

**Universal Periodic Review**  
**(26<sup>th</sup> session, October-November 2016)**  
**Contribution of UNESCO to Compilation of UN information**  
**(to Part I. A. and to Part III - F, J, K, and P)**

**Syrian Arab Republic**

**I. BACKGROUND AND FRAMEWORK**

**Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	13/08/1975, acceptance	Does not recognise the State of Israel		Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	11/03/2005, ratification	Does not recognise the State of Israel		Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	05/02/2008, accession	N/A		Right to take part in cultural life

## **II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P**

### **Right to education**

#### **1. NORMATIVE FRAMEWORK**

##### **1.1. Constitutional Framework**

1. **The Syrian Arab Republic Constitution of 2012**<sup>1</sup> enshrines the right to education in **Article 29**, which provides<sup>2</sup>: “1. Education shall be a right guaranteed by the state, and it is free at all levels. The law shall regulate the cases where education could not be free at universities and government institutes; 2. Education shall be compulsory until the end of basic education stage, and the state shall work on extending compulsory education to other stages; 3. The state shall oversee education and direct it in a way that achieves the link between it and the needs of society and the requirements of development; 4. The law shall regulate the state’s supervision of private educational institutions.”
2. **Article 25** adds that<sup>3</sup> “Education, health and social services shall be the basic pillars for building society, and the state shall work on achieving balanced development among all regions of the Syrian Arab Republic” and **Article 28** that<sup>4</sup> “The educational system shall be based on creating a generation committed to its identity, heritage, belonging and national unity”.
3. Furthermore, **Article 33** stipulates<sup>5</sup> “[...] 3. Citizens shall be equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed; The state shall guarantee the principle of equal opportunities among citizens.”
4. **Article 34** states<sup>6</sup> “Every citizen shall have the right to participate in the political, economic, social and cultural life and the law shall regulate this”.
5. **Article 23** provides that<sup>7</sup> “The state shall provide women with all opportunities enabling them to effectively and fully contribute to the political, economic, social and cultural life, and the state shall work on removing the restrictions that prevent their development and participation in building society”.

---

<sup>1</sup> <http://www.unesco.org/education/edurights/media/docs/7f130a6c386e1a45932e14d4c62c12ee331b451d.pdf>

<sup>2</sup> Unofficial translation

<sup>3</sup> Unofficial translation

<sup>4</sup> Unofficial translation

<sup>5</sup> Unofficial translation

<sup>6</sup> Unofficial translation

<sup>7</sup> Unofficial translation

6. According **Article 37 of the Syrian Constitution** of 19 March 1973<sup>8</sup>, “**education is a right guaranteed by the State. Elementary education is compulsory and all education is free.** The State undertakes to extend compulsory education to other levels and to supervise and guide education in a manner consistent with the requirements of society and of production.”
7. Moreover, **Article 21** stipulates that “the educational and cultural system aims at creating a socialist nationalist Arab generation which is scientifically minded and is attached to its history and land, proud of its heritage, and imbued with the spirit of struggle to achieve its nation's objectives of unity, freedom, and socialism, and to serve humanity and its progress”.
8. **Article 22** adds: “the educational system has to guarantee the people's continuous progress and adapt itself to the ever-developing social, economic, and cultural requirements of the people.”
9. Finally, according to **Article 23(1)**, “The nationalist socialist education is the basis for building the unified socialist Arab society. It seeks to strengthen moral values, to achieve the higher ideals of the Arab nation, to develop the society, and to serve the causes of humanity. The state undertakes to encourage and to protect this education.”

## **1.2. Legislative Framework**

10. “**Law No. 35 on Compulsory Education**, endorsed by the People’s Assembly on 12 August 1981, stipulates the age (6 years) at which children are obligated to enter **primary school** (six-year programme), the competent enforcement authorities, and the sanctions imposed on families failing to send their children to school. This law also provides for incentives to be granted to both children and staff”<sup>9</sup>.
11. “According to **Law No. 32 of 7 April 2002**, basic education is being implemented starting from the school year 2002/03. Free and compulsory basic education includes the primary and intermediate stages. At the end of basic education, students who pass the general examination are awarded the basic education certificate.”<sup>10</sup>
12. Other laws and basic regulations concerning education are:
13. “The **Decree Law No. 7** of 1972 on the Elimination of Illiteracy, endorsed by the People’s Assembly on 20 February 1972, established the Higher Council for Literacy in the Syrian Arab Republic under the presidency of the Prime Minister and the membership of a number

---

<sup>8</sup> <http://www.unhcr.org/refworld/publisher,NATLEGBOD,,SYR,44d8a4e84,0.html>

<sup>9</sup> World Data on Education, 7<sup>th</sup> Edition, 2010/11, p. 3, accessible at:

[http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Syrian\\_Arab\\_Republic.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Syrian_Arab_Republic.pdf)

<sup>10</sup> World Data on Education, 7<sup>th</sup> Edition, 2010/11, p. 4, accessible at:

[http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Syrian\\_Arab\\_Republic.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Syrian_Arab_Republic.pdf)

of ministers and chiefs of popular organizations. Sub-councils have been created at the Governorate level under the chairmanship of the mayor and the membership of a number of directors of popular organizations within the Governorate.

14. Ministerial **Resolutions No. 1697/543** of 1989 and **No. 3013/443** of 1991 contain further regulations concerning pre-school education (kindergartens). Private education is regulated by the **Law No. 160** of 1958. This Law has been amended to allow for more freedom in opening private kindergartens, and to allow for opening kindergarten classes for 5-year-old children in public elementary schools.
  
15. The **Decision No. 967** of 12 March 1997 issued by the Regional Leadership of the Baath Socialist Party determines that the training of teachers and teacher assistants will be provided in faculties of education instead of teacher-training institutes. The **Decree No. 290** of 1997 established faculties of education in Aleppo, Tichreen and Al-Ba'ath universities, in addition to the faculty of education at Damascus University, to implement this decision. The four faculties were entrusted with the task of training teachers, including those at kindergarten and elementary education levels, by virtue of **Decree No. 61** of 1999.
  
16. The **Decision No. 15** of 2000 issued by the Regional Leadership concerns the development of vocational education. This decision emphasized the need to merge vocational and technical education into a unified vocational education system at the secondary level with duration of three years, after which successful students are awarded the vocational secondary certificate.
  
17. The Syrian Commission of Family Affairs (SCFA) was created by the **Act No. 42** of 2003 to work for the advancement and empowerment of the family to better contribute to the development process.
  
18. **Legislative Decree No. 55** dated 2 September 2004 and its executive instructions amended on 5 June 2006. regulate private education institutions for pre- university education.
  
19. The **Universities Regulation Law** was issued in 2006."<sup>11</sup>

### **1.3. Policy Framework**

#### **i) Inclusive Education**

##### 20. Girls

---

<sup>11</sup> World Data on Education, 7<sup>th</sup> Edition, 2010/11, p. 3, accessible at:  
[http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Syrian\\_Arab\\_Republic.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Syrian_Arab_Republic.pdf)

“The Project of Educating Girls is implemented in cooperation with UNICEF and Ministry of Culture for teaching the dropout girls in the following governorates (Deer Alzor, Alhassakeh, Al-raqqa, Edleb, Aleppo). The evaluation of this project has given satisfying results for those girls who want to enroll in schools, and their production will be improved, in return, this will positively reflect on the development of the childhood.”<sup>12</sup>

## 21. Children with special needs

“The Project of integrating children with special needs is implemented in cooperation with UNICEF, UNESCO and International Partners. Since (2002) the project was initiated in pilot schools where teachers and educational management are subjected to intensive qualified courses in this filed. The evaluation findings showed good outcomes to go on with this project. There is an increase in the number of schools and qualified educational cadres trained using the guide of integrating children with special needs.”<sup>13</sup>

## 22. Nomadic students

### i. “Floating schools

Many floating schools were initiated for the children of the Beduins who keep on moving with their animals. This school is a movable cart made of one classroom with the capacity of 40 girls and boys and a living room for the teacher. A truck or car pull this cart to any place where Beduins are gathered. The teacher teaches multiples grade students in the classroom. Moreover, many steps are taken to compose special curricula for the Beduins in order to meet their hopes and suitable with their environment within the curricula of basic education. Statistics showed that dropout is rare among boys and girls in such schools. Ministry of Education used such schools as a temporary solution until the availability of other possibilities to have boarding schools for Beduins only. [...]

### ii. Internal Boarding Schools

Three internal schools were opened to Beduins of the Syrian Badea [...]. These schools provide textbooks –stationery – shelter – food and medical care for free. In addition to providing the school with the requirements of the educational process.”<sup>14</sup>

## ii) Teachers

---

<sup>12</sup> National Report submitted for the 48th session of the International Conference on Education, 2008, pp. 7-9, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/syria\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/syria_NR08.pdf)

<sup>13</sup> National Report submitted for the 48th session of the International Conference on Education, 2008, pp. 51-52, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/syria\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/syria_NR08.pdf)

<sup>14</sup> National Report submitted for the 48th session of the International Conference on Education, 2008, p. 55, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/syria\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/syria_NR08.pdf)

23. The Syrian Arab Republic's legislation for the **Teacher Syndicate** is the **Legislative decree No. 82 of 1980. Article 2(E)** of the Decree establishes that one of the aims of the syndicate and its authority is to protect the morale, financial, health, social and cultural matters of all teachers and defends their rights.
24. In regards to **teacher benefits, Article 3(D)** establishes that the teacher's syndicate must offer housing, free treatments in hospitals, free medicine, free kindergarten and nurseries for teacher's children, and Leisure centers for its members and their families.
25. Concerning **salary, Article 138** establishes that all unionists who work in Arab or foreign teachers' organizations are paid as high as the same salaries as the workers of the foreign political sector.

### iii) Quality education

26. Textbooks are free at the primary stage and sold at token prices at the intermediate and secondary levels. Textbooks are accompanied by teacher's guides, translating educational objectives into practical, applicable and measurable activities. Elaboration of textbooks is generally the task of a team comprised of university professors, senior inspectors of the subject concerned, educational researchers, and specialized teachers. The Ministry of Education has started introducing new information technologies into schools.<sup>15</sup>

### 27. Use of ICT

“The **Project of Integrating Technology in Education as well as using computers in processes of teaching and learning** [...] aims at qualifying teachers for using informatics in processes of teaching and learning and enabling the students to use Informatics Technology in the learning process. [...] During the summer of 2008, about 7000 of new teachers were trained and the work will go to include all teachers according to the timed plans at central and local levels.”<sup>16</sup>

### iv) Curriculum

28. Private schools apply the same curriculum as in public schools and follow the same regulations regarding admission and evaluation of students.

### v) Financing of education

---

<sup>15</sup> Unesco International Bureau of Education Database, accessible at [http://www.ibe.unesco.org/fileadmin/user\\_upload/archive/Countries/WDE/2006/ARAB\\_STATES/Syrian\\_Arab\\_Republic/Syrian\\_Arab\\_Republic.htm](http://www.ibe.unesco.org/fileadmin/user_upload/archive/Countries/WDE/2006/ARAB_STATES/Syrian_Arab_Republic/Syrian_Arab_Republic.htm).

<sup>16</sup> National Report submitted for the 48th session of the International Conference on Education, 2008, p. 52, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/syria\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/syria_NR08.pdf)

29. Private education comprises: schools sponsored by individuals or societies (kindergartens; primary, intermediate and secondary schools; vocational, technical and language evening laboratories and centres); and foreign schools established in accordance with Law No. 167 of 1959, with their own curricula as well as two Arabic classes per week, for non-Syrians and non-Palestinians.<sup>17</sup>

#### vi) Education in conflict areas

30. “Similarly, 36% of the resources requested in 2013 for education in the Syrian Arab Republic had actually been pledged.”<sup>18</sup>

31. “3% of the Syrian Arab Republic’s Humanitarian Assistance Response Plan for 2013 was earmarked for education, with 36% of the resources requested for education having been pledged by September 2013 (Office for the Coordination of Humanitarian Affairs, 2013), even though one in five schools have been destroyed in some areas. In and around Aleppo, where fighting has been intense, only 6% of children were attending schools. Children comprise almost 50% of those in need of urgent humanitarian assistance in this conflict, which is in its third year (UNICEF, 2013b, 2013c).”<sup>19</sup>

32. “In 2013 alone, over 9,500 people a day fled their homes as the Syrian Arab Republic entered its third year of conflict. As of December 2013, of the 4.8 million school-age Syrian children, some 2.2 million inside the country were out of school, as were a half-million refugee children in Egypt, Iraq, Jordan, Lebanon and Turkey. The Syrian Network for Human Rights alleges that the government has turned a thousand schools into detention and torture centres, and numerous schools have been converted into barracks. Two-thirds of the refugee children are out of school, and this group now faces lower enrolment ratios than those found in Afghanistan, a country with a much longer history of conflict and a poorer tradition of education. The sheer numbers of refugee children are overwhelming education systems in neighbouring countries. The multinational nature of the Syrian crisis is recognized, with separate coordination groups working in each country.

33. In the Syrian Arab Republic, a working group on education focusing on a coordinating role is hosted by Save the Children. A Syria Regional Response Plan examines education activities in Egypt, Iraq, Jordan, Lebanon and Turkey. A high-level regional conference on education and the Syrian refugee crisis has been held. Activities include providing school kits, rehabilitating schools and learning spaces, and running summer learning programmes. Child-friendly spaces have been set up in at least 16 camps. However, meeting the education needs of this diverse population will remain a key challenge, given country capacities and ongoing tensions. Despite major pledges by most wealthy nations, humanitarian aid has

---

<sup>17</sup> Unesco International Bureau of Education Database, accessible at

[http://www.ibe.unesco.org/fileadmin/user\\_upload/archive/Countries/WDE/2006/ARAB\\_STATES/Syrian\\_Arab\\_Republic/Syrian\\_Arab\\_Republic.htm](http://www.ibe.unesco.org/fileadmin/user_upload/archive/Countries/WDE/2006/ARAB_STATES/Syrian_Arab_Republic/Syrian_Arab_Republic.htm)

<sup>18</sup> EFA GMR 2013-2014, p 12 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

<sup>19</sup> EFA GMR 2013-2014, p 134 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

trickled in slowly over the past four years. The need for education financing remains underserved.”<sup>20</sup>

## vii) Other relevant information

34. “The 2014 RRP mid-year review noted the growing gaps resulting from inadequate support to national and local service delivery systems, and the need to increase livelihoods and employment opportunities. Although some development funds for education and child protection have been made available to host countries under the No Lost Generation initiative, more support is needed to strengthen national systems and quality of services.”<sup>21</sup>
35. The Constitution refers to provisions on human rights and they have revised their constitution in order to better respond to the international commitments: *“Although some development funds for education and child protection have been made available to host countries under the No Lost Generation initiative, more support is needed to strengthen national systems and quality of services. Greater investment is needed in the formal education sector to ensure that more children from both refugee and local communities benefit from quality education. Investment in education is particularly important in areas with high numbers of refugees. Key policy constraints such as the need for certification for Syrian refugee students must be addressed.”*<sup>22</sup>
36. Before the current crisis, the right to education was guaranteed by the Syrian Government. Elementary education was compulsory and education was free. During the crisis, the number of Internally Displaced Children (IDP) forced to leave school was on the rise. The Ministry of Education in collaboration with UNESCO and UNICEF introduced several modalities to extend the right to Education to IDPs and Out of school Children such as Accelerated Learning Programmes, condensed curriculum, self-learning curriculum, and Second Chance Education (for Children having failed exams).
37. UNESCO Beirut is working with the Syrian Government to strengthen capacities in education governance and planning and to help them be prepared for the return of millions of out of school children when the crisis is over. UNESCO is working with the Ministry of Education on developing National Qualification Framework for Non Formal Education and on developing scheme for alternative pathways as well as to integrate global citizenship education in curriculum and learning contents.

## 2. COOPERATION

---

<sup>20</sup> EFA GMR 2015, page 104, accessible at <http://unesdoc.unesco.org/images/0023/002322/232205e.pdf>

<sup>21</sup> 2015 Regional Refugee & Resilience Plan 2015-2016: Regional Strategic Overview In Response to the Syria Crisis, accessible at: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/01/3RP-Report-Overview.pdf>

<sup>22</sup> 2015 Regional Refugee & Resilience Plan 2015-2016: Regional Strategic Overview In Response to the Syria Crisis, accessible at: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/01/3RP-Report-Overview.pdf>

38. The Syrian Arab Republic is **not party** to the 1960 UNESCO Convention against Discrimination in Education.
39. The Syrian Arab Republic reported to UNESCO on the measures taken for the implementation of the 1960 UNESCO Recommendation against Discrimination in Education within the framework of the:
- i. **Sixth Consultation** of Member States (covering the period 1994-1999)
  - ii. **Eighth Consultation** of Member States (covering the period 2006-2011)
40. However, it did not report within the framework of the **Seventh Consultation** of Member States (covering the period 2000-2005).
41. The Syrian Arab Republic did not report to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008).
42. However, it reported within the framework of the **Fifth Consultation** of Member States (covering the period 2009-2012).
43. The Syrian Arab Republic reported to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:
- i. **First Consultation** of Member States (1993)
  - ii. **Second Consultation** of Member States (2011)
44. The Syrian Arab Republic is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

## **Cultural rights**

### **Achievements, challenges, best practices and constraints related to the implementation of the right to take part in cultural life**

#### **A) Normative Framework: constitutional and legislative frameworks**

45. The right to participate in cultural life is explicitly mentioned under article 34 of the Syrian Constitution (1964):
- “Every citizen shall have the right to participate in the political, economic, social and cultural life and the law shall regulate this”.*

46. Article 23 of the Constitution addresses the right for women to participate in cultural life:  
*“The state shall provide women with all opportunities enabling them to effectively and fully contribute to the political, economic, social and cultural life, and the state shall work on removing the restrictions that prevent their development and participation in building society”.*
47. Articles 31 and 32 address the support of cultural creativity and the protection of cultural heritage:  
*“The state shall support scientific research and all its requirements, ensure the freedom of scientific, literary, artistic and cultural creativity and provide the necessary means for that end. The state shall provide any assistance for the progress of sciences and arts, and shall encourage scientific and technical inventions, creative skills and talents and protect their results”.*
- “The state shall protect antiquities, archaeological and heritage sites and objects of artistic, historical and cultural value”.*
48. The Syrian Antiquities Law was promulgated by Legislative Decree No. 222 of 1963. Today it entails several amendments, the last one from 1999. It protects movable and immovable antiquities by declaring them the property of the State and provides for sanctions for looting, illegal excavations and trafficking.
49. The Directorate-General for Antiquities and Museums (DGAM) and the Ministry of Culture have recently completed a new draft law on the protection of Syrian archaeological heritage, which complies with the standards set out in international conventions, keeps abreast of the development of global thinking in this domain and is compatible with the Syrian Arab Republic's uniqueness and diverse cultural heritage. It provides a higher level of legal protection for World Heritage sites and the necessary grounds to reform the services in charge of safeguarding heritage. In addition, it foresees the active participation of local communities at all levels in protecting, managing and investing in heritage, and aims to enable the Syrian Arab Republic to make better use of the international conventions it has ratified.
50. The preparation for this draft law has coincided with the preparation for another draft law on introducing a public body for the protection and management of Syrian archaeological heritage with wider powers and tasks than currently exist under the DGAM.
51. Several laws protect the copyright of authors (literary writers and artists): Decree No 2385 (1924), articles 708 and 709 of the Syrian Penal Code and the Law on the Intellectual Property in the Syrian Arab Republic (2008). Authors' rights are protected for 50 years after their death; for performing artists this is 50 years from the date of the first public performance.

## **B) Institutional framework:**

52. The DGAM is the main public institution responsible for the protection and promotion of culture, including archaeological excavation and research at heritage sites. The DGAM is under the central supervision of the Syrian Ministry of Culture and is organized into several specialized directorates:

- i. the Directorate of Museum Affairs, responsible for the management and development of all Syrian museums, in addition to supervising any foreign exhibition of Syrian artefacts;
- ii. the Directorate of Excavations and Archaeological Studies, responsible for excavation works and cataloging any findings;
- iii. the Al-Bassel Centre for Archaeological Research and Training, responsible for research, training, and publications;
- iv. the Directorate of Planning and Statistics;
- v. the Directorate of Historic Buildings;
- vi. the Directorate of the Administration of Historic Sites;
- vii. the Directorate of Information Technology, responsible for providing the infrastructure and training to develop, manage, and publish databases of museum objects, historical sites and monuments.

### **C) Policy measures:**

53. No specific information available.

### **D) Work with civil society:**

54. The new draft law on the protection of Syrian cultural heritage foresees the active participation of local communities at all levels in protecting, managing and investing in heritage.

55. The Syrian non-governmental organization, 'Syria Trust for Development,' is an active association in the protection and promotion of intangible cultural heritage. In 2012, the General Assembly of the State Parties to the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage accredited it in an advisory capacity to the Intergovernmental Committee of the Convention. The NGO works on cultural policies, provides advice on revision of national legislation and has supported the elaboration of a new unit for intangible heritage, the diversity of cultural expressions and creativity to be created at the Ministry of Culture.

## Freedom of opinion and expression

### 1. Constitutional and Legislative Framework:

56. Humanitarian crisis in the country urges Syrian Government to fulfil its responsibility and to implement extra efforts to ensure that safety of media professionals is guaranteed and freedom of expression and press freedom is not suppressed as it is outlined in the new constitution of the Syrian Arab Republic, which came into force in 2012, and guarantees the right for freedom of expression as well as freedom of the press, in Articles 42 and 43.<sup>23</sup>
57. However, these rights can be restricted through several laws, such as the Counterterrorism Law<sup>24</sup>, which has replaced the Emergency Law<sup>25</sup> in 2012. The Counterterrorism law describes a terrorist act as “every act that aims at creating a state of panic among the people, destabilizing public security and damaging the basic infrastructure of the country by using weapons, ammunition, explosives, flammable materials, toxic products, epidemiological or bacteriological factors or any method fulfilling the same purposes”, and prescribes imprisonment or hard labor for financing terrorism, and other terrorism-related offences, including distributing written material or information in other formats.<sup>26</sup>
58. Another law that can restrict the right for freedom of expression and freedom of press is Decree No. 50 of 2001, known as the Publications Law<sup>27</sup>, which criminalizes the publication of material that harms national unity, tarnishes the image of the state, or threatens the “goals of the revolution” and also permits the authorities to deny or revoke publishing licenses and require reporters to reveal their sources in response to government inquiries (Articles 43, 44, 49, 50, 51, 53, 55, and 56). However, the major media organizations in the Syrian Arab Republic are regulated and monitored by the State.
59. Also Law No. 93<sup>28</sup>, known as the 1985 Law on Associations and Private Societies, can restrict the establishment of media organizations. The law regulates the establishment of any kind of association or organization in the Syrian Arab Republic. Following this law, all meetings are strictly controlled by the Ministry of Social Affairs and Labor, and the Ministry has the right to appoint board members of any association at any time, according to Article 26. Article 36 of the law grants the Ministry the authority to dissolve associations, for example because the association is “practicing any activity that is sectarian, racist or political that affects the safety of state” or “if the Ministry finds that there is no need for the services of the association (Article 36 (a)(3) and (7)).

---

<sup>23</sup> [https://www.constituteproject.org/constitution/Syria\\_2012?lang=en](https://www.constituteproject.org/constitution/Syria_2012?lang=en)

<sup>24</sup> <http://www.vdc-sy.info/pdf/reports/1430186775-English.pdf> (annex 1)

<sup>25</sup> The Emergency Law was into force during 48 years, from 1963 to 2011.

<sup>26</sup> Ibid. (Article 8)

<sup>27</sup> <http://www.damascusbar.org/AlMuntada/showthread.php?t=4703>

<sup>28</sup> <http://www.icnl.org/research/library/files/Syria/93-1958-En.pdf>

60. Defamation is a crime, according to the Penal Code<sup>29</sup>, for which punishments vary between fines, starting from a 100 pounds, to imprisonment from a week to a year or more, depending on the case and for example, against who has been made defamation.

61. The Syrian Arab Republic has no freedom of information law.

## 2. Media Self-Regulation:

62. There is no Press Council in the Syrian Arab Republic. However, over twenty independent Syrian media outlets have agreed on the ‘Charter of Honor’<sup>30</sup>, an Ethical Charter seeking to be an ethical reference for new Syrian media, promoting freedom of expression through professional and ethical journalism.

63. There are two professional organizations for Syrian journalists - the Union of Syrian Journalists<sup>31</sup> and Syrian Journalists Association (SJA), which is based in Paris and is mostly run by journalists based outside of the country.

## 3. Safety of journalists:

64. UNESCO recorded 61 killings in the Syrian Arab Republic since 2011, making it one of the most dangerous countries in the world for journalists to operate. Whereas the majority of them were Syrian, journalists of American, Japanese, Lebanese, Canadian, French and British origin were also killed during the period 2011-2015. The authorities have specifically replied regarding two cases and reiterating that they reject any responsibility for those journalists who have entered the Syrian territory illegally.

## **III. RECOMMENDATIONS**

65. **Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following [web site:](http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx) <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)**

66. Latest observations reported on January 2012 - [view](#)

---

<sup>29</sup> [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=243237](http://www.wipo.int/wipolex/en/text.jsp?file_id=243237)

<sup>30</sup> <http://almethaq-sy.org/en/ethical-charter-for-syrian-media-alliance/>

<sup>31</sup> <http://journalists-u.org.sy/>

**67. The recommendations formulated during the interactive dialogue and listed below have been examined by the Syrian Arab Republic and enjoy its support:**

- i. 100.3. Maintain the positive momentum in improving legislation and institutions, and ensure the execution of its laws in practice, in particular in the areas of education, women rights, childhood, persons with disabilities and victims of trafficking in persons (Venezuela);
- ii. 100.33. Further pursue policies and programmes which aim to improve the quality of social services, including health services and education (Russian Federation);
- iii. 100.51. Continue policies and programs to improve the quality of basic social services provided to citizens, such as health care and education (Democratic People’s Republic of Korea);
- iv. 100.53. Continue to strengthen free education for all its people, particularly in rural areas, through “mobile schools” (Bolivia);
- v. 100.54. Continue improving the quality of public education with the aim of maintaining the excellent level of education by which the different stages of education have been characterized (Venezuela);

**68. Analysis:**

The Syrian Arab Republic revised Constitution includes provisions on human rights and the right to education. The Syrian Arab Republic has also taken steps to protect the right to education as part of the Regional Refugee & Resilience Plan 2015-2016. To the extent of our knowledge, the Syrian Arab Republic is facing great difficulties in implementing the right to education as well as ensuring access to education and gender equality due to the national context

**69. Specific Recommendations:**

- i. The Syrian Arab Republic should be strongly encouraged to ratify the UNESCO Convention against Discrimination in Education.
- ii. The Syrian Arab Republic should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO’s education related standard-setting instruments.
- iii. The Syrian Arab Republic should be encouraged to maintain the positive momentum in improving legislation and institutions and implementation of its legislation, in particular in the areas of education.
- iv. The Syrian Arab Republic could be encouraged to further pursue policies and programmes which aim to improve the quality education especially in conflict situation as well as ensuring security for the schoolchildren.

### **Cultural Rights**

70. Ensure that concerns for intangible cultural heritage, the diversity of cultural expressions and creativity are appropriately reflected in national legislation;
71. Elaborate appropriate policies and programmes and establish units responsible for these domains in the Ministry of Culture, and ensure appropriate public funding for this purpose;

72. Develop specific training curricula in the Syrian universities to train cultural professionals with appropriate academic and scientific background.

### **Freedom of opinion and expression**

73. The Syrian Arab Republic is recommended to review legislation, which restricts the right of freedom of expression as well as freedom of the press, guaranteed by the constitution of the Syrian Arab Republic.
74. The country is encouraged to introduce a freedom of information law that is in accordance with international standards.<sup>32</sup>
75. The Syrian Arab Republic is further recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.<sup>33</sup>
76. Moreover, the Syrian Arab Republic is recommended to facilitate the introduction of self-regulatory mechanisms including a Code of Ethics, among media professions.
77. The Syrian Government is urged to investigate the cases of killed journalists, and to voluntarily report on the status on of judicial follow-up to UNESCO. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.

### **Freedom of scientific research and the right to benefit from scientific progress and its applications**

78. The Syrian Arab Republic, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. Syrian Arab Republic did not submit its 2011-2012 report on the implementation of the 1974 Recommendation. In providing its report in 2015-2017 on this matter, Syrian Arab Republic is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation.

---

<sup>32</sup> See for example, General Comments No 34. Of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87<sup>th</sup> Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

<sup>33</sup> See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87<sup>th</sup> Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.