



# International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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## Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Thirty-fifth session

### Summary record (partial)\* of the 501st meeting

Held at the Palais des Nations, Geneva, on Friday, 23 September 2022, at 10 a.m.

*Chair:* Mr. Corzo Sosa

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Consideration of reports submitted by States parties under article 73 of the Convention  
(*continued*)

*Combined second and third periodic reports of the Syrian Arab Republic  
(continued)*

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 73 of the Convention** *(continued)*

*Combined second and third periodic reports of the Syrian Arab Republic (continued)*  
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1. *At the invitation of the Chair, the delegation of the Syrian Arab Republic joined the meeting.*

2. **The Chair**, welcoming the head of the delegation of the Syrian Arab Republic to the meeting, explained that the other members of the delegation would be participating via video link. He invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.

3. **Mr. Aala** (Syrian Arab Republic) said that efforts to establish a national human rights institution had been launched some years previously but had been postponed due to the exceptional circumstances in the country and the need to focus on security, living conditions and the effects of the coronavirus disease (COVID-19) pandemic. Three committees of the People's Assembly were responsible for oversight of human rights – one each on civil liberties, press freedom, and women's, children's and family rights. The recommendation to establish a national human rights institution, made as part of the universal periodic review process in January 2022, had been accepted and the experiences of other States were being studied with a view to establishing such a mechanism.

4. The return of Syrians who had left their homeland was a priority, as their expertise was needed to rebuild the country. Most regions had been freed from terrorism and demining operations had been conducted, thereby paving the way for safe, voluntary returns, and efforts were being made to ensure that infrastructure and basic services were in place. The outstanding obstacles were being addressed in cooperation with United Nations agencies and other international organizations. Three conferences had been held on the issue that had emphasized the need to support infrastructure, reconstruction and demining projects. Reception centres had been set up and directives had been issued to help persons who had left the country unlawfully to speedily regularize their situation. The steps taken included the granting of a six-month period in which returnees who had not served in the military reserve could regularize their situation, the re-issuance of lost documents at the border and the granting of entry permits for Syrian children who had been born abroad, on production of a birth certificate. Together with a strategy of national reconciliation, those measures had led to the return of approximately 1 million Syrians from Iraq, Jordan, Lebanon and Türkiye.

5. Precautionary measures imposed by host countries during the COVID-19 pandemic had slowed the rate of return, however, and efforts to facilitate voluntary returns had been hindered by certain States and by the political conditions imposed by donor countries on funding for international development projects. The unilateral coercive measures affected the economy and daily life in Syria and posed significant difficulties to establishing the necessary conditions for the return of migrants. It was important to lift sanctions and to eliminate all obstacles that stood in the way of reconstruction. The alleged detention of Syrians on their return to the country was an example of disinformation that had been spread through social media by parties hostile to the Syrian Government. No specific information on such cases had been received and it had therefore not been possible to verify those claims.

6. Consular offices abroad maintained connections with the Syrian community and had continued to provide services throughout the crisis, including the issuance of passports and travel documents, the registration of civil status events and the verification of documents to support Syrians with administrative processes for residency, study and employment. The regularization of returning Syrians who had been compelled to leave the country due to terrorism was facilitated, and documents were issued even to those who had left illegally. Decree No. 7 of 2022, which envisaged an amnesty for all crimes of terrorism committed prior to 30 April 2022, also applied to Syrians living abroad and allowed them to regularize their situation. Consular offices supported the right of those living abroad to participate in elections, although a number of countries had hindered efforts in that regard during the presidential elections of 2014.

7. **A representative of the Syrian Arab Republic** said that the persons referred to as “non-Syrian-Arab” workers were entitled to equal treatment under the Labour Code (Act No. 17 of 2010); nationality was not a reason for unequal treatment. The law guaranteed the social, economic and cultural rights of migrant workers on an equal footing with nationals. The Labour Code required that employers should clearly stipulate working conditions, provide all their workers with health care and enrol them in the social security system. Migrant workers were entitled to receive a pension after a number of years of service, which, in the event that they left the country, they could choose to receive as a monthly payment or a lump sum. Migrant workers were also entitled to one day off per week, one month of paid and one month of unpaid leave per year and an annual pay rise. Migrant workers were also allowed to practise their religious rites. Maternity leave was provided and time to breastfeed was permitted on the return to work.

8. Legislative Decree No. 65 of 2013 regulated the employment of non-Syrian domestic workers. It protected them from all forms of violence, abuse and trafficking in persons, imposed the requirement for them to be over 18 years of age and obligated employers to provide them with social security. Their employment was regulated by a labour contract between the employer, the worker and the employment bureau, one copy of which had to be in a language understood by the domestic worker. In the event of a dispute, domestic workers could file a complaint. A number of bilateral agreements had been signed with the main countries of origin of migrant domestic workers.

9. **A representative of the Syrian Arab Republic** said that all international instruments ratified by the Government were disseminated among members of the People’s Assembly, non-governmental organizations (NGOs) and other institutions. Domestic laws were consistent with such instruments and were available for consultation online. Television programmes had tackled the issue of foreign domestic workers in a humane way and without discrimination, while religious sermons regularly addressed the issue of accepting foreigners and tolerance for others, regardless of religion or race. In order to encourage young persons to remain in or return to the country, Act No. 8 of 2021 envisaged the creation of banks that would issue microcredit to small- and medium-sized enterprises and to persons with limited income, in order to create employment opportunities. Under Act No. 12 of 2016, a national institution to facilitate lending to small- and medium-sized enterprises had been established.

10. The National Programme for Post-War Syria was based on five main themes. The first, which was social and human development, focused on cultural and educational matters, social cohesion, tolerance and the elimination of discrimination and stereotypes. In that connection, the education system was being restructured and curricula were being reformed and linked to labour-market requirements. It was also essential to oppose any religious or cultural discourse that was based on sectarianism or separatism. The second theme concerned the social and economic integration of vulnerable groups, including persons with disabilities, children, women, homeless persons, returnees, internally displaced persons and refugees. The third theme, which was social protection, focused on employment, decent work and social services such as education and health care. It included a national social empowerment programme which contained four subprogrammes and aimed to set standards for high-quality social services and to provide protection against social and economic risks.

11. The Syrian Commission for Family and Population Affairs had published a report on return and stability conditions in the Syrian Arab Republic as well as several other reports aimed at encouraging people to come back to the country. The reports reviewed the situation of various population groups during the crisis and identified problems and trends during the post-war period. Vigorous action was being taken to develop the labour market and to guarantee full and productive employment based on international labour standards, especially for returnees and migrants, in cooperation with ministries, international organizations, NGOs and trade unions. Budgetary funds were being allocated for that purpose.

12. **A representative of the Syrian Arab Republic** said that the Labour Code did not discriminate between Arab and non-Arab migrant workers or between Syrians and non-Syrians. Its provisions were equally applicable to all workers. The principles of equality of opportunity and equal treatment were guaranteed, and discrimination based on a person’s race, colour, gender, marital status, belief, political opinion, trade union membership, nationality or social descent was prohibited. Article 47 of the Code required employers to

conclude labour contracts in the Arabic language and also in a foreign language if workers were unable to read Arabic. In the event of a dispute, both employers and workers, including foreign workers, could institute legal proceedings.

13. **A representative of the Syrian Arab Republic** said that Act No. 14 of 2021 addressed the issue of trafficking in persons and provided protection for victims of smuggling networks. A national committee had been established to enforce the Act. Many municipalities had been targeted by terrorist groups during the crisis and had been unable to issue documents attesting to civil status events, such as marriage and divorce. The Ministry of the Interior was therefore taking vigorous action to remedy that situation and to provide people with such documentation. The registration of births under existing legislation was free of charge and the Civil Status Act had been amended to remove all impediments to registration. The Syrian Trust for Development and the Syrian Arab Red Crescent were supporting efforts to ensure the registration of children, including “*maktoum*” children, especially in liberated areas. Steps were being taken to amend the Nationality Act of 1969, and a study was currently being conducted on the possibility of enabling Syrian women to transmit their nationality to their children.

14. **Mr. Babacar** (Country Rapporteur) said that he wished to know whether the State intended to ratify the International Labour Organization (ILO) Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the ILO Domestic Workers Convention, 2011 (No. 189). He would be interested to hear about any steps taken by the authorities to guarantee zero tolerance of child labour, which was a highly abusive transnational phenomenon, and to adopt a clear-cut strategy aimed at protecting potential victims at the national and international levels.

15. He would be grateful for information regarding the role of foreign labour recruitment bureaux and how they were regulated and licensed. He wished to know whether steps had been taken to enable migrant workers not only to join trade unions but also to become members of their executive boards, in accordance with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

16. What legal and practical measures had been taken by the State party to ensure that migrant workers, including those in an irregular situation, had access to urgent medical care? He hoped to hear details about the number of inspections that had been conducted under the ILO Labour Inspection Convention, 1947 (No. 81), which the Syrian Arab Republic had ratified and which played such an important role in protecting vulnerable groups.

17. **Mr. Charef** (Country Rapporteur) said that, in some cases, not only did children not have an official birth certificate but, having been born at home rather than in hospital, they lacked birth documentation of any kind. Such cases were of great concern to the Committee and he wished to know whether there were specific legal regulations in the State party governing them. He had received information to the effect that remittances from Syrians resident abroad had totalled about \$3 billion since 2011, a sum that had surely contributed to the development of the country and the support of Syrian families. In the absence of any World Bank statistics in that regard, he would be grateful for reliable information about existing remittances, strategies to encourage further remittances and steps taken to address the issue of illegal remittances. He wished to know whether there was a comprehensive national strategy aimed at providing legal, cultural and social support for Syrians resident abroad, and whether any specific national institutions addressed issues relating to migration.

18. **Mr. Soualem** said that it would be useful for the Committee to receive statistics concerning the scale of the country’s losses and the destruction of infrastructure in sectors that affected the labour market. He would also welcome information concerning reconstruction efforts and the impact of the return of more than 1 million of refugees.

19. **Ms. Poussi** said that she wished to know whether the State party implemented mental health-care programmes, for instance on behalf of victims of domestic violence, especially women and children, migrant workers who returned to the country and suffered from mental health conditions, and children without parental care. She understood from the report that the Convention formed part of the human rights curriculum in colleges and training institutes, but she would be interested to hear about any initiatives to raise awareness of the Convention

among Syrian migrant workers living abroad. She wished to know whether the Government planned to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which also played an important role in protecting the rights of migrant workers.

20. **Mr. Ünver** said that he would like to know whether the Government had attempted to recruit migrant workers to replace the sizeable part of the skilled workforce that had left the State party since 2011. If so, he would appreciate disaggregated data about such workers.

21. **Mr. Ceriani Cernadas** said that he would be interested to hear the delegation's response to claims, made in reports published by the Independent International Commission of Inquiry on the Syrian Arab Republic since March 2021, that Syrian refugees who had returned to their home country had been arbitrarily detained and, in some cases, subjected to torture, sexual violence and enforced disappearance.

22. **Mr. Taghi-Zada** asked how many Syrian migrant workers had returned to the State party, what problems they faced, whether they were able to find work and whether they could repatriate the money that they had saved while abroad.

23. **The Chair** said that he would welcome additional information, including statistics, on internally displaced persons. He would like to know what direct measures had been taken to support such persons and what policies the Government had developed to replace workers who had been displaced. In a similar vein, he would be interested to learn more about the situation of women in rural areas, including any protection policies, programmes to provide female workers with training and health care, and plans to tackle the discrimination that they faced.

*The meeting was suspended at 11.15 a.m. and resumed at 11.40 a.m.*

24. **Mr. Aala** (Syrian Arab Republic) said that repeated attacks by countries such as Israel on civilian targets, including airports and seaports, in the Syrian Arab Republic had aggravated the economic situation and had negatively impacted the labour sector.

25. **A representative of the Syrian Arab Republic** said that seven employment bureaux had been established pursuant to the Labour Code inside and outside the country to safeguard the rights of all persons seeking employment. The employment of children was regulated by the Labour Code and by a decree of the Ministry of Social Affairs and Labour. The minimum working age was 15 years and children were prohibited from working at night and in hazardous sectors such as mining and quarrying. They were not permitted to work for more than six hours per day. The conditions of employment of migrant workers were based on the principle of reciprocity with their State of origin, subject to exemptions as established by the Ministry of Social Affairs and Labour.

26. The Syrian Arab Republic had been an ILO member since 1947 and had ratified 50 ILO conventions, including the eight core conventions. The Government cooperated with ILO in areas such as labour inspection, combating the worst forms of child labour and social support programmes. In the near future, Syrian delegates would meet with the director of the ILO Regional Office for the Arab States in Beirut with a view to resuming ILO activities in the Syrian Arab Republic.

27. **A representative of the Syrian Arab Republic** said that the Children's Act also protected the labour rights of children. Several structures existed to host children who had been separated from their families and a case management project had been launched in cooperation with the United Nations Children's Fund (UNICEF) to protect their rights. The Family Protection Unit provided a full range of care, including psychosocial and legal support, to women and children who had been the victims of violence. The Unit also sought to promote women's economic empowerment and help them find employment.

28. Programmes and plans to support rural women were in place nationwide and were intended to enhance the role of women in agricultural production, provide them with training and facilitate access to microcredit. Thousands of job opportunities had become available to women in rural areas as a result. Rural women received training from agricultural engineers and workshops had been held on environmental protection.

29. **A representative of the Syrian Arab Republic** said that, in the wake of the conflict, exemptions had been introduced from the penalties envisaged for the late registration of civil status events, and registration procedures had been simplified. Births that took place outside hospitals or medical centres could be registered on the strength of a medical certificate signed by a doctor. *Maktoum* persons had to be reregistered through a simplified procedure, which was available to all such persons regardless of whether or not they had been born in the Syrian Arab Republic. The registration of children of unknown parentage was permitted under the Civil Status Act, and a centralized unit operated a single database containing the records of all Syrian nationals and non-nationals who resided in the country.

30. **Mr. Aala** (Syrian Arab Republic) said that many skilled workers had left the country as a result of the war against terrorism. The Government sought to build the capacities of those still in the country and to facilitate the return of workers currently abroad so as to enable them all to contribute to the country's reconstruction.

*The discussion covered in the summary record ended at noon.*