

Hama and Idlib: Farmlands Owned by Displaced Residents Go Up for Auction

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In accordance with Administrative Order No. 4400, which was issued by the head of Hama's [Security and Military Committee](#) in August 2020, several farmer leagues announced that public auctions would be held for investments in olive orchards for a period of one season in government-controlled rural northern Hama and southern Idlib governorates.

The administrative order explicitly stated that the lands belonged to individuals who reside outside state control and are in territories under the authority of "armed terrorist groups," in reference to Idlib.

The announcements had originally set the auctions for October, to be held at the headquarters of the Farmer Leagues and Cultural Centres. The dates for the auctions were later postponed for unclear reasons and are now set for November.

Each auction participant must present a certificate proving they have not been convicted of a crime and a copy of their ID and pay a SYP 5,000 advance fee for every hectare they plan to bid on.

Baath Party members in the area are actively discussing how to lease and invest in agricultural lands that belong to residents who have been displaced further north to Idlib governorate by recent fighting, for the benefit of the Martyrs' Families Support Fund, according to a correspondent for *The Syria Report* in Hama. It is unclear to whom exactly the proceeds would go, but previous auctions to invest in Hama's pistachios saw proceeds go to the Martyrs' Families Support Fund, which is affiliated with the Baath Party branch in Hama.

The latest scheduled auctions come with the start of the olive harvest season in areas whose residents were displaced from their homes by regime military operations early this year. Regime forces are now prohibiting residents from returning and consider the area a military zone. An estimated 230,000 hectares of farmland were seized by regime forces from the opposition in rural Hama and southern Idlib at the start of the year.

According to Syrian lawyer AbdulNasser Houshan, the administrative decision is unconstitutional and illegal, and constitutes a violation of the rights of property owners to dispose of their properties, as stipulated in Article 768 of the Civil Code. The measure grants the owner alone, within the limits of the law, the right to use, benefit from and dispose of their property. Article 770 of the Civil Code gives the owner the right to all the products of their property.

Within the same context, the Farmer Leagues in Idlib and the nearby city of Maaret Al-Numan announced they would hold public auctions to invest in lands owned by "members who are indebted to the Agricultural Bank" The announcement included 108 villages, towns and farms, covering most of the areas of rural southern Idlib governorate that are now under regime control. It was unclear exactly how many properties would be up for investment in the auction, their land areas and locations, and the number of debtors to the bank. People displaced to areas of Idlib that are still under opposition control have not been able to pay back loans from the Agricultural Bank, as they are de facto wanted by the regime's security forces, deterring them from making any contact with official Syrian state institutions.

In addition to their unconstitutionality, these announcements issued by the Farmer Leagues contradict Article 15 of the [Agricultural Cooperative Bank Law](#), which specified the

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methods through which the bank may collect its debts in accordance with the Public Funds Collection Law. Article 9 of the law, which authorises the [Ministry of Finance](#) to make and implement property seizure decisions, not Farmer Leagues.

The announcement of the public auctions to invest in lands of farmers displaced to Idlib comes just days after the issuance of Legislative Decree No. 23 of 2020. The measure exempts those impacted by the forest fires on the Syrian coast from the interest of loans granted to them by the Agricultural Bank, and to schedule the payments of their debts after excluding interest and fines. The decree also allowed those impacted by the fires, even if they were in debt, to borrow again from the bank.

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