REPORT ABOUT THE SEXUAL ASSAULT AND EXPLOTATION OF CHILDREN IN SYRIA
Save the children fights for children’s rights
We deliver immediate and lasting improvements
for children’s lives world wide
Contents

1. **Summary of the paper**
   1.1 Case Analysis
   1.2 Description of sexual assaults-children’s voices
   1.3 Good practice, challenges, proposals and strategies
   1.4 Necessary proposals, strategies and prohibition needed to protect children from assault and sexual exploitation

2. **Report about the sexual assault and exploitation of children in Syria**
   2.1 Analysis of the sexual assault and exploitation of children
   2.1.1 Repetition of the sexual assault on children
   2.1.2 Various forms of assault and exploitation according to sex and age
   2.1.3 Legal framework:
      - Legal adult age
      - Marriage age
   2.1.3.1 Justice, responsibility and legal protection of children from sexual assault and exploitation
      - Syrian Penal law
      - Law of fighting prostitution
      - Law of fighting drugs
      - Law of delinquent juveniles
      - Labour Laws
      - Law of foundlings’ protection
   2.1.4 Social acceptance of the sexual assault and exploitation of children.

3. **Description of sexual assault and exploitation through the children’s stories**
   3.1 Listening to the assaulted children

4 **Use of experiences and expertise adopted in certain countries**
   4.1 Good practice
   4.2 Challenges and obstacles that face prohibition

5 **Proposals and strategies**
   5.1 Legal
   5.2 Juridical
   5.3 Concerning studies and statistics
   5.4 Concerning awareness raising

6 **Workshops with children**
   6.1 Why do assaulted boys and girls end up in reform institutes for juveniles?

7 **Sources**
I. Summary of the paper

1.1 Case analysis
The analyses of sexual assaults on children face many difficulties, especially because it is a private and familial matter that is not expressed openly. Moreover, there are no numbers and national indexes concerning this subject, and the government does not give it sufficient attention, which makes it difficult to define the volume of the phenomenon, the forms of assaults, their causes, their places and their wrongdoers. But there are certain indices through specific research and lawsuits that arrive at the courts and in the juvenile institutes, in addition to some of what is published in the local newspapers.
Children, whether boys or girls, are subject to various kinds of assaults and sexual exploitation, especially between the ages of 8 and 15 years old, these usually occur inside the family, in work places in the streets, and sometimes in schools.
There are no specific laws related to the protection of children’s rights, their protection is mentioned in several laws, however. The Syrian Penal law has stipulated the punishment of wrongdoers of sexual assaults, from solicitation to violation, and intensified the sanctions when assaults are on minors. The Law protecting children from kidnapping and illegal transport hold the parents responsible for ignoring and abandoning children. The law of fighting prostitution prohibits children’s trafficking and their exploitation through the sex trade.
Concerning the social understanding of sexual assaults on children, there is no social acceptance of the subject and it is considered as being prohibited and as a social shame.

1.2 Description of sexual assaults through children’s voices
Listening to children who are sexually assaulted is not well thought of in Syria, where the subject is relatively new in the strategies of children laws, and is considered as one of the socially prohibited subjects and secrets that are not revealed neither by children nor adults.
Moreover, the absence of dialogue in the educational system and in the family, school and society plays an essential role in neglecting children’s voices. However, last year, attention began via several conferences and seminars with civil organizations and researchers, in which many meetings were arranged with the assaulted children to hear their opinions.

1.3 Good practices, challenges, proposals and strategies
We can not point out to any good practices in this field.

• Challenges and obstacles
  - The social inheritance and traditions concerning social opinion regarding the sexual assault on children.
  - The absence of sexual education in the family and society and school programs.
  - The consideration of sexual assault as a familial and private matter, not a public one, which is kept in secrecy.
  - The lack of research and statistics which define the volume of the phenomenon, its causes and kinds.
  - The lack of laws that give full protection, and in case of its presence, the abuse of its application.
  - The presence of some law articles that makes assaults easy, such as: the marriage age in the law of personal status (article 18), the non-application of sanction on the rapist
when he marries the girl whom he raped (article 508 of penal law and article 548 of the same law which exempts the criminal from sanction in case of witnessed adultery if he kills a girl or a woman in the family).

- The lack of qualification of policemen, judges, doctors and workers in social care as is necessary to deal with the victims of child sexual assault.
- The absence of programs; of psychological, social, educational and training programs for assaulted children and their rehabilitation in society.
- The absence of good supervision for child employment.
- The great lack in the number of civic organizations working to fight sexual assaults on children, this is because of the difficulty that faces these organizations in getting a license due to the law of organizations in Syria that hinders their establishment.
- The lack of financial and human resources.

1.4 Necessary proposals and strategies to protect children from assault and sexual exploitation and prohibit them:

1.4.1 Legally:
- Amendment of Syrian penal law:
  - Elevate the legal age for which sanctions against sexual assault on minors are severe. Thus, instead of being sometimes till the age of 12 years old and other times at between 15 or 16 years old, the legal age for childhood should be consistent with the Constitution and the Civic law and the child’s law convention, which stipulates the age of minors as being from birth till 18 years old.
  - Create a special legal text that punishes sexual violence and protects children from assaults.
  - Cancel article 185 that allows physical punishment of children by their parents and their teachers.
  - Cancel article 508 that prohibits the punishment of criminals, who rape carry out any other sexual assault on girls, if they marry their victim.

- Amendment of the personal status law concerning raising the marriage age, and amendment of article 18 stipulating the permission of marriage for boys aged 15 years old and girls aged 13 years old.

- Labour Laws:
  - Advocate against child labour and create quick, simple and effective guidelines for claims against assaults on children in the workplace. Ensure proper monitoring of laws, to safeguard against digression.

1.4.2 Juridically:
- Create a system of judicial authorities for juveniles, and get the help of experienced social and psychological experts and lawyers to help judges in solving juvenile cases as soon as possible.
- Prohibit the use of adult detention centres for juveniles before their sentencing. Create a space for the arrest of juveniles only.
- Establish a special police force for juveniles and ensure that they guarantee rehabilitation free from torture and sexual assault.
- Establish centres, institutions and organizations that safeguard assaulted children who have no place to go. Establish centres for the follow-up care of these juveniles to ensure their proper rehabilitation in society and thus prevent a cycle of further institutionalisation for them. These centres should be under the supervision and care of specialized and trained psychologists.

1.4.3 Concerning research and statistics:
- Establish field research about sexual assault and children’s exploitation to determine the kinds of assaults, their causes and effects and to create appropriate solutions.
- Get real statistical reports from courts, police detention centres, psychological clinics, organizations, hospitals, workplaces, schools and all other related places, and publish these statistics to make them available to concerned persons, researchers, social workers and decision-makers to find preventive and therapeutic solutions.

1.4.4 Concerning awareness:
- Begin a national campaign in the media, especially television, to alert society about the dangers and disadvantages of sexual assault on children, and its devastating effect on the child’s psychology and their future, and turn the issue of sexual assault from a private one to a societal and national one that concerns everybody.
- Include this subject in the faculty of medicine curricula, to enable doctors to properly diagnose such cases and deal with them.
- Train children in schools about their rights, how to express freely their opinions, and teach communication skills. Include sexual education in the school curricula.

1.4.5 Workshops with children:
The institute of juveniles’ reform, where sexually assaulted children are placed in Syria are similar to closed prisons and cannot be visited without prior permission. Thus no workshops can take place without prior permission from the Ministry of Work and Social Affairs. However, some organizations and civic volunteers did a number of limited activities, workshops with the assaulted children.
2. Report about the sexual assault and exploitation of children in Syria

Introduction:
The subject of sexual assault and exploitation of children in Syria is considered a complex subject since there are no official data and statistics available that determine the volume of the phenomenon, the kinds and forms of assaults, their places and their wrongdoers. Moreover, there is a lack of related studies and it is considered socially as a private and familial matter which is not revealed. In addition, the government has not shown any interest in it, and thus we cannot determine the kinds and forms and causes of assault to put preventive strategies in order to prevent it or solve it after it occurs. Lately, however, some social and medical studies have shown interest by holding seminars and conferences on the subject. The most recent one was the regional seminar about children's offence that was held in Damascus in January 2004. Also, the Syrian group for family affairs created a national committee to fight violence against children, and the committee began its work by putting a national strategy for the subject.

2.1 Analysis of sexual assault and exploitation of children

2.1.1 Repetition of sexual assault on children
Since the rate of sexual assaults and exploitation of children is not known, and there are no studies that show the volume of the problem and its extent, we can’t specify exactly its causes and its locale. But with the help of some social studies and cases that arrive in the courts and that are related in newspapers (please see paragraph 2 concerning the forms of assaults), we can determine the places and some of the causes of children’s assaults. In fact, many kinds of assaults are found repeatedly in the family, workplaces, streets and care centres, while they occur scarcely in schools. We can say that the causes stem from the complex social, economic, cultural, informational and educational background. Among the causes we mentioned:

The family: The weakness of the family role in reality, contrary to what’s apparent, and the absence of dialogue among its members, the dominant repression culture, the suppression of feelings, and the absence of sexual culture, the general view that is a forbidden subject, a taboo. In addition, the emotional neglect and the lack of basic education factors, the lack of knowledge vis a vis the health and the emotional development of the child, and the use of severe methods in education such as beatings.

There is also the pressure of poverty, unemployment, poor economic status, absence of health and living conditions in houses. Especially relevant in view of the great number of family members in each family and the common living area of one room or very tight confines where individuals have no privacy. All these are factors that contribute to problems in the family which affects the exposure of children to sexual assaults (male and female) in the family, known as incest. The assaulters are usually the men in the family, i.e. the father, the brother, the uncle, the grandfather, the cousins or the step-father.

• Pastimes are spent in the streets with ‘undesirable’ friends, since there are no places for playing and entertainment for children lies in the streets, especially the poor ones, it is also the streets that affect the children and make them vulnerable to assaults.
- The lack of efficient laws concerning sexual assaults on children, their ambiguity, contradiction, and the blurring of sexual offence as a domain for the family, and a method of social, cultural and religious relations.
- The sometimes negative handling of the security, juridical and governmental operatives of the situation, which is impaired by family rights, the children’s education, privacy norms, and the absence of a right to interfere in private affairs.
- The secrecy of assaults to keep scandal away from family.
- The media and its programs bring to light the sexual instincts in a society that suffer from sexual suppression and the absence of sexual freedom and sexual education in family and school and educational programs.
- The weakness of children, their inability to defend themselves, their fear of adults and their inability to resist make them vulnerable to exploitation from adults who are unable to engage in normal sexual relations because of the absence of sexual freedom and sexual suppression so that they see children as the solution.
- Child labour is one of the most important causes that make children vulnerable to sexual assaults and exploitation in places that are considered real centres such as industrial workshops, factories, mechanical garages, car washing places, roaming and selling in the streets and working at butchers.
- Early marriage for girls.

2.1.2 Various forms of assault and exploitation according to sex and age:
The causes, kinds and the amount of sexual assault and exploitation of children in Syria is still unclear since it is still considered as family privacy, that cannot be revealed to others. Sexual assaults are a hidden problem covered by secrecy and silent conspiracy. Thus, it is difficult to determine its kinds and frequency concerning the sex or age of the assaulted person, especially if it happens inside the family and there is a family member involved as intermediary between the assaulter and the victim. Moreover, the children are still considered as possessions of parents to do whatever they want with them, and society has no right to interfere in familial matters.
Moreover, all subjects of sexual matters are considered prohibited, and are not known to people or police or courts. But we see clear indices of this phenomenon in psychological clinics, specialized committees, hospitals, juvenile institutes, court registers and some in field studies in addition to local newspapers that sometimes publish incidents of sexual assaults on children.
Beatings are one of the most frequent forms of violence practiced against children in Syrian houses. A survey done by Dr. Moutah Barakat- Damascus University (paper presented to the first national conference of childhood in Syria in 8 & 9/2/2004, under the title “Protecting children from violence and neglecting and harm and bad treatment) revealed that 79% of children say they are beaten lightly or harshly by their parents, and that 16% of them are harshly beaten many times a week, whereas 46% of them are moderately beaten many times a month and 38% of them are lightly beaten. Also, 47% of them reported that they were mocked by their family.
In addition, Syrian penal law allows punishment by beating by parents and teachers to children as shown in article 185 of the general custom.
Beatings done by parents and teachers are considered as a means of education contrary to what is known worldwide in new methods of education. Article 185 should be cancelled from the penal law since it allows beating without placing a explanation on what is meant by
“the general custom”. In fact, the word is non-specific and its understanding may vary from one group to another. This often leads to an increase in violence inside the family, which transfers to society and builds tense family relations that often cause children to escape and become delinquent as was demonstrated to us in our work with juveniles in institutes.

Among the sexual assaults on children, (although there are no general studies and statistics, but mainly with the help of studies and cases which I followed up in the girls’ and boys’ institute in Damascus), I can specify the most important kinds of assaults on males and females between the ages of 8 and 15 years old:

(general sexual solicitation, inside the family for males and females- rape- incest- homosexuality- deflowering with a marriage promise- vagabondage- beggary- economic exploitation by working in prostitution- economic exploitation by leaving school and obliging children to work to sustain the family- early marriage for girls- honour killings in a few cases).

I will try to present here some statistics and real cases to demonstrate the kind of violence against children:

- Research done by Dr. Iman Izz- University of Damascus, entitled “Sexual exploitation of children: Secret and silent torture” - presented during the national conference for childhood in Syria on 8-9/02/2003 Aleppo in which there are 3 statistical indices in 3 police stations and at the centre of legal medicine in Damascus during the last 5 months:

  • Police stations:

  - Among 507 assaults registered in the station, there were 120 assaults on children, including 62 physical assaults and 59 sexual assaults, i.e. 48%.
  - Concerning the relationship with the assaulted child:
    49% known assailters and 37% unknown assailters and 13% family members.
  - Percentage according to the sex of the victim: 66% males and 43% females
  - Percentage according to the age of the victim: less than 6 years in 24% of cases from 7 to 12 years: 48%
    from 13 to 18 years: 27%
  - Percentage according to the age of the assailter: less than 18 years in 19% of cases, from 19 to 35% in 54% of cases, from 36 and up in 27% of cases.

  • Reports from medical cases:

  657 assaults on children among 2746 cases, i.e. 24% including 76 sexual assaults, i.e. 12%.

  • The Khaled bin El Walid institute for male juveniles in Damascus during 2003:

  781 adulteries and 47 homosexual cases.

- Study done by Dr. Mohamed Daw about the sexual assaults in Aleppo during 2002 from the cases that arrived to the centre of legal medicine published on the Internet in the site: www.nesay.com.
The visitors to the medical centre numbered 11665, among them 1945 cases of violence against children, i.e. 23.3% of all violence cases, whereas the percentage of sexual violence in these cases was 12.8%.
The percentage was distributed between the 2 sexes as follows: 71.8% for males and 28.2% for females.
The percentage according to age groups was as follows:
From 4 to 8 years: 8.8%
From 8 to 15 years: 60.3%
From 15 to 18 years: 30.9%
According to this study, sexual assaults are done on males and females, although the percentage on males is higher. But the social and family factors play a great role in hiding the crime and not revealing it to keep scandal away. The study also shows that that the ages between 8 and 15 years are the most vulnerable to sexual assault.

- Study done by Dr. Iman Izz in the institutions of delinquent juveniles in the institutes of males and females in Damascus during 2004. The study included 109 males and 29 females and was entitled: Violence against children: a field study in the institutions of delinquent juveniles. It was presented to the regional seminar about offence against children- Damascus 2004. It shows that: 79% of them were not assaulted sexually while 21% were assaulted. The sexual assault was done by relatives-17%, and 14% by acquaintances and 69% by strangers.
- Study done by Mr. Anas Habib from the Family Planning Organization on 20 girls who reside in the Social Education Institute for Girls in Damascus, aged between 9 and 18 years, and presented in the seminar of Fighting Violence against women, Damascus, 25/11/2004:

- Social Status:
  40% single, 50% married, 10% divorced, which means that 60% of the girls were married in spite of their young age which indicates that leaving education and early marriage are behind the girls delinquency. As to the number of family members, 25% of the girls said that the number of family members range between 6 and 13. These numbers indicate that most of the delinquent children are from big families, and thus suffer from lack of attention and education and good health conditions, amongst others.
- Why the girls entered the institute:
  35% of minor girls entered the institute because of prostitution, 25% because of rape, 15% because of vagabondage, 10% because of stealing, 5% because of killing, 5% because of drugs, 5% because of false pretension.
The researcher indicates that 6 girls entered more than once the institute. In fact, the girl who enters the first time because of rape or vagabondage usually enters the second time because of prostitution.
- Who is responsible for the girls’ delinquency?
  55% placed the responsibility on the father, 40% on the mother, 25% on the step-mother, 20% on themselves, 15% on the husband, 5% on brothers and 5% on step-fathers. It is clear that the assault takes place inside the family who is the responsible of children’s delinquency.
- What is the concept of the social education institute for the girls:
  100% confirmed that it is a real prison, 100% confirmed the poor health services in the institute, 100% confirmed the absence of any entertainment and sports activities in the institute, and 75% confirmed they are unjustly treated in the institute.
- What are the things that the girls want in the institute:
60% wanted courses for erasing illiteracy for uneducated girls, 95% wanted rehabilitating activities in the institute to learn a profession, 100% wanted health services and 100% wanted entertaining and sport activities in the institute.

- What is the girl’s educational level?
60% illiterate, 40% left school after primary school.

**Cases published in local newspapers:**

- Zeina, 8 years old, who was hospitalized after her death. The doctors subsequently discovered that she was raped violently by teenagers who kidnapped her from a wedding she attended with her parents. When they raped her, she bled a lot and they killed her (Al-Thawra newspaper No 11087 date 2/2/2000).
- Rosette who lived with her father and grandmother and had not seen her divorced mother was treated badly by her father. Thus, she escaped with a man who took her to his sister’s house. The sister’s husband molested her and married her. He asked her to work in prostitution. She returned to her father’s house who then obliged her to divorce and marry again for 100,000 Syrian liras to work in prostitution. She escaped and surrendered to policemen who put her in the juvenile institute (Al-Thawra newspaper, No 11090 date 5/2/2000).
- Ziad induced a 9 years old girl to a building under construction near her parents’ house and raped her. When she began to cry, he shut her mouth and escaped. The girl’s father confirmed that she returned home while bleeding. He took her to the hospital where they sewed the wound and stopped the bleeding (Al-Baas newspaper No 11084 date 16/12/1999).
- Anas, 17 years old, died of his wounds resulting from a man who raped him. The assailter had knocked him on the head and raped him. (Al-Baas newspaper No 11261 date 27/7/2000).
- Imad confessed to the criminal security in Damascus that he kidnapped some children and assaulted them sexually. His list of assaults include; inducing and kidnapping Yasmine, 6 years old, Abdel Hafiz, 12 years, Alaa’, 11 years, and Omar, 8 years. The criminal confessed that he induced the children and kidnapped them, then raped them (Al-Baas newspaper No 11214 date 27/7/2000).

- As for exploitation, this mostly appears in children’s work done in rural and poor areas and in random living areas around big cities, where children are exploited and are subject, because of work, to all kinds of psychological and physical and sexual violence.

In the survey of internal immigration done in year 2000, and which included 20000 families, data was collected about the work force among individuals aged 10 years old or more, and was distributed in 3 age groups:

- From 10 to 11 years old: 26000 children among them 3.1% work
- From 12 to 14 years old: 172000 children among them 12.8% work
- From 15 to 17 years old: 423000 children among them 32.9% work.

The survey shows that the children’s work is more prevalent in the 15-17 year age group, since they constitute more than 2/3 of the workforce in children (68.2%).

Children’s participation in the economy ranges between 10% in girls and 25% in boys, and the girls constituted 27.5% of all working children. Girls work mainly in rural areas, while boys work in cities.
The poverty, poor living and educational level of parents, increase in the number of children in the family, escape from school, family traditions, and the absence of hard censorship on law execution are the main cause of working children, which affect children negatively. In fact, they are exposed to all forms of moral and physical and sexual violence in work places where health and vocational safety are absent which affect the child’s health and development. Indeed, the children’s knowledge capabilities decrease and they suffer loss of self-esteem and group belonging.

All this is done outside the law frame. The above-mentioned figures do not reflect exactly the volume of the problem since child labour is widespread especially in occasional and marginal works and in non-official and agricultural sectors and in families, and it is not registered in official contracts and does not abide by any social guarantees. It is rewarded by simple wages or no wage at all (with parents). Thus, laws must be amended more effectively and expressions and definitions concerning children must be unified. Children are sometimes defined as adults at 18 years old; this is true in the Constitution and the Civil law. However, other laws give other ages of majority such as the law for penal responsibility and the laws that decree legal age of labour, education and marriage age.

Children’s work must also be monitored in the unofficial sector. Studies, research, and a database should be compiled. Education laws should be applied strictly, and alternatives should be found to improve the work conditions of children and offer help to families unable to protect their children. The phenomenon of dropping out of school should be abolished by changing educational methods, amending programs, and creating laws that act as a deterrent, this will oblige parents to send their children to schools if their is monitoring of the application of these laws.

2.1.3 Legal framework

- Adult Age:
The Syrian Constitution determines the legal age of an adult at age 18 years old and so to the Civil law. As to the law of delinquent juveniles, it specifies the age at 10 years old as assuming the penal responsibility and, 15 years old as the age constituting a minor in the penalty law concerning the intensification of sanction in case of sexual assault. Thus, there is wide diversity concerning the legal adult age and laws that concern the legal capacity which is 18 years and other laws between 15 or 16 years in the labour laws.

- Marriage age:
The personal status law specifies the marriage age as 18 years old for boys and 17 years old for girls in article 16. But it allows judges to permit marriage for girls at age 13 and for boys at 15 years old, after getting the approval of the girl’s custodian according to article 18 of the same law. Although the marriage age had risen in general in Syria due to the increased percentage of educated girls, and the economic and social conditions, early marriage is still found in rural areas, poor environments and popular streets, especially since the law permits it.
2.1.3.1 Justice, responsibility and legal protection of children from sexual assault and exploitation:

There is no special law for protecting children from offences, violence, sexual assault or sexual exploitation in Syria. Children’s protection is distributed amongst many laws in an unclear manner. Alternatively, the Syrian legislator does protect children from harm and other kinds of harsh, non-human or insulting treatment, including sexual or economic exploitation, in many ways and forms and in multiple laws, amongst them:

- **Syrian Penal law of 1949:**

  **A. Child protection from sexual assaults:**
  Although the Syrian Constitution and the Civil law considers the legal age of capacity at age 18 years old, the penalty law considers the age to be 15 years in many issues related to sexual assault on children and as the age to be able to fully understand their legal problem. The sanctions are intensified if assault occurs on children who are under this age. However, we notice that the childhood age according to the international criteria for child’ rights is 18 years and not 15 years. On the other hand, we see that the Syrian Penalty law protects children from sexual assaults and violence and increased sanctions on those who seduce minors or commit adultery. This protection was mentioned in many articles of the Part 9 related to indecent crimes. (Articles 489, 491, 492, 493, 495, 496, 497, 502, 504, 505 & 506).

  **Article 489:**
  1. One who obliges other than his wife/spouse by violence or threat to engage in sex will be punished by hard labour for a minimum of 15 years. The sanction will be at least 21 years if the victim is not yet 15 years old.

  **Article 491:**
  1. One who copulates with a minor who is not yet 15 years old will be sanctioned with hard labour for 9 years.
  2. The sanction will not be less than 15 years if the child is not yet 12 years old.

  **Article 492:**
  1. The rape of a minor who is older than 15 years old and is related to the perpetrator, whether legitimate or illegitimate, or is one of his in-laws, or anyone who has legitimate claims or actual authority on the minor, or one of the servants of these people, will be sanctioned by hard labour for 9 years.
  2. The same sanction will be applied if the criminal is an employee, or religious man, or director of a recruitment office or is an employee in it and committed the crime abusing the authority or facilations he acquires from his job.

  **Article 493:**
  1. One who obliges somebody through violence or threat to endure or make indecent acts will be sanctioned by hard labour for 12 years at least.
  2. The sanction will be at least 18 years if the victim is not yet 15 years.
Article 494:
One will be sanctioned by hard labour of up to 15 years for using tricks or abuse to gain access to somebody’s body or soul to do with him an indecent thing or oblige him to do so.

Article 495:
1. One who carries out indecent acts with a minor under the age of 15 years, or obliges him to do so will be sanctioned by hard labour for 9 years.
2. The sanction will be at least 12 years if the minor is under 12 years old.

Article 496:
Every person mentioned in article 492 does an indecent thing with a minor between 15 and 18 years old or obliges him to do so will be sanctioned by hard labour up to 15 years.

Article 197:
The sanctions mentioned in articles 489 till 491 and 193 till 495 will be intensified according to the article 247 if the criminal is one of the persons mentioned in article 492.

Article 504:
1. One who seduces a girl with a marriage promise and deflowers her will be sanctioned up to 5 years and will pay a penalty of up to 300 Syrian liras, or either one of them, if the crime does not necessitate a more severe sanction.

Article 505:
One who touches or teases a minor indecently and who is not yet 15 years old, whether male or female, or a girl or woman above 15 years old, without his consent will be sanctioned by prison of up to one year and a half.

Article 506:
The one who proposes to a minor under 15 years old, or a girl or woman above 15 years old, any indecent thing or talks to him/her indecently will be sanctioned by three days of prison or a penalty of up to 75 Syrian liras or both.

These severe sanctions aim at protecting the child and being a general deterrent for the one who thinks of assaulting the child. The sanction will be intensified if the assailters are from his custodians or holders of moral or legal authority on him. These articles include all kinds of sexual exploitation of children, starting from molestation or proposing an indecent act or speaking indecently to touching and teasing and revealing chastity points and acting indecently and raping and violating. The sanctions are intensified according to the severity of act and its effects, and may reach 21 years of hard labour if they are done on a girl who’s not yet 12 years. The law also punishes incest since this crime causes psychological and social effects on the victim. In fact, article 476 stipulates the following:
1. Incest between ancestors and descendants, whether legitimate or illegitimate, or amongst brothers and sisters from both parents or from one of them, or those who are in the in-law status will be sanctioned by one to 3 years in prison.
2. If one of the criminals has on the other, legal or actual authority, the sanction will be at least 2 years.
3. The criminal will be deprived from guardianship.

B. Protecting children from all kinds of kidnapping and illegal transport
This is stipulated in articles 478, 479, 481, 484 & 500, which sanctions the kidnapping of children and their expulsion. The sanction is intensified on criminals if it happens with a minor under 12 years and the kidnapping or expulsion was done by trick or force. The sanction may be up to 15 years with hard labour.

C. Responsibility for neglect:
The law considers that neglect is a crime punished by law. It sanctions parents for ignoring family responsibility and not meeting the basic needs of child such as food and home and sustenance. The sanction may reach death sentence in case of the death of a child left who is abandoned, according to articles 484, 485, 486, 487).

Article 484:
1. The one who leaves a child under 7 years or any person not capable of protecting himself because of a physical or psychological problem will be sanctioned by prison from 3 months to one year.
2. If the child or the disabled is left in a deserted place, the sanction will be from one to 3 years.

Article 486: If the criminal is related to the child, the disabled person or the persons in charge of his guard or control or treatment or education, the sanction will be intensified.

Article 487: The mother and father who leave their legitimate or illegitimate child who is in need, or an adopted child, whether they refused to sustain him as necessary or did not bring the means that allow them to do so will be sanctioned by prison with work up to 3 months and a penalty of up to 100 Syrian liras. The parents should be sanctioned also in the case of children’s vagabondage and begging as stipulated in articles 603 & 604:

Article 603:
The father or parent in charge of the minor’s (who is not yet 15), sustenance and education, will be sanctioned by prison from one month to 6 months and a penalty of 100 Syrian liras, if the child is left homeless.

Article 604:
One who forces a minor under age 18 years to beg for a personal benefit will be sanctioned by prison from 6 months to 2 years and a penalty of 100 Syrian liras. The law punishes begging by prison with work from one to six months in an employment house that was created to fight this phenomenon in Kiswa region in Rif Damascus, where beggars are caught by committees for fighting begging. Beggars will be placed in this house where they are rehabilitated vocationally on some handcrafts. Around 150 children benefit from the services of the employment house. There are also 2 institutes for homeless boys that present care and vocational education.

A table that shows the average number of children benefiting from the employment house in Kiswa:
<table>
<thead>
<tr>
<th>Year</th>
<th>Number of beneficiary children</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>23 children</td>
</tr>
<tr>
<td>2000</td>
<td>28 children</td>
</tr>
<tr>
<td>2001</td>
<td>41 children</td>
</tr>
<tr>
<td>2002</td>
<td>32 children</td>
</tr>
</tbody>
</table>

Source: Ministry of Work and Social Affairs

- **Law of fighting prostitution of 1961:**
The Syrian legislator protects children that are involved in the sex trade and sexual exploitation in this law fighting prostitution. It punishes everyone who incites somebody, whether male or female, in debauchery or prostitution, or helps him in doing so or facilitates it for him, it also punishes the one who uses or persuades or seduces the minor to acts of debauchery or prostitution, or keeps him in a place of debauchery or prostitution. If the assaulted is up to age 16 years, then the sanction will be up to 7 years.
The law also protects children who are induced in any way out of the country to work in debauchery and prostitution. The legislator intensifies the sanction if the victim in the crimes of sexual exploitation and sex trade is less than 16 years old. In fact, the sanction will be from 3 to 7 years (article 1, 3, 4).

- **Law of drugs No 2 of 1993**
The Syrian legislator protects children from facing any exposure brought to them by drugs. The law allows the highest levels of protection in the fight against children’s exposure to such harm by providing the death sentence to anyone who uses a minor for smuggling, producing or cultivating drugs and their plants and to everyone who uses him in their trade, whether by selling, delivering, buying or acting as intermediaries. Articles 39-40.
The law punishes criminals severely, those who give drugs to minors or pushes them to use them by any means of compulsion, cheating, arousing interest or seducing, and this is by life imprisonment and a penalty ranging from 500,000 Syrian liras to 2 million Syrian liras (article 42).
The legislator expanded the sanction circle to educational institutions or camps or any other groupings of young and minors if drugs circulation happens in it. The sanction also applies to the circulation of drugs near these institutions or camps (article 42).
The next table shows the number of children who were arrested by the department of drug enforcement in 2002.

Table No 2

<table>
<thead>
<tr>
<th>Kind of Crime</th>
<th>Number of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of heroine</td>
<td>3</td>
</tr>
<tr>
<td>Circulation of heroine</td>
<td>1</td>
</tr>
<tr>
<td>Transport of heroine</td>
<td>1</td>
</tr>
<tr>
<td>Use of Hashish</td>
<td>2</td>
</tr>
<tr>
<td>Use of drugs</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>

Source: Ministry of Interior
• Law of delinquent juveniles No 18 of 1974:

Attention is given to juveniles’ cases by creating a special law, which is the law of delinquent juveniles. This law applies basics to penal treatment of delinquent juveniles in order to reform them and correct their conduct and reintegrate them in society by rehabilitating and educating them. They should be judged in a special court named the juveniles’ court. It is a collective court consisting of a judge and 2 experts in social issues (social and psychological experts) from the ministry of social affairs and the ministry of education. There are courts specialized in the juveniles’ cases in all Syrian regions.

The juvenile is defined in the first article:

1. A juvenile is every male or female who’s not yet 18 years old.

The law divided the penal responsibility of minors according to age groups and the kind of crime committed to them:

**Group one:** exempted totally from responsibility whatever the crime. In fact, the juvenile cannot be prosecuted if he is not yet 10 years old according to the new amendment of article 2 of the juvenile law, which stipulates:

The juvenile cannot be prosecuted if he is less than 7 years old when the crime is committed. This article was amended and the age was raised to 10 years old instead of seven according to the legislative decree No 52 of 2003.

**Group two:** The juveniles whose ages range between 10 and 15 years are not sanctioned whatever are the crimes committed to them. The legislator created methods of reforming juveniles between 10 and 15 years (according to the new amendment of raising age from 7 to 10 as stipulated in the article 3) instead of the sanction so that the judge chooses what is suitable out of these methods:

1. Give the juvenile to his parents or one of them or his legal custodian.
2. Give him to one of his family members
3. Give him to a licensed institution or organization for educating juveniles.
4. Place him in a control centre.
5. Place him in a juvenile institute
6. Place him in temporary quarters
7. Prohibit residing
8. Prohibit visiting corrupted places
9. Prohibit him performing certain jobs
10. Caring

**Group three:** The juveniles who are older than 15 years old but are not yet 18 years old and have committed penal crimes are sanctioned with attenuated sanctions and they are put in juvenile institutes not in adult prisons.

The law stipulates in many articles the importance of respecting the psychological and social state of the juvenile and his family status when choosing the reform method for him. It also obliges the person who receives the juvenile to promise to follow the court’s directions and the conduct controller. The law also stipulates the importance of putting the juvenile in a special institution that is able to take care of him if there is nobody else to do so.

As to the prosecution and investigation and judgment of juveniles, they should be different from those adopted with adults, and done secretly in the presence of a psychological social expert. The juveniles should not be put in prisons but in special arresting places. The judgments are not registered in the judicial record, and the juvenile cannot be sanctioned by death sentence or life imprisonment. He will be punished instead by attenuated sanctions in
cases of serious crimes and where the juvenile is older than 15 years old but is not yet 18 years old. The sanction cannot be more than 12 years. The parents should be punished if it appears that the juvenile’s delinquency results from the neglect of his custodian. Article 14: The court obliges the juvenile’s custodian to pay a fiscal penalty if it appears that the juvenile’s delinquency results from his neglect.

Article 6 stipulates the following: A fiscal penalty will be imposed on the juvenile’s custodian or the person in charge of him according to the rules of this law if he ignores his legal responsibilities.

Table showing the decisions issued in the cases of delinquent juveniles in Syria.

Table No 3

<table>
<thead>
<tr>
<th>Year</th>
<th>Delivered to his custodian</th>
<th>Put in institute</th>
<th>Fiscal penalty</th>
<th>Simple prison</th>
<th>Prison with work</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>4096</td>
<td>504</td>
<td>13052</td>
<td>729</td>
<td>13</td>
<td>18394</td>
</tr>
<tr>
<td>2000</td>
<td>5960</td>
<td>641</td>
<td>15759</td>
<td>713</td>
<td>13</td>
<td>23124</td>
</tr>
<tr>
<td>2001</td>
<td>77340</td>
<td>442</td>
<td>14499</td>
<td>594</td>
<td>40</td>
<td>23309</td>
</tr>
</tbody>
</table>

Source: Ministry of Labour

According to the law of delinquent juveniles, new institutes and reforming centres and control centres for juveniles were established in Syria, knowing that there are no institutes for follow-up care. Here, we distinguish between the 2 kinds:

1. Reforming institutes for delinquent juveniles
   These are private institutions dedicated for delinquent juveniles who are older than 15 years old but are not yet 18 years old, and they are sentenced by the juvenile courts. There are 5 institutes, four of them in Damascus and one in Aleppo. There are also 2 institutes for beggars and vagabonding juveniles in Damascus and Aleppo.

2. Control Centres for delinquent juveniles:
   These are centres dedicated to delinquent juveniles whose ages range from 10 and 15 years old when the judge decides to arrest them. Social research is done about their conditions and status and the reasons of their delinquency, with a proposal of adequate solutions for the juveniles’ court to issue the juridical decision.

The control centres of delinquent juveniles are 18 distributed in the Syrian regions, among them 9 centres pertaining to charity organizations distributed in Homs, Aleppo, Edleb, Dar’a, Alrakka, Alhasaka, Deir Elzor, Hamah, El-Souawda’.

Number of juveniles put in the reforming institutes of juveniles and the control centres distributed according to region and crimes committed 2000.
<table>
<thead>
<tr>
<th>Crime Region</th>
<th>Steal, pick pocketing</th>
<th>Forgery trickery</th>
<th>Vagabondage Beggary</th>
<th>Quarrel Arms carrying</th>
<th>Drunkenness gambling</th>
<th>Rape</th>
<th>debauchery</th>
<th>prostitution</th>
<th>Killing</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damascus</td>
<td>75</td>
<td>-</td>
<td>259</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>207</td>
<td>-</td>
<td>12</td>
<td>553</td>
</tr>
<tr>
<td>Rif Damascus</td>
<td>2298</td>
<td>18</td>
<td>186</td>
<td>620</td>
<td>50</td>
<td>295</td>
<td>432</td>
<td>100</td>
<td>81</td>
<td>172</td>
<td>4252</td>
</tr>
<tr>
<td>Homs</td>
<td>304</td>
<td>-</td>
<td>195</td>
<td>232</td>
<td>2</td>
<td>540</td>
<td>34</td>
<td>3</td>
<td>52</td>
<td>208</td>
<td>1570</td>
</tr>
<tr>
<td>Hamah</td>
<td>37</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>6</td>
<td>-</td>
<td>1</td>
<td>14</td>
<td>61</td>
</tr>
<tr>
<td>Aleppo</td>
<td>306</td>
<td>-</td>
<td>162</td>
<td>90</td>
<td>-</td>
<td>137</td>
<td>8</td>
<td>10</td>
<td>36</td>
<td>5</td>
<td>754</td>
</tr>
<tr>
<td>Edleb</td>
<td>219</td>
<td>-</td>
<td>3</td>
<td>134</td>
<td>-</td>
<td>10</td>
<td>13</td>
<td>1</td>
<td>14</td>
<td>235</td>
<td>658</td>
</tr>
<tr>
<td>Lazkiye</td>
<td>103</td>
<td>33</td>
<td>26</td>
<td>39</td>
<td>-</td>
<td>46</td>
<td>35</td>
<td>4</td>
<td>-</td>
<td>34</td>
<td>328</td>
</tr>
<tr>
<td>Dar'a</td>
<td>93</td>
<td>-</td>
<td>44</td>
<td>-</td>
<td>-</td>
<td>13</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>14</td>
<td>164</td>
</tr>
<tr>
<td>Al-Souwayda'</td>
<td>43</td>
<td>-</td>
<td>5</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>68</td>
<td>117</td>
</tr>
<tr>
<td>Alrakka</td>
<td>161</td>
<td>3</td>
<td>2</td>
<td>28</td>
<td>2</td>
<td>27</td>
<td>27</td>
<td>-</td>
<td>29</td>
<td>187</td>
<td>466</td>
</tr>
<tr>
<td>Deir Elzor</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Opening centre in 17/10/2001</td>
</tr>
<tr>
<td>Alhasaka</td>
<td>84</td>
<td>24</td>
<td>-</td>
<td>127</td>
<td>13</td>
<td>16</td>
<td>-</td>
<td>7</td>
<td>27</td>
<td>-</td>
<td>466</td>
</tr>
<tr>
<td>Total</td>
<td>3723</td>
<td>78</td>
<td>833</td>
<td>1339</td>
<td>61</td>
<td>1068</td>
<td>604</td>
<td>325</td>
<td>234</td>
<td>962</td>
<td>9227</td>
</tr>
</tbody>
</table>

Table No 4 (Source: Ministry of Labour and Social Affairs).

Number of juveniles put in the reforming institutes of juveniles and the control centres according to region and crimes committed 2001.

<table>
<thead>
<tr>
<th>Crime Region</th>
<th>Steal, pick pocketing</th>
<th>Forgery trickery</th>
<th>Vagabondage Beggary</th>
<th>Quarrel Arms carrying</th>
<th>Drunkenness gambling</th>
<th>Rape</th>
<th>debauchery</th>
<th>prostitution</th>
<th>Killing</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damascus</td>
<td>76</td>
<td>-</td>
<td>420</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>296</td>
<td>-</td>
<td>-</td>
<td>792</td>
</tr>
<tr>
<td>Rif Damascus</td>
<td>1933</td>
<td>102</td>
<td>333</td>
<td>810</td>
<td>88</td>
<td>339</td>
<td>516</td>
<td>125</td>
<td>93</td>
<td>251</td>
<td>4590</td>
</tr>
<tr>
<td>Homs</td>
<td>319</td>
<td>31</td>
<td>200</td>
<td>305</td>
<td>9</td>
<td>422</td>
<td>33</td>
<td>36</td>
<td>69</td>
<td>218</td>
<td>1642</td>
</tr>
<tr>
<td>Hamah</td>
<td>35</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
<td>11</td>
<td>-</td>
<td>5</td>
<td>18</td>
<td>71</td>
</tr>
<tr>
<td>Aleppo</td>
<td>347</td>
<td>1</td>
<td>170</td>
<td>74</td>
<td>-</td>
<td>84</td>
<td>13</td>
<td>10</td>
<td>29</td>
<td>38</td>
<td>768</td>
</tr>
<tr>
<td>Edleb</td>
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<td>-</td>
<td>4</td>
<td>119</td>
<td>-</td>
<td>13</td>
<td>48</td>
<td>3</td>
<td>14</td>
<td>185</td>
<td>609</td>
</tr>
<tr>
<td>Lazkiye</td>
<td>104</td>
<td>-</td>
<td>35</td>
<td>59</td>
<td>-</td>
<td>26</td>
<td>23</td>
<td>11</td>
<td>-</td>
<td>75</td>
<td>335</td>
</tr>
<tr>
<td>Dar'a</td>
<td>149</td>
<td>-</td>
<td>81</td>
<td>-</td>
<td>-</td>
<td>26</td>
<td>-</td>
<td>22</td>
<td>-</td>
<td>27</td>
<td>278</td>
</tr>
<tr>
<td>Al-Souwayda'</td>
<td>46</td>
<td>-</td>
<td>19</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>61</td>
<td>126</td>
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</tr>
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<td>Alrakka</td>
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<td>4</td>
<td>-</td>
<td>111</td>
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<td>10</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>8</td>
<td>17</td>
</tr>
<tr>
<td>Deir Elzor</td>
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<td>5</td>
<td>-</td>
<td>10</td>
<td>-</td>
<td>19</td>
<td>-</td>
<td>-</td>
<td>9</td>
<td>-</td>
<td>69</td>
</tr>
<tr>
<td>Alhasaka</td>
<td>159</td>
<td>14</td>
<td>-</td>
<td>140</td>
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<td>4</td>
<td>23</td>
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<td>6</td>
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<td>364</td>
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<td>Total</td>
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<td>1162</td>
<td>1729</td>
<td>100</td>
<td>899</td>
<td>726</td>
<td>483</td>
<td>255</td>
<td>866</td>
<td>9850</td>
</tr>
</tbody>
</table>

Table No 5 (Source: Ministry of Labour and Social Affairs).

Number of juveniles put in the reforming institutes of juveniles and the control centres according to region and crimes committed 2002.
Table No 6 (Source: Ministry of Labour and Social Affairs).

<table>
<thead>
<tr>
<th>Crime Region</th>
<th>Steal, pick pocketing</th>
<th>Forgery (trickery)</th>
<th>Vagabondage (Beggary)</th>
<th>Quarrel (Arms carrying)</th>
<th>Drunkenness (gambling)</th>
<th>Rape</th>
<th>Debauchery</th>
<th>Prostitution</th>
<th>Killing</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Damascus</td>
<td>38</td>
<td>-</td>
<td>342</td>
<td>-</td>
<td>-</td>
<td>258</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>638</td>
</tr>
<tr>
<td>Rif Damascus</td>
<td>1629</td>
<td>98</td>
<td>371</td>
<td>926</td>
<td>145</td>
<td>145</td>
<td>626</td>
<td>94</td>
<td>112</td>
<td>822</td>
<td>4956</td>
</tr>
<tr>
<td>Homs</td>
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<td>26</td>
<td>366</td>
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<td>46</td>
<td>31</td>
<td>50</td>
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<td>1</td>
<td>21</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>18</td>
<td>76</td>
</tr>
<tr>
<td>Aleppo</td>
<td>255</td>
<td>28</td>
<td>278</td>
<td>105</td>
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<td>100</td>
<td>29</td>
<td>7</td>
<td>17</td>
<td>140</td>
<td>862</td>
</tr>
<tr>
<td>Edleb</td>
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<td>-</td>
<td>2</td>
<td>61</td>
<td>-</td>
<td>17</td>
<td>91</td>
<td>1</td>
<td>22</td>
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</tr>
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<td>17</td>
<td>35</td>
<td>12</td>
<td>-</td>
<td>135</td>
<td>407</td>
</tr>
<tr>
<td>Da'a</td>
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<td>-</td>
<td>85</td>
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<td>25</td>
<td>-</td>
<td>20</td>
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<tr>
<td>Al-Souwayda'</td>
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<td>1</td>
<td>7</td>
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<tr>
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<tr>
<td>Deir Elzor</td>
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<td>16</td>
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<td>16</td>
<td>28</td>
<td>224</td>
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<td>Alhasaka</td>
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<td>-</td>
<td>90</td>
<td>10</td>
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<td>204</td>
<td>1405</td>
<td>1896</td>
<td>186</td>
<td>934</td>
<td>903</td>
<td>407</td>
<td>260</td>
<td>1944</td>
<td>11576</td>
</tr>
</tbody>
</table>

- **Labour Laws**

Labour laws prohibit juveniles from working before the age of 15 years old according to the last amendment in year 2000, since the old law prohibited the juveniles working before the age of 12 years old.

The laws also granted the minister of social affairs and labour the right to prohibit juveniles from working if they are less than 16 years old in certain industries specified by him.

The Minister also has the right to prohibit juveniles from work in certain industries if they are less than 18 years old. The law prohibits juveniles from working if they are younger than 16 years old, between 7:00 p.m. and 6:00 a.m., and they should not work more than 6 hours in the same day.

The law punishes the juvenile’s parents who allow their children to work or pardon this. The sanction includes the owners of work and their agents and representatives if they employ juveniles against the law.

The law of agricultural relations was amended, raising the age of working children. In fact, it prohibits the juvenile’s work in agriculture before the age of 15, and prohibits the juvenile’s work during the night before the age of 16. Inspectors from the Ministry of Social Affairs control this matter in industrial and agricultural fields concerning children’s work and takes necessary steps with those who disobey.

- **Law of foundlings care No 107 of 1970:**

The Syrian legislation created this law instead of the adoption system (forbidden in Syria). The foundling is any baby who is found without knowledge of who his parents are. The law organized the foundlings’ affairs and their care and the conditions of their acceptance in the institutions of foundlings care. It empowered the Minister of Social affairs work to decide their referral to families who wish to take care, educate and teach them without the right to hold the name of the family caring for them.

The Ministry of Social affairs and work takes care of children with unknown descent in 2 centres, one of them is public and the other is civil:
- Centre of Zeid Bin Haritha in Damascus. It is a governmental institution established in 1974 to take care of children of unknown descent from birth till the age of 18 years old.
- Centre of childhood security in Aleppo: a civil organization that takes care of foundlings until they are 6 years old.

The following table shows the average number of beneficiaries from the above-mentioned centres and the number of those referred to alternative families:

Table No 7 (Source: Ministry of work and Social Affairs).

<table>
<thead>
<tr>
<th>Year</th>
<th>No of children in care centres</th>
<th>Number of children referred to alternative families</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>119</td>
<td>30</td>
</tr>
<tr>
<td>2000</td>
<td>98</td>
<td>30</td>
</tr>
<tr>
<td>2001</td>
<td>173</td>
<td>36</td>
</tr>
<tr>
<td>2002</td>
<td>121</td>
<td>27</td>
</tr>
</tbody>
</table>

2.1.4 Social acceptance of assault and sexual exploitation of children:
Sexual assault is considered as a social disgrace that is not accepted socially according to customs and traditions in society. It is considered as a crime and a scandal for the child and his family. The child might be sanctioned and put in a reform institute of delinquent juveniles, and the raped girl should be married with the one who raped her for the sake of banishing scandal. The men of the family might also kill her because of honour. In most cases, sexual assaults are not announced since they are family secrets that are concealed and arranged inside the family.
Moreover, there is no social acceptance at all to the issues of sexual assaults on children because of the absence of sexual culture and the absence of dialogue inside the family or in the school, which make children fear revealing them because of punishment, misunderstanding, bad treatment or parents prohibiting the child to leave home or attend school.
Most often, when cases arrive to the police, and thus to courts according to the legal and judicial system in Syria, any assaulted child will be put in a reform institute for delinquent juveniles and is not handed over to their parents for fear of harsh parental punishment as is the case with raped girls who might be killed because of honour crimes, or who might be obliged to marry their rapist.
3. Description of assault and sexual exploitation by listening to children

3.1 Listening to assaulted children

Listening to sexually assaulted children is not well thought of in Syria, since it is relatively new in the strategies of child’s rights. It is also a forbidden matter socially and secrets are not revealed neither by the children nor adults. Moreover, the absence of a open dialogue culture in the family and school and society plays an important role in not listening to children. But in last year, through seminars and conferences and civic organizations and researchers, attention began.

Mentioned here are the training sessions done by Save the Children Sweden in Syria to train psychological social experts. Meetings were held with the assaulted girls to listen to them, although the process is still in its early stages.

The organizations of the Good Shepherd nuns in Damascus organized several meetings with assaulted girls and listened to them at least once a week.

The Syrian organization of family planning established a program for enlightenment, psychological, legal, educational and social support in the institutes of delinquent juveniles in Damascus for boys and girls.

In 2001, number of sessions 20 in the Girls institute. Number of participants: 35
Number of sessions 20 in the Boys institute. Number of participants: 230

In 2002, number of sessions 25 in the Girls institute. Number of participants: 50
Number of sessions 25 in the Boys institute. Number of participants: 250

In 2003, number of sessions 25 in the Girls institute. Number of participants: 102
Number of sessions 25 in the Boys institute. Number of participants: 225

In 2004, number of sessions 20 in the Girls institute. Number of participants: 30
Number of sessions 20 in the Boys institute. Number of participants: 300

This data was collected from a paper presented in a seminar aimed at fighting violence against woman- Damascus 25/11/2004 by the Syrian organization of family planning. Prepared by Mr. Anas Habib).

The Rainbow organization, a new organization that takes care of assaulted children, held a regional seminar about sexual assaults on children in December 2004.

The Syrian Committee for family affairs established the national committee for fighting violence against children. This committee is now preparing the National Strategy to fight violence against children in Syria. We mention here the individual efforts done by researchers and those interested in children’s rights who have done individual interviews and research with assaulted children:

**Study by Dr. Mohamed Daou in Aleppo about the phenomenon of juveniles’ delinquency in 2001-2002** through individual interviews with boys and girls. It appeared that the percentage of sexual crimes that are behind the presence of juveniles in institute is 17% (homosexuality-rape) and the number of girls who entered the institute because they escaped with men for marriage without their parent’s permission is 27%.
(The study is published in the internet at the site: [www.nesasy.com](http://www.nesasy.com)).
Cases the author has studied at the girls institute in Damascus by listening to them:

- **M**, 17 years old, was raped by her father when she was 10 years old. He continued to rape her until she was 14 years old. Then, she met a man and escaped with him. The police caught her and subsequently sentenced her father and friend to prison.

- **N**, 15 years old, was deprived of schooling by her parents. Her family consists of 9 members. The father treats the girls badly and beats them. She was engaged to a man who raped her then ran away. She tried to commit suicide three times, then she left home and moved from one place to another. Her father told the police and she was caught because of vagabondage.

- **S**, 16 years old, married twice, and doesn’t have a personal register.

- **Ch**, 15 years old, accused of prostitution. She escaped from home because of her parents’ oppression. A man raped her while she was in the garden, and then she began to work in prostitution.

- **H**, 16 years old, escaped with a man whom she wanted to marry. After registering the marriage act, the husband obliged her to work in prostitution.

- **Z**, lottery vendor, 13 years old, illiterate and never went to school, from a poor family, was caught because of begging.

- **N**, 16 years old, accused of participating with her husband in killing her ex-fiancé whom she left and married her cousin.

We shall note that the number of girls at the girls institute in Damascus in February 2004 is 24 girls. The reason for them being in the institute, according to the court and the institute direction:

- 8 prostitution
- 6 vagabondage
- 2 stealing
- 2 participation in killing
- 1 indecent act
- 1 forgery
- 1 robbery.

The number of girls now present (March 2005) in the institute of delinquent girls in Damascus, is 14. The reason for them being in the institute, according to what is registered in their files:

- 6 prostitution
- 1 begging
- 3 consignment
- 3 vagabondage one of them pregnant and another one accused of prostitution together with begging
- 2 stealing one of them accused also of prostitution.

As to the cases I faced in the institute of Khaled Bin Elwalid for boys, which comprises 160 juveniles approximately, most of the crimes are stealing and quarrelling and arms carrying without permission, vagabondage, begging and homosexuality. They belong to poor and shattered families that suffer from problems and divorce; they are mostly school drop outs.

As to the crimes of sexual assault, they are mostly due to homosexuality. They happened in the streets and workplaces, especially in the workplace from car repair shops, trading shops, buses, garages and coffee shops. Most often, the boy who enters the institute the first time for vagabondage or begging and leaves it, re-enters it again because of a sexual assault (homosexuality) in the street.

**Justice and responsibility and legal protection**

(Please see paragraph A to avoid repetition).
4. Use of experiences and expertise adopted in certain countries.

As we mentioned before, sexual assaults on children is a new subject in Syria and thus the Jordanian experience is used in putting the national strategy for fighting violence against children. Expertise and data are exchanged between the 2 countries in this regard.

4.1 Good practice

We can’t say there are good practices in Syria since there is no national or clear policy or strategy to fight sexual assault on children, in addition to the lack of studies and statistics that show the volume of the problem, its causes and kinds and the means of prohibiting and treating it.

4.2 Challenges and obstacles that face prohibition

- The social patrimony and the traditions concerning the social view of the sexual assault on children.
- The absence of sexual culture inside the family, society and school programs.
- Sexual assault is considered a family and private matter, not a public one, and thus kept in secrecy.
- The lack of studies and statistics that determine the volume of the phenomenon, its causes and kinds.
- The lack of laws that provide full protection, and in cases where they exist, their abuse.
- The presence of some legal material that facilitates the assaults such as marriage age in the law of personal status (article 18) - Not executing the sanction when the assaulter marries the girl whom he raped (article 508 of the Penalty Law and article 548 of the same law that exempts the criminal from sanction in case of witnessed adultery if he kills a girl or a woman from his family).
- The lack of rehabilitation of policemen, judges, doctors and workers in social care as necessary to deal with the victims of sexual assault of children.
- The lack of psychological, social, educational and vocational rehabilitation programs of assaulted children and their reintegration in society.
- The absence of good censorship on child labour.
- The great absence of civil organizations working in confronting the sexual assaults on children, because civil organizations face difficulty in getting a license due to the law of organization in Syria that hinders their establishment.
- The lack of financial and human resources.
5. Proposals and strategies

5.1 Legal:

- Amendment of Syrian Penal Law
  - Raise the legal age of a minor in cases of sexual assaults on children. Thus, instead of considering the age of 12 or 15 or 16 years as a minor, the childhood age should be as mentioned in the Constitution and the Civil law and the children’s rights agreements, i.e. from birth till 18 years.
  - Intensify the sanction in case of assault on children.
  - Create a special legal text that punishes sexual violence and protects children from assaults.
  - Intensify the sanctions on parents in cases of child abandonment and vagabondage or beggary.
  - Cancel article 185 that allows the beating of children by their parents and teachers.
  - Abolish article 508 that stops sanctions against criminals that rape or assault girls sexually by marrying their victim.

- Amendment of Personal status law by raising the marriage age through the amendment of article 18, which stipulates the following:
  If a teenage boy reaches adulthood after he is 15 years old or a teenage girl after she is 13 years old and they ask to be married, the judge may give permission if they are sincere and their bodies are fit.
  This article that allows children to marry is often the cause of sexual assaults or exploitation, this in addition to all the negative health, sexual, social and educational effects that result from early marriage. Thus, this article should be amended so that the marriage age for both sexes is 18 years old.

- Fight child labour and prohibit children to work before age 18 years old, except in light or seasonal work that do not affect the psychological and physical development of the child and make him vulnerable to physical and sexual violence in workplaces.
  Create a claims system that is quick and simple and effective against assaults on children in workplaces. Activate the inspection system to control the application of laws. Find strategies to watch children’s work in the private sector.

5.2 Juridical:

- Activate the system of juveniles’ judiciary and get the help from experienced social and psychological experts and lawyers to help judges resolve juvenile cases, and settle them as soon as possible.

- Activate resolution No 134 of 1998 that gives the assaulted child the right to present a complaint directly to the judge against the assaulters, by creating ways that guarantee the possibility of the child to present the complaint or at least raise awareness about the presence of this law and its means, which is ignored by everyone in Syria which means the resolution still has no effect.

- Activate resolution No 2108 of 1999 that stipulates the formation of family and child committees in the courts of all Syrian regions to solve disputes and correct delinquency.
• Ensure that juveniles are not placed in adult facilities when bringing them to court and ensure/create a special place for their arrest.
• Create a special police task force for juveniles and reform it so that children are not exposed to torture, offences or sexual assault.
• Establish centres, institutions and organizations that take care of assaulted children who have no place to go. Establish centres for the follow-up care of juveniles in order to save these children and not let them stay in the juvenile institutes. They should be monitored by specialized and well trained psychologists to rehabilitate all assaulted children.

5.3 Concerning studies and statistics:
- Establish field studies about sexual assaults and child exploitation to determine the kinds of assaults, their causes and effects, to find the appropriate solutions to solve them.
- Establish field studies to detect the delinquency of juveniles, its place, causes and kinds of assaults.
- Get real statistical reports from courts, police stations, psychological clinics, organizations, hospitals and workplaces, and every related place and publish these statistics to all interested and researchers and social workers and decision-makers to let them find the preventive and therapeutic solutions.

5.4 Concerning awareness raising:
- Start a national campaign in the media, especially television, to warn society about the dangers and disadvantages of sexual assault on children, its devastating effect on the child’s soul and future, and convert the matter from a private one to a public and national one that interests everybody in order to change the social view regarding the sexual assaults on children.
- Create rehabilitation and awareness programs for the parents of assaulted children.
- Include this subject in the faculty of medicine curricula, so students/doctors know how to diagnose these cases and deal with them.
- Train the children in schools on their rights, how to express their opinions freely, and communication skills; include sexual education in school programs.
6. Workshops with children

The reform institutes of juveniles in Syria, where sexually assaulted children are put, are considered as closed prisons that cannot be visited without prior permission, and thus no workshops can be done without prior approval from the Ministry of Social affairs and work. The Syrian organization of family planning did a number of activities, including meetings of legal and social and psychological advice in the institutes of male and female juveniles in Damascus during 2001, 2002, 2003 and 2004 (mentioned in this report in the paragraph on listening to assaulted children).

A group of researchers held individual meetings with assaulted children, and the workshops of 2004 can be summarized as follows:

- Most often, children consider that the familial and economic conditions are the root cause of what happened to them.
- Most often, children consider that the absence of stability and union inside the family, because of divorce or father’s second marriage, is the cause of what happened to them.
- In some cases, the children’s exposure to physical or psychological violence inside the home was a determinant in exposure to assault outside home.
- Most often, the fear of parents and not revealing the assault makes the problem worse and pushes the child to escape from home and go to strangers who also abuse him.
- Most often, the absence of dialogue inside the family and not talking about sexual matters push children to friends or media that might give wrong and misleading information.
- Most often, sexual suppression and the absence of sexual culture and ignorance and poverty play a big role in the assault.
- The children talk always about the absence of security and trust in adults and justice.
- Concerning raped girls, most often they don’t want to return home and would like to marry their assaulter.
- Most often, children want to get out of the institute and find work to live without continuing education.
- Most often, they want entertainment and sports activities which they miss in the institutes.

6.1 Why do assaulted girls and boys end up in reform institutes for juveniles?

Because there are no alternative solutions, and no specialized institutions that take care of children exposed to sexual assaults in spite of what’s stipulated in the law of delinquent juveniles concerning measures adopted for juveniles, whereby the judge chooses what he finds suitable for the juveniles. One of these measures consists of delivering the juveniles to his parents or legal custodian or one of his family members. In most of the cases found in the juvenile’s institutes, the parents themselves are the assailters or the cause of delinquency, and thus the juvenile should not be handed over to them. The judge does not deliver the juvenile to his parents for fear for the juvenile’s life, as it is the case with girl's rape and honour killings.
Among the measures mentioned delivering the juvenile to a specialized organization to educate the juvenile is not available, although some organizations work in this field such as the nuns of the Good Shepherd in Damascus. A new organization called the Rainbow organization was established recently to take care of children who are victims of all kinds of violence.

Thus, alternative solutions should be established in place of the institutes of juveniles to take care of these children since these institutes are not currently as good a place to take care of and rehabilitate juveniles as they should be. This is because they lack basic health, educational and rehabilitation components needed, indeed their services are very modest.
7. Sources used in this study:

- First national report to continue the execution of Children rights Act of 1995
- Second national report to continue the execution of Children rights Act in Syria of 2000
- Ministry of Social Affairs and Work in Syria
- Ministry of justice
- Ministry of Interior
- Study by Mr. Anas Habib from the Syrian organization of family planning about the institutes of delinquent juveniles, male and female, in Damascus, presented to the seminar of fighting Violence against woman in Damascus, on 25/11/2004
- Study about the children’s work in Syria in 2000 in cooperation with the Central Office of statistics and UNICEF and FAFO institute for applied studies.
- Study by Dr. Iman Izz University of Damascus Violence against children: Field study in the institutes of delinquent juveniles) presented to the regional seminar about the offense to children, Damascus December 2004.
- Study of Dr. Moutah Barakat University of Damascus about “Protection of children from violence and ignorance and harm and bad treatment” presented to the national Conference of childhood 8-9/2/2004 Syria
- Study of Dr. Mohamed Daou about the sexual assaults on children in Aleppo in 2002 from cases that reached the Center of legitimate medicine in Aleppo, published on the internet in www.nesasy.com.
- Study of Dr. Mohamed Daou about the phenomenon of delinquent juveniles in Aleppo in 2001-2002 published on the internet in www.nesasy.com
- All Syrian laws related to the subject
- Official newspapers in Syria.