

Introduction:

During the first quarter of 2023, the Turkish border guards (Gendarmerie) killed eight Syrian civilians, among them a child, and injured more than 10 others seriously in areas in northern [Syria](#) using direct fire, torture and excessive force against Syrian asylum seekers and migrants who attempted to cross the border into [Turkey](#) illegally .

Cases of direct killing, beating and torturing of asylum seekers are crimes requiring accountability. Turkey violated its human rights obligations including the right to life and physical integrity, in addition to the absolute prohibition of torture or other cruel, inhuman or degrading treatment or punishment.

The Turkish government follows a “a policy of systematic brutality” to prevent Syrian asylum seekers from crossing its territories. Since the construction of the border wall, the Gendarmerie forces deployed alongside the border strip have been beating, humiliating and torturing those who attempt to enter Turkey illegally and targeting them with live fire which have frequently killed and injured dozens of persons.

Effective measures preventing Syrian people to enter turkey started in late 2015, when Turkey began building a 911 km wall along the Turkish-Syrian border; the wall consists of concrete blocks, each standing four meters high.

All the measures forced Syrian asylum seekers and migrants to resort to illegal, mostly risky, routes to cross to Turkey, becoming victims of organized human smuggling groups from Syria to Turkey. The majority of such groups are connected to parties to the conflict across Syria in a way or another, and the groups themselves as well as their activities are being overlooked.

The statements verified by Synergy Associations for Victims confirm that leaders in the opposition Syrian National Army (SNA) themselves run the illegal trafficking and smuggling of people to turkey for the exchange of money. Synergy [documented](#) that at least 12 intra-factional clashes broke out between the SNA’s factions in “Peace Spring” strip during 2022 due to disputes over sharing profits of smuggling people illegally.

Syrian asylum seekers have become victims of both Turkish forces and the opposition SNA while attempting to cross the Turkish border. They are either detained by the SNA’s factions or targeted by the Gendarmerie’ live shooting with the intention of killing, in order to prevent them from doing so.

Continuing violent practices against Syrian asylum seekers by Turkish border guards coincide with the conduct of Turkish authorities’ forcible deportation¹ of thousands of Syrian

¹ 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

Following the incident, [local](#) media outlets reported that Mousa had been killed by Gendarmerie's direct shooting, but that was not the truth. When Synergy spoke to the victim's family to verify the cause of Mousa's death, his brother said that:

“My brother lost his life of an acute brain attack due to the terror he sustained while the Turkish Gendarmerie were shooting at the group Mousa was with and who all were attempting to cross the Turkish border. My brother was transferred to a hospital in Turkey's Şanlıurfa. Later after the autopsy, the doctors told us that he had not been shot.”

The victim's family was forced to bury him in Ras al-Ayn/Serê Kaniyê as it was very difficult to transfer the corpse from the SNA-controlled areas to his hometown in areas where the Syrian Democratic Forces (SDF) are in control.

On January 28, Manaf Sohan al-Ewaied, 30, was killed in Ras al-Ayn/Serê Kaniyê as the Turkish border guards shot him directly while he was trying to access to Turkey illegally. Al-Ewaied hailed from [Bogruss Tahtani](#) village in the [al-Mayadin](#) district located in [Deir ez-Zor](#) countryside

Torture to Death:

In less than a week after the destroying earthquake that struck parts of Syria and Turkey, activists posted a [video](#), which was filmed secretly, on social media on February 12, 2023 showing that at least eight Turkish border guards beating three Syrian young men with sticks, buttstock of weapons and other hard materials. The young men were attempting to cross into Turkey illegally near the village of [Deir Sawan](#) that follows Sharran/Shrra district in Afrin countryside.

Synergy cross checked the video and made sure that the victims were identified as: Ismael Hamdi al-Ejeili, 19, from Ezaz city, Alaa Hussein al-Omar, 20, and Mohammed Rami Rustom, 24. Al-Ejeili was killed due to brutal torture he sustained at the hands of the Turkish border guards. Al-Omar and Rustom both hailed from [Darat Izza](#) town in Aleppo countryside and the two had serious injuries due to the use of torture and excessive force against them. Both were transferred to a hospital in Afrin for treatment after the Turkish Gendarmerie had dumped the victims to the Syrian side from over the border wall.



A screenshot taken from the video showing Turkish border guards using excessive force against three Syrian young men who were attempting to cross the Turkish border in Afrin countryside on February 12, 2023.

On March 11, 2023, two persons including a child, were killed, and six others among them a child were seriously injured due to severe torture at the hands of the Turkish border guards while they were attempting to cross into Turkey illegally from [Haram](#) city in [Idlib](#) countryside.

Synergy spoke to three survivors, and all confirmed that the Turkish border guards used excessive force against them. One of them detailed saying:

“After we walked approximately 150 m away from the border wall, we were caught by a patrol of the Turkish border guards, who ambushed near the border. It was around 8:00 pm, where they transferred us with their trucks to a nearby field and there they started beating and kicking us using rifles and batons.”

According to the survivor, the Turkish border guards did not investigate with them, but only tortured them, describing this as:

“They did not allow us to speak, and they did not ask us any questions. They just tortured us viciously. There were more than 12 of them. They beat us with rifles and batons and kicked us strongly with their feet. They stomped on all over our bodies even on our genitals. They poured oil on two of us, probably car oil. The

two almost suffocated as the oil entered their stomachs, and they threw up for hours.”

At the dawn of March 12, 2023, the Turkish border guards returned six of the injured persons, including a child, and the body of one of the victims to Syria summarily. One child was left in Turkey, and days later he was handed over to his relatives as a dead body as he died because of torture. The witness said:

“Their vicious torture stopped only until Abdel Razzak al-Qastal, 18, fell unconsciously on the ground and died due to his injuries. Hours later, they transported us along with al-Qastal’s body to Bab al-Hawa crossing in order to be transferred to Syria. However, Abdo al-Sabbah, 17, remained there, and we learned nothing about him until he was brought back to his family as a dead body four days later.”

Synergy reviewed images of the victims and the survivors including the bodies of al-Qastal and al-Sabbah after autopsy. All the images showed severe bruising all over the victims’ bodies and matched with the victims’ statements about the torture to which they were subjected.

A Syrian Anchor and Its Director Detained in Turkey After Broadcasting an Episode on Turkish Border Guards’ Violations:

[Reporters Without Borders](#) (RSF) reported that a Turkish political analyst lodged a complaint on March 15 against **Ahmed Rihawi**, an anchor working for Orient News TV, and the channel’s director, both are based in Turkey. Oktay Yilmaz, the analyst, was a guest in a show in Orient News TV to discuss the violence the Turkish police are practicing against the Syrian refugees on the border between Turkey and Syria. The Turkish guest got irritated and directed racist insults to the anchor and snatched the anchor’s notes and tore it up repeating on camera **“by what right do you attack Turkey and its people.”**

RSF said that **“despite that Rihawi reacted quietly and professionally to Yilmaz’s insults that took place [live](#), the Turkish police did not deter from arresting Rihawi and the TV channel’s director in Istanbul, Alaa Farhat, in response to a complaint submitted by Yilmaz. They were finally released 48 hours later, after the Turkish justice system rejected the complaint lodged by the analyst.”**

Farmer Killed While Working on His Farm Adjacent to Border:

On March 13, 2023, the Turkish border guards killed Mohammed Fayzo, 59, by shooting him directly while he was working on his farmland in the village of [Kherbet ElJoz](#) in [Jisr al-Shughur](#) area in Idlib governorate.

In a [report](#) published on February 19, 2023, Synergy documented the arrest of 113 persons, including seven women and three children, during 2022 by factions of the opposition SNA in areas in Ras al-Ayn/Serê Kaniyê and Tall Abyad for heading to the Turkish border or attempting to cross it to seek asylum. The detainees were subjected to ill-treatment and torture in the SNA's prisons and the majority of the detainees' families were extorted for money. 86 persons were released after more than 70 families paid financial ransoms while the fate of 27 others remains unaccounted for.

Legal Liability:

Cases of killing, arrest and torture mentioned in this report are undoubtedly considered flagrant crimes and violations of the civilians' rights within the framework of the [International Humanitarian Law](#) (IHL)² and the [International Human Rights Law](#) (IHRL)³, let alone violating their right in asylum and the forcible deportation of those who remained alive to [unsafe](#)⁴ areas of conflict.

Cases of outright killing and illegal executions carried out on the border are clear violations to the right to life of those victims and the guarantee that no one shall be arbitrarily⁵ deprived of his life which is protected by the [International Covenant on Civil and Political Rights](#).

In regard to cases of arbitrary arrest of persons who attempted to cross the Turkish border unlawfully and the ill-treatment they received at the hands of the opposition SNA, they are undoubtedly an egregious violation and a crime that entails accountability based on the Agreement Against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment⁶ of 1984, noting that all people, especially the detainees, have the right to life and personal safety against all forms of torture and inhuman treatment as guaranteed by the IHL and IHRL in times of war and peace.

The 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 these violations and ensure that those responsible are appropriately punished.

² ICRC: [Sources of international humanitarian law](#)

³ The United Nations: [The Foundation of International Human Rights Law](#)

⁴ The Chair of the UN Syria Commission of Inquiry, Paulo Pinheiro [addressing](#) the Third Committee of the General Assembly on October 25, 2021 **"This is not a time for anyone to be thinking that Syria is safe, for its refugees to return home. Instead, we are seeing an upsurge in fighting and violence."**

⁵ [International Covenant on Civil and Political Rights](#), Article 6, UN website-Human rights-Office of the High Commissioner.

⁶ [Agreement Against Torture](#) or Other Cruel, Inhuman or Degrading Treatment or Punishment⁶ of 1984

