



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 Syria*

1. The Committee considered the second periodic report of Syria (CEDAW/SYR/2) at its 1227th and 1228th meetings, on 4 July 2014 (see CEDAW/C/SR.1227 and 1228). The Committee list of issues and questions is contained in CEDAW/C/SYR/Q/2 and the responses of the Government of Syria 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, despite the armed conflict in the country. It highly appreciates the presence of the State party's delegation and welcomes its oral presentation. However, the Committee regrets 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's high-level delegation, which was headed by the Minister of Social Affairs, Ms. Kinda Al-Shammatt. The delegation also included the heads of the Syrian Commission for Family Affairs and of the General Women Union as well as representatives of the Ministry of Justice, the Syrian Women for Peace Initiative and of the Permanent Mission of the Syrian Arab Republic to the United Nations Office at 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):

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

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

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

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

5. The Committee considers that the ongoing armed conflict and the extent of violence against women poses a challenge to the implementation of the Convention. However, it considers that the implementation of the Convention, especially during times of conflict, is the most effective safeguard to ensure full respect for and the enjoyment of women's rights. Therefore, the Committee 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 (2013) on women in conflict prevention, conflict and post-conflict situations (General Recommendation No. 30 (2013)) by setting up a special coordination mechanism with all relevant State institutions at all levels, the People's Assembly, the provincial councils, the judiciary and with 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 the civilian population, in particular women and girls of the ongoing armed conflict in the State party, which is entering its fourth year. The Committee is concerned at consistent reports about attacks against civilian population, the use of aerial bombardments, barrel bombs and mortar attacks and denial of humanitarian aid, such as food and medical care to the besieged areas as well as at, among others, sexual violence, child and forced marriages, torture, arbitrary detentions and kidnappings against women and girls by all parties to the conflict. It regrets the State party's lack of acknowledgment of its own responsibility under international humanitarian law and international human rights law for these 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 in the elimination of entrenched discrimination against women, prior to the conflict, which contravenes 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 immediately declare a cease fire 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, including violence, against women and girls are non-negotiable and continue to apply during conflict situations, as indicated in its General Recommendation No. 28 (2010) on the core obligations of State parties under the Convention. It also recalls that in such situations the provisions of the Convention are complemented by applicable obligations under**

international humanitarian, refugee and criminal law as indicated in the Committee's General Recommendation No. 30 (2013). It urges the State party to:

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

(b) Allow independent access of United Nations entities to all areas, including the Office of the High Commissioner for Human Rights to enable them to monitor and document as well as determine the full scale and scope of human rights violations perpetrated against the civilian population, including women and girls; and

(c) Take measures to effectively combat impunity and 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 militia and by non-State armed groups, in compliance with international standards.

Internally displaced women and other population in need of humanitarian assistance

9. The Committee expresses its concern at:

(a) The lack of implementation of Security Council resolution 2139 (2014), which demands rapid, safe and unhindered humanitarian access to the more than 10 million persons in need of assistance due to the conflict in the State party. It notes that among them, 6.4 million are internally displaced persons, 241,000 are trapped in besieged areas and the remainder are refugees in neighbouring countries;

(b) The fact that the vast majority of the population in need of humanitarian assistance are women and girls; and

(c) Consistent reports indicating that Syrian women and girls in contexts of internal and external displacement are at heightened risk or have been subjected to sexual violence and sexual exploitation, child and forced marriages.

10. The Committee reminds the State party that the Convention applies at every stage of the displacement cycle, as indicated in its General Recommendation No. 30 (2013). The Committee urges the State party to:

(a) Fully cooperate with the United Nations to ensure rapid, safe and unhindered humanitarian access throughout Syria, including by immediately declaring a ceasefire, in compliance with Security Council resolutions 2139 (2014) and 2165 (2014) as well as subsequent resolutions and agreements;

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

(c) Adopt practical measures to prevent the occurrence of all forms of violence against women and girls, including sexual violence and exploitation as well as harmful practices, such as child and/or forced marriages, and ensure their protection; and

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

11. The Committee calls upon non-State armed groups which 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 of humanitarian aid to civilian population, in particular women and children.

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

Women, 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 peace building and reconstruction processes, in the framework of Security Council resolution 1325 (2000), followed by a conference in January 2014. However, it is concerned that:

(a) The process has not been fully inclusive and has excluded prominent Syrian women from civil society;

(b) Women's diverse voices have been marginalized from actively and meaningfully participating in peace negotiation efforts, such as the Geneva II peace talks; and

(c) Without the meaningful and inclusive participation of women at all stages of peace and reconstruction processes, as well as on 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 the Security Council resolution 1325 (2000), and could lead to a setback of these processes.

14. **The Committee recalls its General Recommendation No. 25 (2004) on temporary special measures and its General Recommendation No. 30 (2013) and urges the State party to:**

(a) **Revive the peace negotiations; 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, at the national and local levels, and to that end, adopt temporary special measures, such as quotas, in conformity with article 4 (1) of the Convention. In this context, develop capacity-building programmes for women seeking to participate in such processes;**

(b) **Provide opportunities for women's and civil society organizations to contribute to the peace process as independent actors,, for example 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;**

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

(d) **Revive and engage in a political process aiming at building a comprehensive and lasting peace, which lays the foundation for a comprehensive democracy rooted in the rule of law;**

(e) **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. In doing so, the State party, in line with its obligations under the Convention and the present concluding observations, should incorporate a model of substantive equality covering all the rights enshrined in the Convention to ensure that women's needs and priorities are adequately addressed; and**

(f) Establish a roadmap with a clear time frame, benchmarks and a gender-responsive budget to implement the National Action Plan; and develop indicators for the regular monitoring of its implementation; and provide for accountability mechanisms.

Reservations

15. The Committee welcomes the renewed commitment of the State party to withdraw its reservations to articles 2 and 15 (4) of the Convention. However, it is concerned that no consideration has so far 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 on 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 2012 Constitution of the State party enshrines the formal principle of equality of Syrian citizens without discrimination. However, the Committee is concerned at:

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

(b) The reinforcement by article 3 of the Constitution of religious communities' rules, a situation which will further complicate and delay efforts towards the elimination of discrimination against women, in detriment of women's rights;

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

(d) The lack of detailed information on the ongoing review of all legislation, in line with article 154 of the Constitution, in particular as regards to the amendment or repeal of any legal provisions that discriminate against women.

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

(a) Incorporate in its Constitution and/or in its legislation, provisions on equality between women and men and prohibit direct and indirect discrimination against women in the public and private spheres, as well as provide sanctions, in line with articles 1 and 2 of the Convention;

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

(c) Repeal all discriminatory provisions of the Penal Code, the Syrian Personal Status Law, the Nationality Law 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 i.e., the Syrian Commission for Family Affairs and Population 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 of the Commission to

address the negative impact of the conflict on women. However, the Committee is concerned at the lack of a comprehensive and inclusive strategy in this regard.

20. **The Committee recalls that privileging the traditional role of women as child bearers over their role as individuals and rights-holders is contrary to the purpose of the Convention to advance the status of women. In line with its General Recommendation No. 6 (1988) on an effective national machinery, the Committee recommends that the State party:**

(a) **Enhance the capacity of the Syrian Commission for Family Affairs and Population 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; and**

(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). The effective implementation of such a plan should be ensured through gender-responsive budgets, 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 respect to women's roles and responsibilities, 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:

(a) The 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 crimes committed in the name of so-called "honour" as well as of other forms of violence against women;

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

(c) The 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; as well as at the role of religious leaders who have been issuing fatwas which have contributed to the objectification and commodification of women.

22. **The Committee urges the State party to:**

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

(b) **Conduct an assessment of 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 aiming 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 (2013), the Committee calls upon non-State armed groups to respect the human rights of women in line with the Convention.**

Crimes committed in the name of so-called “honour”

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 for crimes committed in the name of so-called “honour” (articles 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 crimes in the name of so-called honour. The Committee is further concerned at the prevalence of this harmful practice in the State party and that most cases are 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 crimes in the name of so-called “honour” cannot invoke the defence of honour as a mitigating circumstance for such crimes;**

(b) **Eliminate impunity in the case of crimes committed in the name of so-called “honour” by, *inter alia*, strengthening the identification and investigation of such crimes as well as the prosecution and punishment of perpetrators;**

(c) **Ensure the protection of individuals reporting such crimes as well as of women at risk of being victims of so-called “honour” 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 in its Penal Code. The Committee is seriously concerned at the exacerbation of violence against women in the State party since the break out of the conflict in 2011. It is concerned at:

(a) Contradictory information provided by the State party that women are at risk of violence committed by non-State armed groups rather than by Government forces against reports which have consistently documented different forms of violence against women, including physical abuse, rape and other forms of sexual violence 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) The increase in documented cases of hostage-taking, kidnapping, abduction, enforced disappearances, arbitrary arrest to which women and girls by all parties to the conflict in exchange for a ransom or the release of prisoners;

(d) Insufficient information with respect to the State party’s efforts to document cases of sexual violence that have occurred during the conflict; and a 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; and

(e) The 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 (2013), the Committee urges the State party to:**

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

(c) **Investigate, prosecute and punish all cases of violence against women, including cases of sexual violence perpetrated by Government forces and affiliated militia and non-State armed groups;**

(d) **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 abolish legislative provisions that grant state officials immunity from prosecution, in particular Decrees 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) **Ensure women's and girls' access to justice; adopt gender-sensitive procedures to investigate sexual violence; conduct training and adopt gender-sensitive codes of conduct and protocols for the police and military; and build the capacity of the judiciary so as to ensure its independence, impartiality and integrity;**

(f) **Ensure access by women 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 as well as access to forensic testing; and seek the assistance of relevant United Nations agencies and bodies in this regard;**

(g) **Provide victims with transformative reparation measures which respond to women's specific needs and address structural inequities under-pinning violence against women, in particular sexual violence and prevent the recurrence of such violence; and**

(h) **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 continue rejecting amnesties for gender-based crimes, in particular sexual violence.**

28. In line with its General Recommendation No. 30 (2013), 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) face since the outbreak of the conflict in the State party. It is particularly concerned at:

(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 peaceful activism, offering medical care to members of non-State armed groups, providing humanitarian aid to civilians or in some cases for alleged anti-government activities of male relatives;

(b) Consistent reports indicating that most of the women activists have been detained under terrorism charges, under the Law on Combating Terrorism (Law No. 19/2012). In this context, the Committee is further concerned at the broad definitions of acts of terrorism, terrorist organizations and financing of terrorism contained in Law No.

19/2012, in particular at the gendered impact of such broad definitions, resulting in the exposure of women activists to gender-specific forms of abuse and harassment;

(c) The lack of information on the number of women activists detained on grounds of terrorism in the State party as well as the number of women prosecuted and sentenced by the Counterterrorism Court; and

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

30. **The Committee urges the State party to:**

(a) **Halt all detention of women involved in peaceful and humanitarian activities and release all women activists who have been arbitrarily detained; and ensure that those released by virtue of an amnesty law are not at risk of being re-detained or placed under surveillance;**

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

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

(d) **Amend its Law on Combating Terrorism (Law No. 19/2012), in particular its definitions of terrorist acts, terrorist group and financing of terrorism to ensure that the Law 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 which do not constitute terrorism;**

(e) **Allow independent and impartial international observers and monitors regular and unannounced access to all detention facilities; and**

(f) **Disclose the number of women detained on grounds of terrorism and guarantee the right to a fair trial to women who are before the Counterterrorism Court.**

Violence against women

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

(a) The absence of comprehensive legislation on domestic violence;

(b) The lack of explicit provisions in the Penal Code criminalizing marital rape as well as the fact that despite its amendment by Decree No. 1/2011, article 508 of the Penal Code still exempts rapists from punishment if they marry their victims; and

(c) Delays in establishing the Family Protection Unit and the low number of shelters for women victims of violence in the country.

32. **The Committee recalls its General Recommendation No. 19 (1992) on violence against women and recommends that the State party:**

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

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

(c) Expedite the establishment of the Family Protection Unit; ensure an adequate number of shelters for women victims of violence throughout its territory; 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 and exploitation of prostitution

33. The Committee notes that the State party adopted the Prevention of Human Trafficking Act (Law No. 3/2010), which criminalizes human trafficking. However, it is concerned that trafficking in women and girls has increased during the conflict. The Committee is particularly concerned that at every stage of the displacement cycle, women and girls in 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 the 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 Law No. 3/2010 by issuing regulations to enable its operationalization;

(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 refugee women and girls; and

(d) Engage with neighbouring countries to reach bilateral or regional agreements and other forms of cooperation to prevent women and girls, in context of displacement, from being trafficked; and, 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 respect to the representation of women in different instances of the government (e.g., 20% in the judiciary and 35% in the Foreign Service). The Committee is, however, concerned at:

(a) The stagnation at 12% in the level of representation of women for over a decade in the People's Assembly and the drop in the participation of women in government positions from 10% to 8%;

(b) The overall low level in the 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 women's participation;

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

(d) Restrictions to establish women and civil society organizations due to, inter alia, considerable delays in adopting the draft law on Associations.

36. The Committee recommends that the State party:

(a) Pursue sustained policies aimed at the promotion of 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, *inter alia*, adopting temporary special measures in accordance with article 4 (1) of the Convention and the Committee's General Recommendation No. 25 (2004) on temporary special measures; and

(b) Amend its Electoral Law (Decree No. 101/2011) and its Political Parties Law (Decree No. 100/2011) in order to incorporate quotas of at least 30 per cent for women's representation in the People's Assembly and Provincial Councils;

(c) Adopt the draft law on Associations; ensure that there are no restrictions on the establishment of women's and civil society organizations that are contrary to international human rights standards, and that women are able to freely participate 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; and

(d) Implement awareness-raising activities on the importance of women's participation in decision-making for society as a whole, 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 Law (Decree No. 276/1969) as well as the implementation of Decree No. 49/2011 which grants nationality to Syrian Kurds. However, the Committee is concerned at:

(a) Considerable delays in adopting the amendment to article 3, in order to prevent Syrian women and their children from becoming stateless. In the context of the conflict, the Committee is concerned at the adverse impact of statelessness on women and girls and their children, including children born as a consequence of rape, *jihad al-nikah* (marriages in the name of jihad) as well as child and/or forced marriages, due to their exclusion from services which are restricted to nationals and at the heightened risks of abuse for women and girls in displacement contexts; and

(b) The slow pace implementation of Decree No. 49/2011 which grants nationality to Syrian Kurds and the fact that many women who should benefit from this Decree are stateless.

38. The Committee recalls its General Recommendation No. 21 (1994) on equality in marriage and family relations and its General Recommendation No. 30 (2013) and urges the State party to:

(a) Immediately amend its Nationality Law (Decree No. 276/1969), in particular article 3, in order 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 ensure its implementation;

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

(c) Guarantee the right of conflict-affected women and girls to obtain all personal documents necessary for the exercise of their rights including their right to have such documentation issued in their own names, and 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 healthcare, 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 as well as 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 these services despite the challenging situation. However, it is concerned about:

(a) The increase in the already high rates of girls dropping out from school along with the exacerbation of pre-existing patriarchal attitudes and stereotypes and the increase of child and/or forced marriages;

(b) Challenges faced by students, in particular young women in besieged areas or areas out of the control of the State party in accessing programmes aimed at the continuation of their education;

(c) Difficulties in implementing the standard curriculum for all Syrians in schools established in displacement contexts as well as in schools in areas out of the Government's control;

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

(e) Reports indicating that pregnant women residing in areas out of the Government's control have been denied access to medical care as well as restriction 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) The lack of access to health-care and psychological services for women and girls victims of rape, including emergency contraception and safe abortion services. In this context, the Committee is further concerned that abortion is legal only when the life of the mother is at risk; and

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

40. **The Committee recommends that the State party:**

(a) Ensure the prompt repair and reconstruction of educational and medical infrastructure, halt the attacks on these facilities and stop targeting teachers and medical personnel; and ensure 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 from school, with a view to ensuring that they can be reintegrated into schools or universities once the conflict has come to an end;

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

(d) Reinforce the health sector to prevent a further reduction of the already limited health services, including sexual and reproductive health services and

information available to women as well as a further deterioration of their health status, taking due consideration to the Committee's General Recommendation No. 24 (1999) on women and health;

(e) **Prioritize access to maternal health care services, including skilled delivery services for pregnant women irrespective of their area of residence;**

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

(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 which reaches out to all disadvantaged populations, including in besieged areas and in areas out of 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% of the labour force). However, given the conflict situation in the State party, 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 governmental institutions and is implementing income-generation projects and vocational training programmes for women heads of households affected by the conflict.

42. **The Committee reiterates its previous recommendations to the State party with respect 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 (2013), the State party:**

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

(b) **Develop economic recovery strategies which 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 as their rights to productivity, livelihood and access to land are regularly violated in conflict. The Committee is further 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 to:**

(a) **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; and**

(b) **Design specific interventions to leverage opportunities for their economic empowerment and ensure that they are involved in the design of those 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 women's and girls' subordinate role in the society. In this context, it is particularly concerned at:

(a) The increase of child and/or forced marriages under the pretext to better protect girls and to reduce the financial pressure of families, often resulting in rape; and

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

46. **The Committee recommends that the State party:**

(a) **Repeal all discriminatory provisions contained in the Syrian Personal Status Law, in particular those related to unequal rights of women and men to marriage, divorce, custody, inheritance, polygamy and child and/or forced marriages; and**

(b) **Urgently take measures to ensure the effective implementation of the Directives of the Ministry of Interior aimed at facilitating women's travel with their children without the permission of the father or guardian, and ensure that women do not face 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 in relation to 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 languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the Peoples' Assembly, 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 further recommends that its concluding observations be disseminated in an appropriate form at the local community level, so as 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 report

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), 16, 27 (c), (d) and 30 (c).

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.