

Report of the Non-Governmental Organizations in Syria Applying Provisions of the Rights of the Child Convention

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Executive Summary

Although, not one shadow report on the Convention on the Rights of the Child has ever been discussed or disseminated in Syria, however, we found on electronic website on the 1st. of June 2007¹, a report on the Syrian Child prepared by Committees concerned with Defending Democratic Freedoms and Human Rights, another report dealing with the same topic was written by Mrs. Suad Khubieh in the year 2006².

This report has been drawn up with concentration on presenting a comprehensive picture of the political, economic, social, cultural and Jurisdictional status in Syria, based on details of the Syrian Permanent Constitution, the 10th Fifth Year Development Plan (2005-2010), the State of Syria Population Report 2008, and a number of Government and International sources. The bulk of this report, is focusing on children Status in Syria, in general, with consideration to gender dimension and its impact on the girl child particularly in terms of:

Government Mechanism concerned with the child/the girl child: The report reveals that we do not have in Syria one specific Government Institution to whom conclusively been assigned the job of taking care of the whole issues of childhood. This responsibility has been distributed among a number of Ministries and Institutions ,however the Syrian Commission for Family Affairs (SCFA) works on coordinating activities carried out by all concerned institutions, except that, the legislation enacted the establishment of the SCFA does not cover the executive instructions that delineates Commission's tasks, responsibilities and assignments in this regard.

Legislations related to Child and to Girl Child: The report discloses that the majority of activities and proposals written in the chapter entitled "Youth, Sport and Child" of the 10th. Fifth- Year Development Plan 2005-2010 were not implemented, along with many other important activities set forth in the Child Protection Action Plan (2005-2007),and in particular those related to establishing the Family Protection Center and the Support Phone Line. The child law was not, also, passed notwithstanding the fact that respective draft project was completed by year 2007. It is worth mentioning that limitation of social activities for children in the Youth Organization (Talaeh Al-Baath) only, limits children capacity to practice their right to freedom of forming their own organizations particularly that Al - Talaeh Al-Baath organization is characterized with own political specific approach and is considered one of the public organizations that are affiliated to the ruling Baath Party.

As for Education: The report focuses on_school dropout up to the end of secondary phase. It indicates that percentage of drop out from the Basic Learning is relatively high, particularly among girls residing in rural areas and in the Northern Eastern regions. It also reveals that the school curriculum is still lacking the gender perspectives notwithstanding the efforts exerted by the Ministry of Education to integrate the gender concepts and perspectives in the teaching curriculum. Except that, the process held to clean teaching curricula from the stereotype image of girls and women was not applied to all teaching subjects. Actually, the latter procedure, was applied on limited number of subjects like Reading, and National Education, and not applied on science subjects. Some methods regarding discipline at schools still take the form of physical and psychological violence although of the repeated directions of the Ministry of Education regarding prohibition of use of physical punishment. Methodology of teaching that depends largely on dictation and theoretical exams is maintained at schools. This way detains the child intellectual development and capacity to catch up with scientific and practical progress undergoing all over the world. The report also observes the discrimination between males and females in various activities and show that the teaching subject on housekeeping is limited to girl students and that of industrial learning is confined to boy students. Moreover, the teaching curriculums of the basic learning still lacks education on sex.

As for health: Syria is ranking 108 out of 190 in the Global Health System Performance Index and 15 among 19 on the level of Arab countries. The said index is based on five health indicators developed by the World Health Organization in the Human Development Report for year 2000 for measuring the performance of health systems.

In Syria, sufficient hospitals specialized for child treatment are not available, the only hospital is found in Damascus. The later receives a huge number of visitors and suffers from a great pressure. Overall, Syria is suffering from environmental pollution. 16% of pupils are suffering from anemia due to malnutrition. Only 45% of schools are equipped with safe drinking water whereas 51% of the population residing in Al- Badia are drinking water from unsafe tankers³.

Proportion of children under five suffering from underweight rises to 8%, while those who are wasted, namely too thin for their height rises to 4% and those severely stunted for their age rises to 18 % as a result of malnutrition and hard child labor, 6% of infants are classified underweight due to malnutrition of the pregnant mother, moreover:

- a. Some of the poor children whose living conditions are very low usually search in the garbage looking for specific materials, which would eventually affect their health condition and expose them to serious diseases
- b. Syria suffers from prevalence of diseases resulted from kin marriages, knowing that raising awareness in this regard is scarce.
- c. Non- prevalence of Care Centers specific for the disabled, on country level, make it impossible to absorb except a very low percentage of children with specific needs

As for General Principles: The societal perspective regarding preference of male birth to female birth is still maintained till present. The fact that Syrian laws do not take the best interest of the child and the child welfare as main criteria for enacting laws for children reveals the extent of discrimination practiced between boys and girls; as in the case of age of custody and the right of both sexes to inheritance (boys got as twice as girls), and the deprivation of children whose mothers are married to non- Syrians from their right to acquire the Syrian nationality.

As for Mechanism of Child Protection: The report shows that specialized centers for receiving girls victims of violence, mistreatment, abuse, exploitation and torture, are scarce. Moreover, it seems that phenomenon of violence practiced against children exists in the private sphere (within family) and in the general sphere as well (at Schools, Juvenile Reform Institutes, Observatory Centers and Police Centers). The report also refers to absence of comprehensive field studies , and to scarcity of observatory centers for monitoring and document cases of violence practiced against children particularly the girl child, indicating that related existing statistics and studies are not published in the first place. Actually, some of agencies and organizations in the civil society offer specific services for victims of family violence among women and children except that such services remain not sufficient to help all victims of violence found all over the Syrian Governorates.

The report confirms that it is extremely necessary to pass a law for child protection against all forms of violence practices wherever it found, within family, society, schools, care centersetc.

The report observed as well the conditions of the migrant domestic workers stating that the majority of them are under legal age and that they enter the country with forged passports. Those migrant workers do not have social neither health insurance. In this regard , the report ended with several recommendations the most important of which are the followings:

- Implement all programmers and activities set forth in the 10th. Five-Year Development plan; the chapter on “Youth and Childhood” in the remaining period of the plan up to 2010, particularly what concerns enacting a legislation for child protection and amend all discriminative items against the girl child that are found in the Syrian laws. Observe what was not implemented to include them in the future plan with involvement and contribution of all concerned individuals and parties particularly the civil society and children in the preparation, implementation and follow up processes of the future plan. Moreover, working on making all Ministries allocate budgets specific t for children.
- Amend the law concerning establishment of organizations in a way to ensure the freedom to establish an organization and to manage the organizations’ activities.
- Provide specialized centers for receiving victimized girls, work on physical and psychiatric rehabilitation and help girls integrating within society in most of the Syrian governorates.
- Enact decisive legislations and firm penalties to protect children from early employment and protect girls from sexual harassment at place of work , and ensure the protection for those working as servants at houses and at public places. In addition to, enacting laws to protect girls against prostituting.
- Remove the stereotype image of women from the educational curriculum, eliminate all forms of discrimination against women, disseminate concepts on equality, include contents of human rights convention, and the child right convention, encourage vocational and industrial learning for both sexes, take care of sexual education due to its positive impact on children in avoiding a lot of health, psychological, and social problems.

Introduction

On occasion of issuing the Third and Fourth Government Reports on February 2009, this shadow report on child status in Syria, particularly, on girl child status, is prepared. This work is done in accordance with the methodology worked out in a training manual on writing shadow reports , and on other several documents , studies and national reports such as: “The Third and Fourth Government Reports”, “Poverty Map in Syria”, “The State of Syrian Population 2008-National Report”, “The 10th. Fifth-Year Development Plan 2005-2010”, “The National Plan of Child Protection 2005-2007”, in addition to several studies and researches including:”Migrant Domestic Workers 2008”, “Protection of Children against Violence, Negligence, Hurt and Abuse”, References from UNICEF dealing with Global Status of Children , “UNICEF Yearbook -2005”,

“Analysis of Current Situation of Early Childhood Development in Syria” (UNICEF & the Syrian Commission for Family Affairs 2008), Data published on the Ministry of Health website for the year 2007, beside to the Syrian Constitution and other related regulations (Personal Status Law, Penal Law , Civil Law) and other selected materials published on specific websites.

Writing this report was motivated by a sum of factors the most important of which are:

- Issuance of the Third and Fourth Government Reports, that was submitted to the Committee concerning the Rights of Children for review and discussion, the report contains, “all information developed during the period that follows the issuance of the II Syrian Report namely between August 2000 and February 2009”. NGOs contributing in preparing this Shadow Report felt that it is necessary to comment on the pre mentioned Government reports, in an attempt to check information included therein, and elaborate some aspects of failures that are related to non implementation of some of the materials proclaimed in the Convention .
- Our commitments as NGOs (though the majorities are not granted licenses till today) to contribute in the sustainable development process of the country, develop, and enhance the status of the Syrian child/girl child, being main target of the sustainable development Operation in the country.
- Practice our right in presenting such a report, starting from our understanding of the important role of the organizations in the civil society to promote and support the Government in fulfilling her commitments as decided in the Global Conventions adopted by the Government.

The Report Objectives

- a) Shed lights on various aspects concerning status of the rights of the child/the girl child (education, participation, health, protection laws, development, survival, and welfare). And contribute in monitoring and observing the actual conditions of children in comparison with the Government report, with reference to actual procedures taken by the Government in implementing her commitments toward the Global Convention of the Right of the child in Syria, and enabling the Government in establishing and developing action plans, strategies and legislative procedures, policies and programmes that focus on responding to children hygienic, physical and psychological needs.
- b) Observe and monitor all forms of discriminative acts practiced against the girl child in the public and private spheres, and bridges the gap that exists in most of Governments’ plans and strategies, basically reflected in non-sensitivity to gender issues in particular the Child Protection Action Plan 2005-2007.
- c) Unify all exerted efforts and perspectives of the government, non Government and civil society for reaching better realities for Syrian children, males and females, in a way to enable them to enjoy their rights and raise their living standard, and ensure best application of the Child Right Convention and rules included therein.

Organizations Contributed in Writing the Report

A number of organizations and societies active and dealing with gender and social issues have written the report at hand:

- “Syrian Women League”: established at 1948 as “Syrian Women League for Childhood & Maternity Protection”
- “Nuns of the Good shepherd”: established at 1981 for supporting cases of women and girls in difficult conditions.
- “Women Initiative Committee” established at 2002
- “Committee for Supporting Women Issues” established at 2003
- “Forum of Islamic Syrian Females “
- “The Intellectual Forum” established at 1982
- Al Thura Electronic Website concerned in woman and child Issues, launched in 2004
- Mrs. Hala Barbara, the lawyer Activist in woman and child issues

Before working on this report, a training on how shadow reports that deal with the Convention of the Rights of the Child was implemented during the period 24-27/5/2009, the training was followed by 16 ladies among the members of above mentioned organizations who actually contributed in preparing the report.

Moreover, we find it worth mentioning that organizations participated in writing the report are not officially been granted the license till now.

1. General Arrangements for Implementation

1. Political and Institutional Frame

The Syrian Arab Republic is a democratic , popular and socialist country⁴.... As proclaimed in her “Permanent” Constitution enacted on 1973. The ruling regime in the Syrian Arab Republic is republican presidential , where the legislative authority is headed by the Syrian Constitution. According to Article 25 of the Civil Law and the Decision of the Supreme Court No. 1905 for the year 1980, the rules of the International conventions advances the national laws.

Concerning childhood, the organization of “Talaa Al Baath” was established in the year 1974, and the organization of the Revolutionary Youth Union was established in the year 1963, that is why, it is not allowed , in general, to approve on establishing a non-government organization concerned in childhood or youth issues and in any field of work in which popular organizations formed by the Baath Party are working in . This was enforced according to Instruction No. (9/d/62) dated 8/8/1974 issued by the Minister of the Local Administration addressing the Executive Offices at all Governorates, states the followings: .. We would like you as proclaiming the regime of the organizations or the private organization , to adhere to the followings: The item 14 of the said Instruction stipulates that all Executive Offices, as they proclaim the evolution of any organization’ regime, must confine themselves to : 1- rejecting the proclamation of regimes for all leagues, organizations, and clubs who own similar objectives to those of the popular organizations..... .

Notwithstanding the fact that a number of organizations working on Childhood , Youth and Women issues have obtained the license, yet they are very few, and their license was exceptionally obtained and does not indicate a change in that regard.

2. Poverty

The first study on poverty in Syria was done in the year 2004, in which a poverty map for Syria was delineated. The poverty map refers to two margins for poverty, the low margin where the monthly per capita income rises to 1458 S.P. (less than 30 US\$), accordingly the proportion of the poor population in Syria reaches 11.4% ; in other words there is above 2 million persons who cannot have their basic needs from food stuff and other things. The higher margin is where the monthly per capita income reaches 2052 S.P. (around 40 US\$) thus the poor population in this category rises to 30% to include 3.5⁵ million individuals suffering from poverty. The study reveals also that average number of children in the poor households residing in citywide areas rises to 3.25 versus 1.9 children among the non poor households. Overall , the average number of children for the poor household (3.3 child) is higher than that of the non poor households (2.2 child).Poverty risks increases among households with more than 3 children⁶. However, as the proportion of population below 15 years increases by 1% poverty increases by 0.56%⁷.

Certainly we should mention that poverty map was not worked on basis of gender sensitivity ,where statistics are not cross classified by sex , neither any form of an in- depth analysis on phenomenon of feminized poverty was developed.

Still, there are shortages in studies dealing with impact of poverty on marginal and fragile groups in the society, particularly those pertaining to children issues and the girl child at the front.

1.3 Mechanism of Child Protection in the Syrian Arab Republic

a. International Agreements to Which Syria Has Joined

Syria has ratified the seven main International Agreements related to protection of human rights. The Syrian Government has adopted Beijing Action Plan, prepared the National Reports Beijing +10, Beijing+12, and Beijing+15 ,where, the latest included a paragraph specific to the girl child. In the year 2000, Syria adopted the Millennium Development Goals . Moreover , enlighten by general goals of the MDG, Syrian Government has placed National Goals and issued two progress reports in year 2005.

Syria has removed the reservations on Article 20 and Article 21 of the Convention of the Right of the Child by decree Number 12 passed on February 2007, only one reservation on Article 14 regarding the freedom of choosing a religion was kept. However, the general Mufti for Syria sees that this reservation can be removed, as indicated in the memorandum addressed to the Syrian Commission for Family Affairs on the 11th. of March 2005, ."Freedom of belief and religion,

according to Islamic Shari'a is protected, since the origin maintains Advice, Guidance, Reminding, and Instruction without coercion neither commitment"⁸.

b. Government Institutions Concerned with Childhood Issues

The Government work on childhood issues is distributed among a group of concerned Ministries (Ministry of Education, Ministry of Health, Ministry of Justice, and Ministry of Labor and Social Affairs,...), in the year 2003 the Law No. 42 for the year 2003 enacted to establish the Syrian Commission for Family Affairs. The SCFA was directly affiliated to the Office of the Prime Minister⁹. The commission aims at accelerating the process of upgrading state of affairs pertaining to Syrian families and enable them of better contribution in the efforts exerted for human development¹⁰.

The National Committee on Childhood, that was established before the Syrian Commission, was dissolved and all committee's respective tasks were assigned to the Syrian Commission/SCFA. However the Law enacted for establishment of the Syrian commission lacks the executive instructions, that delineates, clearly and in detail, its duties and obligations. The latter is, also, void of any instruction regarding coordinating with other Government agencies that are concerned with issues related to its field of work¹¹, including childhood issues. Guidelines concerning cooperation with NGOs without facing bureaucratic complications are not found. Actually, NGOs, till present, need the approval of the Ministry of Labor and Social Affairs for cooperating with the Syrian Commission. Although the Syrian Commission for Family Affairs has initiated from the start of work, as of 2004 up to the end of year 2007, on inviting the majority of the civil organizations in the country that are working on childhood and women issues to contribute in their activities including projects' design and formulation of the National Plan, nevertheless, this initiative was ceased, the evidence to that is non-involvement of similar organizations like us, who are activists in gender social issues, in writing the shadow report of the Convention. Actually, the Commission restricts itself to invite only organizations working on charity issues rather than on development issues.

c. The 10th.Fifth –Year Development Plan 2005-2010

The 10th. Fifth-Year Country Plan allocated a chapter on Youth Sport and Childhood.

The chapter on Childhood defines the general objectives and quantitative goals and targets as the followings:

- Provide the legislative procedures appropriate to guarantee children rights.
- Designate organizational basis and coordination between the Government Central sectorand non Government organizations.....for implementing programmes targeted to child rights.
- Limit the phenomenon of child employment¹²

The content of the 10th. Fifth –Year Plan is considered an achievement in itself, however, we see that the importance is located in the implementation. This, we haven't seen till now even

on level of the legislations, since not any law specific to child right has been amended including the Personal Status Law and the nationality Law.

A partial amendment on the penal law was made by passing the legislative Decree No. 37 on the 1st. of July 2009, that stipulates cancellation of item 548 from the Penal Law and cancellation of excuse exempting from punishment for committing murders against girls at any age on the pretext of honor. However, the reduced excuse is left, upon which the punishment for honor crime does not exceed 2 years imprisonment . Although this amendment can be considered a step forward, yet it is below our expectations, and does not comply with the Government commitment and promises as well.

As for partnership between the Government and the civil society , and according to the National Plan, this has not been achieved so far as a result to shortages in the current law regulating establishment of organizations.

Moreover street children have not been taken care of , although the Arab Council for Childhood and Development proposed in 2005 , to the Syrian Government, a project and funding regarding protection of children of the streets, except that the Ministry of Labor and Social Affairs did not acknowledge the existence of this phenomenon in Syria which led eventually to deprive these children from this grant, accordingly no specific protection plan for the street children has been set forth. The streets in the Syrian Arab republic has witnessed and still witnessing a large number of beggar children at school age begging in the streets (boys and girls)

d. The National Plan for Child Protection¹³

The Syrian Government¹⁴ proclaimed on the 2nd. of October 2005 the National Plan for Child Protection in Syria, prepared by the Syrian Commission for Family Affairs with contribution and participation of number of Government and non Government organizations and agencies. The Syrian Commission for Family Affairs is totally supervising the implementation process.

The Plan has aimed at creating a work system to protect children in the Syrian Arab Republic from violence, abuse, negligence, and exploitation. Necessary budget was allocated for this plan. The plan included twelve activities, among of which important activities were not implemented including the activity No. 7: concerning establishment of a Unit for Family Protection, the activity No. 8: for establishing Shelter for Child Protection, the activity No.10: for specifying a phone number for Child Support, the activity No.11: for issuing Syrian law for Child Protection.

As for activity No. 11: the Syrian Commission for Family Affairs has accomplished a draft project for a legislative law for Child Rights since year 2006 except that the project was submitted to the Office of the Prime Minister only in the year 2009, and was not transferred to the Peoples Council for ratification till now , notwithstanding our advise to do further work and discussion of the draft project through the mass media aiming at involvement of all concerned parties and

agencies and seeking their comments and points of views, particularly children. Having in mind that this draft project is still using phrases that are not appropriate for children.

e. General Arrangements for Implementation

- **Dissemination and Promotion of the Convention on the Rights of the Child**

As volunteers in the campaign carried out by the Syrian Commission "Where is my Right", the Female Syrian Community contributed in disseminating the Convention on the Rights of the Child, assist in implementing activities for Juveniles and delinquents Institutes and for children of imprisoned women. Moreover, they worked on training children on the Articles of the Convention and on the mechanism of the Child Parliament and child right in participation¹⁵. The press and the magazines of the private sector and some electronic websites (Syrian women website, Al-Thura website, the New Alphabet website, all Partners website, the Camel website) started shedding lights on issues related to violation of the right of children through publishing reports and press articles.

As for the official Media, several TV programmes and press articles were dedicated to this issue at Governments and other Parties' newspapers . Beside, in the year 2006, all articles of the Convention on the Rights of the Child were published in Osama, the magazine for children which is supervised by the Ministry of Culture. This work has been accomplished in cooperation with the Syrian Commission for Family Affairs. On the other hand , we might observe that concerned Government agencies such as Ministries of Culture, Education and Information have no clear-cut and permanent plan to promote for the Convention and to raise awareness on the rights of children. Moreover, they did not specify any space for writing Articles that take care of the child right dimension in official magazines and newspapers. Whereas, several electronic websites had specified permanent spaces for tackling childhood issues. The New Alphabet website specifies permanent corner for this issue entitled "Children of Syria", another corner entitled "because they Deserve the Best".

The Syrian Commission for Family Affairs Project for training children on their right to participation (the Child Parliament), was not progressing ; the work was done only in one Governorate.

Among most important articles published on children issues are "The residence of the Custodian is a right for the child prior to the woman", written by Iman Wanous/ Al Nour Magazine²⁶⁶ on 18/10/2006. "A young man raped his daughter and the uncle brought the chopper to wash disgrace"¹⁶. "Employment of children in Damascus (1): Homeless by Employment"¹⁷ . How Syrian women are sold to Saudi Arabians, written by Hian Nayouf: the Arabian network. Children of the Street.¹⁸ "Migration is compulsory for people without registration and foreigners in Al Hasakeh (drowning is an open option)"¹⁹ . Sex Merchant in Syria are away from Firm Measures²⁰. Happening in our Society; Fathers are Transformed to Slave Traders²¹. Children of Today ... Back to traditional Raising²².

- **Monitor budgets Specified to Childhood Issues**

No specific funding has been allocated to implement the activities and programmes proclaimed in the 10th. Fifth- Year Plan; the chapter on "The child" except the funding allocated by the Syrian Commission for Family Affairs to the Child Protection Plan, and that of the Ministry of Education, since the latter is concerned with compulsory Teaching. This indicates that the Syrian Government did not place among her first priorities the implementation of the plans approved by the People's Council where the deadline of the implementation period seems about its end (2010).

2. The Definition of the Child

The Convention defines the term child as every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier. According to Syrian law and legislations, the term child (as proclaimed in the Personal Status law, Penal Law and the Labor Law) has different names such as minor, underage, juvenile, infant without a clear cut definition for each sometimes.

On One side, the Syrian Law for Juvenile established in 1974 defines the term child as each male and female who did not complete his/her 18 years of age. On the other, the Personal Status Law discriminate between the child and the girl child by proclaiming the legal age at marriage for girls at 17 years old and for boys at 18 years old. Much more discrimination is observed as the guardian and the judge have been given the right to wed girls at age 13 and boys at age 15 (statistics show that overall, 3.4 % of the females in Syria get married before age 15 whereas 18.8 % get married before age 18)²³, if these legislations were violated, no preventive punishment can protect the girl child from early marriage decided by her parents and accomplished through bargaining on the marriage with or without her approval.

The law also discriminates between the child and the girl child in age of custody. As for age of legal capacity and prudence, it differs with the difference of various legislations of Syrian laws, considering that some legislations are based on Al Shari'a, while others are merely secular. As the personal status law gives the boy the right to divorce exactly at age 18, this means that, by law, he is adult at that age. On the other side, the child above 15 years of age needs the permission from the judge to receive and manage a part of his money only after listening to his guardian. The most unusual is that, the personal status law states that the minor at age 13 afforded the right to manage money he/she earned from his/her own work, whereas the labor law do not allow employment of the minors neither permit them enter the place of work before reaching exactly age 15.

According to Labor Convention, Article No. 138, age of employment and start of work was defined at 15 years, in the meantime, preventive arrangements or punishments against those who employ children before that age are not available, actually a large number of girl at 11 years old are working at houses as servants, in agriculture, in factories, and in industrial workshops, this situation expose them to exhaustion, deprive them from education, and expose them to exploitation, molestation, and rape.

3. General Principles:

3.1 Non-discrimination

Notwithstanding that the Syrian Constitution is based on principle of non discrimination according to Article (2) , except that , there are a bunch of legislations and some social discriminative attitudes practiced against the Syrian girl child including the followings:

- The preference of the male birth to the female birth
- The deprivation of children, of both sexes, born to Syrian mother and foreign father from the Syrian Nationality of the mother.
- The increase in the educational gap between Public and the Private Learning and between the city and the country side.
- The Societal discrimination incurred on the disabled girl child, with shy parents , not ready to admit of her existence, locked at home, without, naturally, practicing her daily life.

3.2 The Best Interest of the Child

The best interest of the child is not considered as the prime criteria for many of the Syrian legislations. Among of which we mention legislations of the personal status law. The age of custody for example was raised to 13 years for boys and 15 years for girls in 2005. This amendment came in response to the campaign carried out by the Societal Initiation Organization, demanding (i)unifying the age of custody at 15 years for boys and girls alike, (ii)of the right of the custodian in residence, and (iii)of the right to keeping custody in case the mother married later to a man who is religiously and legally permitted to marry her daughter. However, the amendment was confined to raising age of custody only. Having in mind that, by the Syrian law, the right of custody is specific of the child right and not of the custodian. Certainly we must clarify that custody for mothers is confined to custodian care without being legal guardian which usually entrusted to the father or who follows from the band of male relatives.

- Care centers for girls with special needs are available in some of the Governorates, and not available in rural areas, accordingly girls therein do not receive necessary care due to difficulty of movement and low financial resources of the parents.
- Shortages in mechanism of raising awareness among boys and girls with regard to sexually transmitted diseases, including HIV/aids , addiction to drugs, methods of transmitting diseases and related preventive and protective measures.
- The Personal Status Law has no articles that are concerned with regulating relationships in the family and the rights of the child and the girl child within the family. Neither includes clarification or definition of the joined responsibility of the father and the mother towards their children in a way that guarantees achieving best interest of children.

- The scarcity of specialized centers available to receive girl children victims of violence, mistreatment, abuse, exploitation, and torture for providing them with specific and required services. Authorities in the civil society, sometimes provided specific services to victims of family violence (among women and children) such as (Nuns of the good shepherd, the National Association for Women Development, Trust Phone Line for Victims of Family Violence) . Except that they are not specialized with child care on one side and not enough or sufficient to support victims of violence occurring in all Syrian Governorates on other side. The lawyer Ms. Daed Mousa has prepared a draft Project for a Legislation regarding Protection from Family Violence, this is done in coordination with the Syrian Female Association on the 25th of November 2007. The draft project remained under discussion for one year, and was published on several websites. Ms. Mousa has received a large number of comments that has been taken into consideration in the final drafting and now the draft has become ready to be submitted to concerned authorities.
- In Syria there are only two Governmental Centers for female Juvenile rehabilitation; that are located in Damascus and Aleppo though they are not provided with all necessary conditions. As for the remaining Governorates, the delinquent girls are sent to “Superintendent Houses”, these houses are not provided with any type of rehabilitative activity,. Other girls could be sent to charity associations to spend their penalty period without deportation to Rehabilitative Houses; even though they might stay for more than a year. This is considered against the law and will certainly lead to affect the interest of the girl child.

4. Civil Rights and Freedom

1. The Right to Survival and Development

- In case of divorce, the child alimony is still decided according to the Judge estimation of the situation at hand, generally the alimony ranges between 10-20 US\$, an amount when compared with financial inflation in the country will not be sufficient for the cost of consulting a Doctor, in addition, there is no law that guarantees the stay of women custodian with children under custody in a residence specially for them.
- The acts of violence against the girl child within the family is continuous in all its forms, with no legislation that can protect her from this. UNICEF study in 2002-2003 has shown that the girl child is bitterly exposed to different forms of violence , the most important is the coercive marriage which badly affects the physical and mental upraising of the girl child.
- Even though the Syrian Penal law inflict a penalty against begging and homelessness, except that , places specific to receive cases as such among girl children are not available , that is why they are transmitted to Juvenile Centers.

- The survival and growth of the girl child is only accomplished with the presence of fun and playful activities beside to the right of the girl child to have rest in both private or public frames. Actually, this what the girl child lacks particularly in the rural and distant areas. To this end, all appropriate and available resources should be recruited.

2. The Right of the Child to Express his/her Views

- The Syrian family, in general, does not give the views of the male child, and in particular those of the girl child, due weight regarding most of the measures and decisions taken specially for them, such as selection of school , selection of foreign language to be studied at school, type of activity to be practiced . In fact, the majority of the parents has the final decision on selecting field of study for the child girl even against her will, and much more, she cannot reject the husband proposed by her family.
- In the Syrian society , a new phenomenon that has started since the midst of the nineteenth is becoming nowadays more obvious and reflected in seeing very young girls around 10-18 years old wearing the veil / shari'a dress/ . It is worth mentioning , that at that age, the girl child is not able to take such a decision by herself, this phenomenon has its social, political, and psychological dimensions .The phenomenon of wearing the veil is increasing with the growing of the firm religious forces that are exerting all efforts and backing up the prototype role of women. In the meantime, Government Authorities are silent and not fighting back against such appearances while on other side, the Government is working on restraining the activities of the civil society.

3. The Right of the Child to Immediate Registration after Birth and to Acquire Nationality

Article 40 of The Syrian Civil Law proclaims and confirms that each person has the right to a name and to a surname. By virtue of the legislative decree No. 26 passing on the 16th. of April 2007, the Personal Civil law for the year 1957 has been amended. Articles 20 to 29 state clearly that it is compulsory to register children immediately after birth, otherwise the guardian would risk the exposure to legal responsibility.

However, actually, it is confirmed that some births are not registered , as a result to several reasons of which we mention the followings as examples:

- Careless parents particularly in the Syrian countryside
- Births that occur outside marriage cannot be registered, and sometimes mothers abandon their child fearing of the scandal. Thus children end up as foundlings at orphanage houses, pursued by disgrace all their life without a surnames , however they acquire the Syrian nationality.
- Cases of mixed marriages occurred between individuals of different religions. According to the Syrian Personal Status Law, the marriage of the Muslim girl to non Muslim man ,in particular, is considered null. Accordingly, births of such marriages and all its

consequences are not recognized and considered invalid. In cases as such children are not registered.

- Some Kurdish population who are living in Syria without carrying the Syrian Nationality (According to Population Census carried out in 1962)²⁴, their children are not acquired Nationality as well. Moreover, the Article 3 of the Syrian Nationality Law, deprives the Syrian mothers of giving their children whether born and residing in Syria or residing abroad the Syrian nationality if not married to a Syrian male. This is the case of many children. Even though, the Syrian Women League has launched (since year 2004) a campaign calling for the right of the children, who were born to mothers of non- Syrian husbands, to acquire their mothers' nationality, however, Government official authorities, did not respond to these demands, although this campaign has revealed that a number of these children are without any nationality.

4. The Right of the Child to Freedom of Thought, Conscience and Religion

Regarding this article, Syria has a reservation on the word religion. The latter reservation is kept even after cancelation of the reservations on articles 20-21. As for freedom of thought, conscience, and religion which is protected theoretically according to the Syrian Constitution, is practically limited by many other legislations, where the Syrian child follows the father religion and cannot change it. Recently, jurisprudence has been changed, and the Syrian child has, in cases of mixed marriages, to follow the Islamic religion and not the religion of the father. (because Islam is the nobler religion between the two).

In one case only, the right of the child to selection of a religion is respected, that is, when the father changes his religion to become Muslim, where, in consequence, would be followed by minor children. On the other hand, Children still, during one year after reaching legal age, have the right to change back to original religion or to stay Muslims, after that, children will lose the right to change.

5. The Right of the Child to Freedom of Association

Notwithstanding the establishment of a number of civil associations working in the field of childhood, except that their activities are still confined to the benefit of children of unmet needs. Actually, non-Government associations and institutions working on developing and defending children rights and providing respective services, particularly in cases of violence against children and employment of children, are very rare. Giving both, Talaeh Al-Baath Organization and the Youth Revolutionary Union the exclusive authority to tackle children issues limits the right of children to freedom of association.

6. The Right of the Child to Access to Information

The National Report did not provide any information regarding the status of the Syrian child in terms of the right to access to information.

Certainly there is a need to indicate that the Ministry of Education produces annually less than 100 books for children²⁵, on the other side, overall number of public libraries in Syria reaches 334 libraries, that is why the school must have an important and active role in providing books for children as a sustainable and valuable tool for knowledge.

In Syria there is only one Public library specific for children which is located in Lattakia Governorate, as for libraries affiliated to cultural centers it seems that they are not well equipped (in terms of organizational staff and available quantitative and qualitative books). Moreover, libraries in Syria do not adopt the lending book system, where the child can borrow the book and take it home.

Based on the field study carried out by the Ministry of Information (Directorate of Information Development) concerning the impact of TV and Broadcasting media on the social upraising of children which it was implemented in six areas and addressed nuclear families with children ranges between 6 and 12 years old, the findings of the field study show that:

- The majority of the parents do not trust the mass media
- The majority of the parents decided that means of the mass media negatively affect raising children
- The majority of the parents do no benefit from information presented by the media as they are not fully convinced of the serene role of the media in child raising
- The findings of the study indicate that there is disparity between the content of the message and the targeted recipients
- The media is failing in introducing the Convention of the Rights of the Child
- Drawback in the role of the local TV compared with non- Syrian satellite TV channels
- The Syrian family has not enough information on the Convention and the majority of information the family has are wrong or lacking
- The study has shown that children are disinclined from watching the educational programmes. Moreover, programmes that can draw the attention of all family members are not available.

The information technology and the internet has been, relatively, recently well known in Syria. Actually, strategies and plans focused on teaching information technologies and not on depending on the applications of information technology in teaching. In reality, not any tool of information technologies are available at the Juvenile houses, also centers are vacant from books, magazines, and newspapers. This is incompatible with the right of these children being deprived from freedom of having access to all kinds of information.

5. Family Environment and Alternative Care

The Personal Status Law in Syria which regulate the relationship between family members does not include explanation regarding concept of family care neither elaborate distribution of responsibilities between the parents , this law gives the right of loyalty on children for the father or the grandfather even if the child is under custody with the mother . The Syrian law

disregards the best interest of the child as it deprives him/her from the right to inherit one of the parents in cases of mixed marriages.

The third and fourth Government reports have tackled the grounds related to organizing the family meeting in case of parent' separation(Jurisdictions of Deliberation) . Details of family meeting are under review along with process of reorganizing the project on the Right of the Child law. This is done in conformity with the global Convention on the Rights of the Child. As for the existing state of affairs and realities pertaining to the legislation organizing family meeting and deliberation process , we might say that it causes a lot of harm and psychological damages to the child, affect the relationship between the child and the parents, the child and the society and his/her opinion regarding the family in general.

6. The Right of Access to Health and Better Standard of Living Including the Teenagers Health and Development

The global Convention on the Rights of the Child confirms, that countries should recognize the right of the child to enjoy the highest attainable standard of health. In recent years, the Syrian Government began taking appropriate measures such as designating specific plans and establishing specific Committees to pursue full implementations of the rights recognized in the Convention including taking all measures needed to ensure highest standards of health for the teenagers, well education, health guidance and raising awareness measures on the risks regarding drugs, HIV disease and its causes in terms of reproductive and psychological health. To this end the Government focused on establishing numbers of Health centers to reach 1770 health center in the year 2008. Notwithstanding achievements as mentioned in the Government report yet the child health status is still below the standard ,in general. On the basis of official statistics, having in mind that 25% of the population in Syria are teenagers, 37% are below 14 years of age, and 49% are female, we can here below present a number of respective indicators:

1. **Average Per Capita of Health Support:** Since official statistics on average health support per child are not available, it is possible to have an idea about per capita health support by referring to availability of physicians, dentists, nurses, pharmacies , beds at hospitals, and health centers.

In Syria, per 10.000 persons of the Syrian population , there are 14.8 physicians, 4.7 dentists, 8.18 nurses, 5.6 pharmacies , beside to 14.7 hospital beds and one health center²⁶. These all provide health care services and medical supplies, with slight variations in governorates. In the meantime, there is a need to refer to failure of the nursing cadre in Syria in general, thus affecting the health and psychological status of the child particularly for children at hospitals²⁷.

- Vaccination Cost per child rises to 2500 Syrian pounds equivalent to 54 US\$, this value does not cover the cost of hepatitis vaccination which in turn cost 2500 Syrian pounds²⁸per child.

2. Indicators of Primary Health Care Coverage

- Expenditure on Health Sector in Public and Private spheres does not exceed 3% of the country Gross Domestic Product(GDP)²⁹.
- Generally, the performance of health sector in Syria is characterized by weaknesses, with reference to the WHO report for the year 2000; regarding Health System Performance Index, we find that out of 180 countries , Syria ranked as the 108 country and obtain the rank 15 among the 19 Arab Countries³⁰.
- Average annual Government Expenditure on health support per individual rises to 40 US\$), whereas, the average per capita expenditure on health ,in general , is 60 US\$, accordingly, Syria seemingly is still in a need to multiply the per capita support from Government expenditure on health sector ten times to reach 600 US\$³¹.
- Regarding equity Index in Distribution of Health Services, Syria ranked as the 107country among world countries, with a great deal of spatial imbalance on Governorate and regional levels, thus around quarter of population residing in rural areas are deprived of Health Centers and Health Units and some of them are located 5 kilometers far .
- Distribution of Financial contributions, namely financial equity indicator, regarding risks facing families as a result to high cost of Health System compared to family financial resources, and not the risk resulted of being attacked by diseases. Syria's ranking as 142 among countries all over the world in the equity indicator .³²

3. Children Health Status

- Contagious diseases , maternity and childhood diseases are still forming a major portion of the disease burden in Syria, having in mind that there is big shortage in hospitals specialized for children (only one in the capital/ Damascus / visited by individuals from all other Governorates).
- There is an increase in the vaccination coverage rate against childhood diseases that is quite satisfactory, with no longer polio cases seen among children since 1995, also the morbidity rate and percentage of deaths accordingly are decreasing . The findings show that, overall 27 percent of deaths due to traffic accidents occurred in the year 2006.
- Infant mortality rate is estimated at 24 births per thousand live births in the year 1999 and was dropped to 18 births per thousand in the year 2006, as for under five mortality rate, respective figure dropped from 29 per thousand to 22 per thousand children during the same period, however the rate is still considered below the satisfactory level.
- Syria suffers from a high level of environmental pollution, namely air, water and soil degradation . A large number of hazardous factories and industries with poisoning emissions, whether on the long and short run, are existing, including mobile stations towers that could be found within housing areas and populated communities . It is well known that children are much more affected by these emissions than adult population. Moreover, the pollution itself threatens population and children in particular from the fear that no longer existing diseases such as tuberculosis might reoccurred.
- Population and particularly children are subject to accidents of food poisoning due to production of food stuff not matching with international and domestic standards. These food stuff have been popularized by the majority of the Syrian mass media. Moreover,

collective food poisoning accidents are also taking place as recently happened in Damascus (Al Kuswa- Khiaret Danoun) , where 900 persons were poisoned among of which 100 children due to polluted drinking water.

- Premature newborns and children underweight for their age , are forming the fourth most important causes of morbidity in Syria. Among live births , forty seven thousand infants are born underweighted, equivalent to 9.4 percent.
- Almost 8% of children under five in Syria are underweight, versus 4% who are severely underweight. As for stunting , around 18% are reported as severely stunted, which is a reflection of child malnutrition and hard labor. On the other side, 6 percent of infants were born with low birth weight which primarily stems from the mother's poor health and nutrition.
- Acute respiratory infections that forms 5% of morbidity burden, usually attacks the population of very small and high age groups particularly children under five³³.
- Based on official statements , around 16% percent of pupils at schools, in Syria, are suffering from anemia due to malnutrition.
- Safe drinking water is not provided in 45 percent of the schools in Syria. Children residing in the country side and even those in specific blocks of the city do not have access to improved sources of safe drinking water. As for population living in Al- Badia, statistics indicated that 51 percent among them are drinking from tankers of unsafe water.
- Lack of awareness within schools and among teenager students on the risks resulting from practicing hazardous actions such as smoking, drug and medicament addiction, and lack of accurate knowledge on methods and means of sexually transmitted diseases including HIV/aids. The Ministry of Health within implementation process of the National Programme on AIDS, supported by concerned UN Organizations (UNICEF & UNFPA) and in cooperation with associations in the civil society, are carrying out a number of activities in that regard. These organizations are also working on raising awareness among school teachers and parents on serenity of infection by sexually transmitted diseases HIV/AIDS, on how to approach this topic with teenagers, on the proper ways to help HIV virus carriers to integrate in the society, and on preferable ways to help removing stigma and discrimination practiced against people affected by such diseases.
- Some poor children look for whatever materials found for use in the garbage as a result to their low living standards, this would cause them serious diseases particularly they do not enjoy adequate health care.

4. Disabled Children

- The Government has designated specific plans for taking care of the disabled children, by providing them with training centers and encourage them to integrate in the society. Moreover , the Government is motivating the private sector to find work for them and provide them with all needed services, except that, the implementation was not much satisfactory. Actually, the civil associations played a leading role in supervising on rehabilitating those with special needs through establishing highly equipped specialized

centers for training and rehabilitation. Yet these centers are still very limited due to low financial resources and lack of trained staff and depending on volunteers. Non-prevalence of these centers all over the country make it possible to absorb only a small percentage of children with special needs.

- Only 10 % of the children at age of early childhood enrolled in the kindergartens , although the Government is quite aware of the importance of these kindergartens for raising children and for the early childhood in terms of psychological health of the child.

5. The Status of Child Nutrition

Based on findings of the Multiple Indicator Cluster Survey ,2004-2006, we can say, percentage of underweight among male children comprises 1.4% versus 6.2% among female children. While stunting prevalence rate seems to rise to 8.18% among male children compared to 8.17 for female children. On the other hand, the difference in the prevalence of children wasted between males (4.7%) and females (4.6% %) is very small, **all** this confirms the necessity to activate breastfeeding and nutritional programmes, with addition of other activities appropriate with child's needs.

7. Education

On the seventh of April 2002, the decree No. 32 was passed , it stipulates that education up to the end of the basic learning is compulsory and free, in other words up to the end the Ninth Grade. The cause of custody elimination is raised when the caretaker refrain from continue educating the child up to the end of basic learning. Moreover, the objection of the custodian mother or her failure to do what ought to be done leads to elimination of her custody.

The government has exerted a lot of efforts to absorb all Syrian and non Syrian children in various Educational Phases³⁴, and to provide all requirements of the educational operation, however there are still some problems of which we present the followings:

1. **Lower School Enrollment Rate among girls compared to Boys** : in the year 2007, the percentage of school enrolment among boys rises to 100% versus 98% among girls³⁵.
2. **Drop out from School:** in Syria the percentage of school dropout among girls and boys is very close. School dropout is much more higher in rural areas and in the Northern Eastern regions than in urban areas; the field study that was carried out in these regions by UNICEF in coordination with the Ministry of Education shows that, among girls in the basic learning, the proportion of dropout rises to 14.7%. This percentage rises with increasing age to reach 12% among boys and 28 % among girls in the Secondary phase. Causes of school dropouts for boys and girls are different , here below we present the causes that led girls to leave school as follows:

- a. **Economic problems:** reflected in the participation of girls in agriculture work, housework services, and in factories and workshops. Sometimes the lack of drinking water in a village is considered among causes of the girls' school dropout as they become in charge of providing water to their families. On one side, the annual indirect cost for free learning in primary phase per child is 9161 S.P. (equivalent to 195 US\$)³⁶. On the other side, the far distance of the school and difficulty of transport in many of the cases , cause to increase the cost burden for education. Having in mind low Government Expenditure on education which forms 6.8 % of the country budget in the year 2000. Following merging between the Budget allocated for Education and that allocated for Local Administration since 2001³⁷, Government Expenditure on education increased to 16.7% in 2007.
- b. **Social problems:** such as early marriage and non privacy for girls regarding their needs for toilets specific for them at schools in the First Cycle, in addition to the society perspective and opinion towards girl education particularly in the Northern Eastern regions.

3. **Legal problems:** Legal penalties inflicted on guardians regarding depriving the girl child from education are weak and not effective , the due tax is only equivalent to 9 US\$ and 15 days in prison, yet not enforced in the majority of cases.

4. **Stereotype Picture of the Role of Girls.** Notwithstanding cleaning the school curriculum from the stereotype picture of women role in society, yet , some educational materials are still backing this picture(Subject on Housekeeping, and Islamic religion subject). The articles of Convention on Human Rights and other respective Conventions were not included in the educational curriculum, particularly CEDAW articles. Moreover, feminization of education are much more observed nowadays , where, out of overall working in Basic Learning, the proportion of women working in this sector reaches 65%. In the meantime, it is observed that men control on much more important positions particularly those specific of school management which eventually lead to enhance this traditional picture on role of females ,among both boys and girls.

5. **Vocational education :** There is a clear cut discrimination between boys and girls in the vocational education, where number of male students in technical womanly teaching material does not exceed 500 male student on country level, versus 25000 female students , and this can also be observed in Industrial Education where number of male student is 200 times double the number of female student.

6. **Activities and Practices:** There are obstacles in front of children from both sexes within and outside school, that forbid them from practicing cultural and sportive activities .At schools and due to condensed curriculum, the classes of sportive and recreational activities are ceased to the benefit of other teaching materials. Beside some schools has two working hour (rising to 50 percent of schools in Aleppo) shifts, with one building serving for two schools. While outside schools , prevailing customs and traditions are main impediments in front of girls

since they were denied possibility of practicing recreational activities, leaving the majority spending most of their leisure time in housework.

7. Regarding Impacts of Physical and Psychological Discipline: At schools , some forms of violence are still practiced, notwithstanding the instructions of the Ministry of Education prohibiting use of any form of physical violence. However, these instructions did not consider the psychological violence that takes different forms including punishing students by standing against the wall and listening to teachers and supervisors pronouncing obscene words, in addition to practices of physical assault that is considered among tools of child education.

It is important to refer to the psychological pressure that children are exposed to through having a very complicated and condensed curriculum system, having in mind the automatic success and transition of school pupils from one grade to the upper in the compulsory phase, which, in consequence, negatively affects the educational operation of the child. In addition to many other difficulties that are facing students in both basic and secondary periods, due to difficulty of curriculum and exams and ways paper are corrected, all this form a huge psychological pressure on those wishing to continue secondary and university education.

- a. **Sexual Education** : The school curriculum is lacking teaching the material on sexual education, knowing that it is necessary for the child (boys and girls) protection and awareness regarding what he/she might be exposed to from any form of molestation and sexual exploitation.
- b. **Education of Sharie 'a:** Although age of school in Compulsory Learning lasts to age 15 for both girls and boys, yet the *Sharie 'a* Institutes still receives girls as of 12 years old, that is before completing the phase of Basic Learning , which is problematic , since teaching in these institutes is confined only to religious learning and *Sharie 'a* subjects disregarding other forms of sciences and teaching materials. Recently, these institutes were affiliated to the Ministry of Al-Awkaf . It worth mentioning, that it would be much more better to put them under the supervision of Ministry of Education.
- c. **Integration of Children with Special Needs:** The existing decree stipulates that public schools should receive children with special needs, except that these schools are not well equipped to receive this group of children. Generally , the integration programme of children with special needs in the public schools is only achieved for those children with mild disability and those who can be placed and share with their normal colleagues without providing them with supporting services, (each case by itself) like toilets, other similar facilities and social guidance, moreover teachers are not subject to training courses, neither well qualified to deal with cases of children with special needs.

8. Specific Protection Measures

1. Mechanism of Legal Juridical and Societal Protection:

Children of both sexes (particularly the girls) suffer from material and immaterial violence , economic and sexual exploitation (negligence, maltreatment, assault, deformation, rape, incest, child employment, begging, street children, crimes committed against females under the pretext of honor...), actually all legal, juridical and societal mechanism for protection are absent particularly in regard to the followings:

- a. **Sexual Violence:** Traditions, habits and prevailing customs play a role in the prevalence of deliberate silence and cover over practices of sexual violence for avoiding shame and scandal which leads to further complications and difficult to solve.
- b. **Physical Discipline:** Physical punishment is considered the most common act of violence practiced against children in Syria , at home, and around the school. The field study that was carried out by Dr. Moutaa Barakat at Damascus University showed that 79% of children claimed that they were subject to physical punishment by their parents (whether mild or severe). Among of which 16%reported that they were subject to severe physical punishment several times during one week, 46% reported that they were subject to rather mild physical punishment several times in a month versus 38% who were exposed to minor physical punishment³⁸. Overall, 47 percent of children claimed that they were exposed to mock and sarcasms from family members. Many parents and teachers believe that, raising children properly, requires physical punishment.
- c. **Child Employment :** The phenomena of child employment among both sexes in all Syrian Governorates is increasing, in the rural and poor regions, in areas with random housing , and surrounding big cities as well ,where children are exploited and exposed to all forms of violence physical, psychological, and sexual. Poverty , low livings standards, lower level of parent's education, increased number of children in the family, dropout of school, and absence of firm monitoring and observance regarding enforcement of legislations prohibiting child employment are all forming main causes to prevalence of child employment. This phenomenon is particularly prevailing in an environment where health and vocational safety conditions are lacking that child health and development are affected, knowledgeable capacities are reduced ,such that the majority loose respect for themselves and loose feelings of loyalty towards their community. These all are happening notwithstanding the existence of legislations that prohibit child employment.
- d. **Migrant Household Employment and Human Trading³⁹ :** It is very important to refer to this female category and to necessity of providing them with the care they need, particularly, that they do not have social or health security. Health care is considered among "duties" of the receiving family. That is why it is important to encompass those of them aged below 18 years in the protection programs set forth in the Convention. It is certainly important to take all necessary and firm measures that prevent minors of both sexes from entering the country for reason of work.

In general, accurate statistics on violence practiced against children from both sexes, neither documented information on its forms , reveal and prevalence are not available due to the followings:

- **Shortage in Field Studies and Statistics:** There is an absence of comprehensive field studies, observatory centers and documentations of cases of violence in Syria. Beside already existing studies are not published as well , even they are very few. Based on our observations, we can mention that the gap is wide between extent of violence practiced against children, particularly against girls, and extent and scope of concern of the civil sector in this issue , which can be basically attributed to limitations placed upon organizations of the Civil Society in general including women Organizations. Knowing that these associations are capable of assigning special care and interest to issues of children rights in general and the girl child rights in particular.
- **Legislative Mechanism Encouraging Acts of Violence :** There are several items in the legislations encourage commitment of sexual violence; our reference is to items related to “Crime Honors” set forth in the Penal Law. Based on official statistics and concerning the number of murder crimes that were committed against women at different ages, on the pretext of honor, on country level in the year 2007, statistics indicate that out of 533 cases, number of honor crimes rises to 38 one, versus 29 out of 358 by August in 2008⁴⁰. Thus Article 185 of Penal Law related to child discipline does not consider forms of disciplining actions practiced by parents as a crime consequently , parents are not punished for inflicting physical punishment on their children⁴¹.

2. **Legal Shortcomings:** Regarding the t failure of the law towards protecting girls from violence , we must refer to items set forth in the Penal Law that allow the rapist to marry his victim, so if they marry, accordingly, all legal rights afforded to victim woman in such a crime are suspended⁴². In most of the cases, the parents impose such a marriage . In other word ,the victim get married against her will and under the pressure of the family, customs and traditions, scandals, beside to many other considerations. This situation, is contradictory to marriage conditions and bonds , since marriage is concluded as a result to crime and do not involve the willingness on the part of the female neither maintains the satisfaction of both parties as correct marriage should be.

3. **Weaknesses of Government Mechanism Combating Family Violence :** Legal items that defines and introduce acts of family violence, penalties against committing violence within families are not available. Accordingly, acts of violence is not a crime. These acts are spreading by name of parental, patriarchal and/or educational authorities as a tool of child discipline with encouragement of prevailing customs and traditions and protection of law as explained earlier.

4. The Right of the Child not to be Prone to Torture or other Forms of Severe, Inhuman, and Degrading Treatment

According to Syrian laws, it is not allowed to expose children to torture or any kind of cruelty or humiliating treatment . Children have their own courts (courts for Juveniles) and must enter places specific for them, after detention, namely Juvenile Reform Institutes . According to Juvenile Law, they must be under detention in places solely for them and must not be exposed to assault or torture. Actually, this is not how things are going since special places for that purpose are not available. On the contrary, they are held with elder people and exposed to torture at police stations and places of detention.

a. **Houses of Orphanage Care:** Some orphanage houses are affiliated to the Ministry of Labor and Social Affairs, these have witnessed severe cases of negligence , carelessness and violence. Sometimes violence practiced there is characterized with torture accompanied with imprisonment in closed places, without food and no permission to go out for play, these practices are due to the following reasons:

- Ignorance of managers of these Institutions of the correct basis of nature of civil work, upraising methods and child care.
- Absence of control ship and observance of the Ministry of Labor and Social Affairs
- Non existence of real networking among organizations working in the same field, for sake of change of experience.
- Absence of role of schools, to contribute in revealing cases of injuries and damages to which children are exposed to in child care houses.

As for Orphanage Houses established by religious Institutions (Islamic & Christian), they receive care and attention from the society and the religious groups, as well, who usually offer financial aid and in kind donations. All these institution are characterized with charity nature and are not developmental organizations.

b. **Reform and Rehabilitation Institutes:** These are very ill-reputed Institutions, they do not pay attention to distributing children according to type and magnitude of offence and rulings enforced against them .These Institutions are weak in terms of psychological and societal guidance (Iben Rushed – Khaled ben Alwaleed). Children are still greatly exposed to physical punishment, torture and enchaining sometimes. This is done due to absence of real observations from the Ministry of Labor and Social Affairs and the Office of the Attorney General .It is said that investigations with minors at police stations is accompanied with assault, torture and haircut⁴³ .

The minors suffers during their presence at Police Stations and Inquiry Security Centers. Upon investigation conscience, and before their transfer to juvenile Institutes, youths usually face several forms of physical and psychological and sometimes sexual violence. It is supposed, according to Rules of Procedures issued by Ministry of Labor and Social Affairs for Rehabilitation Houses, that juveniles should enjoy spending two days at home with his/her family each month,

the latter duration is not so limited in case of sickness or death of some member of their families, nevertheless, we have not seen any application of these rules.

We have met several cases during our work as volunteers with the Juvenile Rehabilitation Institute for Girls (Bab-Msalah), where they are exposed to rape particularly to incestuous relationship. According to law these cases sent back to their legal guardians that are in the majority of cases the perpetrator of rape, thus these victims will be murdered under the pretext of honor .The Majority of these cases were documented in the Syrian women electronic website. This website has launched a national campaign⁴⁴ to remove Item 485 from the Penal Law, supported by a number of organizations whose main field of interest is women and childhood.

This, in addition to many other violations that have been reported in newspapers and other websites including sex exploitation of girls, ironically, forced to this act by institute supervisors, insufficient meals, careless health conditions. Reform houses are crowded with ignorant security forces in dealing with juveniles and in discriminating between them and criminal people.

Customs , traditions and religious beliefs are main causes of considering children as third degree citizen due to the fact that their involvement in the society and in the surrounding is, undoubtedly ,done from behind the family wall and upon coercive subordination to this family; to fathers and elder brothers in particular.

Recommendations

- 1. Recommendations to the Syrian Government**
- 2. Regarding General Arrangement of Implementation**
 - 1. Conduct programmes and activities reported in the 10th.Fifth-Year Development Plan; chapter “Youth and Childhood” in the remaining period of the plan 2010. Include what was not accomplished in the coming 11th. Fifth -Year Plan, taking into consideration the involvement of all concerned agencies particularly the civil society and children in the preparation, implementation and monitoring operations of the country plan.**
 - 2. Draft a disseminating plan for items of the Convention and carry out raising awareness campaign to that end and to tackle various problems that confront the child/the girl child in Syria. Approve on granting new licenses for issuance of new magazines . Consider the gender dimension in all TV and Broadcasting programmes. Train the people working in the Information sphere on writing about children issues from the perspective of human rights. Forbid publishing or presenting TV programmes that encourage violence phenomenon due to its impacts on children and their behavior. Draft mechanism for monitoring, follow up and evaluation of child programmes and websites with defining respective and appropriate indicators for that purpose.**

3. Enact a law to protect the rights of the child /the girl child with confirmation on necessity to putting forth the law open for general discussion, letting children participate in the discussion through means of the mass media and with the contribution of all concerned parties including child parliaments in discussions and comments.
4. Enact penal law for inflicting punishment on the child guardian and on each person who makes the child/ the girl child marry before 18 years of age. It is necessary to consult the girls in everything related to them , forbid coercive marriage , and do not recognize any paper in which girls abandon their right of inheritance at courts.
5. Review all preventive and restraint arrangements on people employing children, through establishing Control ship committees, and by giving the authorization to the General Attorney for intervention and raising issue of suing against each individual encourages child employment.
6. Amend the law regarding granting license for establishing new organizations. Respect the will of the civil society to establish private organizations that work on defending the rights of the children and guarantee their freedom in the way they manage activities of their organizations

3. Regarding Definition of the Term Child

Adopt unified definition for the child wherever found in the Syrian laws and legislations, in conformity with what was proclaimed in the global “Convention on the Rights of the Child”.

4. Regarding Basic Rights and Freedom

1. Disseminate the culture on the rights of children and continue exerting efforts for establishing Children Parliaments in all Governorates of Syria. Through these Parliaments, children would learn how to express their opinions and their demands. Consolidate the principle of the right of the child to participate in taking decisions in all matters related to his/her life.
2. Enact a law for child protection that take care of the child best interest in the private and public spheres.
3. Remove all discriminative articles against the girl child and the woman in the Personal Status Law of all religious sects.
4. Amend the nationality law in a way that guarantees mothers’ right in granting her nationality to her children.

5. Find a solution for the exceptional Census carried out in 1962 where a number of Syrian Kurdish children were not covered therein, accordingly they remained without Syrian nationality. As a result, they faced a lot of difficulties in terms of work, travel, and practices of national activities.

6. Encourage establishment of associations and clubs specific for children that are interested in working on disseminating the culture of the child rights laid down in the Convention, and allow children to contribute in management of the association, in designating its Action plans and activities, and finding funding resources and sponsors.

5. Regarding the Child Right to Access to Information

1. Activate the child right to access to information through the internet, its uses , technologies and programmes that are appropriate to the Syrian children with low prices, aiming at building up a generation capable of development, progress and competency, and encourage children on the teamwork by using internet and share with their counterparts all over the world.

2. Bridge the information gap found between the child and his/her family so as to enable them transmit information and guarantee quantitative qualifying of children in this sphere.

3. Find an official provider for internet services in the Education sector through the use of a global data base that is continuously subject to supervision and control, in a way that make it possible to stand up to all other websites in which the search in them would be considered hazardous for the children, beside to conducting continuous review of the other websites linked to the provider , fearing that such websites might present either photos or critical personal data about children.

4. Establish a number of public libraries that provide children with knowledge and scientific information pursuant to Lattakia Public library. Encourage initiatives which aim at producing and developing industry of scientific, educational and recreational programmes in accordance with well established quantitative standards, having in mind own cultural and civilization components. Beside, to inviting Media Institutions for adopting these initiatives, and making these options open and available for the child girl, with provision of proper places to that end.

6. Regarding the Child Family Environment and the Alternative Care

- a. Establish a court specialized in family issues provided with necessary requirements where the rights of the child are considered and maintained, equipped with places specific for family meetings(Deliberation Chamber) in accordance with conditions appropriate for meetings as such. This place should be emptied from police forces and provided with specific yards for play.
- b. Amend the custody law in a way that guarantees the best interest of the child with regard to raising age of custody to 18 years for both sexes. This law should handle as well, the issue of alimony having in mind the economic inflation in the country. Also , the issue of providing residence for sake of custody needs and mandate of the guardian (whether the mother or the father) on the child under custody.

7. Regarding Acts of Violence against Children

1. Disseminate culture of rejection and denouncement of all forms of violence practiced against children as an alternative culture to the prevailing one which accept violence as a tool for child discipline in both spheres; the public and the private. Disprove premature, deep rooted, thoughts that consider acts of violence inflicted on children, particularly on girls, as acceptable, beside to elaborating its hazardous impacts on formation of his/her character .
2. Raise awareness among children on their rights to complaint against acts of violence whether practiced by their parents or teachers, through means of the mass media and within the school curriculum.
3. Enact a law specially for family violence against the child/the girl child and females in general.
4. Amend the penal law and remove all discriminative items , particularly those related to what called “crimes motivated by honor”.
5. Enact firm legislations and inflict severe penalties to protect children from early employment ,and from sexual harassment against girls at places of work ,and girls serving at houses and public places .
6. Provision of specialized centers for receiving girls subject to violence for sake of physical and psychological rehabilitation, in addition to helping them in societal integration. These centers should cover the whole Governorates in Syria. Also , there is a need to find specialized centers provided with appropriate health and psychological conditions to receive homeless and beggars among girl children.

Paying children of imprisoned mothers special care and finding separate places for the mother and the child to be away from prison environment.

8. Regarding Primary Care and Well-Being

- 1. Implement a strategic and integrated treatment for childhood diseases all over the country, and put forth a well funded and carefully studied plan to expand the scope of health village programmes.**
- 2. Carry out awareness campaigns regarding HIV/AIDS diseases in collaboration with all concerned parties, governmental and non Governmental and the private sector.**

9. Regarding Education, Leisure Time and Cultural Activities

- 1. Enhancement and enforcement of the law on compulsory education with firm penalties against guardians and custodians who are violating this law. Raise the educational level, eliminate the dictation style of teaching, adopt qualitative methods of learning versus traditional way of teaching, provide highly educational opportunities with cultural and sportive activities and appropriate school equipments so that differences between the public and private levels of education and between the rural areas and the cities are minimized.**
- 2. Increase Government contribution to education sector due to the huge economic burden, including provision of food basket for pupils in the most deprived regions . Moreover, the Government should bear a portion of the economic costs for upraising a child/a girl child in various phases of his/her childhood.**
- 3. Cleaning the school curriculum from the stereotyped image of women and publicize the concept of gender equality with enclosure of Articles from the Convention of the Human Rights and the Convention of the Right of the Child in school curriculum, beside to encouraging, technical, vocational, and industrial education among both sexes.**
- 4. Raise awareness among children on their rights to complaint against acts of violence whether practiced by their parents or teachers, through means of the mass media and within the school curriculum. Also provide the Ministry of Education with a Hot Phone Line to receive and handle cases of violence occurring within schools.**

5. Establish specific committees to monitor and follow up school dropouts particularly among girls , motivate and encourage those girls to join courses for eliminating illiteracy. Carry out awareness campaigns on country level addressed to parents on the importance of educating their girl child and the risks emanating from children leaving study.

6. Allocate funding specific for the interest of children in every Ministry , subject to increase with the increase in number of population and the increase in school enrollment rate in basic learning. Improve the infrastructure of schools (water supplies, provide specific toilets for girls), and develop it in a way to enable schools receiving children with special needs for reason of well integration in the educational process.

Recommendation for the Organizations of the Civil Society

1. Contribute in awareness campaigns for spreading culture on the rights of the child in the society. Promote the Convention on the Rights of the Child by depending on every possible tool for promotion and raising awareness. Concentrate on the right of the child/ the girl child to be protected against all forms of violence, and of his/her right to participate in decision making regarding matters related to their life.
2. Issue magazines specific for children, other than Oasma magazine, issued by the Ministry of Culture.
3. Set out mechanism for monitoring, follow up and evaluation of children programmes, beside to control the literature, specific for children, in all means of mass media , written and audiovisual for ensuring their conformity with the principles and concepts of the Convention on the Rights of the Child.
4. Contribute in implementing awareness campaign regarding risks of school drop outs and in carrying out illiteracy elimination campaigns with concentrating on condensing work in rural and Northern Eastern regions.

Recommendation for the child Committee in the United Nations

a. We believe that it is greatly important to ensure implementation of the recommendation concerning establishing an Independent National Institute that works on humane child rights and their activation, also the recommendation that maintains adopting methods of participatory work with organizations of the civil society. Actually, both recommendations have great influence on maintaining human rights in general and the rights of the child in particular.

b. Ensure implementing the recommendations of the United Nations Committee for Children No. 10, and No. 28, and No. 36 related to Information and Media.