



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

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

Summary record (partial)* of the 503rd meeting

Held at the Palais des Nations, Geneva, on Monday, 26 September 2022, at 10 a.m.

Chair: Mr. Corzo Sosa

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

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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 (continued) (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. He invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Mr. Aala** (Syrian Arab Republic) said that the Government was working within the limits of its capabilities to address the issues that had caused so many Syrians to flee their country. Yet, although their safe and dignified return was a national priority, efforts in that regard seemed to enjoy limited international support. Notably, certain donors placed political conditions on the United Nations and its specialized agencies that effectively prevented them from supporting Syria as it sought to rebuild the infrastructure and public facilities that had been severely damaged by the systematic terrorist war and the foreign occupation of parts of the country.
4. At the same time, the United States of America and the European Union persisted in the imposition of unilateral coercive measures, which effectively amounted to an economic blockade, while the forces that illegally occupied parts of national territory continued to steal the country's natural resources, particularly oil and gas, causing losses estimated at \$107.1 billion. The scale of the losses occasioned by the coercive measures, the war and foreign aggression had been documented by the Syrian Arab Republic and officially submitted to the United Nations, which had been requested to take more active and serious steps to address the economic and humanitarian situation in the country. He hoped that the Committee would add its own voice to that request and, in particular, to the request to implement Security Council resolution 2642 (2022) by reinstating water, sanitation, health, education and electricity where essential to restore access to basic services, and to lift the unilateral coercive measures which, without any legal or moral basis, had so severe an impact on the Syrian people as to amount to a crime against humanity.
5. Claims that Syrian returnees had been subjected to human rights violations were false, and Syria continued to respect its obligations under its own domestic law and international human rights treaties. Such claims were to be seen as part of the far-reaching misinformation campaigns that had been directed against Syria since 2011, most recently by the British newspaper *The Guardian*.
6. It was important to note that Syria had never accepted the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic, which had been established 11 years previously under a non-consensual resolution of the Human Rights Council. The Commission failed to meet even the most basic standards of independence, impartiality and transparency; its investigations were governed by political considerations dictated by the countries that supported and funded it, and its actions seemed intended to discredit Syrian State institutions.
7. Bilateral negotiations for the return of Syrians were ongoing with States such as Lebanon and Iraq. However, the interruption in relations with certain other States had undoubtedly had a disruptive effect on the implementation of bilateral treaties and international instruments on migration and migrant workers, crippling protection mechanisms and undermining legal safeguards. In some cases, the presence of Syrian refugees in a country was exploited by the national authorities in an attempt to realize political advantages and achieve financial gains at the expense of those refugees.
8. During the coronavirus disease (COVID-19) pandemic, the Government had engaged the services of the country's national carrier, Syrian Air, to bring back Syrians abroad who wished to return home. However, the company's efforts to achieve that task had been

hindered by the unilateral coercive measures, which meant that its planes could not fly over or land in a number of countries. The same restrictions meant that Syrians faced difficulties in acquiring entry visas to many countries, while the activities of Syrian cultural centres and educational institutions in countries with large Syrian communities were also severely impeded.

9. **A representative of the Syrian Arab Republic** said that the President of Syria had issued a total of 22 decrees, most recently Decree No. 7 of 2022, extending a general amnesty to any Syrian citizen who had been involved in terrorist activities, on condition that such activities had not resulted in deaths. Persons who benefited from such decrees could return to the country without facing any kind of legal accountability for their past actions. The decrees were an expression of a genuine political will to encourage the return of Syrian migrants and were part of the process of national reconciliation thanks to which thousands of persons in governorates across the country had been able to legalize their situation and return to their regular activities.

10. Also with a view to encouraging returns, legislation had been passed to exempt Syrian citizens from the fines envisaged for the late registration of civil status events and to facilitate their access to identity documents. Action had been taken so that persons who had left the country unlawfully could regularize their situation with the Department of Immigration and Passports, while persons who had failed to fulfil their obligation to undertake military service were given a period of 6 months in which to regularize their position, without being held in detention. Measures were also taken to facilitate the entry of Syrian children born outside the country and to remedy the situation of persons who had lost their travel documents or who were unable to provide documentary evidence of their own Syrian nationality.

11. A total of 4,970,601 internally displaced Syrians had returned to their homes, leaving around 2 million citizens still displaced inside the country. Thanks to its success in remedying the problem of internal displacement, the Government had been able to effect a gradual reduction in the number of collective shelters it ran for displaced persons, from 534 in 2014 to the current number of 58, which accommodated around 21,000 people. Around 1 million persons had come back to Syria from abroad, including 430,297 who had returned to the country in convoys.

12. A total of 20,503 persons had returned to Syria from Rukban camp. Families were transported from the camp to five purpose-built shelters where they received basic health services, including vaccinations for children and surgical operations for those in need. The returnees were documented and, following a period of quarantine, were able to return to their homes. No charges were levied for the services provided. The only persons who remained in Rukban camp were members of armed militias and their families.

13. National agricultural programmes that had been run between 2017 and 2020 had served to improve the self-sufficiency and productivity of 57,110 rural families in 11 governorates. The programmes envisaged the purchase of surplus agricultural production and the provision of training to rural women on how to establish projects that might help to improve family income. Thirty-two local food production units had been set up at the village level across a number of governorates as well as 16 structures for selling goods produced by rural women. The “development village programme” had been launched in the village of Qatrat al-Rihan in 2022.

.14 Funding had been provided for 19,828 projects run by rural women. The women received technical support and assistance until such time as they had paid off their loans. A national data base of small-scale and microprojects run individually or collectively by women had been created which it was hoped would help with future planning. Women who registered their projects on the database could benefit from training initiatives and loans offered by the Ministry.

15. **A representative of the Syrian Arab Republic** said that, in 2018, his Government had signed a memorandum of understanding with the International Labour Organization (ILO) to eliminate the worst forms of child labour and a national plan had been established to that end. A series of workshops had been held to raise awareness about the issue among labour inspectors, employers, government institutions and other relevant stakeholders. As a result, approximately 650 child workers had been removed from the labour force and enrolled

in schools. The conditions for employing children had to be explained to all minors upon recruitment, and employers were prohibited from hiring any children who lacked an official medical certificate demonstrating that they were fit for work. The Ministry of Social Affairs and Labour conducted outreach campaigns in cooperation with civil society to raise awareness of workers' rights among employers and parents.

16. Labour inspectors, who had the status of law enforcement agents, visited premises where children were employed to verify their working conditions, and businesses that failed to meet the applicable standards were liable to receive fines. Such visits could take place without prior notice and no distinction was made between Syrian and non-Syrian workers. Upon receiving a complaint from a worker, the Labour Inspection Department initiated mediation proceedings and fined employers that refused to cooperate. The Department provided assistance and the relevant documents to workers who subsequently wished to lodge a complaint with the labour tribunals.

17. **A representative of the Syrian Arab Republic** said that the National Programme for Post-War Syria was intended to overcome current and future challenges and build the capacity of State institutions to promote the national interest, improve social justice and cohesion, preserve national identity and uphold the rule of law. The Programme would be implemented in several stages: providing relief and responding to people's basic needs by rebuilding infrastructure, stimulating recovery by mobilizing resources to create supply chains, reinvigorating the national economy and ensuring sustainability through a multisectoral approach to development.

18. The Government had prepared a national programme on the Sustainable Development Goals and had undergone its first voluntary national review, which had focused on reconstruction and ways of overcoming the challenges facing the country. The strategies for achieving Sustainable Development Goal 8 included measures intended to address the situation of young persons who were neither in employment nor enrolled in education or training programmes. Other measures aimed to improve the overall situation of workers, including migrant workers, and especially female domestic workers who currently made up the largest proportion of migrant workers in the Syrian Arab Republic.

19. **Mr. Babacar** (Country Rapporteur) said that he wished to know what measures had been taken by the State party to strengthen the ability of the public authorities, especially the National Committee to Combat Trafficking in Persons, to combat human trafficking and support victims. He wondered whether the State party was planning to ratify the ILO Private Employment Agencies Convention, 1997 (No. 181) in the near future.

20. **Mr. Charef** (Country Rapporteur) said that he would be interested to learn what the roles were of the three bodies – a branch, a division and a centre – referred to in the Act concerning the Entry, Exit and Residence of Foreigners in Syria (Act No. 2 of 2014). He wished to know what the duration was of the special residency permits granted by the Ministry of the Interior to academics, scientists and businesspeople, and he would appreciate details about the residency status of foreign women married to Syrian citizens. Could the delegation provide information about the situation of foreign students in the Syrian Arab Republic? He wondered why, during the course of the interactive dialogue, the delegation had been using the term "muhajir" (migrant) rather than "mughtarib" (expatriate), which was the word that figured in Act No. 2 of 2014, and why a distinction was made between "Arabs" and "foreigners". He wished to know how the authorities intended to achieve social justice, particularly in the light of the fact that some regions had been more affected by the conflict than others.

21. **Mr. Zounmatoun** said that he would like to have an idea of the proportion of workers in the Syrian Arab Republic who were children.

22. **Mr. Oumaria** asked whether the delegation could provide any further information about the proposed national institution for the promotion and protection of human rights and whether it would have the resources it required.

23. **Mr. Ceriani Cernadas** said that he wished to know what procedures the relevant government authorities followed to help survivors, and identify the deceased and inform their families, in cases where boats carrying migrants had sunk near the Syrian coast.

24. **Ms. Dzumhur** said that she would be interested to know to what extent Syrian diplomatic and consular offices, particularly in States located on migration routes, were able to meet the needs of Syrian citizens. It would be useful to know which consular services were requested most often by Syrian nationals. The Committee was aware of cases in which Syrian migrants had lost their lives, and she wished to know whether the Government had reached agreements with the authorities of transit countries to register the deaths of migrants and ensure that they were buried with dignity. She wondered what procedures had been agreed with transit countries to register the births of children born to Syrian migrants.

25. Furthermore, the Committee would be glad to receive statistics on women's participation in the labour market, including on the overall number of female workers and the sectors in which they were active, together with information on their working conditions and equality of access to employment.

26. **Ms. Poussi** said that she would be grateful for further details regarding the eligibility of foreign nationals for the temporary, regular and special residential statuses specified under article 16 of Act No. 2 of 2014 concerning the Entry, Exit and Residence of Foreigners in Syria. In particular, she wished to know what requirements applicants had to meet in order to be granted temporary, regular or special residence.

The meeting was suspended at 11.20 a.m. and resumed at 11.40 a.m.

27. **Mr. Aala** (Syrian Arab Republic) said that the process of establishing a national human rights institution had begun some years previously. In January 2022, during the third cycle of the universal periodic review, the Government had accepted recommendations pertaining to the establishment of such an institution and was currently considering the experiences of other countries with a view to applying the best possible model. Although the initial structure of the institution had been developed, exceptional circumstances had meant that further work in that regard could not be given priority. It should be recalled that the People's Assembly had three parliamentary committees that worked on issues relevant to the protection of human rights.

28. Syrian embassies and consulates continued to provide consular services to all Syrians, including the issuance of passports, the registration of civil status events – including birth registration for Syrian nationals aged up to 18 years – and the authentication of identity and civil status documents. Births were registered at the request of the parents, on the basis of a birth certificate issued by the authorities of the country in which the birth had taken place. Syrian embassies and consulates took all appropriate measures once notified of incidents involving Syrian migrants, including deaths.

29. **A representative of the Syrian Arab Republic** said that the National Committee to Combat Trafficking in Persons was composed of representatives of all relevant ministries. It drafted two-year national plans to combat trafficking, the most recent of which had been adopted in 2021 and covered prevention, protection, prosecution and cooperation. In recent years, the number of cases of trafficking in persons had increased, particularly in refugee camps in neighbouring countries, requiring additional efforts by the National Committee and the Ministry of the Interior to tackle the problem. Unfortunately, many international organizations refused to cooperate with Syrian local authorities on efforts to combat trafficking, while Governments of neighbouring countries turned a blind eye to trafficking in persons, marriages of underage girls and other violations of international law in refugee camps. To combat trafficking in persons, the Government had drawn up plans for the protection of migrant domestic workers and had signed cooperation agreements in that regard with the Governments of Indonesia, Iraq, the Philippines and the Russian Federation. The National Committee raised awareness of trafficking by holding outreach sessions with schools, universities and civil society organizations and by distributing brochures.

30. The central authority responsible for immigration and passports was the Department of Immigration and Passports of the Ministry of the Interior. The Ministry had immigration and passport branches – which provided services at the local level – in each of the 14 governorates. Each branch was composed of divisions with specific competences; for example, for residence, archives, passports or the investigation of violations. In Act No. 2 of 2014 concerning the Entry, Exit and Residence of Foreigners in Syria, the term "centres" referred to passport offices located at border crossing points.

31. Foreign nationals entering the Syrian Arab Republic were usually granted an entry visa for 15 days, after which, if they wished to stay longer, they might be granted a three-month tourism visa. Temporary, regular and special residence permits were granted for one, three and five years, respectively. The conditions and requirements for the issuance of those permits, as well as the one-year employment residence permit, were set forth in Act No. 2 of 2014. Special residence might be granted to foreign nationals who had resided in Syria for 15 years; those who had rendered exceptional services to the country; scientists, writers and artists; and wives of Syrian citizens.

32. The term “expatriate” referred to Syrian-Arab nationals who resided in other countries and persons of Syrian origin born outside the Syrian Arab Republic who had acquired Syrian nationality. Expatriate status conferred certain benefits upon the individuals in question when they returned to the country, including exemption from the payment of fees to avoid military service. Syrian law did not prevent anyone from leaving the country, provided that they did not have any legal obligations towards the State.

33. The Government did not discriminate between Arabs and foreigners. However, it considered the Syrian Arab Republic to be a proud part of the Arab nation and therefore had issued executive instructions granting certain exemptions for Arab nationals. For example, holders of passports issued by Arab countries were permitted to enter the Syrian Arab Republic without obtaining a visa prior to travel and were usually granted a three-month tourism visa instead of the 15-day entry visa.

34. **The Chair** said that the Committee would be grateful if the delegation could submit additional information in writing within 24 hours.

35. **Mr. Charef** said that, during the dialogue, the Committee had considered the unique, complex and troubling humanitarian situation that had arisen owing to the conflict that the Syrian Arab Republic had experienced for almost 12 years. The dialogue had covered many issues in connexion with the migration crisis, including the situation of economic migrants, climate refugees, asylum-seekers and internally displaced persons.

36. In recent months, he had been struck by the solidarity that had been shown to those caught up in another migration crisis – that caused by the conflict in Ukraine. Governments had promptly mobilized resources, the media and communities to welcome more than 7 million Ukrainian refugees. While their approach could only be applauded and encouraged, it was regrettable that not all migration crises elicited the same response. Solidarity and respect for human rights were values that should be extended to all. Moreover, in responding to migration crises, countries should apply the principle of shared responsibility, with each nation shouldering part of the burden according to its capacity.

37. **Mr. Aala** (Syrian Arab Republic) said that he was grateful for the Committee’s understanding of the exceptional circumstances in the State party. His Government looked forward to receiving the Committee’s concluding observations and to strengthening its efforts to implement the Convention.

The meeting rose at 12.10 p.m.