreements that are considered part of the law of the land.”

Based on the above, the provisions of the Convention must be observed as being part of the law of the land and any incident of enforced disappearance that Public Prosecution deals with must be communicated to the Attorney General Office.

Nasr Khamis Al Sawaai

Attorney General

Issued on 5 of Muharram 1446 A.H

Corresponding to 11 of July 2024

55- Circular 15/2015 on the mechanism for dealing with the remains of foreigners

To Directors General of the Public Prosecution

It has been noticed during following up the progress of work that some expatriate remains remain in the police hospital morgue or in other government hospitals for long periods on the grounds that their relatives did not come forward, no one is there to

transport their remains to their families or there is no response from their embassy on the protocol to deal with the remain.

Whereas keeping the remains in the hospital for long period is against the public sentiments and the traditions of the religion and entails heavier costs on the family of the deceased;

Thus, please do the needful to initiate the process to notify the sponsor of the deceased, the agent of heirs or the embassy of the country of the deceased immediately after death regardless of its nature (normal, criminal suspicion) and proceed with the process of dealing with remains immediately after the autopsy has been completed or after a decision not to do the autopsy, as the case be.

If no response comes from the concerned embassy one month after being notified, another notice shall be served to the embassy that in case the remain is not received within one month, the remain will be buried as per the applicable procedures, provided that the remains shall not be kept for over three months from the death date.

Hussein Ali Al Hilal
Attorney General

Issued on Thursday, 19 Dhul- Qa'dah 1436 A.H

Corresponding to 3 of September 2015

Copy to

- Deputy Attorney General
- Head of Technical Office
- Director of Regional and International Cooperation
- Director of Special Cases

56- Public Prosecution Decision 78/2011 on Establishing Public Prosecution Department in the Central Prison.

Judicial Decision 78/2011 on Establishing Public Prosecution Department in the Central Prison of Smail

After Perusal of the Public Prosecution Law promulgated by Royal Decree 92/1999;

The Penal Procedures Code promulgated by Royal Decree 97/1999 and amendments thereof;

The Independence of Public Prosecution promulgated by Royal Decree'

The Decision 27/2010 on the Competences of the Directorate General of Investigations and Pleading; and

Based on the work interest, it is decided:

Article 1 A Public Prosecution department shall be established in the Central Prison under Public Prosecution Administration in the Wilaya of Smail; its jurisdiction shall include the geographical boundary of the Central Prison.

Article 2: The department shall be headed by one of chief public prosecutors under the supervision of the Director of Smail Public Prosecution Administration. He shall be aided by sufficient number of public prosecutors, as the need be. A public prosecutor may head may be appointed as the head of the department.

Article 3: The jurisdiction of public prosecutors in Public Prosecution Department in the Central Prison and their names shall be determined by a decision from the Attorney General, as the need be. They shall report to their superior in accordance with their job ranks.

Article 4: The Public Prosecution Department in the Central Prison shall be competent to:

- 1- Accept complaints and reports, investigate, handle cases and plead them before courts and implement judgments regarding crimes happening inside the Central Prison.

- 2- Review motions on judgment impediments and requests from inmates in coordination with the concerned directorates general and administrations.
- 3- Renewing arrest warrants for detainees in the Central Prison in cases outside the Central Prison for all administrations and directorates general.
- 4- Investigate inmates, detainees and suspects for cases outside the jurisdiction of Smail Public Prosecution Administration based on a delegation from the concerned director or director general.
- 5- Following dispatching inmates to courts in cases of interest with coordination with the concerned administration.

Article 5: Head of Public Prosecution Department at the Central Prison or whoever in his capacity must inform the Attorney General of cases of high interest as per the Judicial Instructions.

Article 6: This decision shall come into force on the date of its issuance.

Hussein Ali Al Hilali

Attorney General

Issued on Wednesday

Jumada Al Thani 1432

18 of May 2011

57- Public Prosecution Judicial Circular 7/2024 on Visits to Prisons and Juveniles Home

Directors General of Public Prosecution

With reference to: Royal Decree 44/2020 on the Accession of the Sultanate of Oman to the International Convention for the Protection of All Persons from Enforced Disappearance and Royal Decree 45/2020 on the Accession of the Sultanate of Oman to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

- Article 61 of the Penal Procedures Code which states: “Any member of the Public Prosecution may visit prisons and detention places to ensure that no prisoner is detained illegally. For this purpose, they shall inspect the records, provisional detention orders and prison, and hear the prisoner’s complaints. The official responsible of these places shall offer all possible assistance in this regard.”

Article 45 of the Juvenile Accountability Law, which states: “Court judges and public prosecutors shall visit the homes provided for in this law, occupational training centres, health institutions and other bodies where measures and penalties are served. In any event, Public Prosecution shall initiate legal action against any violation therefrom.”

Based on the foregoing, public prosecutors are encouraged to continue prison and juvenile home visits and send to the Attorney General Office on a periodical basis visit reports especially in case there is any violation or imamat placed illegally.

Nasr Khamis Al Sawaai
Attorney General

Issued on 6 Rabi Al Awaal 1446 A.H
Corresponding to 8 of September 2024