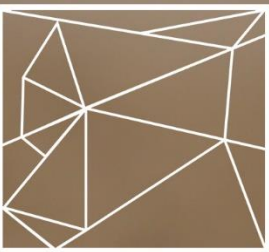
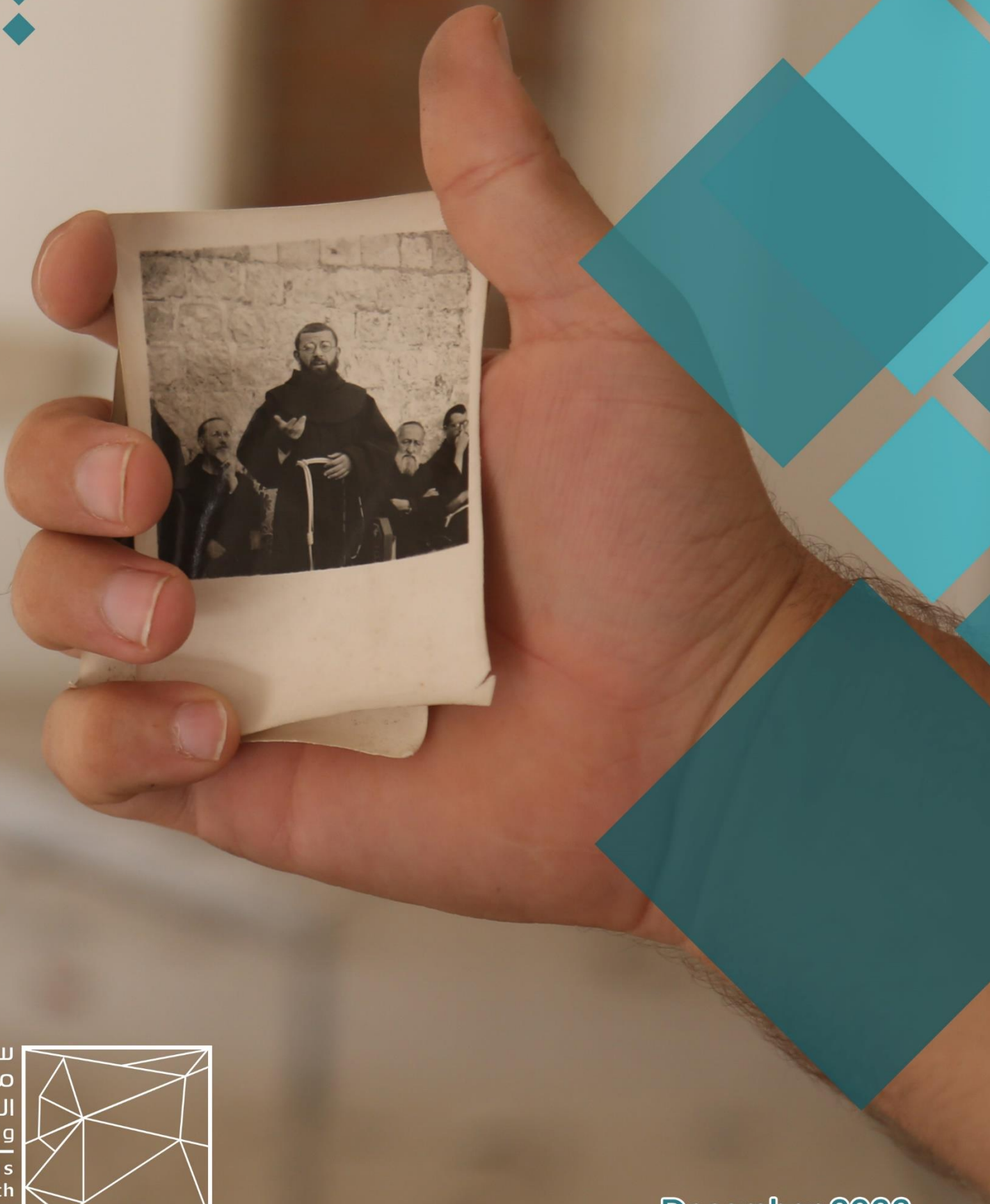


# Idlib's Christians Disenfranchised Until Their Church Bells Ring Again



## **Idlib's Christians Disenfranchised Until Their Church Bells Ring Again**

*Christians testify to their abuse by hardline factions in Idlib as their religious practices are restricted, their properties seized, and their churches misused*

*Ninar Khalifa*



Violent unrest has left Christians in parts of Syria newly under the control of Islamist militants. To protect themselves, they have been forced to accommodate the whims of their new rulers, who have banned their religious practices, confiscated their properties, and even harassed and abused them.

For a decade now, Christians in the Syrian city of Idlib have wished to celebrate and attend the services of Christmas and New Year, as do other Christian communities in other parts of Syria and beyond.

However, since taking over Idlib, Islamist rebels have established a stranglehold over Christian citizens, preventing them from practicing their rituals openly; they limited the services to prayers inside the church hall without ringing bells or raising crosses.

In addition to restricting their religious rights, the Islamist rebels have seized Christians' properties, kidnapped and even killed them for ransom, desecrated their places of worship, and denied them humanitarian aid.

As such, since the factions' takeover, Christians have left Idlib in mass toward other Syrian areas or abroad, leaving everything they own behind. Thus, Idlib's Christian population has dwindled dramatically. [Reportedly](#), before 2010, Idlib was once home to 10,000 Christians distributed in the villages of al-Yacoubiyah, al-Qunaya, al-Jadidah, al-Ghassaniyah, Halluz, and in certain neighborhoods of Jisr al-Shughur and Idlib cities.

Ghassan (a pseudonym), one of the last Christians in Idlib, confirmed that the waves of displacement from Idlib peaked in late 2013 when the Islamic State (IS) extended control over the area. According to Ghassan, by 2014, when the Al-Nusra Front/Jabhat al-Nusra (aka Jabhat Fatah al-Sham) seized the area, only 210 Christians, mostly elderly, remained.

Ghassan pointed out that a large number of displaced Christians left for the city of Latakia, and later some of them migrated to Europe.

Al-Nusra took over the properties of all those displaced and distributed them to foreign fighters, who were in majority Turkistans, but also included Chechens, Algerians, and Tunisians, Ghassan confirmed.

The Syrian Network for Human Rights (SNHR) reported that HTS seized most of the absent Idlib Christians' properties and prevented their relatives from tending to them.





## Unfair Usufruct Contract

Elias (a pseudonym), a Christian from Idlib residing in Lebanon, confirmed that hardline factions seized the properties of Idlib's Christians who were forced out of the city.

Elias said the properties seized by Al-Nusra were under the guardianship of the "Office of Christians' properties", which recorded the houses and farms of Christians in Idlib and then distributed them to foreign fighters. This was accompanied by the confiscation of the cars of absent Christians and the looting of the furniture of their homes and businesses. The factions only left the houses of the Christian elders who remained in Idlib.

In 2018, HTS claimed that it would reinstate the properties of displaced Christians but nothing came of it. The Christians in Idlib who attempted to restore their farms were forced to sign usufruct contracts. These contracts provided for giving 60% of their crop production to HTS with only 40% remaining to the farmer, even while the farmer remained responsible for the farm's cultivation and all of its expenses. Upon learning about these unfair terms, all of those who applied to restore their farms refused to sign and withdrew their files. Meanwhile, Christians abroad were not even allowed to demand the restoration of their properties for several pretexts, including residence in Europe and support for the regime.

Throughout 2018, STJ documented the [seizure](#) of at least 750 houses belonging to Christian residents of rural Jisr al-Shughur. The houses were seized by HTS, the Guardians of Religion Organization/ Hurras al-Din, and the Turkistan Islamic Party (TIP) under the pretext of their owners' absence.

Furthermore, between late 2018 and mid-October 2019, STJ documented the [seizure](#) of no less than 550 houses and businesses owned by Christians in Idlib by HTS.

Eyewitnesses confirmed to STJ that the armed factions in Idlib leased some of the Christians' seized properties and settled families of their members in others.

In late 2018, HTS fully appropriated three markets in Idlib city, namely, Khan Kabbad for cereals, Khan Fahdi for selling oil, and Khan Ghannoum. These street markets include warehouses and shops owned by Christian merchants and are of great symbolic importance to Idlib's people.

Moreover, in 2017, HTS took over the only Christian church in Idlib city, a section of which has been transformed into an educational institute after it was rented to someone. According to a local source, HTS' rental revenue from the Christian-owned houses in Idlib alone has exceeded 70,000 USD per year.





## Impossible Conditions for Restitution

Juliet (a pseudonym), a Christian from Idlib residing in Latakia ,told STJ that in 2018 HTS seized her home and agricultural land and she has failed to recover them. Juliet recounted:

“In early 2022, I authorized my cousin to reclaim my properties through a court of the Salvation Government, operating in Idlib. However, an HTS Sharia committee ruled that the faction has the right to use my property, especially since I reside in a regime-held area and work as a teacher for a government school. I tried to sell my home’s furniture, but the faction prevented me and confiscated it. All Idlib’s Christians are treated the same way.”

Juliet continued to say that displaced families in Idlib who leased the seized houses of the absent Christians pay their rents to HTS, noting that the leasing proceedings are all oral not written.

After 2018, the Salvation Government began to change its attitude toward Idlib's Christians and began [allowing](#) them to restore their properties on the condition permanently residing in the area.

## Domestic and International Laws Safeguard the Right to Property

A Syrian judge, Riyadh Ali, confirms that the right to property is a basic human right enshrined in international covenants and conventions and is closely linked to the right of every person to live with safety and dignity. Ali stressed that under no circumstances is it acceptable to take someone's property unjustly.

This right was affirmed in Article 17 of [the Universal Declaration of Human Rights of 1948](#). In addition, the [Guiding Principles on Internal Displacement](#) emphasizes in Principle 21 that:

1. “No one shall be arbitrarily deprived of property and possessions.
2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:
  - a. Pillage;
  - b. Direct or indiscriminate attacks or other acts of violence;





- c. Being used to shield military operations or objectives;
- d. Being made the object of reprisal; and
- e. Being destroyed or appropriated as a form of collective punishment.”

Moreover, protecting the properties and possessions of internally displaced persons is a binding obligation on all parties of a conflict regardless of their legal status, as stipulated in [Customary International Humanitarian Law \(Customary IHL\)](#).

The Al-Nusra/HTS' seizure of private properties and forced displacement of their owners blatantly violates the aforementioned international covenants and conventions. Such practices may amount to a war crimes and crimes against humanity, referring to Articles 8.2.e.xii and Article 7.1.d of the [Rome Statute of the International Criminal Court of 1998](#), which entered into force in 2002.

According to Article 8.2.e.xii :

2. For the purpose of this Statute, 'war crimes' means:

(xii) Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict”.

According to Article 7.1.d:

1. “For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”.

In addition, the appropriation of the property of others, movable or immovable, by any party, constitutes an explicit violation of Article 15 of the 2012 Syrian Constitution in force, which states:

- “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.”

The arbitrary seizure of private properties infringes the right of the legal owners to freely dispose their properties as stipulated in Article 770 of the Syrian Civil Code:

- “The owner has the exclusive right to use, exploit and dispose of this property within the limits of the law.”
- “The owner of a thing has the right to all its fruits, products and accessories unless there is a text or agreement to the contrary.”





Appropriation or confiscation of private properties cannot be justified by the owner's loyalty to one of the parties to the conflict, because the right of ownership is legally preserved regardless of the owner's political orientation.

The Independent International Commission of Inquiry on the Syrian Arab Republic confirmed in its last [report](#) dated on 14 September 2022 that it continued to receive reports of HTS' seizure of private properties between 1 January and 30 June 2022.

Reports indicated that, through a general directorate for housing affairs (previously known as the Committee on the Spoils of War), the group allocated properties of absentee owners to its fighters or rented them out to displaced families. Several agents were allegedly appointed by the group across the governorate to collect rent, manage property contracts, and identify newly vacated homes in the area. Properties owned by displaced individuals perceived to be supporting the Government or opposing HTS, including Christians, were primarily targeted for confiscation. The confiscations described may amount to the war crime of pillage. Property rights of displaced persons are specifically protected under Customary IHL and must be respected by all parties, free from discrimination.

## Kidnappings and Killings

In addition to seizing their properties, members of hardline factions have harassed and abused Idlib's Christians. George (a pseudonym), a Christian from Idlib who has fled to Europe, recounted to STJ harrowing stories about the abuses experienced by Christians in Idlib. According to George, members of the hardline factions are a source of terror for Christians, especially since they have become the majority of the population of Idlib's Christian villages, where the Christians now make up only 1%.

George talked about the undisciplined behavior of the factions' members saying: "Today it's very normal for a Turkistan fighter to attack an elderly Christian in the street and to call him an infidel or a worshipper of the cross while insulting and threatening him."

George also described incidents of kidnapping for ransom. One incident occurred in the middle of 2020, when a Christian family was forced to pay an amount of 3,000 USD to a member of the TIP to stop his threats. Afterward, the family's children left their village for regime-held areas while their elderly parents remained.

Mary (a pseudonym), a Christian woman residing in Idlib, indicated that the incidents of abuse have recently subsided. Mary explains that this decrease is not due to the increasing mildness of the factions' behavior but instead is due to the displacement of the vast majority of young men from the area, as only about ten young men now remain to look after their elderly parents.





Mary recalled the 2019 incident of kidnapping and murder of the Arabic language teacher, [Suzanne Deir Kreikour](#), 60, who hails from al-Yacoubiyah town in rural Idlib. Suzanne was kidnapped, raped, and had her gold jewelry looted. She was found naked with clear signs of torture and rape on her body. Days after the incident, the Salvation Government announced the arrest of the perpetrators, whom it claimed confessed to the crime and disposal of the woman's body. However, Mary added that the Salvation Government did not publicly identify the perpetrators.

SNHR recently documented 11 arrest cases carried out by HTS members against Christian civilians from Idlib. The arrests were made with the aim of seizing the properties of those Christians or those of their relatives who reside outside HTS-controlled areas.

SNHR also documented the kidnapping of 16 Christians from Idlib by unknown gunmen. Most of these kidnappings were for ransom.

## Freedom is a Sacred Right

Syrian judge Riyad Ali stresses that the Syrian Penal Code considers kidnapping and arbitrary deprivation of liberty for ransom as criminal offences. The Code prescribes a penalty of detention for a period of six months to two years for anyone who in any way deprives another person of his/her personal liberty. Furthermore, the Code imposes a term of hard labor on the perpetrator in case the person who was forbidden freedom was subjected to physical or mental torture, or if the act was committed against an official during the course of his/her duties (Articles 555-556).

Article 1 of the [Legislative Decree No. 20 of 2013](#) sets out the penalties for kidnapping offences, which range from a life sentence of penal labor to the death penalty. The penalty depends on the motive behind the kidnapping. If the motivation is for political or material gain, revenge, sectarian reasons, or ransom, the offence is punishable by a life sentence of penal labor. If the kidnapping results in the death, serious injury, or the sexual assault of the victim, the offence is a capital offence and punishable by death.

The provisions of IHL also forbids hostage-taking, which is enshrined in Article 3, common to the Four Geneva Conventions of 1949, as well as [Rule 96](#) of Customary IHL. Furthermore, the act of hostage-taking may amount to a war crime according to Article 8 of the Rome Statute of the International Criminal Court of 1998. Article 1 of the [1979 International Convention Against the Taking of Hostages](#) defines the act of hostage-taking as:





“Any person who seizes or detains and threatens to kill, to injure or to continue to detain a hostage in order to compel a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage. Any person also commits such an offence if that person attempts to commit an offence as set forth above or participates as an accomplice of anyone who commits or attempts to commit an act of hostage-taking.”<sup>1</sup>

The act of arbitrary deprivation of liberty in itself is prohibited according to [Rule 99](#) of Customary IHL as well as Article 9.1 of the [International Covenant on Civil and Political Rights \(ICCPR\) of 1966](#) which states: “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of their liberty except on such grounds and in accordance with such procedures as are established by law.”

## Desecrating Churches

Idlib province contains several churches and historical Christian buildings, most of which were devastated fully or partly during the conflict as a result of bombardments by both the Syrian government and rebels. Local sources reported that most of Idlib's churches are now locked up, out of service, or used by armed factions.

Miray (a pseudonym), spoke with STJ from Canada, where she moved after fleeing Syria, saying that the Greek Orthodox Church in al-Ghassaniyah village was hammered by the regime and Russian airstrikes targeted it after the Army of Conquest/Jaish al-Fatah chose it as a headquarters for them due to it being well fortified. Thereafter, the church was abandoned.

Furthermore, the TIP turned the Greek Orthodox Church of Saint John in al-Jadidah village into a place of rest and cooking.

“Since the hardline factions expropriated our homes, farms, and cars, they will not hesitate to go further to seize the churches, as well as our right to practice our religion freely and openly,” Miray added.

## Al-Julani's Pragmatism

On 19 July, HTS leader, Abu Mohammad al-Julani, visited the villages of al-Qunaya, al-Yacoubiyah, and al-Jadidah in rural Jisr al-Shughur and spoke to their people using

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<sup>1</sup> It should be noted that Syria is not a party to this treaty, but the definition contained therein is accepted and used globally.





moderate language, implying that HTS is open to all religious communities in an attempt to court the Christian community.

On 28 August, the well-known St. Anna Church – which is of great historical significance – in al-Yacoubiyah was reopened after being closed for over ten years. The reopening was celebrated in a publicized ceremony amidst tight security arrangements by HTS forces. Dozens of people attended the ceremony, which was filled with chants and joy.

[Analysts](#) see the shift in al-Julani's attitude as prompted by his awareness of his mistake in deporting Christians and other minorities from the areas of his influence. Al-Julani realized that the presence of minorities in an area prompts the U.S. and other western countries to prevent any possible military operation by the Syrian regime and its Russian and Iranian allies on it, under the pretext of protecting minorities.

There are [reports](#) of al-Julani's assistants making offers to displaced Christian families to return to Idlib in exchange for recovering their property and living freely.

This coincides with a transformation in the way the Salvation Government deals with the population under its rule. The Salvation Government has attempted to shed its hardline image by moderating its behavior; for example, it changed the name of its "Spoils Committee" – responsible for disposing of Christian property – to the "Housing Corporation".

However, according to testimonies, Idlib's Christians are still prevented from practicing their religion freely and openly despite al-Julani's promises of reform. Prayers and holiday celebrations are still confined within the walls of homes and churches with a continued ban of ringing bells and raising crosses.

## Laws Guarantee Religious Freedoms

The [International Covenant on Civil and Political Rights \(ICCPR\)](#) states in Article 18.1:

"Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice, and teaching."

Similarly, the [Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities of 1992](#) guarantees the protection of minorities as well as their religious identities and ensures their right to profess and practice their own religions. Furthermore, [Protocol I of 1977 Additional to the Geneva Conventions of 1949](#) states in Article 52 on the General protection of civilian objects:

1. "Civilian objects shall not be the object of attack or of reprisals. Civilian objects are all objects which are not military objectives as defined in paragraph 2."





In the same vein, [Customary IHL](#) prohibits the use of places of worship for military purposes, so as not to give the enemy a pretext to bomb and destroy them.

It is now well established in international law – in theory and practice – that armed non-State actors empowered to exercise governmental authority or acting with government acquiescence are subject to the obligations of IHL. Thereby, the Al-Nusra/HTS, which exercises in practice effective control of the areas under their influence, cannot evade IHL obligations.

## How Can We Protect the Rights of Christians?

Nael Gerges, a scholar and human rights researcher, discussed the history of Christian presence in Idlib and the main motives behind their displacement after 2011 with STJ. Gerges confirmed that the Christians' presence in Idlib dates to the 12<sup>th</sup> or 13<sup>th</sup> centuries AD, citing the existence of many Byzantine ruins and antiquities in the area.

On the reasons why Christians flee Idlib after 2011, Gerges suggested that the security, economic, and social consequences of the war were the main motives behind the displacement of Idlib's population, including the Christians. However, after hardline factions seized the area the Christians had new reasons for fleeing manifested in the discriminatory acts against them, such as forced dress and the payment of *Jizya* (i.e. tribute).

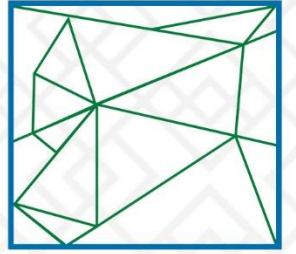
On this point, Gerges pointed out that 2011 does not mark the beginning of Idlib's Christians' migration; the history of their migration dates back to the 1960s, during the rule of a dictatorial regime that practiced discrimination and oppression against citizens.

Syrian Christians have been subjected to many types of discrimination throughout history until today. For example, the current [Syrian Constitution](#) states in Article 3: "The religion of the President of the Republic is Islam", fueling a sense among Christians that they are second-class citizens. Furthermore, the Syrian courts often include in custody decisions of claims belonging to spouses of different religions the phrase: "The child's custody goes to the parent of the most honorable religion", with the "honorable religion" referring to Islam.

Gerges emphasized that the way to ensure the fulfilment of the rights of all Syrians starts with political transition and the implementation of transitional justice, which must inevitably lead to the establishment of the rule of law which treats all citizens equally. In particular, future laws must ensure Syrian Christians' full enjoyment of their rights, including the right to religious freedom, without any restrictions or discrimination and in observance of their cultural specificity.

No religious curriculum nor personal status laws should be imposed on Christians against their will. Syria's Laws, judiciary, and Constitution must treat all religions equally. With regard to the Christians of Idlib, Gerges believes that their situation will not be resolved unless the political reality changes in the area. Otherwise, they will continue to migrate and their already small population will continue to dwindle.





## 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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