

Real Estate Development

The Second Book In a Study series:

A Crime

Titled
"Reconstruction"



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Among the work stages, commonly, pre-publication expert review is the only stage in which we have no participation, except at the end, when we return to the work to reconsider it in the light of the notes we received from reviewers, and due to them we liberate ourselves, as researchers, from favouring of our work, and it enables us to see the image of reality we drew in the study, based on the data we collected and analyzed, from a different angle and that allows us to take a critical look at our work and fix its lapses. So, in every work we publish we find ourselves very grateful to the reviewers. In the process of publishing this research, we thank lawyer Anwar al-Bunni, the permanent legal reference for our work, lawyers Sakhr al-Hammoud and Haditha Amer, and our thanks go to Omar Saadi who read the work and gave his opinion on it.

Real Estate Development

Introduction

This study is the second of a series of studies and reports we are working on, and it comes in the same context as our previous studies in seeking to prosecute and document the crimes of the Assad authority, and the networks that it has established at the political, military, security, economic and social levels, including "civil society institutions" and all of them are linked to the Assad regime's intelligence apparatus. We also sought to investigate the links between these structures, and to form a large picture of how these structures and networks enable those who control them to rebuild their collapsing authoritarian regime on the basis of the centralization of political, security and economic power.

Pursuing the details, discovering the links between them, and how they overlap to form an organized policy, without neglecting the wills that may disagree and conflict at times, and distinguish in them between what has a statist character that is being worked on centrally to consecrate and legitimize, and what is hybrid. In addition to studying how the Assad authority activates the plans and laws associated with them in the service of its project to rebuild its authoritarian regime, and how it draws new plans and links them to the old laws, or produces new laws and decrees that fit those plans, all of which are accurate actions that require work on research that is characterized by patience, methodical knowledge and ability to review the work at every moment to correct and develop it.

In pursuit of these goals, we published a series of studies, including: "Palestinian Refugees in the Syrian Ordeal," "Syria: the era of warlords and the return of protections and guardianships (1) the Shiite militia," and "Daraa and As-Suwayda governorates in the face of sedition- Qadisiyah Busra and its impact on the As-Suwayda governorate.", "Fatal Integration - the General Command Organization and Al-Quds Brigade," "Employment in antagonistic Conflicts (1) the Assad authority and the Organization of the Islamic State in the As-Suwayda Governorate," "The Palestinian Liberation Army in the Syrian War," and "A Crime Titled "Reconstruction." In which we focused our attention on the different phases of the Syrian regime, up to the work of the Assad

authority to rebuild it on the basis of a political, security, and economic centrality based on the capitalism of kinship and cronyism.

We focused on monitoring, documenting, and analyzing how the Assad authority and its international partners are systematizing mass crimes to be part of a massive coercive process aimed at rebuilding the Assad regime's tyranny, through collective crimes, including forced displacement, forced demographic engineering, and demographic change, to punish those who revolted from the Syrian people, broke their will and recalibrated them, leading to their subjugation and then organizing them in a conformist formula that Bashar al-Assad called "a homogeneous society." The Assad authority's media machine released several names for this process. At one point it talks about planning schemes, at other times it talks about real estate development zones, and third it talks about developing slum housing, and all are presented in the context talking about reconstruction. The Assad authority moves between laws and legislations according to its interests, which creates a wider margin for maneuvering and circumventing the international sanctions.

Faced with this complex reality complicated by the ruling authority, they rely on hiding intentions and projects to mislead. We found that the first task that falls on the shoulders of this series of studies is to dismantle the complexity, classify the complex measures of each level separately, then study them and the links that bind them. It's a task that needs many studies to reach an acceptable degree of briefing.

Whereas, our first study in this series (A Crime Entitled: Reconstruction) proved that the Assad regime conducts the process of rebuilding the system through an authoritarian political and security centrality, and an economic centrality based on the network of relatives and cronies¹. And how this process of

¹ In our previous study (A Crime Entitled: "Reconstruction") we explained the phases that the Syrian regime has gone through; Whereas, after the 1963 coup, the Baath Party followed a left-wing leadership influenced by middle-class socialism with a Syrian version of the utopian doctrine of ending class inequality by referring the entire society to a "middle class." This is before Hafez al-Assad's coup ends the dream of Syrian version of a classless society. But it was not an immediate retreat from the practical results of this project. However, the putschists focused on using and benefiting from this Regime. The taking advantage of jobs provided by the regime in the beginning has developed and expanded to become a transformation of the state institutions into fiefdoms of relatives and cronies. Then the heir, Bashar al-Assad, would form the country on the capitalism of relatives and cronyism, as a sultan who concentrated the economy within his family and distributed whatever he wanted as gifts to the loyalists, and unleashed them to swallow the country's wealth in turn, doubling its wealth tremendously, and accelerating the impoverishment of increasing segments of Syrians. He did this without bothering with the mechanisms of social suppression that alleviate poverty on the poor and ease the indignation. What remains to prevent social revolutions is nothing but explicit and unbridled violence. The consequences of this impoverishment was taking place within the regime itself, but within its military and security institutions, which became the almost only reason for its stability. With the start of the Syrian revolution, the regime was collapsing, and even in the Baath Party there was no partisan believes that it was still in any way the "ruling party" and it was no longer clear of the

rebuilding the regime is organically linked to the reconstruction process. In this study, which is in your hands, we focused on one of the details of this process to follow legally and procedurally; where we studied the zones of real estate development in Syria, the legislative environment governing real estate development, and the established companies in this context; to reveal how it's a fraudulent attempt to use an inherently unjust project revived by the Assad authority in the context of the crime of rebuilding the authoritarian regime and building a "homogeneous society", by targeting zones that have revolted against it, previously bombed, and massacres committed in these rears including siege and displacement of the inhabitants, then subject them to a demographic engineering process, and sometimes demographic change, taking advantage of the fact that parts of these zones were previously expropriated, or some of their residents were forced to sell their property to a network of brokers and companies cooperating with the Assad regime and its entrenchment, as a result of impoverishment, harassment and terror imposed on them by the security measures in the complex process of proving their ownership which has now overtaken the opponents to infect the inner circle of Assad authority loyalists and their relatives as well.

Thus, this entire operation/crime would be a punishment of the revolution societies, and a reward for those who helped the Assad authority by killing the Syrian people, a source of money to plunder, a temptation for states motivated to plunder in Syria, and part of the process of forced demographic engineering and demographic change in the context of rebuilding an authoritarian, oppressive regime. We hope that this study will be a database that will help researchers and those interested in Syrian affairs with their research and studies. We also seek to define legal responsibility for the implementation of the crimes of forced demographic engineering, forced displacement and the usurpation of residents' property.

In order to fulfill the duty that we responded to, we relied on the study of the descriptive method, including the observation tool, the in-depth interview tool with witnesses, and the recording, collecting, and classification of data resulting from our observations and our monitoring. We also adopted measurement, comparison, and filtering of the information, data and testimonies that we have, and after that we weighed what was agreed upon and what we estimated was the most objective among them, to become a solid platform that can be relied upon in our study. We approved documentation by studying documents and records (decisions, laws and decrees, rights holders' objections, television

doctrine, as there was hardly anyone cared about nationalism, even socialism became a very vague term for the partisans. Wealth, and wealth alone, was the ubiquitous creed, and slavery was its consort.

interviews, reports, investigations, news, photos, etc.) And all the time, we relied on analyzing data and information in collective thinking sessions for the team, to draw conclusions.

We defined the time frame for the study in the period from 2011 to the present time, taking the zones of real estate development in Syria as a spatial framework, defining its work within the framework of the Assad authority project, and its systematic crimes committed in the service of this project; without researching the project's problems and the contradictions that it encounters, we do not study the factors of its success and failure, for this, despite its great importance, needs another research that cannot be addressed without a thorough and documentary study of the project, its workers, and the relevant laws and decrees, which is what we specialize in our current work.

From the beginning of the work on the study, it was clear to us that proving its hypothesis is not the only source of its importance. After years of work in this regard, we have learned that the process of documentation, data collection, classification and analysis is a process of utmost importance in Syria, where the Syrian people are still facing the relentless work of the Assad authority to distort facts to evade responsibility for its crimes, in order to convert the victim into condemned and perpetuate its authority. This shows how the search for truth in the face of authoritarian institutions is part of the justice process, and part of history's progressive movement against the forces of darkness and oppression. This explains the mechanism of the Syrian research work in which we form one of its circles, so that it is integrated, and any effort in it, no matter how small, is a step, or even a first approach, for a long journey, and is critically necessary for justice in Syria and the world.

Accordingly, there is a tremendous importance to documenting details in a systematic manner, an importance that overloads the importance of our analysis of them until data are available to researchers and jurists, to scrutinize and document them, in order to use in their research and legal work.

Thus, our study belongs to this foundational work that needs constant review in order to refine and develop, and it is a work in which we go steps forward, making use of all the observations and corrections that we hope will reach us after publication, then we return to scrutinize and complete it.

Work on this study was completed in March 2021, and nothing new has been added to it after this date we embarked on the editing, proofreading, and translation process.

Text

Studying the mobilization of the real estate development projects, which in the first place is unfair to the residents, in the context of rebuilding the authoritarian regime integrated with the reconstruction process, requires accurate documentary knowledge of real estate development zones in Syria, and an accurate knowledge of the institutional, regulatory and legal framework for real estate development. It also needs detailed knowledge of the companies operating in these projects, which enables us to place this mobilization in its new context; documenting and analyzing crime, criminals, crime instruments, crime objectives and victims. For this purpose, we found it necessary to divide the text into three main sections:

The first section: We dedicate it to research the institutional, regulatory and legal framework for real estate development. We define the real estate development project and the commission supervising it (the General Commission for Real Estate Development and Investment), its management, and the purpose of its creation in accordance with the Real Estate Development and Investment Law No. 15 of 2008, which formed the institutional and regulatory base for real estate development. It's a preliminary step that helps to understand what this study will present in subsequent chapters. In addition, we will review the most prominent laws and legislation regulating real estate development in Syria in order to know the legislative environment on which these projects are based. Then, we will examine the extent of its commitment to safeguarding property rights, and expose the violations.

The second section: We study the updated real estate development zones, detailed in representative models. So that we determine each model's location, and the project to be constructed in it, and where we will be able to track some information about the emergence of slums in these zones, the conditions, and the life of its inhabitants. We check the percentage of participation of each zone in the Syrian revolution, and whether they have been subjected to abuse by massacres, siege and forced displacement, to draw analyzable conclusions. Our interest in these zones is due to the fact that work is underway on them, and we exclude from the research zones that are undergoing development or those under study, while not neglecting to count and classify them, which we have devoted a part to talk about in this section.

1- Institutional, regulatory and legal framework for real estate development

Law 15 of July 9, 2008² formed the institutional and regulatory base for what it called real estate development in Syria. Where it defined real estate development zones in its first article as: "Real estate and parts of real estate covered by the provisions of this law, whether built or not." For the purpose of handling real estate development projects, "The General commission for Real Estate Development and Investment" in Syria was created under the same law, which is a public administrative commission, enjoying legal entity, financial and administrative independence, and linked to the Minister of Public Works and Housing, based in Damascus; the second article of it states: "There is a public commission of an administrative nature in the Syrian Arab Republic that has legal entity, financial and administrative independence, and associated with the Minister of Public Works and Housing, and located in Damascus, and its headquarters may be established in the governorates."

The law defines the objectives of the "commission" in Article Three, which states: The "Commission" aims to regulate real estate development and encourage investment in this field to increase its contribution to the building and reconstruction process, activate the role of the national private sector in this context and attract Arab and foreign

investments to participate in real estate development in order to contribute to:

A - Supplying the housing and construction sector with the necessary lands prepared for construction, buildings, services and needed facilities.

B - Establishing integrated cities and residential suburbs and new urban communities.

C - Address slum zones.

D - Securing housing needs for low-income people with "concessional terms".

Whereas, the "commission" defined its objectives on its official website as: "Regulating real estate development activities, participating in the implementation of urban development policies and regional planning orientations, and encouraging the role of the national private sector and local, Arab and foreign investment in the building and reconstruction process, in order to achieve the goal of establishing integrated cities and urban suburbs, securing lands prepared for construction, establishing specialized and educational

² Law No. (15) of 2008, see the link: <https://wipolex.wipo.int/fr/text/581069>

service zones, developing and rehabilitating residential zones existing within the administrative maps and treating slums zones in accordance with the concept of sustainable urban development.

The General Commission for Real Estate Development and Investment, according to Article 4 of Law No. 15 of 2008, is managed by the Commission's Board of Directors and the General Director of the Commission. The Commission's Board of Directors, as stipulated in Article 5 of the same law, consists of: The Minister of Public Works and Housing as Chairman, The General Director of the Authority is a Vice President, the General Director of Public Housing Corporation as a member, the General Director of Real Estate Services as a member, and the Assistant General Director as a member, the Director of Urban Planning in the Ministry of Local Administration and Environment as a member, a representative of the Ministry of Finance with the rank of Director at least as a member, a representative of the Ministry of Economy with the rank of Director at least as a member, a representative of the Ministry of Agriculture and Agrarian Reform with the rank of director at least as a member, a representative of the Ministry of Tourism with the rank of Director at least as a member, a representative of the State Planning Commission with the rank of Director at least as a member, a representative of the Syrian Investment Commission with the rank of Director at least as a member, and two representatives of the private sector in the field of real estate development named by the Prime Minister. Later on, a new member was added to the board, who is the General Director of the Mortgage Finance Supervision Commission.

In 2010, the Commission's Numerical Ownership Decree No. (114) was issued, and the Commission's numerical staffing capacity was identified to 157 positions. At the end of 2018, the total number of actual employees in the Commission became 59 workers from various specializations, including those working in the Hama and Aleppo branches or workers distributed and delegated to the Commission from other agencies.

Article 6 of Law 15, in its two paragraphs (i and j), mandated the Commission's board of directors to "propose the acquisition of real estate and parts of real estate to create real estate development zones, and approve the purchase of real estate and parts of state property that fall outside the necessary administrative maps to create real estate development zones."

According to Article (11) of the law, "The real estate necessary to create real estate development zones shall be secured through:

A- Private state property that is not allocated to a public agency, and its ownership is transferred to the administrative unit free of charge if it is located

within the administrative maps, and at the prices agreed upon between the administrative entity and the Ministry of Agriculture and Agrarian Reform if it is outside the administrative maps.

B - Real estate and parts of real estate belonging to the administrative entity, inside or outside the administrative maps.

C- Real estate and parts of real estate owned by individuals that are acquired for the purpose of creating real estate development zones.

D - Real estate that falls under the ownership of the real estate developer, or whose owners wish, in agreement with the developer, to be subject to the provisions of this law with the commitment of the real estate developer."

Law 15 of 2008 regarding the acquisition of real estate within the real estate development zones in Syria, was adopted on the effective acquisition law and its amendments. Article (11) states that: "Real estate located within real estate development zones belonging to individuals shall be expropriated for the benefit of the Administrative Commission and registered in its name in the cadastre, By a decision of the Prime Minister, whether it is purely owned or owned by the endowment, or burdened with an endowment right, in accordance with the provisions of the applicable expropriation law and its amendments"; In other words, the acquisition takes place in accordance with Legislative Decree No. (20) of 1983³, which is still in force in Syria until now, despite the amendment of the constitution in 2012, and the passage of more than 37 years since its promulgation, and the expiration of a number of legislations on which this decree is relied. In addition, this decree violates the 2012 constitution (which we will discuss in detail later in the chapter on violations of legislation governing real estate development of property rights). Accordingly, the constitution must enforce the laws that preceded it if they do not comply with it. As stated in Article 154: "Legislation in force and promulgated prior to the approval of this constitution will remain in effect until it is amended in accordance with its provisions. The amendment is to take place within a period not exceeding three calendar years." And since the constitutional period specified by the constitution for a period not exceeding three calendar years for amending this law has

³ For Legislative Decree No. (20) of 1983, see the link.

<http://www.mola.gov.sy/mola/index.php/legislation/93-%D8%A7%D9%84%D8%A5%D8%B7%D8%A7%D8%B1-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D9%84%D9%84%D8%AA%D8%AE%D8%B7%D9%8A%D8%B7-%D9%88%D8%A7%D9%84%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%A7%D9%84%D8%B9%D9%85%D8%B1%D8%A7%D9%86%D9%8A/%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D9%85%D9%84%D8%A7%D9%83/154-%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D8%B1%D9%82%D9%85-20-%D9%84%D8%B9%D8%A7%D9%85-1983>

expired, without amending it in accordance with the constitution, therefore, the expropriation decree and the legislation based on it are void, because they violate the constitution.

The "General Commission for Real Estate Development and Investment" relied on a regulatory environment regulating real estate development in Syria. In what follows, we review the most prominent legislations and laws, in order to get acquainted with the legal framework in which the "commission" moves, and to document some of these law's violations of property rights.

A- The most prominent legislations that regulate real estate development in Syria:

- Law No. (9) of 1974 laying down the foundations for zoning real estate zones into plots intended for construction, the requirements for zoning plans, and the foundations for creating administrative zones⁴.
- Legislative Decree No. (5) of 1982 stipulating that the Ministry of Housing shall undertake laying down the foundations of urban planning within the framework of comprehensive regional planning⁵.
- Legislative Decree No. (20) of 1982 (the Acquisition Law) that defined cases of permissibility of property acquisition, acquisition procedures, assessment of the initial value, and the right to object.
- Law No. (15) of 2008 (Real Estate Development and Investment Law) establishing the General Commission for Real Estate Development and Investment.
- Law No. (33) of 2008, which includes proof of ownership of real estate built over a bounded or free real estate zone, or over part of it. Therefore, by removing collective ownership, correcting descriptions and secretions, and amending the cadastre in accordance with the current status of these real estate.

⁴ Ministry of Local Administration and Environment, Law No. 9 dated 01/27/1974 regarding the subdivision, organization and urbanization of cities.

⁵ To view Legislative Decree No. (5) of 1982 at the following link (last visited March 27, 2021): http://mopwh.gov.sy/?page=show_det&category_id=12&id=252&lang=ar

- Law No. (39) for the year 2009 amended by Decree No. (57) for the year 2010 regarding the creation of the Real Estate Finance Supervision Commission.⁶
- Law No. (26) of 2010 establishing the Regional Planning Commission.⁷
- Legislative Decree No. 82 of 2010 (Arasat Construction Law), which defined the conditions for licensing construction on plots and properties.⁸
- Law No. (11) of 2011 regulating the real estate rights of non-Syrians.⁹

- Legislative Decree (66) for the year 2012, this legislative decree was published in the Official Gazette on September 18, 2012, and provided for the creation of two organizational zones, within Damascus governorate are located within the General Chart of Damascus, for the development of informal settlements and slums according to the detailed organizational studies prepared by Damascus governorate, and certified according to the laws and regulations in force. The first zone: encompass the southeastern zone of Mezzeh from the two real estate zones of Mezzeh and Kafr Sousse. The second zone: the Southern Circular; the real estate zones of Mazzeh, Kafr Susa, Qanawat Basateen, Daraya and Qadam¹⁰.
- Law No. (15) of 2012 Establishing Real Estate Finance and Mortgage Refinancing Companies¹¹.

⁶ To view Law No. (39) of 2009, visit the following link (last visited March 27, 2021):

<https://drive.google.com/open?id=1cfbNCr9jZ4VuGDY4hS2CHkNNex57YcPW>

⁷ To view Law No. (26) of 2010 at the following link:

http://mopwh.gov.sy/?page=show_det&category_id=12&id=252&lang=ar

⁸ To view Legislative Decree No. (82) of 2010 (Plots Reconstruction Law) at the following link:

<https://www.mohamah.net/law/%d9%86%d8%b5%d9%88%d8%b5-%d9%88-%d9%85%d9%88%d8%a7%d8%af-%d8%a7%d9%84%d9%82%d8%a7%d9%86%d9%88%d9%86-%d8%b1%d9%82%d9%85-11-%d9%84%d9%84%d8%b9%d8%a7%d9%85-2011-%d8%a7%d9%84%d8%b3%d9%88%d8%b1%d9%8a/>

⁹ To review Law No. (11) of 2011 that regulates real estate rights for non-Syrians, at the following

link:<https://www.mohamah.net/law/%d9%86%d8%b5%d9%88%d8%b5-%d9%88-%d9%85%d9%88%d8%a7%d8%af-%d8%a7%d9%84%d9%82%d8%a7%d9%86%d9%88%d9%86-%d8%b1%d9%82%d9%85-11-%d9%84%d9%84%d8%b9%d8%a7%d9%85-2011-%d8%a7%d9%84%d8%b3%d9%88%d8%b1%d9%8a/>

¹⁰ To view Legislative Decree No. (66) of 2012 at the following link (last visited March 27, 2021):

<http://parliament.gov.sy/arabic/index.php?node=5588&cat=4300&>

¹¹ To view Law 15 of 2012 at the following link (last visited March 27, 2021):

<https://www.parliament.gov.sy/arabic/index.php?node=201&nid=4325&ref=tree&>

- Law No. (23) of 2015 Organization and Division Law. This law was published in the Official Gazette on December 8, 2015, and concerns the implementation of urban planning and urbanization¹².
- Law No. (10) of 2018, this law was published in the Official Gazette on April 2, 2018, and it was issued based on the proposal of the Minister of Local Administration and Environment to create one or more organizational zones within the general organizational chart of the administrative units defined by Legislative Decree No. 107 of 2011 based on Certified general and detailed studies and plans and an approved economic feasibility study. This law amended articles with numbers: 5- 6- 8- 9 -10 -12 -13 -17 -19 -20-21 -22 -25 -26- 27- 28 -29 -30 -31 -33 -34 - 35 -38 -44 -45 -51 -59 -61 -63 - mentioned in Legislative Decree No. 66 of 2012¹³
- Law No. (42) of 2018, this law was published in the Official Gazette on November 11, 2018, and provides for the amendment of Paragraph (1/2) - Article / 6 / of Article / 2 / of Law No. / 10 / of 2018, And the amendment of Article 4/14 / of Legislative Decree No. / 66 / of 2012¹⁴.
- Law No. (3) of 2018, published in the Official Gazette on February 12, 2018, pertains to removing the rubble of damaged buildings due to natural or abnormal causes, or because they are subject to laws requiring their demolition¹⁵.

B - Examples of legislative violations of property rights

In this chapter, we cite some violations of the legislative environment in which real estate development grows in terms of its failure to safeguard property rights and its violation of the provisions of the Syrian constitution, which is supposed to be in conformity with the standards of international law and international humanitarian law, to be representative samples that help us understand the

¹² Presidency of the Council of Ministers, Law No. 23 of 2015 for the implementation of planning and urbanization, December 8, 2015 (last visit March 27, 2021):

<http://www.pministry.gov.sy/contents/12504/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-/23/-%D9%84%D8%B9%D8%A7%D9%85-2015-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%AA%D9%86%D9%81%D9%8A%D8%B0-%D8%A7%D9%84%D8%AA%D8%AE%D8%B7%D9%8A%D8%B7-%D9%88%D8%B9%D9%85%D8%B1%D8%A7%D9%86-%D8%A7%D9%84%D9%85%D8%AF%D9%86>

¹³ To view Law No. (10) of 2018, at the following link (last visited March 27, 2021):<http://www.pministry.gov.sy/contents/13502>

¹⁴ To view Law No. (42) of 2018 at the following link:
<https://www.parliament.gov.sy/arabic/index.php?node=201&nid=18759&ref=tree&>

¹⁵ To view Law No. (3) of 2018, at the following link (last visited March 27, 2021):
<http://www.mola.gov.sy/mola/index.php/2018-04-19-13-25-39/item/6312-3-2018>

legal field in which the authority of al-Assad is moving in related to the topic of our research.

- Expropriation that does not achieve the public benefit:

Decree No. (20) of 1983 gave the characteristic of public benefit to the Ba'ath Party and the organizations associated with it (popular organizations), justifying the appropriation of real estate for its benefit. Paragraph (b) of Article 3 stipulated: "Projects of public interest shall mean everything related to the following works: Places of worship, military barracks, airports, harbors, railways, police stations, hospitals, health centers, schools, institutes and universities, slaughterhouses, orphanages and elderly homes, buildings of cultural centers and sports clubs, and the facilities of the Arab Socialist Ba'ath Party and the popular organizations that require the fulfillment of the tasks of these bodies. In general, all buildings and constructions designated for public works or public utilities." This makes the expropriation illegal in this case, since the Ba'ath Party cannot be given the characteristic of a public benefit. If this article took its legitimacy from Article 8 of the 1973 Constitution, which states: "The Arab Socialist Ba'ath Party is the leading party in society and the state, and it leads a progressive national front that works to unify the energies of the masses and put them in the service of the goals of the Arab nation." The 2012 constitution abolished this article. Indeed, Article 7 of it stated: "It is not permissible to harness public office or public money for a political, partisan, or electoral interest." It is clear here that the seizure of private property to convert it into public money, in order to use it to serve the Baath Party, is a complete violation of the 2012 constitution. This is from a legal point of view, but on the other hand millions of Syrians have come to believe that the authority of Assad and the state institutions that are seized by this authoritarian authority has no legitimacy that enables it to determine the public benefit, given the crimes and massacres it has committed against the Syrian people, especially after 2011; as millions of Syrian citizens were displaced from their zones internally as IDPs, and externally as refugees, and cities were destroyed on the heads of their inhabitants, and massacres were committed against them by the Assad authority, which will become clear to us in a later section of this study when we stand on real estate development zones.

Paragraph (a) of Article 4 of Decree (20) also "permits the Ministry of Defense to acquire real estate to establish military housing complexes, or to build houses to sell to military personnel, martyrs families, workers in the Ministry of Defense or other bodies determined by decree." This means appropriating real estate from their owners in order to sell what they acquired to other persons, including soldiers, workers in the Ministry of Defense, martyrs' families, and others. This loses the expropriation of its justification determined to achieve a public interest, and turns it into an arbitrary measure as it expropriates persons to achieve

commercial benefit for the expropriators, or to achieve the benefit of other persons from among those parties in a discriminatory manner, and unfair compensation for the property owners, which we will discuss later. This is also in contradiction to the 2012 constitution, which prescribes in Article 33, its third paragraph, that "citizens are equal in rights and duties."

Whereas Paragraph (1) of Article 35 of Decree 20 of 1983 transformed the expropriated real estate into state property, even if it had lost its public utility, and the entities that acquired it had the freedom to dispose of it, as it stipulated: "Then the public benefit of the expropriated real estate has removed, so these real estate are considered a state private property, and they are registered in the cadastre in the name of the public authority that expropriated the property based on a decision of the party that had acquired the property, or real estate for public benefit, and this entity has the right to dispose of these properties in all manner of disposal." Thus, this decree would have permitted the expropriating parties to acquire the citizens property, even if the public benefit was removed from them, which contradicts the principles of the 2012 constitution, which limited the reason for expropriation to achieve the public benefit. If the basis on which the expropriation was based, which is the public benefit, is no longer necessary, then appropriation becomes illegal as long as it has lost its basis and justification, and it can be considered a kind of confiscation of property that the constitution says is permissible only with a final court ruling.

- **Expropriation without fair compensation and expropriation without any compensation:**

Decree No. (20) of 1983 not only violates the exclusive reason for expropriation (public benefit), but also overrides it to breach the second basic principle for legal acquisition, which is "just compensation." Paragraph (1) of Article 25 states: "The preliminary assessment shall be reviewed according to the principles followed in the preliminary assessment, and this must be declared in the final report, The values shall be paid to the owners of the maturity or deposited for their benefit in the bank within five years from the date of acquisition". And if we look at this article which permits a five-year delay in payment by installments without regard to the urgent changes or taking into account the rights of the property owner who lost his property, we will see the extent to which the principle of safeguarding property and the interest of rights holders is underestimated. The great calamity is when we know, that in the event when the expropriating entity delays in paying the property allowance to the right holders within the period specified in the law (five years), then the property is not re-appraised, but rather, a simple legal interest is paid to the beneficiary in exchange for the delay. Where paragraph (3) of the same article

stipulated that: "If the payment or deposit in the bank is late for the period specified in Paragraph (1) of this article, the value is not reassessed. Rather, a simple legal interest is paid at the rate of 6% of the value annually for the period of delay, and this interest shall be effective from the date of the expiration of five years after the issuance of the acquisition decree or from the date of seizing the property, whichever is earlier. This interest increases to 8% annually for the real estate that has acquired, after five years from the date of the seizure". This was exploited in Syria in light of rampant corruption; where many parties put signs of expropriation on real estate that was subsequently sold to investment companies or is preparing to sell them. What helps in this is what we have talked about, that expropriation is still taking place even if the characteristic of the public benefit is removed from it, and also aided by the comfortable installment of the acquisition allowances, which if it is late in its payment (which is what often happens) is converted over time into a small amount (since it does not take into account the developments taking place at the level of the property itself and its popular price, and does not take into account the purchase value of the Syrian pound), a small legal interest is paid for it. If we compare the estimates made years ago with today's real prices and the rate of inflation, we find that only parts of a hundredth of the real value of the property are paid, if paid in the first place. According to the intersection of attorneys' testimonies, compensation files accumulate in the municipalities of the Assad authority, and the payment of funds to those who deserve it are carried over from year to year.

Whereas Paragraph (1) of Article 31 of the same decree stipulates: "The administrative authorities, administrative units and all state departments, the general institutions of the Syrian railways, the General Directorate of Civil Aviation and the General Directorate of Ports shall deduct, for free and for one time, the equivalent of a quarter of the land zone of the entire property acquired. To construct or expand roads and streets, construct and expand lakes, airports, harbors, squares, public parks and markets, and implement railway projects, irrigation, drinking, oil, gas and electricity projects whenever the remaining part of the property is usable. The entire expropriation allowance is paid in the event that the entire property is acquired and the zone registered in the cadastre on the date of the acquisition decree is considered a basis for the calculation of the allowance. From this legislative decree, it is paid to eligible beneficiaries".

We will also find this "free deduction" after the declaration of the 2012 constitution in Law No. 23 of 2015 and Law No. 10 of 2018; Paragraph (a) of Article (4) of Law No. (23) of 2015 stipulates: "Administrative units shall be deducted free of charge in exchange for the material and moral benefit that the property owner will obtain as a result of entering his property in the planning or division zone and what will be allocated to provide basic services to the district from roads, squares, parks, parking lots, public constructions, public housing

plots, and special services plots, and any increase in the purchase value of the property. The deduction for all this shall be a percentage that does not exceed 40 percent of the zone outside the cities of the governorates centers, and for in the cities of the governorates centers, the amount of the percentage does not exceed 50 percent".

The term "free deduction" was also mentioned in Article (11) of Law No. (10) of 2018, which amended Article (21) of Decree 66 of 2012, where the article after the amendment states:

A- It will be deducted free of charge according to the general organizational chart and the detailed plan, all the lands necessary for the completion and implementation of:

1/ Roads, squares, parks, parking lots and public constructions, which include public authorities centers, schools, police stations, hospitals, clinics, health centers, fire stations, temples, mosques and churches, public libraries, cultural centers, places prepared for public monuments, sports stadiums, social care centers, electrical transmission centers, sewage treatment stations, drinking water pumping stations, and centers. Community support, and public building plots are handed over to public authorities without allowance, those authorities are responsible for constructing them.

2/ The divisions dedicated to the Administrative Unit for constructing buildings for those who were warned of demolition, those with limited income and social housing, and covering the expenses mentioned in Article /19/ of Legislative Decree No. 66 of 2012 amended in accordance with the provisions of this law.

B- "The deductions set out in clauses 1 and 2 of Paragraph (a) of this Article must not lead to a decrease in the percentage of the floor zone allocated to the owners of the organizational zone of 80% for every square meter of land, according to the approved economic feasibility study, organizational plan and building system".

Returning to Paragraph (b) of Article (21) in Legislative Decree 66 of 2012 before the amendment, we find that it contains an important difference, as it responds as follows: "b- The deductions indicated in the previous clauses 1-2 of this article should not lead to a decrease the percentage of the zone allocated to the owners of the organizational zone over an zone of 80 percent for every one square meter of land. The governorate of Damascus may increase the investment factor in order to achieve this percentage. Here, the "legislator" did not clarify whether this zone in which the owner will allocate is land in exchange for his land or a floor space in a building in exchange for his land. However, after amending the same article in Law No. (10) we have seen how the legislator clarified his intention and made what the owner gets to be a floor space in a

building, so if someone owns a thousand meters of land, he will receive in exchange for it a floor space in a building exclusively, and it is known that the land with an zone of a thousand meters may build a tower on it, the zone of which is the floor is thousands of square meters, which makes the percentage that the owner may acquire is much less than 80% of the land he owns (if he acquired it at all). On top of all that, the floor space is not given to the owner immediately, but rather is allocated only to it, and if we know that such projects may extend for decades to be completed, we can estimate the extent of the injustice that befell the owner, whereby the "legislator" has thus sold the owners pending dreams.

The "free deduction" that was mentioned in the aforementioned legislations is incompatible with the most important property rights, which is to protect them and not violate them, a term frowned upon by the people of law, especially if we know that this deduction affected zones previously organized by republican decrees, and their property was deducted at the time for the purpose of securing services, for instance the Organizational Plan No. 104 (Al-Qaboun Industrial District). In addition, this deduction, if we look at with good intention, as achieving something of public benefit, then it neglects the second condition of the acquisition, which is a fair compensation; whoever will benefit from this deduction, as will benefit from the facilities that will be established on this deduction, while the rest will receive an unfair compensation (this is if they obtained it at all), because it is calculated according to the value of the property before it entered the organizational zones. From the aforementioned and returning to the Syrian constitution of 2012¹⁶, we find that these laws, and then the laws they are based on, contradict it in terms of safeguarding private ownership (collective and individual), which clearly contradicts Article fifteen of the 2012 constitution which stipulates:

- 1) Private property, whether collective or individual, is safeguarded according to the following principles:
 - 1- Public seizure of funds is prohibited.
 - 2- Private ownership is not expropriated except for the public benefit by decree and in exchange for fair compensation in accordance with the law.
 - 5- Do not impose confiscation of private property except by a final judicial decision.

¹⁶ The Syrian Constitution of 2012 can be found at the link (last visited March 27, 2021)
http://menarights.org/sites/default/files/2016-11/SYR_Constitution2012_AR_0.pdf

8- Private confiscation of necessities of war and public disasters is permissible.

2) The compensation must be equal to the real value of the property.

- **Deprivation of the right to litigate:**

Article (44) of Decree 20 of 1983 deprived the rights holders of their right to litigate¹⁷ and to conduct ways to appeal in Equal Pay Suits¹⁷ and value reassessment lawsuits that were not accompanied by a peremptory ruling, as it stated: "The provisions of this legislative decree shall apply to all cases existing on the date of its issuance, Likewise claims and claims for revaluation that were not accompanied by a peremptory ruling shall be rejected. Which is contrary to the Syrian constitution; Paragraph (3) of Article 51 of the 2012 Constitution stipulates: "The right to litigation and to appeal the judgment, review and defense before the courts is safeguarded by the law, and the state guarantees judicial assistance to those who are unable to do so in accordance with the law."

- **Immunization from judicial oversight:**

Article (11) of Decree (20) immunized part of the decisions of the expropriated authority from judicial oversight and made its decision final, as it states: "If the acquisition includes part of a property and the rest of it is not usable, then the expropriating entity must appropriate it if the owner requests it. That is within three years from the date on which it took possession of the acquired part, and the council, or the expropriated body, in zones where there is no council, decided that it is not suitable for its use. In this case, there is no need for a decree to be issued to acquire the aforementioned part, and the decision of the Council or the expropriating entity in this regard shall be issued final ruling in all cases." Which is contrary to the Syrian constitution; Paragraph (4) of Article 51 of the 2012 Constitution stipulates: "It is prohibited to stipulate in laws the immunization of any act or administrative decision from judicial oversight."

- **Complexity of proof of ownership procedures:**

The legislative environment regulating real estate development in Syria has been integrated and harmonized with each other to form a cover for usurping the property of the Syrians. Paragraph (a) of Article 5 of Legislative Decree 66

¹⁷ Equal Pay: It is to compensate the owner for depriving him of the use of his property in the event of the unlawful seizure (last visit March 27, 2021).

of 2012 stated the following: "Within a period of one week from the date of issuance of this legislative decree, the Directorate of Real Estate Services shall request the Directorate of Real Estate Services to prepare a table of real estate owners names in conformity with the real estate restrictions, including the signs recorded on the cadastre."

This suggests that the "legislator" relied on the restrictions contained in the real estate registries. But, for those who know the two zones targeted by the decree (The first zone: the arrangement of the southeastern district of Mazzeh from the two real estate zones of Mazzeh - Kafr Sousse. The second zone: The arrangement of the southern part of the southern ring from the real estate zones of Mezzeh - Kafr Sousse - Qanawat Basateen - Daraya - Qadam) it is known that the owners of the restrictions have often sold their properties through unrestricted contracts that are not mentioned in the real estate registries, and for the sake of those who did not restrict their rights (and they are the majority), the procedures for establishing ownership were complicated in the two organizational zones targeted by the decree; Paragraph (a) of Article (6) stipulates: "The governorate of Damascus shall, within a month of the issuance of this legislative decree, invite the owners and holders of real rights in the two districts to make an advertisement published in at least one local newspaper, in one of the audiovisual media, Damascus governorate's website, governorate's bulletin board, and the district's bulletin board to declare their rights, and those and everyone who has a relationship with the real estate of the organizational district in origin, custody or agency must submit to the Damascus governorate within thirty days from the date of the announcement with a request specifying his chosen place of residence within the city of Damascus attached to the documents supporting his rights or copies thereof, if any, and in the absence of them, shall mention in his request the locations, borders, shares, and the forensic and legal type of the property or the rights he claims."

This is despite the knowledge of the legislator that within the normal conditions in Syria before the war, a period of (30 days) may be insufficient to complete the procedures for reasons related to bureaucracy, underdevelopment of the cadastre and rampant corruption in the state apparatus. You can just imagine how things will be in Syria in light of the war, destruction, forced displacement, and security forces pursued opponents and their relatives, and arrested them and killed a numbers of them under torture. This is in addition to the destruction and damage of many real estate records, court records, and notary public documents proving property rights. In addition, there are violating buildings located within zones classified as slums, targeted by the organizational process, and the person's property in these areas may be undefined and not registered in the cadastre, whose ownership is often proven by written deeds among the

people who traded it by sale and purchase, or through the "bills" paid by the property owner, which complicates the issue of proof of ownership.

In spite of the legislator's awareness of all this, Paragraph (b) of Article (6) in Decree (66) came to delude the insiders and those concerned with the decree with facilities provided by the legislator to relieve its legal responsibility, and to show its good faith. It stipulates: "Relatives of rights holders in the regulatory zone of any degree may exercise the rights stipulated in the previous paragraph on behalf of their owners (ie, the aforementioned paragraph A)," which is the paragraph amended by Law No. (10) of 2018 subsequently. To allow "relatives of rights holders up to the fourth degree or under a legal agency to exercise the duties and rights stipulated in the previous paragraph on behalf of their owners." The legislator here ignored tens of thousands who have been forcibly disappeared in Syria since March 2011. Of course, these people will not be able to submit requests to prove ownership themselves or appoint an agent. In addition, their relatives may not have the necessary documents to prove ownership (that is, if they dare to claim the ownership of a missing person's property at all).

The legislator also ignored the inability of opponents and those who failed to serve in the Assad army and the refugees outside Syria to obtain security approval as a condition for organizing agencies. In August 2015, the Ministry of Local Administration issued a circular bearing the number (463/T), stating that all cases of real estate sale or transfer of ownership in organized and unorganized zones require prior "security approval". In October 2017, and based on this circular, the Syrian Ministry of Justice issued a decree bearing the number (689/T) stipulating the requirement to obtain security approval for those wishing to appoint internal or external agent operations for individuals or companies and to be notarized, including those that take place outside Syria. In May 2018, the Ministry of Justice also issued a circular bearing the number (351/T) stating that security approvals must be obtained even in the event of participating in a public auction to sell real estate, which includes both the seller and the buyer. Although these circulars violate the constitution, no one dares to act otherwise.

Decree (66) of 2012 not only complicated the procedures for establishing ownership in preparation for its usurpation, but also placed the owner before compulsory paths, the sweetest of which are bitter. Paragraph (a) of Article (29) of the Legislative Decree (66) stipulates: "The distribution of the plots, the transfer of their ownership and their registration in the cadastre, shall take place within three options according to the desire and choice of the owners of the organized plots shares in collective ownership; the first option: specializing in the plot. The second option: contributing to the establishment of a joint stock company in accordance with the applicable corporate law or the real estate

development and investment law to build, sell and invest in plots. The third option: selling by public auction." Paragraph (b) of the same article stipulated that "the owners of the shares of the organizational plots in collective ownership within a year from the date of the announcement of the distribution schedule, to apply to the Damascus governorate with a request to specify one of the options mentioned in the previous paragraph A". This is the paragraph amended by Law No. (10) later the period was reduced from one year to six months.

And if we know that most of the owners of this zone targeted by the organization are poor and marginalized people, we realize that their shares do not allow them to specialize in a share (especially after 20 percent of their shares were "free deduction"), and whoever whose shares allow them to specialize will be hindered by the procedures accompanying this choice, especially in light of the corruption that state institutions suffer from, and the security restrictions and bureaucracy that shackle the owners. Those who are originally the majority of whom are poor may not be able to bear the costs, especially after they have been exhausted by the years of war. It is also what makes the second option (establishing a joint stock company) complicated. So, the only compulsory path in front of them remained, which is the sale by public auction, which suggests that the deal will be anchored in favor of the whales of the network of relatives and cronies, especially those associated with Iran and supported by the Assad regime.

And if Decree No. (66) restricted what was contained in it within two organizational zones in Damascus, then Law No. (10) of 2018 came to unleash Decree No. (66) on the whole of Syria and broaden the circle of property usurpation by fixing the complexities of the conditions for proving ownership, besieging owners and placing them in compulsory paths that ultimately lead them to abandon their property.

As a fraud from Assad's authority on the international and domestic condemnation of Law No. (10) of 2018 and demanding its abolition, it issued Law No. (42) of 2018, to amend the period stipulated in Law No. (10) while deliberately neglecting the rest of the violations, as if the problem of Law No. (10) it was only for the time period that he required to present the ownership documents; Where Law No. (42) stipulates:

- Amending Paragraph (1/2) - Article /6/ of Article /2/ of Law No. /10/ of 2018 to read as follows:

A- Within a month of the issuance of the decree creating the zone that the owners and rights holders in it are not fixed in the cadastre, or in other legally authorized entities to keep ownership records, are called to declare their rights through an advertisement published in at least one local newspaper and in one of the audiovisual media and its website, in the governorate's bulletin board and

the district's bulletin board, and those and everyone who has a relationship with the organizational district's real estate in origin, custody, or agency, must submit to the administrative unit within one calendar year from the date of the announcement, with a request specifying his chosen place of residence within the administrative unit attached to the papers and documents supporting his rights or copies about it, if any; in the event that they do not exist, the person must mention in his request the locations, borders, shares, legal and type of the property or the rights he claims, and all the lawsuits filed or filed against him. Despite the amendment of the period of proof of ownership in the new law to become a full year, this amendment escaped to the peels and did not pay attention to the essence of the issue, which is the inability of opponents, refugees and their relatives to obtain documents, organize agencies, or visit the state administrations. This is in the event that there are still documents at all due to the conditions of war, displacement, asylum, and the deliberate targeting of the Assad regime by bombing and burning the cadastres.

This march of usurping property extended to the ruins of Syrians' homes, which were left behind by the brutal war machine that Assad's authority waged against the Syrian people. There is no building or ruins, and hence there is no trace of the ownership of the owners and their rights in it. On February 12, 2018, Law No. (3) was issued to remove the rubble of damaged buildings due to natural or unnatural causes, or because they are subject to the laws requiring their demolition. The second article of it stipulates: "A- The governor, upon the proposal of the administrative unit, issues a decision defining the real estate zone and the damaged buildings covered by the provisions of this law, and specifying in the decision the time limit within which the administrative unit must prepare a detailed report on the reality of this zone, provided that this period does not exceed 120 days."

B- The decision is published in the official gazette and announced in one of the capital's newspapers and in a local newspaper, if any, and it is announced on the bulletin board of the administrative unit and the lobby of the governorate and the district directorate for a period of 15 days.

C- The owners of real estate properties, private holdings and rubble, their legal agents and their relatives up to the fourth degree, and anyone with an interest may submit to the competent administrative authority within 30 days from the date of the announcement of a request in which he indicates his place of residence attached to the documents and documents supporting his rights or copies thereof in the event that they are not available and to be mentioned in his request is the locations, borders, shares, and forensic and legal type of real estate and private holdings, or the rights he claims.

We note that what was previously mentioned falls within the prohibitive conditions according to the conditions of the population that we referred to earlier. Article (11) of the same law comes and discloses the intention of the legislator, as paragraph (b) of Article (11) states: "The administrative unit shall keep private holdings which it deems to be of great material value in a private warehouse as trusts and return it to its owners after they apply and prove their ownership of them, and by the lapse of one calendar year from the date of the 30 day period specified in the previous paragraph (a), the provisions of paragraph (c) of this article shall apply to these holdings. Which states: "The rubble and the like, which are removed and deported by the administrative unit from public and private properties, are sold by public auction in accordance with the procedures stipulated in the contract system for public entities."

- **Deciding on the valuation of real estate by non-neutral parties:**

The method of estimating the value of real estate is one of the most serious violations found in Decree 20 of 1983, as the entire process is controlled by non-independent and therefore non-neutral parties. The first paragraph of Article (12) stipulates that: "The expropriating entity shall form a preliminary committee to assess the value of the expropriated property ..." Thus, the body that forms the initial appraisal committee becomes the same entity that is expropriated, and then has the powers to dismiss it if it does not like it or exchange one person for another in it; therefore, this committee is not neutral at all, as it is subject to the instructions and directives of the expropriating body that expropriated the property, and then determines itself (through the committee that appoints it) the allowance that it wants to pay for this property.

As for the appeal against the decision of the preliminary committee to assess the value of the expropriated real estate, it takes place before the committee of "reconsideration" that is formed by a final decision of the head of the executive office of the Governorate Council, according to Article (23) which states: "Objections to the initial assessment are examined by a review committee formed by a final decision of Head of the Executive Office of the Governorate Council in which the expropriated property is located within its borders, as follows: A judge nominated by the Minister of Justice as Chairman, a representative of the expropriating Authority nominated by the competent Minister as a member, a representative of the owners of expropriated properties as a member, a representative of the Peasants' Union to be designated by the Executive Office of the Peasants' Union in the governorate. As a member, a representative of the governorate chosen by the governor as a member."

We note from the formation of this committee that it has one judge affiliated with the Ministry of Justice from among the members of whom only one of them

represents the owners of expropriated property, thus negating the neutrality and independence of this committee, which cannot be considered a judicial committee as long as most of its members are not judges, and as long as it is not subject to judicial authority. In addition, the decisions of this committee are final and do not accept any form of appeal or review according to Paragraph (2) of Article (24) of the same decree.

When we studied Legislative Decree (66) of 2012 and Law (23) of 2015 and Law (10) of 2018, we found that the committee charged with assessing the value of real estate was formed by a decision by the government arrested by the Assad authority represented by the governor of Damascus, with a majority affiliated with it. Then, it is a non-neutral and independent committee, and it also represents the local community in nothing but a decor to polish its image. Where Article (24) of Legislative Decree (66) states:

A- The values of the organizational plots are estimated and distributed in equity shares in the collective ownership among the rights holders in the organizational zone by a committee formed by a decision of the governor of Damascus as follows:

- A judge with the rank of counselor nominated by the Minister of Justice as president.
- Two experts in real estate appraisal were nominated by the Minister of Housing and Urban Development as members.
- Two experts "represent the owners" as members.

Here, the head of the committee nominated by the Minister of Justice, and the two experts in real estate appraisal nominated by the Minister of Housing as members, while the owners are represented by two expert members, and on the assumption that the owners can actually elect two experts to represent them (which is very difficult in light of the circumstances that we referred to above), the majority in this committee will be in favor of the government, which is under the control of al-Assad's authority, and then the judge will become an opponent.

While Article (28) of Law (23) of 2015 specifies the mechanism for forming a committee for resolving disputes consisting of three members of the government without any representation of the owners. The article stipulates: "A committee with jurisdiction over all objections and claims of ownership, property and personal disputes over real estate located in the area shall be formed at the administrative authority by a decision of the Minister of Justice and within thirty days from the expiration date of the period set for submitting claims of ownership. All similar cases related to the region existing before the courts that have not been decided by a final ruling according to the following:

- 1- A judge of no lower rank than a counselor nominated by the Minister of Justice as president.
- 2- A representative of the Directorate of Real Estate Interests in the governorate, who holds a degree in law, as a member.
- 3- A representative of the administrative body, licensed in law, to be designated by its president as a member.

Article (31) of the same law exempted the committee from adhering to the rules and deadlines established in the due process law, as it stipulated: "The committee is exempt from adhering to the rules and deadlines established in the Procedure Law, and it must decide on the disputes submitted to it within the period determined by the decision to form it in accordance with the volume of its work, provided that it does not exceed six months from the date of the decision to form it." Article (35) also defines the method of forming the committee entrusted with the compulsory distribution of shareholding shares. Paragraph (a) of it stipulates: "Compulsory distribution shall be made by a committee formed by a decision from the Minister of Justice based on a request submitted by the administrative body as follows:

- 1- A judge with the rank of advisor nominated by the Minister of Justice as president.
- 2- Two experts in real estate appraisal named by the governor as members.
- 3- Two experts in real estate appraisal representing the owners and rights holders in the area as members."

As for property owners in the organizational area, the governor invites them to elect their representatives at a specific time and place. If the property owners do not respond to this call, the first-instance judge shall appoint the two expert members to represent the owners. According to what we mentioned above, this committee will most likely be organized according to the whim of a government seized by al-Assad authority.

- **Ownership restriction:**

Decree (66) of 2012 adds a new violation of property rights; Where its fourth article restricted ownership, which stipulated: "It is forbidden to carry out the following transactions on property within the two organizational zones after the issuance of this legislative decree:

A- Sales and purchase, donation, membership replacement, assignment, transfer of rights, any insurance contract, mortgage or agency of any form, conceals this behavior.

B- Merging, sorting and correct descriptions.

C- Granting a building permit.

D- Change in the organizational zone real estate features and descriptions." Thus, these properties were out of circulation and their owners could not perform any transaction on them.

In Paragraph (f) of Article /18/ of Law (10) of 2018, restricting ownership, as it stipulates: "No real or legal person shall be entitled after the creation of the organizational zone in accordance with the provisions of Legislative Decree No. 66 of 2012 and the provisions of this law. Owning and disposing of any shares in the organizational plots that are commonly owned by the method of trading, buying, or assignment, which enables the specialization in more than one of the organizational plots. Among the forms of acting are sale, donation, membership substitution, assignment, assignment of rights, any insurance contract, mortgage, or agency of any form that leads to ownership. Such an act is deemed absolutely null in the course of implementing Legislative Decree No. 66 of 2012 and the provisions of this law." This restriction of ownership is a flagrant violation of property rights and a violation of the constitution, especially if we take into account the non-participation of the owners and their consent in the first place, and their lack of consultation in deciding the fate of their property.

There are laws and legislations from outside the legislative environment for real estate development that have integrated, cooperated with, and supported them in usurping the ownership of the Syrians, especially from the disobedient community revolting against Assad's authority. Here is Law (19) of 2012 (the Anti-Terrorism Law published on July 2, 2012), which provides for the freezing of opponents' funds and confiscation of their property, and it is the law that criminalized many Syrians and deprived them of their right to a fair trial and the right to defend themselves. In response to this law, the Terrorism Court was established in Damascus in (2012), according to Decree No. (22). Article (11) of the aforementioned law (the terrorism law) stipulates: "The competent public prosecutor or whoever delegates him may order the freezing of the movable and immovable property of anyone who commits one of the crimes related to the financing of terrorist acts or commits any of the crimes stipulated in this law if there is sufficient evidence to do so in order to guarantee the rights of the state and those affected." Article (12) of the same law stipulates: "In all the crimes stipulated in this law, the court shall rule by conviction to confiscate the movable and immovable properties and their proceeds and the things that were used or intended to be used in committing the crime, and it shall rule to dissolve the terrorist organization, if any." The decree (63), published on September 16, 2012, also gave the judicial police the right to request the Ministry of Finance to take precautionary measures on the movable and immovable property of

persons under investigation and no crime has yet been proven against them, as suspected terrorists under the Counter-Terrorism Law 2012; where the first article stipulates: "The law enforcement authorities, in the course of their investigations regarding crimes against the internal or external security of the state, and the crimes stipulated in Law (19) of 7/2/2012, may request the Minister of Finance in writing to take precautionary measures. Necessary for the movable and immovable property of the accused, and the Public Prosecution and the investigating judge, during the hearing of the case, may take these measures against the accused or the defendant, including the travel ban, until he is proven in the case by a judicial ruling of the final degree¹⁸."

According to Law No. (19) and the rulings issued by the Terrorism Court, the seizure and confiscation of the property of Syrians, including political opponents, aid activists, writers, intellectuals, and journalists, were carried out. In October 2019, Circular No. (346) was issued requiring all departments of Real Estate Interests in the governorates (the director of real estate interests is a member of the Board of Directors of the "General Authority for Real Estate Development and Investment") by giving the peremptory provisions on confiscation issued in accordance with the provisions of the Terrorism Law (19) of 2012 "the required priority and importance," and not delaying their implementation, and transferring ownership from "the name of the convicted to the name of the Syrian Arab Republic".

The process of seizing property was not limited to political and military opponents, but also extended to those who failed to serve in the military service. On 11/15/2017 Law No. (35) was issued requiring the amendment of Clause /B/ of the first paragraph of Article /74/, and Article /97/ of the Military Service Law promulgated by Legislative Decree No. (30) of 2007; Article (2), Paragraph (H-1) stipulates: "Precautionary seizure shall be made on the movable and immovable property of those charged with payment who have refrained from paying the missed military service allowance within the period specified in the previous paragraph /d/ by a decision issued by the Minister of Finance.

Article (97) of Legislative Decree No. (30)¹⁹ and amended by Law (35) of 2017 stipulated: "Whoever exceeds the age specified for Compulsory Service and

¹⁸ People's Assembly, Legislative Decree 63 of 2012, judicial police authorities (last visit March 27, 2021). <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=16218&ref=tree&>

¹⁹ Official website of the People's Assembly, Legislative Decree 30 of 2007 Law on Military Service (last visited March 27, 2021). <http://parliament.gov.sy/arabic/index.php?node=201&nid=4921&>

has not performed it other than the reason for the exemption stipulated in this law shall be compensated for a civilian by paying a missed Service allowance. according to the following:

A - The lump sum salary for the rank of volunteer lieutenant for a period of thirty-five months for those holding university degrees with more than four years of study.

B -1 - The lump sum salary for the rank of first class volunteer sergeant for a period of thirty-five months for university degrees in which the study is four years.

B -2 - The lump sum salary for the rank of first class volunteer sergeant for a period of thirty-five months for holders of intermediate institute or high school diplomas of all kinds.

C - The lump sum salary for the rank of first soldier volunteers first class for a period of thirty-five months for the rest of those charged with service.

E - cancellation of his registration after payment.

- This compensation is collected according to the Public Funds Collection Law."

This means that the new amendment to Article (97) of the Legislative Decree (30) of 2007 stipulates that those who exceed the age to join the service must pay the fee for missed service (specified in Article (13) of the same decree). In the event of non-payment, his movable and immovable properties are precautionary seizure, by a decision of the Ministry of Finance, without resorting to the judiciary.

And in September 2020, Bashar al-Assad issued Legislative Decree No. (31) which stipulated the amendment of Articles (13 - 26 - 95 - 97 - 99 - 100 - 105 - 107 - 113 - 114) of Legislative Decree No. (30) on May 3, 2007; where it was decided to pay an amount of three thousand US dollars as a service allowance for those who have a medical excuse to classify them as "administrative" fixed services, and the same amount for those who were born and resided outside Syria, and it was also decided to pay a cash sum to those who are outside Syria from among the Syrian youth on the basis of segments. This decree expanded the scope for the payment of the monetary allowance. It gave the right for the first time to students who were sent to study abroad at the expense of the government, civil pilots and youth residing abroad even for one year.

With the entry into force of Legislative Decree No. 31 of 2020 in February 2021, the head of the "Allowance and Exemption" branch of the General Recruitment Directorate, Brigadier General Elias Bitar, in a video recording broadcast by the

Ministry of Information:²⁰ That "no person assigned to service or a citizen, even if he is over the age of 42, cannot pay the missed service allowance, which equals 8 thousand US dollars." And added that "There are strict laws that will be taken by the judiciary, the Ministry of Finance, or the General Authority for Taxes and Fees, according to which they will make an executive seizure according to a letter issued by the Recruitment Division on the property and livelihood of anyone who does not pay the allowance for exemption from service, or the executive seizure of the property of his family or relatives." With our review of the laws in effect related to compulsory service, we did not find a legal text permitting executive seizure of the property of the family and relatives of the person charged with compulsory service, and it was limited to the implementation of precautionary seizure on his money only (which we explained earlier). Therefore, the statement issued by Brigadier General Elias Bitar is a statement that is not based on a legal text, but rather a statement intended to terrorize the Syrians, blackmail them and push them to forfeit their property. However, on the other hand, an official statement on an official website confirms the determination of the Assad authority to do this. The statement came as a "test balloon" to seek opinions, and there may be subsequent laws that have not been announced yet.

We show the extent of the laws and legislations violating property rights, which were mentioned in this section, in view of international covenants, international human rights law and international humanitarian law regarding the protection of property rights. Article (17) of the Universal Declaration of Human Rights of 1948 stipulated that "(1) Everyone has the right to own property alone as well as in association with others. (2) No one shall be arbitrarily deprived of his property."²¹ Article (25) of the same declaration stipulates that: "(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. This is also emphasized by Article (5) of the International Convention on the Elimination of All Forms of Racial Discrimination of 1965²², where paragraph (D/5) stipulates that a person

²⁰ Video of Brigadier General Elias Bitar. (Last visited March 27, 2021)
[https://cdn.enabbaladi.net/arabic/wp-content/uploads/2021/02/IMG_3163.mp4?_ =1](https://cdn.enabbaladi.net/arabic/wp-content/uploads/2021/02/IMG_3163.mp4?_=)

²¹ United Nations, Universal Declaration of Human Rights. (Last visited March 27, 2021).
<https://www.un.org/ar/universal-declaration-human-rights/index.html>

²² United Nations, International Convention on the Elimination of All Forms of Racial Discrimination. (Last visited March 27, 2021) <https://www.ohchr.org/ar/ProfessionalInterest/Pages/CERD.aspx>

has "the right to own property alone or in association with others," and (E/3). The right to housing."

The UN Guiding Principles on Housing and Property Restitution for Refugees and Displaced Persons emphasize property preservation, non-forced evictions, home demolitions, and property confiscation. Where the second branch confirmed that "(2-1) All refugees and displaced persons have the right to have restored to them any housing, land and/or property of which they were arbitrarily or unlawfully deprived, or to be compensated for any housing, land and/ or property that is factually impossible to restore as determined by an independent, impartial tribunal." "(2-2) States shall demonstrably prioritize the right to restitution as the preferred remedy for displacement and as a key element of restorative justice. The right to restitution exists as a distinct right, and is prejudiced neither by the actual return nor non-return of refugees and displaced persons entitled to housing, land and property restitution."²³

Article 53 of the Fourth Geneva Convention of 1949 also prohibits the occupying power from destroying any fixed or movable private property related to individuals or groups, the state or public authorities, or social or cooperative organizations, unless the war operations inevitably require this destruction.²⁴

2- Zones of real estate development in Syria

The real estate development zone is defined as real estate and parts of real estate covered by the provisions of the law, whether built or not, inside or outside the organizational chart. "The Real Estate Development and Investment Authority" has divided them into four categories: modernized real estate development areas, slums housing areas under study, real estate development areas under study, and real estate development areas under development. The General Authority for Real Estate Development and Investment is working on creating real estate development zones in two directions: the first; includes address slums, and the second; creation of private or public real estate development areas. Also, according to the "Authority", slum areas in Syria

²³Syrian Lawyers, Human Rights Committee, brings together principles relating to housing and property restitution for refugees and displaced persons (IDPs), Special Rapporteur (Paulo Seggio Benheiro). (Last visited March 27, 2021).

<http://freesyrianlawyers.com/index.php/ar/%D9%88%D8%AB%D9%8A%D9%82%D8%A9-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9>

²⁴ International Committee of the Red Cross, Fourth Geneva Convention, 1949, November 21, 2017.

<https://www.icrc.org/ar/resources/documents/treaty/geneva-convention-iv-on-civilians>

contain large numbers of residents, who constitute more than 40 percent of the total population in the main cities.

These slums have arisen due to the migration of rural residents to neighboring cities to be closer to the civil services, the labor market, and jobs that the countryside lack in general, pushing them to that poverty, weak rural development, deficiencies in balanced development programs between large cities and their rural surroundings, lack of urban planning, and the government's failure to adopt balanced housing policies. It takes into account those entering the housing sector, until the percentage of informal settlements in the city of Aleppo, for example, reached about 50 percent. This is in addition to the rampant corruption in the state apparatus, which encouraged and overlooked building violations in exchange for sums of money and bribes, thus perpetuating the reality of slums. Where water, electricity, and sewage systems were extended to it, and taxes were levied from its residents.

And if the main problem of Syria during the first independence was the problem of the poor peasants, then the problem of Syria on the eve of the Syrian revolution is the return, to some extent, of the peasant problem again. In addition to the exacerbation of the problem of poverty belts, which has expanded and reached the societies that are described as settled within cities, and usually they are less fragile than the poverty belts societies. Therefore, invoking real estate development projects at this time was part of Assad's authority battle over these areas, that revolted against them due to marginalization and impoverishment, and were the areas of the revolutionary movement that witnessed the momentum of the protests.

A- Examples of created real estate development zones

We focused our attention on studying representative models from the created real estate development zones without other development zones (Note that we documented all of these areas in a later part of this section) due to the fact that work on them is underway, and some of them have become open for investment by real estate development companies, namely:

1- Al-Haidaria



Al-Haidaria Project (Source: The official website of the General Authority for Real Estate Development and Investment)

-Project location: The project is located in the northeast of the city of Aleppo, on flat lands with a light slope.

-Area: 118 hectares.

-Population: 45,000.

-Administrative subordination: Aleppo City Council.

-Real estate: the area is fully owned by the state, and all real estate is located within the general organizational chart approved for the year 2004 and within the administrative boundaries, and located outside the prohibitions and sanctuaries and tourist areas.

-Road connectivity: The road connection, water sources, electricity and sanitation are available, and it is linked with the city center of Aleppo by a road with a width of 60 m.

-Estimated investments: The total estimated investments required to implement the real estate development program are 10.2 billion SP (at 2011 prices).

Al-Haidaria neighborhood is classified as a collective irregularity zone within the city of Aleppo, and its real estate development area has been fully acquired since 1982, and its properties are located within the general organizational chart

approved in 2004, and are linked to the city center with water, electricity, telephone, sanitation and road connectivity.

The neighborhood's lands were originally privately owned meadows used for grazing. The state acquired part of it in the 70s under the pretext of development²⁵, but the neighborhood was soon overrun by networks of contractors and brokers associated with the intelligence services and influential in state institutions to divide it and then sell it as plots, which prompted the original owners to sell what was left of their lands to those networks.

In 2008, the local newspaper "Qasioun" reported that "the Hanano sector of the municipality of Aleppo, with the support of the municipal police forces and members of the Hanano police station, raided a number of residential houses located in the Al-Haidaria neighborhood, and the aim of this raid was to expel the residents from these houses, and demolishing them even without evacuating their contents, based on old warnings issued since 1983, without the Hanano sector or the police forces having any legal order to demolish them, but this campaign stopped after objections from the residents of the area."²⁶

After the start of the protests in Syria in March 2011, the slums were among the first areas to witness protests in the city of Aleppo, especially the Al-Haidaria neighborhood, in which the demonstrations began since August 2011, and its residents were subjected to more than one arrest campaign and raids on their homes by the security forces affiliated Assad authority, against the backdrop of the protests that took place in it. In late July and early August 2012, the armed opposition factions took control of eastern Aleppo, including Al-Haidaria neighborhood, in which several massacres took place after this date as a result of the Assad regime's forces targeting the neighborhood with barrel bombs, the largest of which was the al-Haidariya Ring massacre that occurred as a result of the Assad's air strikes on that area with barrel bombs in February 2014. Before that, a terrible massacre took place in January 2013, which led to the displacement of most of its inhabitants, and the complete and partial destruction of large parts of the neighborhood.

²⁵ The Syrian-German Technical Cooperation Program for Sustainable Urban Development, Slums in Aleppo, 2009 (last visit March 27, 2021). http://madinatuna.com/downloads/IS-Book_ar.pdf

²⁶ Qasioun Newspaper, Al-Haidariya neighborhood, between corruption of the Aleppo municipality and the arbitrariness of police officers, August 2008 (last visited March 27, 2021) <https://kassioun.org/syria/item/46630-20313>



An image showing the extent of the destruction in the Al-Haidaria neighborhood (Source: Aleppo City Council's Facebook page)

On November 28, 2015, the Assad authority forces and the militia loyal to it entered the neighborhood, then it was completely evacuated after the Assad authority and the armed opposition factions reached a truce agreement on December 13, 2015, which stipulated a ceasefire and the evacuation of civilians in besieged neighborhoods in eastern Aleppo And the militants, including Al-Haidaria neighborhood.

After Assad authority and the militias affiliated with it took control of the neighborhood, a partial return of some residents of the neighborhood was allowed under very complex security conditions, punctuated by much of extortion, and when some residents returned to their homes, they found them occupied with new residents of militias affiliated Assad authority, according to several media field investigations.

Those who returned to the neighborhood since 2016, suffered from deliberate negligence in terms of services and education, as an investigation²⁷ conducted by Al-Jamahir newspaper (a pro-government newspaper) reported power cut in the neighborhood since 2016 until March 2020 (the date the investigation was published), bearing in mind that the neighborhood has voltage transformers and medium voltage networks, and what it needs is to extend the low voltage network and only feed the voltage transformers. With regard to the reality of

²⁷ Al-Jamahir Newspaper: Connecting electricity is the first and foremost of their demands ... Residents of Al-Haidaria neighborhood demand the restoration of schools, maintenance of streets and sanitation, March 2020 (last visit March 27, 2021).

education, the neighborhood lacks a ninth-grade school and high school, which forces the residents to send their children to adjacent neighborhood or city center schools, and some of them refrain from completing their children's education due to the long trip, especially for girls. Who returned to the neighborhood also suffered from the lack of transportation, as there are only two buses for domestic transport, in addition to 10 minibuses out of the 37 registered on the line. There is only one bakery in the neighborhood (Nashat Jabri Bakery) which suffers from a lack of diesel. As well, the problem of the ruined sewage network and the danger represented by its water leaking into clean water and homes.



Sewage water inside homes and on the streets (Source: Al-Jamahir newspaper)

The evacuation of Al-Haidaria neighborhood began in January 2019, and the evictions came after some residents were notified of the necessity to evacuate their homes in late 2018. By February of the same year, Aleppo City Council began the demolition work and started removing the rubble from the neighborhood . Without considering the fate of the residents, securing alternative housing or compensating them. The fact that the neighborhood is owned by the state, and most of its buildings are violations, so demolishing them and then removing their rubble will deprive the residents of their rights since the element of possession and the building they used to occupy has disappeared. The land is expropriated, the inhabitants displaced, and the houses have ceased to exist.

In July 2020, the Minister of Local Administration and Environment, Hussein Makhoulouf, inaugurated the real estate development project in Al-Haidaria

neighborhood and the completion of the first phase; as the demolition of the buildings located within the project's executive plan was completed, the construction of the public services network and infrastructure (roads, balconies, sewage, sidewalks and water) was completed, and the area was ready to be offered for investment in partnership with the "General Authority for Development and Real Estate Investment" under the supervision of the Ministry of Public Works and Housing of Assad's Authority.



The Minister of Local Administration and Environment, Hussein Makhoul, inaugurates a real estate development project in the Al-Haidaria neighborhood in the city of Aleppo (Source: Aleppo City Council's Facebook page).

On November 11, 2020, the City Council of Aleppo announced, through its official Facebook page²⁸, to residents of the buildings located in Block B and the surrounding streets in Al-Haidaria region, which are shown in the plan for the area advertised in the official gazette and in the council's notice board, visit the Hanano Services Directorate to present a file (carton envelope), which includes the following documents: all the identification documents related to the property, an conformity certificate from the region Mukhtar, a site plan showing the whereabouts of the resident determined by the Hanano Services Directorate, a record for the installation of an electricity or water meter specifying the property number and the date of the installation, if any, a pledge to the clerk of justice that these papers are not valid as proof of ownership, an official martyrdom document for one of the resident family members (husband or one of his children), an official war casualty document for the beneficiary, and an affiliation document for members of the Syrian Arab Army for the same person or for one

²⁸ The official page of the "Aleppo City Council" on Facebook (last visited March 27, 2021).
<https://www.facebook.com/Alpcity1/>

of his children. This will start from November 20, 2020 until January 31, 2021, and if the required documents are not submitted within the period specified in the announcement, no new file will be accepted after the end of the period.

Syrian Arab Republic
Ministry Of Local Administration and Environment
Aleppo City

الجمهورية العربية السورية
وزارة الإدارة المحلية و البيئة
مدينة حلب

الرقم: ١٩٧٤ / متابع
التاريخ: ١٧ / ٢ / ٢٠٢١


إعلان

يعلن مجلس مدينة حلب لقاطني العقارات الواقعة ضمن البقعة B والشوارع المحيطة بها في منطقة الحيدرية والموضحة بالمخطط الخاص بالمنطقة المعلن عنها في الجريدة الرسمية ولوحة اعلانات المجلس مراجعة مديرية خدمات هنانو لتقديم اضبارة (مغلف كرتون) تتضمن الوثائق التالية:

- كفاة الأوراق الثبوتية التي تخص العقار القاطنين فيه.
- شهادة هيئة اختيارية من مختار المنطقة.
- مخطط موقع يبين مكان القاطن يحدد من مديرية خدمات هنانو.
- محضر تركيب عداد كهرباء أو مياه يحدد رقم العقار وتاريخ التركيب ان وجدت.
- سند تعهد لدى الكاتب بالعدل بأن هذه الأوراق لا يعتد بها لثبوت الملكية.
- وثيقة استشهاد رسمية لأحد أفراد العائلة للقاطن (الزوج او احد اولاده).
- وثيقة مصاب حرب رسمية للمستفيد.
- وثيقة انتماء لعناصر الجيش العربي السوري للشخص نفسه أو لأحد اولاده.

وذلك ابتداء من ٢٠٢٠/١١/٢٠ ولغاية ٢٠٢١/١/٣١ وفي حال عدم تقديم الأوراق المطلوبة خلال المدة المحددة في الإعلان لا تقبل أي اضبارة جديدة بعد انتهاء المدة.

رئيس مجلس مدينة حلب
الدكتور المهندس سعد المنلجي



Aleppo City Council announces to residents of real estate located within Block (B) and the surrounding streets in Al-Haidariya (Source: Aleppo City Council's Facebook page)

2- Tell Al-Zarazer



Tal Al-Zarzir project site (Source: The General Authority for Real Estate Development and Investment)

- **Project site:** The project is located on the southern side of the 2004 approved organizational chart for the city of Aleppo, 4.5 km from the Citadel of Aleppo.
- **Area:** 5.98 hectares.
- **Population:** 57,414.
- **Administrative subordination:** Aleppo City Council.
- **Real estate:** all real estate is located within the general organizational plan approved for the year 2004 and within the administrative boundaries, 67% of the area is expropriated, the rest is private property, and all real estate is located outside the prohibited areas and the sanctuaries and outside the tourist areas.
- **Road connectivity:** It has road connectivity, sources of water, electricity and sewage.
- **Estimated investments:** The total estimated investments required to implement the real estate development program amount to 9,077 billion SP (at 2011 prices).

In the beginning, the "Tal al-Zarazir" neighborhood was agricultural land planted with olive trees and pistachios, then settlement began in 1970, and the neighborhood grew as slum controlled by a network of brokers and contractors linked to the Security Services and influential people in the State, who divided

these lands into plots, and began to construct high-story buildings illegally that did not observe safety standards, especially if we know that part of these buildings were built on land in the southern part of the neighborhood, that was a solid garbage dump that the people of Aleppo used in the past. The buildings are constructed on a ground of uncompressed solid garbage that threatens the inhabitants of those buildings' safety. These buildings were later sold to the poor crawlers from the countryside to the city, especially the people of the northern and northwestern countryside. "Tal al-Zarazir" neighborhood is one of the poorest and most chaotic slums in Aleppo. Aleppo City Council owns 67 percent of the total area of the neighborhood. The Ministry of Endowments owns part of the neighborhood's land, in addition to private companies that own land in the eastern part of the neighborhood.

The neighborhood's residents suffered from many economic problems. As the huge increase in unemployment and poverty among them, which led to social problems such as school dropout, illiteracy and child labor, especially the southern part of the neighborhood, which also suffered from conflicts between social groups, and the spread of drug smuggling and abuse²⁹.

After 2011, the neighborhood witnessed protests against Assad's authority in the context of the Syrian revolution, then the armed opposition factions entered it in October 2012. Since then, the neighborhood has become a target for Assad's authority forces, which bombed it with various types of weapons, including those that are internationally prohibited, and committed crimes. There are several massacres, the most terrifying of which occurred on March 20, 2012, when the Assad regime's air force dropped three barrel bombs on the neighborhood, which led to the destruction of a three-story building and turning it into rubble, two buildings were partially destroyed and a number of casualties were killed or wounded. Since September 2015, the Russian occupation air forces have participated in bombing the neighborhood.

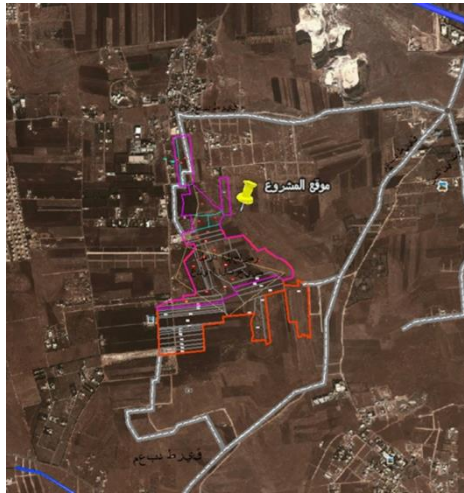
²⁹ Slums in Aleppo, previous reference.



During the removal of rubble from the victims after the Assad regime's warplanes bombed the Tal al-Zarazir neighborhood on March 20, 2013
(source: Al-Jazeera Net)

In July 2019, some residents of the neighborhood received warnings to evacuate their homes. In September of 2019, there were demolitions of homes for civilians in the neighborhood, which were carried out by the Aleppo City Council, forcing families from the neighborhood to evacuate their homes. Until now, the official authorities have not provided them with alternative housing or compensation for the demolition.

3- Kafr Da'il



Kafr Da'il project site (Source: The official website of the General Authority for Real Estate Development and Investment)

- **Project location:** It is located in the western side of Aleppo, 15 km away from the city center and on the axis (Aleppo - Samaan Castle).
- **Area:** 35.0723 hectares.
- **Population:** 9,800.
- **Number of proposed housing units:** 1,960 units.
- **Administrative subordination:** Aleppo Governorate.
- **Real estate:** private property of the Syrian Gulf Company. All real estate is located outside the prohibited sanctuaries and the tourist areas.
- **Road connectivity:** It has road connectivity, water and electricity sources.
- **Estimated investments:** The estimated investments required to implement the real estate development program amount to 9 billion SP (at 2011 prices).

Kafr Da'il is located on the road between the city of Aleppo and Jabal Samaan, and it is a village where residents used to grow wheat and olive trees and raise livestock. Its ownership belongs to the villagers there and some people who live in the city of Aleppo. It remained unchanged until it was included within the administrative boundaries of the city of Aleppo, which encouraged the arrival of new residents, and thus Kafr Da'il became divided into two regions; the old city area and an expanding area inhabited by new residents. Before 2011, there

were many industrial workshops in Kafr Da'il; such as stone-cutting workshops, food and dairy industry, and building materials manufacturing³⁰.

Since the beginning of the protests in Syria, Kafr Dael has witnessed demonstrations and protests in the context of the Syrian revolution and as a result, since late 2012, it has been subjected to intense bombardment by the warplanes of the Assad regime. Russian and Syrian warplanes repeatedly fired thermobaric munitions and cluster bombs and committed several massacres in them. The largest of which was the one that took place on November 11, 2016 it left nine victims³¹. The bombing also left the infrastructure and civilian homes destroyed, and as a result this city witnessed waves of displacement to safer areas in the western countryside of Aleppo and the northern outskirts of Idlib.

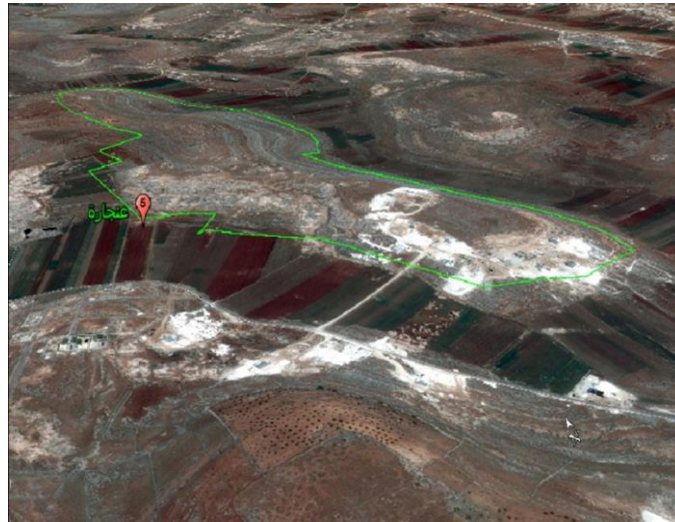


Image showing the destruction in Kafr Dael, as a result of its bombing with thermobaric and cluster munitions from Russian aircraft on June 6, 2016.
(Source: SMART Agency)

³⁰ Slums in Aleppo, previous reference.

³¹ Documented among them, Amer Sheikh Muhammad, 19- Muhammad Sheikh Muhammad 13 years old - Hanin Sheikh Muhammad 3 years - Haider al-Tawil 46 years - Imad Alaya 38 years - Munther Alaya 17 years - Omar Salim Qaddah 30 years.

4- Anjara



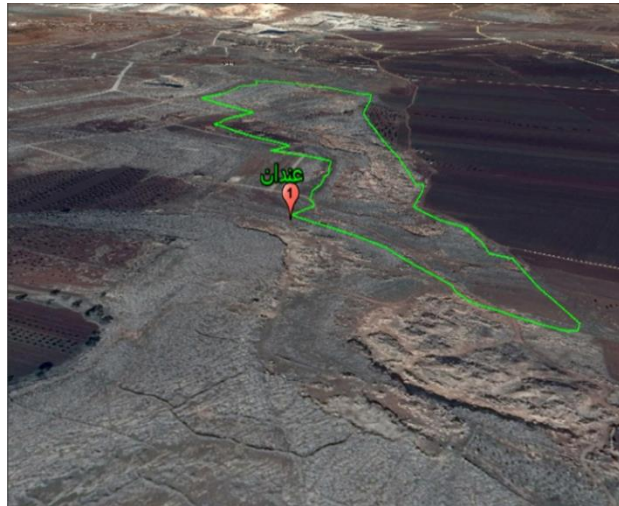
Anjara Project (Source: The General Authority for Real Estate Development and Investment)

- **Project location:** The project is located southwest and 2.5 km away of the town of "Anjara", which is about 20 km from the city center of Aleppo.
- **Area:** 79 hectares.
- **Population:** 20,000
- **The number of the proposed housing units:** 4,029.
- **Administrative subordination:** the council of the town of Anjara in the governorate of Aleppo.
- **Real Estate:** All real estates are outside the prohibited sanctuaries and tourist areas, and it is state property.
- **Road connectivity:** It has road connectivity, water, electricity sources and sanitation.
- **Estimated investments:** The total estimated investments required to implement the real estate development program amount to 10.7 billion SP (at 2011 prices).

Since the beginning of the Syrian revolution, Anjara has witnessed peaceful protests against Assad's authority and an armed battalion was formed in it that joined Liwa al-Tawhid since its formation was announced in July 2012. After that, the town was subjected to bombing raids by Assad's authority, and its intensity increased after 2015 due to the participation of the Russian air force in the war against the Syrian people; Several massacres were committed there, the largest of which occurred on January 11, 2016, when the Russian warplanes launched attacks on three schools in the village while students were taking their exams. As a result, at least twenty civilians, most of them children, were killed³².

³² A video documenting the destruction of the targeted schools.

5- Anadan



The Anadan project site (Source: The official website of the General Authority for Real Estate Development and Investment)

- **Project location:** The project is located to the west of Andan, about 2 km away from it, and about 15 km from the city center of Aleppo.
- **Area:** 26.8 hectares.
- **Population:** 8,000.
- **Number of proposed housing units:** 1,600 units.
- **Administrative subordination:** the city of Andan in the governorate of Aleppo.
- **Real Estate:** All real estates are outside the prohibited sanctuaries and tourist areas, and it is state property.
- **Road connectivity:** It has the road connection with the city of Anadan and the Aleppo-Azaz-Turkey road and it has water and electricity sources, telephone, and sanitation.
- **Estimated investments:** The total estimated investments required to implement the real estate development program amount to 3.6 billion SP (at 2011 prices).

The city of Anadan is 12 km away from the city of Aleppo in the Jabal Samaan region and belongs to the Aleppo governorate and it is located on the international road linking the city of Aleppo and the Turkish city of Gaziantep. The city witnessed arrests and executions.

https://youtu.be/aVEq54Uo_kg?t=32

After the outbreak of the Syrian revolution, the residents of the city participated in it since its inception³³ and as a result they were subjected to harassment and arrests carried out by the Assad authority. What added to their suffering, was the fact that their city was located near the areas of Nubl and Al Zahraa, in which a sectarian militia was subsequently formed, and then were killed, arrested, and looted their property.

However, the city soon switched to the option of a military confrontation. Three battalions were formed in it: the Anadan Martyrs Brigade, the Ahrar Anadan Brigade and the Mountain Martyrs Brigade. These brigades succeeded in repelling the Assad army's attempt to storm the city on March 25, 2012, and also participated in battles for control of northern countryside villages. These brigades joined Liwa al-Tawhid with the announcement of its formation in July 2012, to participate in most of the battles that took place in the old neighborhoods of Aleppo.

The city's Assad authority has paid great attention to its military importance in terms of its geographical location, as it connects between the western countryside and the northern countryside of the Aleppo governorate, in addition to being the most important outlet for controlling the Air Force Intelligence branch, which necessitated its exposure to the Assad's authority's retaliation by bombing, destroying, killing, arresting and deporting. As there were many massacres and hundreds of its residents were killed, dozens of them are still absent in the prisons of the Assad authority and their fate is unknown. The city was also subjected to looting and burning by the militias of the Assad authority and the neighboring militias of Nubl and Zahraa. What led to the forcible displacement of its residents was the head of the executive office of the Media Union of Aleppo and its countryside. Ismail Al-Raj told Al-Quds Al-Arabi, "The number of displaced people in the city reached about 23 thousand out of 25 thousand of its residents, including 10,000 children, of whom 50 percent do not go to schools in their places of displacement." Al-Raj added, "The percentage of completely destroyed buildings in the city of Anadan is 20 percent, and the percentage of partially destroyed buildings is 50 percent. While now there are 150 people living in the city, who were displaced to the regime-held areas throughout the revolution."³⁴ The Assad authority and its allied militias took

³³ Anadan demonstrations during the Friday of the martyrs of the Arab deadline 10-21-2011. (Last visited March 27, 2021).

<https://www.youtube.com/watch?v=Zoe-m5Dhw8g>

³⁴ Al-Quds Al-Arabi, Anadan is a Syrian city whose residents have been completely abandoned by the regime after the destruction of its buildings, December 2020 (last visit on March 27, 2021).

<https://www.alquds.co.uk/%D8%B9%D9%86%D8%AF%D8%A7%D9%86-%D9%85%D8%AF%D9%8A%D9%86%D8%A9-%D8%B3%D9%88%D8%B1%D9%8A%D8%A9->

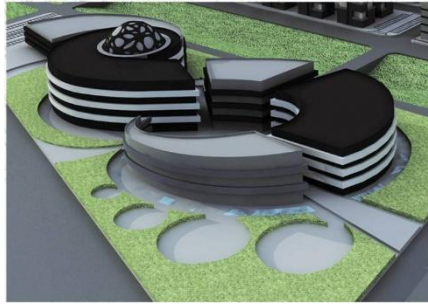
control of the city on February 17, 2020 after the remaining people left it towards the western countryside of Aleppo, and now it is effectively controlling the entire region, according to the intersection of several media sources, the Shiite militia, especially the Syrian Hezbollah militia that takes from the city of Nubl And Zahraa, which is adjacent to the city of Andan to be its center.



From a military parade by the Shiite militia in the towns of Nubl and Zahraa in January 2020 (Source: Alsouria Net)

[%D9%87%D8%AC%D8%B1-%D8%A7%D9%84%D9%86%D8%B8%D8%A7%D9%85-%D8%B3%D9%83%D8%A7%D9%86%D9%87%D8%A7-%D8%A8%D8%A7/](#)

6- Wadi al-Joz



Wadi Al-Joz Project (Source: The General Authority for Real Estate Development and Investment)

- **Project location:** The project is located in the northern side of Hama city center. On semi-flat land, which is close to the course of the Orontes River, which gives it a special importance in terms of tourism and environment and a point of attraction for investors and the possibility of high-storey buildings commensurate with the land light slope.



- **Area:** 30 hectares.
- **Population:** 12,000.
- **Number of proposed housing units:** 2,400 units.
- **Administrative subordination:** Hama City Council.
- **Urban Characteristic:** Its urban characteristic, according to the General Authority for Real Estate Development and Investment, was defined as "it was a slum gathering of single-floor residential buildings that were removed as irregularities. Currently they are (sports fields + gardens)."
- **Real estate:** It is free from occupations and obstacles and is located outside the prohibited areas, sanctuaries and tourist areas within the administrative plan.

- **Road Connectivity:** It has road connectivity, water, electricity and telephone sources.
- **Estimated investments:** The total estimated investments needed to implement the real estate development program are 20.43 billion Syrian pounds (at 2011 prices).

Wadi Al-Joz is one of the largest slum housing areas in Hama (most notably: the southern commune - the commune of Sabil neighborhood - east of the national hospital - Jibreen - the Sawaq neighborhood - Wadi al-Joz - Hay al-Nasr - Sheikh Mahran). It extends on the western edge of the northern entrance to the city of Hama and its land area is 30 hectares and its population was estimated at about 25,000 people, according to the documentation office of the Revolutionary Command Council in Hama, most of them are poor and marginalized.

Since the beginning of the Syrian revolution, the neighborhood's residents participated in the peaceful protests and hosted the displaced people coming from Homs and some areas of Hama Governorate despite the difficult conditions and poverty. The neighborhood was a transit area for revolutionary activists and Free Army members, being a link between the countryside and the city. As a result, the neighborhood was subjected to punishment by Assad authority, which pursued its activists and carried out raids, arbitrary arrests and shelling, especially when it invaded Hama in August 2011. In April 2013, Assad authority besieged the neighborhood amid violent bombardment with heavy weapons. The rest of its residents fled to neighboring neighborhoods only to be fully controlled by Assad forces in May of the same year. The houses were bulldozed after being looted from their contents, then completely destroyed and leveled with the ground. This explicitly violates the principles of international human rights law and international According to a Human Rights Watch report, Assad authority demolished the entire Wadi al-Joz neighborhood (with a total built-up area of 10 hectares) between April 30 and May 15, 2013, according to satellite images and two witnesses interviewed by Human Rights Watch. The report stated that "as in the case of the Masha`al-Arbaeen neighborhood, pro-government media claimed that the authorities were removing construction irregularities that made the neighborhood ugly, humanitarian law. The United Nations Guiding Principles on Housing and Property Restitution for Refugees and Displaced Persons, which stress that homes should not be demolished and property should not be confiscated. Section III, Clause (5) states: "(5-3) states prohibit forced eviction, demolition of homes, destruction of agricultural areas,

and the confiscation or arbitrary seizure of land as a disciplinary measure or as a method of war or obstructed traffic".³⁵

However, other news articles described the operations in the neighborhood as "restoring peace and security, killing terrorists and seizing weapons and ammunition." Human Rights Watch concluded that the large-scale demolitions it documented "violate the laws of war, either because they did not serve any necessary military purpose, and appeared intended to punish the civilian population, or because they caused disproportionate harm to civilians. Those responsible for this wanton destruction of civilian property, or for imposing collective punishment, have committed war crimes and they should be investigated and held accountable³⁶."



Photo of the Wadi al-Joz neighborhood taken on April 30, 2012 (Source: Human Rights Watch)

³⁵ Syrian Lawyers Association, Human Rights committee, Principles Concerning Housing and Property Restitution to Refugees and Displaced Persons (IDPs), Special Rapporteur (Paulo Seggio Pinheiro). (Last visited March 27, 2021)

<http://freesyrianlawyers.com/index.php/ar/%D9%88%D8%AB%D9%8A%D9%82%D8%A9-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9>

³⁶ Human Rights Watch, "Land leveling, unlawful demolitions of residential neighborhoods in Syria in 2012-2013," January 30, 2014. (last visited March 27, 2021).

<https://www.hrw.org/ar/report/2014/01/30/256512>



Photo of the Wadi al-Joz neighborhood taken on May 29, 2013 (Source: Human Rights Watch)



The Wadi Al-Joz commons (Source: SANA)

In October 2018, the investor Hayyan Al-Barazi, director of the Al-Barazi Real Estate Development and Investment Company, announced, in a press conference from the Presidency of the Council of Ministers, the first real estate project under the cover of the "Participatory Law" to build 2,400 housing units in the Wadi Al-Joz commune in Hama. However, the implementation of the project was hindered due to the company not obtaining the necessary approvals to contract, as indicated by the statement published by Al-Barazi Company on its official Facebook page on September 27, 2019.

شركة البرازي للإستثمار والتطوير العقاري
سجل تجاري رقم / 9937



السيد مدير فرع المنطقة الوسطى في هيئة التطوير والاستثمار العقاري

جوابا لكتابكم رقم ١٦٧ تاريخ / ٢٠١٩/٩/١٦ بخصوص الرد على محضر- اجتماع مجلس مدينة حماه والمتعلق بطلب التعاقد على مشروع وادي الجوز والمشكل بالامر الإداري رقم ٢١٤/١٨٢٠ / ٤/١٠ تاريخ ٢٠١٩/١/١٩ الصادر عن محافظ حماه فاننا نوافيكم بملاحظاتنا عليه وهي

تضمن الاجتماع انه لا يمكن لمجلسكم التعاقد حاليا مع شركتنا وفقا لمقترحات تعديل القانون ١٥ خصوصا انها لم تصدر فعلا واقترحتم إمكانية التعامل معنا وفق التعديلات في حال صدورهما بشرط الحصول على الموافقات الرسمية بادراج هذا المقترح الذي تفضلتم به ضمن دفتر الشروط الحالي مما يعني انها موافقة واقتراح معلق من قبلكم بالحصول على الموافقات اللازمة وهذا ما يشكل مانعا أيضا لدينا من إتمام التعاقد حاليا معكم كونكم لم تحصلوا على الموافقات الخاصة بادراج ذلك المقترح أصلا و بالتالي فان ما يمنحكم من التعاقد معنا هو نفسه ما يمنعنا من التعاقد معكم (بناء على وجه نظركم في الموضوع) أيضا لذلك فاننا نقتراح مايلي :

- نطلب من سيادتكم الحصول على الموافقات اللازمة التي تسمح لكم بإدراج مقترحكم ضمن دفتر الشروط أولا ومن ثم موافقتنا بذلك عند الحصول عليها .
- إضافة اقتراح تسليم المشروع على مرحلتين منفصلتين وفقا لرؤيتنا ضمن مقترحكم السابق الى الجهات المعنية ليكسب الموافقة معا بإدراجهما ضمن دفتر الشروط خصوصا ان الفصل هذا وارد و ممكن في قرار اعلان المنطقة كمنطقة تطوير عقاري مرسوم الإعلان صراحة ولا يتناقى معه (وقد اوضحنا في طلبنا السابق مبررات الفصل) .

علما اننا لا زلنا نعلن جاهزيتنا للتعاقد مع سيادتكم وفقا لمقترحنا السابق وعلى استعداد لاجراء تعاقد مبدئي أولي مشروع باقتراحاتنا ودفع نسبة ١٠% من الكفالة الخاصة بضمان حسن التنفيذ الحالية غير قابلة للاسترداد في حال الاستجابة لمقترحاتنا ولم نقم بإجراء التعاقد النهائي عند الحصول على موافقاتكم الخاصة وصدور التعديلات للقانون ١٥ .

شاكرين حسن تعاونكم واملين الاستجابة لمقترحنا وتقدير جدبتنا للعمل خصوصا ان المشروع بدفتر شروطه الحالي يشكل مانعا لاي شركة (وليس شركتنا فحسب) من اجراء أي تعاقد به وهذا ما اثبتته الواقع فعلا .

حرر بتاريخ ٢٠١٩/٩/٢٧

عدد النسخ ثلاث لأصحاب العلاقة :

- السيد محافظ حماه الموقر (للاطلاع على مضمون رد الشركة)
- السيد رئيس مجلس مدينة حماه (للاطلاع على مضمون رد الشركة)
- هيئة التطوير والاستثمار العقاري

رئيس مجلس الإدارة
الدكتور حيان البرازي



الإدارة العامة : حماة - شارع العلمين - مقابل جامع المحبة
فرع حمص : شارع عبد الحميد الدروبي - بناء الرئيس
فرع السلمية : شارع حماه - جانب البان واجبان الحرف

تلفون : 033-2213106
تلفون : 033-2488600
تلفون : 033-8818818

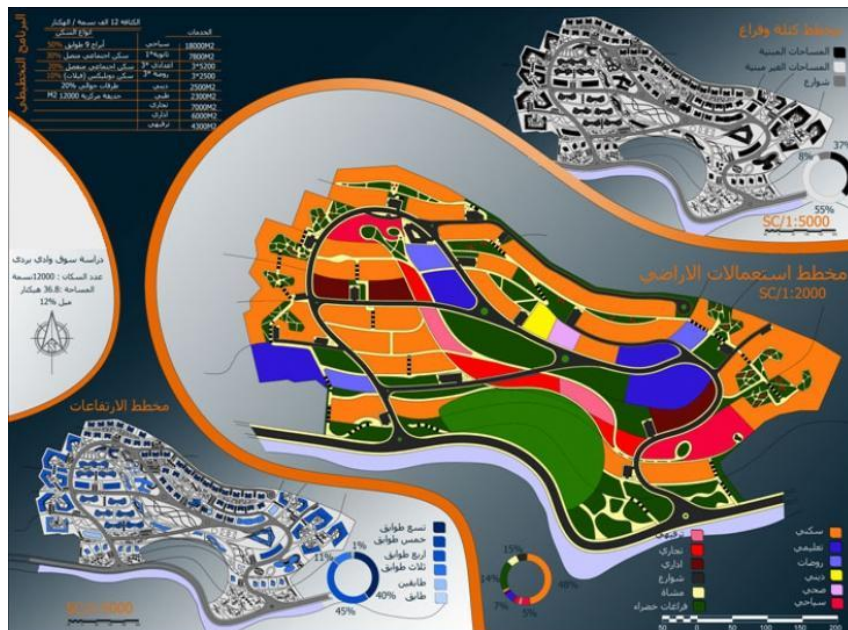
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The statement published by Al-Barazi Company on its official Facebook page on September 27, 2019.

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7- Suq Wadi Barada Project:



Suq Wadi Barada Project (Source: General Authority for Real Estate Development and Investment official website)

- **Project location:** The project is located in Suq Wadi Barada town between two mountains, Al-Nabi Habil mountain from the southwestern side, and Ayn al-Farha mountain from the northwestern side. It overlooks a tree-covered valley interspersed with the Barada River. It is 30 km from Damascus, the capital, to the northwest, and it rises 1,035 m above sea level.

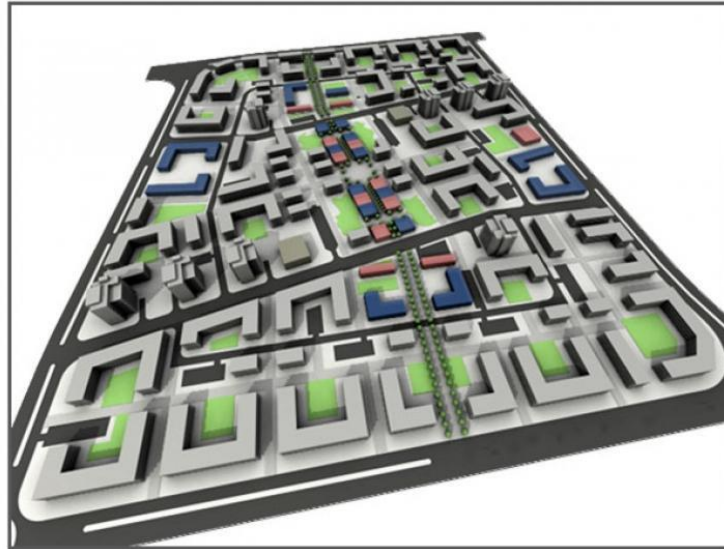


- **Area:** 36.8 hectares.
- **Population:** 12,880.
- **Number of proposed housing units:** 2576 units.
- **Administrative subordination:** Damascus Countryside Governorate.
- **Real estate:** outside prohibited areas, sanctuaries and tourist areas, outside the administrative chart. State property, free from obstacles and military occupations.
- **Road Connectivity:** It has road connectivity, water, electricity and telephone sources.
- **Estimated investments:** The total estimated investments required to implement the real estate development program amount to 16.3 billion SP (at 2011 prices).

The Wadi Barada region, especially Suq Wadi Barada town, is characterized by the archaeological sites scattered there, in addition to its picturesque nature and fertile land. Where it is considered one of the most beautiful areas of Western Damascus Ghouta, which made it a tourist area par excellence, and most of its residents worked in agriculture, and later some of them worked in the tourism sector. The region witnessed peaceful protests against Assad authority since the first weeks of the outbreak of the Syrian revolution, and its residents were subsequently subjected to raids and arrests of activists. However, it was not late in forming the armed brigades to repel the attacks of the Assad regime and the Lebanese Hezbollah. The armed opposition factions took control of the area in February 2012, after which battles took place between those factions and the forces of the Assad authority and the militias, after which many of its residents were displaced, but failed to storm it. They imposed a siege on the town in November 2013 that also affected the cities of Zabadani and Madaya.

In January 2017, the process of displacing most of the inhabitants of Wadi Barada began and this came after violent bombing operations and a long intermittent siege. Because of the pressure on the Assad authority with the water of Ain al-Fijah, which feeds Damascus. One time it applied the blockade and other times it temporarily loosened it when negotiating over water. After that, Assad authority and the Hezbollah militia entered these villages. Their sanctity was violated, their homes were ransacked, then homes and properties were blown up and destroyed and the percentage of destruction ranged in this area. In some villages it reached 80 percent, as in the village of Ain al-Fijah.

8- Hawi Al-Baghelia Project



Hawi Al-Baghelia Project (Source: Public Authority for Real Estate Development and Investment website)

- **Project location:** The proposed area is located southwest of the old village (Al-Bajailia), about 500 meters away from it, and about 6 km away from Deir Ezzor city center.
- **Area:** 500 hectares.
- **Population:** 120,000.
- **Number of housing units:** 24 thousand apartments.
- **Administrative subordination:** Deir Ezzor City Council.
- **Real estate:** located outside the prohibited areas, sanctuaries and tourist areas, and owned by Deir Ezzor City Council.
- **The road connectivity:** the project is linked to the city of Deir Ezzor by a paved road, and it is also linked to the Aleppo-Deir Ezzor road, close to the road node leading to Damascus-Aleppo, and close to the Alsadaka Bridge.
- **Total estimated investments:** The total estimated investments needed to implement the real estate development program amounted to 60 billion SP (at 2011 prices).

In November 2009, the Municipal Administration Modernization Project, which was implemented in cooperation between the Deir Ezzor City Council and the European Union (mam), completed the study of the expansion area in Hawi Al-Baghelia, to be included in the organizational plan. According to the project

team's statements at the time, this study "aims to create a new expansion area, given that the solvency ratio in the organizational chart of Deir Ezzor exceeded 90 percent of the total area. Therefore, it became necessary to find new expansion areas that would contribute to alleviating the pressure and population density on the city center creating ideal investment areas and urban attractions that would help provide new financial and material resources to the council. As well as supplying the city with modern vital, service and commercial areas to compensate for the deficiency in the organizational plan for the city of Deir Ezzor, and to create environmental zones in which all the modern environmental components are available (alternative energy - pedestrian paths - bicycle paths, etc) This expansion will contribute to creating job opportunities as a result of the availability of new investment projects and the preservation of agricultural lands within the organizational chart³⁷."

This area was chosen at the time for the study due to its importance and being the western face of the city. It is also considered a natural extension of the city and overlooks the agricultural lands and the Euphrates River, and it is considered a natural expansion area in the city.

Since 2011, the village of Al-Baghelia (Al-Quds neighborhood) has witnessed protests against Assad's authority in the context of the Syrian revolution³⁸, and a number of its youths joined the armed opposition factions and carried out several military operations against Assad's authority, especially in the Al Mouazafin neighborhood in Deir Ezzor. Despite the armed opposition factions controlling most of the areas in Deir Ezzor Governorate, after which ISIS seized those areas after 2014, Al-Baghelia remained under the control of Assad's authority until January 2016, when ISIS took control and committed a massacre in it, which resulted in the killing of about 300 victims, in addition to its kidnapping of about 400 civilians, residents of the village, including women and children. After that, the village was subjected to repeated bombing operations carried out by the Assad regime and Russia's air forces, causing widespread destruction and loss of life without distinguishing between civilians and ISIS elements present in it, which led to the displacement of most of its residents after ISIS allowed them to leave.

In September 2017, the Assad authority and its militias regained control of the village of Al-Baghelia, making the village at the mercy of the security forces of

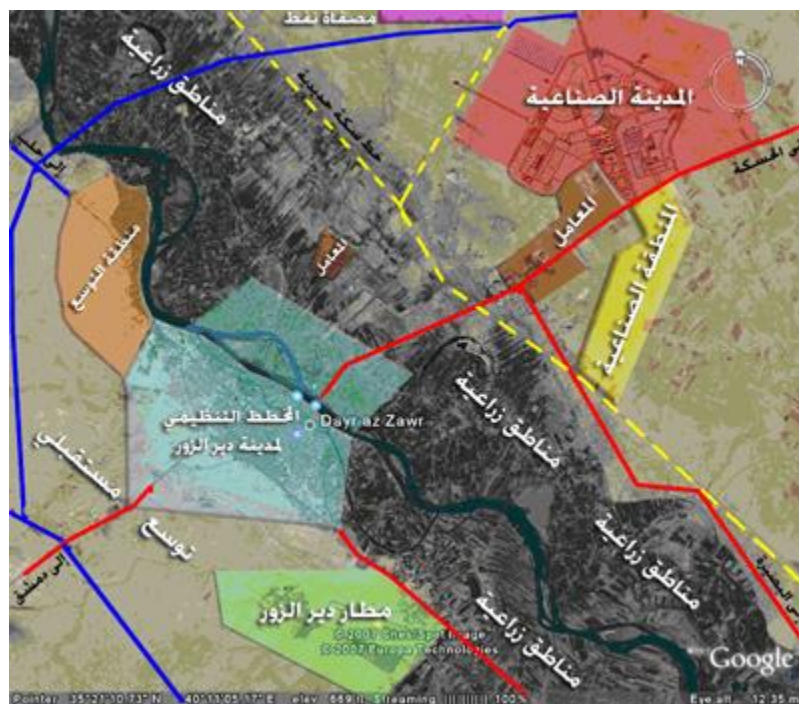
³⁷ Deir Ezzor website, "Hawi al-Baghiliya" Deir Ezzor expected expansion, study completed, and actual implementation subject to results, November 2009.
<http://www.esyria.sy/edeiralzor/index.php?p=stories&category=business&filename=200911011510043>

³⁸ Evening demonstration in the village of Al-Baghelia on February 21, 2012 (last visited March 27, 2021).

the Assad regime and the Shiite militia, especially the Afghan Fatemiyoun Brigade militia.

In addition to the presence of a militia headquarters on Al-Baghelia hill, the Iranian Revolutionary Guard supervises the western entrance to the city of Deir Ezzor and has an average fortification and an unspecified number of personnel³⁹.

At first, the Assad authority did not allow the residents of the village to return to it under the pretext of the presence of mines in it. Arrests were also carried out against civilians on charges of loyalty to ISIS or of failing to undertake compulsory military service, according to activists from the region.

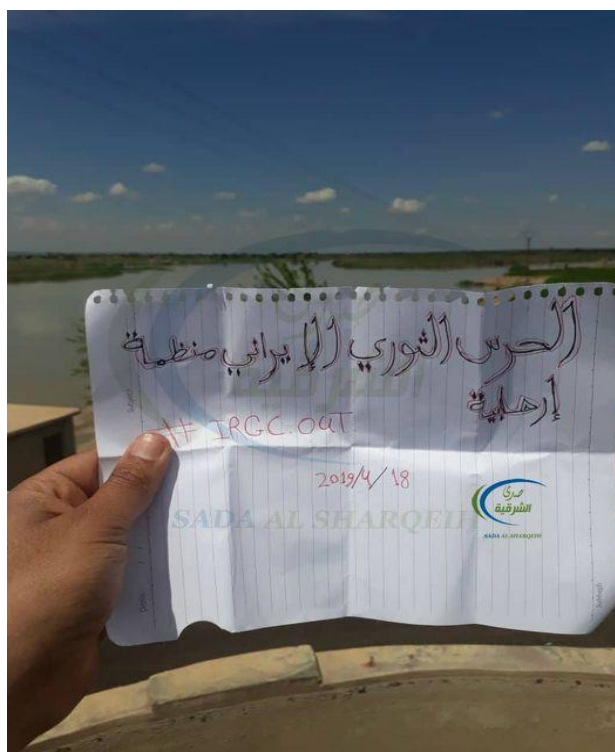


The expansion area is orange, according to a 2009 study

³⁹ Al-Allawi, Yasser, Iran, in Deir Ezzor .. Distribution and influence (study), Anna Press website, April 18, 2020 (last visit March 27, 2021).
<http://www.anapress.net/ar/articles/%D8%AA%D8%AD%D9%82%D9%8A%D9%82%D8%A7%D8%AA/169357258473320/%D8%A5%D9%8A%D8%B1%D8%A7%D9%86-%D9%81%D9%8A-%D8%AF%D9%8A%D8%B1-%D8%A7%D9%84%D8%B2%D9%88%D8%B1..-%D8%A7%D9%84%D8%AA%D9%88%D8%B2%D8%B9-%D9%88%D8%A7%D9%84%D9%86%D9%81%D9%88%D8%B0-/>



A member of the Afghani "Fatemiyoun" militia in charge of Al-Baghelia crossing - the entrance to Deir Ezzor (Source: "Sada Al Sharqiya" Facebook page).



A sign raised by an activist in the Al-Baghelia neighborhood (Source: Sada Al-Sharqiya" Facebook page).



A picture from inside one of the headquarters of the Shiite militia in the Al-Bughailiya neighborhood (Source: "Sada Al-Sharqiya" Facebook page).





Destruction in Al-Baghelia due to the bombing of the Assad regime and Russia (Source: Deir Ezzor 24)

B-Statistics and classification of real estate development zones in Syria

The Real Estate Development and Investment Authority has divided the real estate development zones into four categories:

- Created real estate development zones, the number reached 25 zones in Syria, according to decisions issued by the Prime Minister, (8 in Aleppo governorate, 8 in Rif Dimashq governorate, 6 in Homs, and 1 zone each in Hama, Deir Ez-Zor and As-Suwayda governorates) with a total area of 4,233 hectares, and the number of its houses is estimated at about 165,000 housing, accommodating about one million people, and at a total cost of 630,755 billion SP at the prices of the dates of the decisions of creation.
- Slum areas under study. There are 23 zones in Syria (9 in Aleppo governorate, 10 in Damascus countryside governorate, and 4 in Hama governorate).
- Real estate development zones under study. There are 17 zones in Syria (10 in the Damascus countryside governorate, 3 in the Aleppo governorate, 2 in the Homs governorate, 1 zone in the Daraa governorate, and 1 in the Hama governorate).

- Real estate development zones under development. The total is 4 ⁴⁰(3 in the Damascus countryside governorate, and 1 in Aleppo).

- **Created real estate development zones**

Zone	Governorate or City	Area in Hectare
Adra Residential	Damascus Countryside	1833
Al-Maqrosa Residential	Damascus Countryside	162
Al-Maqrosa Industrial	Damascus Countryside	55
Adra Handcraft	Damascus Countryside	292
Adra Commercial	Damascus Countryside	230
Menin 626-646	Damascus Countryside	79.9
Damascus Hills - Dimas	Damascus Countryside	284
Suq Wadi Barada	Damascus Countryside	36.8
Wadi Al Jos	Hama	30
Hassia	Homs	68.3
A Missa Hills - Um Alezam	Homs	94.6
A Missa Residential	Homs	7.49
A Missa City Shamsin	Homs	95.6
A Missa Medical	Homs	5.2
Zati Al Bahra	Homs	26

⁴⁰ Source of information "General Authority for Development and Real Estate Investment"

Zone	Governorate or City	Area in Hectare
Al Haidaria	Aleppo	118
Tell Al-Zarazer	Aleppo	98.5
Yaked Al Adas	Aleppo	23.3
Anadan	Aleppo	26.8
Kafr Dael	Aleppo	35.1
Daret Azza	Aleppo	29.2
Daret Azza	Aleppo	23
Angara	Aleppo	79
Hawi Al-Baghelia	Deir Ezzor	500
Hisba	As-Suwayda	0,52

- **Real estate development zones under study**

Zone	Ownership	Governorate or City	Area in Hectares
Deir Atiyah	Public	Damascus Countryside	26.5
Maraba	Public	Damascus Countryside	36.6
Dukhaniya	Public	Damascus Countryside	14.5
Doreen	Public	Damascus Countryside	78
Knacker	Private	Damascus Countryside	295
Qatana	Private	Damascus Countryside	120

Zone	Ownership	Governorate or City	Area in Hectares
Shura	Private	Damascus Countryside	431
Zakia	Private	Damascus Countryside	765
Al Suja	Private	Damascus Countryside	83.32
Ansari West	Public	Aleppo city	61
Achrafieh (Bani Zaid)	Public	Aleppo city center	375
Industrial zone projects	Public	Northeast Aleppo, 15 km	258
Al Qusayr	Public	Homs	
Al-Hosn - Al-Qalaa	Public	Homs	29
Jabab	Public	Daraa	256
Hay al-Zanbaka	Public	Hama	12

- **Slum areas under study**

Zone	Governorate	City	Area in Hectares
The southern neighborhood	Damascus Countryside	Moadamiyet al-Sham	160
The eastern neighborhood	Damascus Countryside	Moadamiyet al-Sham	70
The western neighborhood	Damascus Countryside	Moadamiyet al-Sham	95
The northern neighborhood	Damascus Countryside	Moadamiyet al-Sham	38

Zone	Governorate	City	Area in Hectares
The Gulf	Damascus Countryside	Daraya	50
Al Alali	Damascus Countryside	Daraya	18
Daf Al-Sakhr	Damascus Countryside	Jaramana	41
President Street	Damascus Countryside	Qudsaya	15
Mazhynia	Damascus Countryside	Spina	50
Bhadaliya	Damascus Countryside	Sayeda Zeinab	98
Southern common	Hama	7 Km southeast of Hama	106.6
Al Masafi	Hama	15 km southeast of Hama	30
Al Dhahirah East	Hama	15 km northeast of Hama	36.61
Jibreen farms	Hama	15 km northeast of Hama	94.3

- **Real estate development zones under development**

Zone	Ownership	Governorate or City	Area in Hectares
Janat Dawryn	Private	Damascus Countryside	75.57
Dimas	Private	Damascus Countryside	12.7
Telveta	Private	Damascus Countryside	25.65
Achrafieh (125)	Public	Aleppo city center	5.5

C- Notes about real estate development zones

- In the representative examples of the real estate development areas we studied⁴¹, we found that they all witnessed peaceful protests in the context of the Syrian revolution and massacres were committed against them by the authority of Assad and its allies. All of these examples were affected by the devastation that the Assad regime's war machine left on the Syrian people in varying proportions.
- The population suffered in all the examples we studied of the crime of forced displacement, which according to international law is a crime against humanity and a war crime. Article (7/A/D) of the Rome Statute of

⁴¹ In our previous study (a crime entitled: "Reconstruction"), we showed that forced displacement was initially practiced by Assad's authority, as a partial/local policy based on excessive violence against the disobedient community. However, with the extension and escalation of the Assad's authority war against the Syrian people, a clear methodology for forced displacement was drawn up, especially after the stage of targeting the infrastructure (hospitals, bakeries, schools, medical points, markets, etc.) began with systematic bombing and the use of internationally prohibited weapons (chemical, phosphorous, cluster and other weapons). As we now notice an organized plan that begins with a siege that varies from one region to another in terms of severity, occlusion and duration, reaching in some areas the point of starving the population, this siege is often accompanied by military operations and bombing that specifically target the infrastructure and vital centers. These operations reach their climax in the period preceding the displacement of the population from the region, in order to subjugate them and force them to submit to reconciliation agreements. The least of which is said to be a deed of surrender and then come the "green buses" to transport those who reject reconciliations, mostly to northern Syria (the crowded of the armed opposition).

the International Criminal Court, adopted in Rome on July 17, 1998, classified deportations or forcible transfers as a crime against humanity. Paragraph (E/8) of Article (8) of the Rome Statute also classifies as a war crime. "The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand⁴²".

- After the Assad forces took control of these areas, the return of its residents was conditional and it was impossible for most of them, due to their fear of the oppression of the Assad regime and its militias, whether they were participating in the peaceful and armed protests against it or not.
- the residents who have returned, they are few in numbers, deprived of services. There is no electricity, water, education, or transportation. They were subjected to pressure from the intelligence services, and at times they came back and found the militia members had taken control of their properties. Perhaps what we have reviewed in the "Al-Haidariya" and "Tal Al-Zarazir" examples in the city of Aleppo is a striking example of that.
- We noticed through our study of real estate development projects that the responsible party stipulated that these areas be outside the prohibited areas, sanctuaries, tourist and military areas, without addressing the fate of the property occupants in those areas. This indicates from the outset that these projects were not established for the sake of the residents of the regions, but rather for other purposes. We also noted that it is not a priority for these projects to rebuild what was destroyed by the war in those areas, nor to develop what is in them. On the contrary, they expanded the area of destruction, including targeting the parts that were not destroyed by destruction. Instead of the State working on an emergency plan in light of the war to return the population by demolishing only buildings that threaten public safety and restoring buildings that were partially destroyed, it has entered into long-term real estate development projects, which it does not have the financial ability to implement due to its budget deficit after it was transformed to a failed state; the estimated cost of the modernized real estate development zones alone, without addressing the real estate development zones that are undergoing

⁴² International Committee of the Red Cross, Rome Statute of the International Criminal Court, adopted in Rome on July 17, 1998.

<https://www.icrc.org/ar/doc/resources/documents/misc/6e7ec5.htm>

events, reached 630.755 billion SYP at prices in 2011 (in 2011 the exchange rate of the Syrian pound against the US dollar was equal to 50 SYP, while the exchange rate of the dollar against the Syrian pound has now exceeded 3500 SYP) In addition, these projects are not commensurate with the reality of the displaced Syrians wandering around the world. This shows that the purpose of these projects is to expand the area of destruction that is, in a way, a continuation of the destruction of the urban community of the disobedient, to transform their displacement from temporary to permanent, and then confirm their displacement and increase their collective punishment, as a step in the way of perpetuating Assad's authority and creating a coercive demographic engineering that will achieve something. Al-Assad personally called it a "homogeneous society."

- In some instances, we found that the means of proving ownership are incapacitating for the displaced and oppressed residents. For example, the City Council of Aleppo asked residents of properties located within Block B and the surrounding streets in Al-Haidaria area, to submit a file that includes the following documents: all identification documents related to the property, an optional authority certificate from the district Mukhtar, a site plan showing the location of the resident determined by the Hanano Services Directorate, a record for the installation of an electricity or water meter specifying the property number and the installation date, if any, a pledge to the notary that these papers not valid for proof of ownership, an official martyrdom document for one of the resident family members (the husband or one of his children), an official war casualty document for the beneficiary and a document of belonging to members of the Syrian Arab Army for the same person or one of his children. This will start from November 20, 2020 until January 31, 2021, and if the required documents are not submitted within the period specified in the announcement no new file will be accepted after the end of the period. This indicates the intention of the Assad authority to exclude opponents from their areas and displace them forever and to reward its loyalists and those who fought on its side, with the possibility of accepting whoever returns from the disobedients while he regrets submissively.
- It is clear in some of the examples we studied that there are areas that fall within the sphere of influence of Iran and its militias and that it has the predominance in it, such as the Anadan district close to the Shiite areas of Nubl and Zahraa, which now are controlled by the Hezbollah militia and local militia Nubl and Zahraa. As the Wadi Barada district in the western

countryside of Damascus, where the Hezbollah militia is present, it is considered a strategic area for it because of its proximity to the Lebanese border and its strategic location. Likewise, the "Hawi al-Baghiliyya" area, which is located at the western entrance to the city of Deir Ezzor, and which includes a troop station for the Iranian Revolutionary Guards on the hill of Al-Baghelia.

- All real estate development projects that we studied were created without the consent of the residents of the areas that were targeted by these projects or their participation in them to decide their fate and the fate of their property, and did not take into account the international laws and the recommendations and directives of the United Nations to respect human rights and aim not to violate them and to involve the local community in these projects, and the declaration and disclosure. About these projects with transparency, and to secure remedies and grievances for the complainants, whether judicial or non-judicial means.
- Until now, the residents of the areas have not been compensated for their demolished and removed properties, and they have also not been provided with alternative housing that would protect them from the homelessness in which they live.

3- Real estate development companies

In parallel with the introduction of real estate development projects, the Assad authority arranged its tool in its implementation. So, the companies were identified based on criteria, which we can derive from the knowledge of their owners and their boards of directors, and compare the results that we conclude with the approach that we put in the entrance to the first study of the interconnected series of studies. As we said, the Assad authority is trying to rebuild its authoritarian regime on the basis of a political, security, and economic centrality based on a network of relatives and cronies.

After the advancement of the Assad authority and its allies over the other parties in the war, interest in the economy took precedence over the rest of its issues; political and the military, due to the widespread belief that the success or failure of the efforts of the Assad authority and its allies, is linked to rebuilding the authoritarian regime in the reconstruction process. To a large extent, we find that the Assad authority is busy trying to arrange the economy of relatives and cronies. So that, through them, it will control the economy centrally, specifically on the reconstruction process, which it and its allies are betting on forcing the world to finance. Assad's authority not only demands that the world turn a blind eye to its crimes against the Syrian people, especially the urban poor and peasants, but also expands its ambition to share and help the world to complete its crime of forced displacement, forced demographic engineering and demographic change to perpetuate its authority.

In the context of this arrangement, the companies that would participate in real estate development projects were centrally organized. So they would be an arm of the authority that chose them from its relatives and cronies, who supported it in its war against the Syrian people, with combat participation or financial support. By monitoring these companies, and knowing their owners and administrations, we can know a lot, including the results of the struggle of powers in this milieu. We can also understand an aspect of Assad's power mechanism in managing the wheel of the economy and reconstruction and knowing the pillars of the economy of relatives and cronies in a major economic sector, they are the most capable and effective in Syria today; because they enjoy the powers, facilities, and tolerances (while Russia and Iran plunder the wealth for decades, and are waiting for other wealth to plunder).

In order to determine the standard by which we will measure the extent to which the Assad authority and the contracting companies violate human rights and international law standards, we reviewed some relevant international laws and then we monitored and documented examples of these companies, targeting the date on which they acquired the status of a real estate developer, and who

their managers and owners are, and we track their violations and their participation in the Syrian war. In this section we have devoted a part to the statistics and classification of companies, where we listed the companies that obtained the final license, the companies that obtained the initial approval, and those whose license was revoked. Finally, we conclude with observations and conclusions that can be relied and built upon in the last part of this section.

A-International law norms regarding investment

- Respecting human rights principles:

The second principle of the Principles for Responsible Contracts stipulates: "Responsibilities for the prevention and mitigation of human rights risks associated with the project and its activities should be clarified and agreed before the contract is finalized." While the third principle states that: "The laws, regulations and standards governing the execution of the project should facilitate the prevention, mitigation and remediation of any negative human rights impacts throughout the life cycle of the project." Article (11) of the Guiding Principles on Business and Human Rights also states: "Business enterprises should respect human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved."

- Community involvement:

The seventh principle of the Principles for Concluding Responsible Contracts states: "The project should have an effective community engagement plan through its life-cycle, starting at the earliest stages of the project." And identified the key implications with:

- The community engagement plan should be inclusive with clear lines of responsibility and accountability. It should be initiated as soon as practicable.
- Consultation with impacted communities and individuals should take place before the finalization of the contract.
- Disclosure of information about the project and its impacts is an integral part of meaningful community engagement.
- The history of any previous engagement efforts carried out by either of the parties with the local community regarding the investment project

needs to be known by both parties in order to take this into account in planning.

- Community engagement plans should be aligned at a minimum to the requirements of domestic and international standards. For example, free prior informed consent or consultation with those potentially impacted may be required.

- **Remedies, complainantations and accountability:**

The seventh principle of the Principles for Responsible Contracts states: "The project should have an effective community engagement plan through its life-cycle, starting at the earliest stages of the project." And identified the main points with:

- The contract should ensure that individuals and communities negatively affected by the project have access to an effective grievance mechanism at the operational level that allows grievances to be submitted and addressed at an early stage.
- Grievance mechanisms at the executive level should not disrupt or restrict access to government complaints mechanisms or other complaint mechanisms, including judicial mechanisms, or mechanisms provided by loan providers for projects, regional courts, or other entities.

- **Transparency:**

The tenth principle of the Principles for Responsible Contracts states: "The contract's terms should be disclosed, and the scope and duration of exceptions to such disclosure should be based on compelling justifications." Based on the foregoing, and by analogy with the observations that we have mentioned earlier in the Real Estate Development Zones section, we find that the contracts concluded by the Assad Authority with real estate development and investment companies did not comply with international laws in terms of non-observance of human rights. The areas where real estate development projects are to be established have subjected their inhabitants to severe oppression, leading to massacres being committed against them, then forcibly displacing them after being besieged and destroying their metropolitan areas. In addition to not involving the local community in these projects, whether in planning or implementation, and not paying attention to the negative impact that these projects will have on their future and the fate

of their property. And, the continuation of the partnership between the Assad authority and these companies on the basis of obscuring these projects and their goals, procrastination and conflicting information, in addition to the failure to secure means and mechanisms of redress and grievance for those affected and an accountability mechanism for the violators.

The matter did not stop when these agreements did not observe international law and human rights principles. Rather, these companies are considered partners in that process/crime, whether through direct participation in the crimes of the Assad authority or through intentional participation in this process, with the owners being aware of the violations and crimes committed by the party that committed them. They enter into their partnership with the Assad authority and collude with it to implement that operation/crime and complete work (which will be evident as we monitor and document examples of these companies). This calls for criminal prosecution of these companies and their owners, in accordance with Article (25) of the Rome Statute of the Criminal Court.

B- Examples of real estate development companies that have obtained the final licenses

We focused our attention on representative models of real estate development companies that obtained the final license without other companies (knowing that we documented all of these companies in a later part of this section), as they entered the real estate development field in Syria officially, and some of them started business, namely:

- **Katerji Real Estate Development and Investment Company**



Name: Katerji Real Estate Development and Investment Company

Type: Limited liability

Nationality: Syrian

Commercial registration number: 22604

Created: October 8, 2017

Percentage of foreign investment: none

Governorate: Aleppo

Ownership and management: It is affiliated with the Katerji International Group, which includes many other companies, including: Roots for Agriculture and Livestock Company, Katerji Trading and Transport Company, White Gold Industrial Company, Alip Company for Security Solutions and Studies, Asl Investment and Contracting Company, The Golden Gate Tourism and Transport Company, Robo Al Jazirah Import and Export Company and Arvada Petroleum Company. The Katerji International Group is owned by brothers Hussam, Baraa and Muhammad. Hussam Ahmed Katerji is currently the chairman of its board of directors. He was born in the province of Raqqa in 1982, and has held the position of a member of the Syrian Parliament for the workers and peasants sector as independent from the province of Aleppo since 2016⁴³.

Violations: Hussam Katerji supervises an armed militia known as the Katerji Group. This group is active in the Aleppo governorate, and participated in the hostilities on the side of the Assad authority. It also participated in the siege of eastern Aleppo and the battles that took place in it, in addition to the formation of the Katerji Forces in Raqqa and Deir

⁴³ With justice, Hossam Ahmed Katerji. (Last visited March 27, 2021).

<https://blacklist.pro-justice.org/ar/criminal/%D8%AD%D8%B3%D8%A7%D9%85-%D8%A3%D8%AD%D9%85%D8%AF-%D9%82%D8%A7%D8%B7%D8%B1%D8%AC%D9%8A/>

Ezzor in coordination with the Iranian Revolutionary Guard⁴⁴. The Katerji brothers were also the godfather of the wheat and oil exchange deals between Assad's authority and the Islamic State. They continued in this role after the departure of ISIS and the declaration of the control of the Syrian Democratic Forces.



The Katerji brothers: Baraa, Hussam and Muhamma



Hussam Katerji in the military uniform

⁴⁴ Fighters stand ready and salute "Hussam Katerji". (Last visited March 27, 2021).
<https://youtu.be/S2G2RakVVIE?t=4>

In September 2018, the US sanctions targeted Muhammad Katerji and his company with sanctions. Because, according to the US State Department statement, these people "facilitated the passage of weapons or oil shipments and provided financial services to the Bashar al-Assad regime." Those sanctions stipulated "freezing any assets in the United States of the aforementioned persons and entities, and preventing American citizens and American companies from dealing with them."

In November 2020, the US Treasury announced the inclusion of eight individuals and eleven entities, including companies operating in the oil sector, on the sanctions list for dealing with the Syrian government, among them Hussam Katerji and his company (Arvada Petroleum).

- **Qaband Real Estate Development and Investment Company**



Name: Qaband Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 11036

Creation date: December 5, 2016

Percentage of foreign investment: none

Governorate: Damascus countryside

Ownership and management: It is owned and managed by Muhammad bin Abdul Qadir Qaband, a Syrian businessman, born in Aleppo in April 1953, born in the neighborhood of Bab al-Nayrab. He is also the founder and chairman of

Qaband Art Production and Distribution Company, general manager of Al Ayham Investment Company and a member of Parliament since 2016.

Violations: Qaband recruited the Shabiha to participate in the suppression of peaceful demonstrations in Aleppo. He was accused of kidnapping and torturing people from the city of Aleppo. In March 2018, Qaband appeared in a video clip insulting the people who came out of the siege in Eastern Ghouta, in the Damascus countryside governorate. Where he appeared distributing water to those outside and forcing them to chant to Bashar al-Assad in exchange for giving them water, in a scene that provoked the Syrians at the time⁴⁵.



Damas Real Estate Development and Investment Company

Type: Limited liability

Nationality: Syrian

Commercial registration number: 18152

Creation date: 25 September 2017

Percentage of foreign investment: none

Governorate: Hom

Ownership and management: It is managed by the Syrian businessman Saqr Asaad Rustom and he owns twenty thousand shares in it. Rustom is from Homs governorate, where he had held the position of investment

⁴⁵ The video in which Muhammad Qaband is shown insulting the internally displaced from Eastern Ghouta. (Last visited March 27, 2021).

https://youtu.be/VP-H_sJGylg?t=26

manager in Hassia Industrial City and head of the procurement committee before he was fired from his job with a corruption case in 2009. He then moved to work in the technical services department in Homs governorate. He is a director and founding partner of Ayloul Tourism Investment Company in Syria, in which he owns 50 shares, equivalent to 50 percent. Rustom also holds the position of Chairman of the Board of Trustees of the Martyr's Foundation, which now has branches in most of the Syrian governorates, and distributes aid to the families of the dead forces of the Assad regime and it is believed that it operates under the supervision and support of Iran.



Saqr Rustom in the middle of elements of the Shabiha

- **Violations:** Upon the outbreak of peaceful protests in March 2011, Rustom established a militia known as the People's Committees under the pretext of defending the Alawite neighborhoods (Zahraa, Al-Nuzha, Wadi al-Dahab, and Akrama), which he quickly formed from volunteers, most of whom had precedents and wanted for justice. In those neighborhoods, he also established an office for the Bustan Association affiliated with Rami Makhlouf in Wadi al-Dhahab neighborhood in Homs.

However, these committees quickly turned into an auxiliary militia supporting the army and security forces in the campaigns of raids, arrests and repression carried out in the rebellious neighborhoods of Homs. In the beginning, the People's Committees were composed of volunteers who received some support from the security forces and the Al-Bustan Association, in exchange for military missions outside their neighborhoods. In 2012, these committees were organized according to an Iranian proposal and joined the National Defense Forces to form its backbone, which Iran supervised to train, finance and provide logistical

support. Then, to expand the affiliation circle to that militia and that militia had its own headquarters and weapons depots in the Sports City on the Homs-Damascus road. At that time, Rustom was called "the absolute ruler of Homs."

This militia practiced in theft and looting, as they stormed into Homs neighborhoods, stole furniture, electrical appliances and sanitary installations and sold them in formed markets that spread in the neighborhoods of Al-Zahra, Akrama, Al-Nuzha and other loyal neighborhoods of Homs, which were called Sunni Markets.

According to the With Justice organization, Saqr Rustom used to run a number of detention places and private prisons in Wadi al-Dahab neighborhood and in the countryside of Homs within the Alawite villages, such as al-Qabu and Ram al-Anz, where he used to kidnap civilians from public roads under the pretext of their opposition to the regime, and then blackmail their families to pay money in exchange for release them.

As a result of the corruption caused by Rustom's forces, and his involvement in the bombing operations that were taking place in the loyal neighborhoods; confrontations broke out between Rustom's forces and the security forces, as well as with some groups that split from Rustom's forces in 2013, so Saqr Rustom was transferred to the city of Damascus and appointed as the General Secretariat of the National Defense Forces in 2013.

Saqr Rustom and his militia are responsible for a number of massacres, including:

- The Ram Al-Anz Massacre: At the end of February 2012, more than 50 bodies of unknown persons of different ages were found in the lands of Ram Al-Anz village, bearing signs of torture and shootings. It turned out that the bodies belonged to kidnapped persons who had been kidnapped by one of Rustom's groups and killed on sectarian grounds.
- The Jobar Village Massacre: At the end of February 2012, after the regime forces stormed Baba Amr and Jourat Al Arayes neighborhoods, and during combing the Jobar and Soltaniyeh areas, the Republican Guard forces, in conjunction with the National Defense Forces, gathered civilians, including men and youth, in two schools; the first was in the village of Jobar, and the second in the Soltaniyeh neighborhood, then the commander of the group belonging to Saqr Rostom, named Ahmed Al-

Sayes, ordered the opening of fire on the civilians detained in the school yard, where more than 150 people were killed, and the bodies were taken to the military hospital.

- **Karm Al-Zeitoun Massacre:** It occurred after the regime forces stormed the Al-Rifai and Karm Al-Zeitoun neighborhoods in late March 2012, when members of the National Defense affiliated with Saqr Rustom intercepted two civilian cars and shot and killed those in the cars. Then, they stormed the Al-Rifai neighborhood and gathered the remaining families in one house and later killed all of them and burned the house. The number of victims is estimated at about 40 civilians, including women and children.
- **Sahl AL-Hula Massacre:** In May 2012, when groups of the National Defense, with the coverage of Brigadier General Hawash Muhammad, commander of the operations room in Homs, stormed the south of the village of Taldo, and the operation lasted for more than three hours, during which 106 civilians were slaughtered and killed, including 50 children and a number of women.

In November 2020, the US Treasury Department imposed sanctions on Saqr Rustom as part of the Caesar Act. In February of the same year, European Union imposed sanctions on eight businessmen and two entities affiliated with the Assad regime, including Rustom.

- **Romada Real Estate Development and Investment Company**

Name: Romada Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 13272

Creation date: 16 September 2010

Percentage of foreign investment: none

Governorate: Homs

Ownership and management: It is managed by Issam Khairallah Anbouba, who is a founding partner of the Romada Company, and he owns 55 percent of its shares. He is a Syrian businessman from Homs who owns a group of companies and investments that he manages with his children Rani, Mark and Danny. He is one of the founders of Cham

Holding Company, as well as the Chairman of the Syrian-Emirati Business Council, and has stakes in Clico Company for the manufacture of thermal bricks and Issam Anbouba and Company for the preparation and printing of metal panels and the manufacture of metal packaging, and Anbouba Chemistry Company for gypsum board manufacturer, and United Cement Company.

Issam worked as a vice-chairman and principal partner of the Board of Directors of Bank of Syria and the Gulf, a founding member and partner in Byblos Bank, a principal partner in Fransabank, a shareholder in Bank of Syria and Overseas, and a founding member and shareholder of Syria Islamic Bank. He is a member, founder and partner of the Syrian Kuwaiti Insurance Company, a shareholder in the United Insurance Company, a founder and a shareholder in the International Group Exchange Company, and a partner in the international chain of Carrefour stores in Syria, and in the St. George Hotel in Wadi al-Nasara. He also served as Secretary of the Homs Chamber of Commerce and Chairman of the Advisory Council for the City of Homs.

In addition to this, there are many other companies that Essam Tubua runs with his children Rani, Mark and Danny, headed by the largest regional company for the oil industry, Proteina Company. He also invested in the Islamic banks that he owned with Rami Makhlouf, who used Anbouba as a front for his activities, especially in European countries and in the United States because of Anbouba's experience in the western markets.



Issam Anbouba with his children (Source: Pro-Justice website)

Violations: Anbouba helped Assad's authority to circumvent the sanctions and enable his forces to continue widespread violations against the Syrian people. Anbouba and his companies were included in the

European sanctions list in 2011, and to avoid those sanctions Anbouba announced his withdrawal from the Syrian commercial market, and headed towards the Emirates United Arab. Essam resides in Lebanon and owns two companies there, United for Agricultural Industry and Celloserv, in partnership with his two sons Rani and Mark, in addition to the Syrian businessman Nader Al-Qali, who is associated with Rami Makhoul⁴⁶.

- **Al-Aliyat Real Estate Development and Investment Limited Liability Company**

Name: Al-Aliyat Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 13276

Creation date: September 23, 2010

Percentage of foreign investment: none

Governorate: Homs

Ownership and management: It is run by Diana Tarif al-Akhras, a Syrian businesswoman, daughter of Syrian businessman Tarif al-Akhras, uncle of Asma al-Akhras, wife of Syrian President Bashar al-Assad. She owns 33 shares in it, which accounts for 33% of the total shares. Al-Akhras also previously held the position of a member of the board of directors at Bank of Jordan Syria. She is a director and founding partner of the Al-Aliyat Company. She owns five thousand shares in the company, which accounts for 33% of the total shares. She is the owner of a project to store and crush grain and agricultural crops and sell them in Homs governorate. She is also Vice-Chairman and co-founder of the Trans Biton Corporation, a founding partner of the Taj Industrial Investments Company, a founding partner of the Middle East Sugar Factories Company, and a founding partner of the Commercial Markets Company.

⁴⁶ Pro-Justice, Issam Khairallah Anbouba (Last visited March 27, 2021)
<https://businessmen.pro-justice.org/ar/issam-anbouba-ar/>

- **Tahhan Global Company**

Name: Tahhan Global Company

Type: Limited liability

Nationality: Syrian-Kuwaiti

Commercial registration number: 11637

Creation date: 7 March 2018

Foreign investment rate: 20 percent

Governorate: Aleppo and Damascus Countryside

Ownership and management: Its board of directors is chaired by Kuwaiti-based Syrian businessman Ahmed Tahan, who is a founding partner in the company, along with investors, the Kuwaiti company Mazaya, and Iman Zaidou. In March 2019, the Aleppo City Council and Tahan Global Real Estate Development and Investment Company concluded an investment contract for the site of the Technical Services Department in the city of Aleppo, including the restoration, rehabilitation, implementation and investment of the site as a four-star heritage hotel with its requirements.

- **Al-Barazi Real Estate Development Company**



Name: Al-Barazi Real Estate Development Company

Type: Limited liability

Nationality: Syrian

Commercial registration number: 9937

Creation date: 4 March 2018

Foreign investment rate: In April 2019, a memorandum of understanding was signed in the UAE between the Emirati Sharjah Company and the Syrian Real Estate Development Company, Al-Barazi. The Syrian company was signed by Dr. Hayan Al-Barazi, Chairman of the Board of Directors, while the General Manager of the Emirati company, Eng. Muhammad Al-Saleem, signed for the company. The two companies considered that this agreement is a paradigm shift in the mechanism of work in both countries⁴⁷.

Governorate: The head office is in Hama Governorate, and the company has a branch in Homs Governorate.

Ownership and management: The Chairman of the Board of Directors of the company, Dr. Hayan Al-Barazi, the director of the company, Musaad Al-Barazi, and the director of the Homs branch, Anas Zaini.

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Signing of a memorandum of understanding in the UAE between the Sharjah UAE Company and the Syrian Real Estate Development Company, Al Barazi. The source is the official Facebook page of "Al-Barazi Real Estate Development". (Last visited March 27, 2021).
<https://www.facebook.com/2167310960262025/videos/331124390873269/?t=0>

- **Amissa Real Estate Development and Investment Company**



Name: Amissa Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 13231

Creation date: June 1, 2010

Percentage of foreign investment: none

Governorate: Homs

Ownership and management: It is run by Ali Muhammad Tayseer Samha, a co-founder, and owns 25 shares in the company, representing 25 %. According to the company’s incorporation decision, the two founders are Bashar Muhammad Tayseer Samha, who owns 75%, and Ali Muhammad Tayseer Samha 25%.

- **Al Toukhi for Real estate development and Investment**



Name: Al-Toukhi for Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 16453

Creation date: October 12, 2010

Percentage of foreign investment: none

Governorate: Damascus

Ownership and management: It is managed by Imad Eddin Al-Toukhi, a general manager and founding partner of the Al-Toukhi Company for Development and Real Estate Investment Limited Liability. He owns 980 shares in the company, or 98 percent.

- **Nabni for real estate development and investment**

Name: Nebna for Real Estate Development and Investment

Type: Limited liability

Nationality: Syrian

Commercial registration number: 18006

Creation date: 4 April 2017

Percentage of foreign investment: none

Governorate: Damascus

Ownership and management: The director of the company is Dr. Reem Abdul-Ghani, who lives in the United Arab Emirates, and is the president of the Tarim Center for Architecture and Heritage.

C- Statistics and classification of real estate development companies

According to the General Authority for Real Estate Development and Investment, its board of directors held 60 sessions since its formation until late 2018, and the number of applications submitted to the Authority by companies reached 327. The number of public sector entities that obtained the status of a real estate developer reached six entities: the General Housing Corporation, the Military Housing Corporation, the Military Construction Execution Corporation, the General Company for Roads and Bridges, the General Company for Construction and Development, and the General Company for Water Projects. The number of real estate development companies permanently licensed reached 56 companies, the percentage of foreign investment in them reached 4.7%, and the number of real estate development companies that obtained initial license approval reached 39 companies, in which the percentage of foreign investment reached 11.4%. While the Board of Directors canceled the license of 15 companies⁴⁸.

- **Real estate development companies that obtained the final license**

No	Company's name	Type	Governorate
1	Bana Management and Development	Limited Liability	Damascus Countryside
2	Kayan Real Estate Development and Investment	Limited Liability	Homs
3	Syria Cartel Real Estate Development and Investment	Limited Liability	Damascus
4	Palmyra - Sodic Real Estate Development and Investment	Limited Liability	Damascus Countryside
5	Al-Aliyat Real Estate Development and Investment	Limited Liability	Homs

⁴⁸ The source of the information is the "General Authority for Real Estate Development and Investment."

No	Company's name	Type	Governorate
6	Amissa Real Estate Development and Investment	Limited Liability	Homs
7	Al-Toukhi Real Estate Development and Investment	Limited Liability	Damascus
8	Thiqah Real Estate Development and Investment	Limited Liability	Aleppo
9	Romada Real Estate Development and Investment	Limited Liability	Homs
10	Tatweer Projects Development and Real Estate Investment	Limited Liability	Damascus
11	Roya Almostakbalia Real Estate Development and Investment	Limited Liability	Damascus Countryside
12	Syrian - Gulf Real Estate Development and Investment	Limited Liability	Aleppo
13	Overseas Investment for Real Estate Development and Investment		Damascus Countryside
14	Noway Development and Real Estate Investment	Limited Liability	Aleppo
15	Al Ghubrah Real Estate Development and Investment	Limited Liability	Damascus
16	Amar Enterprise		Latakia
17	Syrian Engineers for Real Estate Development and Investment	Limited Liability	Damascus
18	Ayoub Real Estate Development and Investment	One person / Limited Liability	As-Suwayda
19	Al Rawabi for Real Estate Development and Investment	Limited Liability	Damascus
20	Green City Builders Real Estate Development and Investment	Limited Liability	Damascus
21	Al Haram for Real Estate Development and Investment	Limited Liability	Damascus

No	Company's name	Type	Governorate
22	Madinaty for Real Estate Development and Investment	One person / Limited Liability	Damascus
23	Sana Development and Real Estate Investment	One person / Limited Liability	As-Suwayda
24	Cordoba Real Estate Development and Investment	One person	Aleppo
25	A branch of Al Qudra Real Estate Company		Damascus
26	Al Baraka Amad Real Estate Development and Investment	Limited Liability	Damascus
27	Qaband Real Estate Development and Investment Company	Limited Liability	Damascus Countryside
28	Al Sham Towers for Real Estate Development and Investment	Limited Liability	Damascus
29	Insha'a for Real Estate Development and Investment	Limited Liability	Aleppo
30	Villa Mac Real Estate Development and Investment	Limited Liability	Damascus
31	Madina City Real Estate Development and Investment	Limited Liability	Damascus
32	Al-Sokhni Real Estate Development and Investment	Limited Liability	Damascus Countryside
33	Al-Etihad Real Estate Development and Investment	Limited Liability	Damascus
34	Nabni for real estate development and investment	Limited Liability	Damascus
35	Al-Tharaa Real Estate Development and Investment	Limited Liability	Damascus Countryside
36	Al Hussam Real Estate Development and Investment	One person	Damascus

No	Company's name	Type	Governorate
37	Ebdaat Real Estate Development and Investment	Limited Liability	Damascus
38	Al-Madina Company	Unknown private contribution	Damascus Countryside
39	Katerji Real Estate Development and Investment	Limited Liability	Aleppo
40	Damas Real Estate Development and Investment	Limited Liability	Damascus
41	Bunyan Urban Development Company	Limited Liability	Damascus Countryside
42	Barazi Company	Limited Liability	Hama
43	Alkwafi Company	Limited Liability	Homs
44	Aram Company	One person / Limited Liability	Hama
45	Al-kalaa Company	Limited Liability	Aleppo
46	Asia Company	Limited Liability	Damascus Countryside
47	Tahhan Global Company	Limited Liability	Damascus Countryside
48	A'ali Company	One person / Limited Liability	Damascus Countryside
49	Tottol Company	One person / Limited Liability	Aleppo
50	Public Housing Establishment	Public Sector	
51	Military Housing Establishment	Public Sector	

No	Company's name	Type	Governorate
52	Establishment for the implementation of military construction	Public Sector	
53	General Company for Roads and Bridges	Public Sector	
54	The General Company for Building and Reconstruction	Public Sector	
55	The General Company for Water Projects	Public Sector	

- **Foreign real estate development companies that obtained a final license**

No	Company's name	Nationality	Foreign investment ratio	Governorate
1	Green City Builders Company	American	49%	Damascus
2	A branch of Al Qudra Real Estate Company	Emirati	100%	Damascus
3	Cartel Company	Emirati	10%	Damascus
4	Tahhan Global Company	Syrian-Kuwaiti	20%	Aleppo
5	The Syrian- Gulf Company	Syrian-Saudi	24.5%	Aleppo

- **Real estate development companies that have obtained initial license approval**

NO	Company's name	Type	Foreign investment	Governorate
1	Alhikma		49%	Aleppo
2	United A&A Company		49%	Damascus
3	Altjmmat Alastthmarya		100%	Damascus
4	Abraj Al Sharq			Damascus
5	Al Maktab Al Alamy	Individual Establishment		Damascus Countryside
6	Al Dar International			Damascus

NO	Company's name	Type	Foreign investment	Governorate
7	Bunyan			Damascus Countryside
8	Altahan			Aleppo
9	Tumuh		16.7%	Damascus
10	Dar Misk	Reconciliation	22.5%	Damascus
11	Al Faris			Damascus
12	Sayf Al Sham			Damascus
13	Farol Syria		49%	Damascus
14	Emirati Syrian		49%	Damascus
15	Durat Al Riyf			Damascus
16	Asas	Shareholding Company		Aleppo
17	Syrian Egyptian (TASS)		25%	Damascus
18	Al Qalamoun			Damascus
19	Al Etemad			Aleppo
20	Baqy			Aleppo
21	Al-Anbarji Company	Limited Liability		Aleppo
22	Muzn Company	(Reconciliation) Limited Liability		Damascus
23	Altamyz Alemrany	Limited Liability		As-Suwayda
24	Fouad Debsi Establishment	Limited Liability		Aleppo

NO	Company's name	Type	Foreign investment	Governorate
25	Global Gate Company	Limited Liability		Damascus
26	Diyar Al-Sham Company	Limited Liability		Damascus
27	Damascus Towers Company	Limited Liability		Damascus
28	Bahi Company	Limited Liability		Damascus
29	Farzat Company			Hama
30	Al-Sattif and Dalal Company	Limited Liability		Damascus
31	Syaj Company	Limited Liability		Damascus
32	Al-Mansour Company	Limited Liability		Damascus
33	Waqt Alamal Company	Limited Liability		Latakia
34	Afamia Company	Limited Liability		Damascus Countryside
35	Birih Company	Limited Liability		Aleppo
36	Amir Al-Shahba Company	Limited Liability		Damascus
37	Catalonia Company	One person/Limited Liability		Aleppo
38	Mudun Company	Limited Liability		Damascus
39	Sarat	Reconciliation		Damascus

- **Real estate development companies whose licenses have been revoked**

No	Company's name	Governorate	Notes
1	Al-Awael Company	Damascus	Dissolution and liquidation at the request of the company
2	Mowafak Kaddah Company	Damascus	Dissolution and liquidation at the request of the company
3	Ebla for Real Estate Development and Investment	Damascus	
4	Durrat Al Khaleej Real Estate Development and Investment	Deir Ezzor	
5	Al-Yaman Real Estate Development and Investment	Homs	
6	Al Moein Real Estate Development and Investment	Damascus	
7	Green Land Real Estate Development and Investment	Homs	
8	Al Biwtat Real Estate Development and Investment	Latakia	
9	Nour Development and Real Estate Investment	Damascus	
10	Jarrah, Shami and Ashkar for real estate	Damascus	

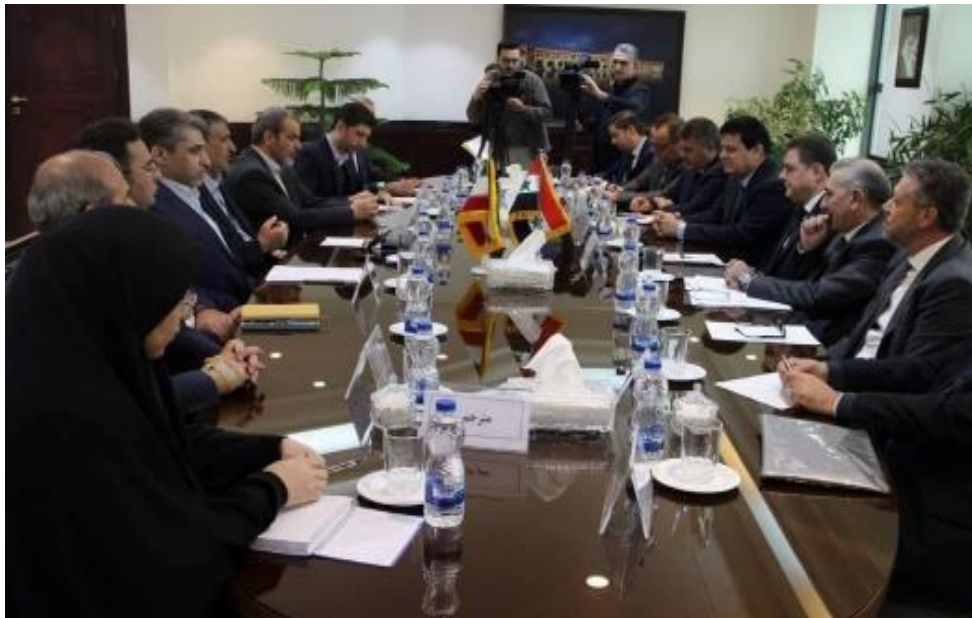
No	Company's name	Governorate	Notes
	development and investment		
11	The Syrian Company A-T	Aleppo	
12	New Future Company	Damascus	
13	Al'uwlaa Company for Real Estate Development and Investment	Damascus	
14	Al-Khayyat Group for Real Estate Development and Investment	Damascus	
15	Beroia Real Estate Development and Investment Company	Aleppo	

D- Notes about real estate development companies

- We noticed that the percentage of foreign investment is modest in companies that obtain the final license, and in total there are 56 companies in which the proportion of foreign investment is estimated at 4.7 percent, and it is confined to five companies, namely: Green City Builders Company (US), Cartel Company (UAE), Tahhan Global Company (Syrian/Kuwaiti), Syrian Gulf Company (Syrian/Saudi), and A branch of Al Qudra Real Estate Company (Emirati). One among these companies has a hundred percent foreign capital, which is the Emirati Al Qudra Real Estate Company branch. As for the other four companies, they are for Syrian investors, in which foreign investment participates in varying proportions, ranging between 10% and 49%. This is due to foreign investors not considering Syria as a safe country to invest in, or because the US and European sanctions imposed on Assad’s authority, especially those that targeted the course of the reconstruction process,

have halted foreign investment in real estate development projects in Syria.

- The General Authority for Real Estate Development and Investment did not include any Iranian company in the lists of real estate development companies, bearing in mind that in November 2019, the Syrian and Iranian sides agreed to achieve partnerships in the field of housing and public works in order to implement reconstruction projects. The meetings were chaired by the Minister of Public Works and Housing on the Syrian side, Suhail Abdullatif, and on the Iranian side the Ministry of Roads and Urban Development, Muhammad Islami.



A meeting chaired on the Syrian side by the Minister of Public Works and Housing, Suhail Abdullatif, and on the Iranian side, the Minister of Roads and Urban Development, Muhammad Islami, in November 2019 (source: Syria Reconstruction website)

In the same month, the Syrian ambassador to Tehran, Adnan Mahmoud, said that Iranian companies can invest in most areas of Syria, given that the conditions are appropriate to start implementing infrastructure projects, and other projects that these areas need. This came during a forum on trade opportunities in Syria, which was held at the headquarters of the Trade Development Organization in Tehran.

In December 2019, a joint Syrian-Iranian committee on reconstruction in Syria was formed, and it was announced during a meeting in Tehran between the Iranian Minister of Energy and the Minister of Water

Resources in Syria. An agreement was reached between Iranian Minister Reza Ardakanian and Syrian Minister Hossein Arnous on the involvement of Iranian companies in projects related to the post-war reconstruction of Syria.

In February 2020, the Syrian-Iranian Joint Chamber of Commerce completed equipping the Iranian Center in the Free Zone in Damascus, to begin its work after three months, with the possibility of establishing another center in Lattakia. It also announced the start of preparation for two free zones shared between Syria and Iran, in Hassia, Homs, and Lattakia.

On October 18, 2020, the head of the Iran-Syria Joint Chamber of Commerce, Kiwan Kashfi, announced the inauguration of the main building of the Iranian Trade Center in Damascus, stressing that this was a step to achieve one billion dollars in exports to this country. Kashfi explained that the building of the Iranian Trade Center in the Syrian capital was built of 12 floors with an area of four thousand square meters, and includes sections for holding exhibitions and providing marketing, shipping, transportation, legal, banking and insurance consultations. He called on Iranian commercial companies to seize the available distinct opportunities and join him. He also mentioned the possibility of cooperation between this center and the chambers of commerce, industry and agriculture in other Syrian cities and governorates, such as Aleppo, Homs, Latakia and Damascus. According to this official, 24 Iranian companies are currently operating in the Iranian Trade Center in Damascus⁴⁹.

- Real estate development companies that we have targeted in our study as representative examples; some of them obtained the status of a real estate developer before 2011, and some of them obtained this status after this date. It is noticeable that all of them belong to the network of relatives and cronies affiliated with the Assad authority, which is the cornerstone of the reconstruction project, which is organically linked to the rebuilding of the regime.

⁴⁹ The Islamic Republic News Agency (IRNA), President of the Iranian-Syrian Chamber of Commerce: The launch of the Iranian Trade Center to achieve one billion dollars through exports to Syria, October 18, 2020. (Last visit March 27, 2021).

<https://ar.irna.ir/news/84079634/>

After 2011, that network expanded to include warlords who participated in the war of Assad's authority against the Syrian people directly, by supporting and forming military militias accused of committing war crimes and crimes against humanity, including the brothers Katerji, owners of the Katerji Real Estate Development and Investment Company, and Saqr Rustom is the owner of the Damas Development and Real Estate Investment Company and who also served as the commander of the National Defense Militia in Homs, which committed several massacres and participated in the crimes of siege and forced displacement, and Muhammad Qaband, the owner of the Qaband Real Estate Development and Investment Company and a member of the People's Assembly, who financed the Shabiha forces to suppress Aleppo demonstrations, so that crime becomes an entry point for expanding the category of crony members.

- We noticed from our tracking of real estate development companies in Syria that the board of directors of the General Authority for Real Estate Development and Investment had revoked the licenses of 15 companies that had the status of a real estate developer, and stated the reason for revoking the licenses of only two of them, while he did not state the reason that prompted him to cancel the licenses of 13 another company.
- Some of the owners of real estate development companies that obtained a final license from the models we studied, were targeted by US and European sanctions, such as the Katerji brothers (Baraa, Hussam and Muhammad) and Saqr Rustom.
- We noticed that the contracts concluded by the Assad authority with real estate development and investment companies did not comply with international laws in terms of non-observance of human rights, as the areas where real estate development projects were to be established subjected their inhabitants to severe oppression, leading to massacres being committed against them, then forcibly displacing them after being besieged and their metropolises destroyed. In addition to not involving the local community in these projects in the planning and implementation stages, and not paying attention to the negative impact that these projects will have on their future and the fate of their property, and the continuation of the partnership between the Assad authority and these companies on

the basis of obscuring these projects and their goals, procrastination and conflicting information, and the failure to secure means and mechanisms of redress and grievance for those affected and an accountability mechanism for violators.

- 3 -

Conclusion

The study of the three levels of real estate development (the legal framework for real estate development, areas targeted for development, real estate development and investment companies) demonstrated the injustice entrenched in it since its inception before the revolution, and the lack of observance of the basic rights of residents, including the right to property, and their right to participate in the decision and control of public projects that affect their lives. Hence, this study clarified the collective crime added to what the Assad authority considered its victory over the Syrians, thus invoking the real estate development that is mainly imposed on the poorest of the Syrians, who are therefore the most participating in the revolution, to punish them and re-enlist them. The Assad authority emptied areas of their inhabitants through forced displacement, and issued new decrees and laws to legalize the process of plundering the properties of the "disobedient community," thus giving this process of usurpation a legal character that enables it to plunder what it can plunder as a de facto authority, in which it lures states, allies, the network of relatives and cronies to complete its project. By rebuilding the authoritarian regime in its new form, while trying to improve its image as much as possible in front of the international community by wrapping this forced demographic engineering process in a legal solution, which it believes may protect it from accountability. Therefore, we focused in this study on shedding light on representative samples of these laws that enable us to understand the legislative environment in which real estate development projects grow. So that it clarifies how the current expropriation is a violation due to the loss of its two conditions to be legal (achieving public benefit and fair compensation). We shed light on terms that aim to dispossess property, such as free deduction, and we linked the legal periods and deadlines established by laws to establish ownership, and the reality of the Syrian people who were expelled from their cities and towns, of which some have become ruins. And we showed how this legal mechanism intertwined with each other to besiege the owners, complicate procedures and conditions for proof of ownership and force them into a compulsory path, at least selling their real estate, or leaving it for fear of arrest or killing under torture if they demanded it and

reviewed state institutions with this goal, and how these, the legal mechanism that even the rubble of destroyed homes was not spared from, so it seized it to erase any traces that might indicate its inhabitants.

By tracking the modernized real estate development areas, and studying representative models about them, we monitored the extent of the destruction that these areas were subjected to, and the crimes that their inhabitants were subjected to, including arrest, torture and bombardment of various types of ammunition, including those internationally prohibited, and the massacres, destruction and forced displacement they left behind. All of this is that this authority is not originally qualified to be responsible and entrusted with achieving the public benefit of the Syrian people, and therefore it is not entitled to acquire real estate and land, and it lacks this capacity and this legitimacy.

We then moved to pursue the third level of this project (real estate development and investment companies in Syria), and we found that these companies do not take into account the principles of human rights and the participation of the local community in determining its fate and the fate of its properties, and are not committed to transparency and disclosure of the project; from the stage of concluding contracts, through planning, to implementation, and thus violating international law and the recommendations and directives of the United Nations in this regard. We noticed that the owners of these companies, which we took as representative examples, belong to the network of relatives and croneis, which the Assad regime had to expand, as a reward for their participation in the Syrian war and its assistance in punishing, killing and displacing the rebellious Syrians.

We concluded from this process that the Assad authority is working to rebuild an authoritarian regime that is more tyrannical than its collapsed regime, relying on building an authoritarian political, security, and economic centrality that it seizes through the network of relatives and cronies that expanded after the 2011 protests. After the Assad regime regained its military control, with the support of the Russians and the Iranians, over a large part of the Syrian territories that were outside its control, it now linked the reconstruction process with the rebuilding of its new regime, and the achievement of the second is a condition for the first to be realized. So we find it busy trying to tidy up the relatives and cronies

network. So that, through them, it can control the economy, specifically the reconstruction process.

Therefore, a Syrian solution based on law and respect for human rights and international humanitarian law, the acceleration of building a democratic system of government, the prosecution of war criminals, and the blocking of the reconstruction process as the process of reproducing an authoritarian regime, is what the United Nations and the free world are supposed to insist on, to ensure that the page of this crime is closed. But in all cases, the creation of mechanisms for Syrians' participation in governing themselves, building a democratic system, and rebuilding their country must be guaranteed through their participation in planning, producing appropriate and fair laws, monitoring implementation and reviewing the entire process after its completion and coming up with conclusions that become experiences and standards for similar subsequent projects. This needs mechanisms, including elected local councils that have a role in decision-making and oversight, ensuring the freedom of the media to accompany the reconstruction in a way that enhances transparency and credibility, and engaging civil society (syndicates, unions, interest groups, etc.) All that shows that Democracy is not a political slogan, but rather practical measures and mechanisms that enable people to decide their own destiny.

In this sense, reconstruction is the production of a democratic system with the widest participation of the Syrians, whereby the entire process moves them from being a parish, without participation and without protection, to citizens so that they become the source of legitimacy, mandate, control and supervision over the distribution of wealth, and ensuring the right of all Syrian citizens to equal competition through public and transparent tenders, a free and fair judiciary, unions for business owners, and the activation of unions for workers and craftsmen. Thus, the current struggle is not only about preventing the victory of tyranny in Syria at the present time, but also preventing the reproduction of sustainable tyranny.

In addition to linking the reconstruction process, with practical steps that begin with the release of all prisoners of conscience from the prisons of the Assad authority, an immediate halt to the operations of targeting civilians at all levels, and the unconditional return of the forcibly displaced. Then there is the initiation of a political process leading to the

assumption of democratically elected representatives of power in Syria, at the same time that a legal process is underway that ensures that all victims have access to effective remedies, and that the rights and property of Syrian citizens are not prejudiced under the pretext of reconstruction, ensure that those accused or suspected of committing or participating in crimes against humanity and war crimes do not participate in the political and reconstruction process, and that reconstruction funds are not used to commit new crimes, or to reward criminals.

List of sources and references

1- Law No. (15) of 2008. For the following link:

<https://wipolex.wipo.int/fr/text/581069>

2- Legislative Decree No. (20) of 1983. For the following link:

<http://www.mola.gov.sy/mola/index.php/legislation/93-%D8%A7%D9%84%D8%A5%D8%B7%D8%A7%D8%B1-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D9%84%D9%84%D8%AA%D8%AE%D8%B7%D9%8A%D8%B7-%D9%88%D8%A7%D9%84%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%A7%D9%84%D8%B9%D9%85%D8%B1%D8%A7%D9%86%D9%8A%D8%A7%D9%84%D8%A7%D8%B3%D8%AA%D9%85%D9%84%D8%A7%D9%83/154-%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D8%B1%D9%82%D9%85-20-%D9%84%D8%B9%D8%A7%D9%85-1983>

3- Law No. (9) dated 01/27/1974 regarding the division, organization and urbanization of cities. To view the following link:

<http://www.mola.gov.sy/mola/index.php/legislation/>

4- Legislative Decree No. (5) of 1982. For the following link:

http://mopwh.gov.sy/?page=show_det&category_id=12&id=252&lang=ar

5- Law No. (39) of 2009. For the following link:

<https://drive.google.com/open?id=1cfbNCr9jZ4VuGDY4hS2CHkNNex57YcPW>

6- Law No. (26) of 2010. For the following link:

<http://www.damascusbar.org/AlMuntada/showthread.php?t=11412>

7- Legislative Decree No. (82) of 2010 (Arasat Construction Law). To view the following link: <https://www.mohamah.net/law>

8- Law No. (11) of 2011 regulating the real estate rights of non-Syrians. To view the following link: <https://www.mohamah.net/law>

9- Legislative Decree No. (66) of 2012. For the following link: <http://parliament.gov.sy/arabic/index.php?node=5588&cat=4300&>

10- Law No. (15) of 2012. For the following link: <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=4325&ref=tree&>

11- Presidency of the Council of Ministers, Law No. (23) of 2015 regarding the implementation of planning and urbanization, December 8, 2015. For the following link: <http://www.pministry.gov.sy/contents/12504/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-/23/-%D9%84%D8%B9%D8%A7%D9%85-2015-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%AA%D9%86%D9%81%D9%8A%D8%B0-%D8%A7%D9%84%D8%AA%D8%AE%D8%B7%D9%8A%D8%B7-%D9%88%D8%B9%D9%85%D8%B1%D8%A7%D9%86-%D8%A7%D9%84%D9%85%D8%AF%D9%86>

12- Law No. (10) of 2018. For the following link: <http://www.pministry.gov.sy/contents/13502>

13- Law No. (42) of 2018. For the following link: <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=18759&ref=tree&>

14- Law No. (3) of 2018. For the following link: <http://www.mola.gov.sy/mola/index.php/2018-04-19-13-25-39/item/6312-3-2018>

15- The Syrian Constitution of 2012. For the following link:

http://menarights.org/sites/default/files/2016-11/SYR_Constitution2012_AR_0.pdf

16- People's Assembly, Legislative Decree 63 of 2012, judicial police authorities. To view the following link:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=16218&ref=tree&>

17- Official website of the People's Assembly, Legislative Decree (30) of 2007 Military Service Law. To view the following link:

<http://parliament.gov.sy/arabic/index.php?node=201&nid=4921&>

18- United Nations, Universal Declaration of Human Rights. To view the following link:

<https://www.un.org/ar/universal-declaration-human-rights/index.html>

19- United Nations, International Convention on the Elimination of All Forms of Racial Discrimination. To view the following link:

<https://www.ohchr.org/ar/ProfessionalInterest/Pages/CERD.aspx>

20- Syrian Lawyers Gathered, Human Rights Committee, Principles relating to housing and property restitution for refugees and displaced persons (internally displaced persons), Special Rapporteur (Paulo Sérgio Pinheiro). To view the following link:

<http://freesyrianlawyers.com/index.php/ar/%D9%88%D8%AB%D9%8A%D9%82%D8%A9-%D8%A7%D9%84%D8%A3%D9%85%D9%85-%D8%A7%D9%84%D9%85%D8%AA%D8%AD%D8%AF%D8%A9>

21- International Committee of the Red Cross, Fourth Geneva Convention, 1949, November 21, 2017. For the following link:

<https://www.icrc.org/ar/resources/documents/treaty/geneva-convention-iv-on-civilians>

22- The Syrian-German Technical Cooperation Program for Sustainable Urban Development, Slums in Aleppo, 2009. For the following link:

http://madinatuna.com/downloads/IS-Book_ar.pdf

23- Human Rights Watch, "Land leveling, illegal demolitions of residential neighborhoods in Syria in 2012-2013," January 30, 2014. For the following link:

21- International Committee of the Red Cross, Fourth Geneva Convention, 1949, November 21, 2017. For the following link:

<https://www.icrc.org/ar/resources/documents/treaty/geneva-convention-iv-on-civilians>

22- The Syrian-German Technical Cooperation Program for Sustainable Urban Development, Slums in Aleppo, 2009. For the following link:

http://madinatuna.com/downloads/IS-Book_ar.pdf

23- Human Rights Watch, "Land leveling, illegal demolitions of residential neighborhoods in Syria in 2012-2013," January 30, 2014. For the following link:

<https://www.hrw.org/ar/report/2014/01/30/256512>

24- International Committee of the Red Cross, the Rome Statute of the International Criminal Court, adopted in Rome on July 17, 1998. For the following link:

<https://www.icrc.org/ar/doc/resources/documents/misc/6e7ec5.htm>



Syrian Center for Legal Studies and Research

The study of the three levels of real estate development (the legal framework for real estate development, areas targeted for development, real estate development and investment companies) demonstrated the injustice entrenched in it since its inception before the revolution, and the lack of observance of the basic rights of residents, including the right to property, and their right to participate in the decision and control of public projects that affect their lives. Hence, this study clarified the collective crime added to what the Assad authority considered its victory over the Syrians, thus invoking the real estate development that is mainly imposed on the poorest of the Syrians, who are therefore the most participating in the revolution, to punish them and re-enlist them. The Assad authority emptied areas of their inhabitants through forced displacement and issued new decrees and laws to legalize the process of plundering the properties of the "disobedient community," thus giving this process of usurpation a legal character that enables it to plunder what it can plunder as a de facto authority, in which it lures states, allies, the network of relatives and cronies to complete its project. By rebuilding the authoritarian regime in its new form, while trying to improve its image as much as possible in front of the international community by wrapping this forced demographic engineering process in a legal solution, which it believes may protect it from accountability

Real Estate Development

The Second Book
In a Study series

A Crime

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