



Convention on the Rights of the Child

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Committee on the Rights of the Child

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

I. Introduction

1. The Committee considered the fifth periodic report of the Syrian Arab Republic (CRC/C/SYR/5) at its 2344th and 2345th meetings (see CRC/C/SR.2344 and 2345), held on 15 and 16 January 2019, and adopted the present concluding observations at its 2370th meeting, held on 1 February 2019.

2. The Committee welcomes the submission of the fifth periodic report of the State party and the written replies to the list of issues (CRC/C/SYR/Q/5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee notes the progress achieved by the State party in some areas, including the adoption of the new Constitution, in 2012, and of a national action plan for the implementation of the Convention, as well as the establishment in 2013 of the national/regional committee on monitoring the rights of the child in the light of the crisis in the Syrian Arab Republic.

III. Factors and difficulties impeding the implementation of the Convention

4. The Committee recognizes the particularly severe effects of the ongoing armed conflict, political instability and presence of armed groups – some defined as terrorist groups – and the rise of religious extremism in the State party, which lead to grave violations of children's rights by all parties to the conflict and constitute a serious obstacle to the implementation of the rights enshrined in the Convention. The Committee reminds the State party of the continuity of international human rights obligations and that the rights under the Convention apply to all children at all times, and that the State party bears the primary responsibility to protect children and should therefore take immediate measures to prevent further violence against them. The Committee notes the difficulty in ensuring children's rights in territories where the State party does not exercise effective control,

* Adopted by the Committee at its eightieth session (14 January–1 February 2019).



including the occupied Syrian Golan. The Committee reminds the State party that during any reconstruction efforts it has the obligation to guarantee all rights in the Convention to all children throughout the territory without discrimination, independently of where they live, and to promote a culture of tolerance, peace and reconciliation among all communities.

IV. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: the right to life, survival and development (para. 21), birth registration and nationality (para. 24), torture and ill-treatment (para. 28), mental health (para. 39), education (para. 44) and children in armed conflict (para. 51).

6. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, its Optional Protocol on the involvement of children in armed conflict and its Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving the 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Reservations

7. The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 11) and encourages the State party to consider withdrawing its general reservation to the Convention, including its reservation regarding article 14. The Committee emphasizes that the right of the child to freedom of religion should not be understood as a threat to family stability or to the duties of parents but rather as a recognition of the child as a subject of rights and with evolving capacities.

Legislation

8. The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 13) and urges the State party to:

(a) Promptly adopt the Child Rights Bill, pending since 2006, and ensure that it supersedes other laws and guarantees that all rights apply to all children, independently of religious and cultural specificities;

(b) Amend the Penal Code, the law on nationality and the Personal Status Code in line with article 33, paragraph 3, of the Constitution.

Comprehensive policy and strategy

9. The Committee regrets the lack of information about the national action plan for the implementation of the Convention (CRC/C/SYR/5, para. 15). The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 17) and encourages the State party to prepare a comprehensive policy on children that encompasses all areas covered by the Convention and to develop a child rights' strategy with provisions for the human, technical and financial resources necessary for its implementation.

Coordination

10. The Committee notes the establishment in 2014 of the Syrian Commission for Family Affairs and Population as the entity to monitor and coordinate measures to

implement the Convention. Recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 15), it recommends that the State party clearly define the mandate and authority of the Commission relating to children's rights, and provide it with the necessary human, technical and financial resources for its effective operation in the 14 governorates.

Allocation of resources

11. In the light of its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 21) and recommends that the State party:

(a) Conduct a comprehensive assessment of the budget needs of children, and allocate adequate budgetary resources for the implementation of children's rights in all governorates, and make sure that those budgetary lines are protected even in situations such as the ongoing armed conflict;

(b) Utilize a child-rights-based approach in the elaboration of the State budget, by implementing a tracking system for the allocation and use of resources for children.

Data collection

12. The Committee notes the efforts by the State party to ensure that the child data unit of the Central Bureau of Statistics remains operational. Recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 23), it recommends that the State party:

(a) Ensure that the data collected be disaggregated by age, sex, disability, geographic location, ethnic origin and nationality, to facilitate analysis of the situation of all children, in particular in the light of the ongoing armed conflict;

(b) Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention.

Independent monitoring

13. Recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 19), the Committee recommends that the State party establish an independent mechanism for monitoring children's rights, which should be able to receive, investigate and address complaints by children in a child-sensitive manner, while ensuring the privacy and protection of child victims, and which should undertake independent and confidential monitoring, follow-up and verification activities, including in all facilities where children are or may be deprived of their liberty.

Dissemination, awareness-raising and training

14. The Committee recommends that the State party strengthen its measures to raise awareness of the rights enshrined in the Convention and its Optional Protocols, and to train the judiciary, the police, the army and other law enforcement professionals, as well as school, health and social workers, on the rights of the child.

Cooperation with civil society

15. The Committee welcomes the State party's cooperation with organizations providing psychological and social support to child victims of the armed conflict, as well as with those facilitating family reunification and access to identity documents. The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 29) and recommends that the State party:

(a) Systematically involve non-governmental and children's organizations in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights;

(b) Ensure that reported instances of intimidation, harassment, physical attacks and arbitrary arrest of human rights defenders or civil society activists working on children's rights are promptly and independently investigated, and that those responsible for such abuse are held accountable.

B. Definition of the child (art. 1)

16. The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 31) and urges the State party to promptly amend its legislation to raise the minimum age of marriage for girls to 18 and to remove all exceptions thereto.

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

17. The Committee remains concerned about discriminatory provisions in the Penal Code, the Personal Status Code and the law on nationality that have a negative impact on children regarding, inter alia, access to nationality, inheritance, parental recognition or age of custody. In the light of the armed conflict it is also concerned about discrimination against children based on where they live, particularly regarding access to education, health services and safe water. The Committee urges the State party to:

(a) Repeal all the legal provisions that discriminate against girls, such as those concerning unequal inheritance rights, as well as provisions not allowing children to receive their mother's nationality, not allowing children born to unmarried parents to have their father's name registered in civil records, and establishing a different age of custody for girls and boys;

(b) Ensure that all children throughout the territory have equitable access to education, medical services and essential services, such as safe water, without discrimination and independently of where they live.

Best interests of the child

18. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that this right is appropriately integrated in court procedures related to divorce and custody, in placement of children in public care, in military and security operations and in reconstruction efforts.

Right to life, survival and development

19. The Committee is deeply concerned about the impact that the armed conflict has on the right to life, survival and development of children in the Syrian Arab Republic, and particularly about credible and corroborated information on:

(a) The thousands of children killed and injured as a result of attacks, including airstrikes, with the use of indiscriminate, disproportionate or unlawful weapons, such as barrel bombs, cluster munitions and toxic chemical agents, by Syrian armed forces and other parties to the conflict;

(b) The hundreds of children killed and injured by explosive hazards in areas retaken by the State party;

(c) The negative effect that bombings and other attacks have on children's psychological well-being;

(d) The thousands of children deprived of their liberty by all parties to the conflict;

(e) The girl victims of sale and sexual slavery by non-State armed groups, particularly Yazidi girls;

(f) The use of denial of access to water as a weapon of war by all sides to the conflict, such as the closure of the Khafsah pumping station, the main water source for Aleppo city, for long periods by armed groups, as well as the switching off of the main source of water to east Ghutah in the Assad suburb once it was retaken and put under State control;

(g) The millions of children denied access to food, education, health care, water, sanitation and a minimum standard of living, due to the use of siege tactics.

20. The Committee regrets the absence of information on measures taken to clearly instruct the army and security forces to take the measures necessary to prevent the killing and injury of children and to cooperate with international human rights mechanisms.

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

(a) **Respect the principles of legality, distinction and proportionality when carrying out military operations, refrain from unlawful conduct such as indiscriminate and deliberate attacks and the use of unlawful weapons, and take all precautions to protect children from the effects of hostilities;**

(b) **Strengthen its measures to further assess and understand the potential threats posed by explosive hazards, such as technical explosive hazard surveys, to protect the right to life, survival and development of children;**

(c) **Undertake measures to attend to the psychological needs of children whose survival and development are affected by bombings and attacks;**

(d) **Take prompt measures to release all children deprived of their liberty due to the armed conflict and ensure they are treated as victims;**

(e) **Ensure that allegations of violations against children perpetrated by any party to the conflict, in particular those that may amount to war crimes or crimes against humanity, are investigated in a transparent, timely and independent manner;**

(f) **Ensure that girls held captive by non-State armed groups are safely released, and put in place a protocol for their care and treatment;**

(g) **Take all measures necessary to ensure the safety and protection of children and their families, and enable them to leave areas affected by the conflict to reach safety and to access basic humanitarian assistance;**

(h) **Cooperate fully with and grant unimpeded access to the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011;**

(i) **Investigate and prosecute perpetrators of crimes under domestic and international law committed in the Syrian Arab Republic since March 2011.**

Respect for the views of the child

22. **The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 40) and, in the light of its general comment No. 12 (2009) on the right of the child to be heard, recommends that the State party enact legislation recognizing the right of the child to be heard in relevant judicial and administrative proceedings, and develop toolkits for public consultation with children on national policy development.**

D. Civil rights and freedoms (arts. 7, 8 and 13–17)

Birth registration and nationality

23. The Committee is very concerned about:

- (a) Children not being registered and not having access to birth certificates due to the armed conflict, in particular those who are displaced or living in besieged and hard-to-reach areas;
- (b) Increased fines for late birth registration introduced by Law No. 4 of 2017, which may result in children not being registered, in particular those currently or previously living in areas not controlled by the State;
- (c) Syrian women still not being able to transfer their nationality to their children, which due to the armed conflict may exponentially increase the number of stateless children;
- (d) The lack of information by the State party on the measures taken to ensure that children of Muslim mothers and non-Muslim fathers, children born to unmarried parents and children born from situations of sexual violence do not face undue hurdles in having access to birth registration.

24. **Recalling target 16.9 of the Sustainable Development Goals and its previous recommendations (CRC/C/SYR/CO/3-4, paras. 42 and 44), the Committee urges the State party to:**

- (a) **Strengthen its efforts to re-establish civil affairs services throughout the territory, take into account the difficulties faced by families currently or previously living in areas controlled by non-State actors in gaining access to official documentation, and consider recognizing documents issued locally by *mukhtars* or sheikhs to facilitate the issuance of birth certificates;**
- (b) **Consider waving fees for late birth registration, in particular among displaced families and those living in areas newly under State control, and consider adopting temporary measures, such as mobile teams to assist families in hard-to-reach areas, to promote and facilitate birth registration;**
- (c) **Review its legislation to implement gender-equitable measures regarding civil documentation allowing women to be the legal guardians of their children and promptly adopt the draft amendment to article 3 of the law on nationality allowing Syrian women to transmit nationality to their children on an equal basis with Syrian men;**
- (d) **Amend the Personal Status Code to ensure that children of Muslim mothers and non-Muslim fathers, children born to unmarried parents and children born from situations of sexual violence are recognized, registered and have access to birth registration documents;**
- (e) **Consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

Freedom of expression, association and peaceful assembly

25. **The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 47) and recommends that the State party ensure the full respect for the child's rights to freedom of expression and to freedom of association and peaceful assembly.**

Access to appropriate information

26. **While noting the efforts made to protect children from harmful information, the Committee recommends that the State party ensure children's access to information and material from a diversity of national and international sources of all forms, including the Internet, with a view to guaranteeing the child's exposure to a plurality of opinions.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Torture and other cruel, inhuman or degrading treatment or punishment

27. The Committee is deeply concerned about the extensive and consistent reports of cases of torture and other cruel, inhuman or degrading treatment or punishment of children detained by government forces and non-State armed groups, and regrets the lack of information on measures taken by the State party to repeal Legislative Decrees No. 14/1969 and No. 69/2008 granting immunity from prosecution to security and intelligence forces, which may impede independent investigations of cases of abuse of children and access to justice and reparation. The Committee welcomes Administrative Order No. 11047/N of 16 August 2011, creating a joint military investigation committee composed of the Ministry of Defence and the Ministry of the Interior, tasked to investigate complaints against members of the security and intelligence forces, but regrets the lack of information on the investigations conducted into cases of violence against children, on those referred to the judiciary and on the sanctions imposed on perpetrators and the redress provided to victims.

28. **Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and target 16.2 of the Sustainable Development Goals, the Committee urges the State party to:**

(a) **Take prompt measures to treat all children detained in relation to the armed conflict primarily as victims and ensure that they are not exposed to torture and cruel, inhuman or degrading treatment, that they are transferred to an appropriate civilian child protection mechanism and that, if they are detained, detention is used only as a measure of last resort and for the shortest period of time;**

(b) **Promptly repeal Legislative Decrees No. 14/1969 and 69/2008 granting immunity from prosecution to security and intelligence forces, promptly investigate all allegations of torture and other cruel, inhuman or degrading treatment or punishment of children in an independent and transparent manner, and ensure that such acts are duly prosecuted, perpetrators sanctioned and redress is provided to child victims;**

(c) **Grant the United Nations and the International Committee of the Red Cross unconditional access to all places where children are and may be detained and cooperate with those entities for the implementation of their recommendations.**

Corporal punishment

29. The Committee is concerned that the interpretation of article 170 of the Personal Status Code is not clear, that corporal punishment remains legal, and that violent discipline and violence at home is prevalent in the State party. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and its previous recommendation (CRC/C/SYR/CO/3-4, para. 54), the Committee recommends that the State party:

(a) **Explicitly prohibit corporal punishment in all settings, and repeal without further delay article 170 of the Personal Status Code and the provisions of the Penal Code that authorize corporal punishment of children;**

(b) **Strengthen public education, awareness-raising and social mobilization programmes on the harmful effects, both physical and psychological, of corporal punishment, and promote positive, non-violent and participatory forms of child-rearing and discipline.**

Abuse and neglect

30. The Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 60) and recommends that the State party explicitly prohibit domestic violence; establish a national database on all cases of domestic violence; and promote

community-based programmes, with the involvement of children, aimed at preventing and tackling domestic violence, child abuse and neglect.

Sexual exploitation and abuse

31. The Committee is deeply concerned about girls and boys being exposed to sexual exploitation and abuse, including rape and forced marriage of girls, in the context of the armed conflict, both by State security forces and non-State armed groups. The Committee urges the State party to:

(a) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual exploitation and abuse;

(b) Promptly investigate, prosecute and sanction members of security forces and of non-State armed groups for committing acts of rape and sexual violence against children and for forced marriage of girls;

(c) Ensure that all children subjected to any form of sexual exploitation are treated as victims and not subject to sanctions;

(d) Strengthen its efforts for the establishment of family protection units to provide shelter and specialized services to child victims throughout the territory.

Gender-based violence

32. Recalling target 5.2 of the Sustainable Development Goals, the Committee urges the State party to ensure that allegations of crimes related to gender-based violence, such as the imposition of religious dress codes, with girls as young as 10 punished with lashings if failing to abide, the denial of freedom of movement of girls without a male relative, the stoning of girls on charges of adultery, and forced marriage of girls to Islamic State in Iraq and the Levant fighters, are independently and thoroughly investigated, and that perpetrators are brought to justice and victims provided with remedies. The State party should provide, on a regular basis, substantive training for judges, lawyers, prosecutors, the police and other relevant professional groups on standardized, gender- and child-sensitive procedures for dealing with those victims.

Harmful practices

33. The Committee is seriously concerned about the increase in marriages of girls under the age of 18 since the beginning of the armed conflict, noting such marriage as a negative strategy to cope with insecurity and economic deprivation, and urges the State party to:

(a) Establish a mechanism for reporting cases of child marriage, and make available protection services to child victims, including girls who were in unregistered or temporary marriages;

(b) In the light of joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of girls and boys.

F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

34. The Committee regrets the extensive impact the armed conflict has had on Syrian families, and encourages the State party to strengthen its measures to support families, without discrimination, and pay particular attention to women-headed families and families living in areas previously controlled by non-State armed groups.

Furthermore, the Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 56) and recommends that the State party, pursuant to article 33, paragraph 3, of its Constitution, ensure that mothers and fathers share responsibility for their children on an equal basis in all matters.

Children deprived of a family environment

35. The Committee notes the measures taken to provide care services to children deprived of a family environment, including through social care institutions, and recommends that the State party strengthen its efforts to support children who have been forcibly separated from or have lost their families during the armed conflict, including children living in areas retaken by the State party. The Committee regrets the lack of information on the situation of children in alternative care and, recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 58), recommends that the State party:

(a) Support and facilitate family-based care for children wherever possible, and strengthen the system of foster care with a view to reducing the institutionalization of children;

(b) Eliminate the segregation of orphans of known parents and those of unknown parents in separate institutional care facilities, as it leads to further stigmatization of those children and reduces their life chances;

(c) Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein;

(d) Take into account the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142 of 18 December 2009, annex).

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Children with disabilities

36. The Committee notes the measures taken by the Ministry of Social Affairs and Labour to support children with disabilities, but is concerned that the approach mostly remains one of institutionalization. It is also concerned about the impact of the armed conflict on children with disabilities, including with regard to their access to health services and education. The Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:

(a) Organize the collection of data on children with disabilities and develop an efficient system for diagnosing disability, and strengthen referral mechanisms and case management processes;

(b) Support and encourage family-based care for children with disabilities, accelerate their deinstitutionalization process, and encourage foster care for children who cannot stay with their families;

(c) Develop appropriate policies and programmes for children with disabilities, with their participation, paying attention to children whose disabilities are a result of the armed conflict;

(d) Ensure that children with disabilities have access to health care and medical rehabilitation services, including early detection, psychosocial support and access to orthopaedic devices;

(e) Ensure progressively that all children with disabilities have access to inclusive education.

Health and health services

37. **The Committee is deeply concerned about the devastating impact of the armed conflict on health services, and condemns the attacks carried out against health facilities and medical staff. With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee urges the State party to:**

- (a) Take prompt measures to halt attacks against medical facilities and personnel by all parties to the conflict, and investigate, prosecute and sanction those responsible for illegal attacks under international humanitarian and human rights law;**
- (b) Increase the budgetary allocations to health, giving due priority to health infrastructure and restoration of services; and scale up its efforts for the reconstruction, rehabilitation and equipment of health facilities for children;**
- (c) Strengthen its efforts to ensure access to health services for all children without discrimination, paying attention to areas again under State control and those under the control of non-State armed groups, and refrain from removing health items and medicine from convoys to besieged areas;**
- (d) Strengthen its efforts to ensure the provision of vaccines and medicine to contain outbreaks of preventable diseases such as typhoid, acute diarrhoea and cholera;**
- (e) Take the measures necessary to combat child malnutrition, particularly stunting.**

Mental health

38. The Committee notes the steps taken by the State party to provide mental health services to children in its health centres, but is deeply concerned about children suffering from various mental health illnesses as a consequence of the armed conflict and of torture and ill-treatment, sexual violence and abuse, child marriage, gender-based violence, displacement, recruitment by parties to the conflict and use in hostilities.

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

- (a) Strengthen its efforts to provide mental health services to children at the primary and secondary care level throughout the territory, without discrimination and paying particular attention to children living in areas retaken by the State or previously under siege;**
- (b) Increase the number of doctors and health workers trained to use the Mental Health Global Action Programme Intervention Guide, published by the World Health Organization, with a particular focus on children;**
- (c) Prioritize access to counselling and therapy for children over the use of medication;**
- (d) Encourage and facilitate access to mental-health services for children in areas controlled by non-State armed groups;**
- (e) Continue to cooperate with the World Health Organization, among others, in this regard.**

Adolescent health

40. Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, and target 3.7 of the Sustainable Development Goals, the Committee recalls its previous recommendation (CRC/C/SYR/CO/3-4, para. 66) and recommends that the State party:

- (a) Adopt a comprehensive sexual and reproductive health policy for adolescents, and ensure that sexual and reproductive health education is part of the**

mandatory school curriculum and that information is available in health centres and spaces used by adolescents;

(b) **Develop and implement a policy to prevent teenage pregnancy, protect the rights of pregnant girls, adolescent mothers and their children, and combat discrimination against them, paying particular attention to girls forcibly married to fighters during the armed conflict.**

Environmental health

41. **Concerned about the damage to the environment generated and exacerbated by weapons-related contamination, damage to critical infrastructure, including water treatment facilities and sewage systems, and the breakdown of the environmental services in the context of the armed conflict and its immediate and long-term risks to children's health, and the long-term environmental consequences, the Committee recommends that the State party devise and implement a system of response and assistance to enhance protection of the population, especially children, and the environment.**

Standard of living

42. **The Committee is concerned about the high number of children suffering from poverty and lacking access to a minimum standard of living due to the armed conflict. It recommends that the State party substantially increase its investment in social welfare policies to ensure that children living in poverty receive adequate financial support and free, accessible services without discrimination, and prioritize the provision of drinking water, sanitation and housing and the availability and affordability of food.**

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

43. **The Committee is extremely concerned about the overwhelming negative impact of the armed conflict on children's access to education and, in particular:**

(a) **The deteriorating quality of education, the shortage of qualified teachers and the extensive damage to school facilities, with a high number of schools non-operational;**

(b) **The prevalent and deliberate attacks on school facilities and personnel by parties to the conflict, and the use of schools for military or other purposes;**

(c) **The number of children and school personnel killed and injured as a result of attacks on schools;**

(d) **The estimated millions of children out of school or at risk of dropping out, many as a result of displacement;**

(e) **The lack of accreditation for children enrolled in schools in areas controlled by non-State armed groups and the difficulties they face with regard to sitting national exams;**

(f) **The situation in the northeast of the country where Kurdish-led authorities established a separate curriculum, which is preventing an estimated 800,000 children from continuing their education.**

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

(a) **Strengthen its efforts to improve the quality of education, ensure an adequate number of teachers and provide them with quality training, and prioritize the rehabilitation of schools in its reconstruction efforts;**

(b) **Immediately cease all attacks on schools, take prompt measures to ensure that all parties to the conflict respect international humanitarian and human rights law and respect schools as protected objects and enact legislation and issue**

military directives prohibiting and sanctioning attacks against schools and their use for military purposes;

(c) Take measures to remedy the harm caused to children by the attacks carried out against schools;

(d) Continue taking measures to enable children's access to primary and secondary education, and measures to retain students in schools, which should include temporary and transitional learning opportunities for children who missed years of schooling, with particular attention paid to children displaced by the armed conflict and children living in areas retaken by the State;

(e) Support children living in areas under the control of non-State armed groups in gaining access to national examinations and receiving their education accreditation;

(f) Take the measures necessary, including dialogue and other peacebuilding measures, to enable children living under Kurdish-led authorities to have access to the national education curriculum and return to schools.

Aims of education

45. In the light of its general comment No. 1 (2001) on the aims of education, the Committee reminds the State party of the need for an approach to education that succeeds in reconciling diverse values through dialogue and respect for difference, and recommends that the State party ensure that curricula and other educational tools promote respect for human rights and fundamental freedoms and prepare the child for a responsible life in a free society, in the spirit of understanding, peace, tolerance and equality of sexes.

Rest, leisure, recreation and cultural and artistic activities

46. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party in its reconstruction efforts pay due attention to providing children with safe, accessible and inclusive spaces for play and socialization, particularly in areas retaken by the State, and fully involve children in designing play and leisure policies and activities at the community level.

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and returning children

47. The Committee, recalling joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families / No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, recommends that the State party adopt a law for asylum seekers and refugees, ensure that children have access to identity documents, health services, education and a minimum standard of living, take measures to assist the safe, voluntary and dignified return of Syrian children, and consider acceding to the Convention relating to the Status of Refugees.

Internally displaced children

48. The Committee urges the State party to increase substantially the resources allocated for internally displaced persons and implement targeted programmes for children to ensure their adequate standard of living, integrate internally displaced children and families into social assistance schemes, and ensure that all public services and programmes are accessible and available to them, including by simplifying registration procedures.

Children in armed conflict

49. The Committee is gravely concerned about credible and corroborated information on the innumerable grave violations against children committed by all parties to the conflict, in particular:

(a) The indiscriminate attacks carried out, including aerial attacks, the use of chemical weapons, barrel bombs and improvised explosive devices, and the use of siege tactics, in obvious disrespect for children's rights and in violation of the principles of distinction, precaution and proportionality of international humanitarian law;

(b) The recruitment and use of children in hostilities, including children under the age of 15, some as young as 4 years old, and children of foreign origin, by armed groups and, on some occasions, by the armed forces of the State and affiliated militias;

(c) The deprivation of liberty of children for their actual or alleged association with security forces and non-State armed groups;

(d) The abduction of children, some as young as 3 months, for a variety of reasons, including to secure prisoner exchanges, for the alleged affiliation of relatives to parties to the conflict or to demand ransoms;

(e) The high number of children living in areas contaminated by explosive hazards, including from airdropped ammunition, ground-based weapons, improvised explosive devices and landmines, and the return of populations to areas exposed to explosive ordnance, such as Aleppo and Raqqah;

(f) The situation of children born to non-Syrian mothers currently held in camps for internally displaced persons in territory under the control of Kurdish-led authorities.

50. The Committee is concerned about the lack of information about the work carried out by the national/regional committee on monitoring the rights of the child in the light of the crisis in the Syrian Arab Republic, and the specialized judicial committee headed by the Attorney General.

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

(a) **Take prompt measures to prevent children from being victims of indiscriminate attacks and of the use of unlawful weapons or tactics of war, and issue military directives in this regard with clear procedures and sanctions for non-compliance;**

(b) **Fully implement Law No. 11 of 2013 prohibiting the recruitment and involvement of children in hostilities, and take prompt measures to investigate, prosecute and sanction the perpetrators in cases of child recruitment;**

(c) **Strengthen its efforts to implement the national workplan to prevent and respond to child recruitment, and develop a national strategy for the rehabilitation and reintegration of children recruited by security forces and non-State armed groups;**

(d) **Ensure that no child is deprived of liberty for real or alleged association with parties to the conflict, and that a child in this situation is treated primarily as a victim and referred to rehabilitation services or the juvenile justice system, as appropriate;**

(e) **Take prompt measures to prevent the abduction of children by non-State armed groups and armed forces and ensure their unconditional release and family reunification;**

(f) **Strengthen its efforts to raise awareness of mine risk reduction; substantially increase resources for the removal of explosive ordnance; establish mitigation measures in areas being cleared or pending clearance; and provide specialized support services for child victims of explosive ordnance incidents;**

(g) **Liase with Kurdish-led authorities to conduct an individual analysis of the situation of each child born to non-Syrian mothers held in camps, to determine the appropriate measures for their care, development and rehabilitation;**

(h) Make information about the work carried out by the national/regional committee on monitoring the rights of the child in the light of the crisis in the Syrian Arab Republic publicly available in a regular manner.

Economic exploitation, including child labour

52. The Committee is concerned about the increased number of children involved in child labour, including in hazardous and vulnerable conditions, noting such involvement as a negative mechanism for coping with the hardships caused by the armed conflict, and recommends that the State party adopt the draft national action plan to combat the worst forms of child labour and strengthen its efforts to effectively implement the memorandum of understanding it signed with the International Labour Organization in that regard.

Children in street situations

53. The Committee is concerned about the increased number of children in street situations and engaged in begging. Recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 79), the Committee recommends that the State party decriminalize begging, prevent the institutionalization of those children and, with their participation, develop measures for their rehabilitation and social integration.

Sale and trafficking

54. The Committee deeply regrets the cases of trafficking and sale of children, mostly boys for use in hostilities, and girls for sexual exploitation purposes, and urges the State party to strengthen its efforts to fully implement the national plan to combat human trafficking; investigate, prosecute and duly sanction perpetrators; and support child victims.

Administration of juvenile justice

55. With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, and recalling its previous recommendation (CRC/C/SYR/CO/3-4, para. 86), the Committee recommends that the State party: raise the legal age of criminal responsibility; extend the Juveniles Act (No. 18) to all children under 18 years; ensure that children in detention are separated from adults; investigate all cases of ill-treatment and abuse and punish the perpetrators; provide legal aid to children in conflict with the law; and ensure that children have access to a confidential, safe and child-sensitive mechanism for complaints related to their deprivation of liberty.

Child victims and witnesses of crimes

56. The Committee urges the State party to strengthen its efforts to provide specialized child-protection programmes for the physical and psychological rehabilitation and reintegration of child victims of crimes, including torture and other cruel or degrading treatment or punishment, sexual exploitation and abuse, child marriage, recruitment and use in hostilities, sale and trafficking, paying attention to the different needs of girls and boys, and provide reparation to victims as appropriate.

J. Ratification of the Optional Protocol on a communications procedure

57. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the Optional Protocol on a communications procedure.

K. Ratification of international human rights instruments

58. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

L. Cooperation with regional and international bodies

59. The Committee recommends that the State party cooperate with the regional and international organizations on the implementation of children's rights, including the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism.

V. Implementation and reporting

A. Follow-up and dissemination

60. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the fifth periodic report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

61. The Committee recommends that the State party establish a national mechanism for reporting and follow-up as a standing government structure that is mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of the treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with civil society.

C. Next report

62. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 13 February 2024 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

63. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.