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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,  
SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council  
resolution 1988 (LX) by States parties to the  
Covenant concerning rights covered by  
articles 6 to 9

SYRIAN ARAB REPUBLIC

/18 January 1979/

Article 6. Rights of workers

1. Right of the individual to the free choice of work

In accordance with the provisions of the Labour Code, employment is a contractual relationship based essentially on the consent of the two parties to the contract pursuant to the provisions of the law. The worker is free to accept the employment covered by the contract, or to refuse it and to enter into another contract with any party. The worker's contractual freedom is limited only if he does not meet the requirements for the employment in question, since the exercise of some occupations calls for particular physical and health conditions, specific qualifications and a certain kind of vocational training. In the case of the liberal professions, which do not involve a contractual relationship, the individual is entirely free to engage in the work of his choice, unless it is of a kind prohibited by law.

2. Laws and regulations in force concerning political and economic freedoms

Economic principles are established by the Constitution, which stipulates that the State economy is a planned socialist economy designed to eliminate all forms of exploitation. It also stipulates that every citizen has the right to participate in political, economic, social and cultural life within the limits laid down by law.

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3. Protection of the individual against unemployment

Under the Constitution, the State has an obligation to provide work for all citizens, work being a right and a duty for all. In its development and investment plans, the Government provides for the creation of various projects which expand the employment market and provide employment opportunities for citizens on a wide scale. In addition, a system of recruitment based on the principle of equality of opportunity is applied by government placement offices situated in all the mohafazats, enabling citizens to find work according to their capabilities and in the order in which they apply for employment, so that the right of each individual is protected.

Article 7. Fairness and equity as between workers, and adequate conditions of work

1. Laws and regulations in force for the development and protection of workers' rights in all their forms

The law requires the setting of minimum wages and the establishment, in each mohafazat, of a commission on which workers' and employers' organizations will be represented. This commission meets at least once a year to make proposals concerning the minimum wage. The commission is also entitled to propose wage increases, bearing in mind the basic needs of the worker. Such proposals are submitted to the Minister for Social Affairs and Labour, who will issue a minimum wage order (Labour Code, sect. 3, chap. 6). The employment of children and women is regulated by law (Labour Code, chaps. 3 and 4). The law also requires the drafting of labour regulations, which may confer more rights than are laid down by law. Legislative Decree No. 49 of 1962 introduced additional protection for the worker against arbitrary dismissal, which until then had been inadequately regulated by law. Before dismissing a worker, the employer is obliged to follow very precise procedures and to obtain the consent of a special commission provided for by law. Legislative Decree No. 74 of 1961 and the amendments thereto give workers the right to weekly rest with pay. Legislative Decrees No. 67 of 1966 and No. 14 of 1971 give an entitlement to family allowances to workers whose conditions of employment are governed by the Labour Code and who are employed in the public sector, by the State, in foreign companies or institutions or in concessionary companies. Decree Law No. 112 of 1961 and the amendments thereto give workers the right to a share of the profits of companies in the private sector.

Working conditions and improvement of health conditions for workers

Article 65 of the Labour Code requires the employer to provide a first-aid service for workers in the undertaking and, if there are more than 100 employees within a radius of 15 kilometres, to maintain a clinic and arrange for a doctor to give the workers examinations and medical care. In addition, where the number of employees exceeds 500, the employer must provide them with facilities for obtaining specialized medical care and surgical operations if necessary. If an employee has received treatment of the kind referred to in the last two cases, at either a government hospital or a benevolent society hospital, the employer must pay the hospital management the costs of medical care, medicine and accommodation.

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Article 50 of the Social Insurance Code requires employers to comply with instructions for ensuring employees' protection against accidents at work. Article 5 requires the Social Insurance Agency to carry out surveys of accidents at work. The Syrian Arab Republic has also ratified International Labour Convention No. 115 concerning the Protection of Workers against Ionising Radiations, International Labour Convention No. 119 concerning the Guarding of Machinery, International Labour Convention No. 136 concerning Protection against Hazards of Poisoning arising from Benzene and International Labour Convention No. 139 concerning the Prevention and Control of Occupational Hazards caused by Carcinogenic Substances and Agents.

## 2. Equal opportunity for promotion

The Labour Code contains no provisions regarding promotion, which is provided for in labour regulations and contracts of employment. Promotion opportunities are equal for all employees in the public sector.

## 3. Working hours, rest, leisure and holidays with pay

The working day is generally eight hours, with a break of at least an hour for mealtime and rest. These hours are reduced to seven in the case of jobs which are dangerous or hazardous to health, pursuant to ministerial orders issued in accordance with the law. They may be increased to nine hours a day in the case of jobs which do not require the employee to work continuously and which are specified by ministerial order. Workers are entitled by law to a weekly day of rest with full pay and an annual holiday of 14 days with full pay. The annual leave entitlement is increased to 21 days when the worker has completed 10 years of employment. Workers are also paid for national and religious holidays, which total 11 days a year under a ministerial order issued in accordance with the law.

## Article 8

Workers have the right to establish or join a workers' union. This right is provided for in Legislative Decree No. 84 of 1968 and the amendments thereto. Such a union is in existence and functions freely. The Syrian Constitution also authorizes demonstrations within the limits of the law.

## Article 9. Social security

A worker whose sickness is proved receives an allowance equivalent to 70 per cent of his wages for the first 90 days; this is increased to 80 per cent for the next 90 days if they fall within the same year (Labour Code, art. 63). Under article 133 of the Labour Code, female workers are entitled to 60 days' maternity leave, covering the pre-natal and post-natal period. Maternity leave is fully paid if the worker was in the service of the employer for seven consecutive months prior to taking the leave. Nursing mothers are entitled to a break of half an hour a day during working hours. Where the nature of the work allows it, the employer is required to provide women workers with seats. As regards the physically handicapped, article 29 of the Labour Code requires employers to hire persons referred to them by placement offices from the register of vocationally rehabilitated handicapped persons, up to a level of 2 per cent of

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their total number of employees. Employers are entitled to fill this quota from other sources besides referrals. It should be noted that the Ministry of Social Affairs and Labour has created sheltered rehabilitation Homes for physically handicapped persons. We have no Social Security Code, but in lieu of that we have the Social Insurance Code, chapter 1 of which provides insurance for accidents at work while chapter 2 provides old age, invalidity and death insurance.

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