

# Immigration Detention in Oman

## About the Global Detention Project

The Global Detention Project (GDP) is a non-profit research centre based in Geneva, Switzerland, that investigates the use of detention in response to global migration. The GDP's aims include: (1) providing researchers, advocates, and journalists with a measurable and regularly updated baseline for analysing the growth and evolution of detention practices and policies; (2) facilitating accountability and transparency in the treatment of detainees; and (3) encouraging scholarship in this field of immigration and refugee studies.

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### Abstract

An important destination for migrant workers and refugees from Asia and Africa, Oman also has one of the strictest immigration enforcement regimes in the Gulf. It has sought to increase the percentage of citizens in its labour force (“Omanisation”) and implemented mass detention and deportation campaigns, leading to the forced removal of both refugees and undocumented migrants, who are termed “infiltrators” in immigration law.

### Introduction

The Sultanate of Oman is both an important magnet for migrant labourers as well as a destination for asylum seekers from various countries in Asia and Africa. However, it has one of the more restrictive immigration enforcement regimes in the Gulf and, like its larger neighbour Saudi Arabia, has sought to decrease the proportion of foreigners in its labour force (“Omanisation”).<sup>1</sup> During 2014 and 2015, the country undertook aggressive detention and deportation efforts, which observers say resulted in the forced removal of both refugees and undocumented migrant workers, whom the Royal Oman Police (ROP) designated as “infiltrators.”<sup>2</sup>

Describing the country’s crackdown, Migrant-Rights.org reported, “As part of one of the region’s stricter nationalization policies, Oman deported hundreds of workers a week in 2014. In the first week of 2015, over 50 undocumented workers were deported. Deported workers included those in violation of labour and residency laws.”<sup>3</sup>

According to the U.S. State Department’s 2014 human rights report on Oman, the government failed to protect refugees against refoulement to countries where their lives or freedom would be threatened. It reported: “Authorities apprehended and deported hundreds of presumed economic migrants from Somalia, Yemen, Ethiopia, and Eritrea who sought to enter the country illegally by land and sea in the south. Afghans and Pakistanis generally came to the country by boat via Iran. Authorities generally detained these persons in centres in Salalah or the northern port city of Sohar, where they were held an average of one month before deportation to their countries of origin.”<sup>4</sup>

Expatriates constitute a significant portion of Oman’s population, more than 44 percent according to some estimates.<sup>5</sup> There are approximately 1.5 million foreign workers in the country, the vast majority of whom are males from India, Bangladesh, and Pakistan.<sup>6</sup>

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<sup>1</sup> Fahad Al-Ghadani, “Ax will fall on firms failing Omanisation,” Times of Oman, 5 February 2014, <http://www.timesofoman.com/News/Article-29327.aspx>.

<sup>2</sup> Royal Oman Police, Press Release, “72 Infiltrators Arrested, 50 Deported in a Week,” 4 July 2014, <http://www.rop.gov.om/english/newsdetails.asp?catid=1&newsid=2907>.

<sup>3</sup> Migrant-Rights.org, “Oman Announces Potential Amnesty for Undocumented Workers,” 13 January 2015, [www.migrant-rights.org/2015/01/oman-announces-potential-amnesty-for-undocumented-workers](http://www.migrant-rights.org/2015/01/oman-announces-potential-amnesty-for-undocumented-workers).

<sup>4</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices - Oman, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/>.

<sup>5</sup> De Bel-Air Françoise, “Demography, Migration, and the Labour Market in Oman,” Gulf Labour Markets and Migration, EN - No. 9/2015. European University Institute (EUI) and Gulf Research Center (GRC), 2015, <http://cadmus.eui.eu/handle/1814/37398>.

<sup>6</sup> National Center for Statistics and Information, Sultanate of Oman, January 2014, Monthly Statistical Bulletin, Vol. 25, [http://www.ncsi.gov.om/NCSI\\_website/book/mb/Jan2014/Monthly%20Bulletin%20January%202014.pdf](http://www.ncsi.gov.om/NCSI_website/book/mb/Jan2014/Monthly%20Bulletin%20January%202014.pdf).

Most migrants travel willingly and legally to Oman with the expectation of employment in domestic service or as low-skilled workers in the country's construction, agriculture, or service sectors. Like other countries that apply the kafala (or “sponsorship”) labour scheme, foreigners are extremely vulnerable to conditions indicative of forced labour, such as the withholding of passports, restrictions on movement, nonpayment of wages, long working hours without food or rest, and physical or sexual abuse.<sup>7</sup>

Oman’s closed political system and lack of government transparency make it very difficult for non-governmental groups to operate in the country. While the country has a National Human Rights Commission that reportedly visits detention centres, its reports are not made public.<sup>8</sup> The country is thus very similar to Saudi Arabia—and starkly different to Bahrain, where there is both an active civil society and various official human rights bodies that report on the treatment of migrant labourers and detention conditions.

Like elsewhere in the region, simmering social tensions have spurred the country to announce limited reforms (including its “Omanisation” programme); however the political environment remains very restrictive. According to the Gulf Centre for Human Rights, human rights defenders and their families are frequently targeted for arrest, interrogation, and harassment,<sup>9</sup> and torture is routine in penal institutions.<sup>10</sup> Human rights defenders have been charged with offenses such as “undermining the status and prestige of the state” and insulting the Sultan.<sup>11</sup>

What is known about the detention of foreigners in Oman largely comes from scattered press accounts, external human rights reports (from both governmental and non-governmental sources), and occasional statements from sending-country governments. The Omani government also sporadically releases piecemeal information about its detention and deportation efforts, which are then repeated in press accounts. For instance, a 2014 story in the Times of Oman reported that the Ministry of Manpower had announced that in 2012 some 15,000 absconding expat workers were arrested and some 11,000 in 2011.<sup>12</sup>

To fill in gaps in available information about detention practices in the country, the Global Detention Project (GDP) attempted to contact various official sources, including the embassies of the principal sending countries. To date, no responses have been forthcoming. However, the GDP was able to correspond with three self-described “activists” who volunteer time assisting migrant workers and have visited detainees in various prisons and detention centres. Due to the sensitivity of this issue in Oman and the fact that all three are foreign nationals, they asked to remain anonymous. One of the sources stated that because of his efforts on behalf of migrant workers he had received unspecified “threats.”<sup>13</sup> These sources are not lawyers and do not have expertise in Omani law. They answered questions based on their knowledge and experience of the situation and were only able to provide general information regarding detention practices.

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<sup>7</sup> U.S. State Department, 2013 Trafficking in Persons Report - Oman, 19 June 2013, available at: <http://www.refworld.org/docid/51c2f39b14.html>.

<sup>8</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices - Oman, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/>.

<sup>9</sup> Gulf Center for Human Rights, “Oman: Authorities continue to target human rights defenders and their families,” 2 January 2014, <http://gc4hr.org/news/view/572>.

<sup>10</sup> Gulf Center for Human Rights, “Torture in Oman,” 29 January 2014, <http://gc4hr.org/news/view/579>.

<sup>11</sup> Human Rights Watch, “Oman: Drop charges against activist,” 24 July 2013, <http://www.hrw.org/news/2013/07/24/oman-drop-charges-against-activist>.

<sup>12</sup> Fahad Al-Ghadani, “Oman expatriate labour ban: Restriction on recruiting foreign workers proposed for ‘negative’ nationalities,” Times of Oman, 7 May 2014, <http://www.timesofoman.com/News/33531/Article-Oman-expatriate-labour-ban-Restriction-on-recruiting-foreign-workers-proposed-for-%E2%80%98negative%E2%80%99-nationalities>.

<sup>13</sup> Undisclosed source (Activist No. 1 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 1 February 2014.

Finally, numerous details about detention and deportation procedures in Oman were revealed in a series of leaked U.S. Embassy cables from 2006-2007, which were released by Wikileaks.<sup>14</sup> Although the information provided in these cables is dated, this GDP report includes numerous details from them as they demonstrate policy trends and confirm (and in some cases contradict) information provided by other, more recent sources.

## Laws, Policies, and Practices

The Sultanate of Oman is a hereditary monarchy that has been ruled by Sultan Qaboos Al-Said since 1970. He is the sole authority empowered to enact laws through decree, although ministries draft laws and citizens provide input through the bicameral Oman Council. Oman's constitution, called the Basic Statute of the State, was promulgated in 1996 and amended in 2011.<sup>15</sup> It contains provisions against unlawful arrest and detention (Article 18); prohibits detention or imprisonment "in places other than those designated for such purpose under the laws of prisons, where health and social care are provided" (Article 19); and includes protection against physical or psychological torture (Article 20).

Immigration authorities. Alongside standard policing operations, the Royal Oman Police (ROP), is charged with providing security at all points of entry into the country and serves as the immigration and customs agency. The Royal Army of Oman, part of the Ministry of Defence, is responsible for securing the borders and also plays domestic security roles. The Ministry of Manpower has jurisdiction over cases involving alleged labour-law violations.<sup>16</sup>

**Grounds for deportation and detention.** The key provisions regulating administrative immigration-related detention in Oman are provided in the Foreigners' Residency Law (Law No. 16 of 1995).<sup>17</sup> Chapter Eight of the Residency Law (Articles 28-35) sets out the terms for deportation, which is linked to detention.

Article 29 provides that any foreigner who has entered the Sultanate in an unauthorized manner may be expelled through an order of the General Prosecutor, and that the costs for the removal are to be covered by the deportee or his/her employer.

Article 31 allows for the General Prosecutor to revoke the residency permit of any foreigner and order his deportation (along with that of his dependents) in the following circumstances:

- If he undertakes any activity that harms the security of the Sultanate or if he violates general order and morals;
- If he undertakes any activity that harms the well-being of the Sultanate in its external relations with other countries;
- If he is not earning his living legally.

Article 32 provides for detention if a person does not depart by a specific deadline and the measure is deemed necessary to carry out a deportation order.

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<sup>14</sup> U.S. Embassy Oman, "Cable: Subject: OMANIS REQUEST VISIT TO U.S. DEPORTATION CENTER," 26 June 2006, published by Wikileaks, [https://search.wikileaks.org/plusd/cables/06MUSCAT1014\\_a.html](https://search.wikileaks.org/plusd/cables/06MUSCAT1014_a.html); U.S. Embassy Oman, "Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit," 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html); U.S. Embassy Oman, "Cable: Foreign Workers Engage in Violent Protest," 31 October 2007, published by Wikileaks, [https://search.wikileaks.org/plusd/cables/07MUSCAT1004\\_a.html](https://search.wikileaks.org/plusd/cables/07MUSCAT1004_a.html).

<sup>15</sup> Royal Decree No. (96/101) Promulgating the Basic Statute of the State and Royal Decree No. 2011/99 Amendment to Some Provisions of the Basic Statute of the State, <http://mola.gov.om/eng/basicstatute.aspx>.

<sup>16</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices – Oman, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>17</sup> Sultanate of Oman, Royal Oman Police, "Expatriate Visa Law," <http://www.rop.gov.om/english/roplaws.asp>.

**Length of detention.** According to Article 32, detention for deportation can last up to two weeks. However, according to the GDP’s sources in Oman, the actual length of detention depends on the circumstances of each case and can be much longer than two weeks.

One source told the GDP that detention can last from a few days to two years, depending on whether the person receives consular assistance and the sponsor does not put up barriers:

“If a person has committed a crime ... and is convicted for a certain period, say for two years or more, by the time he is freed his residence status becomes invalid. It is the responsibility of the [consular] mission of his or her country to provide the travel documents. I have come across many such cases, where the terms are over, but the person is still inside the prison just for the reason that his or her mission has not submitted travel documents to the local authorities. It is harder when the person’s original passport was confiscated by their sponsor, who is unwilling to return it, or sometimes can’t even be located. Also, people who have migration violations will have to pay fees. Sometimes these fees are waived, but if they are not, collecting the money for the fee, or for the airfare ticket back (if the embassy won’t provide it) can make detention longer.”<sup>18</sup>

Another source said that some people, like domestic workers from Ethiopia, are particularly vulnerable to lengthy periods in detention because they do not have a consulate in Oman to assist them.<sup>19</sup> (In June 2014, just a few months after the GDP’s interview with this source, Ethiopia opened an “Honorary Consulate” in Oman’s capital Muscat.<sup>20</sup> It is unclear to what extent this honorary mission is able to assist Ethiopian nationals with issues like deportation procedures.)

**Criminalization.** An initial reason that foreigners are arrested and detained in Oman is because they are accused of violating the terms of their work permits or are charged with criminal violations of immigration laws. In this respect, Oman is similar to all of the other countries in the Gulf, where immigration-related detention has both criminal and administrative forms.

Foreigners do not appear to be systematically charged with status-related crimes unless they are repeat offenders. According to a 2006 U.S. Embassy cable detailing a visit to a “deportation centre” in the city of Sohar, U.S. officials were told that “illegal migrants arriving by boat along the Iran-facing Batinah coast are apprehended, interviewed at local police stations, and then brought to the detention facility where they are fingerprinted and photographed. ... Fingerprints allow the ROP to determine if the illegal migrant has been detained before; in which case, a criminal case may be filed. It is estimated that less than 10 percent of the apprehended detainees are repeat offenders.”<sup>21</sup>

Chapter Ten (Articles 41-48) of the Residency Law, titled “Penalties,” provides specific punishments—including fines and imprisonment—for immigration-related violations. Article 41 of the law provides prison sentences of up to three years for unlawfully “infiltrating” Omani territory or failing to abide by a departure order. Article 42 imposes a prison term of no less than seven days and no more than three months for any foreigner who neglects to request a renewal of residency within the required timeframe.

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<sup>18</sup> Undisclosed source (Activist No. 2 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 15 February 2014.

<sup>19</sup> Undisclosed source (Activist No. 1 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 1 February 2014.

<sup>20</sup> Ethiopia Ministry of Foreign Affairs, “Ethiopia opens Honorary Consulate in Oman,” 17 June 2014, <http://www.mfa.gov.et/news/more.php?newsid=3242>.

<sup>21</sup> U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

One source told the GDP that a common reason foreigners are arrested is because sponsors sometimes report that a worker has stolen something after he/she has approached “authorities with complaints against the employer for non-payment of wages or harassment.”<sup>22</sup>

Another source said that many immigration-related arrests stem from alleged violations of the sponsorship scheme, like working for an unofficial sponsor. The source added that if a migrant flees from his or her sponsor, sometimes the employer will put an “absconding” advertisement in the newspaper and register the “absconder” with the police, which will result in the person’s detention and eventual deportation (unless they reach a settlement with the sponsor to return to work, which is rare).<sup>23</sup> There are numerous press accounts discussing cases like these.<sup>24</sup>

**Asylum seekers.** Oman has not signed the 1951 Convention on the Status of Refugees or its 1967 Protocol. However, it is one of the few countries in the region to have domestic asylum legislation. Chapter 7 of the Residency Law (Articles 24 and 25) provides for the conditions under which political asylum may be granted.

Article 24 permits a foreigner to seek political asylum and reside in the Sultanate if his life or freedom is threatened for political reasons, as long as the reasons for seeking asylum do not contradict the general political situation in the country or Islamic beliefs.

Despite these legal provisions, there is very little available information about asylum procedures. The UN High Commissioner for Refugees (UNHCR) does not have a presence in Oman. According to its latest statistics, there are few “persons of concern” (less than 200 registered refugees and asylum seekers) in the country.<sup>25</sup>

The agency responsible for asylum procedures is the ROP. According to the U.S. State Department, “The ROP reportedly granted asylum and accepted displaced persons for resettlement during the year [2014]. The ROP’s system for granting asylum and resettlement is not transparent, and the law does not specify a time frame in which the ROP must adjudicate an asylum application.”<sup>26</sup>

**Trafficked persons.** Through Royal Decree No. 126/2008, known as the Law Combating Trafficking in Persons, the government of Oman prohibits all forms of trafficking and prescribes punishments ranging from three to fifteen years’ imprisonment, in addition to financial penalties for trafficking crimes. There is also a National Committee for Combating Human Trafficking, which conducts anti-trafficking trainings for prosecutors, judges, and law enforcement officials.

However, observers contend that the country does not fully comply with the minimum standards for the elimination of trafficking. Although there have been some prosecutions of sex traffickers, no labour traffickers have been investigated or prosecuted. Additionally, while the Ministry of Manpower issued a circular (No. 2/2006) that prohibits employers from withholding migrants’ passports, the practice is still quite widespread. And despite the existence of a government-run shelter for victims of trafficking, it is reportedly underused, mainly because of the government’s inadequate efforts to identify victims.<sup>27</sup>

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<sup>22</sup> Undisclosed source (Activist No. 2 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 15 February 2014.

<sup>23</sup> Undisclosed source (Activist No. 1 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 1 February 2014.

<sup>24</sup> ONA, “436 Labour law violators arrested in Oman,” Times of Oman, 25 February 2014, <http://www.timesofoman.com/News/Article-30289.aspx>.

<sup>25</sup> UN High Commissioner for Refugees, “2015 Subregional Operations Profile – Middle East,” <http://www.unhcr.org/pages/49e4866f6.html>.

<sup>26</sup> U.S. State Department, 2014 Country Reports on Human Rights Practice – Oman, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm>.

<sup>27</sup> U.S. State Department, 2015 Trafficking in Persons Report – Oman, <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243507.htm>.



A 2006 U.S. Embassy cable reported that an Omani government request to visit U.S. immigration detention centres was related to a critical Trafficking in Persons report concerning Oman's anti-trafficking policies. According to the cable, "Seeking to strengthen processing and handling of the over 10,000 illegal migrants apprehended every year, the Government of Oman has requested that the Embassy facilitate a reciprocal visit to a U.S. deportation facility. The Omani request is directly relevant to the 2006 Trafficking in Persons report on the Sultanate, which recommended that Oman 'develop and deploy a more comprehensive screening procedure to ensure that any (trafficking) victims are identified and provided with appropriate protection services.' ... While disturbed by the allegations published in the Department's recent TIP Report, the Omani government sought to reassure Embassy officials of the fair and humane treatment of illegal migrants."<sup>28</sup>

The weak efforts to protect trafficked persons make them vulnerable to detention and deportation. Following a visit to the country, the UN Special Rapporteur on Trafficking recommended that "Screening and identification procedures of trafficked persons in detention centres be systematic. Alternative arrangements, other than deportation or detention centres, should be considered to safely house identified trafficked persons."<sup>29</sup>

**Minors.** There is very little information concerning the detention of children in Oman. According to a global survey of laws concerning the detention of children with their parents, Omani law provides that new-born children can remain in prison with their mothers during their first two years, after which they are to live with their father or a relative or go to an orphanage.<sup>30</sup>

A 2006 U.S. Embassy cable stated that at that time embassy officials were reasonably certain that children and women were not being detained in the country's deportation centres: "According to [Omani] officials, no women or children have ever been detained. Moreover, given the high cost of passage from Iran—approximately \$300 USD per person—women and children are unlikely to have the necessary funds or be allowed to travel from their respective home countries."<sup>31</sup>

**Foreign workers.** Like the other countries in the region, foreigners wishing to work in Oman must have a sponsor and their legal status remains tied to the continued employment with that particular sponsor. Chapter Two of Oman's Labour Law (Royal Decree No. 35/2003) sets out the regulations for foreign workers.<sup>32</sup> Article 18 provides that an Omani wishing to hire a foreigner can seek a permit from the Labour Ministry if: (a) there are not sufficient Omanis for the particular work; (b) the employer has otherwise complied with quotas required by "Omanisation"; and (c) the appropriate fees have been paid. The worker then must comply with all the requirements set out under the residency laws.

As noted previously in this report, the sponsorship scheme in Oman makes foreign workers vulnerable to both criminal and administrative forms of immigration-related detention. Migrant workers who flee abusive employers are frequently charged as "runaways" and sentenced to detention and deportation, which was highlighted by the UN Special Rapporteur on Trafficking.<sup>33</sup>

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<sup>28</sup> U.S. Embassy Oman, "Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit," 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>29</sup> Human Rights Council, "Report of the Special Rapporteur on trafficking in persons, especially women and children, Sigma Huda Addendum Mission to Bahrain, Oman and Qatar," United Nations, A/HRC/4/23/Add.2, 25 April 2007, <http://www.ohchr.org/EN/Issues/Trafficking/Pages/visits.aspx>.

<sup>30</sup> Library of Congress Law Library, "Laws on Children Residing with Parents in Prison," <http://www.loc.gov/law/help/children-residing-with-parents-in-prison/foreign.php#oman>.

<sup>31</sup> U.S. Embassy Oman, "Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit," 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>32</sup> Royal Decree No. 35/2003, The Labour Law, <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/67540/84139/F1719028671/OMN67540.pdf>.

<sup>33</sup> Human Rights Council, "Report of the Special Rapporteur on trafficking in persons, especially women and children, Sigma Huda Addendum Mission to Bahrain, Oman and Qatar," United Nations, A/HRC/4/23/Add.2, 25 April 2007, <http://www.ohchr.org/EN/Issues/Trafficking/Pages/visits.aspx>.



A leaked 2007 U.S. Embassy cable relates an incident in which several workers from India and Nepal were severely beaten and detained by Omani security forces when they protested alleged contract violations and poor living conditions at a housing compound operated by their employer. When the Embassy inquired about the incident, Omani officials refused to say whether they would investigate the claims made by the workers, who were placed in deportation proceedings. When U.S. officials told their Indian counterparts in the country that they were willing to press Oman about this incident, the Indian officials asked them not to, saying that they did not want the U.S. Embassy “to interfere with the Indian government's efforts to protect its nationals.”

The Embassy cable concluded: “In responding to this protest, the Omani government has an opportunity to demonstrate its commitment to the welfare of expatriate workers and to investigate allegations of labor exploitation seriously. However, the allegedly excessive police response, and the MOM's [Ministry of Manpower] unclear intent to investigate allegations of company malfeasance, calls its resolve into question.”<sup>34</sup>

**Adherence to international norms.** Oman has ratified the fewest number of core international human rights treaties among Gulf countries.<sup>35</sup> In particular, it has failed to ratify two pivotal treaties with provisions relevant to immigration detention: the International Covenant on Civil and Political Rights and the Convention against Torture, which have been ratified by Kuwait and Bahrain. It has also not signed or ratified the Convention for the Protection of All Persons from Enforced Disappearance or the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. According to researchers, one obstacle to treaty ratification in Oman is the lack of a single agency or ministry that would be responsible for implementation.<sup>36</sup>

**Access to detainees and detention monitoring.** Obtaining information about detention practices in Oman is difficult due in part to the fact that there are no domestic organizations reporting on detention visits and NGOs and international organisations do not have access to detention facilities. Oman has a National Human Rights Commission, which reportedly monitors detention centres and investigates reports of abuse. However, it does not make its reports public.<sup>37</sup> Also, the International Committee of the Red Cross, which has had access to detention facilities in other Gulf States like Bahrain, does not have access to detention facilities in Oman.<sup>38</sup>

According to the U.S. State Department, in 2014 “The law permitted visits by independent human rights observer groups; however, none existed in the country. Consular officers from various embassies reported regular difficulties in meeting with prisoners. Prisoners and detainees did not always have reasonable access to visitors. There were no reports of independent nongovernmental observers requesting to visit the country. Foreign officials were not allowed to visit inside a prison to verify conditions for more than a decade.”<sup>39</sup>

According to a 2006 U.S. Embassy cable, one of the first-ever visits by a foreign government or organization to one of Oman’s dedicated immigration detention centres occurred in 2006, when Oman granted “a long-standing request” from a U.S. “PolOff” (political officer) to visit the

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<sup>34</sup> U.S. Embassy Oman, “Cable: Foreign Workers Engage in Violent Protest,” 31 October 2007, published by Wikileaks, [https://search.wikileaks.org/plusd/cables/07MUSCAT1004\\_a.html](https://search.wikileaks.org/plusd/cables/07MUSCAT1004_a.html).

<sup>35</sup> UN High Commissioner for Human Rights, Status of Ratifications-Oman, [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=130&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=130&Lang=EN).

<sup>36</sup> Basak Çalı and Nazila Ghanea, “From Ratification to Implementation: UN Human Rights Treaties and the GCC Workshop Series Report,” 20 June 2013, [https://www.academia.edu/7140048/The\\_Domestic\\_Effects\\_of\\_International\\_Human\\_Rights\\_Treaty\\_Ratification\\_in\\_the\\_Gulf\\_Cooperation\\_Council](https://www.academia.edu/7140048/The_Domestic_Effects_of_International_Human_Rights_Treaty_Ratification_in_the_Gulf_Cooperation_Council).

<sup>37</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices – Oman, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/>.

<sup>38</sup> Yazan Khalalileh, ICRC Detention Delegate, Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 23 March 2014.

<sup>39</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices – Oman, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/>.

“deportation centre” in Sohar. According to the cable, “No international non-governmental organizations (NGOs) or embassy personnel without detained citizens have ever requested to visit the facility. The first visit of its kind, the PolOff was accompanied by the Public Relations Director of the Royal Oman Police. The visit lasted about one hour and included a tour of the arrivals processing rooms, sleeping quarters, embassy interview rooms, and kitchen facilities. In whole, the facility, opened just four years ago, appeared neat, clean and well-organized.”<sup>40</sup>

The GDP’s sources in Oman said that they are occasionally able to visit detainees to provide basic assistance (like clothing and food) and to help facilitate removal procedures.

**Access to information.** The government provides little or no information or statistics concerning immigration detention. One source told the GDP that it is likely that officials do maintain statistics because the government sometimes makes announcements concerning the number of people being deported during specific periods. The GDP source said that it is only by closely following media reports that one can get a sense of how many people are detained and deported in a given year, and estimated that in 2013 some 6,000 people were detained.<sup>41</sup> Another source estimated this number to be closer to 10,000,<sup>42</sup> a figure that is in line with U.S. Embassy estimates reported in 2006.<sup>43</sup>

**International cooperation.** A notable element of the Wikileaks U.S. Embassy cables is the privileged view they provide into the process of how detention policies and practices can spread between countries.<sup>44</sup> For instance, one of the cables concerns a request by Omani officials to visit U.S. detention centres in order to learn “techniques” for handling “illegal migrants.”<sup>45</sup>

The embassy cable, which is described as an “action request” for the U.S. Department of Homeland Security (DHS), states: “In response to recent requests by the Royal Oman Police, the Embassy seeks DHS assistance in arranging a senior-level Omani government delegation to visit immigration detention/deportation facilities in the U.S. with a specific focus on handling potential victims of trafficking in persons. ... The Royal Oman Police (ROP), in an effort to learn more about international techniques in processing illegal migrants, including screening them for possible victims of human trafficking, is seeking an opportunity to visit [sic] U.S. interviewing and investigation techniques. As part of their visit, the ROP Operations Officers would also be interested in visiting shelters, non-governmental organizations and other support services that aid victims of trafficking.”

The cable concludes: “The Embassy would like to present the Omani government with a proposed agenda for a 1-2 week program to occur in early FY 07. This exchange program will not only buttress international protections against trafficking in persons, but also further solidify a growing relationship between USG and Oman customs and border protection personnel.”

**Costs of detention.** In its 2006 cables, the U.S. Embassy provided some estimates on the costs associated with detaining people at Oman’s deportation facilities. “Maintaining the center is a costly operation,” reported the cable. “On foodstuffs alone, it is estimated that the Omani government

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<sup>40</sup> U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>41</sup> Undisclosed source (Activist No. 2 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 15 February 2014.

<sup>42</sup> Undisclosed source (Activist No. 1 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 1 February 2014.

<sup>43</sup> U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>44</sup> For an historical analysis of this phenomenon, including descriptions of various cases around the world, see Michael Flynn, “There and Back Again: On the Diffusion of Immigration Detention,” *Journal on Migration and Human Security*, 2014, <http://jmhs.cmsny.org/index.php/jmhs/article/view/31>.

<sup>45</sup> U.S. Embassy Oman, “Cable: Subject: OMANIS REQUEST VISIT TO U.S. DEPORTATION CENTER,” 26 June 2006, published by Wikileaks, [https://search.wikileaks.org/plusd/cables/06MUSCAT1014\\_a.html](https://search.wikileaks.org/plusd/cables/06MUSCAT1014_a.html); U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

spends about \$21 USD per day per detainee (almost \$250,000 USD a year).”<sup>46</sup>

## Detention Infrastructure

Oman’s detention centres and prisons are among the least well known in the Gulf. According to the World Prison Brief, as of 2000, Oman had three prison establishments—two adult institutions and one juvenile detention facility.<sup>47</sup> However, according to sources consulted for this report, there seem to be several more prisons and detention centres currently in operation in Oman, many of which reportedly are used for immigration detention and deportation procedures, including the Central Prison in Sumail as well as facilities in Qurum, Bausher, and Nizwa. Of these, the Central Prison is the largest and most important.<sup>48</sup>

While the GDP’s sources in Oman said that they were unaware of the existence of any dedicated detention facilities, the Wikileaks cables from the U.S. Embassy in Oman reported the existence of two such facilities as of 2006, in the cities of Salalah and Sohar. U.S. officials visited the centre in Sohar, reporting that an estimated 400 “Pakistanis and other nationals” were deported from the facility every month.<sup>49</sup>

The 2014 U.S. State Department human rights report confirmed that both Salalah and Sohar continue to be important detention locations. According to the report, there is a “primary” facility used for immigration detention, but it does not specify which facility or where it is located. It reported: “The primary detention centre for illegal immigrants was overcrowded. There were also several hundred undocumented immigrants in detention centres awaiting deportation.”<sup>50</sup>

One of the GDP’s sources in Oman claimed that migrants who are arrested are initially held at police stations before being transferred to the Central Prison in Sumail, where they are mixed with the regular prison population as they await deportation. He recalled an incident during which a large number of people, nearly 5,000, were arrested during a brief span of time for overstaying their visas and had to be held in an “open air jail” using tents because of overcrowding at Central Prison.<sup>51</sup>

Another source, who provides assistance to detainees, said that some of the people she visited were in “detention centres” in Qurum and Bausher, as well as at the prison in Nizwa, although most were at Central Prison. She also said that the list of detainees in the main jail are normally provided to embassies.<sup>52</sup>

Of the three sources, one had visited the central prison in Sumail on two occasions, and another had visited Sumail and the prisons in Qurum and Bausher. The main problems they reported concerned overcrowding and poor hygiene.

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<sup>46</sup> U.S. Embassy Oman, “Cable: Subject: OMANIS REQUEST VISIT TO U.S. DEPORTATION CENTER,” 26 June 2006, published by Wikileaks, [https://search.wikileaks.org/plusd/cables/06MUSCAT1014\\_a.html](https://search.wikileaks.org/plusd/cables/06MUSCAT1014_a.html); U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>47</sup> World Prison Brief, Oman, <http://www.prisonstudies.org/country/oman>.

<sup>48</sup> Undisclosed source (Activist No. 2 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 15 February 2014.

<sup>49</sup> U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre, Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

<sup>50</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices – Oman, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/>.

<sup>51</sup> Undisclosed source (Activist No. 2 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 15 February 2014.

<sup>52</sup> Undisclosed source (Activist No. 3 – Muscat, Oman), Email exchange with Parastou Hassouri (Global Detention Project), Geneva, Switzerland, 11 and 12 February 2014.

According to the U.S. State Department, the main detention centre for illegal immigrants was overcrowded and several hundred undocumented immigrants were awaiting deportation in detention in 2014.<sup>53</sup> In contrast, in its 2006 cables, the U.S. Embassy describes the deportation centre in Sohar as having excellent conditions, stating that it “appears to meet high standards.”

Reported the cable: “The deportation facility itself is a large, nondescript square compound visible from the main road and within a mile of the town center. Within the exterior wall there are two separate sections, each made up of six rectangular-shaped rooms. Detainees are housed by nationality. Each room is approximately 30 feet by 60 feet and can easily accommodate up to forty persons. The rooms are sparse, but appeared to have plenty of blankets and pillows, as well as showers and toilets behind a privacy wall along the back. There is also cold drinking water and six ceiling fans in each room. According to officers running the facility, the detainees are provided two hours of exercise each day and are given reading materials, cards, and a copy of the Quran if they are Muslim.”<sup>54</sup>

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<sup>53</sup> U.S. State Department, 2014 Country Reports on Human Rights Practices – Oman, 2015, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>54</sup> U.S. Embassy Oman, “Cable: Subject: OMANIS REQUEST VISIT TO U.S. DEPORTATION CENTER,” 26 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html); U.S. Embassy Oman, “Cable: Subject: Inside Omani Deportation Centre. Seeking Reciprocal Visit,” 21 June 2006, published by Wikileaks, [https://www.wikileaks.org/plusd/cables/06MUSCAT1004\\_a.html](https://www.wikileaks.org/plusd/cables/06MUSCAT1004_a.html).

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