

## SYRIAN ARAB REPUBLIC

### CESCR E/1992/23

158. The Committee considered the second periodic report of the Syrian Arab Republic concerning the rights covered by articles 1 to 15 of the Covenant (E/1990/6/Add.1) at its 7th, 9th and 11th meetings, held on 28 and 29 November and 2 December 1991 (E/C.12/1991/SR.7, 9 and 11).

159. In introducing the report, the representative of the State party explained that the Syrian Constitution guaranteed the fundamental rights of citizens and protected them against exploitation. To that end, the State had undertaken to promote education, protect the freedoms of the individual, work for equality of opportunity, protect the family, women and children, guarantee a decent standard of living and meet the social, economic and cultural needs of all.

#### General matters

160. With regard to the general framework within which the Covenant was being implemented, members of the Committee wished to receive information on any changes that had occurred since the submission of the Syrian Arab Republic's initial reports on articles 6 to 9 (E/1978/8/Add.25 and 31) and 10 to 12 (E/1980/6/Add.9) regarding the implementation of the Covenant and, in particular, programmes, institutions and practices in the field of human rights, and the political structure and the economic, social and cultural characteristics of the country. They also wished to know what measures had been taken to inform the public about the Covenant and the reports submitted by the Syrian Arab Republic to the Committee; which official bodies had prepared the report and whether contributions were received or sought from other sources; what factors and difficulties affected the enjoyment of the rights set forth in the Covenant; what were the most vulnerable groups of the population; how many people lived below the poverty line and what measures were being taken to remedy their situation; to what extent the rights set forth in the Covenant were guaranteed to non-nationals; whether progress had been made with regard to respect for the right to work as a result of the promulgation or amendment of a law or of collective agreements and judicial decisions; whether measures had been adopted following the consideration of the initial reports by the Sessional Working Group of Governmental Experts; and what the role was of international assistance and cooperation in securing the enjoyment of the rights embodied in the Covenant.

161. Additional information was also requested on the Arab Baath Socialist Party; on the legal value of the Party Constitution; on other Syrian political parties and their role in the political life of the country; on the reference to the participation of workers in socialist competitions (E/1990/6/Add.1, para. 8); and on the implications of the concept of work as a duty. It was asked to what extent professional careers in the Syrian Arab Republic depended on membership of the Baath Party; whether the policy with regard to labour, health, family and education was worked out by the State alone or in consultation with the groups concerned; and whether citizens could invoke before the courts the provisions of treaties and conventions ratified by the Syrian Arab Republic. Moreover, information was requested on the demographic composition of the Syrian population; the rate of

illiteracy for each component of the population; on ethnic minorities; and on the proportion of the Syrian budget earmarked for defence and the cost of keeping Syrian soldiers in Lebanon.

162. In reply, the representative of the State party said that the 1973 Constitution of the Syrian Arab Republic provided the necessary general legal framework for the protection of human rights. The Syrian economy was marked by great diversification, and the Government was endeavouring to develop the three sectors of the economy and promote cooperation among them. The right to social security was protected by the State, education was free of charge at all levels and the State was making every effort to guarantee the right to health by providing primary health care in public hospitals and clinics and by opening mother and child protection centres in the towns and cities and in the countryside.

163. As to measures to inform the public, the representative said that an information day was held every year for the Covenant and that articles were published on that occasion, stressing the Covenant's universal nature and the importance attached to implementing it. The Syrian Commission which prepared the reports to be submitted to the Committee also took account of the Committee's comments. The Syrian Arab Republic was thus implementing a programme on science and culture which was having very positive effects on the population. It did not import foreign manpower on its own initiative, but, in accordance with its nationalist policy, gave special treatment to nationals of Arab countries who wished to work within its territory. In 1989, 577 work permits were issued to Arab citizens as against 722 to foreign workers. No distinction was drawn between Syrian nationals and foreigners as far as wages and membership of trade unions were concerned.

164. The difficulties affecting the exercise of the rights set forth in the Covenant included the Israeli aggression and Israel's occupation of Arab territories in the Syrian Golan, as well as its refusal to recognize the rights of the Palestinian people, particularly its right to self-determination. The Kurdish problem was not a real one, but that was not the case with the public debt, which weighed heavily on the balance of payments and on public finances. The Government was trying to alleviate the consequences of the debt and to guarantee citizens the enjoyment of an adequate standard of living. However, no one in the Syrian Arab Republic lived below the poverty line.

165. Replying to other questions, he said that, under article 8 of the Syrian Constitution, the Arab Baath Socialist Party was the leading party both in society and in government. It was, however, not necessary to be a member of the Baath Party in order to receive a scholarship and many Syrian students sent to pursue their studies abroad were not members of the Party. A National Progressive Front had just been set up to ensure broader participation in political life. Under the leadership of the Baath Party, it was composed of a number of political parties, including the Communist Party. Several parties took part in the political life of the country and the Syrian political régime could thus be called a multiparty system. Moreover, the international instruments ratified by the Syrian Arab Republic became an integral part of national legislation and could be invoked by any citizen before the courts.

#### Articles 1 to 5

166. Members of the Committee wished to receive clarification of the situation of women in Syrian

society, in particular, regarding their participation in political, social and trade union life, and their position in the field of employment. They also inquired whether equality of rights between men and women had been achieved and, if not, what differences still existed and what measures were being planned to eliminate them.

167. Clarification was also requested on a number of provisions which were referred to in the report and appeared to be contrary to the principle of the equality of the sexes, particularly those authorizing men to have more than one wife or requiring that the man had to be a suitable match for the woman. Information was thus requested on the attitude of young Syrian women towards the marriage laws; the legal age to enter into marriage; what remedies were available to a Syrian woman whose husband forced her to accept a second wife under the same roof without her consent and, in particular, whether she could file for divorce on such grounds; whether non-Syrian wives of Syrian nationals could leave the country with children of whom they had been given custody; whether children inherited from their parents in equal shares, regardless of their gender; and whether dependency allowances were paid when female children, and not male children, pursued their secondary education. It was also asked whether the right to one full hour's rest per day was recognized in the same way for fathers or mothers taking care of nursing children.

168. In his reply, the representative of the State party indicated that women's rights had been reaffirmed both in the principles of the Baath Party and in article 45 of the Constitution. Syrian women thus had full freedom to participate actively and fully in the social, economic and cultural life of the country and the Government was endeavouring to eliminate all the obstacles which might prevent them from helping to build a socialist Arab society. They enjoyed the right to vote and to stand for election without any conditions. There were 21 women in the Parliament and 140 in the governing bodies of the provinces. There were also women ambassadors, *chargés d'affaires* and consuls. The number of crèches and training centres for women was increasing, while the female illiteracy rate was declining.

#### Article 6: Right to work

169. Members of the Committee wished to receive additional information on the situation, level and trends of employment in the Syrian Arab Republic; on the measures adopted to provide employment for persons seeking work; on any special measures for women, young people, older workers, and disabled persons; on the situation of agricultural workers in comparison with other workers (E/1990/6/Add.1, para. 16): on factors and difficulties affecting the implementation of the right to work; and on collective agreements and judicial decisions aimed at promoting and safeguarding the right to work. They also wished to know whether the ILO Committee of Experts on the Application of Conventions and Recommendations had made any observations concerning the implementation by the Syrian Arab Republic of the ILO Abolition of Forced Labour Convention, 1957 (Convention No. 105), the Discrimination (Employment and Occupation) Convention, 1958 (Convention No. 111) and the Employment Policy Convention, 1964 (Convention No. 122).

170. In reply to the questions raised, the representative of the State party said that work was a right and an obligation for Syrian workers and that it was for the Government to guarantee that right. From 1960 to 1989 the number of workers had risen from 986,000 to 2,892,000 and the proportion

of women from 9.1 per cent to 14.8 per cent. In 1981, there had been 98,577 unemployed persons, including 8,778 women, and the illiterate and the unskilled had been the ones most seriously affected. Employment was thus the most serious concern of the country's successive governments, which had adopted a number of actions plans, particularly for an equitable number of job vacancies from one region to another. Workers were protected against arbitrary dismissal by various laws and regulations. Agricultural workers' wages guaranteed them a standard of living equal to that of workers in other sectors.

#### Article 7: Right to just and favourable conditions of work

171. Members of the Committee wished to know whether the ILO Committee of Experts on the Application of Conventions and Recommendations had made any observations concerning the implementation by the Syrian Arab Republic of the ILO Weekly Rest (Industry) Convention, 1921 (Convention No. 14), the Minimum Wage-Fixing Machinery Convention, 1928 (Convention No. 26), the Hours of Work (Commerce and Offices) Convention, 1930 (Convention No. 30), the Equal Remuneration Convention, 1951 (Convention No. 100) and the Minimum Wage Fixing Convention, 1970 (Convention No. 131), and what the *de facto* and *de jure* situation of agricultural workers was with regard to normal working hours, rest, protection of workers who had been dismissed and wage levels. They also requested statistical data regarding changes in levels of remuneration and in the cost of living. In addition, information was requested on religious holidays which created a right to rest, and, in that regard, on the rights of non-Muslim workers; on the role, organization and staff of the Labour Inspectorate; and on how the State guaranteed the right to remuneration as referred to in paragraph 19 of the report.

172. In his reply, the representative of the State party stressed that wages were regularly increased in order to guarantee all persons a decent standard of living. A recent decree had thus raised the remuneration of all members of the civil service by 25 per cent. With regard to the specific observations by the ILO Committee of Experts on the Application of Conventions and Recommendations, the Minister of Social Affairs and Employment was trying to fill the gaps in national legislation in order to implement better the ILO Conventions ratified by the Syrian Arab Republic. The latest report by the ILO Committee of Experts, dated 1991, showed, moreover, that there were few problems in that regard. He also said that government departments were closed during Islamic and Christian holidays and Muslim tradesmen closed on Friday, Jews on Saturday and Christians on Sunday.

#### Article 8: Trade union rights

173. Members of the Committee wished to know whether the ILO Committee of Experts on the Application of Conventions and Recommendations had made any observations concerning the implementation by the Syrian Arab Republic of the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (Convention No. 87) and the Right to Organize and Collective Bargaining Convention, 1949 (Convention No. 98); whether restrictions were imposed on the exercise of trade union rights for workers in the public sector and, if so, what their scope was; what the situation of agricultural workers was with regard to trade union rights and the right to strike; and what the percentage of unionized workers was, especially among agricultural workers.

174. It was also asked whether trade unions depended on the Baath Party or were independent; whether trade union uniformity had been imposed on the workers or freely chosen by them; what were the reasons for which the Ministry of Social Affairs and Labour had a say in their property; how was it possible to reconcile the farm workers associations' objective of combating bureaucracy with the growing influence of the public sector in farming; what was the role the State played in collective bargaining; whether wages and conditions of employment of officials were determined unilaterally by the State or as a result of collective bargaining; and what were the remedies public sector officials had to protect their rights and interests. Clarification was also requested on the statement in paragraph 39 of the report that workers no longer had to resort to the right to strike. In that connection, it was pointed out that the prohibition of the right to strike invalidated ILO Conventions Nos. 87 and 98, which had been ratified by the Syrian Arab Republic, and it was asked whether there had been any attempts to organize strikes, and if so, what had happened to the organizers.

175. In his reply, the representative of the State party said that the trade union committees defended workers against any infringement of their rights and seminars were held regularly in all ministries so that wage earners could learn about their rights. With regard to agricultural work, he indicated that there was a code of agricultural relations whereby workers and their employers could reach agreements on a one-to-one basis. In the public sector, the law determined the length of the working day, from 8 a.m. to 2:30 p.m., for agricultural and other workers. Decree No. 127 of 1964 had established a general federation of agricultural workers for the purpose of organizing them, improving their standard of living and democratizing the agricultural sector through agrarian reforms. Subsequently, a political trade union and a workers' cooperative had been set up, inter alia, to expand cooperation in that sector. The number of agricultural associations had risen from 1,565 in 1970 to 1,900 in 1990. Two agricultural trade unions had also been merged in the interests of the persons concerned. Various regulations guaranteed the rights of agricultural workers. Moreover, neither the Labour Code nor other legislation referred to the right to strike, but the trade unions and the General Federation of Trade Unions protected the rights of workers.

#### Article 9: Right to social security

176. Members of the Committee wished to receive information on the progress made in the field of social security and health care, since the submission of the last report (E/1978/8/Add.25 and 31), regarding both the benefits provided and the groups protected and the levels of coverage of the population. They also asked whether the ILO Committee of Experts on the Application of Conventions and Recommendations had made any observations concerning the implementation by the Syrian Arab Republic of the ILO Social Security (Minimum Standards) Convention, 1952 (Convention No. 102), the Equality of Treatment (Social Security) Convention, 1962 (Convention No. 118), the Employment Injury Benefits Convention, 1964 (Convention No. 121), the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (Convention No. 128) and the Medical Care and Sickness Benefits Convention, 1969 (Convention No. 130); what the situation of agricultural workers was with regard to the right to social security; and what percentage of the national budget was assigned to social expenditure.

177. Replying to the questions asked, the representative of the State party described the development of social security in the Syrian Arab Republic since its beginnings. Act No. 92 of 1959, as later

amended, provided for the social protection of workers in the event of a work accident or death, as well as old-age benefits.

#### Article 10: Protection of the family, mothers and children

178. Members of the Committee requested clarification of the Personal Status Act, which seemed to favour women over men. In that regard they wished to know exactly what the situation was, in law and practice, in respect of paternal authority, the administration of a couple's property and freedom to work. They also inquired whether the ILO Committee of Experts on the Application of Conventions and Recommendations had made any observations concerning the implementation by the Syrian Arab Republic of the ILO Maternity Protection Convention, 1919 (Convention No. 3), the Medical Examination of Young Persons (Industry) Convention, 1946 (Convention No. 77), the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (Convention No. 78), the Night Work of Young Persons (Industry) Convention (Revised), 1948 (Convention No. 90), the Maternity Protection Convention (Revised), 1952 (Convention No. 103) and the Minimum Age Convention, 1973 (Convention No. 138); how child labour was regulated; what the minimum legal working age was; how many children worked below the legal age; whether the country was confronted with problems of anti-social or criminal behaviour among young people and if so, what were the causes of social problems and what steps were being taken or planned to remedy the situation; whether there were differences in filiation and legal status between legitimate children and children born out of wedlock; whether certain groups of children lacked protection or care; and what was the status of children and young people who had been abandoned or deprived of a family environment. Information was also sought concerning the maternity protection system and about measures adopted or planned, if any, to remedy the situation of women who did not enjoy protection.

179. Additional information was also requested on the meaning of the term "family" in Syrian law; on the possibility that a judge might refuse to allow a marriage if the age difference between the future spouses was too great; on the legal provisions relating to divorce and possible compensation for the wife of a man requesting divorce without valid reasons; and on the fact that all juridical acts relating to children required the father's consent.

180. In reply, the representative of the State party said that, under article 124 of Act No. 91/1959, the authorities were entitled to prohibit the employment of persons under the age of 15 in some sectors of industry. Similarly, persons under the age of 15 could not work at night or work more than six hours per day. The Government was trying to promote the social rehabilitation of juvenile delinquents by giving them technical training, if not primary education. Six rehabilitation institutions for such persons were in operation and young persons remanded in custody were placed in special centres, where their social and family situation was carefully studied.

#### Article 11: Right to an adequate standard of living

181. Members of the Committee wished to receive information on the current standard of living of the population and developments over the past five years; about the differences between the rural and urban populations as regards enjoyment of the rights set forth in article 11; on the measures adopted to guarantee fair distribution of food; and on measures taken to mitigate differences, if any, in the

food situation between various groups of the population. They further inquired what percentage of the population had adequate housing; what was the number of homeless or inadequately-housed individuals or families; how the system of protection against eviction operated in practice for the benefit of tenants; how many persons were evicted in the past five years; how many persons were lacking legal protection against arbitrary or any other type of eviction; what measures had been adopted to give the people access to adequate housing; what measures had been adopted to protect the environment; and what the role of international assistance was in securing the enjoyment of the rights enshrined in article 11.

182. Additional information was also requested on the steps taken to help the unemployed and the poor in urban areas, more particularly in regard to food and housing; and on methods of production, conservation and distribution of food and their impact in securing the right to adequate food.

183. In his reply, the representative of the State party supplied various statistics on housing, both in the rural and in the urban areas, showing that there was no shortage in that regard. All enterprises and bodies in the industrial sector were required to conduct environmental impact studies and to take the requisite measures to combat pollution.

#### Article 12: Right to physical and mental health

184. Members of the Committee inquired how the health situation had developed since the submission of the initial report on article 10 to 12 (E/1980/6/Add.9); what percentage of the national budget was assigned to health care and how such budget allocations had evolved over the past five years; what differences there were between urban and rural areas as far as the realization of the right to health was concerned; what measures had been taken to remedy any disparities; how the requirements of development were reconciled with those of environmental protection; whether AIDS was a health problem in the country, how many people were affected and what means were used to combat the disease; and what the role of international cooperation was in securing the enjoyment of the right to health enshrined in article 12 of the Covenant. It was asked also what roles the public sector and the private sector played in the health field.

185. In reply, the representative of the State party said that the Syrian Arab Republic was trying, so far as it was able, to provide the whole of the population, and particularly persons with low income, with health care, in terms of both prevention and treatment. Treatment at public hospitals was free of charge and the State subsidized essential medicines manufactured in the private sector, which played an important role in the health field. National programmes sought to bridge the gap between the rural areas and the urban areas and to provide both the village and the town and city dwellers with access to health services. The number of medical establishments in the rural areas had thus virtually doubled in 10 years, rising from 228 in 1980 to 391 in 1990. Furthermore, medical teams had been formed for health care in the villages. At the same time, the rural population now had greater access to drinking water and to various services such as electricity, education and housing. As to AIDS, there were, to date, only 28 HIV-positive persons.

#### Articles 13 and 14: Right to education

186. Members of the Committee wished to know how the right of every person to education was ensured in practice; whether the goal of compulsory primary education free of charge for all had already been achieved; what measures had been taken to encourage and intensify basic education for those persons who had not received or completed primary education; whether the plan of action for the progressive implementation of the right to compulsory education free of charge for all mentioned in articles 13 and 14 of the Covenant as drawn up in the Syrian Arab Republic covered adults who had not received or had been unable to complete their primary education; and what the role of international assistance was in securing the enjoyment of the right to education. They also wished to receive statistical information concerning pupils and teachers, by gender, at all levels of the education system, particularly in technical and university education.

187. Clarification was also requested on the extent of State supervision of education, mentioned in the report (see E/1990/6/Add.1, para. 106 and 109), and its compatibility with the principle of democracy in education, also mentioned in the report; on the average income of teachers compared with, for example, members of the armed forces; on any steps taken by the Government to encourage private education; on the sectors to which girls had access after primary education; and on the implementation of articles 5 and 6 of Act No. 35, on compulsory education.

188. In his reply, the representative of the State party explained that the State earmarked 12.7 per cent of the budget for education and received no outside help in that regard, other than a modest contribution from UNESCO. Education was free of charge at all levels and school textbooks were distributed free of charge to pupils in primary education. The enrolment rate in compulsory education was 97 per cent in 1989 and the remaining 3 per cent were accounted for by handicapped children attending special schools. The salary scales for teachers was slightly higher than those for other public officials.

Article 15: Right to take part in cultural life and to enjoy the benefits of scientific progress and to benefit from the protection of the interests of authors

189. Members of the Committee wished to know what measures had been taken to preserve Kurdish culture; what difficulties were encountered in giving effect to the right of all citizens to take part in cultural life and what the situation was in this respect in rural areas and among minority ethnic groups; what legislative and other measures had been adopted to give effect to the right to enjoy the benefits of scientific progress and its applications; what benefits the country's least advantaged sectors derived from scientific progress; what measures had been adopted to guarantee the right of a person to benefit from the moral and material interests resulting from any scientific, literary or artistic production of which he was the author; whether there were difficulties affecting the protection of intellectual property; and what impact international cooperation in the scientific and cultural fields had on the life of Syrians, particularly members of ethnic groups.

190. Clarification was also requested on whether the Ministry of Culture and National Guidance could reject books which attached revealed religions and on what efforts were undertaken to foster the cultural identity of non-Arab populations.

191. In his reply, the representative of the State party said that all the population groups in the Syrian

Arab Republic had been living there for thousands of years. Three religions coexisted in the Syrian Arab Republic: Islam, Judaism and Christianity.

192. Recognizing that he was not in a position to answer the questions on marriage and divorce, the representative of the State party said that written replies would be sent to the Committee later on.

193. The Chairman thanked the representative of the State party for his participation and expressed the hope that the written replies mentioned by the representative could be transmitted to the Committee by June 1992, so that the pre-sessional working group could consider them at its next meeting.

#### Concluding observations

194. In concluding its consideration of the second periodic report by the Syrian Arab Republic, the Committee noted that the information submitted in writing as well as the oral replies by the representative of the State party to the questions raised did not fully reflect the actual situation in the country in regard to the implementation of the Covenant. Some questions had not met with replies, whereas other replies were incomplete. This had been the case, *inter alia*, in respect of questions relating to: the structure of the Baath Party; the situation of women in the event of divorce, within the family and, more generally, in all fields in the life of the country; agrarian reform, housing policy; trade unions as well as to the right to strike. Lastly, the Committee noted with satisfaction that additional information of a legal nature would be transmitted once the State party received the Committee's report on its sixth session.

## **CESCR E/2002/22 (2001)**

391. The Committee considered the third periodic report of the Syrian Arab Republic on the implementation of the Covenant (E/1994/104/Add.23) at its 34th and 35th meetings, held on 15 August 2001, and adopted, at its 52nd and 53rd meetings, held on 28 August 2001, the following concluding observations.

### **A. Introduction**

392. The Committee welcomes the third periodic report of the State party, as well as the useful dialogue that took place with the delegation. The Committee also takes note of the information contained in the letter of 24 August 2001 from the Permanent Mission of the State party to the United Nations Office at Geneva addressed to the Chairperson of the Committee.

393. The Committee regrets that a considerable number of its written and oral questions remained unanswered, owing to a lack of detailed information in the State party's report, the written replies and the oral responses during the dialogue. The Committee also regrets that the delegation of the State party was not composed of officials responsible for the relevant rights of the Covenant, a fact which had a negative impact on the quality of the dialogue.

### **B. Positive aspects**

394. The Committee appreciates the State party's efforts to improve the enjoyment of economic, social and cultural rights by its inhabitants. In particular, the Committee takes note of the State party's goals and objectives in the context of the United Nations Development Assistance Framework, which aims at improving living standards by reducing socio-economic and regional disparities and strengthening institutional capacities to meet development challenges.

395. The Committee notes with appreciation that the State party is also cooperating with international organizations and relevant specialized agencies to reduce poverty and to work towards further realization of the right to food and the right to health.

396. The Committee welcomes the State party's efforts to address the acute problem of water shortage, as well as its efforts to enhance public awareness of this problem.

397. The Committee welcomes the fact that infant mortality has decreased and that life expectancy has increased.

398. The Committee notes with satisfaction the measures taken by the State party to provide health services and education for nomadic peoples, such as mobile first aid facilities and dispensaries and mobile schools and libraries.

399. The Committee welcomes the measures taken by the State party pursuant to the Dakar

Framework for Action, adopted at the World Education Forum in April 2000, to elaborate a National Education For All Plan.

C. Factors and difficulties impeding the implementation of the Covenant

400. The Committee notes the State party's statement that, owing to the continuing foreign occupation of part of its territory, it feels compelled to allocate a considerable part of its resources to national defence.

401. The Committee recognizes that the efforts of the State party to comply with its obligations under the Covenant are impeded by the high foreign debt/GDP ratio, and that this has adversely affected its capacity to enhance the enjoyment of economic, social and cultural rights by the population.

402. The Committee notes that the prevalence of certain traditions, customs and cultural practices in the State party continues to impede the full enjoyment by women and girls of their rights under the Covenant.

D. Principal subjects of concern

403. The Committee is concerned about discrimination against certain minority groups in the Syrian Arab Republic on the basis of their non-Arab heritage, including those groups that have been living in the territory of the State party for many generations.

404. The Committee expresses its concern about the persisting discrimination in the political, social and economic spheres of life against women in Syrian society, which is particularly reflected in limited participation by women in the political and economic decision-making process, a low legal age of marriage for girls, more severe punishment of women for adultery and "honour crimes", and unequal treatment insofar as personal property and social security laws are concerned. The Committee regrets that the State party has not adopted any significant legislative or administrative measures to eliminate this discrimination, nor ratified the Convention on the Elimination of All Forms of Discrimination against Women.

405. The Committee is also concerned about the living conditions of refugees and stateless persons in the Syrian Arab Republic, as well as the fact that the State party has not ratified the 1951 Convention relating to the Status of Refugees nor its 1967 Protocol. The Committee regrets the delegation's lack of sufficient information on this matter.

406. The Committee is concerned about the relatively high unemployment rate in the State party, which has been estimated to be between 10 and 25 per cent, and regrets that the State party's delegation was not able to provide sufficient statistical data to clarify this point of concern.

407. The Committee regrets that the State party has not provided sufficient information on the incidence of child labour. Moreover, the Committee is deeply concerned that the minimum working age is too low and that children working in family businesses and the agricultural sector are not

protected by the relevant labour legislation.

408. The Committee expresses its concern about the practice of forced labour in prisons, especially by minors and those who have been incarcerated for vagrancy and other petty crimes.

409. The Committee also expresses its concern that the minimum wage has not been adjusted in recent years and that it has therefore become insufficient to provide a basic and adequate standard of living for workers and their families.

410. The Committee is also concerned that the right to establish independent trade unions is obstructed by the State party, as trade unions are obliged to register with the General Federation of Trade Unions which is closely linked to the governmental structure.

411. The Committee also expresses concern about the restrictions in practice reported by ILO with regard to the right to strike, such as the imposition of sanctions, including imprisonment, which constitutes non-compliance with the State party's obligation regarding article 8 of the Covenant.

412. The Committee is concerned about the absence of unemployment benefits, which runs counter to the State party's obligation under the Covenant to realize progressively the right to just and favourable conditions of work and to social security.

413. The Committee is also concerned about the disparity in the provision of social benefits and accident compensation to Syrian nationals, refugees and stateless persons.

414. The Committee expresses its concern about the persistent occurrence of domestic violence against both women and children and the lack of legislation to criminalize such violence. Moreover, the Committee is concerned that there is no law against spousal rape.

415. The Committee is concerned about the incidence of poverty in the State party, which, according to alternative sources, affects about one third of the population. The Committee also regrets the absence of official statistical data on this subject.

416. The Committee regrets the lack of comparative statistical data on the State party's implementation of the right to health, as well as the fact that it did not receive replies to a considerable number of questions on the right to health in the list of issues (E/C.12/Q/SYR/1).

#### E. Suggestions and recommendations

417. In the light of paragraph 71 of the Vienna Declaration and Programme of Action<sup>10/</sup> and the conclusions of the Eighth Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asian and Pacific Region (held at Beijing, 1 to 3 March 2000), the

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<sup>10/</sup> Adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993 (A/CONF. 157/24 (Part I), chap. III).

Committee recommends that the State party prepare a comprehensive national plan of action in relation to the implementation of its obligations under international human rights treaties, including the Covenant. The Committee requests the State party to annex a copy of its national human rights plan of action to its fourth periodic report and to provide information on its implementation.

418. The Committee encourages the State party to establish as soon as possible a national human rights institution which conforms to the Paris Principles.<sup>8/</sup>

419. The Committee strongly recommends that the State party's obligations under the Covenant be taken into account in all aspects of its negotiations with international financial institutions, such as IMF, the World Bank and WTO, to ensure that economic, social and cultural rights, particularly of the most vulnerable groups, are duly protected.

420. The Committee strongly recommends that the State party take effective measures to combat discrimination in practice against minority groups, in particular the Kurds. Such measures should be aimed especially at improving birth registration and school attendance and allowing for the use of their languages and other expressions of their culture.

421. The Committee strongly recommends that the State party take effective measures to incorporate a gender equality perspective in both legislation and in governmental policies and administrative programmes, with a view to ensuring equality of men and women and addressing in particular the problems of the low legal age of marriage for girls, more severe punishment of women for adultery and "honour crimes", and the unequal treatment of women insofar as personal, property, succession and social security laws are concerned. The Committee also encourages the State party to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

422. The Committee recommends that the State party take legislative and administrative measures to ensure the enjoyment of economic, social and cultural rights by refugees and stateless persons. The Committee urges the State party to ratify the Convention relating to the Status of Refugees, the Protocol thereto, and the 1954 Convention relating to the Status of Stateless Persons.

423. The Committee requests the State party to provide more detailed information and specific statistical data - including comparative data - on the real situation of unemployment and of child labour in the State party and on the measures it has taken to address these problems.

424. The Committee recommends that the State party take measures to prohibit the practice of forced labour in prisons, including by minors and those incarcerated for vagrancy and other petty crimes.

425. The Committee urges the State party to adjust the minimum wage from time to time, so that it provides for an adequate standard of living for workers and their families, in conformity with articles 7 and 11 of the Covenant.

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<sup>8/</sup> Principles relating to the status of national institutions for the promotion and protection of human rights (see General Assembly resolution 48/134 of 20 December 1993, annex).

426. The Committee recommends that the State party request technical assistance from ILO for the training of labour inspectors in order to ensure better implementation of labour legislation.

427. The Committee urges the State party to take all effective measures to address the problem of child labour in family enterprises and in the agricultural sector, which runs counter to protection of the rights of the child to health and to education.

428. The Committee strongly urges the State party to ensure that the right to establish free and independent trade unions is respected, and that the right to strike can be exercised without any form of intimidation.

429. The Committee recommends that the State party take all necessary measures to guarantee - to the maximum of its available resources, as stipulated by article 2, paragraph 1, of the Covenant - that an adequate system of social security is maintained, in particular with regard to the payment of unemployment benefits. The Committee also requests that more detailed information and statistical data, including comparative data, are provided on the State party's pension system in its next periodic report.

430. The Committee strongly recommends that the State party adopt legislation and other measures to combat domestic violence and spousal rape, and vigorously implement such legislation and other measures in order to provide adequate protection for victims of such practices.

431. The Committee requests the State party to provide detailed statistical data on the level of poverty in its territory, as well as more detailed information on measures taken to reduce poverty.

432. The Committee urges the State party to provide detailed information about the housing situation in the Syrian Arab Republic, including the provision of social housing for lower income, disadvantaged and marginalized groups, the number of forced evictions and whether those evictions comply with the guidelines set out by the Committee in its General Comment No. 7 (1997) on the right to adequate housing (art. 11, para. 1, of the Covenant): forced evictions.

433. The Committee also requests the State party to provide replies to the written and oral questions raised by the Committee in the list of issues and during the dialogue which were left unanswered, and in particular it requests comparative statistical data on the implementation of the right to health, thereby taking into account the Committee's General Comment No. 14 (2000) on the right to the highest attainable standard of health (art. 12 of the Covenant).

434. The Committee urges the State party to implement its comprehensive National Education For All Plan, as anticipated by paragraph 16 of the Dakar Framework for Action, taking into account the Committee's General Comments No. 11 (1999) on plans of action for primary education (art. 14 of the Covenant) and No. 13 (1999) on the right to education (art. 13 of the Covenant) and General Comment No. 1 (2001) of the Committee on the Rights of the Child on the aims of education (art. 29, para. 1, of the Convention on the Rights of the Child). The Committee on Economic, Social and Cultural Rights also urges the State party to ratify the Convention against Discrimination in Education

adopted by the General Conference of UNESCO in 1960.

435. The Committee strongly recommends that the State party make sure that minority groups, such as the Kurds, are able to enjoy their right to use their own language and to live in accordance with their own culture without impediments in the form of legislative or administrative arrangements imposed by the State party.

436. The Committee recommends that the State party avail itself more actively of technical assistance and cooperation from the Office of the United Nations High Commissioner for Human Rights and the relevant United Nations specialized agencies and programmes, such as UNDP and UNESCO, particularly in relation to the preparation of its fourth periodic report on the implementation of the Covenant, a national human rights plan of action, the creation of a national human rights institution, and the preparation and implementation of the National Education For All Plan in accordance with the Dakar Framework for Action.

437. The Committee requests the State party to disseminate the present concluding observations widely among all levels of society and to inform the Committee of all steps taken to implement them. It also encourages the State party to consult with non-governmental organizations and other members of civil society in the preparation of its fourth periodic report.

438. Finally, the Committee requests the State party to submit its fourth periodic report by 30 June 2006, and to include in the report detailed information on the steps it has undertaken to implement the recommendations contained in the present concluding observations.