

# Fact Sheet: Sexual and Reproductive Health and Rights in Syria



Syria (officially the Syrian Arab Republic) is a country in Western Asia which has Damascus as its capital and an estimated population of 17 million.<sup>1</sup> The largest ethnic group in Syria is formed by the Arabs, the majority of whom are Muslims (Sunnis, Shiites, Alawites, Druzes or Ismailis).<sup>2</sup> The largest ethnic minority in Syria is formed by the Kurds, who live in the north-west; most Kurds are Sunni Muslims. Another ethnic minority are the Assyrians or Syrian Orthodox Christians. They are Christians and speak Aramaic.

## Current situation in Syria

The Syrian civil war grew out of the unrest of the 2011 Arab Spring and escalated to armed conflict after President Bashar al-Assad's government violently repressed protests.<sup>3</sup> Rebels are fighting back against the regime. However, divisions between secular and Islamist fighters, and between ethnic groups, continue to complicate the politics of the conflict. Currently, there are more than 4.7 million Syrian refugees in neighbouring countries, and nearly one million have applied for asylum in Europe.

## Sexual and Reproductive Health and Rights (SRHR)

The findings in this fact sheet are based on various studies and reports, and existing rules and regulations in Syria regarding Sexual and Reproductive Health and Rights (SRHR) that were in force before the war started in 2011. Most information regarding SRHR of Syrians has been gathered after 2011, mainly in refugee settlements in the host countries. However, this fact sheet focuses solely on the SRHR situation in Syria before the war. This fact sheet is intended as a summary of relevant data gathered from available sources; it does not claim to be complete.

## Sexual violence

Current Syrian law does not specifically prohibit domestic violence.<sup>5</sup> Regarding sexual violence, under Syrian law a perpetrator of rape may avoid punishment by marrying his victim, and the Penal Code's definition of rape specifically excludes marital rape. A Legislative Decree drafted in 2011 includes a provision abolishing Article 508 of the Sharia penal code (i.e. "If there is a contracted marriage between the man who commits rape, sexual abuse, kidnapping, sexual harassment and the victim, then there is no charge or the punishment is stopped.") and imposing higher punishment on rapists.<sup>6</sup> However, the decree sets only two years of imprisonment as a minimum penalty for the crime and still allows perpetrators to reduce their punishment through marriage.<sup>7</sup>

Statistics on rape are scarce, but according to observers there were a minimum of 1,300 rape cases in 2009.<sup>8</sup> No statistics were available on marital rape. Although a number of articles in the Penal Code criminalise sexual harassment, especially against children, harassed women rarely resort to the judiciary due to customs and intense fear of shame that may stigmatise her and her family.<sup>9</sup>

<sup>1</sup> <https://en.wikipedia.org/wiki/Syria>

<sup>2</sup> <https://www.rijksoverheid.nl/documenten/ambtsberichten/2015/06/22/algemeen-ambtsbericht-syrie-2015-06-22>

<sup>3</sup> <https://www.mercycorps.org/articles/iraq-jordan-lebanon-syria-turkey/quick-facts-what-you-need-know-about-syria-crisis>

<sup>4</sup> [http://www.who.int/reproductivehealth/publications/sexual\\_health/defining\\_sexual\\_health.pdf](http://www.who.int/reproductivehealth/publications/sexual_health/defining_sexual_health.pdf)

<sup>5</sup> <http://www.state.gov/j/drl/rls/hrrpt/2010/nea/154473.htm>

<sup>6</sup> The 2012 Syrian State report submitted to CEDAW

Rutgers is an international centre of expertise on Sexual and Reproductive Health and Rights (SRHR) founded and based in the Netherlands, but operating on both a national and international level. We envisage a world where all people are able to make their own sexual and reproductive choices, free from discrimination, coercion and violence.

Rutgers uses the definition of SRHR developed by the WHO: "Sexual health is a state of physical, emotional, mental and social well-being in relation to sexuality; it is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be attained and maintained, the sexual rights of all persons must be respected, protected and fulfilled."<sup>4</sup> Sexual rights include: the right to the highest attainable standard of sexual health; to sexuality education; to consensual sexual relations; and to decide whether, and when, to have children.

<sup>7</sup> [http://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report\\_without-partners.pdf](http://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report_without-partners.pdf)

<sup>8</sup> <http://www.state.gov/j/drl/rls/hrrpt/2010/nea/154473.htm>

<sup>9</sup> [http://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report\\_without-partners.pdf](http://wilpf.org/wp-content/uploads/2015/06/CEDAW-Report_without-partners.pdf)

<sup>10</sup> <http://www.unfpa.org.lb/Documents/UNFPA-Humanitarian-Factsheet-4.aspx>

<sup>11</sup> <http://syria.unfpa.org/sites/ArabStates/files/pub-pdf/family-planning-arab-countries.pdf>

<sup>12</sup> <http://www.prb.org/pdf12/family-planning-arab-countries.pdf>

<sup>13</sup> [http://www.reproductiverights.org/sites/crr.civicaactions.net/files/documents/AbortionMap\\_Factsheet\\_2013.pdf](http://www.reproductiverights.org/sites/crr.civicaactions.net/files/documents/AbortionMap_Factsheet_2013.pdf)

<sup>14</sup> [http://www.sy.undp.org/content/syria/en/home/ourwork/povertyreduction/success\\_stories/addressing-hiv-aids-in-the-midst-of-a-crisis/](http://www.sy.undp.org/content/syria/en/home/ourwork/povertyreduction/success_stories/addressing-hiv-aids-in-the-midst-of-a-crisis/)

<sup>15</sup> The 2012 Syrian State report submitted to CEDAW

<sup>16</sup> [http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report\\_EN\\_02092011.pdf](http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf)

<sup>17</sup> <http://www.fgmnetwork.org/intro/fgmintro.html>

<sup>18</sup> <https://www.rijksoverheid.nl/documenten/ambtsberichten/2015/06/22/algemeen-ambtsbericht-syrie-2015-06-22>

### **Family planning, abortion**

Before Syria descended into civil war, family planning services were free and used relatively widely by 58% of women in the reproductive age.<sup>10</sup> The total fertility rate between 2005 and 2010 was 3.1. In 2009 the unmet need was 21% and contraceptive use was 47%.<sup>11</sup> Note that this is among married women only, data about unmarried women have not been found. Almost 50% (47%) of married women aged 15-49 used any method of contraception (this includes modern and traditional methods); 33% used a modern method.<sup>12</sup> Among women who did not use contraceptives, several reasons were given for their abstinence from it: around 3% mentioned religious prohibition as the main reason. 12% cited fatalistic beliefs, generally saying that conception is up to God; 13% cited their husband's disapproval; 9% said they did not like the existing methods; and 19% cited their fear of side effects as the main reason for not using contraception.

Abortion is illegal, unless to save the life of the mother; even then, authorisation from her husband or parents is also required.<sup>13</sup>

### **STDs/HIV**

There are reportedly around 450 people living with HIV in Syria.<sup>14</sup> It is surrounded by enormous stigma; moreover, the current crisis has made access to treatment more difficult. In 2011, the main HIV-testing mechanisms were aimed at blood donors and premarital couples; coverage of voluntary HIV counselling and testing was low.

### **Child marriage**

The general legal age for marriage in Syria is 18 for males and 17 for females.<sup>15</sup> However, with the permission of the male legal guardian, and special approval from a judge, boys may be able to marry at the age of 15, and girls as young as 13. Prior to the crisis in Syria, between 2000 and 2009, 13% of women aged between 20 and 25 had been married as a child (i.e. before they were 18 years old).<sup>16</sup>

### **Female Genital Mutilation (FGM)**

FGM in a variety of its forms is practiced in Middle Eastern countries, such as Syria.<sup>17</sup> However, substantiated information and data on prevalence is not available.

### **Sexual orientation**

Homosexual acts are outlawed and can be punished by up to 3 three years of imprisonment.<sup>18</sup> LGBTs are greatly at risk of violence from the army and other armed groups; they can also face ostracism, threats and violence from family members.