

30 June 2022

UN Human Rights Council, 50th ordinary session (13 June to 8 July 2022)

Item 6: Universal Periodic Review

Oral statement on the UPR of Syria

This statement is supported by six Syrian non-governmental organisations.¹

We welcome UPR recommendations made to Syria to ensure non-discrimination against women and girls, including by removing discriminatory provisions from its national legislation and withdrawing all reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). We regret that out of the 286 recommendations made to Syria,² there were no specific recommendations on adopting legislation to prevent and criminalise domestic violence, despite the fact that there are currently no laws in Syria prohibiting it.

The Syrian Constitution and legal framework contain several gaps and provisions that violate the principle of full equality between men and women. Women's rights continue to be restricted by legal provisions discriminating on the basis of gender, including within the Nationality Law, the Personal Status Law, and the Penal Code. Syria accepted recommendations calling for the removal of discriminatory provisions against women from the Personal Status Law,³ as well as for the amendment of its citizenship laws to ensure that Syrian women can pass on citizenship to their children,⁴ including to those born abroad. Immediate and concrete actions must be taken to implement these recommendations. Syria must also withdraw all reservations to CEDAW in line with recommendation 133.87, which Syria has accepted.⁵

Since 2014, thousands of women and their families have been subjected to forced displacement as part of so-called "local reconciliation agreements"⁶; most of them were relocated to unknown and unsafe locations in other parts of the country. Syria accepted recommendations about expanding

¹ Syrian Female Journalists Network (SFJN), Badael, Urnammu, Dawlaty, Women Now for Development (WND), and Citizenship League

² A/HRC/50/6

³ A/HRC/50/6, recommendation 133.244 "Amend the provisions in the Personal Status Law and the Citizenship Law that are discriminatory against women, specifically in the areas of marriage, divorce, inheritance, marital property and the granting of citizenship to children" (Sweden); A/HRC/50/6/Annex 1

⁴ A/HRC/50/6, recommendation 133.248 "Amend its citizenship laws to ensure Syrian citizenship for the children of Syrian women, including children born abroad, in line with the Convention on the Rights of the Child" (Norway); A/HRC/50/6/Annex 1

⁵ A/HRC/50/6, recommendation 133.87 "Take legislative and policy measures to ensure non-discrimination against women and girls, including by withdrawing all reservations to the Convention on the Elimination of All forms of Discrimination Against Women", (Finland); A/HRC/50/6/Annex 1

⁶ Amnesty International, "Syria: 'We Leave or We Die': Forced displacement under Syria's 'reconciliation' agreements", 13 November 2017, available at <https://www.amnesty.org/en/documents/mde24/7309/2017/en/>

“the ongoing efforts to strengthen legal frameworks such as laws and decrees to facilitate the return of Syrian internally displaced persons and refugees”.⁷ Already before the conflict, women faced unequal access to civil documentation as women’s legal identity in the civil registration system is linked to their husbands’ or fathers’. This issue has been compounded by the conflict and by the mass enforced disappearances of men.⁸ Therefore, legal support and services provided to forcibly displaced persons must be gender-responsive, and help them *inter alia* in obtaining official identification papers in order to exercise fully their rights to freedom of movement, health and education, and to prove their ownership of properties in their places of origin, including of properties belonging to disappeared or deceased male relatives.

Moreover, Syria accepted a recommendation to “ensure that the property rights of refugees and IDPs seeking to return are protected and revise all laws and decrees that act as obstacles to return, in violation of international law”.⁹ This must include annulling and reversing the impacts of the discriminatory Law Number 10 of 2018,¹⁰ which has created significant obstacles for internally displaced persons to claim their properties and therefore to return to their homes.

Thank you.

⁷ A/HRC/50/6, recommendation 133.270 “Expand further the ongoing efforts to strengthen legal frameworks such as laws and decrees to facilitate the return of Syrian internally displaced persons and refugees” (Lao People’s Democratic Republic); A/HRC/50/6/Annex 1

⁸ UNHCR, Norwegian Refugee Council, HLP, “Displacement, housing, land and property and access to civil documentation in the south of the Syrian Arab Republic”, July 2017, available at: https://www.ecoi.net/en/file/local/1405606/1930_1503398808_final-nrc-displacement-hlp-and-civil-doc-s-syria-23-07-2017-en.pdf

⁹ A/HRC/50/6, recommendation 133.248 “Amend its citizenship laws to ensure Syrian citizenship for the children of Syrian women, including children born abroad, in line with the Convention on the Rights of the Child” (Norway); A/HRC/50/6/Annex 1

¹⁰ Human Rights Watch, “Syria’s new property law, Q&A”, 29 May 2018, available at: <https://www.hrw.org/news/2018/05/29/qa-syrias-new-property-law>