



# International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Distr.: General  
28 September 2022

Original: English

---

## Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Thirty-fifth session

### Summary record (partial)\* of the 499th meeting\*\*

Held at the Palais des Nations, Geneva, on Thursday, 22 September 2022, at 10 a.m.

*Chair:* Mr. Corzo Sosa

## Contents

Consideration of reports submitted by States parties under article 73 of the Convention  
(continued)

*Combined second and third reports of the Syrian Arab Republic*

---

\* No summary record was prepared for the rest of the meeting.

\*\* No summary record was issued for the 498th meeting.

---

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

Please recycle



*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 73 of the Convention (continued)**

*Combined second and third periodic reports of the Syrian Arab Republic  
(CMW/C/SYR/2-3; CMW/C/SYR/Q/2-3; CMW/C/SYR/RQ/2-3)*

1. *At the invitation of the Chair, the delegation of the Syrian Arab Republic joined the meeting.*
2. **The Chair**, welcoming the head of the delegation of the Syrian Arab Republic to the meeting, explained that the other members of the delegation would be participating via video link.
3. **Mr. Aala** (Syrian Arab Republic), introducing his country's combined second and third periodic reports ([CMW/C/SYR/2-3](#)), said that the text was the outcome of nationwide consultations regarding concerns and challenges relating to the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It had been prepared by an interministerial committee coordinated by the Syrian Commission for Family and Population Affairs. Members of the People's Assembly, the Bar Association, the General Federation of Trade Unions, chambers of commerce, academics, researchers and civil society organizations had also made comments and submitted contributions.
4. As the Syrian Arab Republic was determined to comply with its obligations under the international treaties that it had ratified, including the Convention, it had submitted its report notwithstanding the exceptional circumstances in the country and the need to address urgent humanitarian issues. Since 2011, the country had been subjected to an externally supported terrorist war, to foreign occupation of part of its territory and to unilateral coercive measures, including an economic blockade that had violated Syrian citizens' right to life, health, education and development, and had undermined the commercial, financial, banking, energy and transport sectors. The critical situation had severely impacted the outstanding economic and social development the country had enjoyed for decades and had forced many Syrians abroad.
5. The Syrian Arab Republic had taken vigorous action to address the challenges it faced, while continuing to develop its national framework for the protection of migrant workers and members of their families, in accordance with the Convention and the principle of non-discrimination enshrined in the Constitution. It also continued to develop ways and means of combating the scourge of trafficking in persons, and to fortify control and preventive mechanisms as well as protection mechanisms for victims, particularly women and children. The war had seriously undermined coordination with some neighbouring countries, including on issues related to the Convention, and some border areas had become uncontrollable during the reporting period. The Syrian Government had taken steps to facilitate civil status procedures relating, in particular, to birth registration, notably by introducing amendments to the Civil Status Act.
6. Terrorism combined with the impact of unilateral coercive measures had caused a large number of Syrians to leave the country as refugees and migrants. Some of them had used forged documents or paid large sums of money to smuggling networks operating in border areas, areas that certain countries had turned into corridors whereby terrorists could enter the Syrian Arab Republic. The Government urged all Syrians who had been compelled by the crisis to leave the country to return in a voluntary and dignified manner. It was endeavouring, in cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR) and other United Nations humanitarian agencies, to facilitate their return to their native regions as soon as those regions had been liberated from terrorism and their infrastructure had been restored.
7. Steps were being taken to meet fundamental needs such as housing, employment, basic health-care services and integration into the education system. The Government continually reviewed its legal and operational standards with a view to removing impediments to the return of Syrian citizens. It was still unfortunately denied the requisite

international support and some countries sought to obstruct the Government's actions for political reasons.

8. Efforts to restore the production cycle, to revitalize the labour market, to provide decent work and to operationalize preventive and protective mechanisms on behalf of vulnerable migrant workers continued to face serious challenges. One such challenge was that of limited resources, another was the issue of the political conditions imposed on the financing of cooperation programmes with international organizations for the provision of basic services, particularly electricity and water.

9. It was of paramount importance to achieve a common political will to address the economic, legal and social dimensions of migration; to promote sound, just, humane and legitimate conditions for migrant workers and members of their families; to strengthen ways and means of increasing the benefits of migration for development and reducing its negative impact; and to tackle the issue of illegal migration, since it exacerbated the vulnerability of migrants and members of their families. Accordingly, it was essential to review the issue of migration as a whole in terms of its causes, consequences and solutions, and to promote bilateral agreements between labour-exporting and labour-receiving countries as a means of regulating migration and preventing the growth of illegal migration.

10. Development was a key means of addressing illegal migration and should serve as the basis for long-term strategies. Support for the achievement of the Sustainable Development Goals would help to provide prospective migrants with livelihoods and employment opportunities in their countries of origin, while awareness-raising campaigns would provide a perspective whereby illegal migration was not viewed and addressed as an organized crime but as a humanitarian, social and economic crisis, especially in light of the increasing manifestations of racism, racial discrimination and xenophobia in many migrant recipient countries. For its part, the Syrian Arab Republic would continue to incorporate its international obligations into national legislation and policies.

11. **Mr. Babacar** (Country Rapporteur) said that the exceptional conditions in the Syrian Arab Republic called for increased vigilance in the face of potential violations of the rights of migrant workers, such as child labour and enforced disappearance. The reference in the Labour Code to non-Syrian-Arab workers constituted a form of discrimination that was outlawed in the Convention. It was difficult to produce an appropriate assessment of the State party's implementation of the Convention owing to the lack of reliable statistics concerning issues raised by the Committee. It had been noted, for example, that conditions in places of detention could sometimes be cruel or degrading for migrants, but the State party had failed to respond.

12. The right of access to remedies concerning administrative decisions was reportedly left to the discretion of the Minister of the Interior. The fact that the Minister's decision depended on security requirements or the public interest could lead to violations and abuse. As the State party was currently a country of origin of migrants and many Syrians lived abroad, it should conclude bilateral agreements with host countries so that the migrants were protected and could enjoy the rights enshrined in the Convention.

13. **Mr. Charef** (Country Rapporteur) said that the State party had played a major role in the past as a country that admitted numerous immigrants seeking refuge from neighbouring countries and other parts of the world. There was even a district in Damascus called *Muhajirin* (Migrants).

14. The Committee would appreciate information regarding the State party's procedures for monitoring the implementation of the Convention. He wished to know about the status of the national human rights institution under the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and he would welcome information regarding the selection of its members, the allocation of financial and human resources, and any initiatives aimed at protecting migrant workers. It would be useful to know what steps were taken to raise awareness of the Convention among the general public and, in particular, among migrants within and outside the country. What action had been taken to combat stereotypes and discrimination against migrants and their families, for example in political discourse and in the media?

15. He would appreciate reliable data, if available, on the number of persons who had been forced to leave the country due to the difficulties caused by the conflict, disaggregated by age, sex and geographical location. It would be useful to know what efforts had been made to strengthen search and rescue at sea; to investigate and address deaths at the State party's borders; and to discourage children and teenagers from leaving the State party permanently. He would welcome information on the measures taken to ensure that Syrian nationality could be transmitted down the maternal line.

16. **Mr. Oumaria** said that he was concerned by the fact that the periodic report made no mention of the national human rights institution, and he wished to join Mr. Charef in inviting the delegation to explain the status of that institution. He also wished to echo Mr. Babacar's call for the State party to pursue bilateral agreements with host countries.

17. **Mr. Ceriani Cernadas** said that he wished to know what measures had been taken to ensure that the significant number of Syrians who had moved to other countries in recent years could obtain consular assistance in those countries, including access to documents, the formalization of residency abroad and the provision of information about family members affected by the conflict in the State party. The Committee had received information to the effect that Syrians who returned to their country, either voluntarily or involuntarily, could face arbitrary detention, kidnapping, torture and cruel, inhuman or degrading treatment. He wished to know whether any complaints had been lodged about such cases, and if so, whether investigations had been carried out and what their outcome had been. He would be interested to learn more about the reality on the ground for returnees.

18. **Ms. Diallo** said that she would appreciate details about any efforts being made to address the lack of statistics concerning Syrians abroad. She wished to know if the State party had ratified the Convention relating to the Status of Refugees, and if not, whether it was taking any steps to do so. What mechanisms were in place to determine an individual's status as a stateless person? It would be useful to know to what extent migrant workers could access justice within the State party, including with regard to their economic, social and cultural rights, and whether the State party had ratified the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization. What legislative and other efforts were being made to protect migrant domestic workers in the State party?

19. **Mr. Soualem** said that he would like to learn more about how the combined second and third periodic reports had been prepared and what parties had been involved. He wished to know what means were in place to contact Syrians abroad, particularly migrant workers, and what plans had been made to repatriate Syrians, particularly from neighbouring countries, in the light of continued difficulties establishing peace and security.

20. **Mr. Zounmatoun** said that he wished to know how the State party tackled the human rights challenges posed by the unilateral coercive measures and the general global environment, in particular with regard to ensuring respect for the rights of migrant workers. He hoped that the delegation could inform the Committee about how it could help the State party to make progress in the context of the many challenges that it faced, particularly with regard to the collection of data and the return of migrants.

21. **Ms. Poussi** said that she would welcome information about any progress made to ensure that the rights of Syrian migrant workers were upheld and about the quality of relations with the major host countries of Syrians abroad. She wished to know how the call for Syrians to return home had been answered and what measures were taken to support returnees and ensure they could reintegrate into society and rebuild their lives, despite the ongoing difficulties the country was facing. Was there a comprehensive plan to facilitate returns and provide support to returnees, such as by covering their travel costs? She would welcome details about the number of migrant workers in the State party and the sectors in which they worked, and about the number of migrant domestic workers and the problems that they faced, alongside information on any measures that had been introduced to address those problems.

22. **Mr. Taghi-Zada** said that the Committee required more information about how Syrians abroad were supported, including how they could participate in national elections and what steps were taken to ensure their safety when returning to the State party.

23. **The Chair** said that he wished to know what steps the State party had taken to establish a national institution for the promotion and protection of human rights that conformed to the Paris Principles. He wondered what humanitarian assistance was provided to internally displaced people and how their rights to housing, employment, health and security were protected. He would be interested to hear what efforts the Government had deployed to enable internally displaced persons to return home, and how it ensured the safety of such persons upon their return. He wished to learn what measures had been taken to prevent Syrians from using forged documents obtained from criminal organizations to travel abroad and to ensure that Syrians were able to obtain official documents through legal channels. He wondered whether the Government had conducted campaigns to raise awareness about the consequences of using forged documents and, if so, what the outcome of such campaigns had been.

*The meeting was suspended at 11.15 a.m. and resumed at 11.40 a.m.*

24. **A representative of the Syrian Arab Republic** said that the right of all persons living in the country to social security, regardless of nationality, was enshrined in the Constitution. Acts of discrimination against workers on any grounds were prohibited under article 2 of the Labour Code (Act No. 17 of 2010). The Ministry of Labour and Social Affairs was in the process of devising new legislation and amendments to the Labour Code and Decree No. 65 of 2013 to provide further protection to migrant domestic workers and their family members in accordance with the Convention. In 2021, almost 500 work permits had been issued to migrant workers and just over 250 work permits had been issued in the first half of 2022.

25. **A representative of the Syrian Arab Republic** said that under the Civil Status Act, “mactoum” persons were those whose parents were registered in Syrian civil records but whose births had been registered late. They were recognized as Syrian nationals and were therefore not stateless. The Act had recently been amended to facilitate the registration of children, irrespective of whether they were born inside or outside the country, and fees for late registration had been waived. Syrian embassies had been instructed to simplify procedures for birth registration and the issuance of passports.

26. The International Committee of the Red Cross and other non-governmental organizations had been allowed to visit places of detention since 2016. Persons who had committed immigration offences were held in special detention facilities rather than prisons, and they had access to the necessary consular services. Detainees from States with which the Syrian Arab Republic did not maintain diplomatic relations were able to receive support from consular offices in neighbouring Lebanon. In accordance with Syrian law, detainees were provided with comprehensive services, including health care, without discrimination, and they were able to communicate with their families. Foreigners were entitled to lodge complaints and appeal to the courts on an equal footing with Syrian nationals, and various committees and trade unions existed to help defend the rights of detained migrants. Under the Constitution, no administrative act or decision was exempt from judicial review.

27. State party reports and concluding observations by the United Nations treaty bodies were circulated among State institutions, civil society organizations and other stakeholders for follow-up. Concluding observations from previous dialogues with the Committee had been published.

28. Steps had been taken to mitigate the impact of the unilateral coercive measures imposed by several countries: the Government provided subsidies for everyday necessities and cash benefits were allocated to the most vulnerable segments of the population. In addition, the Government had taken action to counteract the effects of foreign manipulation of the national currency.

*The discussion covered in the summary record ended at noon.*