

Public Auctions of Forcibly Displaced People’s Lands Are Another Syrian Regime Method to Seize Its Opponents’ Property in a Widespread and Deliberate Manner

At Least 440,000 Dunums of Agricultural Land Seized by the Syrian Regime in the Suburbs of Hama and Idlib

Sunday 14 February 2021

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

SNHR
 SYRIAN NETWORK FOR HUMAN RIGHTS
 الشبكة السورية لحقوق الإنسان

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I. The Syrian Regime's Seizure of Political Opponents' Property and Land Is a Form of Collective Punishment:

The Syrian regime has used various types of terrorism and repression against those who participated in the popular uprising against it, who wish to achieve a political transition towards freedom and democracy, in order to create a general atmosphere of terror that deters anyone considering dissent. The Syrian Network for Human Rights (SNHR) has spent nearly ten years to date documenting the Syrian regime's perpetration of egregious violations in a widespread manner, foremost among which are extrajudicial killings, arbitrary arrest, torture, summary executions, sieges, forced displacement, indiscriminate shelling, and widespread destruction of buildings and vital facilities.

As well as all these crimes, however, the regime has also resorted to another form of persecution of its opponents by seizing their lands and properties as an additional form of punishment which also extends to their families, while at the same time enriching the regime and its accomplices through redistributing these stolen and looted assets among the regime's security services and local militias as a form of 'reward' for their services in lieu of cash payment.

To this end, the Syrian regime, which maintains a totalitarian, and dictatorial state, with all powers vested in the ruling family's hands, has introduced new legislation to give the appearance of legitimacy to this state theft; the absolute nature of the regime leadership means it can simply impose whatever legislation it wishes to justify the confiscation of property, giving these legislative articles grandiose titles such as decrees, directives or court orders and couching them in legal jargon; in reality, these articles of legislation flatly contradict the most basic principles of justice and are simply legalistic texts created to provide a veneer of legitimacy for the process of state security authorities' theft of property. Over the years, Syria's ruling regime has issued an arsenal of these legislative articles, which have gradually escalated in their severity, similar to the regime's military escalation in its use of weapons, going from using machine guns against dissidents to deploying tanks and artillery, then to helicopters, warplanes, Scud missiles, barrel bombs, and chemical weapons.

The following are the most prominent legislative articles upon which the Syrian regime relies in sanctioning its own theft and looting of the property of its opponents and residents of the areas that participated in the popular uprising against it, listed according to the date of their issuance:

The most prominent of the laws and decrees enacted by the People's Assembly in Syria which is affiliated with the state security services:

**Legislative
Decree
63 of 2012¹**

allows the confiscation of the property of 'terrorists'; according to the regime's definition, the term 'terrorist' is used to delegitimize anyone opposing the regime, most particularly those calling for the current tyrannical dynastic system of governance to be replaced with a modern pluralistic democratic system. The Ministry of Finance has seized the properties of hundreds of activists who participated in the political uprising under the pretext of their having "supported terrorism", transferring ownership of these properties to the government, with many of these properties then being expropriated by regime-affiliated individuals and militias, especially those connected to the security services.

**Legislative
Decree
66 of 2012²**

aimed at regulating the destroyed areas, was limited to two zones in Damascus governorate, while Law No. 10, which appeared in 2018, covered all Syrian territory.

**Legislative
Decree
19 of 2015³**

allowed local boards of directors to establish holding companies. According to this law, the Damascus Cham Holding Company, managed by the Governor of Damascus, was established in 2016.

¹ Syrian Arab Republic, People's Assembly, Legislative Decree 63 of 2012, <http://parliament.gov.sy/arabic/index.php?node=5576&cat=16218&>

² Syrian Arab Republic, People's Assembly, Legislative Decree 66 of 2012, <http://parliament.gov.sy/arabic/index.php?node=5588&cat=4300&>

³ Syrian Arab Republic, People's Assembly, Legislative Decree 19 of 2015, <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=14416&ref=tree&>

**Legislative
Decree
11 of 2016⁴**

aimed to stop any work involving the maintenance or updating of real estate ownership records which had been suspended due to the war in all Syrian territories.

**Legislative
Decree
12 of 2016⁵**

was nominally aimed at automating the cataloguing of real estate ownership records, but in reality was used to demand that homeowners furnish large numbers of ownership and identification documents to prove ownership of their properties, deliberately ignoring the fact that many of these documents had been lost due to the destruction of homes by Syrian regime warplanes.

**Legislative
Decree No.
3 of 2018⁶**

aimed at clearing the rubble of destroyed houses, made it almost impossible for the owners of these houses to prove ownership after ownership documents were ruined or destroyed by air strikes.

⁴ Syrian Arab Republic, People's Assembly, Legislative Decree 11 of 2016, <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=16255&ref=tree&>

⁵ Syrian Arab Republic, People's Assembly, Legislative Decree 12 of 2012, <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=17322&ref=tree&>

⁶ Syrian Arab Republic, People's Assembly, Legislative Decree 3 of 2018, <https://bit.ly/309T8q9>.

Law No. 10 of 2018⁷,
subsequently
amended by Law
No. 42 of 2018⁸

aims to establish regulatory areas throughout Syria without specifying the nature of these regulatory areas, i.e., the Syrian regime can restructure any area it wants in Syria under the pretext of the existence of this law, including residential and commercial property.

These laws mainly target:

- Internally displaced persons (IDPs)
- Refugees
- Detainees and forcibly disappeared persons

According to the UN High Commissioner for Refugees, approximately 13 million Syrian citizens have been displaced, either as IDPs or as refugees outside the country, with the SNHR database including additional records on almost 131,000 Syrian citizens who are either detainees or forcibly disappeared persons, meaning that these articles of legislation target the majority of the Syrian people, constituting an additional form of collective punishment of those already dispossessed, being clearly discriminatory in nature and bearing a blatantly political and vengeful dimension.

The intense indiscriminate bombardment carried out by the Syrian regime and its Iranian ally, backed by the Russian air force, on dozens of Syrian areas such as the Eastern Ghouta, Daraya, Southern Syria, the northern suburbs of Homs, the northern suburbs of Hama, the southern suburbs of Idlib, Deir Ez-Zour, and the northern suburbs of Aleppo, has destroyed tens of thousands of residential buildings, with SNHR documenting much of this destruction with the help of satellite imagery. This relentless bombardment and destruction have displaced the vast majority of the residents of those areas, with cynical deals imposed by the regime, which are misleadingly described as 'reconciliation agreements', playing an additional role in the displacement process.

The stage of looting the contents of homes comes after the bombardment and displacement of their residents; SNHR has issued numerous reports and [news articles](#) documenting large-scale incidents of looting and theft carried out by Syrian regime forces. In addition to being a grotesque form of retaliation against those who rose up for freedom, which has nourished hatred and sectarian sentiments, the looting has constituted an unofficial form of material compensation for fighters in the regime-affiliated armed militias. Therefore, the regime facilitated this looting and turned a blind eye to it, and nobody has been held accountable for it.

These tactics practiced in recent years and up to the present day by the Syrian regime continue to constitute one of the most prominent obstacles to the return of IDPs or refugees to their homes.

⁷ Syrian Arab Republic, People's Assembly, Law No. 10 of 2018, <http://www.parliament.gov.sy/arabic/index.php?node=5516&cat=19313&>

⁸ Syrian Arab Republic, Presidency of the Council of Ministers, Law No. 42 of 2018, <https://bit.ly/3g7Uwze>

II. Confiscation of Agricultural Lands Is a New Form of Expropriation That Adds to the Regime's Control of Buildings and Properties:

Since June 2020, the Syrian regime's mindset has become even more vengeful, seeking new forms of control over the property of political opponents, especially those in the aforementioned groups, with the regime's forces seizing crops and agricultural lands through the introduction of a new method aimed at legitimizing this seizure and theft, with security committees announcing public auctions in all the areas of the suburbs of Hama governorate, and the southern and eastern suburbs of Idlib governorate, over which the Syrian regime and its allies regained control in 2019 and 2020.

SNHR has investigated these land seizures and communicated with a number of the owners of lands and crops seized by the Syrian regime through this auction process, providing extracts from five of the statements by these individuals in this report. Some of the farmers told us that their lands and crops had been seized without any compensation being provided, adding that this action had taken place prior to the announcement of the new initiative to seize land through sham public auctions whose real goal is further state theft of citizens' property.

This report has been compiled as part of the Syrian Network for Human Rights' efforts to document the forced displacement and its repercussions, including destruction, looting, and seizing control of property, and now of agricultural lands, with SNHR currently working on a more detailed, expanded report which includes information about these operations in several governorates, explaining the Syrian regime's approach to implementing the legislative articles that it has introduced with the objective of taking control of dissidents' and opponents' property.

All the accounts we obtained were acquired through speaking directly with eyewitnesses, with none of them cited from any open sources. We explained the purpose of these interviews beforehand to the eyewitnesses, who gave us permission to use the information they provided without us offering or providing them with any incentives. Also, SNHR provided assurances to the interviewees that we will conceal the identity of any witness who prefers to use an alias. All these procedures are carried out under the terms of SNHR's internal protocols, which we have worked for years to perfect, and which we strive constantly to develop through our experience in order to consistently maintain the highest standards of care and reliability, in addition to relying on hundreds of photos, videos and other sources of information. Readers can study our working methodology more extensively at [this link](#).

As in all our reports, we must emphasize that the violations detailed in this report represent the bare minimum that we have been able to document in terms of the magnitude and severity of the violations that have occurred, given the exceptional difficulties and challenges that we face during our work, as explained in our methodology. In addition, the report doesn't include any analysis of the profound social, economic, and psychological ramifications



The Syrian regime has recently focused on a new strategy of seizing lands in the suburbs of Hama and Idlib, but, based on our experience with the mentality and approach of the Syrian regime, we at the Syrian Network for Human Rights believe that this approach will be extended to include other areas in the Eastern Ghouta, Daraya and Southern Syria, similar to the way in which the Syrian regime gradually increased the intensity of its use of weapons for bombardment and killing, with its gradual introduction and implementation of legislative texts through which it seizes thousands of its opponents' properties, blatantly aided by the total inability and unwillingness of the UN Security Council, the international community and the world's democratic and civilized states, to help the Syrian people.



Fadel Abdul Ghany

**Chairman of the Syrian
Network for Human Rights**

III. Public Auctions Have Begun in the Suburbs of Hama and Idlib, Leading to the Seizure of Nearly 400,000 Dunams to Date, and We Fear That These Will Expand to Include All Syrian Regime-Held Areas:

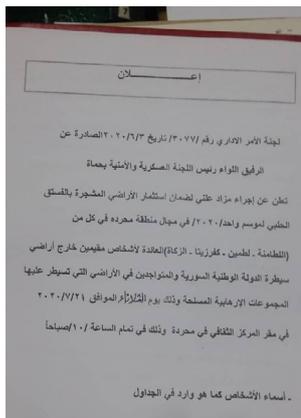
Since 2017, the areas of Hama suburbs and the southeastern suburbs of Idlib have witnessed a great change in terms of the controlling parties, witnessing clashes in recent years between factions of the Armed Opposition and Syrian regime forces, in addition to ISIS. At the end of March 2020, Syrian regime forces, backed by Russian forces and Iranian militias, were able to take complete control over most of the suburbs of Hama governorate and parts of the southern and eastern suburbs of Idlib; this military campaign resulted in another massive displacement movement, with the Syrian Network for Human Rights estimating that the number of people displaced as a result of the recent military campaign that took place between April 2019 and March 2020 has reached nearly one million people, most of whom were displaced to the northern suburbs of Idlib.

In March 2020, we issued [a report](#) in which we documented that at least 30 villages and towns in the northern suburbs of Hama, the southern suburbs of Idlib and the western suburbs of Aleppo were exposed to theft and looting of property between April 2019 and March 2020, carried out by Syrian regime forces and affiliated Iranian militias. According to a number of residents and local activists, the goods and property stolen during this mass looting have been sold in the markets in al Sqailbiya town in Hama suburbs; this is reminiscent of what we previously documented in 2012 and 2013 when the Syrian regime's militias opened similar markets to sell stolen goods after taking control of the cities of Homs and Hama.

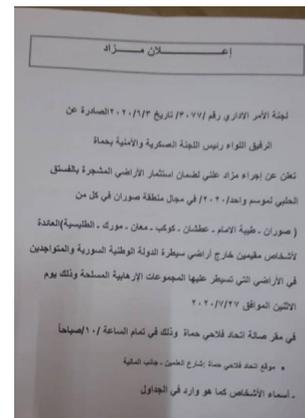
The Administrative Order Committee No. 3077 of June 3, 2020, and the Administrative Order Committee No. 4400 of August 27, 2020, which were established by the Security and Military Committee in Hama governorate, that consists of the heads of the regime's security branches in the region, the governor, the police commander, the General Lawyer, and the representative of the 'National Progressive Front', announced around 19 public auctions, including auctions for agricultural lands, in the suburbs of Hama governorate. The announcements declared that the public auctions would offer the chance to bid on leases for areas of agricultural lands for a year, with the announcements clearly indicating that the lands and properties in question belong to people currently living in locations outside the control of the Syrian regime, either as internally displaced persons or as refugees. Between October 2020 and November 2020, we documented three announcements issued by the Agricultural Association in the southern and eastern countryside of Idlib, to conduct public auctions offering leases on areas of agricultural land owned by individuals who that the Association claimed owed bank loans to the Agricultural Bank.

The following are summaries of 22 announcements of public auctions issued in order for the regime to seize control of these agricultural lands and crops:

A. Announcements of public auctions in Hama suburbs:



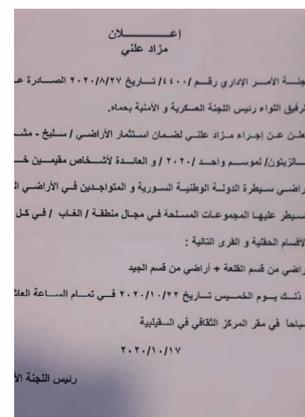
The announcement of a public auction offering leases on tracts of land planted with pistachio trees in the areas of al Latamena, Latmin, Kafr Zita, and al Zaka in Hama suburbs - Announcement date July 20, 2020



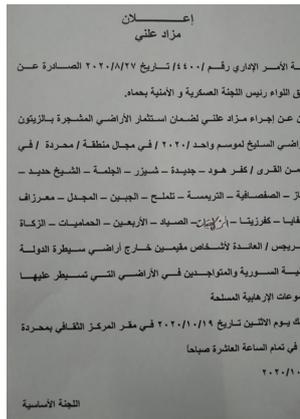
The announcement of a public auction offering leases on tracts of land planted with pistachio trees in the areas of Souran, Taybat al Imam, Atshan, Kawkab, M'an, Morek, and al Talisiya in Hama suburbs - Announcement date July 25, 2020



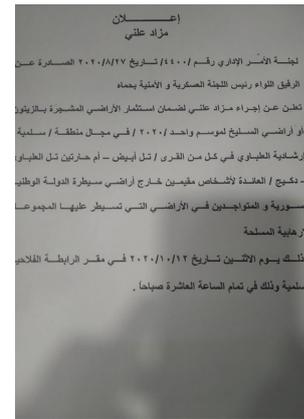
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated land in al Ghab area in Hama suburbs - Announcement date October 22, 2020



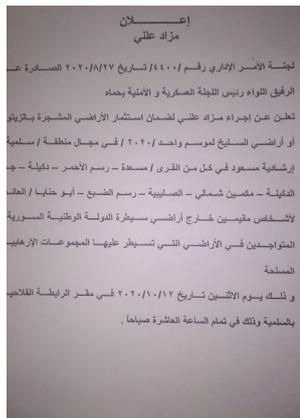
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated land in al Ghab area and al Qal'a and al Jeed lands in Hama suburbs - Announcement date October 17, 2020



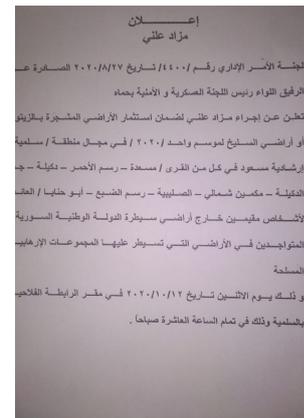
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated land in the areas Mhrada (Kafir Houd - Jdaida - Shezar – al Sheikh Hadid – Tal Meleh – al Traimsa - Helfaya – al Zallaqiyat – al Arba'in) in Hama suburbs - Announcement date October 13, 2020



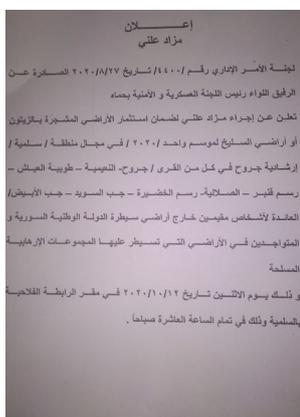
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated lands in the areas of Tal Abyad and Urm Hartin, Tal al Albawi and Dkeij in Hama suburbs - Announcement date October 7, 2020



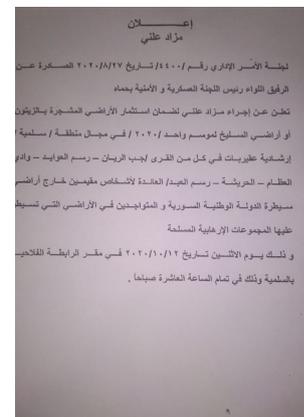
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated land in the areas of Mas'ada - Rasm al Ahmar - Dkaila - Jeb al Dkaila – Makmin Shamali - Slaibiya - Rasm al Dabe' - Abu Hanaya in Hama suburbs - Announcement date October 7, 2020



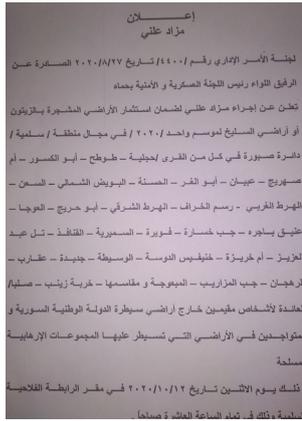
The announcement of a public auction offering leases on tracts of land planted with olive trees or tracts of uncultivated land in the areas of Souha - Hammad Omar - Abu Dali – al Abbakiya - Akesh) in Hama suburbs - Announcement date October 7, 2020



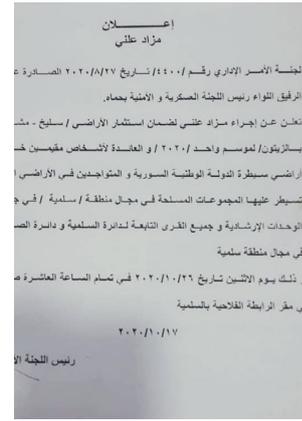
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated land in the areas of Jrouh – al N'eima - Toubiyet al Ayyash – Rasm Qanbar – al Sallaliya – Rasm al Khdeira - Jeb al Sweid - Jeb al Abyad in Hama suburbs - Announcement date October 7, 2020



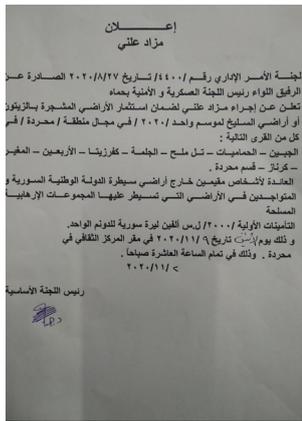
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in the areas of Eqerbat in Hama suburbs - Announcement date October 7, 2020



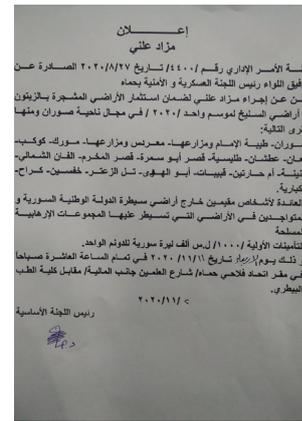
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in the areas of Salamiya in Hama suburbs - Announcement date October 7, 2020



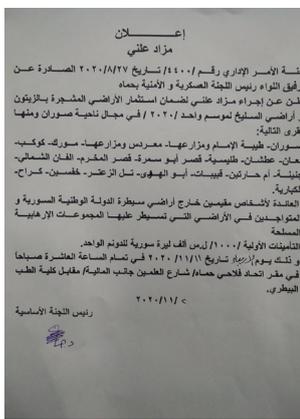
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in all agriculture extension units and villages in the district of Salamiya and al Sabboura in Hama suburbs - Announcement date October 17, 2020



The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in Mhrada area in Hama suburbs - Announcement date November 2, 2020



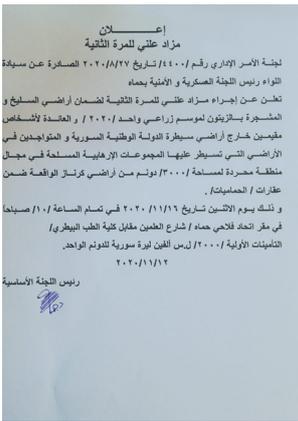
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in Souran district in Hama suburbs - Announcement date November 2, 2020



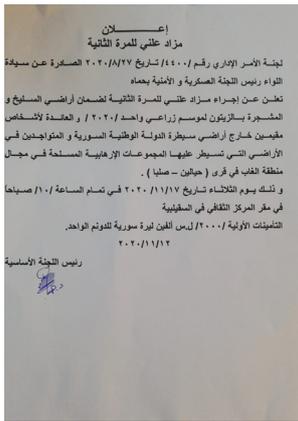
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in the area of Souran district in Hama suburbs - Announcement date November 2, 2020



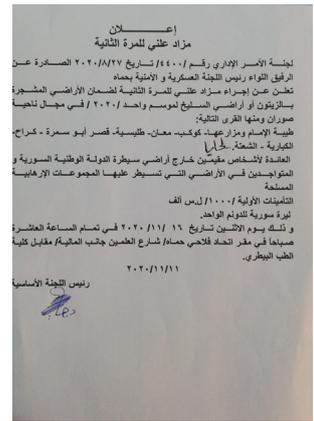
The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in Harb-nafseh in Hama suburbs - Announcement date November 2, 2020



The announcement of a public auction offering leases on lands planted with olive trees or uncultivated tracts of land in Kernaz area in Hama suburbs - Announcement date November 12, 2020



The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in al Ghab area (in Hama suburbs) - Announcement date November 12, 2020



The announcement of a public auction offering leases on tracts of land planted with olive trees or uncultivated tracts of land in the Souran district in Hama suburbs - Announcement date November 11, 2020

B. Announcements of public auctions in Idlib suburbs:



Announcement of an auction of tracts of agricultural land within the Idlib suburbs areas, owned by people living outside regime-controlled areas - Announcement date October 22, 2020



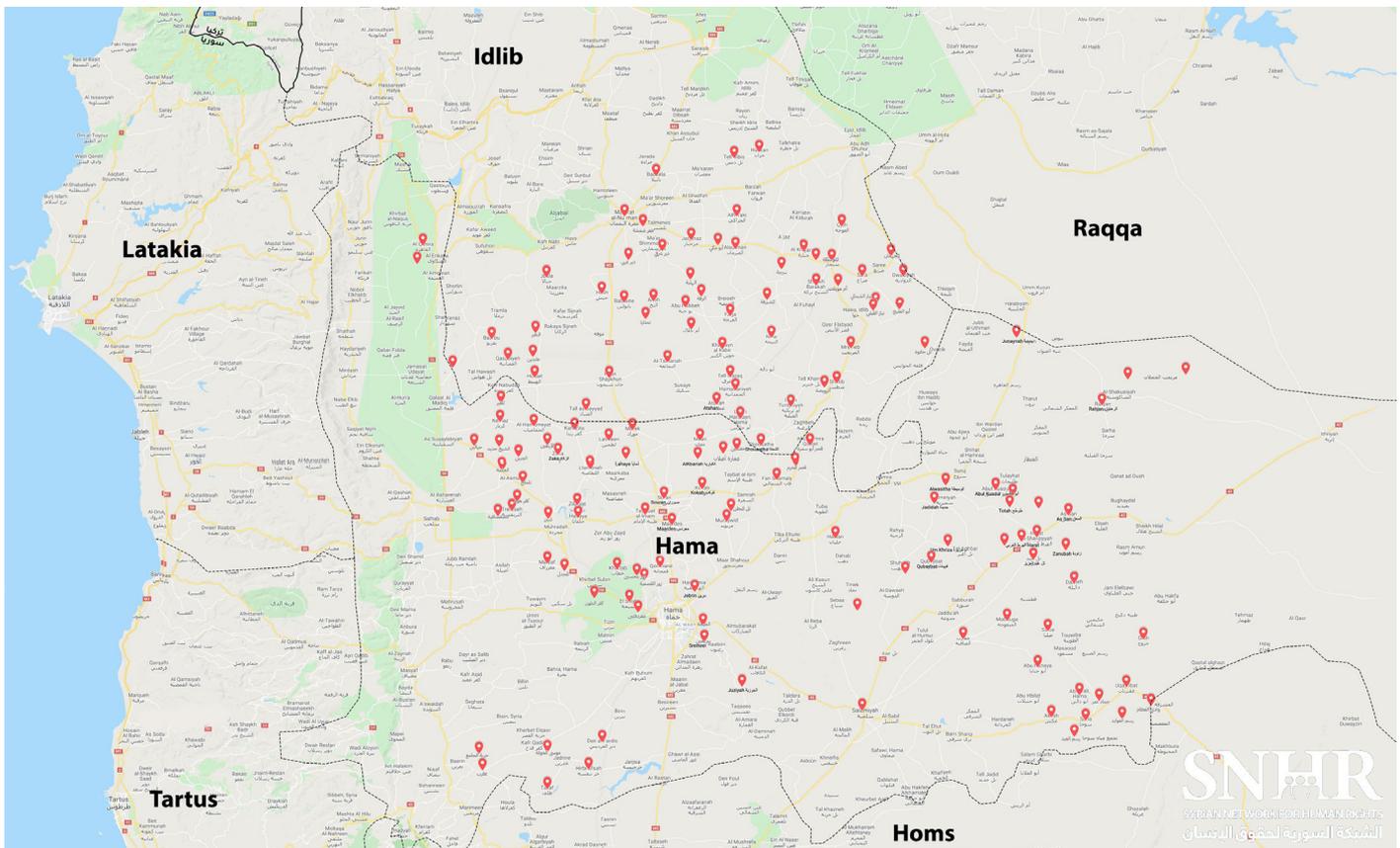
Announcement of an auction of tracts of agricultural land within the Idlib suburbs areas, owned by people living outside regime-controlled areas - Announcement date October 22, 2020



Announcement of an auction of tracts of agricultural land within the Idlib suburbs areas, owned by people living outside regime-controlled areas - Announcement date October 26, 2020

According to the figures available to our team, the areas covered by the auction announcements extended to the farmlands around nearly 134 villages and towns in Hama governorate, and 88 villages and towns in Idlib governorate, with the total area of these lands being approximately 400,000 dunums, including various agricultural lands that produce wheat, barley, potatoes and olives, as well as uncultivated lands and fish farms.

Interactive map shows the locations of the most prominent areas in the governorates of Hama and Idlib, which witnessed the announcement of public auctions by the Syrian regime to seize control of agricultural lands there:



The Syrian Network for Human Rights spoke with Hamad al Shamali who owns land south of Helfaya city in the northern suburbs of Hama, which was offered for lease at the public auctions recently announced by the regime. Hamad told us: **“My land is about 30 dunums, located south of Helfaya city, and it has an artesian well. In 2017, a few days after the Syrian regime stormed the city, I learned from relatives who live in the area that pro-regime militias stole the well’s equipment, which is expensive. In late 2019, I learned that pro-regime personnel cut down trees on my land and sold them in the looting markets as firewood for heating. As for the auction that was recently announced, it’s a continuation of the looting that has been going on for years; one of my relatives called me and said that my land would be given to pro-regime personnel from villages near our village, and he told me that it was better for me to allow him to use the land instead of the people of the neighboring villages taking it; I have been compromised.”** Hamad added: **“The regime claims that the owners of lands that are included in the public auctions owe the Agricultural Bank loans, but this is not true, as I have never dealt with the Agricultural Bank nor do I owe anything to it.”**

Hamad accused the commander of the National Defense militia of seizing large quantities of land in Helfaya city, adding that the recent public auctions were aimed at satisfying the leaders of the security branches, who had been unhappy at not getting their 'share' of the property looted and stolen by regime forces in recent years.

The Syrian Network for Human Rights also spoke with Mr. Amjad⁹, who owns land in Helfaya city. Amjad told us how Syrian regime personnel had looted irrigation equipment that he was using to irrigate his crops, specifically in mid-2018. Amjad says: **"My relatives who remained in the city after the regime took control of it told me how my land and my house and most of the city's homes were looted at that time by the Shabiha and National Defense Forces, most of whom come from the pro-regime Mhrada city and Rabe'a village.**

I own a second piece of land of 15 dunums planted with olive trees, located south of Helfaya on the al Majdal-Hama road. I entrusted it to my cousin in November 2020 to cultivate it; when my cousin went to prepare it for cultivation, personnel from the Military Security branch prevented him, under the pretext that the land is owned by a gunman, and they told him the land was at the government's disposal. Several days later, my cousin told me that members of the municipality of Mhrada have started cultivating the land. My land has been stolen and rented out without me being able to do anything."

We also spoke with Mr. Abdul Naser Houshan¹⁰, a lawyer from Kafr Zita city in the northern suburbs of Hama, another of the victims of the confiscation of agricultural lands. Abdul Naser told us: **"I own agricultural land that produces a pistachio crop, and it is one of the oldest fields in the city, about 75 years old, with an area of 200 dunams. In June 2020, the Security Committee in Hama announced Administrative Order Committee No. 3077, and the seasonal pistachio crop that belonged to us was confiscated through the public auction held by the Ba'ath Party Division in Mhrada village. We learned about the confiscation decision through the list issued by the committee in charge of statistics, which is composed of the head of the Kafr Zita city council, a member of the municipal council, the head of the Agricultural Society, and the secretary of the Party Division. Of course, we can't get the land back, for we are 'terrorists' in the regime's view, and, as such, the regime justifies its crime."**

The Syrian Network for Human Rights also spoke with Fayez al Mustafa¹¹, a resident of Jarjanaz town in the southern suburbs of Idlib. Fayez has been displaced from his village since 2018, following the massacre committed by the Syrian regime on November 24, 2018, in the village, and has not returned to it since then. He told us: **"On October 22, 2020, I read an announcement on Facebook on a page belonging to the Peasants' Union in the Idlib governorate - which is**

¹⁰ We contacted him via WhatsApp on January 13, 2021

¹¹ We contacted him via WhatsApp on January 11, 2021

affiliated with the regime. The announcement referred to the offering of agricultural lands in a number of cities and towns in the southern suburbs of Idlib in public auctions, for rental leases. Jarjanaz village was among the villages included in the announcement, and therefore my land was among the lands that were put up for public auction. The Peasants' Union claimed that the landowners have debts to the Agricultural Bank, but this is contrary to the truth, because I do not have any debt to the Agricultural Bank; some village residents who are still residing in regime areas told me that the lands of eastern Jarjanaz have been seized by a person from the al Hamdo family, who is a member of a pro-regime militia from E'jaz village."

Hussam al Fares¹², from al Hurriya village, one of the villages in Sahl al Ghab area. Hussam was displaced from his land due to the military operations carried out by Syrian regime forces in the area in May 2019. Although his land has been confiscated and its crops exploited by the regime's personnel and affiliated militias, it has not been offered at any public auctions up to the moment of preparing this report. Hussam told us: **"I was displaced from my land in early May 2019 to Harem city in the northern suburbs of Idlib, due to the intense bombardment by Syrian regime forces. At that time, my land was waiting for the harvest, but I couldn't harvest it, as I left everything behind and decided to save my life.**

The area of the land that I own is two-and-a-quarter hectares in size, and it includes several houses where I lived with my brothers. After we were displaced, we learned from the regime's media that the regime had confiscated the lands and harvested their crops. Several people who remained in the village confirmed to us that after the regime personnel harvested the wheat crop in 2019, the lands were cultivated in the following season with wheat and sorghum. I also learned that the farmers who remained in the regime-controlled areas were also prevented from cultivating their lands, as personnel from the National Defense militia from the pro-regime villages neighboring us seized them. I did not attempt to reclaim or claim the land, because the result is settled for me. The regime will not return my land after it confiscated it and exploited its crops."

¹² We contacted him via WhatsApp on January 8, 2021

Hussam said that the residents of his village include about 165 farmers who are licensed with the village associations, with the total area of their lands estimated at 4,500 dunums. These lands were not included in the public auctions that the regime announced recently, but Hussam told us that he learned through his contact with friends still living in the village that the lands will be offered at auction in the coming days.

The agricultural association that supervised the public auctions in the Idlib suburbs area claimed that the farmers whose lands were confiscated and offered at the public auction owe the Agricultural Bank unpaid loans, but the testimonies we obtained deny this pretext, with some farmers assuring us that they had never even dealt with the Agricultural Bank, while others indicated that they had paid off their debts to the bank before the popular uprising began.

It should be noted that, although the falsity and invalidity of this argument used by the agricultural association further undermine it as a pretext, even if it were true that the farmers had owed money, the argument would still be invalid since such a debt would not be grounds for offering the land for lease at public auction since such debt does not fall within the scope of violating the right of ownership under Syrian law. By contrast, the Agricultural Association's holding of public auctions violates Article 15¹³ of the Law of the Cooperative Agricultural Bank, which states that only the Agricultural Bank has the right to undertake the procedures of collecting the debts stipulated, and therefore no other party has the right to demand seizure or compulsory sale.

IV. Conclusions and Recommendations:

Legal conclusions:

- Since 2012, the Syrian regime has issued many legislative texts that contradict the most fundamental and basic principles of law, labelling these legislative texts as 'decrees' or 'laws', in order to lend a patina of legitimacy to the process of seizing hundreds of thousands of properties and lands belonging to dissidents and political opponents of its dictatorial rule, using the People's Assembly, which is effectively one of the annexes or branches of the security services, as a front for passing these arbitrary legislative articles.
- The strategy of seizing the property of hundreds of thousands of opponents of the Syrian regime intensifies the process of eviction and forced displacement, which is part of the regime's attempt to engineer the demographic and social structure of the Syrian state that automatically constitutes a major obstacle to the return of refugees and IDPs. The public auctions announced by the Syrian regime recently are just a new method which it adopted in the areas that broke free of its control to expand the seizure process to include land and agricultural crops, and to distribute these to its supporters.

¹³ Syrian Agricultural Bank, Agricultural Cooperative Bank Law, Article 15,

<http://agrobank.gov.sy/mlaws/details/8#:~:text=%D8%A7%D9%84%D9%85%D8%A7%D8%AF%D8%A9%201%3A,%D9%87%D8%B0%D8%A7%20%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85%20%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A%20%D8%A8%D9%83%D9%84%D9%85%D8%A9%20%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%81>

- All these decrees and laws deliberately ignore the main cause of the destruction, siege and displacement inflicted on the country's people, meaning it is, therefore, adding insult to injury to discuss the details and content of these laws or accord them the status of legitimate legislation, since they were issued by the party that carried out indiscriminate bombardment of residential buildings and areas, which constitute war crimes, and ignore the resulting widespread forced displacement, which amounts to a crime against humanity.
- The seizure of the property of hundreds of thousands of dissidents and political opponents is a major source of funding and income for the Syrian regime, and while it is difficult to determine a monetary value for these expropriated properties, real estate and lands, it is certain, through a simple survey, that such a sum would be hundreds of millions of dollars.
- Most of the residents of these villages and towns are farmers, with their land being their only source of livelihood, and the Syrian regime's arbitrary control over it carries a political retaliatory dimension intended to terrorize and inflict further suffering on Syrian society, as we are talking about thousands of affected people, and a deliberate strategy of impoverishment and plunder of the money and property of the Syrian people for the benefit of the ruling class.
- We affirm that the displacement of 13 million Syrian citizens, the destruction of a large part of their homes and shops, and the looting of their properties and lands are the most prominent factors that led to the collapse of the Syrian economy, and that this fundamental factor in devastating the economy is not referred to by the Syrian regime and its Iranian and Russian allies at all, since they are its main perpetrators. Rather, they prefer to redirect the focus to the factor of economic sanctions, which were imposed initially as a result of the egregious violations by the Syrian regime, including the crime of forced displacement, which, under Article 7 of the Rome Statute, amounts to a crime against humanity¹⁴, as practiced by the Syrian regime and its allies in a widespread manner.
- The Syrian Network for Human Rights is concerned that the policy of announcing public auctions will be expanded to include the other of the areas whose residents have been displaced by the Syrian regime, such as the Eastern Ghouta in Damascus and areas in areas in the Western Ghouta and Homs suburbs, with the vast majority of those displaced unable to return, due to the intrinsic threat to them from the Syrian regime through arbitrary arrests and persecution that may end in enforced disappearance and death due to torture, as well as due to the regime's forced conscription of young men among them to fight against those who may have been besieged or protesting alongside them.

¹⁴ International Criminal Court, Rome Statute, Article 7, <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>

- The public auctions announced by the Syrian regime through its security committees constitute a flagrant violation of the property rights stipulated in the Syrian constitution itself, which included a number of articles that guarantee property rights and their disposal; although the processes of investing land and thus cultivating it and benefiting from its crops do not formally expropriate the land from its owner, these actions still constitute an assault on ownership, with Article 768¹⁵ of Syrian Civil Law stating that “The owner of an object alone, within the limits of the law, has the right to use, exploit and dispose of it.” Meanwhile, Article 770¹⁶ states, “The owner of an object has the right to all its fruits, products and appendices unless there is a text or agreement to the contrary.”
- Putting agricultural lands up for public auction in this manner constitutes a violation of Article 15¹⁷ of the Syrian constitution, which stipulates that “Private ownership shall not be removed except in the public interest by a decree and against fair compensation according to the law; Confiscation of private property shall not be imposed without a final court ruling.” This proves once again that under a dictatorial regime operating via a security state, there is no meaning to any constitutional texts.
- Customary international law prohibits pillage according to Rule 52¹⁸ and Rule 111¹⁹, and international criminal law²⁰. Pillage does not need to be widespread or concerned solely with items of high economic value for this legislation to be invoked, but simply to have serious consequences for victims, and therefore amounts to a serious violation of international humanitarian law.

¹⁵ Syrian People's Assembly, Civil Law, Article 768, <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=12162&ref=tree&>

¹⁶ Syrian People's Assembly, Civil Law, Article 770, <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=12162&ref=tree&>

¹⁷ Ministry of Justice of the Syrian Arab Republic, Syrian Constitution of 2012, Article 15, https://www.moj.gov.sy/index.php?option=com_content&view=article&id=36:2014-05-24-12-2116&catid=2:syrianlegislation&Itemid=3

¹⁸ ICRC, International Humanitarian Law, Rule 52, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule52

¹⁹ ICRC, International Humanitarian Law, Rule 111, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule111

²⁰ International Criminal Court, Rome Statute of the International Criminal Court, Article 8-2 b-16, and 8-2-e-5, <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>

- Through this widespread looting, pillaging and plunder, the Syrian regime, with clear support from its Iranian and Russian allies, has violated the Geneva Conventions²¹, with the looting in a large number of areas taking the form of widespread destruction or seizure of property not justified by military necessity, and carried out unlawfully and arbitrarily.
- The Syrian regime has violated Principle 21 of the Guiding Principles on Internal Displacement²², which states:
 1. No one shall be arbitrarily deprived of property and possessions.
 2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:
 - (a) Pillage;
 - (b) Direct or indiscriminate attacks or other acts of violence;
 - (c) Being used to shield military operations or objectives;
 - (d) Being made the object of reprisal; and
 - (e) Being destroyed or appropriated as a form of collective punishment.
 3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Recommendations:

The international community:

After the Security Council completely failed to protect civilians and secure security and stability in Syria, this mission has clearly been transferred to those countries that care to prevent war crimes committed in accordance with their obligations under the Geneva Conventions and in particular the common Article 1 therein, according to which they must ensure that states respect the Geneva Conventions, with the Syrian regime considered to be one of the most egregious violators of the Geneva Conventions and international law in the modern age.

The Syrian regime intends to seize as much of its political opponents' property and land as possible in order to use this stolen property as a bargaining chip in the negotiation process, by returning part of it and releasing some of the detainees in exchange for re-legitimizing the regime and accepting the continuation of its rule. It is imperative that the Syrian regime's tactics in this regard must be exposed.

²¹ The Geneva Convention I, Article 50, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/365?OpenDocument>

The Geneva Convention II, Article 51, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/370?OpenDocument>

The Geneva Convention III, Article 130, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/375?OpenDocument>

The Geneva Convention IV, Article 147, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/380?OpenDocument>

Protocol II Additional to the Geneva Conventions, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/475?OpenDocument>

²² The United Nations, Economic and Social Council, Guiding Principles on Internal Displacement, <https://undocs.org/en/E/CN.4/1998/53/Add.2>

There will be no safe and dignified return for the IDPs and refugees in light of these security provisions that legalize the process of seizing property and land, and there is no guarantee that the Syrian regime will not at any time enact what it wants in terms of texts and laws, with the only solution remaining to accelerate the process of political transition towards democracy and respect for human rights principles.

Independent International Commission of Inquiry (COI):

- Document the widespread looting by Syrian regime forces in cooperation with Iranian militias, and the operations of putting up agricultural lands for public auction.
- Issue a special report or statement condemning these operations and clarifying their risk to the return of IDPs and refugees.

High Commissioner for Human Rights:

- Expose the practices of the Syrian regime in this widespread looting and control of property, residential and agricultural lands, and their dangerously destabilizing and detrimental impact in further undermining, damaging and causing antagonism and sectarian division in society, and submit a report to the Security Council and to the UN Special Envoy to Syria in this regard.

The UN Special Envoy to Syria:

- There is no meaning to any constitutional texts, even if these were the best formulated and quality in the world, in light of the survival of the security services which continue to rule brutally over Syria with the same mindset of 2011 and before then.
- Shed light on the systematic processes of seizing property and lands of political opponents and their impact on sabotaging the political process.

The Russian regime:

- Stop supporting the Syrian regime, some of whose practices are indistinguishable from those of any uncontrolled criminal mafiosi gang engaged in perpetrating widespread looting of the properties and lands of Syrian citizens whom it has displaced.
- Displacing 13 million Syrian citizens and looting property and agricultural lands are the greatest factors in the collapse of the Syrian regime. The Syrian regime must be forced to restore the rights of the owners these stolen properties and lands and to end the auctions aimed at seizing lands whose value is estimated at millions of dollars.
- Support a political process in which the current regime, which is involved in war crimes, plays no part, contributing to the return of 13 million Syrians to their homes and lands.

The Syrian regime:

The ruling authorities are supposed to provide protection and assistance to the IDPs, shielding them from looting and violence, in accordance with Principle 3²³ and Principle 21²⁴ of the United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons (the Pinheiro Principles); therefore the Syrian regime must end its indiscriminate shelling, terrorizing and displacement of the population, stop the widespread looting carried out by its forces, and hold those responsible for these violations accountable through full prosecution.

Stop violating international law and the current Syrian constitution, restore rights and property to their owners, and end the discriminatory policies against political opponents.

Thanks

We extend our most sincere thanks to those affected by these crimes and to their families for sharing their accounts with us and helping to document the harm inflicted on them, whose contributions made our database and this report possible.

²³ The United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons (the Pinheiro Principles), Principle 3, https://reliefweb.int/sites/reliefweb.int/files/resources/14513560A4FD818FC1257458004C8D88-Pinheiro_Principles.pdf

²⁴ The United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons (the Pinheiro Principles), Principle 21, https://reliefweb.int/sites/reliefweb.int/files/resources/14513560A4FD818FC1257458004C8D88-Pinheiro_Principles.pdf



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