



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the second periodic report of the Syrian Arab Republic*

1. The Committee considered the second periodic report of the Syrian Arab Republic ([CEDAW/C/SYR/2](#)) at its 1223rd and 1224th meetings, on 4 July 2014 (see [CEDAW/C/SR.1223](#) and 1224). The Committee's list of issues and questions is contained in [CEDAW/C/SYR/Q/2](#) and the responses of the Syrian Arab Republic are contained in [CEDAW/C/SYR/Q/2/Add.1](#).

A. Introduction

2. The Committee highly appreciates the timely submission of the State party's second periodic report and its written replies to the list of issues and questions raised by the pre-sessional working group, the armed conflict in the country notwithstanding. It also highly appreciates the presence of the State party's delegation and welcomes its oral presentation. The Committee regrets, however, the lack of information provided in response to some of the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party for its high-level delegation, which was headed by the Minister of Social Affairs, Kinda al-Shammat. The delegation included the heads of the Syrian Commission for Family Affairs and the General Women's Union, in addition to representatives of the Ministry of Justice, the Syrian Women for Peace Initiative and the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the ratification of the following international treaties since the consideration in 2007 of the State party's initial report ([CEDAW/C/SYR/1](#)):

* Adopted by the Committee at its fifty-eighth session (30 June-18 July 2014).



(a) Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, in 2009;

(b) United Nations Convention against Transnational Organized Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Smuggling of Migrants by Land, Sea and Air, in 2009.

C. Factors and difficulties preventing the effective implementation of the Convention

5. The Committee considers that the continuing armed conflict and the extent of violence against women pose a challenge to the implementation of the Convention. It also considers, however, that the implementation of the Convention, especially during times of conflict, is the most effective safeguard to ensure that the rights of women are fully respected and can be enjoyed. The Committee therefore urges the State party to implement the recommendations contained in the present concluding observations as a matter of high priority for national mobilization and international support. In implementing the present concluding observations, the Committee calls upon the State party to give due consideration to general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations by setting up a special coordination mechanism involving all relevant State institutions at all levels, the People's Assembly, the provincial councils, the judiciary and stakeholders, including international stakeholders currently supporting the State party on its path towards a comprehensive and lasting peace.

D. Principal areas of concern and recommendations

People's Assembly

6. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the People's Assembly to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.**

General context

7. The Committee is appalled by the devastating impact on civilians, in particular women and girls, of the continuing armed conflict in the State party, which is entering its fourth year. It is concerned at consistent reports about attacks against civilians, the use of aerial bombardments, barrel bombs and mortar attacks and the denial of humanitarian aid, such as food and medical care, to besieged areas, in addition to, among other things, sexual violence, child and forced marriage, torture, arbitrary detention and kidnapping of women and girls by all parties to the conflict. It regrets the State party's lack of acknowledgement of its own responsibility under international humanitarian and human rights law for such acts. While noting the State party's acknowledgement that women and girls have been disproportionately affected by the conflict, the Committee is concerned that the overall stagnation of

efforts to eliminate entrenched discrimination against women before the conflict, which contravenes the State party's obligations under the Convention, has greatly contributed to the current exacerbation of discrimination and violence against women and girls in the State party by all parties to the conflict.

8. The Committee urges the State party to declare a ceasefire immediately and lift the siege in all areas. The Committee reminds the State party that its obligations under the Convention to eliminate all forms of discrimination against women, including violence against women and girls, are non-derogable and continue to apply during conflict situations, as indicated in its general recommendation No. 28 on the core obligations of State parties under article 2 of the Convention. It also recalls that in such situations the provisions of the Convention are complemented by applicable international humanitarian, refugee and criminal law, as indicated in its general recommendation No. 30. It urges the State party:

(a) To comply with its obligations under the Convention and international humanitarian, refugee and criminal law so as to ensure protection for women and girls under those bodies of law in a complementary manner;

(b) To allow independent access by United Nations entities, including the Office of the United Nations High Commissioner for Human Rights, to all areas in order to enable them to monitor, document and determine the full scale and scope of human rights violations perpetrated against civilians, including women and girls;

(c) To take measures to effectively combat impunity and to comply with its obligation to prevent, investigate, prosecute and punish serious human rights violations and crimes perpetrated against women and girls by government forces and affiliated militias and by non-State armed groups, in compliance with international standards.

Internally displaced women and other people in need of humanitarian assistance

9. The Committee expresses its concern at the:

(a) Lack of implementation of Security Council resolution [2139 \(2014\)](#), in which the Council demanded rapid, safe and unhindered humanitarian access to the more than 10 million persons in need of assistance owing to the conflict in the State party (including 6.4 million internally displaced persons, 241,000 people trapped in besieged areas and many refugees in neighbouring countries);

(b) Fact that women and girls account for the vast majority of the population in need of humanitarian assistance;

(c) Consistent reports indicating that internally and externally displaced Syrian women and girls are at heightened risk of or have been subjected to sexual violence and sexual exploitation, child marriage and forced marriage.

10. The Committee recalls that the Convention applies at every stage of the displacement cycle, as indicated in its general recommendation No. 30. The Committee urges the State party:

(a) To fully cooperate with the United Nations to ensure rapid, safe and unhindered humanitarian access throughout the Syrian Arab Republic,

including by immediately declaring a ceasefire, in compliance with Security Council resolutions 2139 (2014) and 2165 (2014), in addition to subsequent resolutions and agreements;

(b) To address the specific risks and particular needs of various groups of internally displaced women and girls who are subjected to multiple forms of discrimination, including widows, women with disabilities and older women;

(c) To adopt practical measures to prevent all forms of violence against women and girls, including sexual violence and exploitation, in addition to harmful practices, such as child and/or forced marriage, and to ensure their protection;

(d) To ensure that accountability mechanisms are in place in all displacement settings and to provide victims with immediate access to medical services.

11. The Committee calls upon non-State armed groups that have signed the Declaration of Commitment on Compliance with International Humanitarian Law and the Facilitation of Humanitarian Assistance to abide by it in order to facilitate access by civilians, in particular women and children, to humanitarian aid.

12. The Committee is concerned about the shortage of funding and resources under the United Nations humanitarian appeals for the Syrian Arab Republic and calls upon the international community to ensure that all pledges are fully honoured and additional contributions made to meet the urgent requirements of those affected, in particular women and girls.

Women and peace and security

13. The Committee notes that in November 2013 the Ministry of Social Affairs organized a workshop to discuss the role of women in the peacebuilding and reconstruction processes, in the framework of Security Council resolution 1325 (2000), followed by a conference in January 2014. However, it is concerned:

(a) That the process has not been fully inclusive and has excluded prominent women members of Syrian civil society;

(b) That the diverse voices of women have been marginalized when it comes to actively and meaningfully participating in peace negotiation efforts, such as the Geneva Conference on Syria;

(c) That, without the meaningful and inclusive participation of women at all stages of the peace and reconstruction processes, as well as in transitional justice and national reconciliation mechanisms, women's priorities and experiences of the conflict will not be fully integrated, as required under the Convention and Security Council resolution 1325 (2000), which could set back the processes.

14. The Committee recalls its general recommendation No. 25 on temporary special measures and its general recommendation No. 30 and urges the State party:

(a) To revive the peace negotiations and to ensure the meaningful and inclusive participation of women holding different political views at all stages of the peace process and in all reconstruction initiatives, as well as in transitional

justice processes, in particular at the decision-making level, and at the national and local levels, and, to that end, to adopt temporary special measures, such as quotas, in conformity with article 4 (1) of the Convention;

(b) To develop capacity-building programmes for women seeking to participate in the peace, reconstruction and transitional justice processes;

(c) To provide opportunities for women's and civil society organizations to contribute to the peace process as independent actors, such as by establishing an effective channel of communication between them and the mediation team to ensure coordination and joint initiatives for the inclusion of women's priorities;

(d) To reaffirm the non-negotiable character of all the rights under the Convention and to adopt a strategy to prevent any setback for women's rights in the peace negotiations;

(e) To revive and engage in a political process aimed at building a comprehensive and lasting peace that lays the foundation for a comprehensive democracy rooted in the rule of law;

(f) To ensure the inclusive participation of women in the development and implementation of the national action plan to implement Security Council resolution 1325 (2000) and subsequent resolutions and, in so doing, to, in line with its obligations under the Convention and the present concluding observations, incorporate a model of substantive equality covering all the rights enshrined in the Convention in order to ensure that the needs and priorities of women are adequately addressed;

(g) To establish a road map with a clear time frame, benchmarks and a gender-responsive budget for the implementation of the national action plan, to develop indicators for the regular monitoring of its implementation and to provide for accountability mechanisms.

Reservations

15. The Committee welcomes the renewed commitment of the State party to withdrawing its reservations to articles 2 and 15 (4) of the Convention. It is concerned, however, that no consideration has to date been given to the withdrawal of the remaining reservations of the State party to articles 9 (2), 16 (1) (c), (d), (f) and (g), 16 (2) and 29 (1).

16. **The Committee calls upon the State party to urgently complete the internal process to withdraw its reservations to articles 2 and 15 (4) of the Convention. It also calls upon the State party to review its remaining reservations to the Convention, taking into consideration the Committee's statement on reservations (adopted at the nineteenth session, in 1998), with a view to withdrawing all of them.**

Constitutional framework and discriminatory laws

17. The Committee notes that article 33 of the Constitution of 2012 enshrines the formal principle of equality of Syrian citizens without discrimination. The Committee is concerned, however, at the:

(a) Lack of a definition of discrimination against women in line with article 1 of the Convention;

(b) Reinforcement by article 3 of the Constitution of rules of religious communities, a situation that will further complicate and delay efforts to eliminate discrimination against women, to the detriment of women's rights;

(c) Discriminatory provisions against women in various articles of the Penal Code (e.g. arts. 473-475, 508 and 548), the Personal Status Act (e.g. arts. 12, 37, 70, 85 and 163) and article 3 of the Nationality Act;

(d) Lack of detailed information on the continuing review of all legislation, in line with article 154 of the Constitution, in particular as regards the amendment or repealing of any legal provisions that discriminate against women.

18. The Committee recommends that, in the continuing review of its legislation, the State party:

(a) **Incorporate into the Constitution and/or its legislation provisions on equality of women and men and prohibit direct and indirect discrimination against women in the public and private spheres, in addition to providing for sanctions, in line with articles 1 and 2 of the Convention;**

(b) **Amend article 3 of the Constitution and bring it into line with the Convention;**

(c) **Repeal all discriminatory provisions of the Penal Code, the Personal Status Act, the Nationality Act and other relevant legislation, regulations and directives.**

National machinery for the advancement of women

19. The Committee is concerned that the national machinery for the advancement of women (the Syrian Commission for Family Affairs) has been downgraded and that it reports to the Ministry of Social Affairs. It takes note of the clarifications provided by the State party during the dialogue to the effect that the Commission upholds women's rights and welcomes the efforts by the Commission to address the negative impact of the conflict on women. The Committee is concerned, however, at the lack of a comprehensive and inclusive strategy in this regard.

20. The Committee recalls that privileging the traditional role of women as bearers of children over their role as individuals and rights holders is contrary to the purpose of the Convention (advancing the status of women). In line with its general recommendation No. 6 on effective national machinery and publicity, the Committee recommends that the State party:

(a) **Enhance the capacity of the Syrian Commission for Family Affairs so that it becomes an essential advocate for the advancement of women during the peacebuilding and reconstruction processes by allocating adequate human, technical and financial resources, ensuring that it is effectively consulted on the formulation, design and implementation of public policies and strengthening its coordination role at all levels of government, in particular at the ministerial level;**

(b) **Adopt a national plan to assess and address the negative impact of the conflict on the lives of women and girls, in line with the Convention and**

Security Council resolution 1325 (2000), ensuring the effective implementation of the plan through gender-responsive budgets and regular monitoring and evaluation of its implementation based on indicators and accountability mechanisms.

Stereotypes and harmful practices

21. The Committee is concerned at the persistence of deep-rooted patriarchal attitudes and stereotypes with regard to the roles and responsibilities of women, all of which discriminate against women, perpetuate their subordination within the family and society and ultimately restrict their rights under the Convention. The Committee is concerned at the:

(a) Strong connection between the legal framework of the State party, some negative cultural patterns and the perpetuation of harmful practices such as child and/or forced marriage and so-called “honour crimes”, in addition to other forms of violence against women;

(b) Exacerbation of the impact of negative gender stereotypes on the lives of women and girls during the conflict, owing to fear of being kidnapped or raped or fear of stigmatization when women and girls in a family have been arrested;

(c) Role played by non-State armed groups in perpetuating and exacerbating the subordinate role of women in society by imposing strict codes of conduct on women in the areas under their control and the role of religious leaders who have been issuing fatwas that have contributed to the objectification and commodification of women.

22. The Committee urges the State party:

(a) **To adopt a comprehensive strategy, in conformity with articles 2 and 5 of the Convention, to eliminate all harmful practices and negative stereotypes that perpetuate the subordinate role of women in society, which should include awareness-raising efforts targeting the public, the media and religious and community leaders, in collaboration with civil society and women’s organizations;**

(b) **To assess the impact of the exacerbation of negative stereotypes and deep-rooted patriarchal and traditional attitudes on women during the conflict, in order to inform the development of legislative and policy measures aimed at eliminating discrimination against women in all spheres of life and to achieve substantive gender equality in the aftermath of the conflict.**

23. In line with its general recommendation No. 30, the Committee calls upon non-State armed groups to respect the human rights of women in line with the Convention.

So-called “honour crimes”

24. The Committee is concerned at discriminatory provisions in the Penal Code that allow perpetrators to invoke the defence of honour as a mitigating circumstance in so-called “honour crimes” (arts. 192 and 242). It is also concerned about the partial amendment to article 548 of the Penal Code by Decree No. 1/2011, which did not fully abolish the mitigating circumstances for perpetrators of such crimes. The

Committee is further concerned at the prevalence of this harmful practice in the State party and the fact that most cases go unreported.

25. The Committee recommends that the State party:

(a) **Repeal articles 192, 242 and 548 of the Penal Code to ensure that perpetrators of so-called “honour crimes” cannot invoke the defence of honour as a mitigating circumstance;**

(b) **Eliminate impunity in the case of so-called “honour crimes” by, among other things, strengthening the identification and investigation of such crimes, in addition to the prosecution and punishment of perpetrators;**

(c) **Ensure that individuals reporting such crimes are protected, together with women at risk of being victims of such crimes.**

Violence against women in conflict

26. The Committee notes that the State party is considering the incorporation of a provision on sexual violence, in particular rape as a war crime, into the Penal Code. The Committee is seriously concerned at the exacerbation of violence against women in the State party since the outbreak of the conflict in 2011. It is concerned at the:

(a) Information provided by the State party that women are at risk of violence committed by non-State armed groups rather than by government forces, which contradicts reports that have consistently documented various forms of violence against women, including physical abuse and rape, perpetrated by government forces and affiliated militias during house searches and at checkpoints, as well as in detention centres;

(b) Documented allegations of sexual violence against women, in particular rape, committed by non-State armed groups;

(c) Increase in documented cases of hostage-taking, kidnapping, abduction, enforced disappearance and arbitrary arrest affecting women and girls by all parties to the conflict in exchange for a ransom or the release of prisoners;

(d) Insufficient information with regard to the State party’s efforts to document cases of sexual violence that have occurred during the conflict and widespread impunity in the absence of investigation, prosecution and punishment of perpetrators of all forms of violence against women in conflict, in particular sexual violence, and the lack of access to justice and reparations for victims;

(e) Lack of adequate health-care and psychological services for victims of violence, in particular victims of sexual violence.

27. In line with the Convention and its general recommendation No. 30, the Committee urges the State party:

(a) **To prohibit and undertake efforts to prevent all forms of violence against women, in particular sexual violence, by government forces and affiliated militias and non-State armed groups;**

(b) **To amend the Penal Code so as to incorporate provisions on sexual violence, in particular rape as a war crime, in line with international standards;**

(c) To investigate, prosecute and punish all cases of violence against women, including cases of sexual violence perpetrated by government forces and affiliated militias and non-State armed groups;

(d) To immediately issue command orders to the government forces prohibiting sexual violence and hold perpetrators in their ranks accountable, in compliance with Security Council resolution 2106 (2013), and to abolish legislative provisions that grant State officials immunity from prosecution, in particular decrees Nos. 14/1969 and 69/2008, in line with recommendations made during the universal periodic review of the State party (A/HRC/19/11, para. 104.7);

(e) To ensure that women and girls have access to justice, to adopt gender-sensitive procedures to investigate sexual violence, to conduct training and adopt gender-sensitive codes of conduct and protocols for the police and military and to build the capacity of the judiciary so as to ensure its independence, impartiality and integrity;

(f) To ensure access by women who are victims of sexual violence to comprehensive medical treatment, mental health care and psychosocial support, provided by health professionals who are appropriately trained to detect sexual violence and to treat its consequences, in addition to access to forensic testing, and to seek the assistance of relevant United Nations agencies and bodies in this regard;

(g) To provide victims with transformative reparation measures that respond to the specific needs of women and address structural inequities underpinning violence against women, in particular sexual violence, and prevent its recurrence;

(h) To ensure that sexual violence concerns are raised early and consistently in the peace process and, ultimately, that they are adequately reflected in a peace agreement and to continue rejecting amnesties for gender-based crimes, in particular sexual violence.

28. In line with its general recommendation No. 30, the Committee recommends that non-State armed groups commit themselves to abiding by codes of conduct on the protection of women's rights and the prohibition of all forms of gender-based violence, in particular sexual violence.

Women activists

29. The Committee expresses deep concern about the risks that women human rights defenders and women humanitarian workers (women activists) have been facing since the outbreak of the conflict. It is particularly concerned at the:

(a) Consistent reports indicating that women activists have been subjected to arbitrary detention, physical abuse and sexual violence by government forces and affiliated militias for engaging in peaceful activism, offering medical care to members of non-State armed groups, providing humanitarian aid to civilians or, in some cases, the alleged anti-government activities of male relatives;

(b) Consistent reports indicating that most of the women activists have been detained on terrorism charges under the Act on Combating Terrorism (Act No. 19/2012) and, in this context, the broad definitions of acts of terrorism, terrorist

groups and financing of terrorism contained in Act No. 19/2012, in particular the gendered impact of such broad definitions, resulting in the exposure of women activists to gender-specific forms of abuse and harassment;

(c) Lack of information on the number of women activists detained on grounds of terrorism in the State party and of women prosecuted and sentenced by the Counter-Terrorism Court;

(d) Travel bans imposed by the Government on women activists, including those who have left the State party to seek security and protection of their life, and cases in which consular representatives of the State party have denied the renewal of passports to women activists while abroad.

30. The Committee urges the State party:

(a) To halt all detention of women involved in peaceful and humanitarian activities, to release all women activists who have been arbitrarily detained and to ensure that those released by virtue of an amnesty law are not at risk of being detained once again or placed under surveillance;

(b) To guarantee the human rights of women activists, in particular freedom of movement, expression, assembly and association, nationality, liberty and integrity of the person and access to justice;

(c) To prevent, investigate, prosecute and punish attacks and other forms of abuse perpetrated against women activists and to take effective measures to end impunity for such acts;

(d) To amend the Act on Combating Terrorism (Act No. 19/2012), in particular its definitions of acts of terrorism, terrorist groups and financing of terrorism, to ensure that it is in conformity with the Convention and other international human rights instruments, such as the International Covenant on Civil and Political Rights, and that its scope does not in practice extend to activities that do not constitute terrorism;

(e) To allow independent and impartial international observers and monitors to have regular and unannounced access to all detention facilities;

(f) To disclose the number of women detained on grounds of terrorism and to guarantee the right to a fair trial to women who are before the Counter-Terrorism Court.

Violence against women

31. The Committee is concerned about the high incidence of violence against women, in particular domestic violence, and about the:

(a) Absence of comprehensive legislation on domestic violence;

(b) Lack of explicit provisions in the Penal Code criminalizing marital rape, in addition to the fact that, its amendment by Decree No. 1/2011 notwithstanding, article 508 of the Penal Code continues to exempt rapists from punishment if they marry their victims;

(c) Delays in establishing a family protection unit and the few shelters for women who are victims of violence.

32. The Committee, recalling its general recommendation No. 19 on violence against women, recommends that the State party:

(a) **Adopt comprehensive legislation to prevent and criminalize domestic violence that provides for victim protection, assistance and support;**

(b) **Repeal article 508 of the Penal Code and amend the Penal Code to criminalize rape under all circumstances, explicitly criminalizing marital rape;**

(c) **Expedite the establishment of the family protection unit, ensure an adequate number of shelters for women who are victims of violence throughout the State party, strengthen both medical and psychological support services for victims, such as counselling and rehabilitation services, and ensure that such services are properly resourced and that their quality is regularly monitored.**

Trafficking in women and exploitation of prostitution

33. The Committee notes that the State party adopted the Prevention of Human Trafficking Act (Act No. 3/2010), which criminalizes human trafficking. It is concerned, however, that trafficking in women and girls has increased during the conflict. The Committee is particularly concerned that women and girls at every stage of the displacement cycle are at high risk of trafficking, disguised as marriage, for purposes of sexual exploitation.

34. The Committee recommends that the State party:

(a) **Expedite the adoption of a national plan to combat human trafficking and continue its efforts to provide protection of and assistance to victims of trafficking and reintegration programmes, in cooperation with the United Nations;**

(b) **Ensure the effective implementation of Act No. 3/2010 by issuing regulations to enable it to be made operational;**

(c) **Prevent, prosecute and punish traffickers and perpetrators of related human rights violations occurring under its jurisdiction, whether perpetrated by public authorities or private actors, and adopt specific protection measures for women and girls, in particular those internally displaced or refugees;**

(d) **Engage with neighbouring countries to reach bilateral or regional agreements and in other forms of cooperation to prevent women and girls, in context of displacement, from being trafficked, protect the rights of trafficked women and girls and facilitate the prosecution of perpetrators.**

Participation in political and public life

35. The Committee notes the information provided by the State party with regard to the representation of women in various areas of government (e.g. 20 per cent in the judiciary and 35 per cent in the foreign service). The Committee is, however, concerned at the:

(a) Stagnation at 12 per cent for more than a decade in the level of representation of women in the People's Assembly and the drop in the participation of women in government positions from 10 to 8 per cent;

(b) Overall low level of participation of women in political and public life, in particular in decision-making positions at all levels, owing to persistent traditional and patriarchal attitudes regarding the role of women in society, which limit the participation of women;

(c) Absence of quotas for women in the Electoral Act (Decree No. 101/2011) and the Political Parties Act (Decree No. 100/2011);

(d) Restrictions on establishing women's and civil society organizations owing to, among other things, considerable delays in adopting the bill on associations.

36. The Committee recommends that the State party:

(a) **Pursue sustained policies aimed at promoting the full and equal participation of women in decision-making as a democratic requirement in all areas of public and political life at the national, regional and local levels by, among other things, adopting temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25;**

(b) **Amend the Electoral Act (Decree No. 101/2011) and the Political Parties Act (Decree No. 100/2011) to incorporate quotas of at least 30 per cent for women's representation in the People's Assembly and the provincial councils;**

(c) **Adopt the bill on associations and ensure that there are no restrictions that are contrary to international human rights standards on the establishment of women's and civil society organizations and that women are able to participate freely in political and public life, independent of the Government, and in an enabling environment in full respect of their freedoms of expression, association and assembly;**

(d) **Implement activities to raise awareness of the importance, for society as a whole, of the participation of women in decision-making, in particular as candidates and voters, with a view to eliminating patriarchal attitudes that deter women from such participation.**

Nationality

37. The Committee acknowledges the steps taken by the State party to amend article 3 of the Nationality Act (Decree No. 276/1969), in addition to the implementation of Decree No. 49/2011 granting nationality to Syrian Kurds. The Committee is concerned, however, at the:

(a) Considerable delays in adopting the amendment to article 3 of the Nationality Act (Decree No. 276/1969) that is designed to prevent Syrian women and their children from becoming stateless and, in the context of the conflict, the adverse impact of statelessness on women and girls and their children, including children born as a consequence of rape, marriage jihad (*jihad al-nikah*) and child and/or forced marriage, owing to their exclusion from services that are restricted to nationals, and the heightened risks of abuse for women and girls in displacement contexts;

(b) Slow pace of implementation of Decree No. 49/2011 granting nationality to Syrian Kurds and the fact that many women who should benefit from the decree are stateless.

38. The Committee recalls its general recommendation No. 21 on equality in marriage and family relations and its general recommendation No. 30 and urges the State party:

(a) **To immediately amend the Nationality Act (Decree No. 276/1969), in particular article 3, to ensure that women and men enjoy equal rights to acquire, transfer, retain and change their nationality, in line with article 9 of the Convention, and to ensure its implementation;**

(b) **To fully implement Decree No. 49/2011 so as to ensure that it covers all Syrian Kurds who remain stateless, in particular women and girls and their children;**

(c) **To guarantee the right of conflict-affected women and girls to obtain all personal documents necessary to exercise their rights, including their right to have such documentation issued in their own name, and to ensure the prompt issuance or replacement of documents without imposing unreasonable conditions, such as requiring displaced women and girls to return to their area of original residence to obtain such documents.**

Education and health

39. The Committee expresses concern at the level of disruption in the provision of basic services, in particular to education and to health care, including sexual and reproductive health care, as well as at the level of destruction of educational and medical infrastructure during the conflict. It is concerned at consistent reports indicating that schools and teachers and health facilities and medical personnel have been deliberately targeted by all parties to the conflict. The Committee commends the State party's efforts to continue delivering such services, the challenging situation notwithstanding. It is, however, concerned about the:

(a) Increase in the already high rate at which girls are dropping out of school, along with the exacerbation of pre-existing patriarchal attitudes and stereotypes and the increase in child and/or forced marriage;

(b) Challenges faced by pupils, in particular young women in besieged areas or areas outside the Government's control, in gaining access to programmes aimed at the continuation of their education;

(c) Difficulties in implementing the standard curriculum for all Syrians in schools established in displacement contexts and in areas outside the Government's control;

(d) Deterioration in the overall health status of women and girls, along with the exacerbation of discriminatory attitudes that restrict women's autonomy to make choices and decisions in relation to sexual and reproductive health, and the negative impact on pre-conflict positive trends, such as decreases in mortality rates;

(e) Reports indicating that pregnant women residing in areas outside the Government's control have been denied access to medical care, in addition to restrictions imposed by the State party on medical and surgical supplies and aid for

deliveries in besieged areas, all of which have forced women to give birth in unsafe conditions;

(f) Lack of access to health-care and psychological services for women and girls who are victims of rape, including emergency contraception and safe abortion services. In this context, the Committee is also concerned that abortion is legal only when the life of the mother is at risk;

(g) Financial and coordination constraints on the State party's ability to assist and support the population in need adequately.

40. The Committee recommends that the State party:

(a) **Ensure that educational and medical infrastructure are promptly repaired and reconstructed, halt attacks on such facilities and put an end to the targeting of teachers and medical personnel, in addition to ensuring that perpetrators of such acts, including members of the government forces and affiliated militias, are promptly investigated, prosecuted and punished;**

(b) **Develop programmes for conflict-affected girls who have dropped out of school, with a view to ensuring that they can be reintegrated into schools or universities once the conflict has ended;**

(c) **Coordinate efforts with relevant stakeholders to ensure that the Syrian standard curriculum is used in all schools in which Syrian children, in particular girls, are enrolled, including in neighbouring countries;**

(d) **Reinforce the health sector to prevent a further reduction in the already-limited health services, including sexual and reproductive health services, and information available to women, in addition to a further deterioration in their health status, taking due consideration to the Committee's general recommendation No. 24 on women and health;**

(e) **Accord priority to access to maternal health-care services, including skilled delivery services for pregnant women, irrespective of the woman's area of residence;**

(f) **Expand the grounds on which abortion is permitted in order to include, in particular, cases of rape and prepare guidelines on post-abortion care to ensure that women who fall pregnant as a result of rape have free access to safe abortion services;**

(g) **Coordinate all activities with stakeholders from the humanitarian and development communities to secure financial resources and to ensure a comprehensive approach that does not duplicate efforts in the fields of education and health and that reaches out to all disadvantaged populations, including in besieged areas and in areas outside the Government's control.**

Employment and economic opportunities for women affected by the conflict

41. The Committee remains concerned at the pre-conflict discrimination against women in employment (e.g. women represent only 12 per cent of the labour force). Given the conflict in the State party, however, it is particularly concerned at the situation of women who have become de facto heads of household and primary providers for their families. It notes that the State party has secured the jobs and salaries of women employed in government institutions and is implementing

income-generation projects and vocational training programmes for women heads of household who are affected by the conflict.

42. The Committee reiterates its previous recommendations with regard to the elimination of discrimination against women in employment (CEDAW/C/SYR/CO/1, para. 32). It recommends that, in line with the Committee's general recommendation No. 30, the State party:

(a) Strengthen its efforts to provide women affected by the conflict, including women with disabilities, widows and women heads of household, with sustainable economic opportunities and effectively address all barriers to the equitable participation of women in the labour market;

(b) Develop economic recovery strategies that promote gender equality as a necessary precondition for a sustainable post-conflict economy.

Rural women

43. The Committee is concerned at the precarious situation of rural women, who often bear a disproportionate burden in conflict situations because their rights to productivity, livelihood and access to land are regularly violated. The Committee is also concerned at the lack of information on any initiatives aiming at assisting and supporting rural women affected by the conflict in the State party.

44. The Committee urges the State party:

(a) To pay due attention to the negative impact of the conflict on rural women and ensure that their specific needs are addressed and that they have equal access to basic services;

(b) To design specific interventions to leverage opportunities for the economic empowerment of rural women and ensure that they are involved in the design of strategies and programmes and in their monitoring.

Marriage and family relations

45. The Committee is concerned that, during the conflict, the implementation of discriminatory personal status laws is exacerbating the subordinate role of women and girls in society. In this context, it is particularly concerned at the:

(a) Increase in child and/or forced marriage under the pretext of better protecting girls and reducing the financial pressure on families, often resulting in rape;

(b) Difficulties faced by married women whose husbands have gone missing in order to escape from conflict-affected areas, together with their children, owing to child custody restrictions that do not allow them to travel with their children without the consent of the father or guardian.

46. The Committee recommends that the State party:

(a) Repeal all discriminatory provisions of the Personal Status Act, in particular those relating to unequal rights of women and men regarding marriage, divorce, custody, inheritance, polygamy and child and/or forced marriage;

(b) Urgently take measures to ensure the effective implementation of the directives of the Ministry of the Interior aimed at facilitating travel by women with their children without the permission of the father or guardian and ensure that women face no bureaucratic obstacles in this regard.

Optional Protocol and amendment to article 20 (1) of the Convention

47. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

48. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.

Millennium Development Goals and the post-2015 development framework

49. The Committee calls for the integration of a gender perspective, in accordance with the provisions of the Convention, into all efforts aimed at the achievement of the Millennium Development Goals and into the post-2015 development framework.

Dissemination

50. The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests that the present concluding observations be disseminated in a timely manner, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the People's Assembly, the provincial councils and the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities, research institutions and the media. It recommends that the present concluding observations be disseminated in an appropriate form at the local community level to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence, in addition to the Committee's general recommendations, to all stakeholders.

Technical assistance

51. The Committee recommends that the State party consider seeking international assistance and avail itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations and the Convention as a whole. The Committee also calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system.

Ratification of other treaties

52. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

Follow-up to the concluding observations

53. The Committee requests the State party to provide, within one year, written information on the steps taken to implement the recommendations contained in paragraphs 14 (a) and (b), 16, 27 (c), (d) and 30 (c) above.

Preparation of the next report

54. The Committee invites the State party to submit its third periodic report in July 2018.

55. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/MC/2006/3](#) and Corr.1).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.