

The Documentation of 135 Arrests in “Peace Spring” and “Olive Branch” Strips during Sep and Oct 2022



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113 persons were arrested in Afrin area, among them were ten women and five children, while 22 persons, including two women and five children were arrested in Ras al-Ayn/Serê Kaniyê and Tall Abyad regions. Only 38 out of the total arrestees were released, while the fate of the rest 97 persons, among them eight women and six children remain unknown.

Introduction

Hevdesti-Synergy Association for Victims documented the arrest of at least 135 persons, including 12 women and 10 children during September and October 2022 in Afrin, Ras al-Ayn/Serê Kaniyê and Tall Abyad regions, which are under the control of the Turkish forces and factions of the Turkey-backed opposition Syrian National Army (SNA) as a result of Olive Branch Operation in 2018 and Peace Spring Operation in 2019.

In September 2022, detention and deprivation of liberty in “Olive Branch” and “Peace Spring” strips included 109 individuals in “Peace Spring” and “Olive Branch” Strips. Hevdesti-Synergy documented the arrest of 90 persons, including 10 women and 5 children in Afrin, in addition to 19 others, among them a woman and 5 children in Ras al-Ayn/Serê Kaniyê and Tall Abyad. 29 persons out of them were released while the fate of the rest 80 detainees, among them 8 women and 6 children, remains unknown.

In October 2022, Hevdesti-Synergy documented the arrest of 26 persons in “Olive Branch” and “Peace Spring” Strips. 23 of them were arrested in Afrin whereas the other 3 persons, including a woman, were arrested in Ras al-Ayn/Serê Kaniyê. 9 persons out of the total detainees were released while fate of 17 others who remained in prisons is still unknown.

The biggest toll of arrests, in September and October, was felt in Afrin where 113 persons, among them were 10 women and 5 children, were arrested. While in Ras al-Ayn/Serê Kaniyê and Tall Abyad, 22 persons, including at least 2 women and 5 children were arrested. 38 detainees, among them 4 women and 4 children were released, while the fate of 97 others, among them 8 women and 6 children, remained unknown.

The majority of the detained persons were arbitrarily arrested. Causes and charges behind their arrest varied. Some were accused of dealing with the Autonomous Administration or formerly working in its institutions. Others were accused of trying to cross into Turkey illegally. Some others were arrested to extort their families and get a ransom.

Some of the released detainees or their family members told Hevdesti-Synergy that they were subjected to torture and ill-treatment in prisons run by the opposition SNA’s factions in Afrin, Ras al-Ayn/Serê Kaniyê and Tall Abyad.

Hevdesti-Synergy Association relied in its documentation process on the information collected in its database provided by a network of field researchers scattered in the region, and on information obtained from the detainees’ relatives and eyewitnesses. Furthermore, it verified the information from publicly available sources (open sources).

Hevdesti-Synergy Association notes that violations committed by Turkey and the SNA-affiliated factions in Afrin, Ras al-Ayn/Serê Kaniyê and Tall Abyad are far more than what have been documented and verified, as the Association believes that the actual number of arrest cases is significantly higher than the figure given in this report.

In a another [report](#), Hevdesti-Synergy has documented the arrest of at least 117 persons in “Peace Spring” and “Olive Branch” Strips in August 2022, where 107, including 8 women and 11 children, were arrested in Afrin. While further 10 persons, among them a woman and a child were arrested in Ras al-Ayn/Serê Kaniyê and Tall Abyad.

On the third anniversary of the Turkish Operation “Peace Spring” launched on October 9, 2022, Hevdesti-Synergy published a report listing the [toll](#) of three-year human rights violations in Ras al-Ayn/Serê Kaniyê and Tall Abyad. The violation included the arrest of at least 511 persons, including 68 women and 42 children on the hands of Turkish forces and the Turkey-backed factions of the SNA. Moreover, at least 325 cases of torture were documented against the detainees in SNA’s detention centers in which at least 5 detainees died under torture.

Legal Liability

The SNA has violated prisoners’ rights in accordance with international legal obligations. Various factions affiliated with the SNA have arbitrarily arrested individuals and practiced cruel, inhumane and degrading treatment towards relatives of the detainees and the disappeared and their families in various ways. One way is the deliberate concealment of the fate and whereabouts of the detainees and the disappeared persons in violation to the International Humanitarian Law (IHL) and fundamental human rights principles¹. Furthermore, the effective removal of these persons from the protection of the law, if protection is found originally, and the failure to establish their fate constitutes a violation to the right to life².

In the light of the continuous documented use of torture against detainees and the failure of the factions’ commanders as well as leaders of the Syrian Interim Government (SIG)/the opposition Syrian Coalition to take effective steps to prevent such practices, there are reasonable grounds to believe that the SNA may be practicing such conduct in pursuance of an organizational policy. Such conduct therefore may be part of a systematic attack against the detainees in its custody, amounting to the crimes against humanity of torture.

The SNA forces are under effective command and control of the Turkish forces. Therefore, the Turkish military commanders are held criminally responsible for violations committed by these parties [the SNA forces] in instances where the Turkish leaders knew, or should have known about such crimes, or failed to take all necessary and reasonable measures to prevent their commission³.

In any event and as an occupying power, Turkish authorities must ensure that their own officials and those under their command in the opposition SNA do not arbitrarily detain or mistreat anyone. The Turkish authorities are obliged to investigate alleged violations and ensure that those responsible are appropriately punished.

Arrests in Olive Branch Strip

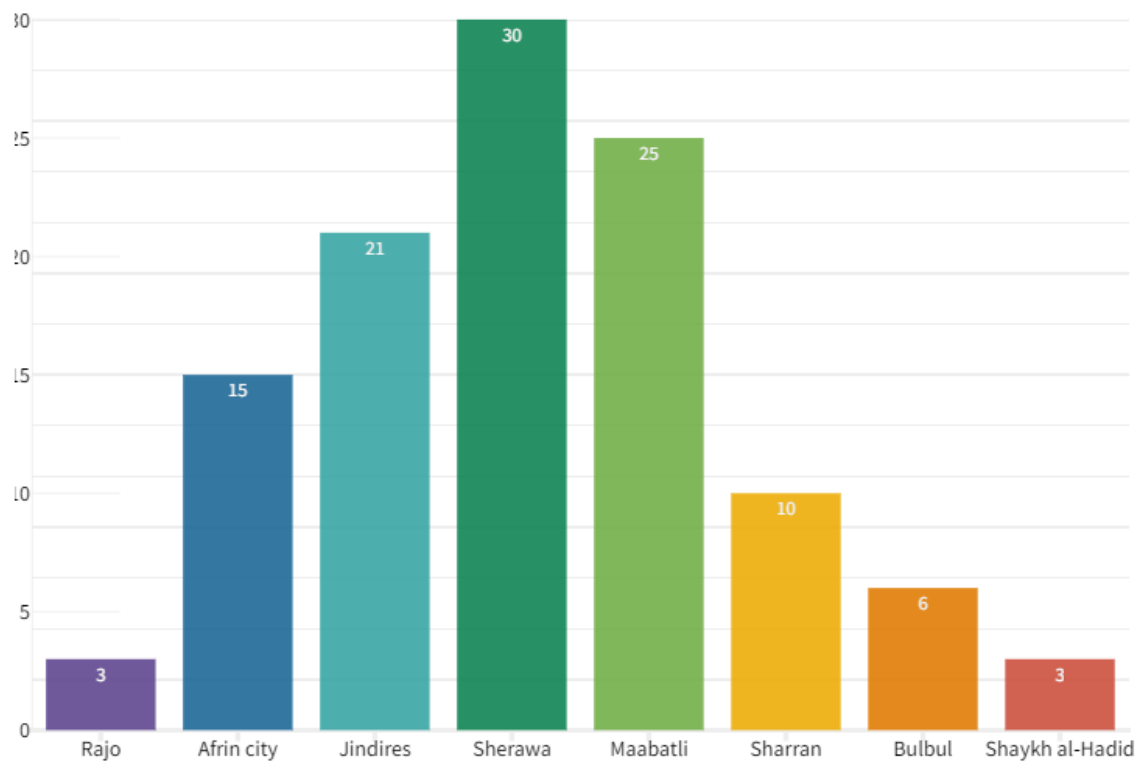
In September and October 2022, Hevdesti-Synergy documented the arrest of 113 persons, including 10 women and 5 children in the Kurdish-majority region of Afrin. 21 of them were released later, while the fate of the rest 92, including 8 women and 5 children, is still unaccounted for.

¹ ICRC Rule 98. Enforced disappearance are also characterized as a composite war crime by ICRC; See Rule 156.

² UN Human Rights Committee, general comment no. 36 (2018), para 58.

³ Rome Statute of the International Criminal Court, Article 28.

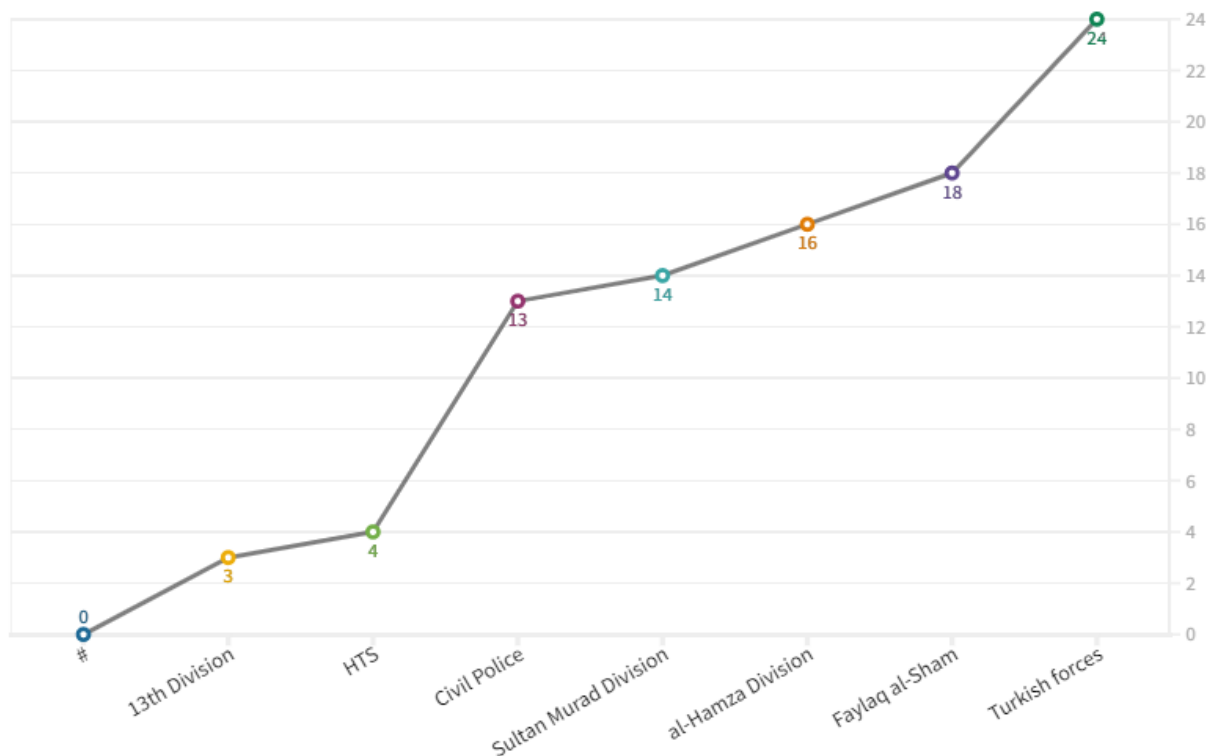
The majority of cases of arrest during September and October 2022 took place in Sherawa District in Afrin countryside where 30 persons were arrested. The other arrests were distributed in Afrin region as follows: 25 in Maabatli/Mabeta District, 21 in Jindires District, 15 in Afrin city center and the surrounding villages, 10 in Sharran District, 6 in Bulbul District, three each in Shaykh al-Hadid District and Rajo District.



Geographical distribution of the arbitrary arrests carried out by factions of the opposition SNA in Afrin region in Sep and Oct 2022

The Sham Legion (*Faylaq al-Sham*) was behind the arrest of 18 persons in Afrin. The al-Hamza/al-Hamzat Division was behind arresting 16 persons. Both the Sultan Murad Division and forces of the Turkish Intelligence participated in 14 arrests while the Turkish forces alone conducted 10 cases of arrests.

The Civil Police was behind 13 arrests, the terrorist-designated Hayat Tahrir al-Sham/HTS (formerly al-Nusra Front) conducted 4 cases of arrest, and the 13th Division was behind 3 cases of arrest. Hevdesti-Synergy could not precisely identify the factions responsible for the other arrests in Afrin.



Factions of the opposition SNA that took part in the arbitrary arrests in Afrin Area in Sep and Oct 2022

Arrests in “Peace Spring” Strip

In Ras al-Ayn/Serê Kaniyê and Tall Abyad, 23 persons at least, including 2 women and 5 children, were arrested at the hands of the opposition SNA’s factions in September and October 2022. The two areas were occupied by Turkey in October 2019 as a result of “Peace Spring” Operation. 17 detainees out of the total detainees were released, including 2 women and 4 children, while the fate of the 6 others, among them a boy, remains unknown.

Gathering of Free Men of the East (*Tajammu Ahrar al-Sharqiya*) was behind at least 12 arrests, the Turkish forces were responsible for four cases of arrest, the Civil Police conducted 2 cases of arrests, and other SNA factions were behind the other cases of arrests.

Motives behind the majority of the arrests in Ras al-Ayn/Serê Kaniyê and Tall Abyad are to extort the detainees’ families and ask them pay ransoms in exchange for their loved ones’ release.

On September 5, 2022, the Turkish border guards (Gendarmerie) arrested a girl, her brother and 6 other people while trying to cross to Turkey illegally near al-Aziziya village in the west countryside of Ras al-Ayn/Serê Kaniyê. After that, they were transferred to Harran Camp in Turkey’s Şanlıurfa as a preliminary step for their repatriation to Syria.

The girl, 20, detailed to Hevdesti-Synergy the circumstances of their arrest by the Turkish Gendarmerie and how they were handed over to factions of the SNA in Northern Syria⁴.

“Days after our arrest, the Turkish Gendarmerie handed us over to the SNA’s factions in the city of Azaz in Northern Aleppo where we were interrogated. Young men were severely beaten, and women were exposed to verbal abuse. We remained in that situation for ten days until they released me, my brother and some other detainees after we had to pay ransoms.”

The witness said she had to pay 330,000 Syrian pounds (equivalent to \$65 at the time) to the faction within the opposition SNA which was imprisoning her and her brother, for their release.

On September 17, 2022, 5 persons were arrested at the hands of the Turkish Gendarmerie in al-Arada village, which follows Abu Rasin/Zargan town in the East of Ras al-Ayn/Serê Kaniyê, while trying to enter Turkey illegally.

The victims (asylum seekers) were directly shot by the Turkish Gendarmerie while trying to access the border wall between Turkey and Syria so the whole group was forced to stop. One of the detainees narrated to Hevdesti-Synergy details of the incident:

“Four individuals and I were arrested. After interrogation, the Turkish forces transferred two persons who were with us to an unknown place, after they were charged with joining the self-defense forces/HXP (mandatory army service of the Autonomous Administration). Two persons, among them 16-year-old boy, and I were handed over to factions of the SNA in Tall Abyad through the crossing border.”

Factions of the SNA did not treat Syrian asylum seekers better than that of the Turkish Gendarmerie. The asylum seekers were interrogated extensively during the time of arrest, and they were even beaten and tortured.

The witness described the conditions of arrest as “dire” in Tall Abyad. He continued as saying:

“Our interrogation lasted for few days during which we were tortured and exposed to abusive language. Each one of us was forced to pay \$700 for his/her release. Our families had nothing to do but to pay them under pressure and release us.”

Hevdsetî-Synergy interviewed another witness who was arrested by the Turkish Gendarmerie on October 5, 2022 in the al-Aziziya in Ras al-Ayn/Serê Kaniyê while he was trying to access to Turkey illegally. He narrated details of his arrest saying:

“The Turkish Gendarmerie arrested me and interrogated me for 24 hours. Then they handed me over to members of the Civil Police and Sultan Murad Division in Ras al-Ayn/Serê Kaniyê. After that, I was transferred to a military base near the public hospital in the city where I stayed for three days.”

⁴ The interview was conducted in person on September 23, 2022. The witness’s data is withheld upon her request.

The witness did not dare confess he was from the Kurdish component during the time of arrest or interrogation because he was fearful of being killed. Hevdesti-Synergy and local and international organizations have previously documented that SAN's factions committed human rights violations and discrimination on the basis of race, mostly against the Kurds. In this regard, the witness said:

"I did not tell them I was a Kurd during interrogation because I was fearful of being assassinated. Some members of the faction checked my shoulder to make sure if had ever carried a gun after they charged me of fighting alongside the Syrian Democratic Forces/SDF against the SNA."

The witness was released after he spent three days in custody in a difficult situation. He was compelled to pay a ransom for his release. He concluded:

"Three days later, I was released after paying 500 Turkish Liras as a ransom."

Members of the SNA took the detainee to a sand berm separating them and the SDF in the west of Ras al-Ayn/Serê Kaniyê near the M4 Highway. There they discharged him after they stole his mobile phone and \$400 that was in his pocket.