

June 2021



## ***The Syrian Government is Seizing Large Swathes of IDPs Lands in Hama and Idlib***

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## Executive Summary

The Syrian government seized large areas of agricultural lands in the provinces of Hama and Idlib and offered these plots for rent and investment by public auctions. These land grabs occurred after government forces controlled various towns in the northern and western rural areas in Hama and the southern rural areas of Idlib in February 2020.<sup>1</sup>

The seized lands originally belonged to civilians, who were forced to leave their farms and houses behind as they escaped military operations launched by government forces and their allies. Reported seizures covered lands cultivated with pistachio, olives, wheat, barley, sugar beet, cotton, potatoes, and other vegetables. Other grabs targeted key fish farms in Syria, particularly in the al-Ghab region.

In Hama, the government backed the seizures with the pretext that landowners live in areas controlled by “terrorist organizations.” The Hama Security and Military Committee (HSMC),<sup>2</sup> headed by Ramadan Youssef al-Ramadan, carried out the confiscations. In Idlib, the Idlib Farmers Association (IFA),<sup>3</sup> a government-run entity, perpetrated the seizures, alleging that landowners have unpaid dues to the Agricultural Cooperative Bank (ACB), adding that they are settled in areas outside the control of the Syrian government.

In Hama province, the HSMC held a series of public auctions since mid-2020, offering for investment agricultural lands owned by internally displaced persons (IDPs). The auctioned lands are located in several towns and villages within the administrative borders of Suran region—including Suran, Tayyibat al-Imam, Morek, Atshan, Koukab, and Ma’an—, Muhradah region—including Ltamenah, Latmeen, Kafr Zita, al-Zakat, Jubbayn, al-Hamameyat, Tal Meleh, Jalamah, al-Arbreen, al-Mughayyir and Kernaz—, Salamiyah region—including Umm Hartein, Tell Elelbawi, Daki, Jrouh al-Nuaimia, Tuwaibet al-Ayash, Abul Kusour, Totah, Hjaiilyah, Akash, al-Abayka, Rasim Qanbar, al-Sallaliah, Easim al-Khdaira, Jub Swaid, Jub al-Abyad, Soha, Hamadi Elomr and Abu Dali—, and in al-Ghab region—including plots in al-Qal’a and al-Jayyid.

The IFA held similar public auctions in Idlib province in October 2020, offering for rent agricultural lands seized in several towns and villages located within the administrative borders of Abu al-Duhur region—including Tell Sultan, Tell Touqan, Ballisa, Abu al-Duhur and

<sup>1</sup> “A Short Briefing on the Humanitarian and Military Situation in Idlib,” STJ, 9 February 2021, <https://stj-sy.org/en/a-short-briefing-on-the-humanitarian-and-military-situation-in-idlib/> (Last accessed: 25 May 2021).

<sup>2</sup> The Hama Security and Military Committee (HSMC) is the supreme political, security and military power in the province. The HSMC was founded after 2011, as the situation in Syria spiraled into armed conflict. Similar security committees operate across provinces that the government controls. In terms of hierarchy, the chain of command goes down from the head of the committee— the highest ranking official— to the governor, the secretary of the province’s Ba’ath Party office, the representative of the National Progressive Front, the attorney general, the head of the police department, the head of the military police department, the head of the Military Security Branch, the head of the General Directorate of Intelligence branch, the head of the Political Security branch, the head of the Air Force Intelligence, the commander of the National Defense, and finally command of military brigades and divisions.

<sup>3</sup> The Idlib Farmers Association (IFA) is an entity that consists of several agricultural cooperatives, directly affiliated with the province and the Syria Farmers Union. It is one of the bodies operating under the Regional Command of the Arab Socialist Ba’ath Party.

its affiliated farms, Harmaleh and its affiliated farms, Rasm Nabas and its farms, Tell Salmou and its farms, al-Hasbanbeh and its farms—, Ma'arat al-Nu'man region— including Kafrya, Ramlah, Mreiheb, Nibaz, al-Juhman, al-Awja, Tell Halawa, Tal Alkarama, al-Qahira, Rajmel Mashraf, Ameria, al-Naqir, Qasabiyeh, al-Lweibdeh, Mishrafah, Umm al-Saharij—, and Khan Shaykhun region—including al-Tamanah, Moqa, al-The, Tahtaya, Khan Shaykhun, Jarjanaz, Umm Jalal, Raffa, Jbala, Kafr Basin, Hobait, Kafr Ein, Sheikh Dames, al-Heraki, Babuline, Maysruneh.

To obtain information about the area of lands confiscated by the Syrian government, Syrians for Truth and Justice (STJ) interviewed one of the legal professionals who worked on documenting the reported seizures. The lawyer said that the government grabbed approximately 60,000 dunums (6000 hectares),<sup>4</sup> in the provinces of Hama and Idlib between July —when the auctions started to be held—, and late November 2020.

This recent series of land grabs had a grave impact on the lives of hundreds of farmers in Hama and Idlib, who mostly escaped combat to IDPs camps on the Syria-Turkey border strip. These seizures deprived farmers of their only livelihood, leaving them to suffer dire humanitarian circumstances after they were doing relatively well financially.

In addition to legal professionals, STJ interviewed a number of the affected farmers. They all said that government forces and allies denied them access to the towns they controlled in the suburbs of Hama and Idlib, declaring that the towns were military zones.

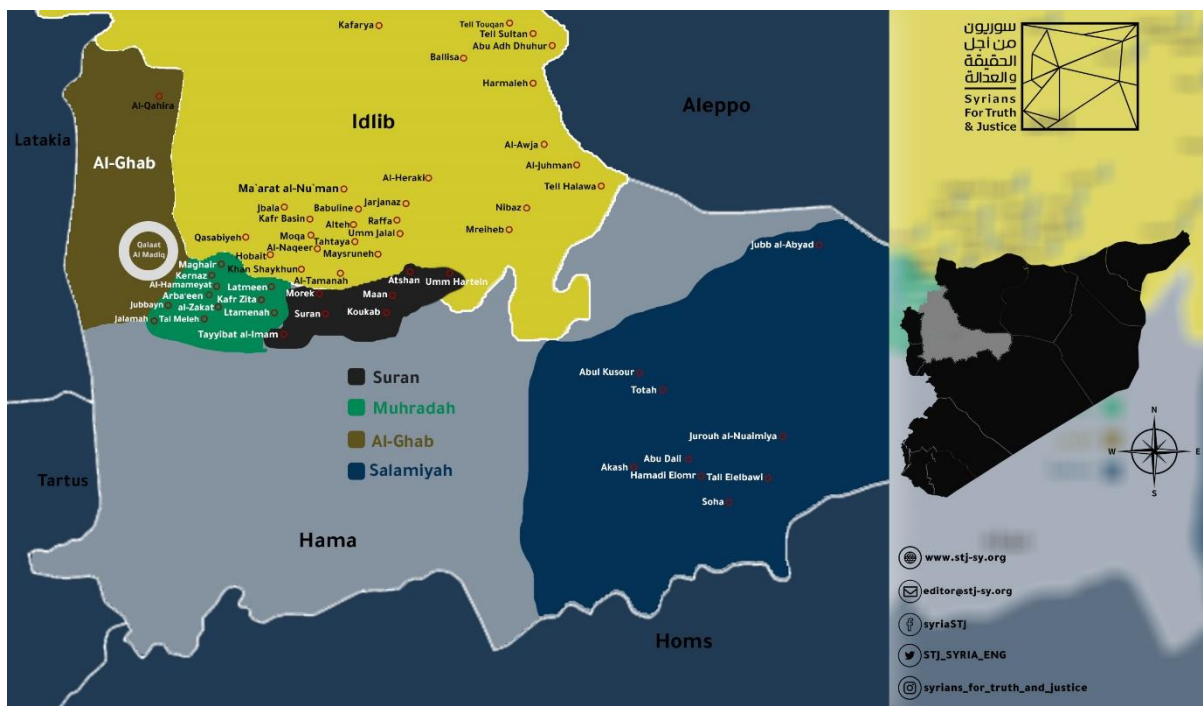


Image 1- Satellite image locating key towns and villages in the provinces of Idlib and Hama, where the Syrian government confiscated large plots of agricultural lands.

<sup>4</sup> One hectare is equivalent to 10 dunums.

## Methodology

This extensive report draws on a total of 10 interviews. STJ reached out to five affected farmers in rural Hama and Idlib, whose agricultural lands were seized and auctioned in 2020, and a fish farmer in al-Ghab region, in Hama countryside, who owned one of the confiscated fisheries.

Furthermore, STJ interviewed two local sources and an activist based in Hama. The activist recapped the events that led up to the latest wave of land confiscations in rural Idlib and Hama.

To gain insight on the legal context on these seizures, STJ interviewed a legal professional who participated in documenting the seizures and collecting the data that would allow us to estimate the total area of lands seized.

Field researchers with STJ conducted most of the interviews with eyewitnesses and sources online between early October 2020 and late January 2021 and consulted various open sources and references that addressed the report's subject matter.

### 1. Syrian Government Forces and Allies Control Areas in Hama and Idlib Suburbs

In late August 2019, Syrian government forces and allied militias managed to advance into and ultimately control the northern countryside of Hama,<sup>5</sup> particularly the cities of Morek, Ltamenah, and Kafr Zita and their administratively affiliated villages. Simultaneously, government forces took over the towns and cities of Hobait and Khan Shaykhun, and their villages, south of Idlib, in late August 2019. By February 2020, the forces had control of the entire region between the Qalaat al-Madiq area and the al-Amqiyah village, north of the western countryside of Hama. The forces also established their rule over Ma'arat al-Nu'man and Saraqib areas in Idlib countryside.

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<sup>5</sup> Among them are the National Defense, the 5th Corps, and other militias such as the Ba'ath Brigades.

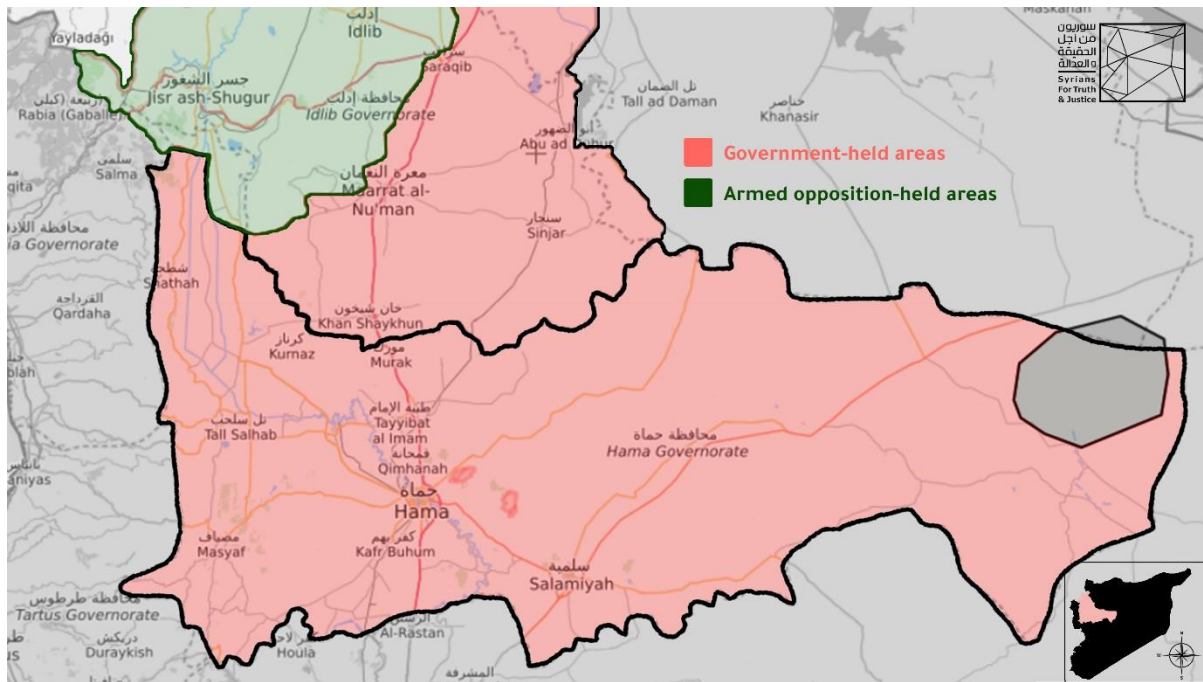


Image 2- Map showing the areas controlled by Syrian government forces in the two provinces of Idlib and Hama on 1 February 2020.

When opposition armed groups and other jihadist factions withdrew from the areas that government forces controlled,<sup>6</sup> pro-government militias divided agricultural lands in the northern and western countryside of Hama and the southern countryside of Idlib amongst themselves, including the perennial trees they contained and the cultivated crops, especially pistachios. Commenting on land and crop confiscations, a local source told STJ that pro-government militias hired civilian workers from towns in rural Hama— including Tayyibat al-Imam, Khatab, Halfaya and Suran— and started harvesting pistachio and olive crops in early June 2020. Several workers died or were wounded in land mine blasts, planted in agricultural lands during the clashes between Syrian government forces and armed opposition groups.

The source added that because several government forces' divisions were claiming control over target areas and allied militias operate under divergent [political and/or religious] affiliations, commanders competed against each other for the seized agricultural lands. Consequently, involved militias engaged in large-scale disputes, a number of which turned into armed confrontations, while others ended with crops being set aflame

Furthermore, a local pro-government Facebook news page— Hama Ba'ath Branch- Muhradah Department— posted photos in July 2020, allegedly of government officials assessing pistachio fields in Kafr Zita city, in Hama's countryside. The post read:

<sup>6</sup> Among them are Hayat Tahrir al-Sham (HTS), Turkistan Islamic Party in Syria (TIP), and Ansar al-Tawhid.

“Comrade Hazim al-Shaikh, Secretary of the Ba’ath Party Department in Muhradah, and engineer Hussam al-Faraj, head of the Kafr Zita Agricultural Directorate, inspected pistachio fields in the city, to assess the crops and this year’s yield to determine their worth [namely, to auction them].”

The page added that the revenues of the crops, owned by civilians, will be deposited at the fund dedicated to the families of dead soldiers of Syrian government forces.<sup>7</sup>



Image 3- The assessment visit by the Secretary of the Ba’ath Party Department in Muhradah and head of the Kafr Zita Agricultural Directorate to a pistachio field in Kafr Zita. Credit: Hama [al-Ba’ath Party] Branch- Muhradah Department.

Activist Abdulsalam al-Hamwi recounted to STJ the circumstances surrounding the fires that broke out on 12 June 2020 in the wheat fields in Muhradah region, where the National Defense militias are stationed. He said that the wind caused fires to spread eastwards, reaching the outskirts of Morak town in the northern countryside of Hama, passing through agricultural lands in the villages and cities of Tal Meleh, Hasraya, al-Zakat, al-Arbreen, Ltamenah, Kafr Zita, Latmeen and Lahaya. Al-Hamwi added that the heavy fires started after a dispute between checkpoint commanders and personnel over the division of land and shares of locals’ crops. He noted that Adnan Hussain al-Hamoud, 52, a civilian from Kafr Zita, died from third-degree burns while trying to put out the fires that consumed his lands.

<sup>7</sup> For more: <https://www.facebook.com/baath.maherda/posts/901211393690345>

Additionally, activist al-Hamwi reported crop losses due to the fire that spread into several villages and towns in Idlib province, including Khan Shaykhun, al-Tamanah, Atshan, southern and eastern suburbs of Ma'arat al-Nu'man, Jarjanaz, Alteh, Ma'ar Shimmareen, Talmenes, Hesh, and Saraqib, as far as Kafr Nouran in Aleppo countryside. He added that the fires damaged approximately 15,000 dunums (1500 hectares) in Hama countryside, consuming pistachio crops cultivated in an area of 3000 dunums (300 hectares), olive trees in about 3000 dunums (300 hectares), wheat in 7000 (700 hectares), and barley and nigella sativa in 2000 dunums (200 hectares).

Responding to the fires and subsequent crop and land losses, the Syrian government-affiliated HSMC issued a statement on 14 August 2020. The statement banned persons other than original owners from ploughing and working in agricultural lands until the committee, founded by Administrative Order No. 3077, finished its work. The ban is based on information confirming that some citizens are expropriating these lands.<sup>8</sup>



Image 4- Copy of the HSMC statement, issued on 14 August 2020. Credit: Hama Framers Association.

<sup>8</sup> For more: [https://m.facebook.com/story.php?story\\_fbid=2759193597515481&id=100002746034551](https://m.facebook.com/story.php?story_fbid=2759193597515481&id=100002746034551)

Following militia intra-fighting, the government's HSMC and the IFA began to confiscate lands owned by IDPs from the towns, villages, and cities that witnessed military action and offered them—by public auction— for 1-year-lease contracts from October 2020 to the summer of 2021. The HSMC and the IFA carried out confiscations on various pretexts, including that landowners were living in areas controlled by the armed opposition, or that landowners owe the ACB money.

## 2. Agricultural Lands in Hama Province Seized and Publicly Auctioned

Since mid-2020, the Syrian government has been confiscating agricultural lands belonging to civilians who escaped government forces' hostilities in their villages and towns in Hama countryside and auctioned them. Government-led seizures targeted lands cultivated with pistachios and olives, as well as the *al-Slaikh lands*— treeless properties cultivated with annual crops like wheat and barley. The HSMC, led by Major General Ramadan Youssef al-Ramadan, carried out the confiscations, alleging that these lands' owners are living in areas held by "terrorist organizations." The auctioned lands are located in:

### 1. Muhradah Region

In July 2020, the HMSC announced that it will hold a public auction for 2020 season's pistachio fields, located in the Muhradah region—including the villages and towns of Ltamenah, Kafr Zita, Latmeen and al-Zakat. The auction was slated for 21 July 2020 at the Muhradah Cultural Center.<sup>9</sup>

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<sup>9</sup> For more: <https://www.facebook.com/baath.maherda/photos/pcb.913037079174443/913036955841122>

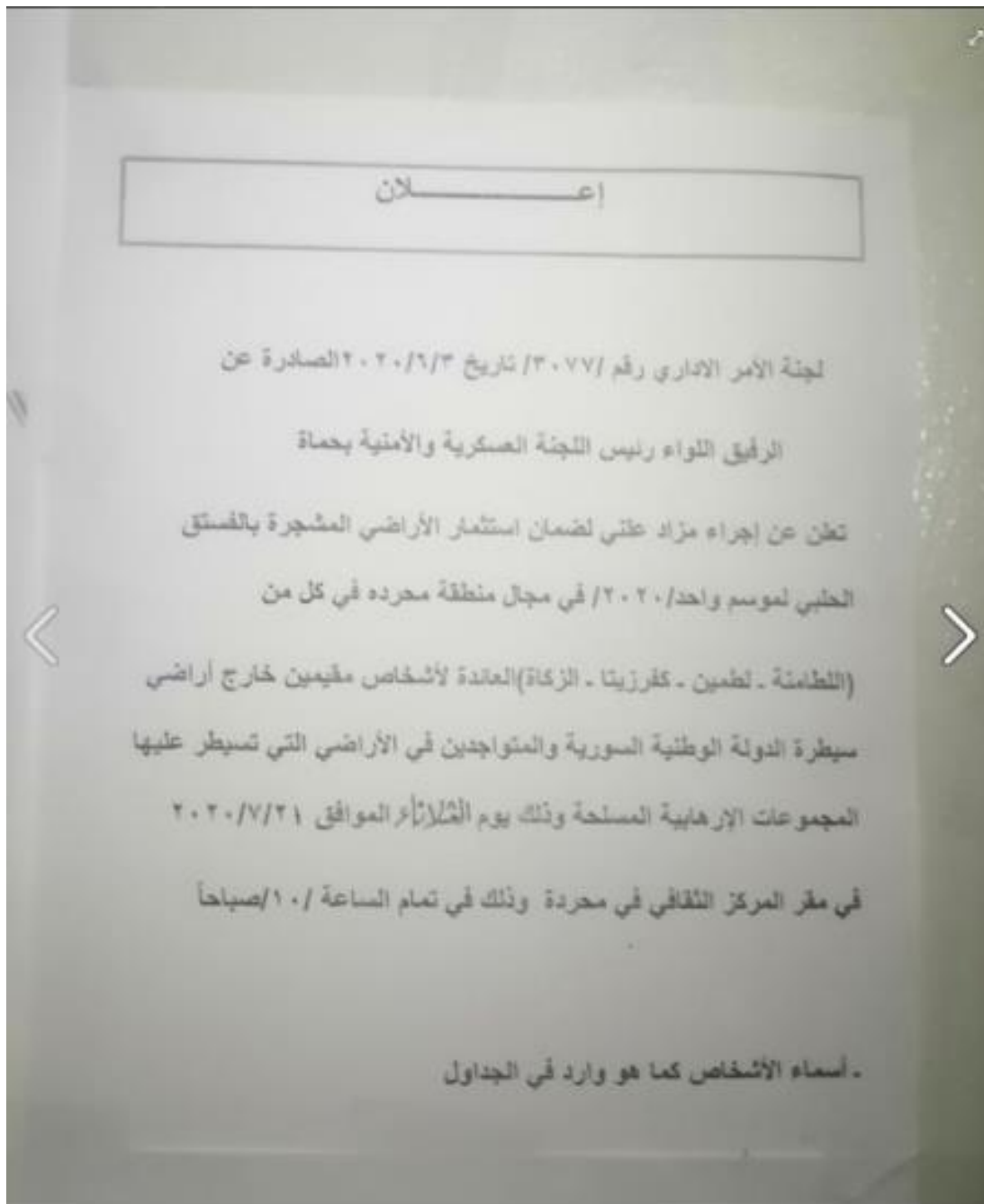


Image 5- The HMSC public auction announcement regarding pistachio fields in Muhradah region.

Credit: Hama [Ba'ath Party] Branch- Muhradah Department Facebook page.

In October 2020, the HMSC announced yet another public auction regarding agricultural lands in towns and villages in Muhradah region—including the Kafrhood, Jalamah, Jdeideh, Shaizar, Shaykh Al Hadid, Kernaz, Sifsafiyeh, Tremseh, Tal Meleh, Jubbayn, Majdal, Marzaf, Kafr Zita, al-Zakat, a-Sayyad al-Arbreen, al-Hamameyat, Zilaqiat, and Jreijes.<sup>10</sup>

<sup>10</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1697499840406829&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1697499840406829&id=617922165031274)

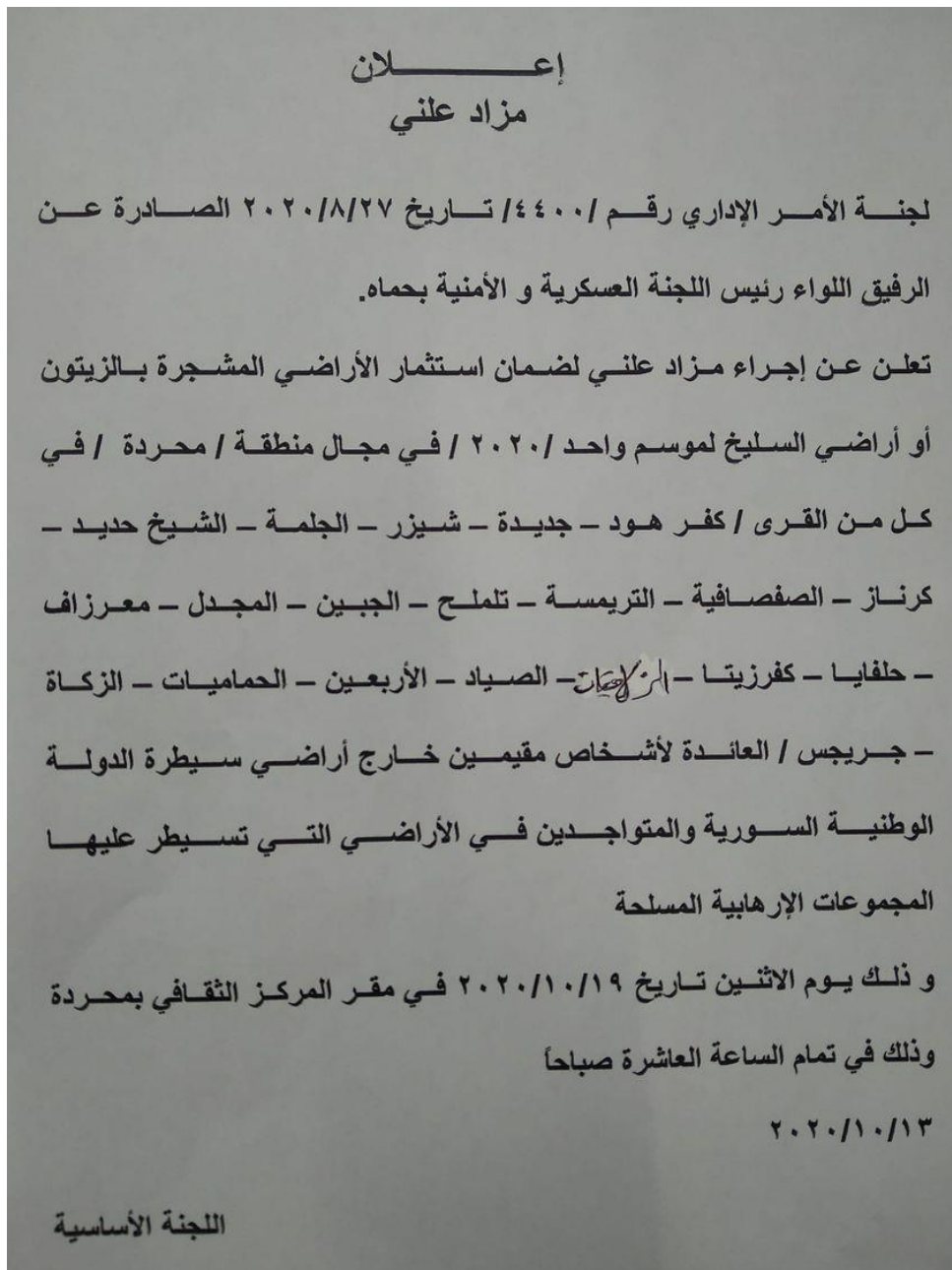


Image 6- The HMSC public auction announcement regarding olive groves in Muhradah region.

Credit: Hama Farmers Union.

In November 2020, the HMSC announced a third public auction, pertaining to the agricultural lands in towns and villages in Muhradah region— including Tal Meleh, Jubbayn, Kafr Zita, al-Hamameyat, Jalamah, al-Arbreen, Mughayyir and Kernaz. The auction was scheduled for 9 November 2020 at the Muhradah Cultural Center. The HMSC demanded a preliminary deposit of 2000 Syrian Pounds (SYP) per dunum.<sup>11</sup>

<sup>11</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1717374618419351&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1717374618419351&id=617922165031274)

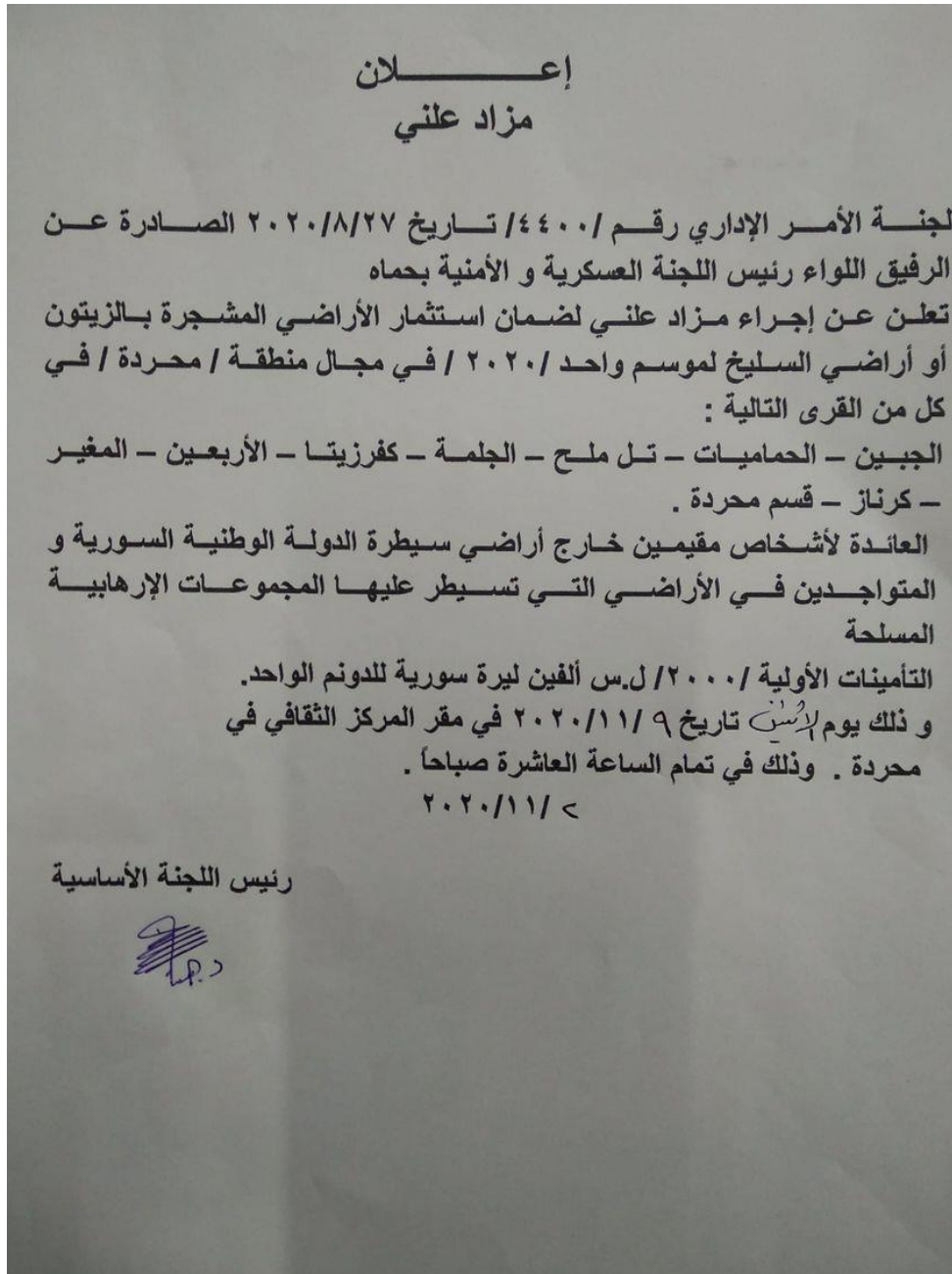


Image 7- The HMSC public auction announcement regarding olive groves in Muhradah region.

Credit: Hama Farmers Union.

## 2. Suran Region

On 25 July 2020, the HMSC announced it will hold a public auction for 2020 season's pistachio fields, located in the Suran region— including Suran, Taybet al-Imam, Morek, Atshan, Talisiya, Kawkab and Maan. The auction was slated for 27 July 2020 at the headquarters of the Hama Farmers Union in Hama city.<sup>12</sup>

<sup>12</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1624514611038686&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1624514611038686&id=617922165031274)

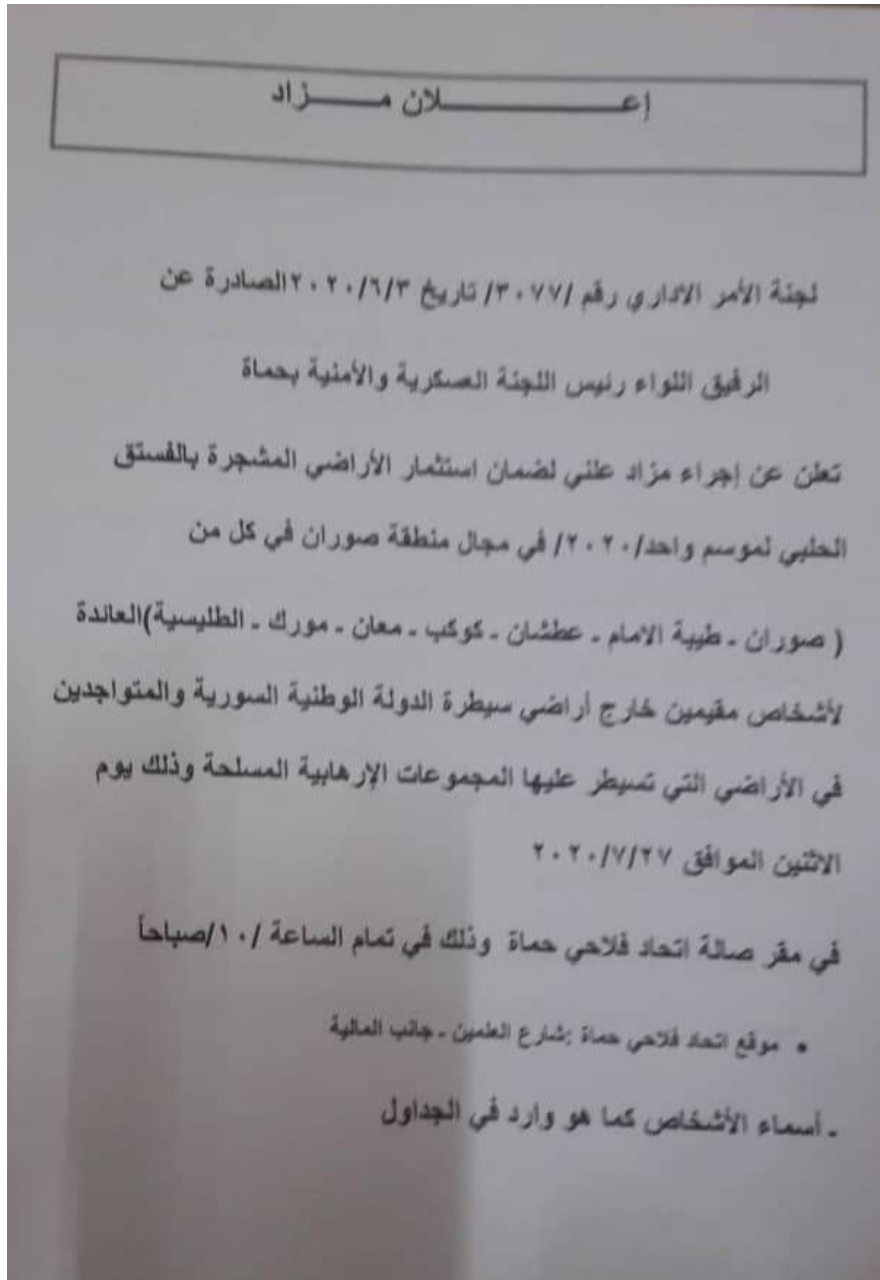


Image 8- The HMSC public auction announcement, offering pistachio fields in Suran region for investment. Credit: Hama Farmers Union.

On 2 October 2020, the HMSC announced that it will hold a public auction offering for investment olive groves and al-Slaikh lands, located in the villages within the administrative borders of Suran region— including Suran, Taybet al-Imam and its farmlands, Maardes and its farmlands, Morek, Atshan, Talisiya, Kawkab, Maan, Qasr Abu Samrah, Qasr al-Mukharram, Fan Shamaly, Junaynah, Umm Haratayn, Qubaybat Abu al-Huda, Tel al-Zaatar, Khafseen, Karah, and al-Kabariyah. The auction was slated for 11 November 2020 at Hama Farmers Union headquarters.<sup>13</sup>

<sup>13</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1717371755086304&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1717371755086304&id=617922165031274)

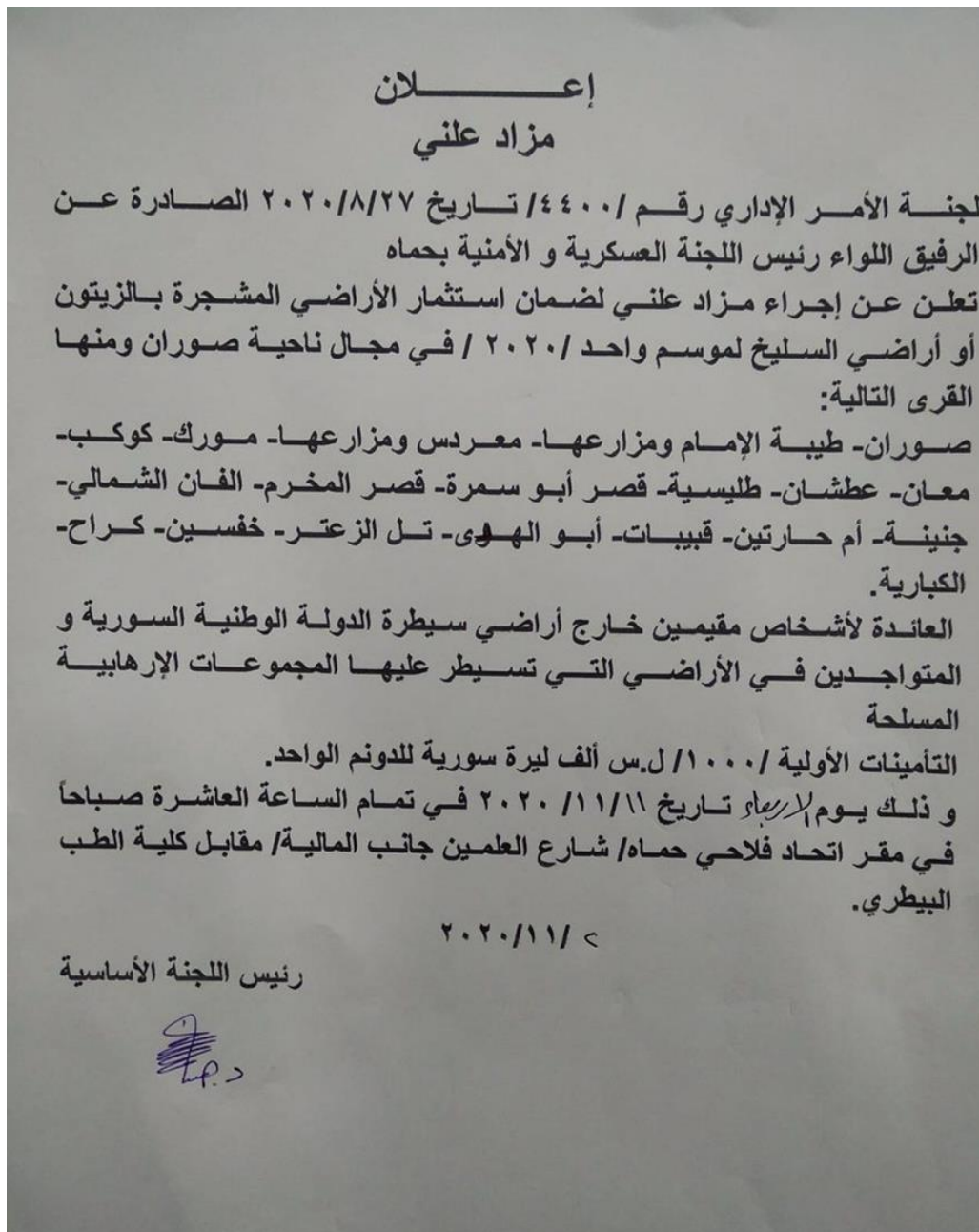


Image 9- The HMSC public auction announcement, offering olive groves in Suran region for investment. Credit: Hama Farmers Union.

### 3. Salamiyah Region

The Committee of Administrative Order No. 4400 announced it will hold a series of public auctions for olive groves and the 2020 season's crops of *al-Slaikh lands*, particularly agricultural lands located within the administrative borders of Salamiyah Region, in Hama countryside, including:

- Salamiyah—al-Abawee Agricultural Counseling Association: covering the villages and towns of Umm Hartein, Tell Elalbawi, Daki. The auctioned lands belong to people

based in areas controlled by armed opposition groups. The auction was slated for 12 October 2020 at the Farmers Association headquarters in Salamiyah city.<sup>14</sup>

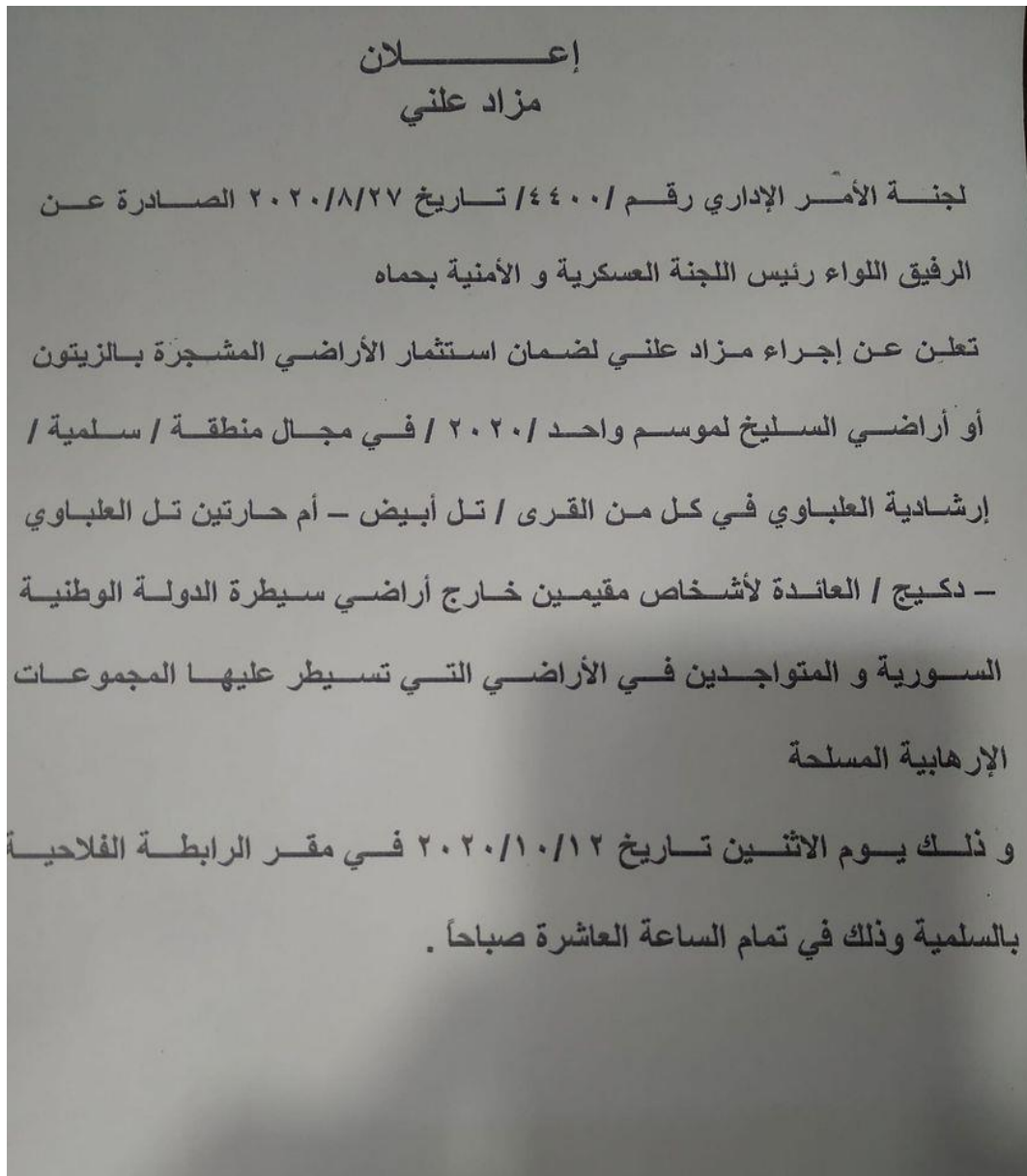


Image 10- The HMSC public auction announcement, offering olive groves in Salamiyah- al-Abawee Counseling Association for investment. Credit: Hama Farmers Union.

- In Salamiyah— Jrouh Agricultural Counseling Association: covering the villages and towns of Jrouh Al-Nuaimia, Tuwaibet al-Ayash, Rasm Qanbar, al-Sallaliah, Rasm al-Khdaira, Jub Swaid, and Jub al-Abyad. The auction was slated for 12 October 2020 at the Farmers Association headquarters in Salamiyah city.

<sup>14</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1691320487691431&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1691320487691431&id=617922165031274)

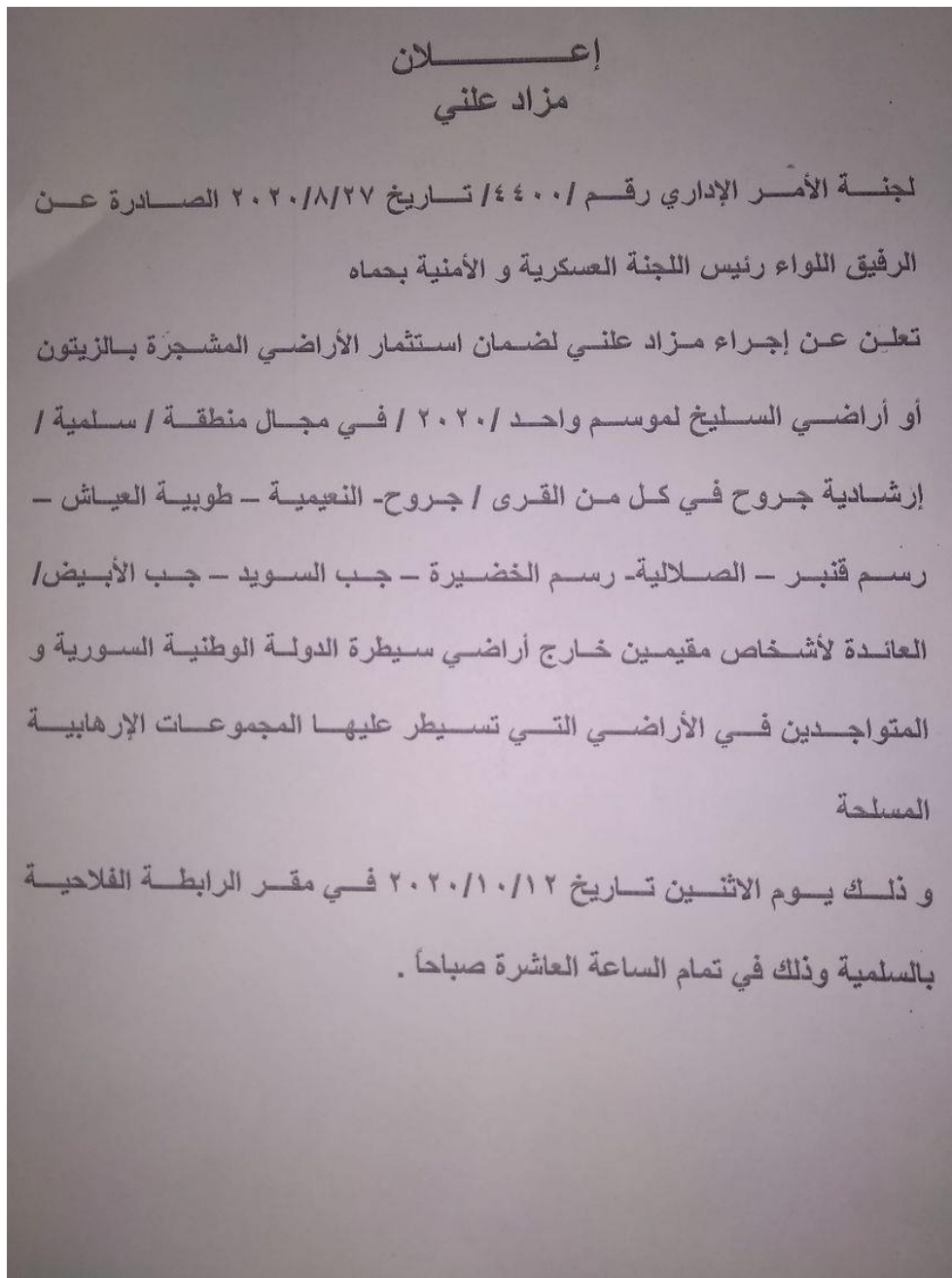


Image 11- The HMSC public auction announcement, offering olive groves in Salamiyah- Jrouh Counseling Association for investment. Credit: Hama Farmers Union.

- In Salamiyah— Soha Agricultural Counseling Association: covering the villages and towns of Soha, Hamadi Elomr, Abu Dali, Akash, and al-Abayka. The auction was slated for 12 October 2020 at the Farmers Association's headquarters in Salamiyah city.<sup>15</sup>

<sup>15</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1691321061024707&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1691321061024707&id=617922165031274)

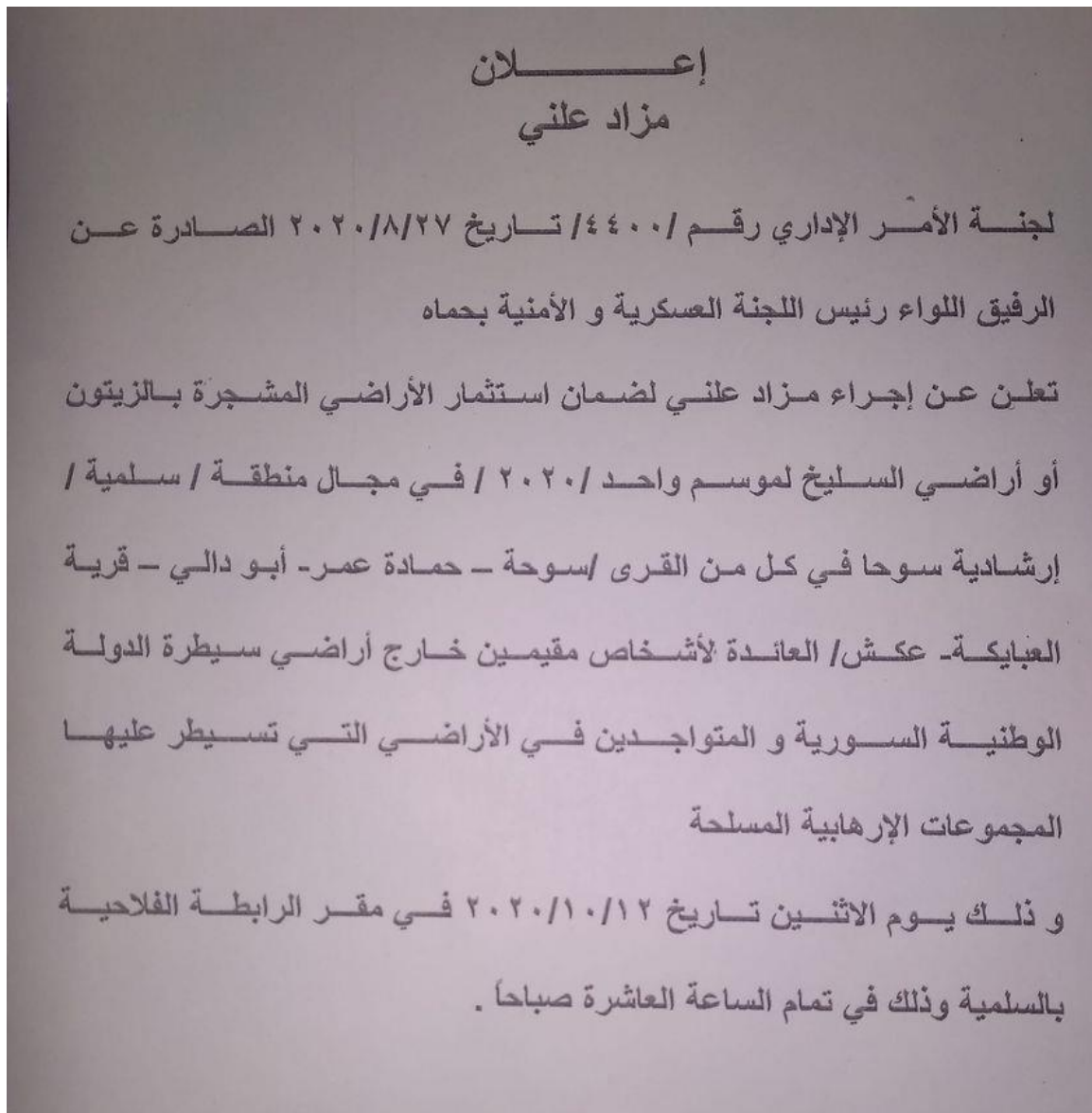


Image 12- The HMSC public auction announcement, offering olive groves in Salamiyah- Soha Counseling Association for investment. Credit: Hama Farmers Union.

- In Salamiyah— As'Saboura Directorate: covering the villages and towns of Abul Kusour, Totah, Hjaiilyah, Umm Sahri, Abyan, Abul Gor, al-Hasnah, al-Buwayed al-Shamaly, al-Sa'an, al-Harat al-Gharbi, Rasm al-Kharaf, Harat al-Sharqiyyah, Abu Hraij, Ojeh, Aniq Bajra, Jeb Khsara, Samiriyah, Qanafeth, Fawrah, Tal Abdel Aziz, Um Khriza, Khneifis Eldosa, al-Wasitta, Jdaiydeh, Aqarib Rahjan, Jub al-Mazareeb, Mabouga and its affiliated areas, Khirbat Zaynab, and Salba.<sup>16</sup>

<sup>16</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1691321211024692&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1691321211024692&id=617922165031274)

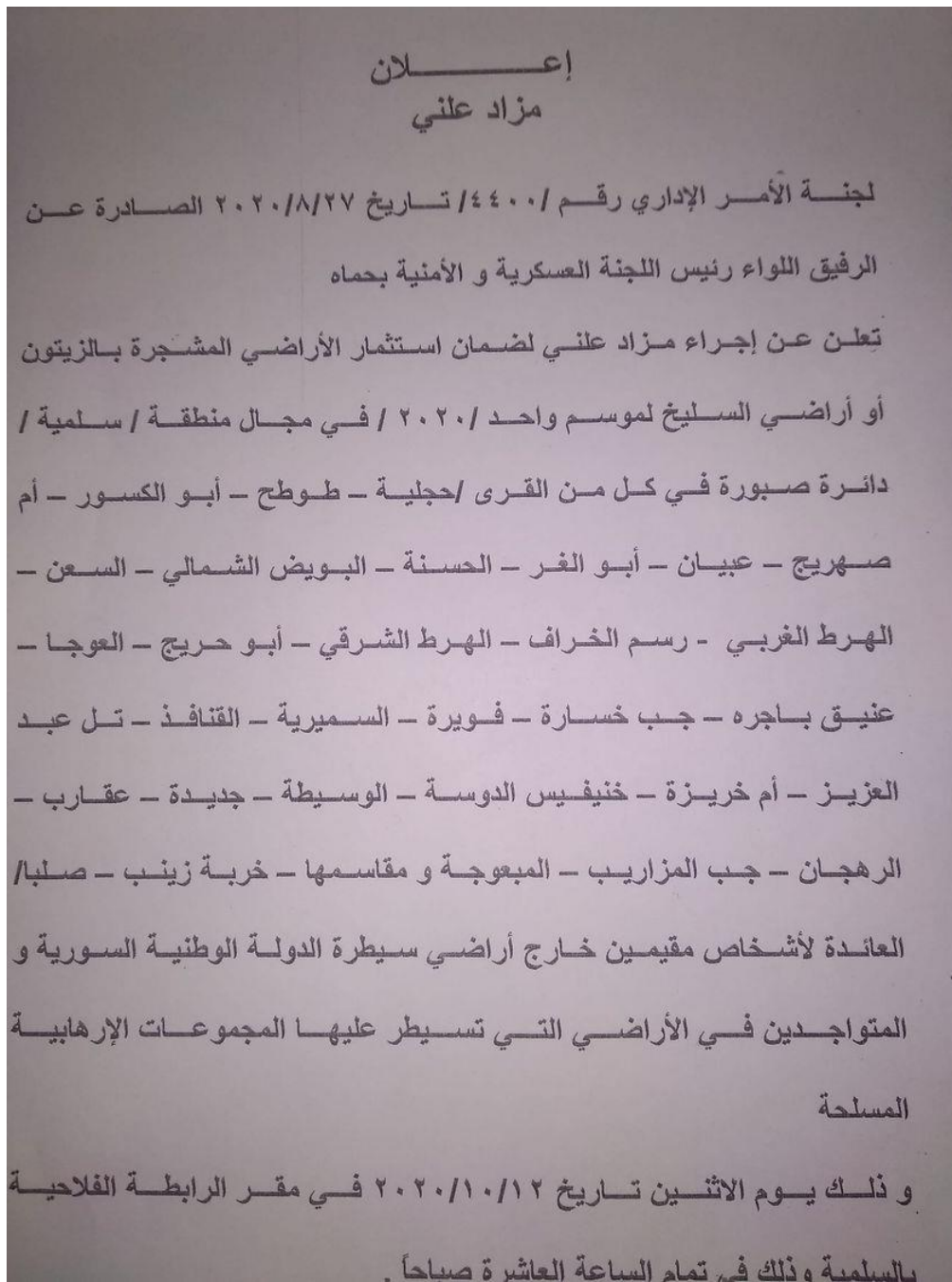


Image 13- The HMSC public auction announcement, offering olive groves in Salamiyah- As'Saboura Directorate for investment. Credit: Hama Farmers' Union.

- In Salamiyah—Uqayribat Agricultural Counseling Association: covering the villages and towns of Jub al-Rayan, Rasm al-Abed, Wadi al-Izzam, al-Hraisheh, and Rasm al-Awayed.<sup>17</sup>

<sup>17</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1691321484357998&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1691321484357998&id=617922165031274)

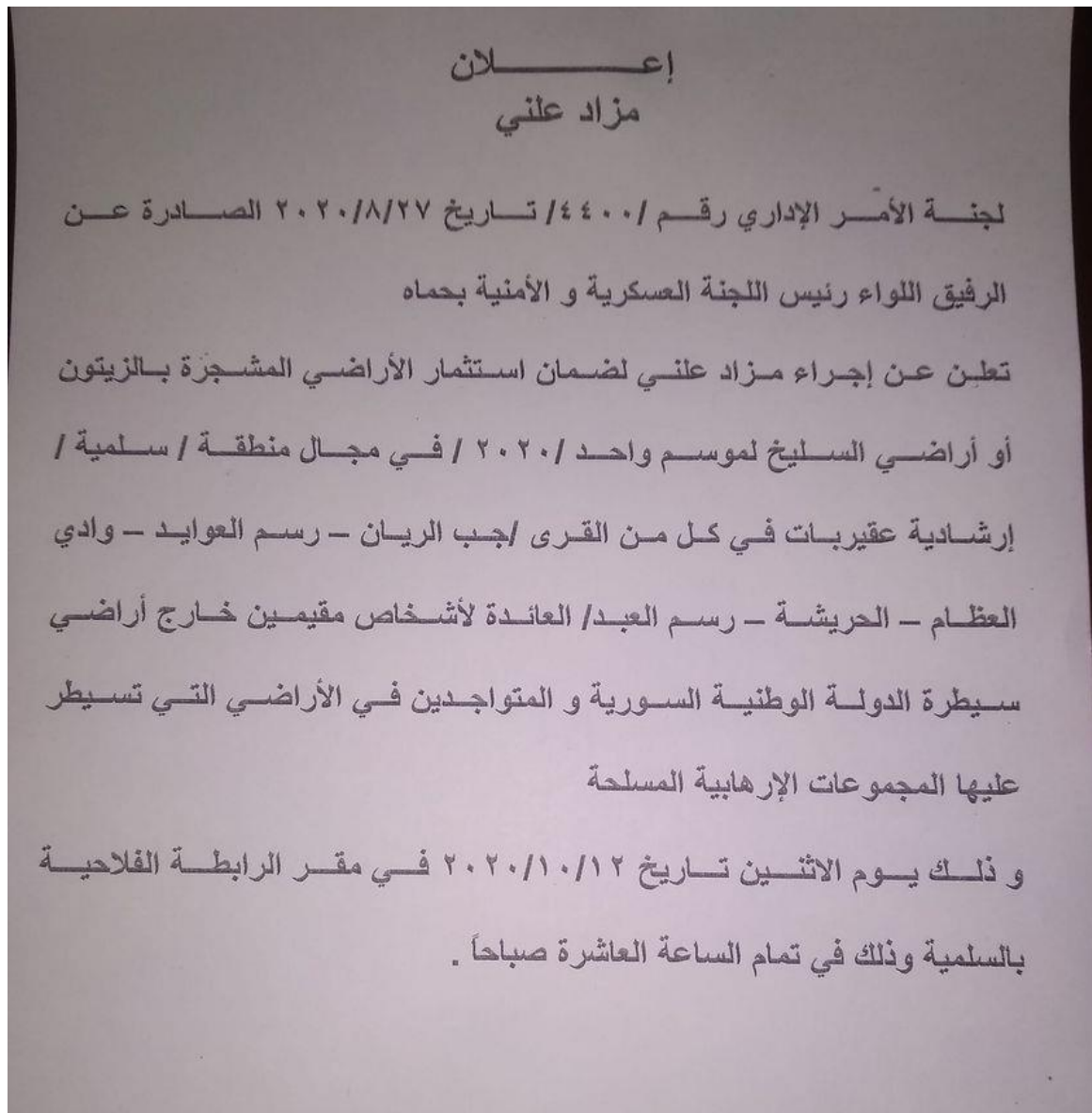


Image 14- The HMSC public auction announcement, offering olive groves in Salamiyah- Uqayribat Counseling Association for investment. Credit: Hama Farmers Union.

#### 4. Al-Ghab Region

On 17 October 2020, the HMSC announced it will hold a public event auctioning the 2020 harvest season of olive groves in the al-Ghab region, including groves in al-Qal'a and al-Jayyid. The auction was set for 22 October 2020, at al-Suqaylabiyah Cultural Center.<sup>18</sup>

<sup>18</sup> For more:

[https://www.facebook.com/permalink.php?story\\_fbid=1702083076615172&id=617922165031274](https://www.facebook.com/permalink.php?story_fbid=1702083076615172&id=617922165031274)

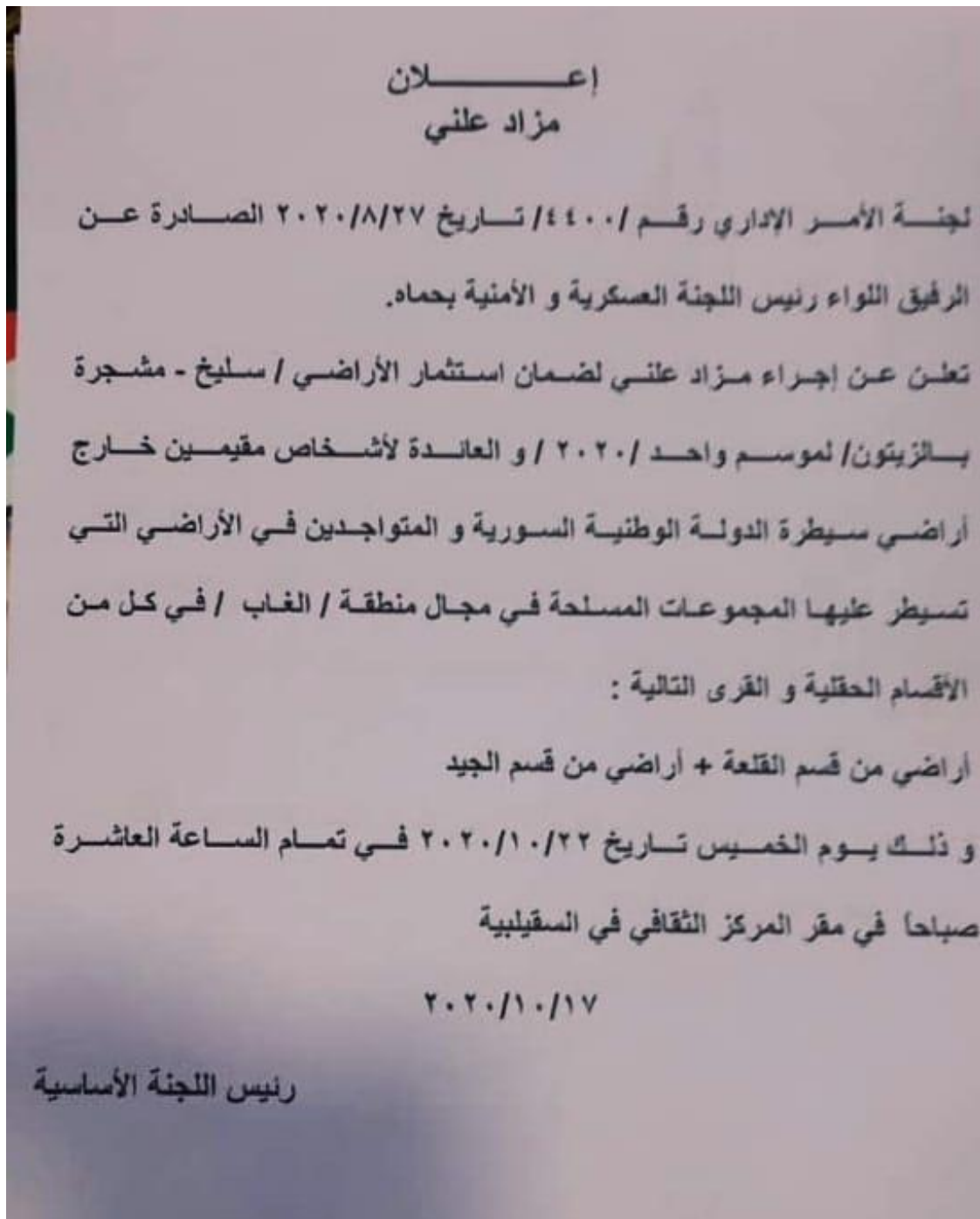


Image 15- The HMSC public auction announcement, offering olive groves in al-Ghab region for investment. Credit: Hama Farmers Union.

On 23 October 2020, the HMSC announced it will hold a second public auction for all sections and villages located in the al-Ghab region. Detailing the conditions of the auction on its official Facebook account, the Hama Farmers Union (HFU) said the auction will exclude lands located in areas where there is a military presence and those confiscated by security agencies.<sup>19</sup>

<sup>19</sup> For more: <https://www.facebook.com/617922165031274/photos/pb.617922165031274.-2207520000../1706832459473567/?type=3&theater>



Image 16- The HMSC public auction announcement, offering for investment agricultural lands located in all sections and villages in the al-Ghab region, except for lands located in areas where there is a military presence and those confiscated by security agencies. Credit: Hama Farmers Union.

### 3. Agricultural Lands in Idlib Province Seized and Publically Auctioned

Following in the steps of the HMSC in Hama province, the Syrian government-affiliated IFA announced on 22 October 2020 that it will hold three public auctions. The auctions offered for lease areas cultivated with olive, pistachio, wheat, barley and other crops. These lands belong to people living in areas outside the control of the Syrian government and were seized and auctioned on the pretext that owners have unpaid dues to the ACB.

The first public auction, announced on 2 October, offered for lease the agricultural lands and farms in the Abu al-Duhur district, in Idlib province, including Tell Sultan, Tell Touqan, Ballisa, Abu al-Duhur and its affiliated farms, Harmaleh and its affiliated farms, Rasm Nabas and its farms, Tell Salmou and its farms, al-Hasbanbeh and its farms, al-Zafar, Busra, Um Myal, and al-Tawahiniyeh. The IFA also defined the conditions that people wishing to bid for the auctioned pieces of land had to meet. Applicants have to pay a fee of 500 SYP and present the IFA with an identity document (ID) and a clear criminal record. The auction was slated to run between late October and early November 2020.<sup>20</sup>

**إعلان مزاد علني**

تعلن الرابطة الفلاحية ادلب عن إجراء مزاد علني للقرى والمزارع التابعة لمجال عمل رابطة فلاحى ادلب ضمن المناطق الآمنة وذلك عن الأعضاء المدانين لصالح المصرف الزراعي وفقاً للاتسي :

م	اسم الجمعية	الساعة	اليوم والتاريخ	مكان المزاد	موعد التاجيل	ملاحظات
١	تل السلطان - تل الطوقان ومزارعها رأس العين - بارسا - البليصة	١١-١٠ ١٢ ٢-١	الأربعاء ١٠/٢٨ / ٢٠٢٠	مقر الاتحاد	الأحد ٢٠٢٠/١١/١	نفس الزمان والمكان
٢	أبو الظهور ومزارعها أبو الظهور تربية وتحسين	١١-١٠ ١-١٢	الخميس ١٠/٢٩ / ٢٠٢٠	مقر الاتحاد	الاثنين ٢٠٢٠/١١/٢	نفس الزمان والمكان
٣	حرملة ومزارعها - رسم نياص ومزارعها - تل سلمو ومزارعها رسم عابد ومزارعها	١١-١٠ ١-١٢	الأحد ١١/١ / ٢٠٢٠	مقر الاتحاد	الثلاثاء ٢٠٢٠/١١/٣	نفس الزمان والمكان
٤	حميمات الدابر ومزارعها البراغيثي ومزارعها - الوسيطة ثلجينية	١١-١٠ ١-١٢	الاثنين ١١/٢ / ٢٠٢٠	مقر الاتحاد	الأربعاء ٢٠٢٠/١١/٤	نفس الزمان والمكان
٥	الحسينية - ومزارعها - الزفر - بصرى - أم ميال	١١-١٠ ١-١٢	الثلاثاء ١١/٣ / ٢٠٢٠	مقر الاتحاد	الخميس ٢٠٢٠/١١/٥	نفس الزمان والمكان
٦	الطواحينية	١٠	الأربعاء ١١/٤ / ٢٠٢٠	مقر الاتحاد	الأحد ٢٠٢٠/١١/٨	نفس الزمان والمكان

**شروط المزاد :**

- ١- غير محكوم
- ٢- صورة عن الهوية الشخصية
- ٣- دفع سلفة دخول المزاد / ٥٠٠ / خمسمائة ليرة سورية للدونم الواحد

رئيس رابطة فلاحى ادلب  
مصطفى اليوسف

مستشار  
ادلب الفلاحية محافظة ادلب

Image 17- The IFA public auction announcement, offering for investment agricultural lands and villages in the Abu al-Duhur district, in Idlib province. Credit: Idlib Farmers Union.

<sup>20</sup> For more: <https://www.facebook.com/111069657425133/photos/a.111082414090524/132266991972066/>

The IFA announced it will hold a second public auction, offering for lease the villages and farms located in Ma'arat al-Nu'man region, southeast of Idlib, including Kafrya, Ramlah, Nibaz, al-Juhman, al-Awja, Tell Halawa, Tal Alkarama, al-Qahira, Rajmel Mashraf, Ameria, al-Naqir, Baarbu, Qasabiyeh, al-Lweibdeh, al-Barsah, Mishrafah, Umm al-Saharij, Magharet Merza, Khwin al-Ar, Halban, Abu Sharji, Tell Dam, Shaykh Barakah, Sarjah, Abdeen, Tell Dibis, Karratin, Qatra, Maar Hattat, Sayadi, al-Shaara, Abu Amro, Maar Shamshah, Mutawaseta, Niha, al-Ma'ara, Deir Sharqi, Deir Gharbi, and Babila. These lands were also seized and auctioned on the pretext that owners had unpaid dues to the ACB. The auction was slated to run from mid- to late November 2020 at the headquarters of the Idlib farmers Union.<sup>21</sup>

تعلن الرابطة الفلاحية بالمعرة عن إجراء مزاد علني لبيع مساحات الأراضي الزراعية  
التي تم سلبها من أصحابها في مناطق سيطرة الدولة وذلك عن الإلتزام المدينين لصالح المصرف  
الزراعي وفقاً للتالي :

أسم المصحة	الساعة	اليوم والتاريخ	مكان المزاد	موقع المأجول	ملاحظات
١- كفرية - ٢- رملية	١١ - ١٤	الخميس ٢٠٢٠/١١/١٤	مركز الاتحاد	الأشبين ٢٠٢٠/١١/١٦	نفس الزمان والمكان
٣- نيباز - ٤- أبو الوليد - ٥- الجوهان	١١ - ١٤	الجمعة ٢٠٢٠/١١/١٥	مركز الاتحاد	الأشبين ٢٠٢٠/١١/١٧	
٦- نيل ملاوة - ٧- العوجية - ٨- نيل الكرام - ٩- رجم المشوف	١١ - ١٤	الجمعة ٢٠٢٠/١١/١٦	مركز الاتحاد	الأشبين ٢٠٢٠/١١/١٨	
١٠- القاعة - ١١- القاصبة - ١٢- يعربو - ١٣- اللوسيرة	١١ - ١٤	الجمعة ٢٠٢٠/١١/١٧	مركز الاتحاد	الأشبين ٢٠٢٠/١١/١٩	
١٤- المشرفة - ١٥- أم الصبارين - ١٦- مغارة بيرزا	١١ - ١٤	الجمعة ٢٠٢٠/١١/١٨	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٠	
١٧- حزان - ١٨- نيل المشقة - ١٩- حلبان - ٢٠- حلوب	١١ - ١٤	الجمعة ٢٠٢٠/١١/١٩	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٢	
٢١- أبو حشيش - ٢٢- حشيرة - ٢٣- الشفيرة	١١ - ١٤	الجمعة ٢٠٢٠/١١/٢٢	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٤	
٢٤- عابدين - ٢٥- نيل ديبس - ٢٦- كراتين - ٢٧- مطرة	١١ - ١٤	الجمعة ٢٠٢٠/١١/٢٣	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٥	
٢٨- معر حطاط - ٢٩- الصياوي - ٣٠- الصخرة - ٣١- أبو محمد	١١ - ١٤	الجمعة ٢٠٢٠/١١/٢٤	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٦	
٣٢- معر حطاط - ٣٣- أبو محمد - ٣٤- أبو محمد - ٣٥- أبو محمد	١١ - ١٤	الجمعة ٢٠٢٠/١١/٢٥	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٧	
٣٦- أبو محمد - ٣٧- أبو محمد - ٣٨- أبو محمد - ٣٩- أبو محمد	١١ - ١٤	الجمعة ٢٠٢٠/١١/٢٦	مركز الاتحاد	الأشبين ٢٠٢٠/١١/٢٨	

شروط المزاد :

١- صورة عن الهوية الشخصية  
٢- دفع سلفة نقدية بمبلغ ٥٠٠ / ليرة سورية لكل دولتم وأحد للاشتراك بالمزاد

رئيس المصفي

Image 18- The IFA public auction announcement, offering for investment agricultural lands and villages in Ma'arat al-Nu'man region, in Idlib province. Credit: Idlib Farmers Union.

<sup>21</sup> For more: <https://www.facebook.com/111069657425133/photos/a.111082414090524/132266818638750/>

The IFA announced it will hold a third public auction, offering for lease agricultural lands in villages and towns in Khan Shaykhun district, in Idlib province, including al-Tamanah, Moqa, al-Teh, Tahtaya, Khan Shaykhun, Jarjanaz, Halbeh, Umm Jalal, Raffa, Jbala, Kafr Basin, Hobait, Kafr Ein, Sheikh Dames, al-Heraki, Babuline, Maysruneh, Sara, Abu Dali, Sinjar, Hesh, Farja, al-Khiyarah, Rweideh, and Umm Muwaylat.<sup>22</sup>

مزارع علان

تعلن الرابطة الفلاحية بالمعرة عن إجراء مزاولة تلتزم للبيوتات الفلاحية من أراضي المزارع

الغير المتواجدين أصحابها في مناطق سيطرة الدولة وذلك عن الإغناء المدانين لمصالح المزارعين

الزراعي وفقاً للاتى :

أسم الجمعية	السنة	اليوم التاريخ	مكان المزاد	مؤهل السجل	ملاحظات
١- التمانه - ٢- موقه - ٣- التجه - ٤- صفايا	١١ - ١٠ - ١٤	الأربعاء ٢٠١١/١٠/٢٨	مقر الاتحاد	الأحد ٢٠١١/١١/١	نفس الزمان والمكان
١- طابيه - ٢- جرش - ٣- الحلبه - ٤- أم طلال	١١ - ١٠ - ١٤	الخميس ٢٠١١/١٠/٢٩	مقر الاتحاد	الاثنين ٢٠١١/١١/٢	
١- الرقة - ٢- صفايا - ٣- حليلك - ٤- كفرناحون	١١ - ١٠ - ١٤	الجمعة ٢٠١١/١١/١	مقر الاتحاد	الاثنين ٢٠١١/١١/٢	
١- الوسط - ٢- كفرعين - ٣- الشحر - ٤- أبو بكر	١١ - ١٠ - ١٤	الاثنين ٢٠١١/١١/٢	مقر الاتحاد	الأربعاء ٢٠١١/١١/٤	
١- الحراق - ٢- بابوكين - ٣- الميصرينه - ٤- أبو هبة	١١ - ١٠ - ١٤	الثلاثاء ٢٠١١/١١/٢	مقر الاتحاد	الخميس ٢٠١١/١١/٥	
١- القروان - ٢- أم طلال - ٣- حمران - ٤- قلعان الطرية	١١ - ١٠ - ١٤	الأربعاء ٢٠١١/١١/٢	مقر الاتحاد	الأحد ٢٠١١/١١/٨	
١- برقالة - ٢- ضياره - ٣- سجال - ٤- البريهه	١١ - ١٠ - ١٤	الخميس ٢٠١١/١١/٥	مقر الاتحاد	الاثنين ٢٠١١/١١/٩	
١- مرقه - ٢- الطامه - ٣- الحماة - ٤- مرقه	١١ - ١٠ - ١٤	الأحد ٢٠١١/١١/٨	مقر الاتحاد	الثلاثاء ٢٠١١/١١/١٠	
١- الحوين - ٢- المرويه - ٣- الميصرينه - ٤- أم تركية	١١ - ١٠ - ١٤	الاثنين ٢٠١١/١١/٩	مقر الاتحاد	الأربعاء ٢٠١١/١١/١١	
١- الرقة - ٢- مزرعيت - ٣- أم مزرعيت - ٤- أم مزرعيت	١١ - ١٠ - ١٤	الثلاثاء ٢٠١١/١١/٩	مقر الاتحاد	الخميس ٢٠١١/١١/١٤	
١- صراح - ٢- الدوايه - ٣- أبو دالي - ٤- سنجار	١١ - ١٠ - ١٤	الأربعاء ٢٠١١/١١/١١	مقر الاتحاد	الأحد ٢٠١١/١١/١٥	

شروط المزاولة :

١- صورة عن الهوية الشخصية

٢- دفع مبلغ نقدية بما يتبادل / ٥٠٠ / أجرة سورية لكل دولتم واحد للاشتراك بالمزاولة

الموافق

(مختار)

Image 19- The IFA public auction announcement, offering for investment agricultural in villages and towns in Khan Shaykhun district, in Idlib province. Credit: Idlib Farmers' Union.

<sup>22</sup> For more: <https://www.facebook.com/111069657425133/photos/a.111082414090524/132266661972099/>

## 4. The Testimonies of Civilians Whose Lands were Seized and Auctioned

In this section, STJ provides the accounts of five farmers whose lands were confiscated and then publicly auctioned in the suburbs of Idlib and Hama. Three of these affected landowners are from Hama countryside. They were forced to abandon their lands, escaping military combat and its consequences, to the areas on the Syria-Turkey border. The farmers said that their confiscated lands were their only source of income and provided them with a decent life, adding that they are now suffering dire financial circumstances after losing them.

The two remaining farmers are from Idlib countryside. They told STJ that their lands were confiscated on the pretext that they had debts to pay to the ACB. Notably, the money that one of these farmers owes to the bank is about 50 USD; however, this small sum of money cost him his land.

The majority of farmers that STJ met in Idlib and Hama said that after they fled hostilities in their homes, they could not set foot in their lands again. Syrian government forces denied all people access to areas subject to seizures and auctions. The farmers added that the seizures were shocking because the government did not notify any of them of their plans to confiscate the land. The farmers learned their lands were being auctioned off from the same public auction notices posted above.

Furthermore, a field researcher with STJ obtained information from a local source confirming that most of the Syrian farmers maintain good relations with the ACB, which pays them for harvesting crops such as tobacco, wheat, and sugar beet. The bank mediates these payments because the Syrian government has established a monopoly over the purchase of these crops. The bank pays the farmers' agent, helping them purchase seeds from farmers' associations and later selling their crops to potential clients. Accordingly, it is normal for farmers to owe the bank varying sums of money, which the bank cuts when the farmer sells his crops to the government.

Youssef G., 46, is a farmer from al-Ghab region, who was deprived of his 35-dunum-land, cultivated with wheat, beans, and other crops. The government confiscated his piece of land and auctioned it in late 2020 even though it was his and his parents' only source of income. He said:

"When Syrian government forces advanced towards the city of Qalaat al-Madiq, I was certain that we would be forced to flee our homes. The battles between government forces and armed opposition groups were escalating. In April 2020, we escaped the town. After Syrian government forces took control of the town, I asked my Hama-based relative to go to the Shari'a town, where my land is located, to harvest the wheat and transfer me the revenues, hoping that this money would help me cover some of my family's needs, especially since we left home without bringing anything with us. However, when my relative arrived in the town of al-Suqaylabiyah, government forces did not allow him in. My relative called one of the [Ba'ath] party

officials in the al-Ghab region and asked him for a permit to enter the town and harvest my crops. The official told him that ownership of agricultural lands will be arranged by the Ba'ath Party branches across Syrian provinces, and that harvesting the crops is out of the question because the owners are involved in terrorist activities."

The witness added:

"In October 2020, I saw the public auction announcement on social media, issued by the Hama Security Committee. The announcement was about the seizure and rental of lands in al-Ghab region, including those in the Shari'a town. At first, I could not process the horrifying feelings of shock. I started thinking of how my land and my father's land now belonged to the militias affiliated with government forces; how someone else would work in these lands and reap their fruits. So, I contacted my relative and asked him to attend the auction and rent my land. He went to the Cultural Center in al-Suqaylabiyah in mid-November 2020, and submitted an application to participate in the auction. However, he learned that all the agricultural lands in the town of Shari'a were being controlled by someone called Bassem Muhammad, a commander of the National Defense Militia, from the village of al-Jayyid, adjacent to the town of Shari'a in the al-Ghab region. My relative also confirmed that the committee in charge of the auction opened one envelope only; the one submitted by Muhammad and ignored all other submissions."

Salem M., 53, is a farmer from Suruj village in Salamiyah region, east of Hama. The government seized his land, extending over approximately 10 hectares. M. told STJ that today he dreams of getting a stable job with a daily or even weekly salary, when before he was doing very well financially. He narrated:

"Before the summer of 2017, I owned about 10 hectares and 300 heads of sheep. I cultivated the land with fodder to feed them. My financial status was perfect until government forces, backed by Russian forces, launched an attack in our area in August 2018. We were displaced multiple times, and finally stopped in camps in Sarmada. I took about 50 sheep with me. The rest of the livestock died, either in the bombing or on the road. Out of the 50 sheep I brought with me, I had to sell a few to make us a living while displaced. By the end of 2019, I had to sell the remaining sheep because there were not enough pastures to feed them. It was then that my life turned upside down, changing from a life of ease to a life of need. Despite all the hardships, we hoped we would return to our homes and lands to start our lives anew."

He added:

"In the last quarter of 2020, displaced people started talking about land confiscations in Salamiyah region. I started worrying about the issue. So, I reached out to my acquaintances and relatives in Salamiyah. One of them informed me that the state had taken possession of all the lands of Suruj village, including mine. Furthermore, the state had leased my land to an influential person, who maintains ties with the Ba'ath Party division in the area, without disclosing his identity. In November 2020, the name

of Suruj village was on the public auction list of areas where lands were confiscated and offered for rent. The auction was like a sword planted in my heart. No one can fathom a farmer's attachment to his own land but himself. The confiscation of my land dashed all my hopes of returning home. Today, I work odd jobs with a daily wage to afford a loaf of bread for my— my family who lives in a despicable tent that can't protect them from piercing cold or scorching heat. What sin have we committed to have to endure all this? I did not engage in any pro-opposition or political activities. I was dedicated to raising my sheep and cultivating my land."

In another interview, STJ spoke with Khaled A., 50, from Muhradah region, a married man, and a father. He is one of the farmers who sought refuge in a camp on the Syrian-Turkish border, escaping military operations and leaving behind the 110 dunums of agricultural lands he inherited from his father. His land was planted with pistachios. A. never imagined he would be forced to abandon his lands, which he toiled to plow and cultivate with his father for many years. He never imagined that he would lose that land to strangers and that, within a few months, the Syrian government would confiscate and put his land up for public auction, while he and his family continue to live in a dilapidated tent suffering in the throes of poverty and misery.

For many years, A. and his 9-member-family worked their land, which was their only source of income. Farming provided them with basic needs and supplies. He recounted:

"Despite the fatigue we were suffering while working in our land, we always treated it as a part of our hearts. We would have never contemplated giving up on a single meter of it. It had a great place in our lives, which were prosperous only because of what this land has provided us with, especially the pistachio yield, which farmers over the past four years have been treating as their only wealth. We have endured the bombing and death by the artillery and aircraft of Syrian government forces during the ongoing war in Syria. Despite the hostilities, we held on to our land, our sole livelihood. However, after government forces advanced in the summer of 2019, we were forced to leave our house in the Muhradah region. We were then forced to abandon our land and move out of the village when government forces arrived in the outskirts of our region."

He added:

"Even though we were separated from the land, we still hoped to return to it. . However, the greatest disaster befell us when one of my acquaintances in the town told me that the government confiscated several pieces of land, including mine, and then put them up for auction in late 2020. The government is harvesting our crops and enjoying their revenues, while denying us a return to our homes. This was not at all easy. I am living in a wretched, worn-out, tent that lacks the most basic necessities of life, enduring poverty, oppression, and pain, while others are enjoying the yield of my land and feasting on its crops."

Salem S., 49, a farmer from Hobait town in Ma'arat al-Nu'man region, south of Idlib, tells a similar story. He and his family fled the military operation launched by government forces and allies in their region to Jisr al-Shughur. They were forced to abandon an agricultural land the size of approximately 83 dunums, cultivated with potato and wheat. The government-affiliated IFA seized his land and put it up for public auction in October 2020, on the pretext that he owed money to the ACB. He narrated:

"In June 2019, despite the intense aerial and artillery shelling on my town, I began harvesting crops, helped by several young men working for me. I harvested crops cultivated across 10 dunums. Then we moved the harvest into a warehouse outside town, fearing it would be damaged by the bombing. Later, the heavy bombing forced us to stop harvesting and flee the town in the hope of returning there when the calm has been restored. We left so quickly, I left farming equipment, including a power generator and other machinery, in the field where we had been using them."

He added:

"In August 2019, government forces and allies gained full control over Hobait town and its surrounding areas. This was the beginning of the death of me and my family. One of my acquaintances residing near the town told me that pro-Syrian government militias stole the equipment, which roughly cost me 8000 USD. I hoped to return to my land and harvest the potatoes. Were I allowed to return, I would have sold the potatoes for over 35,000 USD. In October 2020, a friend told me that my land was put up for auction on the pretext that I had not paid the debts I owed to the Agricultural Bank since 2012. Notably, my debts barely amounted to 50 USD, which I borrowed from the bank to buy fertilizers."

The witness added that he reached out to one of his acquaintances residing near the town of Hobait to check on the situation in his hometown. The acquaintance told him that the town had become a military zone, and no one was allowed to enter it unless they belonged to government forces or had obtained permission. Furthermore, the farmer said that his living conditions became tragic due to his tightening finances and loss that amounted to about 40,000 USD after his land was seized and he was denied access to his crops, particularly as he based his greatest hopes on the yield. The farmer stressed that he was shocked at the unfair decisions, including the seizure and the public auctioning, especially since numerous farmers had borrowed loans from the agricultural bank on different dates.

Another farmer, Saleh Sh., 39, lived in the Khan Shaykhun region in Idlib's countryside. He owned a piece of land spreading over an area of 32 dunums and planted with perennial pistachio trees. The Syrian government seized his piece of land in late 2020, which he inherited from his father, who spent almost 25 years planting it with trees. Sh. said:

"Cultivation was our only source of livelihood. Every year we harvested the crops in September, to sell them to merchants at varying prices. The price of one kilogram of pistachio exceeded 7 USD. In the summer of 2019, two months before harvesting the crops, government forces and their militias advanced and took control of the area

after a wave of artillery and aerial shelling. These hostilities forced us to flee the city. Nearly two months later, we started seeing pictures of government soldiers roaming the pistachio fields. The photos almost killed my wife, who had a heart attack after we missed the harvest season. We also learned that pro-government militias were going to harvest the pistachio crop, which was the only hope we had left.”

He added:

“I had a friend in Suran city, close to our home. I contacted him in the hope of finding a solution to harvest the crop. Several days later, he told me that no one was allowed into the region, as several farmers tried to reach their lands but were expelled by Syrian government forces, stationed between the two cities of Suran and Morek on the road leading to the city of Khan Shaykhun. Having lost all hope of return, I got a delivery job. My debts to the Agricultural Bank did not exceed 500 USD.”

## 5. An Estimated 60,000 dunums were seized

Reported land confiscations were not limited to pistachio fields or olive groves in Idlib and Hama suburbs. The Syrian government also expropriated key fish farms in the Al-Ghab Plain region, one of the country’s most prominent areas working in fish harvesting. In the summer of 2019, government forces controlled villages and towns in Qal’at al-Madiq district, one of the Plain’s principal areas, where locals made a living off fish raising. One fishery owner, from al-Hamrah village in al-Ghab Plain, told STJ that the district’s annual fish harvest amounted to approximately 6 tons. He added:

“I had a fish pond with an area of 28 dunums. I raised different types of fish in that pond for the past 15 years. This was my only source of livelihood. I was keen on improving the machinery and logistics needed to increase production. I purchased up-to-date equipment to ensure the continuity of breeding and the pond’s access to water. I was perseverant. Production rate increased by five fish per square meter. This was an excellent source of income for me and my family. I sold the fish harvest at a minimum of about 40,000 USD, while fuel, machinery, and fodder cost me approximately 15,000 USD.”

He added:

“When government forces and allies advanced to the city of Qal’at al-Madiq in 2019, my family and I fled towards Idlib province— the seven of us, my five sons, my wife, and my mother, without any clothes or a single piece of furniture. On the road to Idlib, all I thought of was the fish pond, only 3 months were left before I could sell the harvest, which cost me more than 12,000 USD at the time. I also left four power generators, which cost me 2,300 USD each and four water pumps that I bought for 350 USD each, as well as the fish in the pond, which could be sold for an estimated 35,000 USD. As we arrived in the town of Binnish in Idlib countryside, I could not keep my mind off the property, furniture, and the fishery’s equipment that I abandoned at home.”

The witness recounted that at a certain point he reached out to one of his relatives in the Committee of General Commission for Management and Development of Al-Ghab (GCMD)—the commission in charge of developing the agricultural sector in the al-Ghab region. He asked his relative if he could return home, harvest the fish from the pond, and retrieve the equipment. However, his relative told him it would be extremely difficult to get all this done and that he should pay an officer in the government forces money to help him enter the town, particularly as it was currently declared a military zone. The witness added:

“I paid an officer 3,000 USD. He ordered me to stay in the al-Suqaylabiyah town for several days, while he arranged for my entry into my village. Four days later, the officer called my relative and asked to meet us. When we met him, he suddenly returned the money and said that the area is entirely under the command of the 5th Corps. He added that he could not reach a deal with the officer in charge of the area. So I returned to my relative’s home, stricken with disappointment over the misery I will go through. My relative suggested that I stay in al-Suqaylabiyah a little longer to try to find a way to access influential people who could help me. A few days later, I saw government forces’ and their affiliated militias’ vehicles loaded with fishery equipment, power generators and engines, coming from al-Ghab Plain. Their destination was unknown. That moment, I realized that it would be impossible to enter the area and that all my properties have probably been sold. Ultimately, I returned to Idlib. Today, with some friends, I am working on establishing a fishery in Sahl ar Rūj, west of Idlib, hoping to get me and my family a source of income.”

STJ interviewed lawyer Abdunnasser Hoshan, one of the legal professionals who documented the seizure and subsequent auctioning of agricultural lands in Idlib and Hama suburbs. Lawyer Hoshan said that the area of the confiscated lands was estimated at about 60,000 dunums, both rain-fed and irrigated. He added that the seizures included major fish farms in al-Ghab region, especially in Qal’at al-Madiq and its neighboring villages, up to the Jisr al-Shughur area in Idlib countryside. The lawyer said that confiscated lands were cultivated with pistachios and olives, in addition to wheat, barley, sugar beet, cotton, corn, potatoes, and other vegetables. The lawyer pointed out that the annual yield of these pieces of land, as well as the fisheries, is worth millions of dollars.

## 6. Legal Opinion

Addressing the legal implications of the reported seizures of agricultural lands in Idlib that belong to owners who failed to pay their debts to the ACB, lawyer Hoshan said that the measures taken by the framers association are illegal. The lawyer stressed that only the ACB—through gradual legal measures— has the legal right to carry out seizures and sell concerned properties by public auction, upon failing to collect unpaid debts from citizens. These gradual

measures are well-defined by the Law of the Agricultural Cooperative Bank in Decree No. 141 of 1970.<sup>23</sup>

Should a farmer fail to pay money due to the ACB, the bank is entitled to taking the following measures:

1. Issue a warning.
2. Issue a confiscation report.
3. Order confiscation.
4. Put up the concerned property for public auction.

When matters reach the public auctioning phase, Syrian Law clearly mandates that the auction must be attended by the manager of the bank branch, the head of the collection department, and the head of the loans and lawsuits department. The law does not mention farmer associations or unions as parties to due procedures relating to confiscation, nor makes them responsible for forcing civilians to pay their debts to the ACB.

Lawyer Hoshan pointed to Legislative Decree No. 29, which the President of the Syrian Republic issued in 2019.<sup>24</sup> The decree provided for extending the provisions of Article 5 of Law No. 46 of 2018.<sup>25</sup> The extended provisions address the conditions which a client of the ACB have to meet to benefit from the rulings of the law. The customer has to make a good faith payment. The decree states:

<sup>23</sup> "Legislative Decree No. 141 of 1970- The Law of the Agricultural Cooperative Bank," (in Arabic), The People's Council- the Syrian Arab Republic, 20 July 1970, <https://www.parliament.gov.sy/arabic/index.php?node=5596&cat=16543> (last accessed: 6 June 2021).

<sup>24</sup> "Legislative Decree No. 29 provides for extending the provisions of Article 5 of Law No. 46 of 2018 until 1 August 2020," (in Arabic), Syrian Arab Republic-Syrian Prime Ministry, 24 December 2019, <http://www.pministry.gov.sy/contents/15579/%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D8%B1%D9%82%D9%85-29-%D8%A7%D9%84%D9%82%D8%A7%D8%B6%D9%8A-%D8%A8%D8%AA%D9%85%D8%AF%D9%8A%D8%AF-%D8%A7%D9%84%D8%B9%D9%85%D9%84-%D8%A8%D8%A3%D8%AD%D9%83%D8%A7%D9%85-%D8%A7%D9%84%D9%85%D8%A7%D8%AF%D8%A9-/5/-/%D9%85%D9%86-%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-/46/-%D9%84%D8%B9%D8%A7%D9%85-2018-%D9%88%D8%B0%D9%84%D9%83-%D9%84%D8%BA%D8%A7%D9%8A%D8%A9-%D8%AA%D8%A7%D8%B1%D9%8A%D8%AE-1/8/2020-> (last accessed: 6 June 2021).

<sup>25</sup> "Law No. 46 of 2018 provides for exempting clients of the Agricultural Cooperative Bank of all contractual interests, delay interests and fines that they owe to the bank," (in Arabic), Syrian –e-government, 26 December 2018, <https://www.egov.sy/law/ar/291/0/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86+%D8%B1%D9%82%D9%85+46+%D9%84%D8%B9%D8%A7%D9%85+2018+%D8%A7%D9%84%D9%82%D8%A7%D8%B6%D9%8A+%D8%A8%D8%A5%D8%B9%D9%81%D8%A7%D8%A1+%D8%A7%D9%84%D9%82%D8%B1%D9%88%D8%B6+%D8%A7%D9%84%D9%85%D9%85%D9%86%D9%88%D8%AD%D8%A9+%D9%84%D9%84%D9%85%D8%AA%D8%B9%D8%A7%D9%85%D9%84%D9%8A%D9%86+%D9%85%D8%B9+%D8%A7%D9%84%D9%85%D8%B5%D8%B1%D9%81+%D8%A7%D9%84%D8%B2%D8%B1%D8%A7%D8%B9%D9%8A+%D8%A7%D9%84%D8%A%D8%B9%D8%A7%D9%88%D9%86%D9%8A+%D9%85%D9%86+%D9%83%D9%84+%D8%A7%D9%84%D9%81%D9%88%D8%A7%D8%A6%D8%AF+%D8%A7%D9%84%D8%B9%D9%82%D8%AF%D9%8A%D8%A9+%D9%88%D9%81%D9%88%D8%A7%D8%A6%D8%AF+%D9%88%D8%BA%D8%B1%D8%A7%D9%85%D8%A7%D8%AA+%D8%A7%D9%84%D8%AA%D8%A3%D8%AE%D9%8A%D8%B1+%D8%A7%D9%84%D9%85%D8%AA%D8%B1%D8%AA%D8%A8%D8%A9+%D8%B9%D9%84%D9%8A%D9%87%D8%A7.html> (last accessed: 6 June 2021).

“Provisions under Article 5 of the Law No. 46 of 2018 shall be extended for the party to make a payment of good faith. The extension is valid till 1 August 2020. The first installment shall be made with the payment of good faith.”

Law No. 46 was passed on 26 December 2018. The law exempts clients who have ACB loans from contractual interests, as well as delay interests and fines. Article 5 of the law stipulates that for clients to benefit from the exemption provisions, they must make a payment of good faith, amounting to five percent of the balance of the capital subject to scheduling during a period that ends on 1 August 2019.

Lawyer Hoshan said that the decree gave the ACB penalized clients an opportunity to be exempted from persecution until 1 August 2020, provided that they submit the first payment. Consequently, all the proceedings of the IFA are legally void under Decree No. 29 of 2019.

Lawyer Hoshan said that confiscations that affected large swathes of agricultural lands in Idlib and Hama are:

**A. Constitutionally:**

1. Reported seizures are a violation of the text of Article 15 of the Syrian Constitution.<sup>26</sup> This article provides 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.”
2. The Ba’ath Party continues to act as the leading party of society and the state despite the abolition of Article 8 of the 2012 Constitution. The article stipulated that the Ba’ath Party is the ruler of the state. Lawyer Hoshan said that the rights of beneficiaries are protected in accordance with the provisions of the Agricultural Reform Law<sup>27</sup> and the Syrian Civil Code<sup>28</sup> as a usufruct protected by tenure provisions.

**B. Legally:**

1. This practice is a flagrant violation of the owners’ right to dispose of their properties stipulated in Article 768 of the Syrian Civil Code. The article states that “the owner of a thing alone, within the limits prescribed by law, has the right to use, exploit and dispose of it.”
2. These confiscations are also considered thefts and lootings of the produce of these properties, which the law has determined is the right of the owner exclusively in

<sup>26</sup> “The Constitution of the Syrian Arab Republic,” Constitute Project, [https://www.constituteproject.org/constitution/Syria\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/Syria_2012.pdf?lang=en) (last accessed: 4 June 2021).

<sup>27</sup> “Law No. 161 of 1958” (in Arabic), The People’s Council-Syrian Arab Republic, <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=10641&ref=tree&> (last accessed: 4 June 2021).

<sup>28</sup> “The Syrian Civil Code,” (in Arabic), The People’s Council-Syrian Arab Republic, <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=12162&ref=tree&> (last accessed: 4 June 2021).

Article 770. The article states that “the owner of a thing has the right to all its yield, produce, and its adjuncts unless otherwise stipulated by a text or agreement.”

3. The rights of beneficiaries to lands subject to agrarian reform, which have been affected by these confiscations, are protected by the provisions of the Agrarian Reform Law and the Civil Code, as a usufructuary right safeguarded by tenure provisions. This protection is guaranteed especially after Law No. 61 of 2004 was passed.<sup>29</sup> The law states that “the usufructuary of State lands [in the form of agrarian reform or private State property] is the owner of the land distributed to him from the date when the distribution was approved by the accreditation committee in the governorate. The land is registered in his name in real estate registries at the request of the competent Directorate of Agriculture and Agrarian Reform.” That is the mentioned lands are under the ownership of their owners even if they did not follow procedures documenting ownership in the real estate registry. Therefore any assault on these properties is contrary to the constitution and Syrian law.
4. War is one *force majeure* event that exempts the debtor from compulsory execution in contracts binding to both parties, pursuant to Article 166 of the Syrian Civil Code. The article states that “should a person prove that the damage has arose from an exterior cause, in which he had no part, such as a sudden accident, *force majeure*, or an error on the part of the affected person, or an error on the part of others, that person is not obliged to compensate for this damage, unless otherwise stipulated by a text or agreement.” The debtor is protected by article 216 of the Civil Code, which states that “should it be impossible for the debtor to execute the obligation in kind, he shall be ordered to pay compensation for non-fulfillment of his obligation, unless it is proven that the impossibility of execution arose from an exterior cause in which he had no part. The judgment shall be the same if the debtor delays in executing the obligation.”
5. Neither the farmers’ association nor any party other than the creditor has the right to request confiscation or forced execution. Accordingly, reported association’s practices are invalid for violating the text of Article 15 of the Cooperative Agricultural Bank Law, under Decree No. 30 of 2005.<sup>30</sup> The article states that “the bank shall immediately collect all money arising from loans and other transactions in accordance with the Public Funds Collection Law, without conflicting with the provisions stipulated in this Legislative Decree. The General Director of the Bank and the directors of regions, branches, divisions and offices are given the authority of the Chief Executive as stipulated in the procedural law and its amendments.” Therefore, they alone have the right to carry out the debt payment procedures

<sup>29</sup> “Law No. 61 of 2014- amendment of some decrees regarding the distribution of state-owned lands” (in Arabic), The People’s Council-Syrian Arab Republic, <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=16706&ref=tree&> (last accessed: 4 June 2021).

<sup>30</sup> “Legislative Decree No. 30 of 2005” (in Arabic), Cooperative Agricultural Bank, <http://agrobank.gov.sy/mlaws/details/8> (last accessed: 4 June 2021).

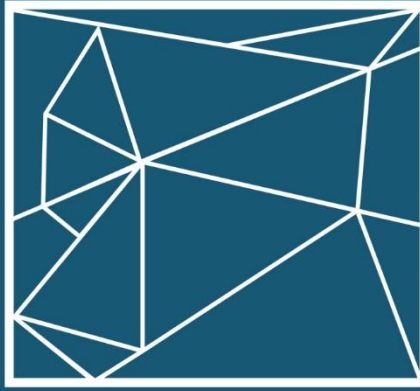
stipulated in the procedural law that requires “the debtor, the guarantor, or their heirs to be notified of warnings and notices at the chosen place defined in the contract or deed in accordance with the reporting procedures and due process”, namely “warning, seizure report, seizure decision, and announcement of selling the seized property by public auction.” When matters reach the public auctioning phase, Syrian Law clearly mandates that the auction must be attended by the manager of the bank branch, the head of the collection department, and the head of the loans and lawsuits department.

6. These seizures are in violation of the provisions of Article 8 of the Public Funds Collection Law,<sup>31</sup> which only authorizes the Minister of Finance to issue a regulatory decision specifying the rules for making and executing the seizure decision and selling the seized property.

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<sup>31</sup> “Legislative Degree No. 146, dated 22 December 1964- Applying amendments to a number of cost and tax provisions” (in Arabic), Ministry of Local Administration and Environment, <http://www.mola.gov.sy/mola/index.php/legislation/440-%D9%85%D8%AC%D9%85%D9%88%D8%B9%D8%A9-%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D9%85%D8%A7%D9%84%D9%8A-%D9%84%D9%84%D9%88%D8%AD%D8%AF%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D8%AF%D8%A7%D8%B1%D9%8A%D8%A9-%D9%88%D8%A7%D9%84%D8%A8%D9%84%D8%AF%D9%8A%D8%A7%D8%AA/%D8%A7%D9%84%D9%85%D8%A7%D8%AF%D8%A9-59/941-%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D8%B1%D9%82%D9%85-146-%D8%AA%D8%A7%D8%B1%D9%8A%D8%AE-22-12-1964-%D8%A7%D8%AF%D8%AE%D8%A7%D9%84-%D8%AA%D8%B9%D8%AF%D9%8A%D9%84-%D8%B9%D9%84%D9%89-%D8%A8%D8%B9%D8%B6-%D8%A3%D8%AD%D9%83%D8%A7%D9%85-%D9%82%D9%88%D8%A7%D9%86%D9%8A%D9%86-%D8%A7%D9%84%D8%AA%D9%83%D8%A7%D9%84%D9%8A%D9%81-%D9%88%D8%A7%D9%84%D8%B6%D8%B1%D8%A7%D8%A6%D8%A8> (last accessed: 4 June 2021).

سوريون  
من أجل  
الحقيقة  
والعدالة  
Syrians  
For Truth  
& Justice



## History

Syrians for Truth and Justice was conceived during the participation of its co-founder in the Middle-East Partnership Initiative (MEPI) Leaders for Democracy Fellowship program, who was driven by a will to contribute to Syria's future. Starting as a humble project to tell the stories of Syrians experiencing enforced disappearances and torture, it grew into an established organisation committed to unveiling human rights violations of all sorts.

Convinced that the diversity that has historically defined Syria is a wealth, our team of researchers and volunteers works with dedication at uncovering human rights violations committed in Syria, in order to promote inclusiveness and ensure that all Syrians are represented, and their rights fulfilled.

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