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OMAN

The Center for Family and Human Rights (C-Fam) is a nongovernmental organization that was founded in 1997 and has held Special Consultative Status with the UN Economic and Social Council since 2014. We are headquartered in New York and Washington, D.C., and are a nonprofit, nonpartisan research and advocacy organization that is dedicated to reestablishing a proper understanding of international law, protecting national sovereignty, and the dignity of the human person.

INTRODUCTION

1. In 2020, the ministers and high representatives of 34 countries met to launch the Geneva Consensus Declaration, in which they committed to promoting four objectives: improve women's health, protect human life, strengthen the family as the basic unit of society, and defend the sovereignty of nations regarding their laws and policies to protect life.¹ The Sultanate of Oman was one of the original signatories of the Geneva Consensus Declaration. This report focuses on Oman's fulfillment of its commitments to human rights in the context of the four pillars of the declaration.

THE GENEVA CONSENSUS DECLARATION

2. The language of the Geneva Consensus Declaration is drawn exclusively from documents agreed by consensus, including core UN human rights treaties, the founding documents of the UN such as the Universal Declaration of Human Rights (UDHR), and major meeting outcomes such as the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population Development.

PROTECTING WOMEN'S HEALTH

3. At the 1994 International Conference on Population and Development (ICPD), nations pledged "to enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant."² This commitment is echoed in the Geneva Consensus Declaration, alongside reaffirmations of the importance of women's equal rights and their contributions to society, both in terms of education, employment, and civic engagement and through the family. The unique and essential role of women as mothers was recognized in the Beijing Declaration and Platform for Action adopted at the 1995 UN Fourth World Conference on Women.³ Both of these landmark conferences, as well as the subsequent Millennium Development Goals and Sustainable Development Goals, include commitments to reduce maternal and child mortality, and while significant progress has been made around the world, critical gaps remain, especially for those in the poorest, most remote, and resource-deprived areas.
4. According to the Maternal Mortality Estimation Inter-Agency Group (MMEIG), Oman has seen a reduction in its maternal mortality ratio from 20 to 17 deaths per 100,000 live births between 2000 and 2020. This is a slight increase from the 2015 estimate of 15, but it is notable that women of reproductive age in Oman suffered greatly during the COVID-19 pandemic; in 2020, deaths attributed to the virus accounted for ten percent of deaths in that age group in 24 countries, including Oman.⁴ Overall, Oman's maternal mortality is lower than the regional average. Oman has made significant investments in health, including maternal health, and in 2023, the Ministry of Health reported an almost 25% increase in government investments in the health sector compared with the previous year.⁵ Oman also performs well on other indicators related to maternal and child health within the West Asia and North Africa region. It has slightly higher than average numbers of doctors and nursing and midwifery personnel per unit population and high female adult literacy.⁶ According to the World Bank, 94.4% of girls and 95% of boys complete lower secondary education. This rate is significantly higher than the regional

levels in the Middle East and North Africa, and is comparable with that of high-income countries. While adult female literacy is lower than that of men, the difference is relatively small: 95% compared with 99%. While female participation in the workforce is much lower than it is for men, women's employment in vulnerable sectors is low,⁷ as is the unemployment rate for women.⁸

5. Abortion is prohibited in Oman with exceptions to save the life of the mother, if there is a grave risk to the mother's health, in cases of fetal impairment up to 120 days of gestation, according to Royal Decree 75.2019, part of the Penal Code.⁹ It is notable that Oman has maintained its low maternal mortality, and remains a regional leader in continuing to reduce its maternal mortality rate, without liberalizing its legal protections for the unborn. As Dr. Nihal Al Riyami, the former head of the Obstetrics & Gynecology Department at Sultan Qaboos University, writes, "Oman's legal framework and policies regarding abortion, particularly in cases of fetal anomalies, are deeply rooted, reflecting the country's commitment to Islamic principles, which emphasize the sanctity of life from conception."¹⁰
6. As a member of the Geneva Consensus Declaration coalition, Oman is setting an important example by prioritizing maternal health care and achieving reductions in maternal mortality while also emphasizing the life and needs of the child both before and after birth. These achievements, as well as positive outcomes for women and girls in the areas of health care, education including literacy, do not require and are not helped by the liberalization of Oman legal protections for the life of the unborn.

PROTECTING HUMAN LIFE

7. As mentioned previously, abortion remains highly restricted in Oman, and while there are differences of opinion on abortion in Islamic law, it is generally regarded negatively, with debate around where exceptions might be allowable.
8. In its previous UPR sessions, Oman has received only one recommendation explicitly calling for the liberalization of its abortion laws, in the third UPR cycle. Luxembourg encouraged Oman to amend its penal code to "legalize abortion in cases of rape, incest or severe fetal malformations and decriminalize it in all other situations." This recommendation was marked as "noted" by Oman. Oman's restrictions on abortion are entirely consistent with its human rights obligations as set out in the binding human rights treaties ratified by Oman as well as other international agreements. The 1994 International Conference on Population and Development (ICPD), as quoted in the Geneva Consensus Declaration, states that "any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process." The standard set at the ICPD has been repeatedly reaffirmed by international consensus, including at the adoption of the Sustainable Development Goals. No global human rights treaty ratified by Oman asserts a human right to abortion, or could reasonably be interpreted as including such a right.
9. As a signatory to the Geneva Consensus Declaration, Oman has expressed its position that abortion is not an international human right. It is therefore consistent with this position that Oman and other members of the Geneva Consensus Declaration coalition would reject any and all UPR recommendations to liberalize their abortion laws, as such

recommendations are not only inconsistent with national laws and priorities but also outside the scope of internationally agreed human rights standards and obligations.

SUPPORT FOR THE FAMILY

10. The Geneva Consensus Declaration reaffirms the obligations of States regarding the family enshrined in international law, including the definition of the family as “the natural and fundamental group unit of society” and recognition that it is “entitled to protection by society and the State.” Signatories to the Geneva Consensus Declaration further committed to “support the role of the family as foundational to society and as a source of health, support, and care.”¹¹ In its Constitution, Oman states that “The family is the basis of the society and the Law regulates the means for protecting it, preserving its legitimate entity, strengthening its ties and values, safeguarding its members and providing suitable conditions to develop their potential and capabilities.”¹² According to the Personal Status Law (32/97), marriage is defined as a “lawful contract between a man and a woman whose purpose is to marry and to establish a stable family under the care of the husband, on the basis of ensuring that they bear their burdens with affection and sympathy.”¹³
11. In Omani law, there is no recognition of same-sex relationships and homosexual behavior is illegal according to the penal code. In Oman’s previous Universal Periodic Reviews, it has received a small number of recommendations to decriminalize homosexuality and to expand its anti-discrimination legislation to include sexual orientation and gender identity. All recommendations to Oman on the topics of sexual orientation or gender identity have been marked as “noted” rather than “supported.” This consistent position of Oman reflects the fact that these issues are not subjects on which global consensus exists, nor are they included as rights in any binding international legal instrument to which Oman is a party. As summarized in the Family Articles, a project of the coalition Civil Society for the Family, the right to found a family is based on the union of a man and a woman, and “Relations between individuals of the same sex and other social and legal arrangements that are neither equivalent nor analogous to the family are not entitled to the protections singularly reserved for the family in international law and policy.”¹⁴
12. All human beings possess the same fundamental human rights by their inherent dignity and worth, including the right to equal protection of the law without any discrimination.¹⁵ Individuals who identify as lesbian, gay, bisexual, transgender, queer, etc., are protected from violence and discrimination to the same extent as any individual under equal protection principle in human rights law. However, they are not entitled to special protections based on their sexual preferences and subjective gender identity as such.

NATIONAL SOVEREIGNTY

13. As stated in the Geneva Consensus Declaration, concerning the legal status of abortion and the protection of the unborn, it is a matter of longstanding consensus that “each nation has the sovereign right to implement programs and activities consistent with their laws and policies.” However, opposition to this sovereign right of countries has become increasingly commonplace in those parts of the United Nations system governed more by expert opinion or bureaucratic oversight than by the standard of negotiated consensus.

There is no global mandate to pressure countries to liberalize their abortion laws or expand the categories for non-discrimination as a matter of international human rights law concerning, for example, sexual orientation or gender identity, and to the extent that mandate-holders engage in such behavior, they do so *ultra vires*.

14. Nevertheless, the frequency of such pressure has only increased toward countries whose laws restrict abortion to protect the unborn, or which maintain a traditional view of marriage and the family, in line with the human rights obligations expressed in the binding treaties they have ratified. Such nonbinding opinions have been elevated in many parts of the UN, although they have never been accepted nor adopted by consensus in the General Assembly.
15. The Geneva Consensus Declaration, by anchoring its every assertion in a document adopted by consensus, reaffirms the centrality of the family, the rights of women and children and the fact that these rights are not upheld by abortion, and the importance of national sovereignty, especially in those places where global consensus does not exist.
16. Unlike other UN human rights mechanisms, the UPR provides a space for sovereign nations to speak to each other and provide encouragement to fulfill their human rights obligations. To the extent that this venue has been used to exert further pressure on countries to liberalize their abortion laws or redefine the family as a matter of national law and policy, global consensus on these matters must be upheld and promoted in the UPR as well, particularly by those countries that have already taken a stand in this regard by signing the Geneva Consensus Declaration.

CONCLUDING RECOMMENDATIONS

17. We encourage Oman to continue protecting the natural family and marriage, formed by a husband and a wife, as the natural and fundamental unit of society, and to continue calling on other UN Member States to do so, in line with the founding documents of the UN.
18. Oman should continue to set an example as a regional leader in improving maternal and child health outcomes. Following Oman's commitments in the Geneva Consensus Declaration, this does not require the inclusion of abortion.
19. Oman should continue to assert the fact that abortion is not a human right in the context of multilateral negotiations, as well as in the Universal Periodic Review, following the Geneva Consensus Declaration, and call on its fellow signatories to do likewise.

¹ Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family, 2020. Available at <https://undocs.org/en/A/75/626>

² United Nations International Conference on Population and Development. (1994). "Programme of Action of the International Conference on Population Development," Cairo.

³ United Nations Fourth World Conference on Women. (1995). "Beijing Declaration and Platform for Action" (Annex II, Paragraph 29). Beijing.

⁴ World Health Organization, UNICEF, UNFPA, World Bank Group, and UNDESA/Population Division. Trends in maternal mortality 2000 to 2020. Available at <https://www.who.int/publications/i/item/9789240068759>

⁵ Times of Oman. "Oman invested over OMR1bn in healthcare sector." August 5 2024. Available at: <https://timesofoman.com/article/148454-oman-invested-over-omr1bn-in-healthcare-sector>

⁶ Soori H, Omoyeni T M, Habibifar Z. Advances and Challenges in Maternal and Child Health (MCH) in the West Asia and North Africa (WANA) Region: A Path to Achieving the 2030 Sustainable Development Goals (SDGs). Shiraz E-Med J. 2025;26(4):e154457. <https://doi.org/10.5812/semj-154457>.

⁷ The World Bank, Gender Data Portal: Oman. Available at: <https://genderdata.worldbank.org/en/economies/oman>

⁸ Soori et al., *ibid*.

⁹ Royal Decree No. 75/2019, Promulgating the Law Governing the Practice of the Medical Profession and Allied Health Professions. 6 November 2019. Available from: [Arabic] <https://qanoon.om/p/2019/rd2019075/>, [English] <https://decree.om/2019/rd20190075/>

¹⁰ Al Riyami N. The Role of Law in Shaping Regulations on Fetal Anomalies and Abortion in Oman. *Oman Med J*. 2024 Jul 31;39(4):e645. doi: 10.5001/omj.2024.123. PMID: 40248026; PMCID: PMC12003948.

¹¹ Geneva Consensus Declaration, *ibid*.

¹² Oman. Oman's Constitution of 1996 (rev. 2011). Available at https://www.constituteproject.org/constitution/Oman_2011

¹³ Sultanate of Oman, International Relations & Organizations Department. "Oman Human Rights Report on child, early and forced marriage in humanitarian settings pursuant to the resolution 35/16 of the Human Rights Council." 2018. Available at <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/HumanitarianSettings/OmanHumanRightsCommission.docx>

¹⁴ Civil Society for the Family. The Family Articles. Available at <https://civilsocietyforthefamily.org/>

¹⁵ United Nations. Universal Declaration of Human Rights. 1948. Available at <https://www.un.org/en/about-us/universal-declaration-of-human-rights>