



Oman

Foreign Nationals and the Death Penalty

Death Penalty Overview

The Sultanate of Oman continues to uphold capital punishment as a legal recourse for several crimes, some of which do not align with international law's designation of 'most serious crimes'. For example, in 2015, the Sultan revised Law 17 of 1999 on Combatting Drugs and Narcotics, expanding the death penalty to a range of drug-related crimes. The broadening of this scope is a setback in the global trend towards abolishing capital punishment. In the 2021 Universal Periodic Review (UPR), Oman was recognised for its intention to ratify the International Covenant on Civil and Political Rights (ICCPR). However, the country resisted recommendations that sought to abolish the death penalty as well as recommendations to amend existing legislation to protect fundamental human rights further.

Oman's legal system is influenced by both Islamic law and the French administrative justice system. Since 1970, Oman has been in a significant transition phase, introducing extensive legal reforms to its criminal justice system. At the apex of the judicial hierarchy is the Higher Council, responsible for overseeing the efficient functioning of the Law Courts and their auxiliary bodies.

A criminal court's decision to impose the death penalty requires unanimous agreement among its presiding judges. The execution of a death sentence further necessitates ratification by the Sultan.

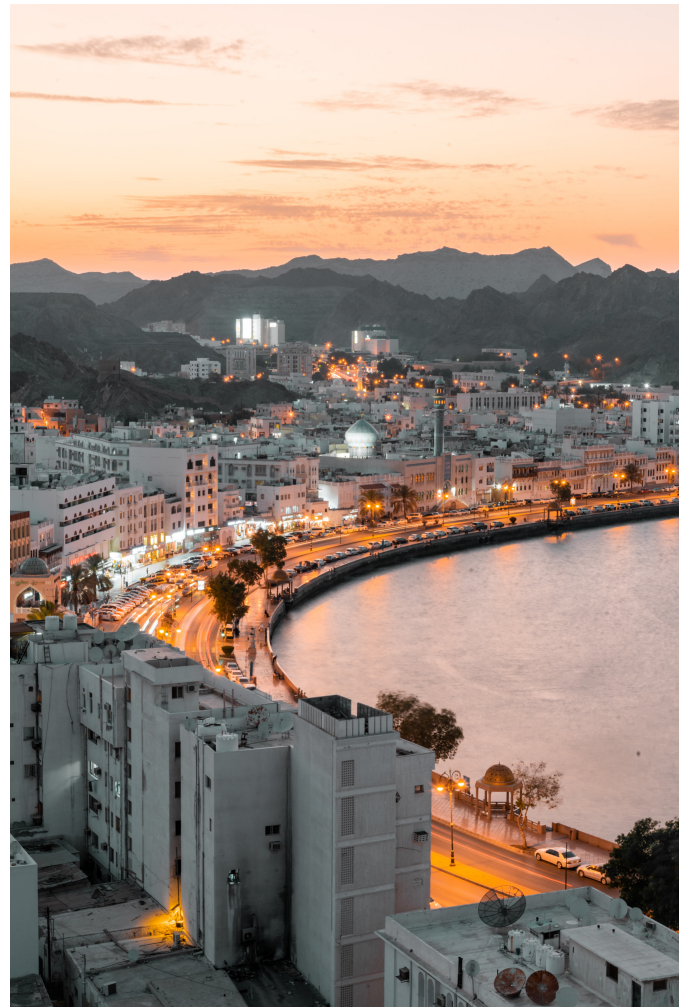
In 2015, Sultan Qaboos Bin Saeed ratified amendments to the Combating Narcotics and Psychotropic Drugs law, marking a distinct harshening of penalties to include the death penalty and life imprisonment for individuals involved in drug trafficking and smuggling. Other offences leading to capital punishment include acts such as murder, terrorism, and kidnapping but also encompass arson and piracy. Moreover, those found guilty of leading armed groups that engage in activities like sabotage, pillage, or killing, as well as those convicted of espionage, treason, and even perjury resulting in an unjust execution, can face the death penalty.

Foreign Nationals

Oman has a high proportion of foreign nationals living and working there (44%), with over 1.5 million migrant workers in the country, mostly from India, Pakistan and Bangladesh. However, it is more restrictive than its Gulf neighbours and has sought to reduce the proportion of foreigners in its labour force, following a policy of 'Omanisation'. In 2014 and 2015, Oman detained and deported a large number of foreign workers.

The Global Detention Project note that Oman's restrictive and closed political systems make it very difficult for human rights groups to operate in the country.

Very little is also known about the numbers and make up of foreign prisoners and those sentenced to death. The Omani government also occasionally releases some information, which is then reported in the local press. The World Prison Brief estimate that over 30% of prisoners are foreign nationals, although it is not known how many of these are under death sentences. Amnesty International reported that four people were executed in 2021.



Oman has sought to reduce the number of foreign nationals working within its shores due to the policy of Arabisation, similar to other Gulf countries

Acknowledgements

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