Ras al-Ayn/Serê Kaniyê: Absence of Rule of Law Reinforces Violation of Right to Life



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The absence of the rule of law reinforces armed chaos, insecurity and instability in the regions occupied by Turkey and opposition SNA's factions in northern Syria



Introduction

On May 28, 2023, Najeeb al-Sheikh, a commander in "Suqur Al-Shamal" Brigade affiliated with the opposition Syrian National Army (SNA), was assassinated with shots by an armed group in <u>Tell Halaf</u> town, located in the west of Ras al-Ayn/Serê Kaniyê city, which has been occupied by Turkey since October 2019.

It turned out soon that the commander of the SNA had been killed by armed men who belonged to the Al-Akidat Tribe owing to an old <u>vengeance case</u> that dates back to 2021, as one individual of the Al-Akidat Tribe had been killed under torture in a prison run by the group led by Najeeb al-Sheikh.

Immediately after the crime, social media platforms circulated a <u>video footage</u> filmed in the center of Ras al-Ayn/Serê Kaniyê city showing a group of armed young men firing bullets in the air, celebrating the murder of al-Sheikh and chanting "sons of the elite/*Eyal al-Nukhbe*", indicating to the Al-Akidat Tribe. The video footage clearly showed that the young men were proud of committing the crime and it declared their responsibility behind it. They were delivering a message that they have achieved justice themselves, and that they expect no accountability for that owing that thousands of members belonging to the Al-Akidat Tribe are fighting alongside the opposition factions of the SNA.

This crime reflects the deteriorating security condition and the absence of the rule of law in Turkey-occupied territories, contrary to Turkey's propaganda that its military operation "Peace Spring" will create a "safe zone", as armed chaos and insecurity have continued to characterize the situation in Ras al-Ayn/Serê Kaniyê and Tall Abyad.

On April 12, 2022, the Ministry of Defense in the Syrian Interim Government (SIG) of the National Coalition of Syrian Revolution and Opposition Forces issued a <u>circular</u> to police the possession and use of arms in its areas of control and limit its use to military camps, front lines with the enemy, and security checkpoints. Nevertheless, the use of weapons is still rampant and any fight, frequently and immediately, turns to an armed confrontation whether by shooting in the air to spread fear and panic or direct shooting with the aim to cause injuries under lack of control or attempts to police the proliferation of arms.

Torture to Death

Synergy interviewed an eye-witness to the crime and two activists well informed of details of the crime. Their statements crosschecked that the commander in Suqur al-Shamal Brigade known as "Najeeb al-Sheikh" was murdered due to an old <u>revenge case</u> on the backdrop of killing the 45-year-old man Hikmat Khalil al-Da'ar under torture in September 2021, while he was held in a prison run by Suqur al-Shamal Brigade in Ras al-Ayn/Serê Kaniyê. Al-Sheikh was in charge of the prison at the time.



Al-Da'ar died leaving behind a widow and two children. He belonged to Al-Akidat Tribe and hailed from <u>Al-Tayyana</u> town in the east countryside of Deir ez-Zor but displaced to Ras al-Ayn/Serê Kaniyê. He worked as a shepherd and also as a bus driver for a public transit within the SNA-held territories after it captured the region.

On September 16, 2021, members of Suqur Al-Shamal brigade arbitrarily arrested al-Da'ar on charges of cooperating with the Autonomous Administration, specifically with the Syrian Democratic Forces (SDF) and facilitating the passage of truck bombs to the SNA's area of control, one of the most common charges used against the detainees. Al-Da'ar was taken to an SNA-run detention facility in Ras al-Ayn/Serê Kaniyê city.

Days after his arrest, on September 20, 2021, the victim's family received a <u>notice</u> from the SNA factions to immediately visit the general hospital in Ras al-Ayn/Serê Kaniyê. Upon their arrival at the hospital, the family learned of al-Da'ar's death due to torture according to the images circulated later. They received his body the next day. <u>Several images and video clips</u> that circulated clearly showed that the victim was brutally tortured to death.



Screenshot No (1) taken from a video tape published by activists showing the body of Hikmat al-Da'ar bearing signs of beating and torture after his body was handed over to his family on September 21, 2021.



Appeal to Revenge

On October 9, 2021, al-Da'ar was acquitted from the charges submitted against him by Suqur al-Shamal Brigade, the same charges behind his torture and death. The decision of acquittal was issued by the Shari'a Committee formed on September 26, 2021 based on a demand by the "Al-Qar'an" Clan, one branch of Al-Akidat Tribe, in order to follow up details of the case. However, Suqur al-Shamal Brigade did not comment on the acquittal decision nor conducted any investigations into the crime perpetuated in one of its own prisons located in Ras al-Ayn/Serê Kaniyê city.

The victim's relatives who were also members of Al-Akidat Tribe sought revenge and so on May 28, 2023, they ambushed a vehicle driving Najeeb al-Sheikh in Tell Halaf Town in the west countryside of Ras al-Ayn/Serê Kaniyê and shot him dead on the spot. After the killing/assassination of the commander, members of the "Al-Qar'an" Clan (from Al-Akidat Tribe) who were displaced in Ras al-Ayn took out to the streets and fired bullets in the air celebrating the so-called taking revenge.

Synergy Association for Victims verified a <u>video footage</u> circulated on social media platforms on May 29, 2023 which was filmed in al-Kharabat/Ronahi neighborhood in the middle of Ras al-Ayn/Serê Kaniyê on May 28 when al-Sheikh was killed. The video is displaying a group of young men celebrating the killing of al-Sheikh by shooting fire in the air and chanting "sons of the elite/Eyal al-Nukhbe", referring to the Al-Akidat Tribe.



Screenshot No (2) taken from the <u>video footage</u>, filmed on May 28, 2023and published the next day, showing a group of armed young men from Al-Akidat Tribe in the middle of Ras al-Ayn/Serê Kaniyê celebrating the murder of Najeeb al-Sheikh, the commander in Sugur al-Shamal Brigade.



Additionally, on May 29, social media platforms circulated a <u>video footage</u>, which Synergy could not verify, in which a person is claiming he is the victim's [al-Da'ar] brother and clarifying that his family have killed Najeeb al-Sheikh, the commander in Suqur al-Shamal Brigade to revenge the killing of his brother who died under torture in a prison run by Suqur al-Shamal after his brother was acquitted from the charges against him.

Absence of the Rule of Law

The murder and public celebration of the killing of a military faction's commander, together with chanting slogans glorifying vengeance only demonstrates the worsening security situation and the absence of the rule of law in the Turkey-occupied territories which are characterized by chaos in the proliferation and use of weapons among civilians, without control or authorization.

The SNA gave no statement concerning the murder of the commander nor the random use of weapons in which cases of summary executions took place due to disputes out of legal frameworks.

On May 31, 2023, Synergy emailed the brigadier-general Ayman Sherarah, the SNA's official spokesperson, to question about incidents of killing/assassination of commanders of the SNA's factions and the phenomena of the proliferation of weapons in the areas where the SNA is in control but received no reply. The official spokesperson's response was that it was not within his duties.

In a <u>report</u> released on February 26, 2023, Synergy documented 33 intra-fighting during 2022, between factions of the opposition SNA in areas of Ras al-Ayn/Serê Kaniyê and Tall Abyad, in which two civilians were killed and 20 others were injured, including two women and three children.

The report documented five cases of murder/assassination during 2022 carried out by anonymous gunmen in "Peace Spring" Strip during which four fighters of the SNA and two civilians were killed, in addition to three incidents of failed murder/assassination attempts in which four fighters of the SNA were injured. The report also documented one single case during which an armed group affiliated with al-Hamzat Division fired directly on a gathering of civilians injuring one child.

On January 5, 2023, Synergy documented the killing of the young man, Azam Anwar Jawish, at the hands of an SNA former fighter identified as Abdo Hamid Al Awad in al-Safah Village of in the south of Ras al-Ayn/Serê Kaniyê. Jawish hailed from Ras al-Ayn and belonged to the Chechen community.



Furthermore, the case of the child Yasin al-Mahmoud is recognized to be one of the most prominent crimes that were handled extrajudicially as Mustafa Salama, the man accused of raping and killing the 10-year-old child, was killed summarily by an armed group.

The story goes that the Military Police decided to hand the accused over to the Civil Police due to protests of the local people and that the case was turned to be a public opinion case. While the vehicle of the Military Police was on its way driving the accused, a group armed men stopped the vehicle and forcibly let down of the accused man near the city's al-Farouj market. The group summarily executed him by shooting him directly in the head and tens of other shots on different parts of his body.



- Synergy Association for Victims, Hevdestî 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.



