

Executive Summary of Legal Memorandum

On the Danger of the New Organizational Scheme for Yarmouk Camp in Stripping its Residents of their Real Estate Rights and Changing the Camp's Identity

Yarmouk Camp, the largest gathering of Palestinians in Syria, is located south of Damascus. It was established in the mid-1950s on land belonging to the state and leased to the General Authority for Palestinian Refugees, who in turn divided this land into housing designated for Palestinian refugees. With an increasing number of camp residents, and with several Syrian families moving to live there, the camp expanded in area and population, reaching around 400,000 in early 2011, most of them Palestinian refugees.

During the conflict, the camp and its residents were bombarded by Syrian regime forces towards the end of 2012, leading to the forced displacement of a large proportion of its population. The residents who stayed behind suffered a suffocating siege imposed by regime forces, lasting from mid-2013 to mid-2018 when the regime and its allies launched a military attack on the camp that resulted in massive destruction and the displacement of its remaining residents.

After the regime destroyed the camp and displaced its residents, Damascus Governorate issued on 29/6/2020 a regulatory plan for the camp based on unfair laws passed by the regime during the conflict, including Law No. 10 of 2018 and Law No. 23 of 2015, in a scheme to bring about demographic change and deprive IDPs of voluntary and safe return to their homes, thereby changing the camp's demographic and urban structure.

This was made clear in the provisions of these laws preventing IDPs from defending their property and housing rights. Additionally, the texts do not address the special nature of ownership within the camp and the changes it underwent before the conflict. On the other hand, this procedure is an infringement on the plan implemented in 2004 which preserves the rights of camp residents.

More importantly, this new procedure will lead to the obliteration of the camp's identity and the fragmentation of its property unit. The new procedure is based on actual destruction within the camp, removing large sectors to later be turned into residential towers, commercial markets and parks as planned, replacing residents' property rights. These new measures will prevent camp residents from returning, whether due to the lengthy duration of implementation time or to the inability to obtain financial and legal documents in order to

obtain alternative housing within this area. They do not have the right to return to and repair their homes.

As IDPs are unable to return for a number of reasons, mainly fear of security prosecution, and as they cannot delegate others to defend their property rights due to the requirement of so-called 'security approvals', the right to object to these new measures within set (and expired) time limits is therefore practically unmanageable, and their rights will be lost.

These measures violate the charter of human rights, international conventions, and even the Syrian constitution that safeguards property rights. The Syrian regime intends by these measures to prevent Palestinians from returning to the camp, thus effecting demographic change, tearing apart the social fabric of the camp, and damaging its identity.

Therefore, we address all international bodies, especially the Security Council, United Nations agencies, UNRWA, the European Union, countries concerned with the Syrian file, and Special Envoy, Mr. Geir Pedersen;

we call on Palestinian and regional bodies concerned with Palestinian rights, in particular the Palestine Liberation Organization and the Arab League;

to exert necessary pressure on the Syrian regime to retract decisions issued against the camp and its residents, and to consider any measure taken against the camp before a safe environment is created for its residents' return, a premature measure and an obstacle to a political solution, constituting an assault on housing and property rights.

Finally: The Palestinians have suffered enough under Israeli occupation since the Nakba of 1948 and their displacement from their land, to face today another type of displacement and the loss of their rights under the Syrian regime.