

## Could the Arab Belt Issue Resurface in Northeast Syria?

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On January 28, judicial authorities in northeastern Syria issued a potentially problematic decree prohibiting certain lawsuits related to real estate in lands under their purview.

The Social Justice Council, which is the judicial authority in the Autonomous Administration in North and East Syria (AANES), issued Decree No. 6, barring its justice bureaus—functionally, its courts—from hearing real estate rights cases related to the origin of rights for certain lands located outside of official zoning plans. Origin of rights cases deal with protecting ownership rights and other real estate rights. Real estate rights are typically the right of ownership and disposal, surface right, right of utilisation, documentation, and confirmation of sales contracts.

In other words, the council forbade the bureaus from deciding on lawsuits related to so-called “Amiri lands,” and demanded that courts dismiss cases related to real rights. Amiri lands are properties legally owned by the state, though occupants have the right to sell or lease them under Article 86 of the Syrian Civil Code. The council also obligated courts to revert Amiri lands and state ownership issues to their pre-2013 legal status; 2013 is the year that the AANES was formed. The decree also forbade courts from looking into real estate cases related to the origin of rights which had previously been considered and decided by a court decision, regardless of the authority that issued it.

The decree also ruled that the justice bureaus cannot hear possession claims over state properties, except after obtaining permission or a rental contract from the relevant administrative authority.

The council justified its decisions by saying it was preserving the rights of citizens, warding away potential future disputes, and protecting the public interest and the right to property.

The decree could be related to the fraught history of land ownership between Arab farmers and Kurds in northeastern Syria’s “Arab Belt” region, informed sources told a correspondent for *The Syria Report* in the area. The Arab Belt stretches between the two cities of Qamishli and Al-Malikiyeh in the Hassakeh governorate and was home to Kurds from Syria, Turkey, and Iraq. All of them, including those born in Syria, have been registered as foreigners since the late 1960s, and denied basic civil rights. The Syrian government gave some lands within the Arab Belt to Arab farmers from the Al-Waldeh clan after the nearby Euphrates River flooded their farms in the Raqqa and Aleppo governorates in 1974, due to the construction of the Euphrates Dam. Those farmers are known as the flood farmers. The Baath Party used the Arab Belt project to create demographic change in northern Hassakeh, along the border with Turkey.

Many so-called flood farmers are turning to selling their lands within the Arab Belt, fearful that the AANES could seize them, or that the issue of the Arab Belt itself could be reopened and the lands redistributed to Kurdish farmers. Arab Belt farmers have turned to selling to wealthy Kurds.

The lands belonging to the flood farmers in the Arab Belt are indeed owned by them, as they hold the title deeds. However, they were initially prohibited by the government from disposing of their lands within the Arab Belt for a period of 10 years, starting in 1974—that is, farmers were given the right to utilise the lands, without the right to dispose of them, until a decade later.

According to *The Syria Report’s* correspondent in the area, the aim of Decree No. 6 may be to maintain the status quo and potentially reopen the Arab Belt issue later, using it as a political bargaining chip. There are rumours that the goal of the decree could be to obtain compensation for the original Kurdish owners of the land, to later distribute the land to people who are close to the AANES.

