

Submission to the Office of the High Commissioner for Human Rights

12th session of the Universal Periodic Review

Economic and Social Rights in Syria

Joint submission by

Arab NGO Network for Development

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The Center for Economic and Social Rights



**Submission to the Office of the High Commissioner for Human Rights
On the occasion of the 12th session of the Universal Periodic Review 2010
Syria**

Introduction: For the occasion of Syria's review under the Human Rights Council UPR process, this submission focuses on Syria's compliance with its obligations to respect, protect and fulfill economic and social rights. It presents and analyses key data relating to the right to an adequate standard of living along with the right to work, the right to health, the right to education, and the right to social security. The report takes into consideration regional and gender disparities and includes a set of recommendations for remedial action. This report has been researched and drafted by the organizations listed in the Annex.

Background on the realization of economic and social rights in Syria

1. The Syrian Arab Republic ratified the International Covenant on Economic, Social and Cultural Rights on the 21st of April 1969 and achieved quantitative progress on several development indicators. It is also a positive development that Syria cooperates with the Special Procedures mechanisms of the United Nations and that in 2010 Syria welcomed the visit of Special Rapporteur on the right to food (29 August to 7 September 2010) and the Special Rapporteur on the right to health (7-14 November 2010). However, it is critically important to translate all the recommendations received from the Special Rapporteurs into comprehensive, concrete and effective action as soon as possible.

2. The State of Emergency and securitization that has been in place since March 8, 1963, suspends human rights and freedoms and therefore becomes a core cause of human rights violations, deteriorating the process of constructing a democratic political system that is vital for the realization of economic and social rights. The State of Emergency restricts the procedural rights needed in order to fully claim economic, social and cultural rights. A lack of accountability mechanisms, transparency, democracy and rule of law has negatively affected participation, freedom of association, assembly and expression in Syria. It has also hampered guarantees of due process and legal remedies for violations of these rights. Corollary to this, evidenced are several incidences of secondary violations, such as arbitrary arrests, detentions, torture, persecution and other forms of ill treatment towards human rights defenders by security agents.

3. Rigid controls over civil society, including through the existing Law 93/1958 on NGOs and private institutions, gives the administrative body represented by the Ministry of Social Affairs and Labor the ability to refuse to recognize or register associations without cause. This situation prevents civil society, including human rights organizations and defenders, from playing an effective and efficient role. As a result, many civil society groups, particularly this year, have called for an end to the almost half-century long State of Emergency¹.

¹ <http://www.google.com/hostednews/afp/article/ALeqM5jVJSMH9FyXYejUJ-MoOUniMK6CBg?docId=CNG.08dc880232fd4c049d2f1a10f4641409.cfl>; The Committee against Torture raised several concerns in 2010 during its 44th session about the quasi-permanent nature of the state of emergency, its broad emergency powers to branches of security forces outside judicial control, and its

4. Despite existing development shortcomings, a prioritized focus on security and defense concerns has led to further limitations on the capacities of the State to progressively fulfill the obligations in the field of economic and social rights (Major part of the Syrian national resources (10%) continues to be allocated towards National Defense)².

5. Severe regional disparities, gender discrimination and inequalities are persistent patterns in Syria. Inequality persists in laws and practice and on various fronts, despite the fact that equality is guaranteed by the Constitution³. Discrimination against women continues to exist in matters related to marriage, divorce, inheritance, other forms of personal status law, and the Penal Code which contains discriminatory provisions such as lesser penalties for crimes committed by men in name of honor.

6. Women continue to be excluded from political and economic decision-making processes, affecting any meaningful empowerment, as evidenced by the fact that Syria's GDI (Gender-related Development Index) value is 96.4% of its HDI (Human Development Index) value; 145 countries out of 155 have a better ratio⁴. Furthermore, there exist several factors outside the public sphere that place social barriers in the private life, thus hindering the realization of a meaningful gender equality, such as patriarchal cultural norms and traditional views and expectations of women's role in society.

7. In addition to disparities between women and men, several religious and ethnic minorities and other vulnerable groups such as refugees and domestic migrant workers in the Syria evidence disproportionate levels of lacking economic and social rights' fulfillment compared to the total population. The lack of nationality and documentation problem within the refugee population creates serious hurdles in accessing even basic ESC rights as well in obtaining identity and official documents, such as birth registrations, property titles, and legal marriage certificates, among other barriers towards equal treatment before the law.

8. Syria hosts almost half a million Palestinian refugees, according to UNRWA⁵, as well as the largest number of Iraqi refugees, at least 1.2 million according to Refugee International, citing statistics from UNHCR⁶. Syria has not yet ratified the 1951 Convention relating to the Status of Refugees nor its 1967 Protocol, which would give several ESC-related rights to refugees, such as the right to work, the right to housing, the right to public education, access to courts, public relief, identity papers and travel documents and social security. In the absence of these legal rights and with finite

suspension of fundamental rights and freedoms (source)

<http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.SYR.CO.1.pdf>

² In 2009 while the total budget was approximately \$13.7 billion, defence budget was around \$2billion.

“Calculations from: The Lebanese Army: Victim of the Politicians” by

Nadim Hasbani (September 22, 2010)

Available at <http://www.carnegieendowment.org/arb/?fa=show&article=41611> (last visited March 12th

2011) and <http://www.bi-me.com/main.php?c=3&cg=3&t=1&id=29039>

³ Article 25 of the constitution of 1973:

(3) The citizens are equal before the law in their rights and duties.

(4) The state insures the principle of equal opportunities for citizens.

⁴ Source: UNDP Human Development Reports - 2009;

http://hdrstats.undp.org/en/countries/country_fact_sheets/cty_fs_SYR.html)

⁵ <http://www.unrwa.org/etemplate.php?id=253>

⁶ <http://www.refugeesinternational.org/where-we-work/middle-east/syria>

personal savings, refugees are some of the most vulnerable groups in need of greater social protection.⁷

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

9. Lift the state of emergency and enhance transparency and participation in policy making processes at various levels, and enhance access to information and protect the right to access information by law.

10. Enforce formal and substantive equality for women, especially around personal status law (inheritance, passing citizenship to children, etc) and criminal law.

11. Ratify the Optional Protocol to International Covenant on Economic, Social, and Cultural Rights.

12. Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

13. Reform Law 93/1958 on NGOs and private institutions, passing a democratic law that upholds the right to organize in particular freedom of association.

I. Right to adequate standards of living

14. Although Syria has been characterized by a decrease of its poverty headcount in 2003/04 by about one fifth of its 1996/97 level in accordance with MDG1, and reduced the number of those living under the national poverty line of \$2 a day to approximately 11%⁸, several areas continue to suffer more acutely from poverty than others (especially in the North, the East, and suburban areas).⁹ The extreme national poverty rate in urban areas fell from 12.6% to 9.9% between 1996/1997 and 2006/2007, while this rate fell only from 16% to 15.1% in rural areas.¹⁰ This leaves a significant gap between rural and urban areas, while a sustained and chronic deprivation of the resources and capabilities necessary for the full enjoyment of the right to adequate standard of living has increased in rural areas.

15. As poverty in Syria is poorly documented and disaggregated statistical data is not readily available, national-level indicators of human welfare hide the complex picture of poverty and food insecurity felt at the local level, particularly in rural areas.

16. The growth of informal housing around large towns and cities, such as Damascus and Aleppo has put great pressures on the urban environment. The environmental degradation and loss of livelihoods in rural areas due to desertification has resulted in very quick internal rural-urban migration patterns to cities, leading to an “urbanization of poverty”.¹¹ There are an estimated 209 informal settlements in Syria with a combined area of 26,600 hectares, housing almost 30% of the urban population. The housing in these informal areas often lack the adequate infrastructure necessary to realize further rights, such as the right to health. Furthermore, without legal land titling, these residents

⁷ <http://www.unhcr.org/pages/49e486a76.html>

⁸ According to the Syria MDG Report of 2005

⁹ <http://www.undp.org.sy/index.php/mdgs/mdgs-in-syria>

¹⁰ <http://www.undp.org.sy/index.php/mdgs/mdgs-in-syria>

¹¹ <http://content.undp.org/go/newsroom/2010/september/mdg-report-syria-has-more-kids-in-school-but-suffers-environmental-degradation.en>

face further legal barriers, worsening their social exclusion. Affordable and sufficient public housing as well as rights-based approach to housing are yet to be addressed by the government.

17. The proportion of the population using improved sanitation increased from 55% in 1990 to 82.4% in 2009, however significant urban-rural disparities remain with the percentage being 95% in urban areas and only 65% in rural areas.¹²

18. Being a signatory to the UN Convention on the Rights of Persons with Disabilities, and having established the National Council for Disabilities Affairs in 2004, and adopting the National Disability Plan in 2010, the Syrian policy shift with regards to persons with disabilities shows progress. Nevertheless, the lack of data on persons with disabilities, lack of technical capacity in the country whether through NGOs or public institutions to support persons with disabilities, insufficient financial resources to provide support to persons with disabilities in rural areas (there are great disparities between services in urban and rural areas) and disparities between governorates (fewest services are available in the eastern part of the country where all development indicators are lower than the national average) remains challenging for the full implementation of the Convention on the Rights of Persons with Disabilities¹³.

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

19. Adopt a pro-poor rights-based non-discriminatory growth strategy, aiming at achieving a high rate of growth in GDP while increasing the level of equality in the distribution of income, reducing the prevalence of poverty, and redressing the violations of economic and social rights of vulnerable groups.

20. Give priority concern to remaining regional disparities in the new plan for developing the Syrian economy, which will start in 2011.

21. Enact strategies that enable the availability and accessibility of finely disaggregated data on household resources, which considers regional and gender disparities and ensure appropriate mapping of food insecurity, improves monitoring of both progressive realization and compliance to non-discrimination, and enhances the ability to integrate a rights-based approach into the Government's policies and programs to tackle various forms of vulnerability.

22. Develop and adopt a rights-based approach to national housing strategy, including increased investment in affordable and adequate social housing, a strategy to tackle the issue of homelessness and street children and a prioritization of meeting the needs of vulnerable groups.

23. Ensure the availability and accessibility of improved water and sanitation facilities in all rural and urban areas, and enhance linkage of related public expenditure and aid to clear targeted policies, taking into consideration regional and gender disparities.

24. Align the National Disability Plan 2010 with a set of practical mechanisms and measures that ensure the effective implementation, particularly addressing lack of data, technical capacities, insufficient financial resources, and regional disparities.

¹² <http://undp.org.sy/index.php/mdgs/mdgs-in-syria>

¹³ Available at UNICEF www2.ohchr.org/english/issues/disability/docs/study/UNICEF.doc

II. Right to education

25. According to Article 37 of the Constitution, education is a right guaranteed by the State, primary education is compulsory, and all education is free. Indicators show the level of progress achieved regarding the accessibility dimension of educational services; but highlights the quality dimension, which still requires additional efforts.¹⁴ This extends to the university level education.

26. Syria has raised the net primary school enrollment rate from 95.4% in 1995 to 98% in 2004. However there remains a significant disparity between different regions with regards to completion of primary education. While 93% of all boys and girls in Syria reach the sixth year of schooling, this figure is as low as 76% in some of the northern regions of the country – primarily in the Aleppo Governorate.¹⁵

27. Gender disparities are evident in education. The national illiteracy rate among females aged 15 years and over was 22% in 2006 compared to a 30.4% average for developing countries and 46.9% average for Arab countries¹⁶. However, in some provinces the rates are about double the national average such as Al-Raqqa 43.6%, Al-Hassaka 38.2% and Dier Ezoar 40.8%.¹⁷ Moreover, more than a quarter of females aged fifteen years and over is illiterate in comparison to just over one tenth of males aged fifteen years and over. Further, more males tend to continue their higher education than females as shown by the female-male ratio at university level (81%).¹⁸

28. Despite a significant increase in the number of Iraqi children attending Syrian schools (49,132 in 2007/2008 according to the Ministry of Education), there is concern that many are not enrolled or are dropping out because of lack of documentation (especially for grade 10-12), overcrowded schools, financial difficulties, child labor, difficulties with the Syrian national curriculum, and psychological trauma.¹⁹

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

29. Focus reform efforts on increasing and maintaining enrolment rates, reducing and reinserting dropouts, and ensuring the access of excluded groups to education including the refugees, with an approach that human resources development is a priority.

30. Address the quality of education offered to Syrian students at all levels, from primary to university, setting a curricula reform agenda.

31. Take concrete measures to promote and protect the rights of women and children, in particular to facilitate their access to education as a basic prerequisite for growth and

¹⁴ <http://www.undp.org.sy/index.php/mdgs/mdgs-in-syria>

¹⁵ MDG Country Reports – 2009; <http://www.undp.org.sy/index.php/mdgs/mdgs-in-syria>

¹⁶ The Economic Status of Syria Focus on women's econ participation UNDP SY, available at http://www.undp.org.sy/files/rebort%20english_1%20pdf.pdf

¹⁷ The Economic Status of Syria Focus on women's econ participation UNDP SY, pg 21 available at http://www.undp.org.sy/files/rebort%20english_1%20pdf.pdf

¹⁸ The Economic Status of Syria Focus on women's econ participation UNDP SY, pg 21 available at http://www.undp.org.sy/files/rebort%20english_1%20pdf.pdf

¹⁹ UNHCR Syria Update, august 2008, available at

http://www.un.org.sy/forms/publications/files/UNHCR%20Syria%20Update_August%202008%20-%20FINAL.pdf

development, and prioritize the provision of Early Childhood Development programs in this respect.

III. Right to work

32. The government's employment and labor policies have failed to tackle unemployment and obstacles to achieving the right to work for all citizens; the unemployment level remains high at around 8% (by 2009)²⁰.

33. Besides high unemployment rates, significant regional and gender disparities for the full enjoyment of right to work persist. While Article 45 of the Constitution establishes that "*the state guarantees women all opportunities enabling them to fully and effectively participate in the political, social, cultural, and economic life*", and the new amended Labor Law (2010) introduces through Articles 2, 75, 95, and 119 prohibition of any forms of discrimination, non-discrimination with respect to the right to work is violated in practice.

34. The numbers registered for women's participation in the labor force vary between 18.4% and 30 %²¹. In 2008, the labor force participation rate for women between 15 and 64 years was 22% compared to 82.1% for men²². According to the National Bureau of Statistics (data for first half of 2010), the percentage distribution of the unemployed, who previously worked, is 26.7% for women (20 to 24 years) compared to 16% among men of the same age, and 32.6% for women (25 to 29 years) compared to 23.1% among men of the same age.²³

35. Independent labor unions' activities in Syria are still obstructed by the limitations set by the State party, which oversees the elections' process within the existent general federation of trade unions that operates under the single trade union system. Although Syria ratified (in 1960) the International Labor Convention number 87 (1948), the practice in this area stands in violation of the stipulations around freedom of association and protection of the right to organize.

36. Despite the State party's recent efforts to improve the situation of non-Arab migrant workers in regards to their rights to freedom of association, including through the inclusion of relevant provisions in Act No. 25 of 2000, there is no adequate information and statistics on migration flows and other migration-related issues that is indispensable to an understanding of the situation of migrant workers in Syria.²⁴

37. Although Syria has signed the ILO Conventions on child labor and has compulsory education until age 15 years old, 4% of children aged 5 to 14 years were working in Syria in 2006²⁵. Moreover, Iraqi refugee children and youth living in poverty,

²⁰ <http://www.syria-today.com/index.php/january-2011/712-business-news/13370-unemployment-is-due-to-lack-of-job-awareness-minister-says>

²¹ Latter number source: source: UN Statistics Division:

<http://unstats.un.org/unsd/default.htm>

<http://data.un.org/Search.aspx?q=syria>

²² World Bank Gender Stats, Middle East and North Africa, last visited February 18, 2011

²³ <http://www.cbssyr.org/work/2010/semi-1/TAB37.htm> last visited February 18, 2011

²⁴ Concluding observations of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, 2008, CMW/C/SYR/CO/1

²⁵ UNICEF the 2006 State of the World's Children

between the ages of 13 and 22, make up 18%²⁶ of the work force. This influence low enrolment rates, particularly at the secondary, tertiary educational levels. Moreover, the significant number of street children increases the potential for the sale of children, child prostitution and child pornography.

38. The majority of foreign domestic workers (FDW) are female and hail from Southeast Asia and Eastern Africa, particularly Indonesia, the Philippines, Somalia, and Ethiopia. They face multiple levels of gender and ethnic discrimination and are further made vulnerable by the unique characteristics of their sector of work. They often have less bargaining power due to their “invisibility” as they work in isolation and in the privacy of households²⁷. They often face difficult work conditions, including: long, often unpredictable hours, low salaries and lack of leave days, physical, sexual, verbal, and psychological abuse; difficulty in reporting abuses to Syrian authorities and seeking remedy, illicit measures affecting salaries such as non-payment, limitations on their freedom of movement, confiscation of passports or other identity documents (prohibited by Syrian law and by the International Convention of the Protection of the Rights of All Migrant Workers and their Families)²⁸.

39. Although on 10/12/2000, Law No. 24 was amended as to regulate the minimum wage and other employment issues for casual or temporary workers, including domestic workers, the working conditions of domestic workers remain regulated almost exclusively by their contracts. There is no standard contract or mechanism to enforce employment contracts signed in other countries.²⁹

40. Refugees in Syria face significant violation of their right to work; estimated one million Iraqi refugees are not officially allowed to work in Syria, and therefore face trouble establishing income³⁰. The average unemployment rate among Iraqi refugees is 56.3%; this includes an average of 80.7% among women compared to 52.9% among men.³¹

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

41. Ensure the full enforcement of New Labor Law 2010, specifically its Articles 2, 75, 95, and 119 in order to eliminate gender discrimination in employment opportunities and wages and ensure the promotion of women's equality and empowerment, with

²⁶ Assessment on the situation of Iraqi refugees in Syria by UNHCR, UNICEF and WFP, March 2006 available at <http://documents.wfp.org/stellent/groups/public/documents/ena/wfp119686.pdf>

²⁷ Human Rights Watch's 2011 World Report notes that the Syrian government enacted two decrees to improve the regulation of recruiting agencies and offer workers more protection from exploitation, but in practice there is a lack of enforcement to curtail abuses, forced labour, and high vulnerability to human trafficking (<http://www.hrw.org/en/world-report-2011/syria>)

²⁸ Women's Access to Social Protection in Syria, European Journal of Social Services, Volume 13, Number 4, 2010 available http://www.eurojournals.com/ejss_13_4_10.pdf

²⁹ Women's Access to Social Protection in Syria, European Journal of Social Services, Volume 13, Number 4, 2010 available http://www.eurojournals.com/ejss_13_4_10.pdf

³⁰ Source: Demographic and Health Surveys – March 2009: http://pdf.usaid.gov/pdf_docs/PDACN441.pdf www.measuredhs.com and www.usaid.gov; Iraqi refugees registered with UNHCR (2009, Dec 1st) = 218,363 individuals (71,107 families) + Total new registered in 2009: 35,503 (13,266 families) [source: UNHCR Syria Update (Winter 2010) http://un.org.sy/forms/publications/files/Winter_Update_2010.pdf

³¹ source: assessment on the situation of Iraqi refugees in Syria by UNHCR, UNICEF and WFP, March 2006 available at <http://documents.wfp.org/stellent/groups/public/documents/ena/wfp119686.pdf>)

emphasis on promoting enhanced economic opportunities for women and equality in the workplace.

42. Take necessary reforms to ensure that workers and employers have the right to establish unions and associations, and those taking membership in the existent general federation of trade unions have the right to draw up their constitution and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programs, in accordance with the International Labor Convention number 87 (1948).

43. Accede to and take necessary measures to implement ILO Convention No. 97 on Migration for Employment of 1949 and to Convention No. 143 on Migrant Workers (Supplementary Provisions) of 1975.

44. Put into practice Syria's National Plan for Disability April 2010, according to which all companies must ensure that at least two per cent of their employees from among those registered as disabled.

45. Address the lack of provision of data on the number of migrant workers and continuous subcontracting through compilation and periodical updating of information and the creation of a sound database for labor as well as monitoring mechanisms.

46. Ensure the application of articles of the Convention on the Elimination of All Forms of Discrimination against Women; the Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children (13/12/2000); the Protocol against the Smuggling of Migrants by Land and Sea (13/12/2000); the Convention concerning Forced or Compulsory Labor (26/07/1960); and the Abolition of Forced Labor Convention (23/10/1958) in order to respect the rights of foreign domestic workers and operationalize the supervision of the Ministry of Labor on domestic workers' employment processes and working conditions, as well as on the practice of employment agencies.

47. Ensure the availability and affordability of nurseries taking into consideration that the effects of a high fertility rate on women's economic participation could be lessened in order to achieve a work-life balance, taking into consideration that although the total number of nurseries increased from 1037 in 1995 to 1475 in 2004, this increase is accounted for by private nurseries at the expense of public sector nurseries and those provided by non-governmental organizations, whereby accessibility is hindered due to the inconsistency between increasing cost of nursery provision and income levels.³²

48. Ensure the full implementation of Article 113 of the New Labor Law 2010 and address the issue of the use of child labor focusing on prevention, protection and rehabilitation of child labor and supporting and facilitating children's access to education, in particular in rural areas.

IV. Right to health

49. The total expenditure on health was 4% of GDP in 2008, while the general government expenditure on health as percentage of total health expenditure was 48%, and 52% general out-of-pocket expenditure. In 2008, the general government expenditure on health as percentage of total government expenditure was 6%, and the Ministry of

³² UNDP, Economic status of Syria: A focus on women's economic participation

Health's budget as percentage of the overall government budget was 4.1%³³; which falls significantly below the lower middle income country average, which is 8.2%.

50. Despite positive health indicators, the lack of availability, accessibility, and quality of health services among vulnerable groups remains challenging in Syria, particularly in rural areas where infrastructures and medical treatment remain inadequate.³⁴

51. The overall efficiency and effectiveness of the public health system are constrained by rapid turnover of skilled staff; insufficient coordination between different departments within the Ministry of Health; inadequate managerial skills; low level of qualified nurses and paramedical staff; and poor distribution of human resources.³⁵

52. Syria's commitment to provision of comprehensive health care services for up to 1.5 million Iraqi refugees falls short of covering the cases registered for over 19% of Iraqi refugees (2007) that are suffering from an important medical condition such as chronic illnesses or psychological disorders³⁶. The government's intervention does not recognize the conditions of other vulnerable groups in need of particular assistance within the Syrian population itself, mainly due to a lack of data collection on demographic factors which could reveal health issues in certain population groups.³⁷

53. Syrian's public health policies do not consider the issue of gender-based violence (and there are little statistics on this issue), which has grave consequences in respect of women's health.³⁸ Furthermore, sexual and reproductive health rights in Syria are still neglected.

54. The percentage of young women (15 to 24 years) with comprehensive HIV/AIDS knowledge was only 7.2% as of 2006, suggesting a lack of ample sexual and reproductive health education.³⁹ HIV/AIDs continue to be treated as a taboo subject, with underreporting of the amount of victims of the illness as well as a lack of an explicit strategy by the government to confront the epidemic with adequate interventions and facilities.⁴⁰

55. The maternal mortality ratio is still 46 per 100,000 births and the adolescent birth rate is 75 per 1,000 births, one of the highest in Western Asia. There are significant

³³ (source Regional office for the eastern Mediterranean:

<http://www.emro.who.int/emrinfo/index.asp?Ctry=egy>)

³⁴ Stated as well by the UN Special Rapporteur on the right to health, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10532&LangID=E> and Source:

Welfare in the Mediterranean Countries, The Syrian Arab Republic – Anna Galdo, 2004

<http://unpan1.un.org/intradoc/groups/public/documents/CAIMED/UNPAN018931.pdf>

³⁵ UNFPA Recommendation by the Executive Director Assistance to the Government of the Syrian Arab Republic (DP/FPA/SYR/6) 15 August 2001, www.unpfa.org, as quoted in Welfare in Mediterranean Countries, Syrian Arab Republic by Anna Galdo 2004, available at

<http://unpan1.un.org/intradoc/groups/public/documents/CAIMED/UNPAN018931.pdf>

³⁶ UNHCR Syria Update, August 2008, available at

http://www.un.org/sy/forms/publications/files/UNHCR%20Syria%20Update_August%202008%20-%20FINAL.pdf

³⁷ <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10533&LangID=E>

³⁸ Special Rapporteur on the right to health,

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10532&LangID=E>

³⁹ MDG UN Statistical Database <http://mdgs.un.org/unsd/mdg/Default.aspx>

⁴⁰ <http://www.unpfa.org/sy/en/scontent.aspx?s=10>

regional disparities in contraceptive prevalence rate, maternal mortality rate, and births healthcare facilities.

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

56. Establish a more comprehensive sexual and reproductive health strategy and the adoption of programs to prevent maternal mortality and morbidity, including the provision of extensive community-based outreach services in order to overcome the lack of awareness, enhance education and empowerment of women in relation to maternal health, particularly in relation to post-natal care⁴¹, as well as sex education, access to contraception.

57. Enable the availability and accessibility of disaggregated health data in order to best serve the needs of vulnerable and special needs population

58. Allocate additional resources towards improving the country's health infrastructures, human resources, and participation in health policy-making, while ensuring that ongoing health reforms take into account the rights of women and children and regional disparities.

59. Address the right to health dimension of gender-based violence giving due attention to the protection of human rights of women, prevention, treatment and rehabilitation of gender-based violence⁴².

V. Right to social security

60. The structure of the Syrian labor market, comprised of a large number of jobs in the informal economy, leaves the majority of workers without basic social security protection. The majority of these are women, who are often exposed to financial, economic, and social risks and vulnerability resulting from their need to find employment and generate income.⁴³ The problematic nature of this exclusion is getting worse as the informal sector in Syria is increasing in size and currently [2010] absorbs 45% of the market labor force.⁴⁴

61. The Social Insurance Law gives equal treatment to men and women in all its articles; but its application is still deficient. For women, while the social insurance scheme coverage is much higher in the public sector, their coverage is much less than men in the formal private sector (6.7%) and in the informal private sector (1% only).⁴⁵

62. At present, Syrian labor legislation excludes a number of categories from labor rights and social protection: domestic workers (predominantly female), craftsmen and fishermen (predominantly male), casual workers, family workers, temporary agricultural

⁴¹ As noted by Special Rapporteur on right to health

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10532&LangID=E>

⁴² As noted by Special Rapporteur on right to health

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10532&LangID=E>

⁴³ Women's Access to Social Protection in Syria, European Journal of Social Services, Volume 13, Number 4, 2010 available http://www.eurojournals.com/ejss_13_4_10.pdf

⁴⁴ <http://www.undp.org.sy/index.php/news/484-a-project-to-help-formalize-the-informal-sector>

⁴⁵ household income and expenditure survey 2003-2004 in Women's Access to Social Protection in Syria, European Journal of Social Services, Volume 13, Number 4, 2010 available http://www.eurojournals.com/ejss_13_4_10.pdf

workers, and non-citizens, including refugees.⁴⁶ The Committee on Economic, Social and Cultural Rights had also raised concern on this in its concluding observations on Syria in 2001 about “the disparity in the provision of social benefits and accident compensation to Syrian nationals, refugees and stateless persons.”⁴⁷

ANND and CESR call on the Working Group and the Council to urge the Government of Syria to:

63. Develop a national social security strategy based on a national social dialogue process and accordingly reform the social protection system accompanied by appropriate enforcement mechanisms.

64. Extend social security coverage to all categories of workers, including the most excluded and insecure groups, without discrimination on any grounds.

⁴⁶ household income and expenditure survey 2003-2004 in Women’s Access to Social Protection in Syria, European Journal of Social Services, Volume 13, Number 4, 2010 available

http://www.eurojournals.com/ejss_13_4_10.pdf

⁴⁷ [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/E.C.12.1.Add.63.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/E.C.12.1.Add.63.En?OpenDocument)

ANNEX

LIST OF RESEARCH AND DRAFT NGOs

ARAB NGO NETWORK FOR DEVELOPMENT (ANND)

Address: Wata El Mseitbi, Boustani Str, Zoheiri Bldg, 3rd Floor

P.O.Box: 14/5792 Mazraa 1105 2070 Beirut, Lebanon

Tel: 00-961 1 319366

Fax: 00-961 1 815636

E-mail: annd@annd.org

Website: www.annd.org

CENTER FOR ECONOMIC AND SOCIAL RIGHTS (CESR)

Address: C/Fuencarral, 158-1ªA 28010 Madrid, Spain

Tel: 00 34 91 448 3971

Fax: 00 34 91 448 3980

E-mail: rights@cesr.org

Website: www.cesr.org