

# Peace Spring: Systematic Policy of Attack to Prevent Syrian Asylum Seekers Crossing to Turkey



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## **Peace Spring: Systematic Policy of Attack to Prevent Syrian Asylum Seekers Crossing to Turkey**

The statements verified by Hevesti-Synergy confirm that leaders of the opposition Syrian National Army (SNA) themselves run the human trafficking operations and smuggling of people illegally to Turkey. At least 12 intra-factional clashes broke out between the SNA's factions in "Peace Spring" strip during 2022 due to disputes over dividing human trafficking profits

## Introduction:

Three civilians, Syrian asylum seekers were killed and others were injured due to direct shooting by Turkish border guards (Gendarmerie) during 2022 in the areas lying between [Ras al-Ayn/Serê Kaniyê](#) and [Tall Abyad](#) in Northern [Syria](#) while the civilians were attempting to cross to [Turkey](#) illegally.

113 persons, including seven women and three children, were also arrested in the same year by the opposition SNA's factions in "Peace Spring" strip because they tried to head to the Turkish border or attempted to cross it seeking asylum.<sup>1</sup>

The detainees were subjected to ill-treatment and torture in prisons run by the SNA, and the majority of the detainees' families were extorted. 86 of the detainees were released after more than 70 families paid ransoms while the fate of the rest 27 arrestees remains unknown.

In the majority of arrest cases documented by Hevesti-Synergy, the civilians were kept in prisons run by the Military Police or the Civil Police in the two cities of Ras al-Ayn/Serê Kaniyê and Tall Abyad and in the prison located in Mabrouka town in the west of Ras al-Ayn in poor detention conditions.

"Fake news" has contributed in increasing the number of asylum seekers who tried to enter Turkey from Ras al-Ayn/Serê Kaniyê and Tall Abyad but later became victims of the Turkish forces and the SNA. They were either arrested by the SNA while trying to cross the Turkish border or they were the target of live fire by the Gendarmerie with the intent to kill to prevent them from doing so.

The testimonies and information verified by Hevesti-Synergy confirm that fighters and leaders of factions affiliated with the opposition SNA themselves run the human trafficking operations and smuggling people illegally to Turkey for the exchange of money. Hevesti-Synergy documented that at least 12 intra-factional clashes/internal fighting broke out between the SNA's factions in "Peace Spring" strip during 2022 due to disputes over dividing human trafficking profits.

Effective measures preventing Syrian people to enter Turkey started in late 2015. Turkey started to build a 911 KM long wall along the country's border with Syria, where the wall consists of concrete blocks, each standing four meters high.

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<sup>1</sup> Turkish forces launched Operation Peace Spring on 9 October 2019 and ended it on 22 October 2019. As a result, Turkey and factions affiliated with the Turkish-backed Syrian National Army/SNA controlled a strip of Syrian territory on the border that is 120 km long and 32 km wide between the areas of Ras al-Ayn/Serê Kaniyê, northwest al-Hasakah city, and Tall Abyad in northern Raqqa. The operation also led to the displacement of more than 175,000 people from the region, according to the Independent International Commission of Inquiry on the Syrian Arab Republic.

All the measures pushed the Syrian people to try illegal, mostly risky, routes in order to enter Turkey. As a result, Syrians have become victims of organized groups that transport people from Syria to Turkey illegally. The majority of these groups are connected to parties to the conflict across Syria in one way or another and the groups as well as their activities are being overlooked.

The Turkish government follows a policy of systematic brutality to prevent Syrian asylum seekers to access its territories. Since the construction of the wall, the Turkish border guards who are stationed along the strip border beat, torture and humiliate the persons who attempt to access Turkey illegally, and often target them with live fire killing and injuring scores of them.

Continuing brutal practices against Syrian asylum seekers by the Turkish border guards coincide with conduct of the Turkish authorities' forcible deportation of<sup>2</sup> thousands of Syrian refugees and planning to repatriate more than one million Syrian refugees to Northern Syria. Moreover, Turkey threatens to wage new military operations.

### **Legal Liability:**

Based on cases of arrests, killings and torture mentioned in this report, they are, undoubtedly, crimes and flagrant violations to the rights of those civilians in the framework of the [International Humanitarian Law \(IHL\)](#)<sup>3</sup> and the [International Human Rights Law \(IHRL\)](#)<sup>4</sup>. Let alone violating their right to seek refuge and forcibly returning those who survived to [unsafe](#)<sup>5</sup> conflict areas.

Killings by direct targeting and unlawful executions on the border strip are considered egregious violation to the victims' rights to life and the insurance that no one shall be arbitrarily<sup>6</sup> deprived of their life as pledged by the [International Covenant on Civil and Political Rights](#).

Concerning the arbitrary arrests of people who tried to cross to Turkey illegally at the hands of the opposition SNA and the ill-treatment the detainees went through, fall undoubtedly under torture, and therefore constitute a clear violation and a crime that is worth accountability based on the Convention Against Torture and Other Cruel, Inhuman and

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<sup>2</sup> According to official statistics published by the administrations of Syria-Turkey border crossings, particularly Bab al-Hawa, Bab al-Salameh and Tall Abyad, approximately 11,000 Syrian refugees have been forcibly deported to Syria since early 2022. This figure does not include asylum seekers who were captured while attempting to cross the border strip into Turkey illegally.

<sup>3</sup> The ICRC, [Sources of International Humanitarian Law \(IHL\)](#).

<sup>4</sup> The United Nations, [Foundation of International Human Rights Law](#).

<sup>5</sup> [Statement of Paulo Pinheiro](#), Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic in front of the Third Committee of the UN General Assembly on 25 October 2021: **"This is no time for anyone to think Syria is a country fit for its refugees to return. Recent months have seen increased fighting and violence."**

<sup>6</sup> [The International Covenant on Civil and Political Rights](#), Article 6, UN website- Human Rights- Office of the UN High Commissioner.

Degrading Treatment or Punishment<sup>7</sup> of 1984, since all people, and particularly detainees, enjoy full access to their rights of life and personal safety against all forms of torture and nonhuman treatment that the IHL and the IHRL guarantee at times of war inasmuch at times of peace.

As an occupying power, Turkish authorities must ensure that their own officials and those under their command (The opposition SNA) do not arbitrarily detain, mistreat, or abuse anyone. The authorities are obliged to investigate alleged violations and ensure that those responsible are appropriately punished.

### Three Syrian Asylum Seekers Killed by Turkish Border Guards:

On 14 August 2022, Suliman Al-Sayad (28), was killed and another young man was injured because they were directly shot by the Turkish border guards while the two were attempting to cross to Turkey illegally near the village of al-A'duaniya in the west countryside of Ras al-Ayn/Serê Kaniyê.

Al-Sayad, married and a father of three, hailed from the city of Ras al-Ayn/Serê Kaniyê. Prior to his death, he had decided to immigrate to Europe through Turkey because of insecurity and the worsening living conditions in "Peace Spring" strip.

One of Al-Sayad's family member told Hevesti-Synergy Association that the victim was in a group of 15 who all tried to cross to Turkey illegally, but Suliman was the unluckiest person among them. He recounted:<sup>8</sup>

**"Turkish border guards fired at Suliman and the group he was with at the time all of them were attempting to pass the border barrier. Some succeeded to pass while others retreated. Our son Suliman was shot with three bullets in the chest. Another guy was severely injured".**

Al-Sayad and the injured person were transferred to the Ras al-Ayn Public Hospital, but Al-Sayad died en route. The witness added:

**"One person from the group pulled Suliman away from the border wall. He then contacted some of our relatives in al-Qle'aa village near al-A'duaniya/border crossing point and informed them of Suliman's injury. Our relatives rushed to immediately hospitalize Suliman and the other injured guy to the Ras al-Ayn Public Hospital, but our son had passed away before arriving to the hospital".**

<sup>7</sup> The [Convention Against Torture](#) and Other Cruel, Inhuman and Degrading Treatment or Punishment of 1984.

<sup>8</sup> The interview was conducted virtually on 15 August 2022. Information about the witness is withheld based on his request.

According to the witness, Al-Sayad's relatives buried him in al-Qle'aa in the west of Ras al-Ayn/Serê Kaniyê.



Image of the victim Suliman Al-Sayad (28), who was killed on 14 August 2022 as Turkish border guards (Gendarmerie) shot him directly in Ras al-Ayn/Serê Kaniyê countryside while he was trying to cross to Turkey illegally.

On September 19, 2022, the 22-year-old man Yasser Oglah Al-Darwish was killed and two young men of his relatives were injured due to direct fire by the Turkish border guards near the village of al-Aziziya in the west countryside of Ras al-Ayn/Serê Kaniyê while the young men were trying to cross into Turkish territories illegally.

Married with one kid, Al-Darwish hailed from Zeenat village that follows [Ash-Shaddadi](#) city, south of al-Hasakah. Prior to his death, he had decided to emigrate to Europe through Turkey along with some of his relatives due to the deteriorating living conditions in his area.

The victim's brother identified as "Ahmed Al-Darwish" narrated to Hevesti-Synergy details of his brother's death:

**“My brother Yasser along with three of our relatives attempted to cross the wall along Turkey-Syria border illegally. But the Gendarmeries directly shot at them injuring my brother and one of our relatives in the head while another one was shot in the shoulder.”**

Yasser and the two injured young men were transferred to the public hospital in Ras al-Ayn. In this regard, his brother said:

**“My cousin, who survived the shooting, transferred the injured young men to the Ras al-Ayn hospital which lacked the basic required first aid services. The Civil Police stopped the injured in the hospital telling them their injuries were serious and that they should be transferred to the hospital in Turkey’s Sanliurfa.”**

The witness added:

**“The two injured young men refused to be hospitalized to Turkey fearful of arrest. The Civil Police transferred only my brother Yasser to Sanliurfa hospital as his health situation worsened in Ras al-Ayn hospital. My brother was still alive and could talk to the people around him.”**

Only few hours after being transferred to Sanliurfa hospital, the victim passed away. His death was a shock to his family according to his brother who added:

**“We asked one of our relatives who lives in Turkey to check on my brother’s health. But he informed us that my brother died only one hour after he got to the hospital. We were shocked by the news and wondered how that happened.”**

According to the witness, the family’s doubts concerning the death of their son increased when the Ras al-Ayn hospital’s administration refused to deliver them the medical reports that accompanied the body coming back from Turkey.



An image showing autopsy on the corpse of the victim Yasser Al-Darwish following his death in Turkey's Sanliurfa hospital. Photo credit: the victim's family.

### **Arresting Asylum Seekers and Extorting Their Families:**

Hevdesti-Synergy documented the arrest of 113 persons, including seven women and three children during 2022 by the opposition SNA's factions in "Peace Spring" strip because the arrestees had tried to head to the Turkish border or attempted to cross it to seek asylum.

The detainees were subjected to ill-treatment and torture in prisons run by the SNA, and the majority of the detainees' families were extorted. 86 of the detainees were released after more than 70 families paid ransoms. The fate of the rest 27 arrestees is still unaccounted for.

The motives behind arresting the majority of the detainees in Ras al-Ayn/Serê Kaniyê and Tall Abyad were to extort their families and ask for financial ransoms for their release.

In all the cases Hevdesti-Synergy substantiated, the SNA did not respect prisoners' rights. Various factions affiliated with the SNA have arbitrarily arrested and detained individuals, practiced cruel, inhuman and degrading treatment towards relatives of the detainees in various ways. One way of which is to extort them for money and another way is to



deliberately conceal the fate and whereabouts of the detainees in violation to the IHL and the fundamental human rights principles.<sup>9</sup>

A witness whose four family members were arrested in Ras al-Ayn/Serê Kaniyê told Hevesti-Synergy Association that the “Military Police” had asked them to pay ransoms in exchange to release their detained relatives. He recounted:<sup>10</sup>

**“In late July 2022, the Military Police arrested four of our relatives in the west countryside of Ras al-Ayn/Serê Kaniyê while they were trying to cross to Turkey illegally. Three of them were released on 5 August 2022 after we paid 2,500 USD to those forces. One of the detained persons remained in the prison and was released later in the same month.”**

The witness said that the released detainees had undergone severe physical and psychological torture, adding that they had no information regarding the proceeding of the prosecution or the mechanism of their release in terms of the legal aspect.

Another witness told Hevesti-Synergy Association that his brother along with three other detainees were brought before a military court prior to their release. He narrated the details of his brother’s arrest as following:<sup>11</sup>

**“On 5 July 2022, my brother along with three other young men were heading to Ras al-Ayn/Serê Kaniyê coming from the direction of the Autonomous Administration-controlled areas. The Military Police forces arrested them on the M4 Highway, interrogated them and kept them in a custody in Mabrouka town for 25 days in poor imprisonment situations. The detainees were subjected to verbal abuse, mental pressure and shortage of food. In early August 2022, they were released after they were brought before a military court.”**

Hevesti-Synergy interviewed another witness who was arrested by the Turkish Gendarmerie on October 5, 2022, in al-Aziziya village in the west countryside of Ras al-Ayn/Serê Kaniyê while attempting to enter Turkey illegally. He narrated to Hevesti-Synergy the details of his arrest:<sup>12</sup>

**“The Turkish Gendarmerie arrested me and interrogated with me for 24 hours. They handed me over to fighters of the Civil Police and The Sultan Murad Division in Ras al-Ayn/Serê Kaniyê. I was then transferred to a military headquarter near the public hospital in the city, where I remained for three days.”**

<sup>9</sup> ICRC Rule 98. Enforced disappearance are also characterized as a composite war crime by ICRC; See Rule 156.

<sup>10</sup> The interview was conducted virtually on 6 August 2022. The witness’s identity is withheld for his family members’ safety.

<sup>11</sup> The interview was conducted virtually on August 5, 2022. The witness’s identity is withheld upon his request.

<sup>12</sup> The interview was conducted virtually on October 12, 2022. The witness’s information is not promulgated upon his request.

The witness did not dare confess his Kurdish origins during the time of arrest or interrogation because he was fearful of being killed. Hevesti-Synergy and local and international organizations have previously documented the SNA's factions commission of human rights violations and discrimination on the basis of race, mostly against the Kurds. In this regard, the witness recalled:

**“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 I had ever carried a gun after they charged me of fighting alongside the Syrian Democratic Forces/SDF against the SNA's factions.”**

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 financial 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. They discharged him there after they stole his mobile phone and \$400 that was in his pocket.

On September 5, 2022, the Turkish border guards arrested a girl, her brother and six others while they were trying to cross the Turkish border illegally near al-Aziziya village in the west countryside of Ras al-Ayn-Serê Kaniyê. Later the detainees were relocated to Harran Camp in Turkey's Sanliurfa to be deported to Syria.

The girl, 20, narrated to Hevesti-Synergy details of their arrest by the Gendarmerie and handing them over to the SNA's factions in Northern Syria.<sup>13</sup>

**“Days after our arrest, the Gendarmerie handed us over to the SNA's factions in Azaz city in northern Aleppo, where we got interrogated. Some of the young men who were arrested with us were severely beaten. The women were verbally abused. We remained in this situation for ten days until they released me, my brother and some other young men after we were all forced to pay financial ransoms.”**

According to the witness, she and her brother had paid 330,000 Syrian Pounds (equivalent to 65 USD at the time) for their release to the SNA's faction that had arrested them.

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<sup>13</sup> The interview was conducted face-to-face on September 23, 2022. The witness's information is not promulgated upon her request.



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**Hevdestî - Synergy Association for Victims, is a non-governmental, non-profit organization, aimed at educating and providing a platform and a space for victims to represent themselves and claim their rights. Synergy was founded on March 11, 2021, to seek justice for the victims of conflict in North and East Syria and to contribute to the process of accountability and justice.**

**We work to document all human rights violations in North and East Syria, and preserve evidence, documents and testimonies in order to contribute to the processes of truth-revealing, accountability and justice. In addition to build the capacities of the victims and advocate for their issues, with the aim of building a society demanding its rights.**

**We are committed to the highest degrees of accuracy and integrity, including seeking multiple perspectives to develop an in-depth and analytical understanding of events. We are cognizant of our responsibility towards the victims and witnesses who share their experiences with us. We are working closely with a wide range of actors in local and international civil society to achieve the greatest possible impact.**