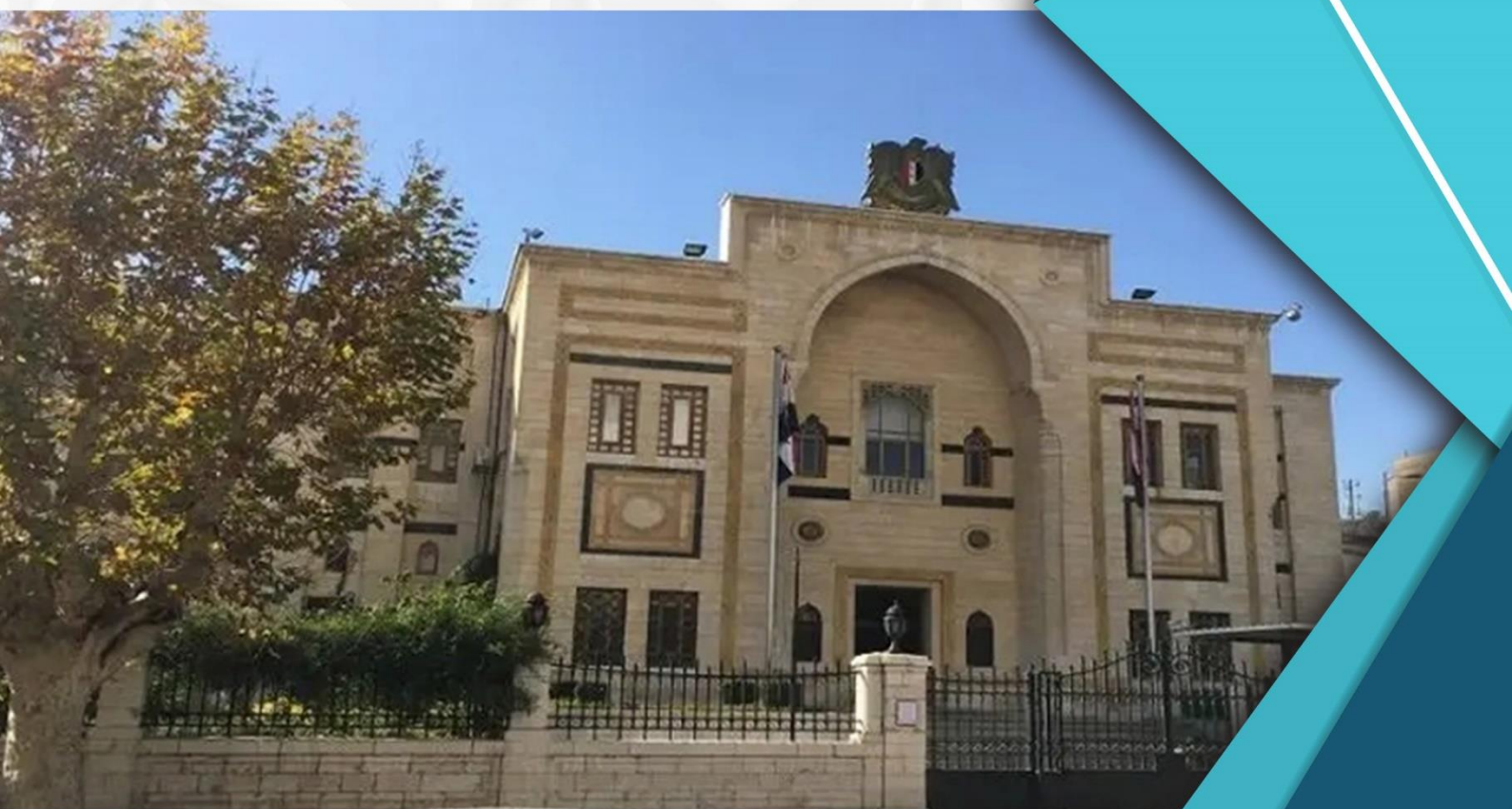


Criminal Cases Related to Syrian Real Estate Law



28 February 2022

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A legal toolkit to help everyday Syrians understand forgery, signing under duress, usurpation of property, and trespass

In 2011, sweeping anti-government protests empowered the Syrian people to push boundaries and begin conversations about freedom in Syria. These conversations triggered Syrians to question the various policies, laws, and practices successive Syrian governments used against them for decades. While challenging Syrian government practices were a major catalyst for the 2011 uprising, peaceful protests quickly gave way to a bloody decade long armed conflict. Over the past ten years, parties in the conflict committed hundreds of thousands of crimes, including summary executions, extrajudicial killings, systemic torture, arbitrary arrests, and forced disappearances, as well as crimes against communities and properties.

In the coming years, the same Syrian laws and institutions which Syrians challenged in 2011 will be responsible for addressing the crimes committed over the past ten years. In particular, the Syrian criminal judiciary system will have a significant number of lawsuits to address,¹ especially those concerned with real estate.

Syrians for Truth and Justice (STJ) wrote this paper to help Syrians without legal backgrounds to understand real estate lawsuits that they may become involved in because property owners often get lost in legal jargon and struggle specifying the crimes committed against their property. This report will also provide a reference of real estate legal terms for Syrians to consult in the future. This paper addresses the most common lawsuits brought before criminal courts in cases of property rights abuses, particularly forgery (*al-Tazweer*), use of forged items (*Isti'mal al-Muzawar*), usurpation of property (*Ghasb al-'Aqar*), signing under duress (*Eghtisab al-Tawqi*), and trespass (*Intihak Hurmat al-Manze*). Notably, the paper will define these crimes and corresponding legal action under the existing Syrian laws, awaiting the amendments these laws might undergo as a result of future political changes and agreements.

Forgery and the Use of Forged Items

With various areas across from Syria moving towards stability, and a new constitution in development which seeks to guarantee a voluntary, safe, and dignified return for internally displaced persons (IDPs), many plaintiffs are expected to turn to Syrian criminal courts for redress for crimes committed against their properties. Numerous human rights organizations, as well as local and international media outlets, have published reports on the widespread cases of real-estate property violations since the onset of the Syrian conflict. The reported cases foreshadow years of legal battles over property across Syria, especially in the case of IDPs. Among the most common violations are cases of illegal property ownership transfers, in which the names of the original property owners are transferred to the names of other parties, often using forged deeds and documents to stake claims over properties.

Article 443 of the Syrian Penal Code defines forgery (*al-Tazweer*) as “*The deliberate counterfeiting of material facts and data proven by an instrument or any other written document that may result in material, moral or social harm.*”

¹ The criminal judiciary system is the system specialized in looking into crimes (infractions - misdemeanors - felonies). The cases of infractions and misdemeanors— whereby the penalty does not exceed one year in prison— are overseen by the Magistrates Court. The cases of misdemeanor— whereby the penalty ranges between one and three years in prison— are overseen by the Court of First Instance. Felonies— whereby the prison sentence exceeds three years— are overseen by the Criminal Courts. For its part, the civil judiciary system (Magistrates and Court of First Instance) oversee commercial and civil cases, such as confirmation of sale, rent, debts and other civil lawsuits.

This definition binds the crime of forgery to a condition. Namely, perpetrators should counterfeit the facts and data on the deed or instrument (any written document). Forgery is thus the counterfeiting and alterations applied to a permanent ownership title (green *tapo*), copy of the property cadastral sheet (*Ikhraj Qayed al-'Aqa*), selling power of attorney signed in the presence of a notary (*Katib al-'Ade*), a court decision providing for the registration of a property sale transaction, or the sale contract itself, among other documents and deeds that confirm ownership. To commit forgery, the perpetrator might change the number of the property, the name of the owner, or his/her signature on any of the listed documents. Furthermore, perpetrators might counterfeit an existing document or deed, or invent a nonexistent document or deed.

However, not all alterations applied to documents or deeds provide grounds for legal action. Plaintiffs can seek accountability only when perpetrators opt for alterations with the aim of counterfeiting or changing the truth. Accordingly, alterations applied with the aim of correcting information in a document are not considered forgery. Therefore, whoever corrects a mistaken name in a document cannot be charged for committing forgery. To put this in context, if the owner corrects the name Hasan, mistakenly written instead of the name Hassan, in a document, that person cannot be tried for committing forgery, even though the best legal practice upon encountering such mistakes is to refer to the party that issued the document to correct the material error.

In addition to the first condition—deliberate counterfeiting, the law establishes another condition that qualifies acts involving changes to documents or deeds to be labeled as crimes of forgery. The counterfeiting must result in actual or potential material, moral, or social harm. The law provides that perpetrators who resort to counterfeiting without causing actual or potential harm cannot be charged with forgery. To put this in perspective, a person who experiments with his/her digital design skills by designing a document, deed, or contract cannot be tried for forgery, as long as he/she does not intend to use this document to obtain gains or harm other people. This person cannot be subjected to legal action even if the document he/she designed is a recreation of an existing authentic document, including the regeneration of the information it contains. Likewise, a person who buys a property, pays its full price, and opts for creating an acknowledgement deed (*Sanad Iqra*) him/herself on behalf of the seller as to corroborate that the seller has received the full price cannot be charged for forgery as long as he/she does not intend to change the truth and as long as the deed does not result in harm for the seller.

The type of counterfeiting we briefly discussed above falls under material forgery (*al-Tazweer al-Madi*), in addition to which there is immaterial forgery (*al-Tazweer al-Ma'nawee*). While committing immaterial forgery, the perpetrator neither writes off, scratches, alters, changes, nor adds any information on the document. Instead, the perpetrator manipulates the information against the truth they indicate. The crime of immaterial forgery applies to the case whereby an official employee would write that a property owner was present in front of him/her and had ratified the sale transaction, while the owner was neither there nor acknowledged the authenticity of the transaction. The same applies to the employee who writes information different from those provided by the property owner, such as writing that the owner acknowledged the sale of the entire property, instead of adhering to the owner's true words as he/she acknowledged only selling part of the property.

The Syrian Penal Code treats the crime of forgery as a felony, imposing on perpetrators a penalty established against felonies, should the act of counterfeiting be applied to an official document, including the property sale power of attorney signed by a notary, or trial transcript, or the court decision, or the copy of the property cadastral sheet or the title deed issued by the Directorate of Real Estate Interests, among others. However, forgery is considered a misdemeanor worthy of a misdemeanor penalty,² should the perpetrator apply counterfeiting to private unofficial documents, including the sale contract signed between the two parties, or forging a sale contract that has no basis, or an acknowledgment deed or quitance (*Waraqat Mukhalasah*) contrary to the truth.

A sub-crime the paper discusses in this section is the use of a forged item (*Isti'mal al-Muzawar*), which is a crime *per se* because legislators impose on perpetrators similar penalties imposed on perpetrators of forgery. In other words, the penalty laid against forgery is the same penalty advanced against the use of a counterfeit deed or document, as provided by Article 444 of the Syrian Penal Code. Furthermore, the person using the counterfeit deed might happen to be the same person who forged the document, such as in the case whereby the perpetrator creates a counterfeit sale contract and presents it in front of the court to obtain a court ruling that establishes his/her ownership over the property that is the subject of the counterfeit contract. Contrastingly, the person who committed the forgery and used the counterfeit document might be two different people. In this case, one person creates a counterfeit copy of the property cadastral sheet for a second person, who presents the counterfeit copy before the court or any other official entity. Most importantly, a key indicator of a forgery case is that the use of forged items results in actual or potential harm to other people or to the society. Harm on the level of society manifests in citizens' loss of trust in official documents.

Perpetrators are not charged with forgery only for counterfeiting documents or deeds that prove ownership over a property— which we have already listed above; perpetrators are convicted for the same charges when counterfeiting is applied to any document needed for proceeding with property ownership transfer measures. A recurrent incident at courts is sufficient to clarify this category of forgery. One such essential document is the summons (*Waraqat al-Tabligh*) which must be delivered to the opponent to ensure he/she will attend the court proceedings. Without the summons, the opponent would not appear at court; accordingly, the litigation process is deemed incomplete, and the court does not proceed with the lawsuit. In the case of summons, forgery happens when the process server (*Muhter al-Mahkameh*) conspires with the plaintiff to counterfeit information on the summons document. The server might write that he/she has personally delivered the defendant (the property owner) the summons, but that the defendant refused to receive the summons or sign it, while in reality the server either did not find the owner at home or did not try to deliver him/her the summons in the first place. In this case, the owner is entitled to file a lawsuit in the future, pressing for charges against the forgery of the summons. Furthermore, should the owner's claims be proven true and the forgery evidenced— when the owner, for instance, provides

² The ordinary criminal punishment specified for felonies are execution, life imprisonment with hard labor, life imprisonment, temporary hard labor, temporary imprisonment and a fine. As for the ordinary criminal penalties specified for misdemeanor, these include imprisonment with labor, simple imprisonment and a fine. Furthermore, the minimum temporary imprisonment and temporary hard labor in cases of felonies is three years, and the maximum is 15 years; and the minimum imprisonment is 10 and the maximum is three years in cases of misdemeanor, unless the law includes a special provision that states otherwise. (Articles 37, 39, 44 and 51 of the Penal Code).

evidence that he/she was out of Syria when the summons was delivered— all the court's proceedings would be revoked and the ruling the court previously made in favor of the plaintiff, who conspired with process server, will be considered false because it is based on false documents; namely, the counterfeit summons.

Signing Under Duress

Signing under duress (*Eghtisab* or *ghasb al-Tawqi*) is coercing the victim—who is the property owner or his/her legal agent in the context of the paper— to sign or add a thumbprint signature to a document proving that he/she consents to transfer the ownership of the property to the person coercing him/her or another.

Article 635 of the Syrian Penal Code defines the crime of signing under duress as:

1. "Any person who, to obtain unlawful gain for him/herself or for another person, would usurp a signature, or any other writing that entails a pledge or an exemption, through threat or duress;"
2. "Or any person who coerces another to carry out an act or prevent him/her from carrying out an act to harm his/her wealth or the wealth of another shall be subject to penal servitude for a period between three and two years, in addition to paying a fine ranging from 100 to 500 Syrian Pounds. The perpetrator shall be subjected to hard labor should he/she threaten the victim with a weapon."

The article indicates that victims can be subjected to signing under duress in two ways; material and immaterial. In the case of material duress, the perpetrator either detains and tortures the victim to coerce him/her into signing or acknowledging the contents of the document he/she is presented or forces the victim to sign at gunpoint. In the case of immaterial duress, the perpetrator threatens the victim with death or arrest, or the death or arrest of a loved one, or blackmails the victim or promises him/her that he/she (the perpetrator) will mediate the release of a detained loved person should the victim consent to sign a document by which he/she transfers ownership of the property to the perpetrator or resort to the court or the Directorate of Real Estate Interests to transfer the property to the name of the perpetrator. The forms of duress are various, which is why the law assigns the judge overseeing the lawsuit the power to decide whether the victim has been subjected to duress depending on the circumstances surrounding each separate case and its specific details.

Furthermore, there are certain conditions that qualify a perpetrator for legal proceedings against the crime of signing under duress. The act of signing turns criminal when the victim coerced by the perpetrator into signing is harmed or when the perpetrator obtains access to illegal benefits or gains. However, the perpetrator cannot be charged for obtaining a signature under duress should he/she coerce another person into signing a document in which they consent to transfer the ownership of a property they do not actually own or a property that does not exist at all. In this case, the perpetrator is charged for committing an act punishable by the law, such as the crime of threatening to kill or harm, or unlawful deprivation of liberty, and other legal descriptions that apply to a criminal act, but he/she is not convicted for obtaining a signature under duress. A second case in which the perpetrator is not charged for obtaining a signature under duress is when the perpetrator coerces a person into signing a document with the intention of obtaining a lawful gain. This case applies to a perpetrator/buyer

who purchased a property from the victim/owner, with the owner refusing to transfer the property's ownership to the buyer even though he/she had received the property's full price. Here, too, the perpetrator cannot be charged for obtaining a signature under duress, but his/her act remains illegal and falls under the crime of taking the law into one's hands without following the legal procedure (Article 419 of the Syrian Penal Code), in addition to other crimes descriptive of his/her act on a case-by-case basis.

What is at stake with the crime of signing under duress is the victim's free will, he/she would not have signed the document or acknowledged any act of property disposal in favor of the perpetrator if they were not deprived of their free will, in addition to the fact that the perpetrator's intentions are focused on usurping the signature from the owner, who has no other choice but to accede to the perpetrator's demands to avoid major harm— of the body or the soul— for a minor one— of money or property. The forms of coercion we discussed above are rife in Syria, especially since the onset of the armed conflict, which made weapons more easily accessible and created a climate of armament, leading to escalations of violent crimes committed by all parties to the conflict.

By reviewing the text of Article 635, it becomes obvious that there is a huge gap in the Syrian Penal Code because it largely fails to address the crime of signing under duress. The law labels the crime as having the nature of misdemeanor, thus setting the minimum penalty at only three months in prison and a trivial fine. Notably, similar punishment does not give rise to general deterrence within a society at large. Additionally, the penalty pertaining to signing under duress must be contingent on each separate case, its circumstances, and details, particularly the value of the subject matter of the document against which the crime has been committed. Besides the nature of the case discussed, the penalty must be decided considering the means the perpetrator used to coerce the victim into signing a document. Within the context of the coercion method, Article 635 stipulates that the perpetrator must use a weapon to threaten the victim into signing a document to treat the offence as a felony. Therefore, the conditioned categorization of the offence as a felony excludes the other methods of coercion we mentioned above. To put this in perspective, if a group of people kidnap the victim and deprive him/her of his/her liberty, or kidnaps any of his/her loved ones, to coerce him/her into signing a document, the group's offence is not considered a felony if they did not threaten the victim with a weapon.

The gap necessitates applying some amendments to the text of Article 635 to ensure that the penalty complies with the gravity of the crime and the serious consequences it may lead to, particularly because Article 8 of the Rome Statute of the International Criminal Court of 1998 classifies the “[e]xtensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly” as a war crime, knowing that the word property includes both movable and immovable assets. The needed amendments must be carried out by specialized committees that should be formed by the government to be established under the anticipated political agreement—the agreement we hope would turn Syria into a State founded on equitable laws and institutions.

Usurpation of Property

Article 723 of the Syrian Penal Code defines usurpation of property (*Ghasb al-'Aqar*):

1. “Whoever does not hold an official title deed or a document entitling him/her to dispose of the property and takes possession of a property or part of a property in the hands of another shall be punished with imprisonment for up to six months.”
2. “The penalty will be from two to six months if the offense is accompanied by a threat or coercion of persons or things and from six months to three years if it is committed by a group of at least two armed persons.”
3. “The punishment includes the attempt to commit the crime mentioned in the second paragraph.”
4. “The claim under this article shall drop one year after the usurpation should not the borders of the usurped property be demarcated, and its details not recorded in the real estate registry.”

The crime of usurpation of a property applies to the case whereby the perpetrator does not have a title deed or a document that gives him/her the right to dispose of the property subject to usurpation. Consequently, should a person own a deed, he/she might possibly be charged for taking the law into one’s hands, but not for usurpation. The article adds that the criminal character of the offense, nor the penalty imposed on the perpetrator, change should the perpetrator usurp the entire property or a part of it. Moreover, the article, in terms of the offense’s criminal character and penalty, does not distinguish between types of property, whether *Mulk* (owned), *Amiri* (state-owned), built, unbuilt, or agricultural because the article cites the word property in an absolute sense, and what is absolutely cited by the law should be treated thus.

In addition to not having a title deed, the article sets up another condition for a perpetrator to be charged with the usurpation of property. The condition is that the concerned property must be in the charge of other persons—namely, in their possession— when the crime is committed. That other person does not necessarily have to own the property; he/she can be the owner, a tenant, a beneficiary, or any other person practicing any legal form of possession. Furthermore, the article does not stress the method with which the perpetrator usurps a property, for usurpation is not necessarily carried out with the use of force. This is evidenced by the article’s second paragraph which considers the use of force and threats as aggravating circumstance, stressing that the penalty becomes severer should the crime be carried out by two or more persons, who are also armed. However, the article, which considers the act as a crime of usurpation of a property, does not stipulate that the perpetrator should use the weapon; it is enough for the perpetrators to have a weapon in possession as they carry out the crime.

Furthermore, the article implies that the person who possesses or oversees the property does not necessarily have to be present on the premises when the perpetrator commits the act of usurpation—here, the article is warning owners that a property must not be abandoned without someone to oversee it. Furthermore, to be charged with the crime of property usurpation, the perpetrator does not necessarily have to personally know the person possessing the property. These conditions are logical because the possessor of an agricultural property or a land prepared for construction cannot be present on the premises all day long. The same applies to a property prepared for housing purposes. Stipulating otherwise—namely, that the owner be in the property—to charge a perpetrator of the crime of usurpation is neither reasonable, nor logical, and is akin to sentencing the owner or property keeper to life imprisonment in his/her home. Therefore, should the keeper of a property be absent from it, the usurpation of a

property can still be verified relying on the surrounding circumstances which clearly indicate that the property subject to the usurpation is in the possession of others, including the house located in a populated city, an invested agricultural property, or one adjacent to an invested agricultural property, as well as the land prepared for construction that is located within the town's zoning plan. Any of these properties can be the subject of usurpation, barring pretexts such as that property's keeper was not present in the property at the time of usurpation or that the perpetrator is not personally familiar with him/her.

Based on the foregoing explanation, a person's seizure of a property from which residents were displaced as a result of the ongoing conflict in Syria— whether by the Syrian government or by armed groups deployed here and there across the country— is considered a crime of property usurpation because it would be naive to say that the property was abandoned without a keeper at the moment of seizure and because the perpetrator knows perfectly well that the keeper or owner had been displaced or escaped, fearing death or arrest by the military party carrying out an attack on his/her area. Displacement of residents does not provide legal grounds for eliminating charges of property usurpation; on the contrary, we believe that the usurpation of properties under such conditions should be regarded as an aggravating circumstance because the perpetrators in this case are armed groups, who did not only possess weapons, but also used them. Therefore, property owners can sue whoever seized their properties and charge him/her with the crime of usurping the property discussed in Article 723.

The limitations discussed in Article 635 of the Penal Code which resulted in a discrepancy between the severity of the crime and the penalty assigned, apply to Article 723, which addresses the usurpation of property, especially when these crimes are committed during armed conflicts. Accordingly, amending this article, particularly the paragraph relating to the penalty, is of paramount importance because the legislator has labeled usurpation a misdemeanor, thus worthy of penalty applicable to misdemeanor only.

These limitations also apply to the penalty the Syrian Penal Code imposes on the perpetrator that demolishes or sabotages a property. Article 718 of the code states that: "Whoever intentionally demolishes any building, all or part of it, knowing that it belongs to someone else, shall be sentenced to imprisonment from three months to two years and a fine of 100 to 200 Syrian Pounds. Should the act of sabotage befall, even partially, cottages and unclad walls or unclad walls built with stones, the penalty would be imprisonment from one to six months and a fine of 100 Syrian Pounds."

Trespass

Article 557 of the Syrian Penal Code defines trespass (*Intihak Hurmat al-Manzel*) as:

1. "Whoever enters a house or dwelling of another person or structures annexed to the dwelling or house against that person's will, as well as whoever stays in the aforementioned places against the will of whoever has the right to expel him/her from it, shall be sentenced to imprisonment for a period not exceeding six months."
2. "Imprisonment is imposed from three months to three years if the act occurred at night, or by breaking in, or by practicing violence against persons, or by using a weapon, or by several persons collectively."

3. "Prosecution of perpetrators in the case involving acts addressed in the first paragraph cannot be initiated unless the affected person files a complaint."

In this article, the legislator considers entering the house or dwelling of another person or the structures annexed to his/her residence against his/her will a criminal offense for which the perpetrator deserves punishment. Additionally, the article demonstrates that a person is considered guilty of trespass should he/she be permitted to enter the house or dwelling by the owner or keeper, but then he/she remains there against the will of the owner. This, for instance, applies to the case whereby the owner of the house receives a guest, and that guest remains in the house and expresses his/her intention not to leave against the will of the property owner. A harsher punishment is imposed on the perpetrator should trespass occur at night, by breaking in, using violence, using a weapon, or by several people. Additionally, harsher punishment is laid down against the perpetrator should any of these conditions apply to the case, not all of them at once. Furthermore, structures annexed to a house or a dwelling such as a garden or a garage are treated as a dwelling within the context of trespass. In the case of trespass, prosecution depends on the complaint of the affected party, without which the judiciary cannot intervene on its own to hold the perpetrator accountable.

In the context of trespass, entering or staying in someone else's house or residence or annexed structures is short and temporary, during which the perpetrator does not intend to usurp the concerned property. Rather, with trespass, the purpose is often to disturb the owner's peace of mind, and infringe on his/her privacy, just as the perpetrator here does not intend to expel the owner of the house or dwelling, to take his/her place. Additionally, the crime of trespass is committed in the presence of the owner or keeper, and it can also be committed in their absence. Furthermore, should the perpetrator intend to stay in the house or dwelling permanently and expel its owner from it or prevent him/her from entering it, the case then would be that of usurpation of property, which we discussed in the previous section. Moreover, the crime of trespass does not apply to real estate that is not built, such as agricultural land or land prepared for construction, because such real estate is not originally prepared for housing. However, trespass applies to real estate that is prepared for permanent or temporary housing. Accordingly, whoever enters a house in the countryside that the owner uses for summer vacations without the consent of the owner is guilty of the offense and is entitled to the prescribed penalty laid out by article 557.

Notably, the legislator has singled out a special provision for the state employee who commits this crime. Article 398 of the Syrian Penal Code states that: "Every employee who enters, in his capacity as an employee, another person's house or annexed structures in cases other than those stipulated by law and without due regard to the rules provided by the law, shall be punished by imprisonment from three months to three years. The penalty shall not be less than six months if the act was accompanied by an inspection of the place or any other measure entailing control carried out by the perpetrator."

This article demonstrates that the legislator did not treat the employee as an ordinary person— an approach worthy of praise— because the employee is supposed to be keen on people's comfort and safety, not to be a source of anxiety and inconvenience to them. Therefore, the legislator stipulated the same punishment presented in the second paragraph of Article 557, when the act is carried out under any of the aggravating circumstances, such as the commission of the offense at night, by breaking in, using violence or a weapon or by several people. The

legislator stresses that one of these circumstances must accompany the act of trespass to aggravate the penalty for the ordinary person. However, the legislator did not bind aggravating the penalty for the employee to the availability of any of these circumstances, for committing trespass as an employee is an aggravating circumstance *per se*, should entry into the property be done in other cases than those permitted by the law. A policeman who holds a court permission to enter a property or enters a property in a case of *flagrante delicto* is not committing trespass, whether the entry was with the consent of the owner of the house or not.

Based on this extensive analysis of article 557, *every Syrian who has been exposed to the crime of trespass over the course of the Syrian conflict is entitled to sue whoever committed this crime against him/her, including employees, should they identify the perpetrator.* However, pressing charges against trespass remains difficult under the state of chaos that has been consuming the country over these long years of bloodshed.

Legal Dimensions Common to All Four Crimes

In cases of felonies, the public claim and personal claims will be subject to the statute of limitations after 10 Gregorian-calendar years into the date the crime was committed or the date the last legal proceeding was pursued against the perpetrator, without reaching a court verdict. In cases of misdemeanor, the statute of limitations is three years, based on the details addressing crimes labeled as misdemeanors (Articles 437 and 438 of the Syrian Code of Criminal Procedure). We believe that active combat in Syria is, for now, constituting a material barrier suspending the statute of limitations,³ which will be operative once the hostilities have abated, and safe and neutral environments are reinforced which would help victims seek justice against perpetrators without fear or hesitation.

We believe that the articles addressing the crimes in this paper should be amended, especially in areas of punishment, as to distinguish between states of peace and war, and to consider situations of unrest and war as aggravating circumstances entailing harsher punishment.

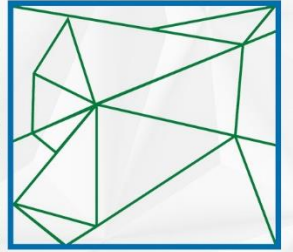
Cases falling under felonies are the jurisdiction of the criminal court.⁴ However, cases labeled as misdemeanor— whereby the term of imprisonment ranges between one and three years— are the specialty of the Court of First Instance, and in cases whereby imprisonment does not exceed one year, the Magistrates Court shall be competent.⁵

In cases whereby the perpetrator is proven guilty, the criminal court overseeing the case should order restitution and compensation for damages, in addition to the established punishment. Restitution is restoring the situation to the pre-crime state (Article 129 of the Penal Code).

³ The Syrian Code of Criminal Procedure does not provide text for the suspension of the statute of limitations for the public claim, which is a rather high-risk gap. This is because it is unacceptable to consider that any of the cases addressed by the paper are subject to the statute of limitations just because the period specified for filing the lawsuit has passed, since Syrian victims, as it is known to everyone, are currently unable to file lawsuits against perpetrators, whether for fear of their lives or for their inability to reach the Syrian courts in the first place, being either displaced or refugees. Therefore, the next government must address this gap and add reasons for suspending the statute of limitations in criminal cases, including the state of war.

⁴ See footnote 2.

⁵ Notably, the Syrian Penal Code has assigned the Magistrates Court and the Court of First Instance to oversee some crimes regardless of the duration of the prison sentence. For additional details, refer to the Syrian Penal Code.



About Us:

Syrians for Truth and Justice (STJ) is a nonprofit, nongovernmental organization monitoring human rights violations in Syria. Founded in 2015, STJ has been based in France since 2019.

STJ is an impartial and independent Syrian human rights organization operating across Syria. Our network of field researchers monitor and report human rights violations occurring on the ground in Syria, while our international team of human rights experts, lawyers, and journalists gather evidence, examine emerging patterns of violations, and analyze how violations break domestic Syrian and international law.

We are committed to documenting violations of human rights committed by all parties in the Syrian conflict and elevating the voices of all Syrians victimized by human rights violations, regardless of their ethnicity, religion, political affiliation, class, and/or gender. Our commitment to human rights monitoring is founded on the idea that professional human rights documentation meeting international standards is the first step to uncovering the truth and achieving justice in Syria.



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