

**Flygtningenævnets baggrundsmateriale**

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## Syria: Government Stealing Opponents' Land

Over 20 hectares taken from displaced persons



Syrian farmers harvest olives in Idlib, Syria on November 21, 2020. Despite the negative effects of fertilization, tree pruning and transportation costs as well as the increase in fuel prices, farmers started to harvest olives, their main source of their income. The land pictured is not representative of the cases investigated by Human Rights Watch. © 2020 Muhammed Abdullah/Anadolu Agency via Getty Images

(Beirut) – [Syrian authorities](#) are unlawfully confiscating the homes and lands of Syrians who fled Syrian-Russian military attacks in Idlib and Hama governorates, Human Rights Watch said today.

A pro-government militia and the government-controlled “Peasants’ Unions” were involved in seizing and auctioning these lands to government supporters.

“Peasants’ Unions are supposed to help protect farmers’ rights, but have become one more tool in the Syrian government’s systematic repression of its own people,” said [Sara Kayyali](#), Syria researcher at Human Rights Watch. “Aid organizations should ensure that Peasants’ Unions are not providing assistance for farming on stolen land.”

According to the Syrian Network for Human Rights, the authorities in Hama and Idlib seized [at least 440,000 dunums \(44,000 hectares\) of agricultural land](#) following the government takeover of the area from dissident groups.

Human Rights Watch interviewed six people, five of whom said that the Syrian authorities had seized land

they or their immediate relatives owned in Idlib or Hama governorates without notice or compensation, between March and November 2020. The confiscations occurred after they fled the 10-month-long Syrian-Russian military alliance's offensive on Northwest Syria in 2019.

"I was maybe the last civilian to leave Morek," one person said. "Five days before they [Syrian government forces] took Khan Sheikhoun. I left but tried to go back to get our belongings, but the roads got blocked and helicopters in the air were firing. I had to turn back and leave."

In one case, a person from the town of Morek had paid US \$5,000 to a [member of the Tiger Forces](#), an abusive pro-government militia in control of the area, [operating under Suheil Hassan](#), to release their land. He also said that to keep the land off the auction lists he was required to have an immediate relative present in the area. He paid to have his mother smuggled back to the area, as he was wanted by the Syrian government. His brother had already been detained by government forces.

The lands included cultivated lands used for planting pistachios, wheat, olive trees, and other types of crops. In most cases, they formed the primary source of income for the families.

"For the family, when we found out, it was like lightning struck us," one person said. "I can compare [it] to an olive tree being torn from its roots ... We lost our land, our house, our homeland. These lands were our source of income, helping us with our livelihood. We used to harvest it and benefit from it."

Those interviewed said that a few months after the government takeover of these areas, they began to receive news from relatives and on social media that lists were circulating for public auctions of lands they owned.

Human Rights Watch reviewed several of these [publicly available announcements](#) by the Peasants' Cooperative Associations (PCAs) in Hama and Idlib. The website of the General Union of Peasants, as of September 2017, said that there were 5,621 of these associations with almost 1 million members. The cooperative associations consolidate and redistribute the means of production, including loans, livestock, fodder, and compost, as well as farming machines. The announcements called for tenders to lease the lands belonging to "people who reside outside the Syrian Arab Republic or who reside in areas under the control of 'terrorists.'"

In three cases, people said that a security committee consisting of Syrian military intelligence, the Peasants' Cooperative Associations (PCA), and members of a pro-government militia (*shabiha*) were responsible for seizing and then leasing their land. In three other cases, individuals said that pro-government individuals or high-level commanders of pro-government militia had rented the land and provided names.

All six landowners interviewed were also wanted by the Syrian government for various issues, such as defecting from the Syrian army and participating in peaceful protests, and therefore were living abroad or in territories not controlled by the government, and were unable to return to areas held by the government due to security concerns.

None of the landowners received compensation. One landowner who managed to contact the person who leased the land said the person told him they would lease it back to him if he promised to share half the proceeds from the harvest.

Some of the notices posted by the associations, which Human Rights Watch reviewed, claimed that the properties had been seized for outstanding loans the owners had with the Agricultural Cooperative Bank (ACB). Five of the people interviewed denied it. They also indicated that they had not received any notice or request for repayment and had not been able to challenge the legality of the confiscation, reflecting systemic due process concerns in Syria.

“We owe nothing to anyone, no loan, nothing,” one person said. “No person in the world wouldn’t wish to go back to his land. This is my demand. I want to go back. At least I want to smell the land. It became a dream.”

All of those interviewed said they or their parents had deeds to the land, but three lost their personal and property documentation either when they fled during the military offensive, or because of attacks or raids on their homes that destroyed the documents. In three cases, the lists clearly indicate that they are the owners. In one case, the man interviewed said the land was in his mother’s name.

Human Rights Watch has previously documented that the Syrian government passed laws and policies to confiscate property without due process or compensation. They include [Law 10 of 2018](#), which ostensibly allows the government to seize property and develop it, and Counterterrorism Law of 2012, which the government has used to [punish entire families](#) by arbitrarily placing them on a list of alleged terrorists and freezing their assets.

Human Rights Watch has also reported the wheat shortages in government-held territory that have created a [severe bread shortage](#), exacerbated by the government’s restrictions, corruption, and discriminatory approach.

In 2020, at the same time people’s land was being confiscated, the Agriculture Ministry, with the support of the Peasants’ Associations issued a plan to subsidize and provide support to farmers to plant wheat and other needed crops. Aid groups have [provided seeds and restored irrigation systems](#), including in some parts of Hama governorate. Aid organizations should ensure that they are not providing assistance for farming on stolen land, Human Rights Watch said.

Under customary international law, property rights are protected. The Universal Declaration of Human Rights, states that “everyone has the right to own property alone as well as in association with others.” Furthermore, “no one shall be arbitrarily deprived of his property.” Governments are entitled to confiscate land for public purposes, if done according to the law, with public participation, due process, and adequate compensation. However, these cases show that such guarantees have not been provided.

Further, the Pinheiro Principles, widely agreed-upon principles that govern property rights of refugees and internally displaced people, encompass several additional protections that apply in this situation. The

principles protect refugees and displaced people from discrimination and require that legislation covering housing, land, and restitution is neither de facto nor de jure discriminatory, and is transparent and consistent. If a refugee or displaced person is unlawfully or arbitrarily denied their property, they are entitled to submit a claim for restitution from an independent and impartial body.

The Syrian authorities should immediately stop confiscating and auctioning the properties of citizens without getting their consent, providing them with notice, or full and adequate compensation. It should inform these owners of intent to seize the land, any requests for loan repayment, or any problems concerning their land, and provide them with an opportunity to challenge these decisions in a fair trial. International aid agencies operating in these areas should ensure that none of their programs, including providing seeds and tools to farmers in government-held areas, advance these violations. If the Syrian government fails to do this, the US, EU, and other countries should sanction the Syrian government officials most responsible for ongoing and widespread unlawful land confiscation programs.

“This is not the first time that Syrian authorities have used laws and policies to punish people they perceive to be opposing their brutal rule,” Kayyali said. “Unless the international community takes decisive action to punish these abuses, we will only see more of these initiatives.”