After a Year on Newroz Crime in Afrin: Victims' Families Still Seek Justice



March 2024





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With the advent of March 20, people in Jindires City in Afrin countryside recall the horrific crime that claimed the lives of four young men from the same family on the eve of Newroz 2023. Despite a suspended death penalty was issued against three perpetrators, the "Peshmerg" Family still awaits justice for their loved ones. It appears that the court's verdict is hard to be enforced and the family believe that one of the main perpetrators has gone unpunished. This comes amidst ongoing and varied violations and pressures against the victims' family members, aimed at pushing them to close the case and drop the charges against the perpetrators



Introduction:

On March 18, 2018, the Turkish Army, alongside factions of the opposition Syrian National Army (SNA), entered the Syrian Kurdish city of Afrin nearly two months after battels within the military operation dubbed "Olive Branch" by Ankara. The operation led to the occupation of Afrin region, killed dozens of civilians and displaced more than 300,000 people, the majority of whom were Kurds.

Since then, Afrin region has been under a continuous arbitrary rule, and countless of human rights violations have been carried out by the Turkish forces and SNA factions, which are led and backed by Turkey. The documented violations include <u>murder</u>, <u>arbitrary detention</u>, <u>enforced disappearance</u>, <u>ill-treatment</u>, <u>torture</u>, <u>looting</u>, and <u>property seizure</u>, in addition to <u>forcing</u> the Kurd inhabitants to leave their houses, <u>obstructing the return of the native</u> people and practices of <u>Turkification</u> and <u>demographic changes</u>.

Testimonies and evidences collected by Synergy indicate that the violations perpetuated in Afrin region are targeted against the Kurdish civilians, aligning closely with Turkey's declared objectives of weakening the Kurdish presence in northeast Syria and establishing a security belt or a buffer zone between Turkey's southern borders and the areas controlled by the Syrian Democratic Forces (SDF) in northern Syria.

Prior to the Turkish occupation of Afrin in 2018, hundreds of thousands of its Kurdish inhabitants were celebrating Newroz in its picturesque nature. However, for the last six years, the remaining Kurds in Afrin could not celebrate Newroz due to the continuous suppression and violations committed against them by factions of the Turkish-backed SNA. Upon their initial entry into Afrin, these factions deliberately <u>destroyed</u> the statue of "Kawa, the Blacksmith" located in the city center- which holds significant Kurdish symbolism, representing liberation from oppression. Every year, people celebrate the anniversary of "Kawa, the Blacksmith" by lighting bonfire on the eve of Newroz (the Kurdish New Year, or the National Day of the Kurdish people².)

A year after the occupation of Afrin, the Local Council in Afrin, affiliated with the Interim Syrian Government (SIG)/the National Coalition of Syrian Revolution and Opposition Forces, sought to <u>prohibit</u> the celebration rituals of Newroz Day, before reluctantly allowing them in the subsequent years.

¹ It is a Kurdish legendary character believed to be a symbolism for emancipation from oppression and the ritual of lighting bonfire is linked to this character. The demolition of the statue, from the perspective of the locals and activists, is one aspect of the spirits violations against the Kurdish people.

² The word Newroz in Kurdish means "new day" and it is the Kurdish New Year or the national Day of the Kurdish people as well as other peoples in the world. According to the <u>UN</u>, Newroz marks the first day of the new year and is celebrated by more than 300 million people all around the world and has been celebrated for over 3,000 years, most notably in Central Asia, the Balkans, the Black Sea Basin, the Middle East, the Caucasus and other regions. This Day, as it embodies the unity of the cultural heritage and traditions that date back to many centuries, plays a significant role in strengthening the ties among peoples based on mutual respect and the ideals of peace and good neighborliness. Newroz's traditions and rituals reflect the cultural and ancient customs of the civilizations of the East and West, which influenced those civilizations through the interchange of human values.



Newroz Crime:

Last year's Newroz came with a different and blood-stained tone. On the eve of Newroz, March 20, 2023, four persons from the same family were killed and three others were injured, as they were shot directly by fighters of Jaysh al-Sharqiya, a component of the "Construction and Liberation Movement" within the Syrian National Army (SNA). This occurred while they were celebrating in front of their house in Jindires City in Afrin countryside and lighting Newroz bonfire- one of the most important rituals annually adopted by the Kurds, with the participation of other components in Syria and throughout region.

The attack killed three Kurdish brothers and the son of one of them, while another relative sustained serious injury, and two others suffered minor injures. The four victims who were killed are the brothers Farah al-Din Osman, 43, Mohammed Osman, 42, Nazmi Osman, 38, and Mohamed Osman, 19, son of Farah al-Din.³

Synergy Association for Victims spoke to one of the victims' survivor relatives, three eyewitnesses and activists from the area. The Association also reviewed images and video footages of the crime, as well as images of the killed victims. All the images and footages showed multiple gunshot wounds in the chest, face, and neck, concluding that the attack against the victims was aimed at preventing them from reviving the celebration rituals of Newroz.

This <u>crime</u> took place at a time when Jindires City has yet to recover from the impacts of the February 2023 earthquake, which claimed the lives of hundreds of residents. Around 1,100 <u>people</u> died in Jindires alone as a result of the earthquake while thousands of buildings were damaged, leaving no less than 2,000 families without shelter, amid many armed groups politicizing and <u>diverting assistance</u>, depriving many local residents of assistance.

Following the crime of murder, massive public <u>demonstrations</u> took place in Jindires and other areas in Afrin. Protesters denounced the de-facto authorities and demanded the ousting of the SNA's factions from the region and providing international protection for the civilians to put an end to the violations committed by those factions.

On March 21, 2023, the Military Police of the opposition SNA released a <u>statement</u> announcing the arrest of three perpetrators and published their images without identifying them. The perpetrators are, according to what Synergy verified: Omar Salih al-Asmar (born in 2000), Habib Ali Khalaf (born in 2004), and Bilal Ahmed al-Aboud (born in 2000).

By January 2024, the Military Court of the Syrian Interim Government (SIG) in al-Ra'ei City in northern Syria issued a suspended death sentence against three indicted persons. They are:

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³ Synergy has previously documented the arrest and severe torture of the victim Farah al-Din Osman at the hands of Jaysh al-Sharqiya fighters after they entered Afrin in 2018, as he demanded to restore his house which the faction's fighters had seized.



Omar al-Asmar, Habib Khalaf, and Bilal al-Aboud, and issued a three years' imprisonment, a ruling susceptible of cassation appeal, against Ali Khalaf, known as Abu Habib al-Khasham.

Courts affiliated with the SIG/opposition rely on Syrian law previously enforced in prosecuting such crimes; however, death penalties ruled by the opposition courts are (suspended), as the SIG has not determined a legal mechanism for the signature and implementation of its courts decisions, such as death penalties, as was previously practiced in Syria, where such sentences were referred to the President of the State and the Grand Mufti [Islamic jurisconsult] for signature.

Nearly a year after the Newroz Crime in Afrin, specifically on March 13, 2024, Jindires City, in Afrin, witnessed another crime that made headlines on <u>social media</u>. A minor Kurdish boy, named Ahmed Khalid Ma'mo Madde, 16, was killed and his body was thrown in a water well on the road in Jindires countryside. <u>Activists</u> have linked the killing of the minor child to the crime of killing four young men from a single family on the eve of Newroz 2023.

In less than two days after the underage Ahmed was killed, another child, named Rodi Mohammed Jaqal, was stabbed with knives by masked men in Jindires City.

Today, with the approaching of March 20, the locals of Jindires recall the heinous crime that claimed the lives of four young men from the same family. Despite suspended death penalties were issued against three perpetrators, the Peshmerg Family, whom the four victims belonged, still await justice and redress to be provided for their loved ones. It seems that the court's decision is hard to be enforced. They see the accused Ali Khalaf/Abu Habib al-Khasham, who was sentenced to three years' imprisonment, as the main perpetrator and instigator of the crime. However, he got a mitigated sentence although several eyewitnesses confirmed before the court that he directly shot the victims and instigated their murder. Another perpetrator identified as Abdullah Abdulhamid Abdullah, who participated in the shooting, fled away. The victims' family are exposed to continuous and different violations and pressure to push them withdraw the claim.

Awaiting Justice:

"Since the crime committed against our family on the eve of Newroz 2023 to this date, we have been living in a state of terror and fear due to the constant threats we receive from Jaysh al-Sharqiya in order to force us to drop the case." This is what one of the members of the locally known "Osman" Family, also known as the Peshmerg Family, said. Four of their members were killed as a result of being directly shot on the eve of Newroz 2023. The family was also among the victims of the devastating earthquake. They currently reside in a tent set up near their home, the site of the crime.

Members of the family, speaking to Synergy Association for Victims, say that they are still paying the price of that crime and that they are exposed to several pressures, aiming at forcing them to drop the charges. One of them in his testimony to Synergy said:



"Following the courts' verdict, Jaysh al-Sharqiya- under the guise of protecting meset a military point/checkpoint in front of my house, only 15 meters away, in order to monitor my movements and know who is visiting me. How can your killer be your protector?!"

The witness said that Jaysh al-Sharqiya asked them, through tribal intermediaries, political figures and others close to the faction, to drop the case, stressing that although a year has passed since the crime and a suspended death penalty has been issued against the perpetrators, they have not received justice. He said:

"On January 17, we were present at al-Ra'ei Court for the hearing session. A suspended death penalty was ruled against three persons, who claimed to be the perpetrators of that crime. However, the real killer, Ali Khalaf, also known as Abu Habib al-Khasham, received a reduced sentence of three years, subject to appeal, on the grounds of insufficient evidence, despite four witnesses confirming in court that he directly fired at the victims and incited their killing. He was one of the participants in the murder and the main instigator of the crime. Meanwhile, Abdullah Abdullah, another participant in the murder, has not been arrested, and we were told that he is still at large."

The pressures the Peshmerg Family experienced were not restricted to psychological pressures, restriction with constant monitoring and threats only. The witness mentioned that a child from the same family was severely beaten with sticks and iron bars to instill fear among the family members and push them to waive their rights. He recounted in his testimony:

"Last July, the 15-year-old victim, Nazmi Osman, was on his way home from the barber's shop owned to his family when a black van parked and four persons got off, beat the boy with sticks and iron bars, stabbed him slightly multiple times in different parts in his body, and headbutted him breaking his right arm. The victim crawled until he got home. We rushed him to the hospital, and he stayed there for a week until he recovered."

Armed Chaos and Insecurity:

Areas in Afrin have suffered greatly from impacts of the destroying earthquake on February 6, 2023. Aleppo Governorate, particularly Afrin along with Idlib, was classified as one of the most affected areas. In a joint <u>report</u> released on June 12, 2023, Synergy documented a wide range of human rights violations that accompanied and followed the response to the catastrophic earthquake. These violations and abuses included prevention or impediment of life-saving aid entry, discriminatory search-and-rescue orders from some parties to the conflict, discrimination in aid distribution, confiscation of all or parts of aid provisions,



trading in and profiteering from others, and/or the diversion of their destination. Additionally, several violations of housing, land, and property (HLP) rights were recorded.

During 2023, Synergy Association <u>documented</u> the killing of at least nine civilians, including three women at the hands of members of the opposition SNA in Afrin, in addition to no less than 336 arrests, among them 15 children and 20 women. 268 arrestees are still forcibly disappeared while 62 of the released people reported being subjected to torture.

Furthermore, during 2023, Afrin witnessed more than 10 cases of internal clashes/infighting between the SNA's factions, along with seven explosions that claimed the lives of 10 civilians, including three children, and injured further 33, among them six children.