Committee on the Rights of the Child considers the report of the Syrian Arab Republic

Committee on the Rights of the Child
22 September 2011

The Committee on the Rights of the Child has considered the third and fourth combined reports of the Syrian Arab Republic on its implementation of the provisions of the International Convention on the Rights of the Child.

Presenting the report, Insaf Hamad, Chairperson of the Syrian Commission for Family Affairs at the Presidency of the Council of Ministers, said Syria affirmed its belief in the importance of continuous dialogue with the Committee on the Rights of the Child. In this context, the delegation wanted to draw the Committee’s attention to the fact that the Syrian Arab Republic had withdrawn its reservations on Articles 20 and 21 of the Convention on the Rights of the Child. The best interest of the child was the foundation of the various policies and the measures carried out in Syria. The efforts of the state and various sectors of society were synergized to offer health, education, protection and culture to all children, without discrimination, in the urban and rural areas, male and female, free of charge, with special focus on providing specialized protection and care in certain circumstances.

Syria today was subjected to a two-faceted problem. On one side the country needed political, social and economic reforms demanded by the people. The Syrian political leadership had acknowledged, even before the current crisis, both the need for such reforms and an intention to achieve them. The long-lasting political pressures practiced on Syria, along with the attempts to besiege and isolate it, had prevented prioritizing those needed reforms. On the other side, rightfully popular needs and demands were exploited for sinister purposes totally different from the demands and interests of the Syrian people. Armed groups were using those demands to impose sedition, undermine security, terrorize citizens, and sabotage private and public property. Those things all constituted pretexts for foreign institutions endangering Syria’s national security and future. In order to clarify the picture, the Syrian political leadership had taken many steps towards reform, including the enactment of several laws. These included, for example, the law of political parties, which ensured political multilateralism, the law of information, to establish independent and free media, the law of parliamentary elections and the law of local administration, in addition to reviewing the Syrian Constitution, in order to formulate a modern constitution that guaranteed peaceful democratic transition.

There were stories in the media of children who had died in recent events. An independent specialized judicial committee had been formed to investigate complaints, and to refer those responsible for wrongdoings to justice to receive the penalty they deserved. It was imperative to say that the economic sanctions recently imposed on Syria would have harmful economic effects on the resources of the country; and this would have a negative impact on its capacity to offer services to its citizens, particularly children.
Experts raised questions concerning, among other matters, the right to life, the problems caused to children by the current crisis, torture and degrading treatment, the cases of children kept in detention centres, problems linked to adoption, Kafala, the definition of corporal punishment, access to safe water, juvenile justice, child marriages, children born out of wedlock, the situation of refugee children, choosing the freedom to chose a religion, child trafficking and health.

In concluding remarks, Hatem Kotrane, Country Rapporteur for the Syrian Arab Republic, said that the Committee would draw up its concluding observations and hoped that the situation would be overcome, and that the children of Syria would go back to a normal life soon. Positive steps included changes in the legislation, however the Committee also had to mention the points that needed further attention: there was a contradiction between the policies adopted through the national Commission for Family Affairs, and the direction taken by certain extreme currents which undermined the passing of legislation. Despite the many advances achieved, the lack of an independent national institution for human rights was a problem.

Jean Zermatten, Committee Chairperson, concluded by saying that it was not the habit of the Committee to be influenced by the media, and the sources used were transparent and reliable.

The delegation of the Syrian Arab Republic included representatives of the Syrian Commission for Family Affairs, the Ministry of Justice, the Ministry of Health, the Ministry of Foreign Affairs and of the Permanent Mission of the Syrian Arab Republic to the United Nations at Geneva.

The next public meeting of the Committee will take place on Friday, 23rd September 2011, when the Committee will examine the combined third and fourth periodic reports of Iceland (CRC/C/ISL/3-4).

Report of the Syrian Arab Republic

The combined third and fourth periodic reports of the Syrian Arab Republic (CRC/C/SYR/3-4) noted that the Syrian Commission for Family Affairs was responsible for dealing with matters relating to the rights of Syrian children, including the preparation of the report which was customarily submitted to the Committee on the Rights of the Child. The Commission duly turned to the Prime Minister’s Office and numerous relevant Government agencies and non-governmental organizations for the preparation of the report. To oversee the preparation of the report, the Prime Minister’s Office established a national steering committee, comprising representatives from the relevant Government agencies and non-governmental organizations. Care was taken to include a number of specialists, concerned individuals, and children themselves.

The main quantitative goals for the two consecutive five-year plans to 2015, which reflected the firm commitment of the Syrian Arab Republic to achieving the Millennium Development Goals, included reducing by half the number of families living below the poverty line, currently at 11.4 per cent, taking action to completely eradicate illiteracy,
and reducing the unemployment rate from the current 12.3 per cent to around eight per cent in 2010 and to four to five per cent by 2015.

The Committee on the Rights of the Child had recommended that the Syrian Arab Republic should expedite the comprehensive review of its law, administrative regulations and legal procedural rules to ensure that they conformed to international human rights standards, including the Convention. In this regard, Syria wished to mention that the majority of the general principles set out in the Convention on the Rights of the Child and the relevant instruments were enshrined in Syrian law. Moreover, the Syrian Commission for Family Affairs was poised to finalize the bill on the rights of the child, which to a large extent conformed to the Convention on the Rights of the Child, and the Commission would submit it for discussion by the competent authorities in the legislature very soon.

Presentation of the report of the Syrian Arab Republic

INSAF HAMAD, Chairperson of the Syrian Commission for Family Affairs at the Presidency of the Council of Ministers, said that the Government of the Syrian Arab Republic availed itself of this opportunity to affirm its commitment to the international treaties, agreements and conventions it had joined and ratified. It affirmed its belief in the importance of continuous dialogue with the Committee on the Rights of the Child. In this context, the delegation wanted to draw the Committee’s attention to the fact that the Syrian Arab Republic had withdrawn its reservations on Articles 20 and 21 of the Convention on the Rights of the Child.

The best interest of the child was the foundation of the various policies and the measures carried out in Syria. The efforts of the State and various sectors of society were synergized to offer health, education, protection and culture to all children, without discrimination, in the urban and rural areas, male and female, free of charge, with special focus on providing specialized protection and care in certain circumstances. There was no restriction on the child’s exercise of the right to express their opinion or to obtain information and ideas.

Syria today was subjected to a two-faceted problem. On one side the country needed political, social and economic reforms demanded by the people. The Syrian political leadership had acknowledged, even before the current crisis, both the need for such reforms and an intention to achieve them. The long-lasting political pressures practiced on Syria, along with the attempts to besiege and isolate it, had prevented prioritizing those needed reforms.

On the other side, rightfully popular needs and demands were exploited for sinister purposes totally different from the demands and interests of the Syrian people. Armed groups were using those demands to impose sedition, undermine security, terrorize citizens, and sabotage private and public property. Those things all constituted pretexts for foreign institutions endangering Syria’s national security and future. In order to clarify the picture, the Syrian political leadership had taken many steps towards reform, including the enactment of several laws. These included, for example, the law of political
parties, which ensured political multilateralism, the law of information, to establish independent and free media, the law of parliamentary elections and the law of local administration, in addition to reviewing the Syrian Constitution, in order to formulate a modern constitution that guaranteed peaceful democratic transition. A schedule had been set to implement the declared reforms, including the parliamentary and municipal elections, within no more than six months. Unfortunately, in spite of the implementation of reforms, the acts of armed groups who were serving foreign instigations had not stopped.

Thus the problem emerged of children being involved and politically exploited in the protests, whose waves were ridden by those groups of armed conspirators. The mix-up of the two aspects of the current crisis was causing a lot of human and material losses, including children whose parents had sent them away from dangerous places. The delegation was sad and sorry for every human loss in Syria, particularly among children. Syria was fighting an unprecedented battle where the Syrian’s right of change and reform was mixed up with conspiracy against that right, and against the State of Syria as a whole. The Syrian citizens paid the costly, painful price and that should stop. There were stories in the media of children who had died in recent events. An independent specialized judicial committee had been formed to investigate complaints, and to refer those responsible for wrongdoings to justice to receive the penalty they deserved.

It was imperative to say that the economic sanctions recently imposed on Syria would have harmful economic effects on the resources of the country; and that would have a negative impact on its capacity to offer services to its citizens, particularly children.

The report sent to the Committee had been prepared through participatory mechanisms highlighting the efforts of all national partners. Recent legislation included Decree No.3 of 2010, on the prevention of human trafficking. The decree paid special attention to the protection of female and children victims of this crime. It covered the provisions of the optional protocol concerning the sale of children and their exploitation in prostitution and pornography. Law No.17 of 2010 prohibited the employment of minors before completion of their basic education or before the age of 15. Decree No.1 of 2011 increased the penalty for “honour crimes” to no less than five to seven years. Decree No.61 of 2011 and No.72 of 2011 granted general amnesty. Moreover, the Draft Law of the Rights of the Child had been recently adopted by the Committee of Judicial Reform.

The measures undertaken at all levels by all national partners, governmental and non-governmental alike, to ensure the rights of the child to live, survive and grow were shown in the report, together with efforts exerted in the fields of health, education, protection and care in the stage of early childhood.

The report also referred to the Syrian Government’s respect for religious multilateralism, guarantee of the freedom of religious rituals, and keenness not to restrict the freedom of parents to bring up their children according to their convictions. It also referred to the adopted arrangements concerning the freedom of forming societies, peaceful assemblies, preservation of privacy, protection from torture and other forms of harsh or humiliating treatment. The report pointed out the improvements in the basic health indicators, the
projects to provide safe water supplies, the efforts to increase wages and salaries. It also mentioned the plans adopted to reduce children dropping out of school, and the efforts to combat illiteracy.

As for the arrangements of special protection, the report gave a brief reference to Syria’s humanitarian method of dealing with the refugees and the services offered to child refugees from Palestine, Iraq and Lebanon. Those refugees all shared with the Syrian children all the free services of health, education and care.

The continuing Israeli occupation of the Syrian Golan hindered Syria’s implementation of its commitments to Syrian children in the Golan because of the Israeli violations of all the articles of the Convention on the Rights of the Child and because of the State terrorism practiced by Israel.

The delegation looked forward to the dialogue with the Committee.

Questions by the Experts

HATEM KOTRANE, the Committee Member serving as the Rapporteur for the Syrian Arab Republic, said that since the beginning of the demonstrations in March, there had been instances of firing into demonstrations using live bullets, which showed no regard for human rights. Moreover, there had been the use of torture and other forms of degrading treatment. Civilians, including children, were the victims of this, and a large number of children had died as a result. According to reports, more than 187 children had died since the demonstrations started; the real numbers were probably higher. Children were also subject to violence in detention centres, and there was even violence in schools. Schools had become detention centres and were used by armed forces. Broadcasting also used children: children were shown hoisting banners in favour of the regime. This was exploitation of children, brainwashing, and ran counter to all treaties and conventions. It was a matter of great concern to the Committee. The rights to survival, life, development, protection from torture, freedom of expression and assembly were all violated. What measures did the Government envisage to counter those violations, especially against children? Who was going to provide the training for the investigations into what had happened? What actions had Syria taken since the second report and what had the follow-up been? Children in Syria had expectations of the Committee; they waited to see what would happen here today. There was no future for Syria if there was no respect of children.

KAMLA DEVI VARMAH, the Committee Member serving as the Co-Rapporteur for the Syrian Arab Republic, said that the Committee remained very concerned about arbitrary arrests of children since the start of the protests in March. Children were still being arrested and detained along with adults, and there were reports of mutilation. Was there a possibility to get figures for the numbers of children in detention, and their age? For how long could those children be detained and when were they released? Many men who were responsible for families had been arrested; so many families with children were headed by women and thus had less access to food and necessities for life. Who would be held
accountable for the killing of all the children? Syria was a party to almost all main human rights conventions, thus it had a duty to respect children rights.

The Committee had received numerous reports from United Nations sources and international organizations on the question of the killing, torture, and arbitrary detention of children. The United Nations had expressed its great concern about the situation in Syria in Resolution S17/1, and the High Commissioner also made a speech on those issues. A fact-finding mission had provided information on the killings and on the miserable situation of the children. The information came from outside of the country because the Syrian Government did not allow it to enter the country. Amnesty International talked about 82 children that were killed. Ten children had died in prison; Amnesty International gave their names and origin. The Committee was very concerned about the fact that children were caught in this activity which, according to all reports, corresponded to state violence exercised by the armed forces and the police forces. The Committee hoped that the independent judicial committee mentioned by Syria really was independent.

The Expert also expressed her concern about the fact that the delegation said it was the role of the parents to protect the children from being caught in the conflict. It was the role of the State to protect them; it was clearly mentioned in the Convention. Also, children did not have the right to participate in peaceful demonstrations on issues that concerned them. The Committee expressed deep concern that 10 children had died as a result of torture and mutilation. What were the plans for the remaining children in detention?

Concerning secret detention centres, what were the conditions like for the children? How many children had been killed in the events? How many were detained?

Were there any measures taken to provide psychological support for children in times of conflict? A number of policies in the five-year plan for children had not been implemented, such as the creation of a centre for the protection of the family and the establishment of a hotline for children.

Positive measures had been taken, such as giving Syrian nationality to Kurdish children. Concerning the bill on adoption, the Committee hoped that it would soon be adopted. The issues around child custody and children born out of wedlock should be countered. Syria ratified conventions but not optional protocols, especially regarding education, such as the optional protocol of the Convention on Economic and Social Rights. The delegation mentioned that some reservations were withdrawn, especially regarding articles 20 and 21 regarding adoption. Yet the Expert had not seen a record of the withdrawal. Did Syria plan on withdrawing the reservation on the subject of religion?

Was there cooperation of civil society in the preparation of the State party report?

Also, the Committee still had concerns that had not really been addressed by Syria. The age for marriage of girls was still 17, but girls as young as 13 and boys as young as 15 were being married, especially in rural areas.

There was no explicit prohibition of corporal punishment in the law. Did Syria plan on changing that?
Children should have the right to choose their religion. What was the position of Syria on that? There were obstacles in inheritance between different religions and it was violating the right to non-discrimination.

Children under 18 were not allowed to testify before courts unless they were the victims. That did not respect the Convention.

What were the differences between children born to a married couple or outside of wedlock, and why were those children separated in shelters even though Islam called for social cohesion?

There was a lack of incentive for girls to go to secondary school – what was Syria going to do to change that?

Responses by the Delegation

Concerning the measures taken to counter the situation for children during the crisis, there were laws on parties, the law on elections, the law on local administrations, and the law on economical help. On March 31 2011, a high judicial committee was set up, headed by the General Prosecutor, and thus they were impartial and completely independent. More than 1,500 complaints were submitted to the Committee, also regarding attacks on private and public property. Some security personnel were dismissed. The Committee will report on its results next week, the delegation could not currently provide any more information because it was confidential.

There had been investigations into the children who had died. The Convention was still applicable and enforced in Syria, even during the state of emergency. Regarding the complaint mechanism, Syrian law allowed children to complain via their parents or guardians. Soon there would be a mediator appointed for those issues. No children were arrested; the law did not allow that. It might have happened because they were not carrying identification, but once their age was clear they were released. There was no evidence for the fact that schools were used by armed forces.

Questions by the Experts

Had there really been just one death of a child? It was important that Syria answered the questions asked in a specific manner, giving names, for example. The Committee had names of dead children that the Expert quoted.

Concerning the setting up of the legal commission, it did not seem to be independent. If the Committee was presided by the general Prosecutor, then he was directly under the orders of the Ministry of Justice. Were there any other actors who participated in the commission?

Was it possible for children to make complaints directly, not via their parents or guardians?

The Committee sought for measures of protection to be taken immediately. The State had the responsibility to act.

Where did Syria stand on the law of registration of non-governmental organizations?
Responses by the Delegation

There was huge exaggeration of the numbers in the press reports. Among the children who were cited, one child had been bitten by dogs in the street. Photos of that child were modified and used for manipulation. There were children who died of natural causes. There had been fabrications about the crisis. One picture of hurt children was actually taken in Alexandria, Egypt. Credibility was necessary when citing cases. If the Committee had credible information, the delegation would be happy to receive it. The judiciary committee worked on exceptional events in Syria and it had members from different Government branches. Syria was going through a delicate period without precedent, and the delegation hoped that the Committee would give them recommendations to be submitted to the Government.

There was lack of control of the State and the State had a duty to protect its citizens. But there also was a campaign to ask parents to help the State in protecting the children. This was not because the State was neglecting the protection of children.

Concerning the High Commissioner’s report, the information transmitted by the State was not cited in it – how could that report be taken as the source of truth?

With regard to the children’s parliament, the State intended to broaden it to various regions in Syria. The events had delayed the process.

The law on children’s rights that was drafted in 2005 was opposed by various groups, even non-governmental organizations.

There were about 90 non-governmental organizations working in the field of children, and the Government strived to cooperate with all of them. The law on associations was soon going to be passed.

With regard to the reservations on Article 14, they were linked to the fact that the article allowed children to choose a religion that was not their parents’ religion. The Syrian Government believed that it was better to take such a decision when one was an adult.

Questions by the Experts

Other countries had the same reservation, such as Morocco, and when Morocco came to the Committee a few years ago, the delegation actually withdrew its reservation because they realized it was in contradiction with the exercise of the child’s right to freedom of religion. Syria was not known for its religious intolerance and it would be a pity if it was one of the few countries that kept that reservation.

The child had rights as an individual, and religion was a very important area of life. There was a problem of discrimination. There were differences also between inheritances of persons from different religions and that violated the Convention.

Response by the Delegation

Maybe deeper national dialogue would be started on those issues; the delegation did not say that those reservations would never be withdrawn.
Questions by the Experts

Many children suffered from anaemia due to malnutrition. What was the Government doing about this? The immunization campaign was a good point. Did it cover all of the regions in Syria? Were there any awareness-raising campaigns about HIV/AIDS? The breastfeeding program was a good initiative. Were children from minorities able to study in their own language in school? Had the teachers working in mobile schools been adequately trained?

Were there steps to allow adopted children to exercise all their rights to research paternal descent?

There were cases of children who stopped going to school in order to work. The school schedule was changed to allow children to go to school and to work. However that raised the Committee’s concern, for child domestic workers for example. There were issues for child domestic workers who originated from East Africa. There needed to be a curriculum in school against gender stereotyping. Corporal punishment was also still present, what was done to fight that? A quarter of the population was aged under 18. Was sexual education given in schools to teach young people about contraception?

Was there a system to monitor the labour conditions for domestic workers? Were child victims identified? Did the national law criminalize the sale of children?

There was a need for clear criminalization of the participation of children in armed conflict. Were there handbooks for the armed forces that included the laws from the Convention?

Economic development was very important, as was the quality of water.

The safeguarding of children was a role for the father. If there was no father, the responsibility was passed on to the closest male person in the family, not to the mother, which was regrettable. If a child was born out of wedlock, the mother was solely in charge of taking care of the child, not the father. Mothers then often abandoned their child, leaving the State taking charge of orphans. What was the State doing to put in place preventive measures to make sure mothers could avoid abandoning their children?

The new policy for integrating children with disabilities was very encouraging. Was that backed up by human and financial resources?

With regard to child victims of crimes and witnesses of crimes, they needed to be protected by the judicial system.

What was Syria doing for children living on the streets and what was being done to reduce their numbers?

Questions by the Experts

Was there specific jurisdiction for juvenile justice? What was the age of criminal responsibility in Syria? What happened to children who committed honour crimes? Were there special detention centres for children?
Were there specific quotas of teachers for the different areas in Syria? Gender parity was reached for primary schools, which was very encouraging. Yet there was a high drop-out rate. Did Syria have a special programme designed to welcome those pupils?

What was being done to eliminate child marriages, which contributed to keeping the birth rate high? Some marriages were arranged at birth, which was an issue of freedom of consent. The sale of children also encompassed forced marriage with children. How much social mobilization had been undertaken to raise the age of marriage? Syria was a destination for marriages of convenience and the sale of children, and the issue had already been raised the last time Syria came before the Committee.

What economic and social measures were there to protect the children from poorest families? A social assistance fund was established but it looked like it was not enough to meet the needs, especially for children whose fathers were detained or had been killed.

Also, what was being done to fight corruption?

Did the Syrian Arab Republic have plans to establish a national human rights institution?

Response by the Delegation

Children under the age of 15 were not allowed to work, they had to complete the cycle of primary education. The Ministry of Employment had issued guidelines and even for children of 15 there were specific regulations.

There was indeed a problem of child labour in Syria. Yet the Government did not change the school schedule for children to work. The schedule was changed because of the harvest seasons, and that was supposed to help the parents who worked in the fields and who changed areas. This helped the children to not miss school.

Migrant labour was highly qualified and there were not many migrant foreign children. It could not be verified if there were domestic workers under the age of 18, but the law did not allow it.

There was a differentiation between orphans and foundlings because orphans could eventually find members of their families.

A law against the trafficking of persons was passed in 2010.

Concerning juvenile justice, there had been a special system in place since 1974, and judges were trained for that. There were specific laws on how to deal with juveniles once they were sentenced. Article 3 of the juvenile law established the age of criminal liability at seven years, but it was changed to 10 years. Between 15 and 18 years, there were alleviated sanctions. Capital punishment would be replaced by imprisonment up to 12 years. For children under 15, rehabilitation measures were taken, such as giving the child back to the parents. For those aged 15 or over, they were held in special centres for juveniles, not in prison.
Syria was indeed not perfect in matters of corruption. A committee had been established to analyze the phenomenon. Syria had even signed the International Convention against Corruption.

There were several specialized hospitals for children, but there should be more. There were special wings for children in other hospitals. There was a special vaccination campaign that was starting next October.

One specific article, No.28 in the Syrian law, prohibited corporal punishment. Many teachers had been suspended because they had used corporal punishment. With regard to sexual education, programs were created. There were also family planning centres.

As for the responsibility of parents, society was very reluctant to changing the rules on child custody and related issues. As for the children of minorities, they had the right to learn and speak their language.

Questions by the Experts

Why was there a separation and discrimination between orphans and foundlings? That did not exist in many other Arab countries. Also, the term was very pejorative and many languages had got rid of that differentiation. Who monitored adoption and Kafala? Were there different inheritance systems for orphans and Kafala children?

There was no criminalization of corporal punishment in the family; why did the delegation talk about article 28? The lack of criminalization was also the case in Tunisia but it was changed in 2010. Did Syria consider changing this?

Response by the Delegation

It was true that article 28 was more about torture than about corporal punishment. Yet the Convention on the Rights of the Child was above the national law, so it could of course be invoked.

Questions by the Experts

Therefore the national law really needed to be changed and corporal punishment had to be criminalized in public and private spheres.

Response by the Delegation

On shelters for orphans and foundlings, it was true that the differentiation was not a positive element, and the delegation would talk to the Government about abolishing it. The Kafala system provided care for Muslim children whose parents did not have the means to care for their child. For Christian children, there was the system of adoption. A committee with various experts existed within the Ministry of Social Affairs and periodically, there was a check on the situation of the child. In the Kafala system, the children did not inherit. Yet in accordance with Islamic Sharia, there was a choice given to the parents to use a sort of testimony as a will for those children. If the religion of the child could not be determined, the child became a Muslim.
A judge could register and name a child if it was born out of wedlock. The law penalized those who did not register within a month of the birth of the child. If a child was born out of wedlock, there was no need to go to a police station to explain the conditions of birth of this child.

There was nothing in the school curriculum that said that sewing and cooking was only for girls. There were cases of boys who wanted to learn how to cook. Those classes were not compulsory. Concerning the drop-out rate of girls in secondary school, the delegation specified that the higher degree of education, the more girls there were in classes. With regard to drinking water, it was true that it was not always available at schools. Teachers who had to work in mobile schools, that dealt with nomads for example, were trained. With regard to secondary religious schools, they could lead to university.

Regarding the non-registration of Kurds, they were part of the people who did not have an identity, like the Bedouins. Concerning the possibility for Syrian mothers to give their nationality to their children, that would very soon be allowed.

The delegation was not aware of cases of the sale of children in Syria. The delegation was quite astonished that the Committee said Syria was a country of destination for human trafficking.

It was not possible to forbid people to get married to relatives such as cousins, for example; it was a matter of personal choice. There were awareness-raising campaigns aimed at girls about early marriage.

Syria was trying to help the population economically: salaries had been increased and there was a fund for agricultural and drought support. The delegation hoped that the economic sanctions imposed on Syria were not going to make some international organizations leave the country. Those sanctions were really negative for the country; some programmes were not funded anymore.

Concerning the children in the Golan, the Syrian authorities could not take care of them because of Israeli occupation. There were many issues such as education and health. The Israeli authorities imposed Hebrew as their language rather than Arabic. Israel was trying to cut off those children from their homeland. The right of the child to have the best attainable level of health was also violated because there were barely any health centres for children in those areas. The Israeli occupation forces used the water for crops. There was environmental pollution because toxic waste was brought to the Golan Heights. Also, there were numerous landmines in that region. Many children were suffering from disabilities. In Israeli law, there was a difference between Syrian children and Israeli children. Syrian children became adults at 16. This was an issue for criminal responsibility for example. The international community should take immediate measures to counter this.

The Refugee Convention did not deal with Palestinian refugees, yet Syria had rulings concerning the right to return for Palestinians refugees. Syria needed international assistance to cope with the financial burden as 10 per cent of Syria’s population was refugees. Syria believed that the Convention dealt more with normalization than with the
right to return, and that was why Syria did not adhere to that Convention. Yet Syria had a Memorandum of Understanding with United Nations High Commissioner for Refugees about refugees.

With regard to disabilities, a number of measures had been taken; however changing old buildings was a costly matter. Last year, Syria held Olympics for Disabled and it drastically changed the way people saw disabled people.

Syria had had delays in implementing the latest plan for the protection of the child. Some legal texts had to be amended, yet work had been ongoing and the unit working on children’s issues saw its building established. There were graduates who continued their studies in the field of protection of the family; thus new staff were expected soon to join the unit soon.

Regarding the hotline, there was a project for family counselling, but it would probably not be a hotline right away because a complaint mechanism should be created first.

The definition of violence did not include marital rape, but there were certain articles in the law that penalized persons who forced other persons to do something. It was a question of culture and the laws needed to be amended. Yet the definition of violence against women included physical and psychological abuse. The Government was trying to promote rejection of all forms of violence. Often Islamic law was used to justify extremist interpretations and this was not always in line with Islamic teaching. Unfortunately, it often was the stricter interpretation that was passed.

The budget for teachers and nurses, for example, was not included in the budget for children even though they provided help for children. Syria was constantly seeking to increase the budget for children, yet it was very hard to keep up with the population growth.

Concerning a possible national human rights institution, Syria was looking into creating a Higher Council for human rights and hopefully it would happen soon. A national dialogue took place after the events, two months ago. One recommendation issued was the establishment of such a Council.

Concluding remarks

HATEM KOTRANE, the Committee Member serving as the Rapporteur for the Syrian Arab Republic, thanked the delegation for their openness and said it had been a successful discussion. The dialogue was constructive, especially in the afternoon. The Committee would draw up its concluding observations and hoped that the situation would be overcome, and that the children of Syria would soon return to a normal life. Positive steps included changes in the legislation, however the Committee also had to mention the points that needed further attention: there was a contradiction between the policies adopted through the national Commission for Family Affairs, and the direction taken by certain extreme currents which undermined the passing of legislations. Despite the many advances achieved, there was the problem of the lack of an independent national institution for human rights. There was also a need to speed up the guidelines on proving parentage for orphans. Syrian women should be allowed to pass their nationality to their
children. Moreover, the recommendations formulated in 2007 on the optional protocols were also still valid.

KAMLA DEVI VARMAH, the Committee Member serving as the Co-Rapporteur for the Syrian Arab Republic, thanked the delegation for the constructive dialogue and for the numerous pieces of information given today. The Committee hoped for a normalization of the situation in Syria.

INSAF HAMAD, Chairperson of the Syrian Commission for Family Affairs at the Presidency of the Council of Ministers, commented that the current crisis had significantly undermined the various projects for children’s rights. Syria wanted to protect their children and was capable of doing so; and the delegation welcomed all the advice that was given today. The delegation hoped that the distinguished Committee would rely on reliable sources. It should not ground its analysis on information that it received through the media. The delegation hoped that the Committee would take into account all of the issues and needs, such as the situation of the children in the Golan. Concerning the children who had supposedly died under torture, the delegation had called the capital. In the cases of two children whose names were quoted, they were not arrested and did not die under torture; they had died accidentally because they had been caught in gunfire. Concerning the child Alzobi, no information could be found. The delegation would give the Committee more information on the other children in written replies.

JEAN ZERMATTEN, Committee Chairperson, concluded by saying that it was not the habit of the Committee to be influenced by the media, and the sources used were transparent and reliable.

For use of the information media; not an official record