Flygtningenævnets baggrundsmateriale

Bilagsnr.:	**2282**
Land:	Syrien
Kilde:	Syrian Network for Human Rights (SNHR)
Titel:	Violations of Property against Women in Syria Since 2011
Udgivet:	23. juli 2026
Optaget på baggrundsmaterialet:	28. september 2026

SNHR
الشبكة السورية لحقوق الإنسان
SYRIAN NETWORK FOR HUMAN RIGHTS

Violations of Property against Women in Syria Since 2011

Patterns of Expropriation and Their Impact on Women in the Context of Conflict and The Transitional Phase

Thursday 23 July 2026



SNHR

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

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FIRST: AN INTRODUCTION TO PROPERTY RIGHTS VIOLATIONS AGAINST WOMEN IN SYRIA SINCE 2011

The armed conflict in Syria since March 2011 has profoundly impacted the country's legal, economic, and social structures. Its repercussions have not been limited to loss of life and grave violations of the right to life and physical integrity, but have also extended to economic and social rights, most notably the rights to housing, land, and property, upon which individual and family stability and the ability of individuals to build independent economic lives depend.

While large segments of the Syrian population have suffered property rights violations during the years of conflict, women have faced complex and compounded forms of deprivation. This stems from the confluence of factors including armed conflict, widespread forced displacement, loss of documentation, and the collapse of the justice system, compounded by existing discrimination in local legislation, administrative practices, and social norms. This confluence has resulted in a significant number of women being denied access to, restitution of, or free disposal of their property, or being forced to relinquish it under coercive and unequal conditions.

The former Assad regime used property ownership as a tool for punishment, subjugation, and demographic engineering through a series of legislative, administrative, and security policies: from arbitrary confiscation and precautionary seizures linked to presumed political affiliation, to urban planning laws that imposed unrealistic deadlines for proving ownership, to the systematic destruction of residential neighborhoods along with their records and documents. In all these instances, women bore a double burden, as properties were often registered in the names of their husbands, fathers, or male relatives who were arrested, forcibly disappeared, killed, or displaced. Thus, women found themselves facing a legal and institutional system that neither recognized their actual rights nor provided them with the means to prove them.

The fall of the Assad regime on December 8, 2024, ushered in a transitional phase that offered opportunities to address the legacy of these violations, but also carried the risk of entrenching the status quo if not addressed through appropriate legal and institutional frameworks. Women who were deprived of their property during the conflict did not automatically regain it with the regime's collapse; rather, they now face new challenges related to the complexity of legal procedures, the high costs of litigation, the continued control of confiscated property by influential parties, and the absence of clear mechanisms for property restitution and reparations.

This report documents patterns of property rights violations suffered by women in Syria since 2011, based on firsthand accounts from women affected by the loss of their property rights, collected after the fall of the Assad regime. The report provides a legal and human rights analysis based on the Syrian legislative framework in force during the conflict, international human rights law, international humanitarian law, and relevant international principles and standards, with a focus on the gendered dimensions of these violations and their economic, social, and psychological impacts on women and their families. It also reviews the challenges facing victims in restoring their rights during the transitional phase and offers practical recommendations that can be integrated into transitional justice and reconstruction processes.

In this context, Fadel Abdulghany, Executive Director of SNHR said:

> **Women's property rights in Syria have not been violated solely by the conflict, but by a comprehensive system of repressive legislation, discriminatory practices, and social norms that have accumulated over decades and were exploited by the former Assad regime to transform property into a tool of collective punishment and political subjugation. The fall of the regime did not automatically end these violations, and unless the Syrian authorities take the initiative to establish effective mechanisms for property restitution, reparations, and legislative reform, thousands of women will remain deprived of their rights even after the conflict ends. A new Syria cannot be built on a just foundation without restoring stolen property rights and enabling women to exercise their legal and economic rights on an equal footing.**

SECOND: METHODOLOGY

This report employs a human rights and legal documentation and analysis methodology consistent with the standards adopted by the Syrian Network for Human Rights. Its references are based on the Office of the High Commissioner for Human Rights' guidelines on documentation and monitoring, and the Network's general documentation methodology published on its website. The report aims to examine and analyze patterns of property rights violations suffered by women in Syria since March 2011, in light of Syrian national law, international human rights law, international humanitarian law, and relevant international principles and standards. The methodology adheres to the principles of accuracy, objectivity, independence, and ethical documentation, with particular attention to the protection of witnesses, especially women who face additional risks due to the nature of property-related violations.

Analytical Approach

The report adopts a qualitative approach based on illustrative case studies, from which an analysis of general patterns of property rights violations and their impact on women is derived. The cases presented were chosen to illustrate each of the violation patterns identified in the report, not as a statistically representative sample. The report combines individual testimonies that reveal the tangible impact on women's lives with a structural analysis that links these cases to the legislative, institutional, and social context that enabled the violations to occur and persist.

This approach is based on the following elements:

- First: A legislative and legal review of the Syrian legal frameworks governing property rights, housing, real estate registration, and inheritance, analyzing their practical impact on women's enjoyment of these rights, including provisions that contain direct or indirect discrimination, and linking this to Syria's obligations under international human rights law and international humanitarian law.
- Second: An analysis of the patterns of violations associated with the loss of property rights, including confiscation, destruction, unlawful seizure, disposal of absentee property, and de facto deprivation of use, without asserting individual legal responsibility in cases where sufficient verification is not possible.
- Third: Adopting a gender and rights-based approach that considers structural discrimination based on gender and the impact of social norms and power imbalances within the family and society on women's ability to establish, defend, or recover ownership. This approach is applied to each pattern of violation by analyzing the specific mechanisms that have made women more vulnerable to property deprivation than men in the same context.

Data Collection

Data was collected between January 2025 and March 2026, after the fall of the Assad regime on December 8, 2024. Interviews were conducted with women affected by the loss of property rights, or with members of their families, inside Syria, in areas of internal displacement, and with refugee women in neighboring countries. The network employed secure and graded communication methods, including face-to-face interviews and interviews via encrypted communication channels, to ensure the confidentiality of witnesses and the protection of their personal data in accordance with the network's established protection protocols.

This report includes **35 testimonies from women** in various Syrian governorates out of tens of witness and victims interviews. These testimonies were selected based on the following criteria: representation of the patterns of violation identified in the report, geographical diversity by governorate, diversity of the witnesses' situations (internally displaced, refugees in neighboring countries, returnees to their areas of origin), and the availability of a minimum level of verifiable evidence to support the testimonies.

Verification and Supporting Sources

The report relied on several integrated approaches to verifying testimonies:

- First: Internal consistency of the testimony, by assessing the logical chronology of the recounted events and the consistency of the factual details with the known context of the region and the relevant time period.
- Second: Comparison with independent sources, including the Syrian Network for Human Rights database on incidents of bombing, destruction, arrest, and enforced disappearance in the areas concerned, and open sources where possible, including satellite imagery to verify the facts of the destruction.
- Third: Examination of documents submitted by witnesses where available, including property deeds, land registration documents (Tabu), housing association records, and identity documents, with a preliminary assessment of their formal and substantive consistency.
- Fourth: Comparison of testimonies from different female witnesses from the same region or affected by the same pattern, to verify consistency in describing the patterns and general conditions.

It should be noted that full legal verification of ownership was not possible in a number of cases due to the loss of original documents, the destruction of property records, or the inability to access official departments. In these cases, the report relied on testimony supported by available verification elements, explicitly acknowledging limitations where necessary.

Witness Protection and Informed Consent

The network adhered to the principle of informed consent in interviews. Participants were informed of the nature and objectives of the report and how their testimonies would be used before the interview began, with emphasis placed on their right to decline participation or withdraw their statements at any time without any pressure or compensation.

Regarding the disclosure of identities, a phased approach based on a risk assessment was adopted for each individual case. Witnesses who explicitly consented to the disclosure of their names, and for whom the risk assessment indicated that publication would not expose them or their families to immediate danger under the current circumstances, were included with their full names. Witnesses who requested anonymity, or for whom the risk assessment indicated potential risks to their safety or the safety of their families due to ongoing legal proceedings, disputes with influential parties, or other security considerations, were referred to by their initials with sufficient general geographic information to contextualize the testimony without enabling the identification of the witness. In all cases, no personally identifiable information was used without explicit and clear consent.

Legal Framework

The legal analysis in this report is based on two levels:

At the national level, the report relies on Syrian laws related to property rights, housing, and women's rights as they were in force during the reporting period, including the 2012 Syrian Constitution, Civil Code No. 84 of 1949, the Real Estate Registry Law, Law No. 10 of 2018 and its amendments, Legislative Decree No. 66 of 2012, the Personal Status Law (Legislative Decree No. 59 of 1953 and its amendments), and other relevant legislation. The 2012 Syrian Constitution was adopted as the constitutional framework in force throughout the period in which the documented violations occurred. With the fall of the Assad regime and the cessation of the effective application of this Constitution, the analysis is placed within its temporal and historical context, paving the way for a legal assessment consistent with the requirements of the transitional phase.

At the international level, the report drew upon the following legal instruments: the Universal Declaration of Human Rights, particularly Article 17 concerning the right to property; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights, particularly Article 11 concerning the right to an adequate standard of living, including housing; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Syria acceded in 2003 with reservations to several articles, particularly Articles 15 and 16 concerning legal capacity and property rights within marriage; customary international humanitarian law, particularly the rules concerning

the protection of civilian property and the prohibition of destruction except in cases of military necessity; and the Fourth Geneva Convention regarding the obligations of occupying powers with respect to civilian property. The report was also guided by the Pinheiro Principles (2005) on the restitution of housing and property to refugees and internally displaced persons, and the Guiding Principles on Internal Displacement (1998), particularly Principle 21 concerning the protection of the property and possession of internally displaced persons.

Scope of Analysis

The analysis focuses on the multidimensional effects of property violations on women, including economic, social and psychological dimensions, linking these effects to the challenges women face in restoring their rights, particularly in the post-regime and transitional context, where property issues intersect with transitional justice pathways, reparations and guarantees of non-repetition.

Methodological Limitations

- First, the report encountered difficulties related to the loss or destruction of original documents in several cases, limiting the ability to fully verify ownership. In these instances, the report relied on all available verification elements, acknowledging the limitations of such verification.
- Second, in some cases, it was impossible to accurately identify the party or parties who seized the property due to shifting patterns of control and multiple authorities during the conflict. Therefore, the report focuses on documenting the impact and actual deprivation rather than assigning individual legal responsibility in cases where this is not possible.
- Third, the cases included in the report do not claim to represent the full extent of property rights violations against women in Syria. In addition to the security, social, and legal constraints that limit reporting and access to victims, there is a potential bias in access: the women the network was able to interview likely had minimal communication skills and a willingness to disclose information, while the experiences of more marginalized women, such as those detained, living in inaccessible areas, or under family control that prevents them from testifying, may not be represented in this report.
- Fourth, the percentage of women officially registered as property owners in Syria was already low before the conflict, due to social norms, economic dependence on men, and women's limited legal awareness. This structural reality made women more vulnerable to the de facto loss or deprivation of property rights, even when legal provisions existed to protect them. This should be taken into account when assessing the actual scale of violations, which necessarily exceeds what could be documented.

- Fifth, the testimonies were collected after the fall of the Assad regime, years after some of the documented violations had occurred. This time dimension was taken into account when evaluating testimonies, with the acknowledgment that memory may be affected over time with regard to minute details such as dates and amounts, while general patterns and essential facts remain more stable.

THIRD: THE LEGAL FRAMEWORK FOR PROPERTY RIGHTS RELATED TO WOMEN IN SYRIA

Studying violations of women's property rights in Syria requires a two-pronged analysis: at the international level to identify the legal obligations of the Syrian state and other parties to the conflict, and at the national level to assess the adequacy of the Syrian legal framework in protecting these rights and the gaps that have allowed violations to occur and persist. This section examines both frameworks, analyzing the gaps between law and practice and their compounding impact on women.

A. The International Legal Framework

By virtue of its accession to a number of international treaties, Syria is obligated to protect property rights and guarantee equality and non-discrimination. These obligations constitute the legal framework against which the extent to which women's property rights are respected during and after the conflict is measured.

1. International Human Rights Law

Article 17 of the Universal Declaration of Human Rights guarantees the right of everyone to own property alone as well as in association with others, and prohibits the arbitrary deprivation of property. This article is of foundational importance, despite the non-legally binding nature of the Declaration itself, as it reflects a general principle of international law.

The International Covenant on Civil and Political Rights, which Syria ratified in 1969, guarantees the right to non-discrimination (Article 2) and equality before the law (Article 26). These guarantees apply to the enjoyment of property rights, even though the Covenant does not explicitly mention the right to property itself. The Covenant also enshrines the principle of individual criminal responsibility (Article 15), a principle that has been systematically violated through policies of pretrial detention and confiscation targeting the property of the families of political opponents.

The International Covenant on Economic, Social and Cultural Rights, which Syria ratified in 1969, contains provisions highly relevant to the subject of this report. Article 11(1) guarantees everyone the right to an adequate standard of living for themselves and their family, including housing. The Committee on Economic, Social and Cultural Rights elaborated on this right in its General Comment No. 4 (1991) on the right to adequate housing, which emphasized that this right is not limited to physical shelter but also includes legal tenure and protection against forced eviction. General Comment No. 7 (1997) on forced evictions further clarified that displacement and eviction without adequate procedural safeguards and without providing alternative housing or fair compensation constitute a violation of the Covenant. These criteria apply directly to the patterns of forced displacement coupled with property seizure documented in this report.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the most relevant international instrument to this report concerning the gender dimension of property rights violations. Syria acceded to the Convention in 2003 but entered reservations to several articles, most notably Article 16(1)(c), (d), (f), and (g) concerning equal rights during and at the dissolution of marriage. These reservations directly affect women's property rights within the family. However, Article 15(2) remains in force without reservation. It guarantees women legal capacity equal to that of men in civil matters, including entering into contracts, managing property, and litigating. Article 15(3) also guarantees the invalidity of contracts and instruments that restrict women's legal capacity. While Article 16(1)(h), which guarantees equality between spouses in the ownership, acquisition, management, and disposal of property, was not explicitly reserved, reservations to other paragraphs of the same article have effectively weakened the protection afforded by it. In its general recommendation No. 29 (2013), the CEDAW Committee recommends that States Parties ensure the protection of women's property rights upon the termination of the marital relationship, including in cases of death and enforced disappearance, which is directly related to the situation of thousands of Syrian women who have lost their husbands.

2. International Humanitarian Law

International humanitarian law imposes obligations on all parties to an armed conflict regarding the protection of civilian property. Given the multiplicity of parties to the conflict in Syria and the diversity of legal situations, it is necessary to distinguish between the frameworks applicable to each party:

With regard to the former Assad regime as the state government and a party to a non-international armed conflict: Common Article 3 of the four Geneva Conventions applies, prohibiting attacks on life and physical integrity and guaranteeing a minimum level of protection for persons not taking part in hostilities. Customary international humanitarian law rules obligate all parties to the conflict to protect civilian property, in particular Rule 50, which prohibits the destruction or seizure of an adversary's property unless imperatively required by military necessity, and Rule 52, which prohibits pillage. Rule 103 also prohibits the imposition of collective punishment, which directly applies to the policies of precautionary seizure and confiscation that targeted the property of dissidents' families.

3. Relevant Guiding Instruments

In addition to binding treaties, this report is guided by international guiding instruments directly related to property issues in post-conflict contexts:

The Pinheiro Principles (UN Principles on the Restitution of Housing and Property for Refugees and Internally Displaced Persons, 2005): These principles provide a comprehensive and practical framework for property restitution issues. They affirm that the right to restitution of housing and property is an independent right, not contingent upon actual return (Principle 2), that States are obligated to establish effective mechanisms for property restitution and dispute resolution (Principles 12-15), and that women's right to equal restitution should be guaranteed regardless of who registers the property (Principle 4). These principles are directly applicable to assessing the adequacy of measures taken during the transitional phase in Syria.

Guiding Principles on Internal Displacement (1998): Principle 21 guarantees the protection of the property and possession of internally displaced persons against destruction and arbitrary seizure, and obligates authorities to protect such property and facilitate its restitution. These principles relate to the situation of millions of displaced Syrians who have lost control of their property during the years of conflict.

B. The Local Legislative Framework

The Syrian legal system for the protection of property rights is based on a set of overlapping legislative texts. While these texts include formal guarantees for the protection of property rights, their application during the conflict revealed structural gaps that led to widespread de facto deprivation, disproportionately affecting women. This section reviews each relevant piece of legislation, analyzing its shortcomings and its practical impact on women's property rights, thus avoiding a separation between presentation and analysis.

1. The 2012 Syrian Constitution

The Syrian Constitution, adopted in February 2012 and in effect throughout the reporting period until the fall of the regime on December 8, 2014, stipulated the protection of private property. Article 36 guarantees private property and prohibits its arbitrary deprivation, while Article 37 stipulates that expropriation may only be carried out in accordance with the law, for public benefit, and with fair compensation.

However, these guarantees remained largely theoretical and lacked practical mechanisms to address situations of lost documentation, displacement, or the absence of the owner—circumstances that became widespread during the conflict. The Constitution made no mention of specific protections for property rights in cases of armed conflict, displacement, or emergency, thus weakening the effectiveness of constitutional protection in practice. This weakness had a particularly severe impact on women, especially displaced women and those who had lost their legal guardian, as they were unable to invoke constitutional provisions before administrative or judicial authorities due to a lack of documentation or the ability to effectively pursue their claims.

2. Personal Status Law (Legislative Decree No. 59 of 1953 and its amendments)

This law regulates the provisions of inheritance and the distribution of estates. The rules for distributing inheritance contained within the law grant women, in specific cases, half the share of men (such as the share of a daughter versus a son, and the share of a wife versus a husband). The CEDAW Committee considers this disparity in shares a form of discrimination under the Convention and has repeatedly recommended that Syria review these provisions.

3. Syrian Civil Law No. 84 of 1949:

The Civil Law regulates property ownership and real estate relations and is the primary source of provisions relating to real rights, recognizing that ownership includes the right of use, enjoyment, and disposal.

However, the Civil Law closely links the judicial protection of property rights to the real estate registration system, making the establishment and defense of a right before the courts contingent upon official registration in the real estate registry. In the context of lost documentation, institutional breakdown, and widespread displacement, women faced substantial difficulties in proving their rights, even in cases where ownership was established in principle, resulting in a clear gap between the theoretical recognition of the right and the practical inability to protect it.

4. The Land Registry System (Law No. 33 of 2018)

The Land Registry system serves as a central mechanism for protecting and establishing property ownership. Under this system, real estate ownership rights are protected only through official registration in the Land Registry, and registration constitutes the sole legal proof for protecting these rights.

Law No. 33 of 2018, the Land Registry Law, defines the Land Registry as documents detailing the property's description and legal status. However, it is not a secure mechanism in itself, as this system demonstrated significant fragility under the circumstances that prevailed before the fall of the Assad regime, due to:

- Damage to or loss of large portions of the land registry records.
- Difficulty accessing land registry offices due to the security situation or changes in control.
- The requirement for personal attendance or the presentation of legally valid powers of attorney, requirements that many women, especially displaced or at-risk women, were unable to meet.

The adoption of this system has created obstacles for women at risk of losing their documents, or who have been displaced, in proving ownership at the Land Registry or other registration offices, especially if the restrictions are compounded by the owner's absence from their place of residence due to conflict. These obstacles have allowed various parties—parties to the conflict, influential individuals—to seize registered or unregistered property without effective oversight.

C. Regulations Governing Urban Reorganization and Real Estate Policies

The former Assad regime used a number of regulatory laws as tools to restructure real estate ownership in conflict-affected areas. These laws resulted in the expropriation of private property or the deprivation of property owners' rights without providing sufficient procedural safeguards, with a disproportionate impact on women.

1. Legislative Decree No. 66 of 2012

This decree, issued on September 18, 2012, established two specific zoning zones in Damascus: the Khalaf al-Razi area and the Basatin al-Mazzeh/Kafr Souseh area. It permitted the re-registration of properties within new zoning plans, converting ownership rights into zoning shares. This decree set a dangerous legislative precedent because it established a form of de facto expropriation by converting real property rights into numerical shares in a future, undefined project, with complex procedures, weak guarantees, and no consideration for the circumstances of those who are absent or displaced. Although its geographical scope was limited to two areas, it established the conceptual framework that was later expanded by Law No. 10 of 2018.

2. Urban Planning Law No. 23 of 2015:

This law regulated urban planning and expansion but overlapped with zoning laws without including clear guarantees for the protection of private property rights, further complicating the legal framework for women to defend their properties.

3. Law No. 10 of 2018 and its amendment by Law No. 42 of 2018

This law was issued on April 2, 2018, and expanded the model established by Decree 66 to include the possibility of creating regulatory zones in any Syrian governorate by a decision of the Council of Ministers based on a proposal from the Minister of Local Administration. It established a system for re-registering properties according to a tight timetable: after the declaration of a regulatory zone, lists of owners are requested from real estate authorities, and individuals are given a period to prove their ownership; otherwise, they forfeit their right to compensation, and the properties are re-registered in the name of the administrative unit.

The law, in its original form, set a 30-day period for proving ownership, an unrealistic time-frame given displacement and the loss of documents. Following widespread international criticism, Law No. 42 of 2018 was issued, amending the period to one year and expanding the permissible degree of kinship for power of attorney to the fourth degree. However, this amendment did not address the fundamental problems in the law, namely: the lack of clear criteria for selecting regulatory zones, which opens the door to using the law as a tool to punish specific areas; The law also relied solely on local notification without considering the circumstances of internally displaced persons and refugees outside the country; lacked effective appeal mechanisms for regulatory decisions; and lacked clear compensation criteria.

Women were doubly affected by this law due to: forced absence or asylum abroad, which prevented them from meeting deadlines; the loss of original documents necessary to prove ownership; the registration of properties in the names of husbands or male relatives who were forcibly disappeared or deceased, placing women in a more complex legal position; and the difficulty of fulfilling the requirement of personal attendance or power of attorney, even after the amendment.

Thus, this law, despite being labeled as urban planning, created a legislative loophole that was exploited in practice to expropriate and plunder property. It can be considered a legislative instrument that led to widespread deprivation, contradicting the constitutional protection of property rights and Syria's obligations under international human rights law.

4. Supporting or Related Prior Laws

- Law No. 25 of 2011 (Real Estate Development and Investment Law) and Planning Law No. 23 of 2015

  These laws were preceded by others and used within a comprehensive legislative framework that allows for the reallocation of land and real estate and facilitates their control. This enabled the Assad regime to control property ownership, especially after the mass displacement.

- Law on the Management and Investment of Movable and Immovable Assets Confiscated by Final Court Ruling (Law 2023)

  A report by the Syrian Network for Human Rights (SNHR) indicated that this law granted the state broad powers to manage assets confiscated by final court rulings, thus contributing to the entrenchment of asset looting under a technically legal framework, outside the framework of actual civil rights protection.

D. Structural Analysis: The Gap Between Text and Application and Its Multiplier Effect on Women

A review of the legislative framework reveals that the fundamental problem lies in the overlap of texts with complex procedures and the absence of alternative protection mechanisms in exceptional circumstances. This has led to the de facto and indirect deprivation of women's property rights. The main gaps can be identified in several areas:

- First: The near-absolute reliance on land registration as the sole means of proof. The Civil Code and the Land Registry system link the protection of property rights to official registration without providing any alternative mechanisms such as sworn statements, reserve records, or witness testimonies. In the context of the destruction of land records, the loss of documents, and the disruption of institutions, this link has become a tool of exclusion, depriving women who have lost documents or whose properties are not registered in their names of any legal means to prove their rights.
- Second: The requirement of personal presence or official power of attorney to complete real estate procedures. This condition has placed displaced and refugee women, as well as those who have lost their breadwinner, in a vulnerable position before administrative and judicial authorities, especially given the security restrictions and the difficulty of obtaining proper legal powers of attorney from abroad.
- Third: Unrealistic timeframes in urban planning legislation. Laws related to urban reorganization imposed short deadlines for proving ownership, relying solely on local notification, thus depriving displaced persons and refugees of the opportunity to defend their rights. In some cases, the absence of owners was treated as evidence of abandonment.
- Fourth: Lack of specific protection measures that consider the gender impact. None of the aforementioned legislation included specific measures to protect women's rights in cases of lost documents, prolonged displacement, absence of a breadwinner, or the enforced disappearance of a husband. This legislative gap exacerbated discrimination against women, as the legal framework treated them as equal individuals in structurally unequal circumstances.
- Fifth: The interaction between legal text and social practice. Although civil law does not prohibit women from owning property, family practices and social customs led to a low percentage of officially registered properties in women's names even before the conflict. The conflict exacerbated this situation, as the lack of registration transformed from a social issue into a legal obstacle preventing women from proving, defending, or claiming compensation for their rights. These shortcomings collectively constitute a violation of the right to property as guaranteed by Article

17 of the Universal Declaration of Human Rights, the principles of non-discrimination and equality before the law enshrined in the International Covenant on Civil and Political Rights, and Syria's obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). They also contravene Principle 21 of the Guiding Principles on Internal Displacement, which obligates authorities to protect the property of displaced persons, and the Pinheiro Principles, which affirm women's right to equal restitution of property. These shortcomings underscore the need for comprehensive legislative reform during the transitional phase to address the legal and institutional legacy that enabled these violations.

The following table reviews the Syrian legislative framework governing property rights, clarifying the date of issuance of each piece of legislation, its main contents, the legal and procedural gaps that appeared in practical application, and their impact on women's property rights:

Legislation / Legal Tool	Date of Issuance and Validity	Related Articles or Provisions	Declared Legal Purpose	Legal and Procedural Gaps	Practical Impact on Women's Property Rights
Syrian Constitution of 2012	Approved in Feb 2012 – in force until the fall of the Assad regime.	Article 36: Protection of private property and prevention of its arbitrary deprivation. Article 37: Property shall not be expropriated except for public benefit, according to law, and with fair compensation.	Establishing general constitutional guarantees to protect private property.	General and framework texts lacking implementation mechanisms or special protection for cases of displacement, loss of documents, or the absence of the owner.	Constitutional protection remained theoretical in many cases, leaving women practically unable to protest before administrative or judicial authorities.
Syrian Civil Code No. 84 of 1949	Issued on May 18, 1949 – in force throughout the conflict.	Articles related to the right of ownership, usufruct, and disposal. Linking the protection of rights in rem to official registration.	Regulating property as an absolute right in rem without explicit discrimination.	Almost total reliance on real estate registration as the sole means of proof before the judiciary.	Women who lost documents or whose property was not registered in their names faced extreme difficulty in proving their rights despite having an original legal right.
Real Estate Registration System (Tabo)	In force since its inclusion in civil and real estate legislation.	Considering the Land Registry as the sole reference for property mechanisms.	Legally establishing and protecting properties.	Requirement of original documents. Requirement of personal presence or official power of attorney. Absence of alternative proof mechanisms in cases of displacement.	Women were specifically harmed by displacement, security restrictions, and the difficulty of appointing lawyers or reaching Land Registries.
Legislative Decree No. 66 of 2012	Issued on September 18, 2012.	Zoning of urban areas in Damascus.Re-registering properties within zoning plans.	Urban redevelopment.	Complex procedures, weak safeguards, and failure to account for the status of absentees and displaced persons.	Created a legal precedent that weakened property protection, particularly for women unable to follow up on administrative zoning procedures.
Law No. 10 of 2018	Issued on April 2, 2018.	Designating zoning areas. Imposing short deadlines to prove ownership (30 days, later amended).	Zoning of damaged areas and reconstruction.	Unrealistic deadlines. Limited local notification. Requirement of presence or power of attorney. Absence of effective appeal mechanisms.	Practically led to many women being deprived of proving their ownership due to displacement, loss of documents, or the absence of the breadwinner.
Expropriation Law No. 20 of 1983	Issued on 15 February 1983	Regulating expropriation for public benefit with compensation	Enabling the state to implement public projects	Weak compensation standards and judicial oversight	Women were less able to object or claim fair compensation due to limited resources and legal knowledge

Urban Planning Law No. 23 of 2015	Issued in 2015	Regulating urban planning and expansion	Regulating land use	Overlap with planning laws without clear property guarantees	Increased the complexity of the legal framework for women in defending their property
Law on the Management and Investment of Confiscated Assets (2023)	Issued in 2023	◦ Managing assets confiscated under final judicial rulings	Managing state assets	Judicial rulings not subject to appeal, lack of justice standards	Consolidated legal situations resulting from prior confiscations that directly affected women and their families
Syrian Personal Status Law of 1953 and its amendments	In force before and during the conflict	Inheritance provisions and estate distribution	Regulating family relations and inheritance	Does not ensure protection mechanisms against forced waiver or social pressure	Despite the absence of explicit discrimination, women faced actual deprivation of their inheritance shares due to customs and family pressure

This table shows that the fundamental problem does not lie in the existence of explicit legal discrimination against women in property texts, but rather in the overlap of texts with complex procedures, and the absence of alternative protection mechanisms in exceptional circumstances, which led to the actual and indirect deprivation of women from enjoying their property rights, which was exacerbated during the conflict and continued to affect the transitional phase.

FOURTH: PATTERNS OF PROPERTY RIGHTS VIOLATIONS AGAINST WOMEN DURING THE SYRIAN CONFLICT

The conflict in Syria since 2011 has led to the emergence of multiple and interconnected patterns of property rights violations, which were often systematic and linked to the security and military context, forced displacement, and the breakdown of the justice system. Legal, procedural, and non-legal tools were employed in these violations. Women bore a disproportionate burden from the effects of these violations, due to the overlap between the repressive policies pursued by the former Assad regime and the existing discrimination within the legal and social structures, along with the loss of documentation, the disappearance of breadwinners, and the disintegration of family ties.

The testimonies documented by the Syrian Network for Human Rights show that these violations were not isolated incidents or individual cases, but rather a widespread and systematic pattern. In several aspects, these violations overlap with the elements of crimes against humanity under Article 7 of the Rome Statute, particularly the crime of persecution (Article 7(1)(h)), which includes the deliberate and severe deprivation of fundamental rights based on group identity, and the crime of forcible transfer of population (Article 7(1)(d)), when displacement is accompanied by the confiscation of property to prevent return. This report does not establish individual criminal responsibility, as that requires independent judicial investigations. However, it does define the legal framework applicable to the documented patterns, contributing to the establishment of a path to accountability.

The table below outlines the eleven main patterns of property loss documented by the Network among women, categorized into three main areas: direct property violations, arbitrary legal and administrative procedures, and discriminatory socioeconomic factors.

[Table 1: Classification of Property Loss Patterns]

Classification	Patterns of Property Loss
Direct Property Violations	- Loss of property due to forced displacement and loss of physical control over property.
	- Loss of property as a result of shelling and deliberate destruction of property.
	- Use of property for military purposes.
Arbitrary Legal or Administrative Measures	- Precautionary and executive seizure and arbitrary confiscation of property.
	- Confiscation linked to detention and the political affiliation of the family.
	- Loss of legal documents as a tool for exclusion from property ownership.
	- Restrictions on access to justice and effective remedies.
	- Forgery and deliberate tampering with property records.
Discriminatory Social and Economic Factors	- Loss of inherited property in the context of conflict or family disputes and illegal restrictions on inherited property.
	- Financial extortion in exchange for maintaining property or being allowed to dispose of it.

This classification reflects the overlap between different forms of violation and their multidimensional impact on women's property rights. It should be noted that these patterns do not operate in isolation, but rather intertwine in most documented cases, such that a single woman may be subjected to more than one pattern simultaneously. This multiplies the impact of deprivation and complicates the process of reclaiming rights.

[Table 2: Analysis of the Overlap of Violation Patterns]

The following table presents an analysis of the overlap of patterns of property rights violations experienced by women during the conflict in Syria, based on the testimonies and accounts recorded in this report. The table aims to illustrate how one pattern of violation can intersect with others, and how these violations combine to amplify their economic, social, and legal impacts on women.

Main Violation Classification	Sub-Patterns	Forms of Overlap with Other Patterns
Direct Property Violations	Loss of property rights due to forced displacement and loss of physical control over property.	Overlaps with the loss of legal documents, shelling and destruction, restrictions on access to justice, financial extortion, and forgery.
	Loss of property due to shelling and large-scale destruction.	Overlaps with forced displacement, loss of legal documents, exclusion from access to justice, use of property for military purposes, and expropriation via legislation and urban planning.
	Use of civilian property for military purposes.	Overlaps with shelling and destruction, economic extortion, executive seizure and confiscation, and forced displacement.
Arbitrary Legal or Administrative Measures	Precautionary and executive seizure and arbitrary confiscation of property.	Overlaps with confiscation linked to detention or political affiliation, economic extortion, loss of documents, and restrictions on access to justice.
	Confiscation linked to detention and the actual or presumed political affiliation of family members.	Overlaps with executive seizure, restrictions on access to justice, loss of inherited property, loss of legal documents, and forced displacement.
	Expropriation via exceptional legislation and forced urban planning.	Overlaps with forced displacement and absence, loss of legal documents, restrictions on access to justice, gender-based discrimination, deprivation of fair compensation, and shelling and destruction.
	Loss of legal documents.	Overlaps with forced displacement, shelling and destruction, executive seizure, confiscation linked to detention or the political affiliation of the family, and financial extortion.
	Forgery and deliberate tampering with property records.	Overlaps with the loss of legal documents, forced displacement and absence, restrictions on access to justice, institutional corruption or collusion, illegal seizure of property, and gender-based discrimination.
	Restrictions on access to justice and effective remedies.	Overlaps with the loss of documents, executive seizure, confiscation, loss of inherited property, forced displacement, financial extortion, forgery, and family disputes over inherited property.
Discriminatory Social and Economic Factors	Loss of inherited property in the context of conflict or family disputes and illegal restrictions on inherited property.	Overlaps with confiscation, family practices, restrictions on access to justice, financial extortion, and forced displacement.
	Financial extortion.	Overlaps with the use of property for military purposes, executive seizure, forced displacement, and confiscation linked to detention or political affiliation.

The table above shows the complex overlap between patterns of property rights violations against women in Syria, and reflects how direct, legal and social violations intertwine to multiply the impact of the conflict on women's lives and property.

1. Loss of Property Rights and Effective Control of Property Due to Forced Displacement

Forced displacement has been one of the most significant factors leading to women losing their property rights. Displacement has taken many forms, including internal displacement resulting from military operations and bombings, evacuation agreements imposed on residents of besieged areas (such as Daraya, Moadamiyah, Qaboun, Barzeh, and Al-Waer neighborhoods), and seeking refuge in neighboring countries.

This widespread displacement has resulted in thousands of women losing effective control of their homes and lands, whether due to prolonged forced absence, the impossibility of accessing their areas of origin, or fear of persecution. The impact of displacement on women in particular has been compounded by several factors:

Property registration is often in men's names, leaving women in a weaker legal position when the registered owner is absent. Real estate procedures rely on personal attendance or a power of attorney, which is impossible for displaced and refugee women. Furthermore, many lost their title deeds (land titles, housing association books, and purchase contracts) during bombings or forced displacement.

In this context of forced displacement, women's properties were subjected to various forms of violation: de facto seizure by individuals, armed groups, or de facto authorities; disposal of property without the knowledge or consent of the owners or co-owners; and exclusion of women from any decisions regarding property management or use during displacement, whether by external parties or even by members of their extended family.

This pattern was exacerbated in cases where families were politically categorized. Fear of dealing with official institutions and the security apparatus of the former Assad regime became an independent obstacle preventing women from claiming their rights or even inquiring about the fate of their properties, thus allowing third parties to seize or unlawfully benefit from these properties. Legally, forced displacement coupled with property confiscation and prevention of return constitutes a violation of the right to adequate housing under Article 11(1) of the International Covenant on Economic, Social and Cultural Rights and the provisions of General Comment No. 7 on forced evictions. It also violates Principle 21 of the Guiding Principles on Internal Displacement, which obliges authorities to protect the property of displaced persons. When displacement is systematic and aims to alter the demographic composition of specific areas, it may amount to the forcible transfer of populations, a crime against humanity under Article 7(1)(d) of the Rome Statute, or a war crime under Article 8(2)(e)(8).

SNHR contacted Ms. A.D., from the city of Sheikh Miskin in Daraa Governorate, whose family lost two residential properties and two agricultural lands. She told us:

"My family owns two houses and two agricultural lands in Daraa Governorate, which belong to my father and grandfather. We were unable to access or benefit from them due to the policies followed by the authorities and security services of the Assad regime. As for the direct reason, it is because the majority of the family were political refugees and expatriates since the 1980s, which was the reason for their inability to access documents proving their ownership, and what also prevented them from raising the issue for the safety of those in Syria." Speaking about the difficulties and suffering they faced due to their inability to prove ownership and their loss of control, she said: **"The inability of rightful owners to prove their ownership led to others illegally benefiting from these properties, placing the original owners in a vulnerable position. They were unable to prevent others from disposing of their properties for fear of harming their relatives residing inside Syria. This also deprived them of financial benefit from their properties, even though the circumstances of displacement and exile often necessitated selling them to secure their living needs. Regarding the house in Daraa, registered in my father's name, for which he was still paying installments, the house was allocated according to the housing association's ledger. This ledger was kept in the family home in Sheikh Miskin before it was bombed by Assad regime forces, and none of its contents were retrieved. Attempts were made before the fall of the Assad regime to establish ownership of the aforementioned house, but we were unable to prove ownership or the amounts paid, due to the potential need for powers of attorney or specific legal procedures. Most of our family members were outside Syria as political refugees, which prevented them from pursuing the necessary legal procedures. Even after the fall of the Assad regime, attempts to prove ownership continued, but were unsuccessful due to the loss of the association's records. We also couldn't reach the association officials who were supposed to have documents proving ownership of the house and the installments paid."** Ms. A.D. also stated that the other properties were documented, but they were unable to benefit from or dispose of them for several reasons, including family disputes or illegal encroachment due to the absence of the original owners.

As for Ms. Suad Al-Muhammad, 50 years old, from the city of Daraya in the Damascus countryside, she reported losing her home after being forcibly displaced by the Assad regime forces from the city in August 2016. The house was seized by members of militias affiliated with the Assad forces. She said:

"After we were displaced, our house remained closed. A year later, I learned that armed men had entered it and lived in it. When I tried to send a relative, they told him that the house had become state property." She added, explaining the economic impact of losing her property: **"At that time, I intended to sell it to provide for my family. I was working as a seamstress from home. After returning to Daraya, I found the house badly damaged and uninhabitable, requiring significant funds for repairs. Therefore, we now live in a rented house, barely able to afford our necessities due to the high rents and cost of living."**

Ms. Ibtisam Al-Sayeh, 44, from Deir Ez-Zour, also reported being deprived of living in the house she and her children inherited from her husband after he was killed in 2015 by members of the Assad regime forces in Deir Ez-Zour. A member of the regime forces and his family seized the house. She said:

+**"A few months after my husband's death, a member of the Assad regime forces claimed that my husband had sold him the house before his death, a false claim. I filed a complaint against him in court, but he forcibly evicted us and threatened us if we returned. I was forced to live with my children in my parents' house. Since the fall of the Assad regime, I have been trying to reclaim the house, and we are still pursuing the case. Despite the member's escape, his family still lives in the house, claiming it belongs to them."** She added: **"I have been living in my parents' house for years and I cannot afford the rent. I always feel that my rights are being taken away right before my eyes."**

As for Sarah Al-Bakri, 38, from the Al-Waer neighborhood in Homs, she stated in her testimony:

"In 2014, we were forced to flee after the entire neighborhood was besieged, and we were unable to return until the end of 2016. During this period, others seized our house without any permission from us. I tried to get the house back after we returned, but it was difficult for us. After the fall of the regime, hope returned to us, and I am working to prove my ownership and get my house back, but it is financially costly."

Ms. Reem Al-Hassan, 42, from the Qaboun neighborhood of Damascus, reported that she lost an apartment she co-owned with her husband after they were forcibly displaced from the neighborhood in May 2017, following military operations in the area. She explained that the apartment was located in a multi-story building that sustained moderate damage from shelling. Before their displacement, the family used the apartment as a source of income through rentals, but they were forced to leave the area urgently without being able to take the original property documents.

In her statement, she said:

"On May 18, 2017, we were forced to leave the Qaboun neighborhood after the bombing intensified. We were unable to take all the papers with us due to time constraints and fear of being targeted. We had a residential apartment registered in my husband's and my name under a certified purchase contract. It was rented and constituted a primary source of income for the family. After our displacement, a relative tried to check on the apartment, but later informed us that another family was living there, and that he had been told that the building had become subject to new regulatory decisions."

She added, explaining the impact of their displacement on the property:

"We were unable to contact the official departments because of our absence and our fear of security persecution, especially since my husband was wanted for military service at that time. We also lost the original copy of the ownership contract during the displacement. We later tried to obtain a replacement, but the procedures were complicated and required the owner's personal presence and legal powers of attorney, which were not available to us while we were outside Syria. After the fall of the Assad regime, we formally regained the apartment, but the fact that the area would be subject to a new, unclear regulation was not clear to us."

These testimonies illustrate the direct impact of forced displacement in undermining women's control over their property and depriving them of their associated rights.

2. Loss of Property Rights Due to Bombing and Widespread or Deliberate Destruction of Property

The former Assad regime adopted a policy of destroying private property as a form of collective punishment, particularly in areas that fell out of its control. Widespread indiscriminate bombing and the systematic destruction of residential neighborhoods deprived thousands of women of their real estate, either directly through the destruction of their homes and businesses, or indirectly through the destruction of their families' livelihoods. No mechanisms for compensation, reconstruction, or guarantees of safe return were available during the regime's rule.

The impact of property destruction on women differs from its impact on men in the Syrian context for several reasons: women who lost their homes often lost the only place where they could conduct economic activity (such as home-based sewing, preparing food for sale, and other activities carried out within the home due to social restrictions on women working outside the home); the loss of documents kept in the destroyed homes deprived women of the ability to later prove their rights; and the limited alternative options available to women compared to men in the labor and housing markets made the impact of home loss more severe and prolonged for them.

This pattern was often accompanied by forced displacement and loss of identity documents, further precariously exacerbating women's legal status and limiting their ability to subsequently claim their rights. These circumstances led to long-term legal exclusion, as property losses resulting from bombing were not recognized as legally redressable damages during the previous regime. Some cases also demonstrated the overlap of the effects of conflict with natural disasters, notably the February 2023 earthquake, where buildings already damaged by bombing collapsed, further complicating the recovery of rights.

Legally, the deliberate or indiscriminate destruction of civilian property constitutes a violation of Rule 50 of customary international humanitarian law, which prohibits the destruction or seizure of an adversary's property unless rendered absolutely necessary by military imperative. When the destruction is widespread and not justified by military necessity, it constitutes a war crime under Article 8(2)(e)(12) of the Rome Statute. The indiscriminate bombing of residential areas also constitutes a violation of the principle of distinction between civilian and military targets (Rule 7) and the principle of proportionality (Rule 14). It should be noted that the destruction was not limited to the Assad regime forces, but also occurred in the context of battles involving other parties, including the Syrian Democratic Forces during the Raqqa battles (2017), armed opposition factions, and the international coalition forces, all of whom are also bound by the applicable rules of international humanitarian law.

Testimonies indicate the complete destruction of homes and businesses as a result of aerial bombardment or military operations, forcing women and their families to live in displacement camps or in inadequate housing conditions, with the accompanying long-term economic and psychological effects, especially in families who lost their breadwinner or one of their members.

In this context, Ms. Z. H. from the town of Abu al-Duhur in eastern rural Idlib, displaced to northern rural Idlib, reported that her family lost two houses and a shop. She said:

"The neighborhood where our property is located was subjected to intensive shelling by warplanes belonging to Bashar al-Assad's regime forces between the end of 2017 and January 2018, which caused the complete destruction of the two houses and the shop." She added, describing the living repercussions: **"We were forced to live in displacement camps after our entire area in the town was destroyed; in the camps, we faced bitter cold and a lack of basic needs, and there was no stable source of income."** She confirmed that the area remains completely destroyed, and no possibility of return or reconstruction has been allowed to this day.

SNHR also documented the testimony of Ms. N. A. from the city of Al-Quriyah in rural Deir Ez-Zour, residing in one of the camps in Azaz in rural Aleppo, who said:

"When the Assad regime army entered the city of Al-Quriyah in 2017, they completely burned the house, destroyed part of it, and stole its contents, making it uninhabitable." She explained that the house is registered in her father-in-law's name and that the family is still unable to return or renovate in light of the loss of her husband and the absence of resources.

SNHR documented the testimony of Ms. Alia al-Faouri, 48, from the Baba Amr neighborhood in Homs city, who lost her home as a result of shelling by Assad regime forces in 2012. She said:

"We were living in a two-story house that my husband and I built gradually. In February 2012, the shelling on the neighborhood intensified, and we left in a hurry. Months later, I returned with a relative; I did not recognize the place. The house had become a pile of rubble." She added, explaining the personal and economic impact: **"Losing the house was not only the loss of a shelter; rather, I lost everything I owned: the furniture, the gold, ownership papers. I feel that I lost the stability I had built throughout my life."**

Ms. Salma al-Jubail, 31, from the city of Raqqa, also reported the loss of a house in which she has a share with her siblings, as a result of its destruction in early 2017 due to the battles between the Syrian Democratic Forces and ISIS. She said:

"The shelling completely destroyed the family house that my siblings and I inherited after the death of my mother and father, and no one compensated us."

In Aleppo Governorate, Ms. Reem al-Ashqar, 39, reported the loss of a commercial shop she owned in the Bustan al-Qasr neighborhood as a result of it burning during an aerial bombardment of the neighborhood by the former Assad regime. She said:

"I had a small clothing shop. During the shelling, a missile fell near it, and fires broke out that extended to the shop, so it burned completely." She added: **"This shop was my only capital. After losing it, I could not start any new business."**

This case illustrates the impact of the destruction of commercial property on women's economic independence and their ability to continue in the labor market.

SNHR also documented the testimony of Ms. Najla, 34, from the Al-Ashrafiyeh neighborhood in Aleppo city, whose house collapsed in February 2023 after the earthquake as a result of previous damage it sustained during military operations in the city. She said:

"After the earthquake, the house—which was already damaged as a result of being subjected to shelling and fire during the battles—collapsed. I did not receive any compensation." She added: **"I felt that the earthquake disaster completed what the war had started."**

These cases highlights the intersection of the effects of conflict with natural disasters, exacerbating the difficulties of recovering rights.

3. Use of Civilian Property for Military Purposes

The conflict witnessed widespread cases of women being deprived of the use of their property due to its conversion or use for military purposes. The former Assad regime primarily practiced this pattern by converting homes and agricultural lands into military sites or bases for its forces or allied militias. Israeli occupation forces also expanded their operations in southern Syria after the regime's fall, using civilian property for military purposes in areas of Quneitra Governorate and western Daraa countryside.

This pattern differs from others in that it does not necessarily lead to the formal loss of ownership, but rather to the de facto deprivation of its use, thus emptying the right of ownership of its substance without legally transferring ownership. This complicates the process of restitution later, as the owner theoretically retains her right but is unable to exercise it. This pattern has directly affected women, as they have lost essential sources of income, particularly from agricultural land, and have become vulnerable to poverty and dependence on aid.

At the legal level, the applicable framework varies depending on the violating party. With regard to the former Assad regime and parties to the non-international armed conflict: Customary international humanitarian law prohibits the use of civilian property for military purposes unless justified by imperative military necessity (Rule 50), and also prohibits pillage (Rule 52).

In this context, the Syrian Network for Human Rights documented the testimony of Ms. Mona Suleiman, 52, from Quneitra Governorate, who has been denied access to her farmland for years due to its use for military purposes by the former Assad regime and currently by Israeli occupation forces. She stated,

"We haven't been able to access the land for years. We gradually lost our livelihood." She added that the prolonged denial of access to the land has resulted in a gradual loss of income, significantly impacting the family's economic stability and weakening its ability to cope with the rising cost of living.

This pattern highlights how private property can be used as a tool for military control over the population, effectively depriving women of their legal rights without formally losing ownership. This complicates the possibility of reclaiming the property later and exacerbates their already precarious economic and social conditions.

4. Precautionary and Executive Seizure and Arbitrary Confiscation of Property

Precautionary and executive seizure of movable and immovable assets is one of the most serious forms of property rights violation documented in this report. The former Assad regime used it extensively as a sham legal tool to punish political opponents and their families. These measures were based on decisions issued by judicial or administrative bodies, often under the pretext of "combating terrorism" pursuant to Counter-Terrorism Law No. 19 of 2012 and Legislative Decree No. 63 of 2012, which established the Terrorism Court, without respecting fundamental fair trial guarantees.

Women were doubly affected by this pattern for structural reasons: in many cases, they were not officially registered as property owners, and they were economically dependent on husbands or male relatives who were subject to seizure orders or who had been arrested or forcibly disappeared. These orders effectively deprived women of the ability to dispose of or benefit from their property, which in many cases was the sole source of income for their families. Some women were forced to sell assets at drastically reduced prices to cover basic needs or the costs of displacement and migration, with no effective means of appealing these decisions. As a result, precautionary seizure, intended as an exceptional and temporary measure to protect creditors' rights, has become a tool of collective punishment, its impact extending beyond the individual to their family.

Legally, this practice violates the principle of individual responsibility for punishment, enshrined in Article 15(1) of the International Covenant on Civil and Political Rights and in international criminal law. It also constitutes collective punishment, prohibited under Rule 103 of customary international humanitarian law and Common Article 3 of the Geneva Conventions. Furthermore, it contravenes the right not to be arbitrarily deprived of property (Article 17 of the Universal Declaration of Human Rights) and the guarantees of a fair trial stipulated in Article 14 of the International Covenant on Civil and Political Rights, as the seizure orders were mostly issued by exceptional courts that do not meet the standards of independence and impartiality.

In May 2025, Syrian President Ahmad al-Sharaa issued a presidential decree canceling all precautionary seizure orders issued between 2012 and 2024. While this decree represents a step in the right direction, it raises several practical issues that need to be addressed: **Does the decree include an effective mechanism for returning properties sold or transferred during the seizure period, and how will the cases of bona fide purchasers be handled? Does the seizure include executive seizures or is it limited to precautionary measures?**

How are cases of enforced disappearances handled when families lack death certificates or court rulings establishing their legal status?

The adequacy of the decree is assessed in light of the Pinheiro Principles, particularly Principles 12 to 15, which obligate states to establish effective and independent mechanisms for the return of property, not merely the formal lifting of seizures. This is what we will attempt to address in our upcoming reports.

Testimonies documented by the Syrian Network for Human Rights reveal that precautionary seizure orders have been issued against homes, cars, and businesses, forcing many women to sell assets at drastically reduced prices to cover basic needs or the costs of displacement and migration, with no effective means of appealing these orders. In this context, precautionary seizure has transformed from an exceptional and temporary measure into a tool of collective punishment, violating the principle of individual criminal responsibility and effectively depriving women of their economic rights and livelihoods.

SNHR spoke with Ms. Qamar Habib, who has been a refugee in Lebanon since 2017—a former resident of the city of Daraya in Rif Dimashq Governorate and the wife of the forcibly disappeared Jamal Abdul Aziz Hamada, who was arrested by the Bashar al-Assad regime on June 29, 2015, and whose fate remains unknown until now. She told us about the loss of their properties registered in her husband's name (a house, a car, and a shop). She said:

"The house consisted of two agricultural plots on which the house was built, which was completely destroyed around 2014 following its bombardment with barrel bombs by the Assad regime. Then, in 2017, I learned about a precautionary seizure order on my husband's property on charges of terrorism, including the ownership of the house, which was registered in the real estate registry (Green Tabu). My husband also owned a car that I was forced to sell at a reduced price through an agreement between the seller and the buyer without a formal transfer or official registration because of the precautionary seizure order, as it remains in my husband's name. As for the shop, I did not know it existed until I tried to carry out the procedures for transferring the car." Qamar also informed us that after her husband was arrested and forcibly disappeared, she was gripped by fear for the safety of her children or their conscription into military service, especially since one of them was arrested on the same day her husband was arrested, before being released shortly after. She added, speaking about the impact of the precautionary seizure order issued against her husband: **"I was forced to sell the car at a low price because it was seized, in order to secure travel funds, while I was offered the chance to sell the house for an amount not exceeding a quarter of its actual value, but I refused that at the time."**

Regarding the attempt to recover their property, whether before or after the fall of the Bashar al-Assad regime, Qamar said:

"We did not make any attempts to recover the property under the rule of the Assad regime, as a lawyer informed me at the time that the former regime had issued orders to seize the assets of all missing persons, and that the procedures for lifting the seizure required large sums of money. He advised me to avoid following up, to remain silent, and to forget the subject. As for after the fall of the Assad regime, my eldest son returned to Syria to inspect the house and inquire about the possibility of selling it, but he was surprised by the closure of government departments and the inability to complete any official transactions." Qamar also informed us of her previous inability to extract a death certificate for her husband, and his name was not included in the lists of missing persons despite the family's repeated attempts to search for him after the fall of the Bashar al-Assad regime to no avail, which has made legal matters complicated at the present time. According to what the family reported, the new Syrian government still currently refrains from issuing any death certificates for missing persons until investigations are completed and the circumstances of their disappearance are known; therefore, the family is still waiting for what the procedures will lead to.

In the same context, Ms. Khadija, 52, from the city of Hama, reported the issuance of a precautionary seizure order on the property of her husband, who was forcibly disappeared in detention centers that belonged to the former Assad regime. She said:

"My husband has been detained since 2013, and the house is in his name. A seizure order was issued for his property in 2015, and the order was applied in 2017. After the fall of the Assad regime, I recovered the house, but I discovered that it had been sold several times by fraudsters who were working with security branches, and this caused legal problems for several people who had purchased it." She explained that she was unable to take any legal action before the fall of the Assad regime due to the security nature of the case, which led to her being deprived of benefiting from the dwelling as a source of stability.

Ms. Mays Abdul Rahman, 44, from the Salibiyah neighborhood in the city of Latakia, reported that her husband's property—a house, a car, and agricultural land—part of which she owns but is not registered, was confiscated because of his joining armed opposition factions and their move to Idlib in 2015, which deprived them of the ability to dispose of the house. She said:

"My husband's property, part of which I owned and helped him buy, was confiscated. We were not able to dispose of it after that." She added: **"After the fall of the regime, we recovered the land and the house, which is in a state of ruin, while we did not recover the car and lost track of it."**

Ms. Rana al-Khatib, 37, from the city of Ma'arat al-Nu'man in rural Idlib, reported the issuance of a precautionary seizure order on her husband's property in November 2016, after he was placed on wanted lists under cases related to terrorism, which included a residential house and a commercial shop for selling electrical appliances. She said:

"In late 2016, an acquaintance informed us of a precautionary seizure order on my husband's property, including our house and his shop, on the pretext of a lawsuit related to terrorism. I tried to inquire about the order, but I was told that the file was a security matter and could not be reviewed." She added, explaining the effect of the order on her livelihood: **"The shop was our only source of income, and after the seizure, we could no longer operate it or rent it out, which forced me to rely on aid to secure my children's needs. I was also unable to sell the house or benefit from it because of the placement of the seizure notice on its real estate record."**

In Rif Dimashq Governorate, Ms. Heba Othman, 46, from the city of Duma, reported the issuance of an executive seizure order on her husband's share of a residential property shared with his brothers in 2018, after he was accused of supporting the opposition. She said:

"My husband owned a share in a multi-story family house in Duma. In 2018, we learned of a seizure order on his share, and we could no longer dispose of it or benefit from it, even though it constituted a guarantee for our children's future." She added: **"Before the fall of the Assad regime, the family tried to sell the property to secure the costs of medical treatment and education, but the seizure notice prevented the completion of any sale. I felt that the decision did not target my husband alone, but affected the entire family."**

These cases reflect how precautionary and enforcement seizures were used as a seemingly legal tool that effectively deprived women of the use or disposal of their property, undermining their economic stability and restricting their ability to secure livelihoods.

5. Unlawful Confiscation and Seizure Related to Arrest and the Actual or Presumed Political Affiliation of Family Members

SNHR documented a pattern parallel to official seizure, namely the unlawful confiscation or seizure of property following the arrest of a family member or suspicion of their political affiliation, without necessarily being based on official seizure orders or declared judicial proceedings. This pattern differs from the previous one in that it often occurs outside any legal framework, through influential figures, members of the extended family, or third parties who exploited the absence of the original owners due to arrest, displacement, or death, in a legal vacuum and with weak judicial protection.

These violations included homes, shops, vehicles, and agricultural land. This pattern directly impacted women in several ways: the loss of the family's primary sources of income; women were burdened with the responsibility of supporting children amidst a lack of resources; and they faced significant legal difficulties in tracing the fate of their property or challenging its disposal, even after the fall of the regime, due to the complexity of the legal chain of ownership (multiple sales of property, the absence of the original owners, and conflicting claims).

This pattern demonstrates how property was used as a tool for political reprisal and subjugation outside any legal framework, going beyond the incidental harm of the conflict. Legally, it falls within the scope of the prohibition against pillage (Rule 52 of customary international humanitarian law) and the prohibition against collective punishment (Rule 103). It can rise to the level of the crime of persecution under Article 7(1)(h) of the Rome Statute when carried out on a political basis and systematically within the context of a widespread or systematic attack directed against a civilian population.

Ms. Muna al-Ali, 42, from the city of Ain al-Arab/Kobani in Aleppo Governorate—whose husband was arrested by the Assad regime in July 2016 while in Aleppo city due to his political activity—reported that the house they lived in and the surrounding agricultural land were seized by one of the husband's relatives without permission. She said:

"After my husband's arrest in July 2016, we sought refuge in Turkey. In our absence, one of his relatives came and seized our house and land, under the pretext that he was managing them until my husband's return. I could not stop him because any attempt to intervene meant great dangers, as our family was known for its opposition, and I feared that some family members would be subjected to harassment or arrest during their movement." She added, explaining the living impact: **"Losing the house and land forced me and my children to live in a displacement camp, without any stable source of income, and I had to work simple seasonal jobs to secure our minimum needs."**

Ms. Hala al-Aboud, 45, from the village of Al-Hosn in Homs Governorate, reported that after her husband's arrest in February 2012 due to his political activity, a neighbor of the family seized their house, which was registered in the husband's name. She added:

"After my husband's arrest, I left the house and went to live with my parents in Homs city. In our absence, a neighbor of ours who was working with the Assad regime's security branches seized our house and later informed us that he had sold it to another investor. After the fall of the regime, I filed a request to recover ownership through the court, and we were finally able to return the house after a year of judicial procedures, but it needed complete renovation." She explained the impact of the confiscation on the family: **"The family lost more than ten years of stability before we were able to return."**

Ms. Reema al-Jundi, 38, from the town of Tel Tamer in Hasakah, whose husband was arrested in July 2015 by the Assad regime forces, stated that one of his relatives seized the agricultural land that was generating a stable income. She said:

"The land was used by the relative to grow and sell crops, and I could not intervene for fear of prosecution. After the fall of Assad, I filed an official request to recover the land and was able to recover it in full after a judicial settlement that lasted six months." She added: **"The process was arduous, but it restored a stable source of income for us after years of deprivation."**

Ms. Nawal Samir, 50, from Daraa city, whose husband, Yusuf Samir, was arrested on August 22, 2013, by Assad regime forces in Daraa city, learned of his death in detention in 2015. After his death, one of his relatives seized the house and the shop. Nawal mentioned: **"I could not intervene before the fall of the regime. After its fall, I filed a lawsuit and recovered the house, but the shop had been sold before I could take any action."**

This pattern demonstrates how property was used as a tool for political retribution, starvation, and subjugation, outside any clear legal framework and beyond the collateral damage of the conflict. Documented accounts indicate that land was sold or disposed of without the knowledge or consent of the owners or their heirs, and it is impossible to determine who carried out the sale or its legal basis. This makes restitution extremely complicated in later stages, particularly for women.

6. Expropriation through Exceptional Legislation and Forced Urban Planning

The former Assad regime adopted a series of exceptional laws and regulatory policies used as tools to reshape real estate ownership in conflict-affected areas. These policies resulted in the expropriation of private property or the deprivation of owners' rights, without providing effective procedural safeguards or equitable alternatives. These laws were previously analyzed in detail in the Legal Framework section (Legislative Decree No. 66 of 2012 and Law No. 10 of 2018 and its amendments).

What distinguishes this pattern is the use of seemingly legitimate regulatory tools (urban planning, reconstruction) to achieve objectives unrelated to actual urban development. These objectives are linked to collective punishment, demographic engineering, and the confiscation of the property of displaced persons and refugees. The legal cover made challenging these measures even more difficult, as they were carried out formally in accordance with the law, even though the law itself was an instrument of violation.

Women were particularly affected by this pattern due to: forced absence or displacement abroad, which prevented them from meeting the deadlines for proving ownership; loss of original documents; registration of properties in the names of husbands or male relatives who were forcibly disappeared or deceased; and the conversion of real property rights into unusable organizational shares. In some cases, women's absence was treated as evidence of abandonment of ownership.

Legally, this pattern contravenes the constitutional protection of property (Articles 36 and 37 of the 2012 Syrian Constitution), which prohibits expropriation except for public benefit, with fair compensation, and in accordance with the law, and Principle 21 of the Guiding Principles on Internal Displacement. It also contradicts the Pinheiro Principles, which affirm that legislation imposing unrealistic deadlines for proving ownership in the context of mass displacement cannot be a legitimate basis for transferring ownership.

SNHR documented the testimony of Ms. Asma Kahlout, 45, from the city of Muadhamiya in Rif Dimashq, who lost her right to land that was not officially registered. She said:

"In mid-2012, I purchased a 80-meter plot of land at the edge of the city with the aim of building on it; then the security situation in the city deteriorated, and I postponed its registration, which required going to Damascus. Months passed after that, and the seller disappeared. In 2022, I managed to appoint a lawyer to register the land, and until now we are stuck in court."

This case reflects the gravity of the status of unregistered properties due to the repercussions of the conflict, particularly for women who face additional difficulties in proving their rights.

In this context, Ms. Nuha Arabini, 41, from the Basateen al-Razi area in Damascus, reported that she lost land she had inherited as a result of the application of Urban Planning Decree No. 66 of 2012. She said:

"I had land that I inherited from my father. After the decree, we were asked to evacuate." She added: **"We were told we would receive alternative shares, but I was unable to follow up on the procedures due to the complexity and the postponement of deadlines."**

Ms. Abeer al-Akhras, 37, from Damascus city, also reported the conversion of her property ownership—a house—into organizational shares according to the 2013 decree for the reorganization of urban areas. She said:

"Our property turned into shares that cannot be utilized, even though it was our primary home." She added: **"I feel that my ownership has become worthless, and it is no longer possible to invest it or use it as a source of livelihood."**

In Harasta, Rif Dimashq, Ms. Rana Qari, 55, reported that she lost her home as a result of the application of Law No. 10 of 2018 regarding the proof of ownership and the organization of new urban zones. She said:

"After the displacement, I was unable to return to prove ownership of the house within the legal deadline." She added: **"Today, I do not possess any document proving my right or even know what will become of it."**

Ms. Dalal al-Khalidi, 47, from Homs city, reported that her house was demolished within reconstruction projects implemented after 2020 according to the reconstruction decree issued by the Ministry of Local Administration in 2019. She said:

"Our house was demolished, and the compensation was very limited." She added: **"I could not buy an alternative house, and I have become a tenant after having been an owner."**

7. Loss of Legal Documents as a Tool of Exclusion from Ownership

The loss of legal documents constitutes one of the most serious obstacles to exercising property rights. While not always a violation in itself, it acts as a mechanism of exclusion that amplifies the impact of other forms of exclusion. Thousands of women have lost their title deeds, inheritance documents, and usufruct or lease contracts, either due to the destruction of the homes where the documents were kept, or due to forced displacement that prevented their transfer, or due to the damage of the official real estate records themselves in government departments.

Given the Syrian legal system's almost exclusive reliance on real estate registration as the sole means of proof (as explained in the Legal Framework section), and the absence of any alternative mechanisms for proving ownership, such as sworn statements, electronic backup records, or certified witness testimonies, women have found themselves effectively excluded from the real estate legal system, even in cases where there is no dispute over the ownership itself. This obstacle is compounded by the complexity of the procedures for reissuing documents, the requirement of personal appearance or legal representation, and the high costs involved.

Legally, this pattern relates to States' obligation to ensure effective access to justice and legal protection under Article 2(3) of the International Covenant on Civil and Political Rights and Article 15(2) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Pinheiro Principles (Principle 15) also affirm that the loss of documents should not be a barrier to restitution of property and that States should establish alternative mechanisms for establishing rights in cases of lost records.

Huda Abdullah, 45, from the Tadamon neighborhood of Damascus, reported losing her home's legal documents after her husband's death. She said,

"The house was in my deceased husband's name, and the papers were lost during our displacement. Due to the security situation before the regime's fall and the high cost of hiring a lawyer, I couldn't do anything about it. After the regime's fall, we're trying to prove ownership again, but it's very expensive."

Khalida Hassan, 42, from the Ashrafieh neighborhood of Aleppo, explained that she lost the ownership documents for an apartment she inherited from her father. She said,

"In 2012, we were forced to flee after the intense bombing of the Ashrafieh neighborhood. The apartment was registered in my father's name in the land registry, and during the evacuation, we lost the title deed and all the official papers. After the regime's fall, I tried to obtain a new copy of the title deed, but the clerk told me that some copies were missing and that the apartment wasn't fully registered. This made proving ownership extremely complicated and required witnesses and additional documents. We're still working on gathering them."

The loss of legal documents shows how administrative obstacles have become a means of excluding women from property rights, reflecting the fragility of the legal system and the impact of the conflict on women's actual ability to protect their property and restore their rights even after the fall of the regime.

8. Forgery and Deliberate Tampering with Property Records

During the years of conflict, a dangerous pattern of property rights violations emerged, characterized by the forgery and deliberate tampering with real estate property records. This pattern took many forms, including: transferring ownership without the knowledge of the owners or their heirs; issuing or registering sales contracts; mortgaging or transferring ownership fraudulently in the owners' names without their knowledge or consent; issuing and using forged powers of attorney to complete real estate transactions; and manipulating official records in land registries through collusion with employees or due to weak oversight.

The danger of this pattern lies in the fact that it does not appear immediately when it occurs. Rather, its effects are revealed later when attempts are made to reclaim or legally establish ownership, forcing women into lengthy, complex, and financially costly legal disputes. These cases of forgery reflect the fragility of property records in the absence of the rightful owners, who are either abroad or have lost their official documents, creating a conducive environment for exploitation and the illegal transfer of ownership.

These cases of forgery reflect the fragility of property records in the absence of the actual rights holders, who are either outside the country or have lost their official documents. This has created a fertile ground for exploitation and the transfer of ownership through illicit means. Legally, the systematic falsification of property records, when carried out with institutional complicity or in the deliberate absence of oversight, constitutes a violation of the State's obligation to protect property rights and ensure the integrity of public records. It contravenes the right to effective legal protection under Article 2(3) of the International Covenant on Civil and Political Rights. When practiced systematically within a broader context of property appropriation, it falls under the pattern of pillage prohibited by customary international humanitarian law (Rule 52).

Ms. Kinana Adel, from the city of Aleppo and a refugee in Turkey, said:

"In 2013, I was forced with my family to displace from my neighborhood in Aleppo after the escalation of shelling, and I left the original Tabu book and the house contracts in the house. Years later, I returned to the city by 2021 to sell the house, and I was stunned to learn that the real estate registry had listed new names for other owners of the dwelling without my knowledge. When I visited the Real Estate Interests Department, they presented me with what they called 'ownership transfer contracts' and 'official powers of attorney' supposedly belonging to me. But I did not sign any power of attorney, nor did I grant anyone authorization, and the names in the documents have nothing to do with me. Since that time, I have been in the courts to prove the forgery process, but most of the people accused of it are not present now."

Ms. Muna al-Tawil, from the town of Muadhamiya in Rif Dimashq, said:

"In 2015, I began procedures to transfer the ownership of a piece of land I inherited from my mother in Rif Dimashq, in order to document it in my daughter's name because she had reached the age of majority. During my visit to the real estate registry interests, I was surprised to find that a supposed sale document for the same land had been registered in the name of another person on a date I do not remember being in the country, and it was accepted within the official records. When I requested to view the alleged sale contract, they provided me with a copy saying that I had sold the land to a third party for a specific sum of money, with an alleged signature that looks different from my real signature; nevertheless, it was officially accepted and the department kept it within the real estate registry. It also later appeared that there was a second record for a real estate mortgage on the same land in the name of an investment entity, without any legal notice to me, which deprived me of my right to dispose of the land or sell it in the future." She added regarding the procedures requested of her to prove her right to ownership: **"When I filed a lawsuit to correct the registry, they asked me to provide documents proving the original signature given the absence of the old documents with them—and I do not know the reason—and they also asked me for witnesses to prove my presence during the signing, which is not available, because I was not present at all on the dates mentioned in the fictitious contract."** She continued: **"The real estate department did not clarify to me how those forged documents were accepted in the first place, and the mechanism for monitoring the records was not explained, even though the law criminalizes such acts and makes them void. As a result, the land became hostage to illegal restrictions, and consequently, I was forced to undergo long and complex lawsuits to establish my real right, with expenses and lawyer fees that I cannot easily afford."**

9. Restrictions on Access to Justice and Effective Remedies

Women affected by property violations faced structural obstacles to accessing justice, which entrenched and perpetuated the effects of these violations even after the fall of the regime. These obstacles manifested in several interconnected aspects:

Weak Judicial Independence and Effectiveness: Although Syrian law recognizes women's rights to property, inheritance, and litigation, the weak independence of the judiciary during the rule of the former Assad regime, particularly in cases of a security or political nature, rendered recourse to the courts ineffective in many instances. This weakness was exacerbated by the referral of many property-related cases to exceptional courts (the Terrorism Court) that did not meet fair trial standards.

High Legal Costs: Women struggled to afford litigation costs, attorney fees, and court fees, especially those who lost their sources of income as a result of the violations themselves. In documented cases, this led women to relinquish their rights to avoid financial burdens, even after the fall of the regime.

Discouraging Social Norms: In many parts of Syria, social norms act as a deterrent, discouraging women from seeking legal recourse, particularly in family disputes related to inheritance or property, for fear of isolation or social stigma. These norms are reinforced through pressures that compel women to relinquish their rights to men in order to avert family conflict.

Lack of Effective Appeals and Compensation Mechanisms: Even after the fall of the regime, formal procedures for appealing property decisions or claiming compensation remain unclear or inadequate. An independent body for property restitution and the settlement of real estate disputes, in accordance with the Pinheiro Principles, has yet to be established.

Legally, these restrictions constitute a violation of the right to an effective remedy under Article 2(3) of the International Covenant on Civil and Political Rights and the right to equal access to justice under Article 15(1) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). They also contravene the UN Basic Principles on the Right to a Remedy and Reparation for Victims of Gross Violations (General Assembly Resolution 60/147).

Aisha al-Mahmoud, from the town of Kafr Nabudah in the Hama countryside, faced immense difficulties in filing a lawsuit against individuals who had exploited her farmland without her knowledge, taking advantage of her displacement to a camp in the Idlib countryside in early 2012. She was deprived of access to the land for years, making even obtaining funds to evict them a challenge, in addition to the security concerns surrounding threats to her family. Aisha says,

“Even attempting to file a lawsuit to reclaim the land was extremely difficult. My fear for my family, who chose to remain and not flee due to any threats, complicated matters further. Even after the fall of the regime, I managed to reclaim the land, but I couldn’t hold them accountable because of the high costs of the courts.”

10. Loss of Inherited Property in the Context of Family Disputes and Unlawful Restrictions on Inherited Property

A particular pattern has emerged in which women lose their rights to inherited property, especially agricultural land, as a result of the interplay between conflict factors and discriminatory social practices. In this context, women have faced: difficulty proving their inheritance rights due to lost documents and the disruption of Sharia courts; a lack of information regarding the disposal or sale of property by other family members during their absence; and family obstacles that prevented them from pursuing legal action.

In addition to the difficulties associated with conflict, a pattern of forced or unequal relinquishment of inheritance rights has emerged, resulting from: dire economic need that has driven women to sell their shares at very low prices; family pressure under the guise of protection or the family's best interests; and power imbalances within the family, particularly in the absence of the husband or breadwinner. This pattern is not always attributable to discriminatory legal texts, but rather reflects the interaction of social practices with weak institutional protection. It should be noted that the rules governing inheritance distribution in the Personal Status Law grant women, in certain cases, half the share of men, which in itself constitutes a structural factor that weakens women's economic position in the context of inheritance.

At the legal level, this pattern is linked to Syria's obligations under Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which guarantees equality in legal capacity, and Article 16(1)(h), which guarantees equality between spouses in property ownership. The CEDAW Committee, in its General Recommendation No. 29, considers that States must guarantee the protection of women's property rights upon the dissolution of the marital relationship, including in cases of death. Furthermore, relinquishing inheritance rights under economic or social pressure renders consent meaningless, which contradicts the principle of freedom of disposition guaranteed in the Syrian Civil Code itself.

In this context, Ms. Iman Hammad from Deir ez-Zor reported that her family lost inherited farmland. She said,

"We were shocked to discover that the land had been sold during the previous regime's control of the city, and they couldn't find out who sold it." She added, **"My uncles stopped me, claiming the land had already been sold and that was the end of it. I'm still determined to pursue the case until I get definitive information."**

Ms. Layla al-Asaad, 42, from al-Bukamal, Deir Ez-Zour, inherited a plot of farmland from her father in 2009, but lost it when her brothers sold it without her knowledge during the regime's control of the area between 2012 and 2014. Layla said,

"They told me the land was sold to an agricultural company while we were away from the city, and I couldn't find out who sold it or how much it was. Despite our ongoing legal battle, we haven't been able to reclaim the land, even after the regime fell." Huda al-Qurash, 37, from Qamishli in al-Hasakah Governorate, inherited a share of an apartment from her mother after her death in 2010, along with her brother. However, she was forced to relinquish her share to her brother in 2015 due to severe financial hardship. Huda explained, **"I desperately needed to cover medical expenses and pay the rent, as my brother was living in the inherited apartment and wouldn't allow me to live with him. So, I agreed to sell my share to my brother for a very low price, far below its actual value. I felt compelled to give it up because of my financial situation and my inability to sell my share to someone outside the family."**

11. Financial Extortion in Exchange for Preserving or Disposing of Property

SNHR documented a pattern of violations in which women were subjected to financial or administrative extortion in exchange for: preventing the confiscation of their property; allowing them to sell or rent; or obtaining documents or registering legal encumbrances. This pattern took many forms, including: demanding unofficial sums of money (bribes) by real estate officials or intermediaries; imposing unfair conditions for selling or completing transactions; and exploiting women's lack of knowledge of legal procedures or their dire need for resources to impose unfair prices or conditions.

Although this pattern does not always lead to the complete loss of property, it effectively empties the right to property of its substance and transforms it into an economic burden. Its impact on women is compounded by their limited financial resources, their often weak knowledge of legal procedures, and their isolation from support networks due to displacement.

From a legal standpoint, organized extortion constitutes a violation of the principle of freedom of property disposal and the state's obligation to guarantee a legal and institutional environment that enables individuals to exercise their rights without coercion. It also violates the right to non-discrimination when practiced in a way that disproportionately targets women due to their vulnerable legal and social status. In certain contexts, it falls under the category of institutional corruption that undermines the rule of law, which the Pinheiro Principles (Principle 22) emphasize must be addressed within property restitution programs.

Fatima Kanaan, 42, from Deir Ez-Zour, has been a refugee in Lebanon since 2015. She was extorted by a group of intermediaries, including local lawyers, who demanded money in exchange for allowing her to register the land she inherited from her father. She said,

"My lawyer and several other people told me that refusing to pay would immediately transfer ownership of the land to others through 'official' procedures. They exploited our fear of security checks or approvals. This forced me to pay large sums to register my ownership."

These multiple patterns combine to form a complex system of legal and economic exclusion. Documented testimonies show that the loss of property was not merely a byproduct of the conflict, but in many cases became a systematic tool of pressure, punishment, and deprivation, disproportionately targeting women due to the overlap between conflict factors and existing structural discrimination. The need arises to adapt these patterns within the applicable international legal framework when referring them to accountability mechanisms, particularly the International, Impartial and Independent Mechanism (IIIM) and the universal jurisdiction units in European countries, as potential elements of war crimes and crimes against humanity.

FIFTH: THE CONSEQUENCES OF PROPERTY RIGHTS VIOLATIONS AGAINST WOMEN

Violations of women's property rights in Syria have left deep and lasting scars that did not end with the fall of the Assad regime, but rather extended into the transitional phase and interacted with its challenges. These effects are multifaceted, encompassing economic, social, psychological, and legal dimensions, each reinforcing the others. Thus, the loss of property transforms from a specific material loss into a structural factor that perpetuates marginalization, dependency, and vulnerability. These effects are not limited to the women themselves, but extend to the entire family, particularly the children, making addressing them a prerequisite for any effective path to economic and social recovery.

This section bases its analysis on the documented testimonies in the report, and on the Syrian Network for Human Rights' vision of transitional justice, linking the observed effects to the analytical frameworks adopted in post-conflict and human rights literature.

1. Economic Impacts

The loss of property led to the undermining of the economic base upon which women and their families relied to secure their livelihoods. The economic impact can be analyzed at several levels:

At the level of the loss of productive assets: Women lost houses that were used as premises for home-based economic activities (sewing, preparing food for sale, handicrafts), agricultural lands that generated a stable seasonal income, and commercial shops that represented the only available capital. In the Syrian context, where a large percentage of women work within the informal economy and inside the home due to social restrictions on their work outside it, the loss of a dwelling means, in many cases, the loss of the workplace itself and not just shelter. Documented testimonies in this report (the testimony of Suad al-Muhammad from Daraya, who was working in sewing from home, and the testimony of Reem al-Ashqar, who lost the clothing shop that was her only capital) illustrate how the destruction or seizure of property cut off the direct source of income and deprived women of the ability to resume any economic activity.

At the level of being forced to dispose of assets under coercive circumstances: Women were forced to sell properties at prices lower than their actual value to secure urgent needs. The testimony of Qamar Habib illustrates how she was forced to sell her husband's seized car at a low price without official registration to secure refuge costs, and how she was offered the sale of the house at a quarter of its value. The testimony of Huda al-Qirsh illustrates how she sold her share in an inherited apartment to her brother at a paltry price under the pressure of financial need. These forced actions represent the emptying of this right of its substance under economic coercion.

At the level of the transition from ownership to dependency: The loss of assets and the interruption of income sources led to the transition of women who were owners or partners in properties to dependency on humanitarian aid, unstable daily labor, or male relatives, which deepened the economic dependency that the loss of property had already exacerbated. Several testimonies in this report (the testimony of Z. H. from rural Idlib, who was forced to live in displacement camps, and the testimony of Suad al-Muhammad, who lives in rent and can barely secure her requirements) illustrate how women transitioned from a relatively independent economic status to a state of chronic vulnerability.

At the level of the impact on children and the intergenerational transmission of poverty: The economic impact is not limited to the affected woman. When a mother loses the ability to secure an income, it directly reflects on the children's nutrition, education, and healthcare. Multiple female witnesses indicated their inability to secure the costs of education and basic services for their children as a result of property loss. This situation creates a cycle of deprivation passed through generations, as children grow up in conditions of poverty resulting from property rights violations to which their mothers were subjected.

At the level of the continuity of the impact after the fall of the regime: The fall of the Assad regime did not lead to an automatic restoration of the previous economic situation. Women who recovered their properties found them, in many cases, destroyed or in need of expensive restoration for which they do not have resources (as in the testimony of Suad al-Muhammad and the testimony of Hala al-Aboud). Those who have not yet recovered them bear the costs of high judicial procedures. Those who sold their assets under coercive circumstances lost them permanently. This means that the economic impact does not stop at the moment of the violation but rather extends and accumulates.

2. Social and Family Impacts

The loss of property caused profound transformations in the social structure and family relationships of the affected women. These impacts can be analyzed at several levels:

At the level of relationships within the family: The loss of property led to an escalation of family disputes over inheritance and remaining assets. Testimonies show that these disputes were not limited to the immediate family but extended to the extended family, especially when male relatives exploited the absence of the original owner (due to arrest, enforced disappearance, or seeking refuge) to seize property that was the family's source of livelihood. The testimony of Muna al-Ali illustrates how one of her husband's relatives seized the house and land "under the pretext that he was managing them until her husband's return," and the testimony of Iman Hammad, whose uncles stopped her from pursuing her right to an inherited agricultural land. These cases reveal how power dynamics within the family are reshaped to the disadvantage of women when conflict conditions intersect with restrictive social norms.

At the level of bearing the burden of providing: Women found themselves responsible for providing for their families after the arrest, enforced disappearance, or killing of the husband, at a time when they were deprived of the assets that could have supported this responsibility. This dual situation—bearing responsibility while being deprived of the tools—imposes extraordinary pressure. It has pushed some women to accept unfair terms in dealing with property (selling at low prices, waiving inheritance shares) to secure immediate needs, which deepens deprivation in the long run.

At the level of social status and the ability to participate: A woman's economic status in the Syrian context is closely linked to her social standing and her ability to influence family and community decisions. When a woman loses her property or source of income, her negotiating position within the family weakens, and her ability to participate in decision-making regarding property and resources diminishes, which entrenches existing patterns of discrimination rather than reducing them.

At the level of the impact on return decisions: The decision to return from displacement or refuge is directly linked to the availability of a dwelling and a source of livelihood in the area of origin. When properties are destroyed, confiscated, or seized, temporary displacement turns into long-term displacement. Several testimonies in this report point to women who are still unable to return despite years having passed since the fall of the regime because they have not recovered their property or are unable to restore their destroyed homes.

3. Psychological and Moral Impacts

The loss of property directly affected the mental health of the affected women. Although this report does not include a clinical assessment, the documented testimonies reveal recurring patterns of psychological impact that warrant documentation and analysis:

A sense of helplessness and loss of control: Multiple female witnesses expressed a persistent feeling of losing the ability to control their lives and the future of their families. This feeling is linked to the accumulation of obstacles: the loss of property, followed by the loss of documents necessary to prove the right, then the inability to afford the costs of litigation, and finally the complexity of procedures after the fall of the regime. Ibtisam al-Seeh said in her testimony:

"I always feel that my right is being robbed before my eyes." Alia al-Faouri expressed: **"Losing the house was not only the loss of a shelter; rather, I lost everything I owned... I feel that I lost the stability I had built throughout my life."** These expressions reflect a state of deprivation that is not limited to the material dimension but extends to the sense of self and the ability to plan for the future.

Constant anxiety over losing what remains: Psychological suffering is not limited to those who have lost their properties entirely. Women who possess theoretical rights but are unable to exercise them (due to loss of documents, complexity of procedures, or forgery) live in a state of chronic anxiety over losing the remainder of their rights. Several female witnesses pointed to fears that ongoing legal proceedings might lead to unfavorable outcomes or that their properties might be transferred to other parties before they can prove their rights.

Cumulative impact: It should be noted that the psychological impact of property loss does not operate in isolation from other conflict-related traumas (loss of husbands and children, arrest, displacement, violence). In many documented cases, the loss of property accumulates on top of previous human losses and traumas, doubling the total psychological impact. For example, Qamar Habib's testimony combines the enforced disappearance of her husband, the arrest of one of her sons, the issuance of seizure orders on property, and seeking refuge in Lebanon—all of which are factors that interact together.

4. Legal and Procedural Impacts

The violations of property rights produced legal and procedural impacts that accumulated during the years of conflict and persisted after the fall of the regime, becoming a structural obstacle to the recovery of rights. These impacts can be analyzed at several levels:

Complexity of the legal chain of ownership: Years of confiscation, seizure, forgery, and forced sales led to extreme complexity in identifying the actual legal owner of a large number of properties. Some properties were sold multiple times during the conflict period (as in the testimony of Khadija, who discovered that her house was "sold several times by fraudsters"), and some had conflicting restrictions registered against them (as in the testimony of Muna al-Tawil, who found a forged sale document and a real estate mortgage to an investment entity). This complexity poses serious legal issues regarding the rights of "good faith" buyers, the state's responsibility for the accuracy of records, and mechanisms for settling multi-party disputes.

The gap between lifting the seizure and recovering the property: Despite the issuance of the decree canceling precautionary seizure orders (May 2025), the formal lifting of a seizure does not mean the actual recovery of property. Women whose husbands' property seizures were lifted still need to: prove their legal connection to the property (as a wife or heir), which is impossible in cases of enforced disappearance where death certificates or judgments in absentia are unavailable; address any actions taken regarding the property during the seizure period; and bear the costs of restoration or rehabilitation in the case of damaged properties. The testimony of Qamar Habib clearly illustrates this gap: even after the fall of the regime, her son returned to inspect the house **"only to be surprised by the closure of government departments and the inability to complete any official transactions."**

The burden of proof on the victim: In the current legal framework, the burden of proving ownership falls on the owner. This means that women whose documents were lost or whose real estate records were destroyed are required to rebuild the evidence of their rights from scratch, in the absence of institutional assistance mechanisms. The testimony of Khalida Hassan illustrates how an employee told her that **"there are missing copies"** of the records and that proving ownership **"requires witnesses and additional papers."** This situation contradicts the Pinheiro Principles (Principle 15), which emphasize that the loss of documents should not constitute an obstacle to the restitution of property and that the state must provide alternative mechanisms.

Litigation costs as an obstacle: Multiple female witnesses indicated that the costs of judicial procedures constitute an independent obstacle preventing the recovery of rights even after the fall of the regime. Huda Abdullah's testimony indicates that **"the matter requires exorbitant financial costs,"** and Aisha al-Mahmoud's testimony points to her inability to **"hold them accountable due to the financial costs of the courts."** This means that the right of access to justice remains theoretical for women who lost their income sources as a result of the very violations for which they seek redress.

Absence of a specialized institutional framework: As of the date of preparation of this report, an independent body for property restitution and the settlement of real estate disputes has not been established in Syria in accordance with the standards set forth in the Pinheiro Principles (Principles 12-15). The property file is currently handled through ordinary courts using standard procedures, which do not take into account the exceptional nature of property violations in the context of conflict, nor the special circumstances of displaced persons, refugees, and women. This absence leads to the prolongation and complication of real estate disputes, which entrenches the status quo in favor of those who seized the property and weakens the position of the original owners.

These four dimensions integrate to form a cycle of mutual deprivation: economic loss weakens social standing, the weakness of standing reduces the ability to claim rights, the inability to claim entrenches economic loss, and the cumulative psychological impact limits women's ability to face these challenges collectively. These effects confirm that addressing property rights violations cannot be limited to the legal or procedural dimension alone; rather, it requires an integrated approach that includes legislative reform, property restitution mechanisms, economic empowerment, and psychosocial support, within a comprehensive framework for transitional justice that places women's rights at the core of its priorities.

SIXTH: WOMEN'S PROPERTY RIGHTS DURING THE TRANSITIONAL PHASE - INITIAL FRAMEWORK AND VISION OF THE SYRIAN NETWORK FOR HUMAN RIGHTS

The fall of the Assad regime on December 8, 2014, opened a transitional phase with real potential to address the legacy of property rights violations documented in this report. However, this phase also carries the risk of entrenching the status quo if it is not built on legal and institutional foundations that address the scale and nature of the violations. **The testimonies documented in this report show that the fall of the regime did not lead to an automatic restoration of rights:** some women reclaimed properties they found destroyed or occupied by third parties; some women remain unable to prove their ownership due to lost documents, the closure of government offices, and the costs of litigation; and some women discovered falsifications in their property records that had gone undetected during the years of conflict.

In this section, the Syrian Network for Human Rights presents its initial vision for addressing women's property rights during the transitional phase, based on relevant international standards, particularly the Pinheiro Principles and the UN Basic Principles on the Right to a Remedy and Reparation (General Assembly Resolution 60/147), as well as on accumulated experience from comparative post-conflict situations and the direct findings of the field documentation included in this report. This section establishes the conceptual framework upon which the detailed recommendations in the following section are based.

A. Governing Principles

The Network believes that any effective approach to addressing property rights violations against women during the transitional phase should be based on five governing principles:

Principle One: Priority of In-Kind Restitution over Compensation.

Principle 2 of the Pinheiro Principles guarantees the right of refugees and displaced persons to have their housing and property restored as an independent right that does not depend on actual return. This means that the first option should be the return of properties to their original female owners whenever possible, and that financial compensation should not be offered as an alternative to restitution unless in-kind restitution is impossible based on a court decision (such as in cases of total destruction). This principle protects women from pressures that may be exerted on them to accept financial compensation lower than the actual value instead of recovering their property.

Principle Two: Non-discrimination and Ensuring Substantive Equality in Access to Restitution Mechanisms.

Principle 4 of the Pinheiro Principles confirms that property restitution programs should guarantee equality between men and women, regardless of in whose name the property was registered. This is important in the Syrian context, where a large percentage of properties were registered in the names of males. The effective application of this principle requires moving beyond formal equality before the law to address the practical obstacles preventing women from accessing restitution mechanisms: such as litigation costs, difficulty in obtaining legal representation, discouraging social pressures, and the unequal burden of proof.

Principle 4.2 of the Pinheiro Principles requires that states ensure that housing, land, and property restitution programs, policies, and practices recognize the joint property rights of both male and female heads of household as an explicit element of the restitution process, and that these programs are formulated and implemented according to a gender-sensitive approach. The importance of this principle stems from it being part of the broader Fourth Principle relating to equality between men and women—a governing framework for all restitution measures, not merely a subsidiary procedural guarantee. While Principle 4.1 establishes equality in return, security of tenure, ownership, and inheritance, Principle 4.3 adds both a preventive and positive obligation, requiring states to avoid any adverse impact on women and girls and to adopt special measures that ensure substantive, rather than just formal, equality.

Analysis of this principle reveals that property restitution is not a neutral technical process, but rather a field that may reproduce existing discrimination if based solely on official records or traditional perceptions of the head of the household as a man alone. Therefore, the principle mandates the explicit integration of joint ownership, preventing the exclusion of women from their rights due to legal or social marginalization or because their names are absent from documents and records. Furthermore, the requirement for a gender-sensitive approach means that the design of restitution programs, proof procedures, adjudication, and implementation must take into account the specific obstacles women face, including loss of documents, discrimination in inheritance, family or community pressures, and weak access to the judiciary or administrative bodies. Consequently, Principle 4.2 does not stop at demanding abstract equality; rather, it establishes a substantive understanding of justice in property restitution based on correcting structural imbalances that may prevent women from enjoying their rights on an equal basis with men.

Principle Three: Not Considering the Loss of Documents an Obstacle to Property Restitution.

Principle 15 of the Pinheiro Principles emphasizes that the loss of original documents should not prevent property restitution and that states must provide alternative mechanisms to prove rights. This report has shown that the loss of documents is among the most prominent obstacles facing women in Syria and that the current legal system still relies on real estate registration as an almost exclusive means of proof. This principle requires the creation of alternative mechanisms such as sworn affidavits, witness testimonies, backup records, satellite imagery, and other evidentiary tools.

Principle Four: Independence of the Property Restitution Mechanism.

The Pinheiro Principles (Principles 12-13) emphasize that property restitution mechanisms should be independent, impartial, accessible, and free or low-cost. Ordinary courts with their standard procedures cannot suffice to address the volume of real estate disputes resulting from more than a decade of armed conflict. Comparative post-conflict experiences (Bosnia and Herzegovina, Kosovo, Iraq, Colombia) show that establishing specialized bodies for property restitution speeds up the settlement process and reduces costs for those affected.

Principle Five: Linking Property Restitution to the Broader Transitional Justice Framework.

Property rights violations cannot be addressed in isolation from other transitional justice tracks: revealing the truth regarding systematic practices of property seizure and destruction; holding those responsible for arbitrary confiscations and organized forgery of records accountable; reparations that go beyond in-kind restitution to include compensation for economic losses accumulated during years of deprivation; and guarantees of non-repetition through the reform of the legislative and institutional framework that allowed the violations to occur.

B. Evaluation of Steps Taken Up to the Date of Report Preparation

The transitional Syrian authorities have taken initial steps relevant to the property rights file, most notably the Presidential Decree issued in May 2025 canceling all precautionary seizure orders issued between 2012 and 2024. This decree represents an official recognition of the arbitrary nature of these decisions and is a necessary step in the path toward rectifying legal statuses. However, an evaluation of this decree in light of the principles mentioned above reveals several gaps that require addressing:

- In terms of scope: It has not yet become clear whether the decree includes executive seizure (and not just precautionary) that affected a number of cases documented in this report. Furthermore, the decree does not address cases of confiscation not based on official seizure orders (such as cases of de facto seizure by influential parties or militias), nor cases of dispossession through urban planning legislation (Decree 66 and Law No. 10).
- In terms of implementation mechanisms: Lifting the seizure in itself does not mean the actual recovery of property. Cases documented in this report show that many of the seized properties were sold or had their ownership transferred during the seizure period, and some were sold multiple times. It is not yet clear how the decree addresses these complex situations, particularly the rights of buyers who purchased in good faith.
- In terms of issues specific to women: The decree does not include any special provisions that take into account the circumstances of the affected women. Women whose husbands' seized or forcibly disappeared properties were registered in the husbands' names require additional procedures to prove their legal connection to the property; this is impossible in the absence of death certificates or judicial rulings determining the status of the missing. Qamar Habib's testimony in this report indicated that "the new Syrian government still currently refrains from issuing any death certificates for missing persons until investigations are completed," which keeps women in a suspended legal status.

As of the date of preparation of this report, an independent body for property restitution and the settlement of real estate disputes has not been established in accordance with the standards set forth in the Pinheiro Principles. Property cases continue to be handled through ordinary courts with their standard procedures and high costs.

C. Strategic Pillars of the Network's Vision

Based on the governing principles and the assessment of the current situation, the Syrian Network for Human Rights (SNHR) believes that effectively addressing property rights violations against women requires simultaneous action across four integrated strategic pillars:

Pillar I: Nullifying Past Violations and Restoring Legal Status

The process of nullification must encompass all documented violations, not just precautionary seizure orders. This requires:

- **Comprehensive Review:** Auditing all precautionary and executive seizure orders issued by exceptional courts (e.g., the Counter-Terrorism Court) and security agencies, and nullifying those issued outside the guarantees of a fair trial.
- **Reversing Fraudulent Transactions:** Reviewing real estate transactions conducted under coercion, forgery, or exploitation of the owners' absence, and establishing mechanisms to identify and void these contracts.
- **Assessing Urban Legislation:** Evaluating the impact of urban planning laws (Decree 66 and Law No. 10) and identifying cases where these laws led to arbitrary dispossession, with a view toward nullifying their effects or providing fair compensation.
- **Managing Missing Persons' Assets:** Establishing a clear legal framework for the families of the forcibly disappeared—specifically wives—to manage and dispose of property without the prerequisite of a death certificate, while protecting the rights of the missing person should they reappear.

Pillar II: Legislative and Institutional Reform

Reforming the legislative framework involves several integrated paths:

- **Independent Restitution Commission:** SNHR sees the creation of a specialized, independent body for property restitution and real estate dispute settlement as the most urgent institutional step. This body should possess dual judicial and administrative powers, offer simplified and low-cost procedures, ensure the actual representation of women in its leadership, and adopt alternative evidentiary mechanisms beyond official registration.
- **Real Estate Registry Reform:** Rebuilding lost or damaged registries through a national program that integrates multiple sources (surviving paper records, backups, satellite imagery, and witness testimonies), alongside establishing an electronic registration system to prevent future tampering and provide remote access for refugees.

- **Reviewing Discriminatory Laws:** The transitional phase offers an opportunity to revise discriminatory provisions in Personal Status Laws regarding inheritance and to withdraw Syria's reservations to the CEDAW convention. Explicit legislation should be enacted to nullify waivers of property or inheritance rights made under economic or social duress.

Pillar III: Reparations and Compensation

Reparations must go beyond mere restitution to address the cumulative economic and social impacts. This involves:

- **Prioritizing In-Kind Restitution:** Returning the original property whenever possible, with mechanisms to resolve conflicts between original owners and current occupants or good-faith buyers.
- **Fair Financial Compensation:** Providing compensation for properties that cannot be returned (e.g., those totally destroyed or fundamentally altered) based on transparent valuation standards.
- **Compensating for Lost Income:** Addressing the economic losses accumulated during years of deprivation, including lost rental income or agricultural and commercial profits.
- **Economic Empowerment Programs:** Providing affected women with access to finance, vocational training, and support for small projects, recognizing that regaining property alone is insufficient if the assets are damaged or have lost their productive value.

Pillar IV: Guarantees of Non-Repetition

To ensure these violations never recur, structural safeguards must be established:

- **Judicial Reform:** Ensuring the independence of the judiciary and its ability to effectively protect property rights, particularly for women.
- **Independent Oversight:** Creating monitoring mechanisms for real estate transactions to prevent forgery and illegal seizures.
- **Constitutional Protection:** Explicitly enshrining the protection of women's property rights in the new constitutional framework.
- **Awareness and Participation:** Implementing legal literacy programs for women and community-based initiatives to challenge social norms that exclude women from inheritance. Furthermore, women must be represented in restitution bodies, reconstruction committees, and local councils to ensure policies reflect their needs.

SNHR recognizes that realizing this vision faces immense practical challenges, including limited resources, the sheer volume of disputes, and deep-seated discriminatory practices. However, delaying action only increases the complexity, as every passing day allows illegal statuses to be entrenched through new transactions and the loss of evidence. Comparative post-conflict experiences confirm that the sooner restitution mechanisms are established, the more effective and less costly they become.

SEVENTH: RECOMMENDATIONS AND CONCLUSIONS

First: Conclusions

1. Violations escalated in several aspects to the level of international crimes

This report concludes that the documented patterns of property rights violations were not random or isolated acts, but rather took on a systematic and widespread character linked to specific policies and legislative and security tools used in an integrated manner. Testimonies show that the former Assad regime employed property as a tool for collective punishment, political subjugation, and demographic re-engineering, through the systematic destruction of residential neighborhoods coupled with the prevention of return, and precautionary seizure and confiscation based on the presumed political affiliation of the family, and legislation that imposed unrealistic deadlines for proving ownership in the context of large-scale displacement caused by the regime itself.

This pattern meets the contextual elements required to characterize crimes against humanity under Article 7 of the Rome Statute, in particular: the crime of persecution (Article 7(1)(h)) through the intentional and severe deprivation of fundamental rights on a composite political and gender basis; and the crime of forcible transfer of population (Article 7(1)(d)) when displacement was coupled with the seizure of property to prevent return. Furthermore, the extensive destruction of civilian property not justified by military necessity constitutes a war crime under Article 8(2)(e)(xii), and organized pillaging constitutes a war crime under Article 8(2)(e)(v).

2. Women were subjected to composite deprivation resulting from the interaction of conflict with structural discrimination

The deprivation suffered by women was not merely a consequential reflection of violations affecting the population in general, but resulted from the interaction of three structural factors: the regime's repressive policies that targeted the families of dissidents, including women and children; legislative discrimination represented by unequal inheritance shares in the Personal Status Law and Syria's reservations to the CEDAW convention; and institutional and procedural discrimination represented by the reliance of the real estate registration system on personal presence and original documents without alternatives, and the absence of any special protection measures that take into account the conditions of women in circumstances of conflict and displacement.

This interaction led to women who lost their husbands through arrest, enforced disappearance, or killing finding themselves in a legal situation more complex than men in the same circumstances: unable to prove their legal connection to properties registered in their husbands' names, unable to obtain death certificates or judgments in absentia that would allow them to dispose of the property, and vulnerable to family and social pressures pushing them to waive their rights. This composite deprivation makes property rights violations against women an issue with an explicit gender dimension and not just part of general violations affecting everyone.

3. The Syrian legislative framework enabled the occurrence of violations and provided an apparent legal cover for them

Violations occurred under a legal system that provided, in some aspects, tools for violation and, in other aspects, failed to provide protection. The Anti-Terrorism Law No. 19 of 2012 and the Decree establishing the Counter-Terrorism Court provided the legal cover for precautionary seizure and confiscation decisions outside the guarantees of a fair trial. Legislative Decree 66 and Law No. 10 provided the organizational cover for the expropriation of property under the pretext of urban planning. The Law on the Management of Confiscated Funds (2023) consolidated situations resulting from arbitrary confiscations by giving the state the authority to manage these funds as if they were legitimate assets.

In contrast, the legislative framework failed to provide protection through: the absence of alternative mechanisms for proving ownership in cases of loss of documents and displacement; the absence of special protection measures that take into account the situation of women; and the absence of effective and independent appeal mechanisms against confiscation, seizure, and urban planning decisions. Reform requires addressing both sides: repealing legislation used as tools for violation, and filling the gaps in protective legislation.

4. The fall of the regime did not lead to an automatic restoration of rights

Documented testimonies after the fall of the regime show that deprivation continues in new forms: women who recovered destroyed properties they lack the resources to restore; women undergoing expensive judicial procedures to prove rights that are already clear; women discovering forgery in their property records years after it occurred; and women still unable to dispose of the property of their forcibly disappeared husbands due to the non-issuance of death certificates. This situation is exacerbated by the absence of an independent body for property restitution, and the continued reliance on ordinary courts with their complex procedures and high costs. This means that the time window available for effective remedy is shrinking over time, because every day that passes without a clear framework allows for the consolidation of situations resulting from violations through new transactions, statutes of limitations, and loss of evidence.

5. The impacts transcended the material dimension into a self-reinforcing cycle of composite deprivation

The analysis revealed that the loss of property triggered a cycle of mutual deprivation: economic loss weakens social standing within the family and society; weak standing reduces the ability to claim rights before the judiciary and within the family; the inability to claim consolidates the loss and allows other parties to consolidate their seizure; and the cumulative psychological impact limits the ability of women to face these challenges combined. The impact also extends across generations when children grow up in conditions of poverty resulting from their mothers being deprived of property. This means that the remedy cannot be limited to the legal or procedural dimension alone, but requires an integrated approach that combines property restitution, compensation, economic empowerment, and legislative reform.

Second: Recommendations

The Syrian Network for Human Rights presents the following recommendations, classified by the addressed entity and arranged by chronological priority:

A. Recommendations to the Syrian Transitional Government

In the urgent term (within the next six months):

1. Establish an independent national body for property restitution and the settlement of real estate disputes, possessing judicial and administrative powers, with simplified, free, or low-cost procedures. It should adopt alternative mechanisms for proving ownership (affidavits, witness testimonies, satellite imagery, tax and municipal records) while ensuring effective representation of women in its administrative structure. Its design should be guided by the experiences of the Commission for Real Property Claims (CRPC) in Bosnia and Herzegovina, the Kosovo Property Claims Commission (KPCC), and the Iraq Property Claims Commission (IPCC), while taking into account the specificities of the Syrian context.
2. Expand the scope of the decree canceling precautionary seizure (May 2025) to explicitly include: executive seizure issued by exceptional courts (Counter-Terrorism Court); and confiscations not based on judicial rulings issued by courts that meet fair trial guarantees; while establishing a clear mechanism for addressing cases of properties sold or transferred during the seizure period.
3. Establish a temporary legal framework enabling the families of the forcibly disappeared, particularly wives, to manage and dispose of the property of missing persons to secure the basic needs of the family, without requiring a death certificate, while protecting the rights of the missing person should they reappear later. This can be based on the model of temporary guardianship over the funds of the absent person practiced in several legal systems.
4. Freeze any new real estate transactions on properties under dispute or suspected of being subject to forgery or illegal seizure, until the property restitution body rules on them, to prevent the consolidation of existing conditions.

In the medium term (within one to two years):

1. Conduct a comprehensive review of legislation used as tools to violate property rights, including: repealing Law No. 10 of 2018 to provide actual guarantees for the rights of displaced owners and refugees according to the Pinheiro Principles; reviewing the impact of Legislative Decree No. 66 of 2012, identifying cases where it led to arbitrary expropriation, and providing fair compensation or restitution in kind; and repealing the Law on the Management and Investment of Confiscated Funds (2023), and returning the properties covered by it to their owners or heirs.

2. Reconstruct lost or damaged real estate records through a national program relying on multiple sources, while establishing an electronic real estate registration system that prevents manipulation and allows remote access.
3. Review the provisions of the Personal Status Law related to inheritance distribution in light of Syria's obligations under the CEDAW convention, and enact legislation that nullifies waivers of property and inheritance rights made under economic or social coercion, and sets procedural safeguards to protect freedom of will in real estate transactions.
4. Establish a free legal aid program for women affected by property rights violations, providing legal representation before the property restitution body and courts, and assistance in gathering evidence and preparing files.

In the long term:

1. Include the protection of property rights in the new constitutional framework with explicit texts that go beyond general framework protection to include: a prohibition on expropriation except for public utility and through judicial procedures that guarantee the right of defense and with fair and immediate compensation; a prohibition on discrimination in property rights based on sex; explicit protection for the property of displaced persons and refugees; and the adoption of alternative mechanisms for proving ownership in exceptional cases.
2. Withdraw Syria's reservations to the CEDAW convention, particularly regarding Article 16 related to equal rights during marriage and at its dissolution, including property rights.

B. Recommendations to the Office of the High Commissioner for Human Rights (OHCHR) and Treaty Bodies

1. Request the CEDAW Committee to issue specific concluding observations to Syria regarding women's property rights in the context of the transitional phase, including the recommendation to withdraw reservations to Article 16 and to review inheritance provisions in the Personal Status Law.
2. Call upon the Committee on Economic, Social and Cultural Rights to monitor the status of housing and property rights in Syria in light of General Comments No. 4 and 7, and request the transitional government to provide information on measures taken to address the legacy of violations.
3. Call upon the Independent International Commission of Inquiry on the Syrian Arab Republic (COI) to include property rights violations, particularly against women, within its reports, and to assess the adequacy of measures taken during the transitional phase.

C. Recommendations to UN Agencies and Programs (UNHCR, UNDP, UN Women, UN-Habitat)

1. Provide technical assistance to the Syrian transitional government in designing the property restitution body and preparing the necessary legislation, based on accumulated expertise from comparative post-conflict experiences (Bosnia, Kosovo, Colombia, Iraq).
2. Fund free legal aid programs for women affected by property rights violations, ensuring these programs reach internally displaced women and refugees in neighboring countries.
3. Launch economic empowerment programs specifically designed for women who have lost their properties, including access to microfinance, vocational training, and support for productive projects, given that restitution alone is insufficient to restore economic capacity when properties are damaged or have lost their value.
4. Support the reconstruction of lost or damaged real estate records by providing technical expertise and necessary resources, including the analysis of historical satellite imagery to document the state of properties before and after destruction.

D. Recommendations to State Parties Exercising Universal Jurisdiction

1. Include property rights violations—particularly systematic confiscation, deliberate destruction, and organized forgery of property records—within open criminal files under universal jurisdiction in European and other countries, as elements of war crimes (Article 8(2)(e)(v) and (xii) of the Rome Statute) and crimes against humanity (Article 7(1)(h) regarding persecution, and Article 7(1)(d) regarding forcible transfer).
2. Prosecute those responsible for policies of arbitrary confiscation, systematic precautionary seizure, and organized forgery of real estate records wherever sufficient evidence of individual responsibility is available, taking into account that these acts were part of a systematic policy and not isolated individual acts.
3. Facilitate the cooperation of refugee witnesses and victims in their territories with accountability mechanisms, including providing witness protection and legal assistance.

E. Recommendations to Syrian Civil Society Organizations

1. Develop legal awareness programs targeting women in areas of internal displacement and countries of asylum, informing them of their property and inheritance rights and the available procedures for recovery, while considering linguistic, geographical, and educational diversity.
2. Monitor and observe the work of the property restitution body (when established) and courts specialized in real estate disputes to ensure transparency of procedures, prevent discrimination against women, and document any new arbitrary practices.

3. Advocate for the inclusion of women's property rights in the new constitutional framework and transitional legislation, including participation in drafting and legislative review processes.
4. Establish community support networks for women affected by property rights violations, combining legal aid, psychosocial support, and economic empowerment.

F. Recommendations to Donor Countries Involved in Supporting the Transition in Syria

1. Allocate direct funding for the establishment of the property restitution body and support its work during the initial years, as it is a fundamental pillar for economic and social stability and for the success of the transitional justice process.
2. Link aid allocated for reconstruction to actual guarantees regarding the respect for property rights and the prevention of reconstruction in areas where the properties of original inhabitants were confiscated without first addressing these confiscations.
3. Support programs for the reconstruction of real estate records and digital transformation in real estate registration, reducing the possibilities of future forgery and manipulation and facilitating the access of displaced persons and refugees to information related to their properties.

APPENDIX: THE SYRIAN NETWORK FOR HUMAN RIGHTS' WORK ON HOUSING, LAND, AND PROPERTY RIGHTS

The Syrian Network for Human Rights has increasingly focused on housing, land, and property rights as a fundamental aspect of the systematic violations perpetrated by the former Assad regime against the civilian population. This focus has evolved from individual monitoring of cases of destruction and confiscation within the general documentation of violations, to the development of a specialized work plan combining field documentation, legislative analysis, and international advocacy. This appendix provides a brief overview of the key milestones in this plan.

First: Documentary and Analytical Publications

The Network issued several major reports addressing property rights violations from different angles:

In February 2021, the Network published **a report** documenting the Assad regime's seizure of at least **440,000 dunams** of agricultural land belonging to displaced persons and refugees in the rural areas of Hama and Idlib through public auctions held by security and military committees since June 2020. The report documented at least 22 public auction announcements covering land in approximately **134 villages** and towns in Hama Governorate and 88 villages and towns in Idlib Governorate. The report characterized these auctions as acts of looting that constitute a war crime under international humanitarian law.

In October 2022, the network issued **a** second report documenting the Assad regime's continued practice of this pattern through the announcement of new auctions of land belonging to displaced persons and refugees in Idlib Governorate, including the areas of Khan Sheikhoun, Maaret al-Numan, Saraqib, and Abu al-Duhur. The report revealed that the regime-appointed governor of Idlib described the landowners as **"those who have gone into hiding in northern Syria,"** and linked these auctions to the broader legal framework established by the regime to seize the property of its opponents.

In October 2023, the network published **a comprehensive report** entitled **"Mechanisms by which the Syrian regime employs its own laws to seize tens of thousands of homes, lands, and properties in Homs Governorate."** The report included a field survey of hundreds of citizens whose properties had been affected, and interactive maps based on satellite imagery compliant with the standards of the United Nations Satellite Centre (UNOSAT). The report analyzed how, since 2018, the regime had intensified its efforts to seize citizens' properties and deprive them of their housing, land, and property rights through a sham legal system.

In March 2025, the Network issued **a report** documenting the repercussions of the Assad regime's destruction and confiscation of private property in Daraa Governorate and its impact on the return of refugees and internally displaced persons. The report presented detailed evidence that these violations were not collateral damage of the conflict, but rather a deliberate and widespread policy aimed at depopulating communities.

In February 2026, the Network issued **a report** on the phenomenon of **"key money"** in Syrian shops and commercial properties, as a direct result of the structural flaws in Syria's exceptional rent laws, particularly the system of arbitrary lease extensions. The report provided a historical and political analysis of housing, land, and property rights issues in Syria from the establishment of the modern state to the transitional period, and offered practical recommendations for addressing this issue within the framework of transitional justice.

Second: Engaging with UN Mechanisms

The Network developed a direct channel of communication with Special Rapporteurs and relevant UN mechanisms on housing and property rights. It informed the Special Rapporteur on the right to adequate housing of documented individual cases of property rights violations, including details of bombings, destruction, and arbitrary precautionary seizures of civilian property due to their participation in the popular movement. The Network also informed the Working Group on Enforced or Involuntary Disappearances of cases linking enforced disappearances to property rights violations, where property seizure was used as an additional punitive measure against the families of the disappeared.

Third: International Advocacy and Participation in Events

The Network participated in advocacy efforts related to property rights at the international level. In June 2024, it participated in a seminar organized by the Office of the High Commissioner for Human Rights on housing, land, property, and return rights in Syria. In October 2023, the Network organized an international panel discussion in Paris to mark the release of its report on Homs Governorate. Participants included the French Ambassador for Syria, Brigitte Curmi; the German Special Envoy for Syria, Stefan Schneick; the UK Mission to Geneva's Syria Desk Officer, Anna Burt; the Network's Executive Director, Fadl Abdul Ghani; and the Senior Syria Advisor at the European Institute of Peace, Marie Forestier. The panel aimed to expose the regime's practices of seizing property rights and to discuss potential international responses.

Fourth: An Integrated Approach

The Network's work on housing, land, and property rights reflects an integrated approach that combines field documentation of individual cases with legislative analysis of the legal framework that enabled the violations, engagement with relevant UN mechanisms, and international advocacy with decision-makers. This approach has contributed to building a knowledge base linking armed conflict, forced displacement, repressive legislative policies, and property confiscation, and has highlighted the groups most affected by these practices, particularly internally displaced persons, refugees, the forcibly disappeared, and women.

This report on property rights violations against women comes as a continuation of this path and a deepening of the gender dimension in it, as it is a dimension that has not received sufficient coverage in the human rights literature related to Syria, despite its importance in the context of transitional justice and reconstruction.

Acknowledgments

We thank all the women who shared their testimonies and experiences, and all the entities and individuals who contributed to collecting and verifying information, contributing to promoting justice and protecting women's property rights.

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