



Convention on the Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD**Forty-sixth session****CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 8 OF THE Optional Protocol to the Convention on****the Rights of the Child on the involvement of****children in armed conflict****Concluding observations: Syrian Arab Republic**

1. The Committee considered the initial report of the Syrian Arab Republic (CRC/C/OPAC/SYR/1) at its 1278th meeting (CRC/C/SR.1278), held on 2 October 2007, and at its 1284th meeting (CRC/C/SR.1284), held on 5 October, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report under the Optional Protocol and the written replies to the list of issues (CRC/C/OPAC/SYR/Q/Add.1), which provide additional information on the legislative, administrative, judicial and other measures applicable in the State party in respect of the rights guaranteed under the Protocol. The Committee also appreciates the constructive dialogue that took place with the multisectoral delegation.

GE.07-445693. The Committee reminds the State party that these concluding observations should be read in conjunction with its previous concluding observations on the State party's second periodic report under the Convention (CRC/C/15/Add.212), adopted on 6 June 2003, and on its initial report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/SYR/CO/1), adopted on 29 September 2006.

B. Positive aspects

4. The Committee notes with appreciation:

The State party's declaration made upon the ratification of the Optional Protocol that the statutes in force and the legislation applicable to the Ministry of Defence do not permit any person under 18 years of age to join the active armed forces or the reserve bodies or formations and do not permit the enlistment of any person under that age, and that no derogation is permitted, even under exceptional circumstances;

The confirmation by the State party, in its report, that military education was removed as a subject from the curricula taught at all schools and at all stages of education up to university level.

5. The Committee also reiterates its appreciation of the ratification by the State party of:

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2 June 2005);

The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (18 September 2004);

ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour, 1999 (No. 182) (22 May 2003);

6. The Committee also notes with appreciation the State party's collaboration with international organizations such as the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) on studies and activities carried out in the area of child protection.

C. Factors and difficulties impeding the implementation of the Protocol

7. The Committee is concerned at the absence of information on the implementation of the Protocol in the occupied Syrian Golan, due in part to the absence of humanitarian agencies working in the area.

D. Main areas of concern and recommendations

1. General measures of implementation

Legislation

8. The Committee is concerned that there are no specific provisions in the State party's legislation criminalizing the compulsory recruitment of a person under 18 or any other violation of the provisions of the Optional Protocol.

9. In order to strengthen the national and international measures for the prevention of the recruitment of children by armed forces or armed groups and their use in hostilities, the Committee recommends that the State party:

(a) Explicitly prohibit by law the violation of the provisions of the Optional Protocol regarding the recruitment and involvement of children in hostilities;

(b) Ensure that military codes, manuals and other military directives are in accordance with the provisions and the spirit of the Optional Protocol ;

(c) Provide explicitly, within the Penal Code or otherwise, for extra-territorial jurisdiction over acts contrary to the Protocol, including conscripting or enlisting children into armed forces or armed groups, or using them to participate actively in hostilities, if such crimes are committed by or against a Syrian national or a person who otherwise has a close link with the State party;

(d) Ratify the Statute of the International Criminal Court, which it signed on 22 November 2000.

National plan of action

10. The Committee notes that the State party is considering the integration of the Convention's provisions into its national plan for the protection of children (2008-2010).

11. The Committee encourages the State party to ensure integration into its national plan of the objectives and provisions of the Convention and its two Optional Protocols.

Dissemination and training

12. The Committee notes with appreciation the steps taken by the State party to disseminate information on the Convention on the Rights of the Child through inclusion in school curricula and awareness-raising campaigns.

13. In light of article 6, paragraph 2, of the Optional Protocol, the Committee recommends that the State party also make the principles and provisions of the Protocol widely known and promoted by appropriate means. The Committee further recommends that the State party develop systematic and awareness-raising education and training on the provisions of the Optional Protocol for all relevant professional groups, including those working with asylum-seeking, refugee and migrant children coming from countries affected by armed conflict, such as teachers, medical professionals, social workers, police officers, lawyers and judges.

Peace education

14. While the Committee notes with appreciation the integration of human rights education, as well as social and gender issues, into the educational curricula at all levels, it regrets the lack of information provided by the State party on the inclusion of peace education as an element of the curricula of schools.

15. The Committee recommends that the State party strengthen its efforts to include peace education in school curricula and to encourage a culture of peace and tolerance within schools. The Committee further recommends that the State party develop training for teachers on the inclusion of peace education in the educational system.

Arms export

16. The Committee notes the information provided by the delegation that there is no arms export, but also notes that there is no specific provision in the State party's legislation prohibiting the sale of arms to countries where children could be recruited or used in hostilities.

17. The Committee recommends that the State party consider introducing a specific prohibition with respect to the sale of arms when the final destination is a country where children are known to be - or may potentially be - recruited or used in hostilities.

18. The Committee further recommends that the State party, in accordance with article 7 of the Protocol, strengthen its cooperation in the implementation of the present Protocol, including in the prevention of any activity contrary thereto and in the rehabilitation and social reintegration of persons who are victims of acts contrary to the provisions of the Protocol, including through technical cooperation and financial assistance.

2. Measures adopted with regard to physical and psychological recovery and social reintegration

19. The Committee notes that the State party is a country of destination for refugees, asylum-seekers and migrants, including children,

some of whom come from countries recently affected by armed conflict. The Committee also notes that efforts have been undertaken, in collaboration with civil society and international organizations, to assist the physical and psychological recovery and social reintegration of refugee and asylum-seeking children. The Committee expresses concern that the mass influx of refugees from countries involved in armed conflict creates difficulties in the identification of children who may have been recruited or used in hostilities contrary to the Protocol.

20. In order to specifically assist those children who may have been involved in armed conflict, the Committee recommends that the State party:

(a) Identify at the earliest possible stage refugee, asylum-seeking and migrant children entering Syria who may have been recruited or used in hostilities contrary to the Protocol;

(b) Carefully assess the situation of these children and provide them with immediate, culturally sensitive and multidisciplinary assistance for their physical and psychological recovery and their social reintegration, in accordance with article 6, paragraph 3 of the Protocol;

(c) In the context of the above, consider ways to improve the legal protection of children concerned, including through refugee status determination where such status is being sought;

(d) Undertake periodic evaluations of existing physical and psychological recovery and reintegration programmes and services;

(e) Take all necessary measures to ensure that the return of a child to a country of origin shall only be arranged when it is in the best interests of the child;

(f) Include information on measures adopted in this respect in its next report.

21. In this respect, the Committee further wishes to draw the State party's attention to the Committee's general comment No. 6 (CRC/GC/2005/6) on treatment of unaccompanied and separated children outside their country of origin.

3. Follow-up and dissemination

22. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Cabinet, Parliament, the Ministry of Defence and provincial authorities, where applicable, for appropriate consideration and further action.

23. The Committee recommends that the initial report submitted by the State party and the concluding observations adopted by the Committee be made widely available to the public at large in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring.

4. Next report

24. In accordance with article 8, paragraph 2, the Committee requests the State party to include further information on the implementation of the Optional Protocol in its next periodic report under the Convention on the Rights of the Child, in accordance with article 44 of the Convention.

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