



**Joint Stakeholder Submission to the UN Human  
Rights Council's 4th Universal Periodic Review – Oman**

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This joint stakeholder's submission is submitted by Cairo 52 Legal Research Institute (Cairo 52) and White Tent in the framework of the 4th Universal Periodic Review of Oman.

**Main submitting organization:**

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## A. Introduction:

This joint submission outlines the discriminatory laws and practices faced by transgender individuals in Oman, particularly those diagnosed with gender identity disorder who seek gender-affirming healthcare to transition to a gender different from the one assigned at birth. These measures hinder the full realisation of fundamental human rights, as guaranteed by both the Omani Constitution and the international human rights treaties to which Oman is a party. The findings in this report are based on data, legal and policy analysis, and research carried out by the Cairo 52 Legal Research Institute, with support from White Tent.

## B. Background and prior relevant UPR recommendations:

1. Oman underwent its 3rd UPR cycle in January 2021, in which it received 264. Of these, Oman accepted 208 recommendations, noted 49, and provided additional clarification on 7 recommendations.
2. During its third Universal Periodic Review in 2021, Oman received three recommendations concerning the protection of the fundamental rights of individuals based on their transgender identity. These recommendations urged the Omani government to: (1) Chile: 'Abolish all legislation that criminalises or restricts the rights of... transgender and intersex persons, particularly those related to gender identity and expression'; (2) France: '...guarantee the protection of... transgender and intersex individuals from all forms of harassment and arbitrary detention'; and (3) Iceland: '...expand anti-discrimination legislation to explicitly include gender identity as a protected ground'. Oman noted these recommendations, thereby declining to implement them. This response indicates a persistent lack of political will on the part of the Omani authorities to safeguard the rights of transgender individuals, in contravention of both the Omani Constitution and the international human rights treaties to which Oman is a State party.
3. Oman has affirmed that, according to its Constitution and laws, all citizens are equal and protected from discrimination, and that the Basic Law of the State prohibits discrimination on the basis of sex. Oman accepted recommendations to continue its efforts to create appropriate conditions and legislative and institutional mechanisms to achieve gender equality, and to step up efforts to promote equal rights for different social groups. Regarding detention, Oman stated that individuals who exercise freedom of opinion and expression within the limits established by law are not subject to detention. The implementation of these recommendations was limited and did not result in any substantial improvement in the overall human rights situation. In practice, the authorities excluded transgender individuals from these efforts, as evidenced by recent developments that further criminalise gender

expression and reinforce punitive measures against those who do not conform to assigned gender norms.

4. The table below highlights a selection of recommendations made to Oman during its third UPR cycle that are relevant to this submission. While some were accepted and others merely noted, none have been fully implemented in practice. This is largely due to the Omani authorities' failure to apply these recommendations inclusively, particularly in relation to transgender individuals, who remain excluded from their scope.

<i>Theme: Equality &amp; non-discrimination on the Basis of Gender Identity</i>	<i>Status of support by Oman</i>	<i>Status of implementation</i>
<p>134.61 Continue to strengthen its successful policies on gender equality</p> <p>(Bolivarian Republic of Venezuela);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	Supported	Not fully implemented. Recent laws have further criminalised gender expression, leaving transgender individuals excluded from gender equality efforts and exposed to discrimination.
<p>134.62 Analyse the constitutional article that prohibits discrimination against citizens on grounds of sex with a view to adjusting this definition of discrimination in accordance with that contained in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, which prohibits direct and indirect discrimination in the public and private spheres (Argentina);</p>	Supported/Not ed	Not fully implemented. Oman noted that the Basic Law of the State prohibits discrimination on the basis of sex. However, recent laws have further criminalised gender expression, and transgender individuals remain excluded from gender equality measures and

<p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>		<p>face ongoing discrimination.</p>
<p>134.63 Abolish any legislation that criminalizes or limits the exercise of the rights of lesbian, gay, bisexual, transgender and intersex persons, especially their right to gender identity and expression (Chile);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Noted</p>	<p>Not implemented. Transgender individuals remain subject to discrimination by police, healthcare providers, and society at large.</p>
<p>134.64 Further promote gender equality and take measures to protect the rights of vulnerable groups (China);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Supported</p>	<p>Not fully implemented. Despite the recommendation to promote gender equality and protect vulnerable groups, transgender individuals remain excluded from these measures and continue to face discrimination, with recent laws further criminalising their gender expression.</p>
<p>134.65 Continue its efforts to create appropriate conditions and legislative and institutional mechanisms for gender equality (Democratic People’s Republic of Korea);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Supported</p>	<p>Not fully implemented. Although Oman pledged to continue efforts toward gender equality, recent legislative developments have further criminalised gender expression, excluding transgender individuals from protections and reinforcing systemic discrimination.</p>

<p>134.66 Step up efforts to promote equal rights for different social groups (Eritrea);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Supported</p>	<p>Not fully implemented. Oman has not extended efforts to promote equal rights to all social groups; transgender individuals, in particular, remain excluded and face increased legal and social discrimination due to recent criminalisation of gender expression.</p>
<p>134.67 Decriminalize homosexuality and guarantee the protection of lesbian, gay, bisexual, transgender and intersex persons from all forms of harassment and from arbitrary detention (France);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Noted</p>	<p>Not implemented. Oman noted this recommendation and has not taken any steps to protect transgender individuals, who continue to face harassment, arbitrary detention, and further criminalisation through recent laws targeting gender expression.</p>
<p>134.68 Decriminalize consensual sexual relations between adults of the same sex and expand its anti-discrimination legislation to include prohibition of discrimination on the basis of sexual orientation and gender identity (Iceland);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Noted</p>	<p>Not implemented. Oman noted this recommendation and has not expanded its anti-discrimination legislation. Transgender individuals remain unprotected and face increased legal risks, with recent laws further criminalising gender expression.</p>
<p>134.154 Continue implementing measures to promote gender equality and eliminate harmful traditional practices (Nepal);</p>		<p>Not fully implemented. Although Oman noted its commitment to</p>

<p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>		<p>promoting gender equality, transgender individuals remain excluded, and recent legal developments have reinforced harmful practices by further criminalising gender expression.</p>
<p>134.79 Ensure access to justice for all, in particular vulnerable and minority groups, including women and migrant workers (Ghana);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Supported</p>	<p>Not fully implemented. Transgender individuals remain excluded from justice mechanisms and face systemic barriers, with recent laws further criminalising their gender expression and increasing their vulnerability.</p>
<p>134.80 Continue to adopt the necessary measures to combat extremism, hate and discrimination, and protect persons in vulnerable situations (Nigeria);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	<p>Supported</p>	<p>Not implemented. Despite this recommendation, Oman has not taken measures to protect transgender individuals, who remain in a vulnerable position and continue to face discrimination, further exacerbated by recent laws targeting gender expression.</p>
<p><i>Theme: Freedom of Expression</i></p>	<p><i>Status of support by Oman</i></p>	<p><i>Status of implementation</i></p>
<p>134.84 Continue to strengthen tolerance of and coexistence in the religious and cultural diversity</p>	<p>Supported</p>	<p>Not fully implemented. Oman promotes general cultural</p>

<p>of the people and facilitate space for expression in its education system and civil life in general (Indonesia);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>		<p>tolerance, but space for diverse forms of expression—particularly those related to gender identity—remains restricted.</p>
<p>134.86 Guarantee the right to freedom of expression, freedom of assembly and peaceful demonstration, refraining from criminalizing dissenting opinions from those of the Government (Chile);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	Supported	<p>Not implemented. Freedom of expression and assembly remains criminalised in practice, especially for views not aligned with state policies or norms.</p>
<p>134.87 Complete the enactment of legislation on promoting freedom of opinion and expression (Kenya);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	Supported	<p>Not fully implemented. No meaningful progress has been made in enacting legislation to promote freedom of expression, particularly for vulnerable groups such as transgender individuals.</p>
<p>134.96 Amend the 2002 Telecommunications Law and the 2011 Cybercrime Law to bring them into line with international standards on the right to freedom of opinion and expression (Denmark);</p> <p><b>Source of Position:</b> A/HRC/47/11/Add.1</p>	Noted	<p>Not implemented.</p> <p>The Telecommunications and Cybercrime Laws continue to be used to limit online speech, including expression related to identity and dissent.</p>
<b><i>Theme: Right to Health</i></b>	<b><i>Status of support by Oman</i></b>	<b><i>Status of implementation</i></b>

134.143 Intensify efforts to improve access to health care for all, including access to sexual and reproductive health-care services and information (Fiji);	Supported	
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### C. Criminalization:

In 2025, the Omani Public Prosecution established a specialised unit known as Rasd with the mandate to monitor and prosecute so-called “negative phenomena” circulating on social media platforms. Among the unit’s explicit targets is the “imitation of women by men,” a phrase that effectively refers to gender non-conforming expression<sup>1</sup>. The creation of this unit marks a further institutionalisation of state surveillance and enforcement against expressions of gender identity that deviate from societal norms. This measure has intensified the legal and social pressure on transgender individuals, reinforcing existing stigma and deepening their vulnerability to legal and institutional discrimination.

Article 266 of Oman’s Penal Code of 2018 criminalises cross-dressing, stating that any male who publicly appears in the likeness of a woman—whether through dress or appearance—may be punished with imprisonment ranging from one month to one year, and a fine of between 100 and 300 Omani Riyals. Oman’s Penal Code of 2018 already includes provisions that criminalise gender expression. The article also criminalises impersonating a woman or entering a female-only space while disguised, applying the same penalties.<sup>2</sup>

In addition, Article 268 of the Penal Code addresses “indecent communications,” punishing any person who uses wired or wireless communication tools—including electronic media, images, or programs—in a manner deemed contrary to public decency or morality. Violations carry penalties of ten days to one month in prison, and fines ranging from 100 to 300 Omani Riyals<sup>3</sup>.

Together, these provisions form part of a broader legal framework that criminalises gender expression and restricts the rights of transgender individuals in Oman<sup>4</sup>. Rather than ensuring protection, the current system reinforces social exclusion, surveillance, and punitive control over those whose gender identity does not conform to state-sanctioned norms.

Transgender and intersex individuals have been denied entry to Oman when their gender presentation did not match the sex listed on their passport or when their passport included an “X” in the sex field. Individuals suspected of not conforming to gender norms have been questioned at immigration. According to Article 17 of the Omani Foreigners’ Residence Law (Royal Decree No. 16/1995), authorities may deport any foreigner without providing a reason if they are deemed a threat to public order or morals<sup>5</sup>. The criminalization of gender expression carries penalties including

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<sup>1</sup> محمد العريمي، (29 أبريل، 2025). عبر 3 قوانين: سلطنة عمان تحظر تحويل الجنس أو التشبه بالنساء. تم الاسترداد من أثير: [/https://www.atheer.om/2025/04/29/090150](https://www.atheer.om/2025/04/29/090150)

<sup>2</sup> Ibid

<sup>3</sup> قانون. (11، يناير، 2018). مرسوم سلطاني رقم ٧ / ٢٠١٨ بإصدار قانون الجزاء. تم الاسترداد من قانون عمان: [/https://qanoon.om/p/2018/rd2018007](https://qanoon.om/p/2018/rd2018007)

<sup>4</sup> Human Dignity Trust. 2024. Country Profile: Oman. <https://www.humandignitytrust.org/country-profile/oman/>

<sup>5</sup> **Sultanate of Oman**. *Foreigners’ Residence Law (Royal Decree No. 16/1995)*. Issued on 16 March 1995. [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=cQQf9eiLgXTMQOagNoKMn47hauCryq3y2XCNjmmkx6a%2FsOkzJbzohpeZutkVnDx0](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=cQQf9eiLgXTMQOagNoKMn47hauCryq3y2XCNjmmkx6a%2FsOkzJbzohpeZutkVnDx0)

imprisonment and deportation. These laws have led to significant safety risks, discrimination, and the deportation of transgender individuals based on perceived violations<sup>6</sup>.

#### D. The Right to Health and Gender Recognition:

Oman's legal framework does not allow for legal gender recognition. Transgender individuals are not permitted to change their gender markers on official documents. Gender-affirming medical procedures are explicitly prohibited under Article 32 of Royal Decree No. 75/2019, which regulates the practice of medicine and allied health professions<sup>7</sup>. This article forbids any procedure intended to convert a male into a female or vice versa when sexual characteristics are fully developed, with a narrow exception granted for intersex cases upon approval by a specialised medical committee appointed by the Minister of Health. This decree also prohibits euthanasia and imposes strict restrictions on sterilisation procedures, requiring committee approval and written consent from both spouses unless urgent medical necessity applies. The law, as published in Official Gazette No. 1317, contributes to a legal environment that criminalises gender-affirming care and denies transgender individuals access to relevant healthcare<sup>8</sup>.

This restrictive stance was reaffirmed in February 2024 during a national bioethics' forum organised by Sultan Qaboos University's Bioethics Committee. It addressed the medical, legal, religious, and ethical dimensions of gender transition. Experts emphasised that gender identity disorder is viewed as a psychological condition with no confirmed scientific cause and noted that some adolescents experiencing gender dysphoria may later identify with their sex assigned at birth. The forum highlighted concerns over the influence of Western standards and the growing acceptance of gender transition abroad<sup>9</sup>.

Speakers reaffirmed Oman's restrictive stance, citing Article 32 of Royal Decree No. 75/2019, which prohibits gender-affirming procedures except in intersex cases approved by a medical committee. Religious authorities stressed that determining one's sex is a divine matter and criticised international trends that promote gender self-identification. The forum concluded with calls for a national framework rooted in religious, legal, and ethical values to guide future legislation on gender-related issues.

Further entrenching this position, the newly enacted Public Health Law (Royal Decree No. 43/2025) reiterates the prohibition of gender transition. Article 16 of the law states: "It is prohibited to carry out any act that results in converting a male to a female or vice versa when the sexual characteristics are fully developed," allowing only exceptions for sex affirmation in accordance with specific regulatory conditions<sup>10</sup>. While the law does not introduce new penalties, it reinforces the existing

<sup>6</sup> Human Dignity Trust. 2024. Country Profile: Oman.

<https://www.humandignitytrust.org/country-profile/oman/>

<sup>7</sup> أحمد الجهوري. (11، نوفمبر، 2019). قانون "مزاولة الطب" يحدد ضوابط إجراء "التحويل الجنسي". تم الاستيراد من الرؤية: <https://alroya.om/p/250007>

<sup>8</sup> قانون. (6، نوفمبر، 2019). مرسوم سلطاني رقم ٧٥ / ٢٠١٩ بإصدار قانون تنظيم مزاولة مهنة الطب والمهن الطبية المساعدة. تم الاسترداد من قانون عمان: <https://qanoon.om/p/2019/rd2019075>

<sup>9</sup> يوسف الحبسي. (21، فبراير، 2024). ملتقى أخلاقيات البيولوجيا يناقش الأبعاد الصحية والقانونية لعمليات تغيير الجنس. تم الاسترداد من عمان اليوم:

<https://www.omandaily.om/na/ملتقى-أخلاقيات-البيولوجيا-يناقش-الأبعاد-الصحية-والقانونية-لعمليات-تغيير-الجنس>

<sup>10</sup> قانون. (24، إبريل، 2025). مرسوم سلطاني رقم ٤٣ / ٢٠٢٥ بإصدار قانون الصحة العامة. تم الاسترداد من قانون عمان: <https://qanoon.om/p/2025/rd2025043>

legal prohibitions, echoing earlier legislation such as Royal Decree No. 75/2019 and Article 266 of the Penal Code (2018), which criminalises male individuals who publicly appear in a feminine manner.

Together, these laws create a legal framework that criminalises gender expression and transition, leaving transgender individuals in Oman without any means of legal recognition or access to appropriate healthcare. This entrenches social stigma and legal exclusion, forcing transgender people to live in a state of legal ambiguity. The mismatch between their gender identity and official documents exposes them to heightened risks of discrimination, denial of services, arbitrary detention, and violence, undermining their ability to exercise the fundamental rights guaranteed by the Omani Constitution and international human rights treaties<sup>11</sup>.

#### E. Recommendations:

- Abolish all legislation that criminalizes or restricts the rights of transgender and intersex persons, particularly those related to gender identity and expression, including Article 266 of the Penal Code of 2018 and Article 268 concerning "indecent communications".
- Guarantee the protection of transgender and intersex individuals from all forms of harassment and arbitrary detention.
- Expand anti-discrimination legislation to explicitly include gender identity as a protected ground.
- Cease the monitoring and prosecution of individuals based on "negative phenomena" such as "imitation of women by men" by units like Rasd and dismantle such surveillance mechanisms.
- Allow for legal gender recognition and permit transgender individuals to change their gender markers on official documents.
- Repeal Article 32 of Royal Decree No. 75/2019 and Article 16 of Royal Decree No. 43/2025 (Public Health Law) that prohibit gender-affirming medical procedures.
- Ensure that transgender individuals have full and unhindered access to healthcare, including gender-affirming care, without discrimination.
- Ensure access to justice for all, including transgender and gender non-conforming individuals, by removing systemic barriers and protecting them from discrimination.
- Amend immigration policies to ensure that transgender and intersex individuals are not denied entry or deported based on their gender presentation or gender markers on passports.
- Implement comprehensive training for law enforcement, healthcare providers, and judicial personnel to ensure respectful and non-discriminatory treatment of transgender individuals.
- Promote public awareness and education campaigns to foster tolerance and understanding of gender diversity, challenging discriminatory societal norms and stigma

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<sup>11</sup> Cairo 52. (2025). Country Profile: Oman.  
<https://cairo52.com/countries/oman/>