

Northern Syria: The Absence of Accountability

Perpetuates Rampant Violations in Turkish-Occupied Territories



Synergy تآزر
Hevdesti هه‌هه‌ستێ



August 2024



SYNERGY تآزر
HEVDESTI هه‌هه‌ستێ

Northern Syria: The Absence of Accountability Perpetuates Rampant Violations in Turkish-Occupied Territories

Turkey has failed to assume its responsibilities towards the territories it occupies in northern Syria. It has not taken any measures to ensure the protection of civilians, and has turned a blind eye to the violations committed by the opposition Syrian National Army (SNA). Furthermore, Turkey has neither intervened to stop these abuses nor held the perpetrators accountable

Introduction:

On March 21, 2024, while the pediatrician Abdullah al-Ibrahim was working in his clinic located in the middle of [Tall Abyad/Girê Spî](#) City, a man named Abu Mesh'al, a brother of the commander of the Military Police, entered the clinic with his son and requested the pediatrician to immediately examine his son. Dr.al-Ibrahim asked Abu Mesh'al to wait just for ten minutes until he finished examining another boy, but Abu Mesh'al became furious, especially after arguing with another patient, who also asked him to wait for his turn just like everyone else. Consequently, Abu Mesh'al left the clinic.

Less than an hour later, Abu Mesh'al returned with a military police patrol, comprising seven members. They beat and insulted the patients in the clinic, including the women. They also assaulted Dr.al-Ibrahim with physical abuse and humiliation, taking him in a degrading manner in the police vehicle to the Military Police headquarters. Several hours later, the pediatrician returned to his clinic, where tens of his relatives and families of the women, who had been insulted, had gathered. There, he gave a [speech](#) to the angry crowd, asserting that he was beaten and humiliated without any justification.

Dr.Abdullah's story went viral across [media outlets](#) and incited widespread public outrage. Consequently, [demonstrations](#) took place in Tall Abyad and Suluk on March 21 and 22, 2024. The protesters called for accountability for those responsible for the incident and demanded an end to the repeated assaults carried out by SNA members.

In an attempt to keep the crisis under control, the Military Police in Tall Abyad issued a [statement](#) describing the incident as an unacceptable individual act and confirmed that "the head of the Military Police branch in Tall Abyad had investigated the incident, warned the officers involved, and held them accountable for their actions. However, no measures have been taken to hold the perpetrators accountable or to seek justice for the victim.

This story reflects the state of armed chaos and insecurity in the Turkish-occupied areas of northern Syria in Afrin, Ras al-Ayn/Serê Kaniyê, and Tall Abyad/Girê Spî. During the first half of 2024, Synergy Association for Victims documented the killing of at least three civilians at the hands of SNA members, in addition to 15 instances of infightings among SNA's armed groups, in which one civilian was killed while two others were injured. Moreover, four explosions took place, injuring two civilians, one of whom was a child.

Furthermore, Synergy has documented cases of armed robbery against civilians along with four instances of infightings among factions of the SNA on disputes over dividing profits of human trafficking operations between Syria and Turkey, confirming that leaders of the SNA are involved in human trafficking operations and smuggling asylum seekers irregularly to Turkey.

Contrary to Turkey's propaganda that the territories it occupies in northern Syria are "Safe Zones" for the refugees to return to, the reality is characterized by armed chaos, insecurity, and instability. Let alone the daily violations perpetuated by the Turkey-backed factions affiliated with the SNA, amid ongoing absence of accountability and impunity. This situation asserts that those regions are completely unsafe and inconsistent with the voluntary return [criteria](#) established by the UN.

From the victims' perspective, the consequences of infighting and armed chaos in the Turkish-held areas extend beyond causing civilian casualties and damaging property. These intra-clashes and disorder also drive residents to consider leaving the region, where the deteriorating security situation exacerbates instability and has a clear negative impact on economic development, worsening the already dire economic conditions and severe poverty experienced by the majority of Syrians within the country.

Turkey has failed to assume its responsibilities to the territories it occupies in northern Syria. It has not taken any measures to ensure the protection of civilians and has turned a blind eye to the violations committed by the SNA's armed factions, which are tasked for administering these areas. Despite Turkey's effective control over these regions, it has not intervened to halt these violations or hold the perpetrators accountable.

Empowered by Militants:

On the morning of April 6, 2024, the elderly man Farid Hisso, 60, and his minor son, Mohammed, set off from Kachrah/Yachur Village in Mobata/Mabatli District to their farmland near Gorgan Village in Jindires District. Upon arrival, they were shocked to find two shepherds grazing their cattle in Hisso family's olive grove, which is their sole source of income.

Farid asked the shepherds to leave, as their cattle were destroying the small olive trees. However, they responded with insults, leading to a verbal altercation. Less than an hour later, the shepherds returned with three members of al-Hamzat Division from a nearby military point in Jolaqiya Village. Facing five men alone, Farid tried to defuse the situation and requested them to leave the grove. Meanwhile, his son was approaching to check on him.

Before Mohammed could understand what was happening, the shepherds and al-Hamzat members began beating him with sticks on the head until he lost consciousness. Farid attempted to protect his son but was also beaten, sustaining injuries himself. The attackers then fled.

Farid and his son were taken to Afrin-based Ibn Sina Hospital (*formerly Avrin Hospital*). After receiving first aid and having their wounds stitched, it was found that the father had a dislocated right shoulder due to the beating, while the Computed Tomography/CT Scan showed no internal bleeding in the son, who remained under observation for 24 hours before they returned home.

The incident of the ‘shepherds empowered by armed men’ reflects a pattern of intimidation by armed groups against the native population in the region. Since the occupation of Afrin in 2018 by Turkey and SNA’s factions, Synergy has documented numerous cases where violence, arrests, and threats have been used to forcibly displace the indigenous population and seize their property and crops.

Farid Hisso filed a complaint with the Military Police, who promised to hold the attackers accountable. However, local people have doubted such vows to be implemented, especially since members of al-Hamzat Division, who protected the shepherds, were not held accountable for being involved in attacking civilians.

Armed Chaos and Insecurity:

During the first half of 2024, Synergy documented 15 cases of internal clashes among factions of the Syrian National Army (SNA) in Afrin, Ras al-Ayn/Serê Kaniyê, and Tall Abyad/Girê Spî. These clashes resulted in the death of one civilian and at least two injuries.

On May 12, 2024, Ras al-Ayn/Serê Kaniyê witnessed internal fighting between Liwa Shuhada’â Badr and Tajammu’ Ahrar al-Sharqiya over disputes on crossing/smuggling points on the international highway near al-Rzj Rest Stop. Consequently, a member was killed, and three others were injured, according to witnesses.

The clashes generally revolve around smuggling points and influence-sharing, which involves informal collection of money and taxes from local residents. Such conflicts often induce panic among civilians and frequently result in injuries and deaths.

In some instances, the motives behind the killings are unclear, similar to what happened with al-Sultan Family from the western countryside of [Tall Tamer](#). The family endured various violations, including murder, detention, and withholding of a body, according to Synergy’s report “[Unheard Cries](#)”, published on July 23, 2024.

On the eve of *Eid al-Adha*, the victim Abd al-Sultan, 39, was driving his mother to visit a relative when a patrol of the SNA forces intercepted them and attempted to confiscate his vehicle. Abd al-Sultan objected and after a brief argument, the patrol members shot him dead in front of his mother and then took his body and his mother to the [Ras al-Ayn/Serê Kaniyê Hospital](#). His mother was later released but was not permitted to bury her son.

Three days later, Salih al-Sultan, the victim’s uncle, arrived in [Ras al-Ayn/Serê Kaniyê](#) to demand the body. However, five members of the Military Police forces beat him severely and arrested him on charges of dealing with the Autonomous Administration. He was denied medical treatment and the right to retain an attorney.

20 days later, tribal dignitaries reached an agreement with leaders of the SNA-affiliated Military Police and the Civil Police, allowing for handing over Abd al-Sultan’s body to his family for a decent burial in return that the story was to be kept confidential. The uncle was released after paying a ransom of 6,500 USD.

The story of al-Sultan Family exemplifies the ongoing violations that the local people experience at the hands of the SNA forces in areas of Ras al-Ayn/Serê Kaniyê, Tall Abyad/Girê Spî, and Afrin, where Turkey claims are “Safe Zones” for the Syrian refugees to return to, despite repeated confirmations from the Independent International Commission of Inquiry on the Syrian Arab Republic (COI) that these areas remain unsafe. [Human Rights Watch](#) (HRW) also confirmed that these zones have historically been [unsafe](#), and that they are demonstrably [among the most dangerous places in the country](#).

Absence of Legal Protection:

Since the Turkish military operations “Olive Branch” in 2018 and “Peace Spring” in 2019, which led to the occupation of Afrin, and Ras al-Ayn/Serê Kaniyê and Tall Abyad/Girê Spî, Synergy has documented numerous extrajudicial killings, in addition to the lack of an effective judicial system and the people’s profound sense that the perpetrators act with impunity.

One notable story documented by Synergy, detailed in a [report](#) published on June 30, 2024, is the case of Afrin Court’s prosecutor “Newroz Hisso”, where she faced public incitement campaigns for defending the rights of Kurdish victims. This situation highlights the absence of legal protection for human rights defenders in the Turkish-occupied territories and underscores the urgent need for measures to protect and promote human rights, as well as ensure the safety of officials responsible for enforcing the law provisions in conflict areas.

Information gathered by Synergy indicates that the threats and incitement campaigns organized against the human rights defender “Newroz Hisso” have a sectarian nature. Although Hisso is one of many employees at Afrin Court and is not involved in issuing judicial decisions, she was targeted solely by those who opposed the courts verdicts because of her Kurdish identity, similar to the identity of the victims whose rights the court ruled should be restored.

Afrin Court that was established following the Turkish occupation of Afrin in 2018 and is run by the opposition Syrian Interim Government (SIG), has ruled on more than 150 cases of usurpation of real property and ordered the evacuation of the houses belonging to Kurdish victims. However, tremendous challenges have faced the implementation of the court decisions due to the intervention of factions of the SNA and their refusal to return the rights to their owners.

The incident of Newroz Hisso shows that forced displacement of residents in Afrin-where the Kurdish population constituted 92% until 2011 and has now declined to 20%- reflects systematic policies applied by the SNA’s factions targeting the region’s native people driving them into displacement once again.

Decrease in the Kurdish Population and Continued Impunity:

Since the Turkish military operation “Olive Branch” in 2018, which led to the occupation of Afrin, the region has witnessed a sharp decline in the percentage of its Kurdish indigenous population. They have been replaced by IDPs and migrants from various Syrian regions, mostly from Eastern Ghouta, based on an undeclared agreement between Turkey and Russia. According to a [joint report](#) by Synergy, published on October 3, 2023, the percentage of Kurdish people in Afrin was 92% prior to 2011, but it has declined to 20% nowadays.

Furthermore, the story of the minor, Ahmed Khalid Modda, who was brutally murdered by an internally displaced person in Jindires, reflects the sense of injustice and fear among the Kurdish population, where they are increasingly concerned about the recurring impunity of perpetrators and the lenient sentences handed down in local SNA-run courts.

On March 13, 2024, the perpetrator, Yamen Ahmed al-Ibrahim, lured Modda, 16, to his home in [Tall Silor](#) Village, under the pretense of showing him a motorbike-related parts, exploiting Ahmed’s obsession with motorbikes. Once there, Yamen beat and tortured Ahmad for over half an hour before dumping him in a 30-meter-deep well.



An image, circulated on social media during March 2024 concerning the crime, shows - on the right, the victim “Ahmed Khalid Modda”, 16, and on the left, the perpetrator “Yamen Ahmed al-Ibrahim”, 18.

Synergy spoke to one of Ahmad Madah’s relatives, who revealed that the perpetrator, Yamen Ahmed al-Ibrahim, had previously worked at a bakery owned by Ahmad’s father but was dismissed multiple times due to theft. The relative added:

“Ahmad’s family viewed a video in which the perpetrator, Yamen Ahmed al-Ibrahim, who is from Sinjar in Idlib countryside, confessed after his family handed him over

to the Military Police. In the video, Yamen stated: 'I held a grudge against Ahmad because he had informed his father about my suspicious behavior, which led to my dismissal. I did this [killed Ahmad] to take revenge on his father.'

Yamen did not only stab Ahmad with knives and attempt to strangle him, but he also proceeded with his crime by dragging Ahmad to a well in the yard of the house and throwing him in while he was still alive and pleading. Yamen ultimately threw him into the well as an act of vengeance against Ahmad's father.

Ahmad's body was buried in Hamam Village, the family's hometown in Jindires, and a mourning tent was set up in front of Ahmad's father's house in Jindires.

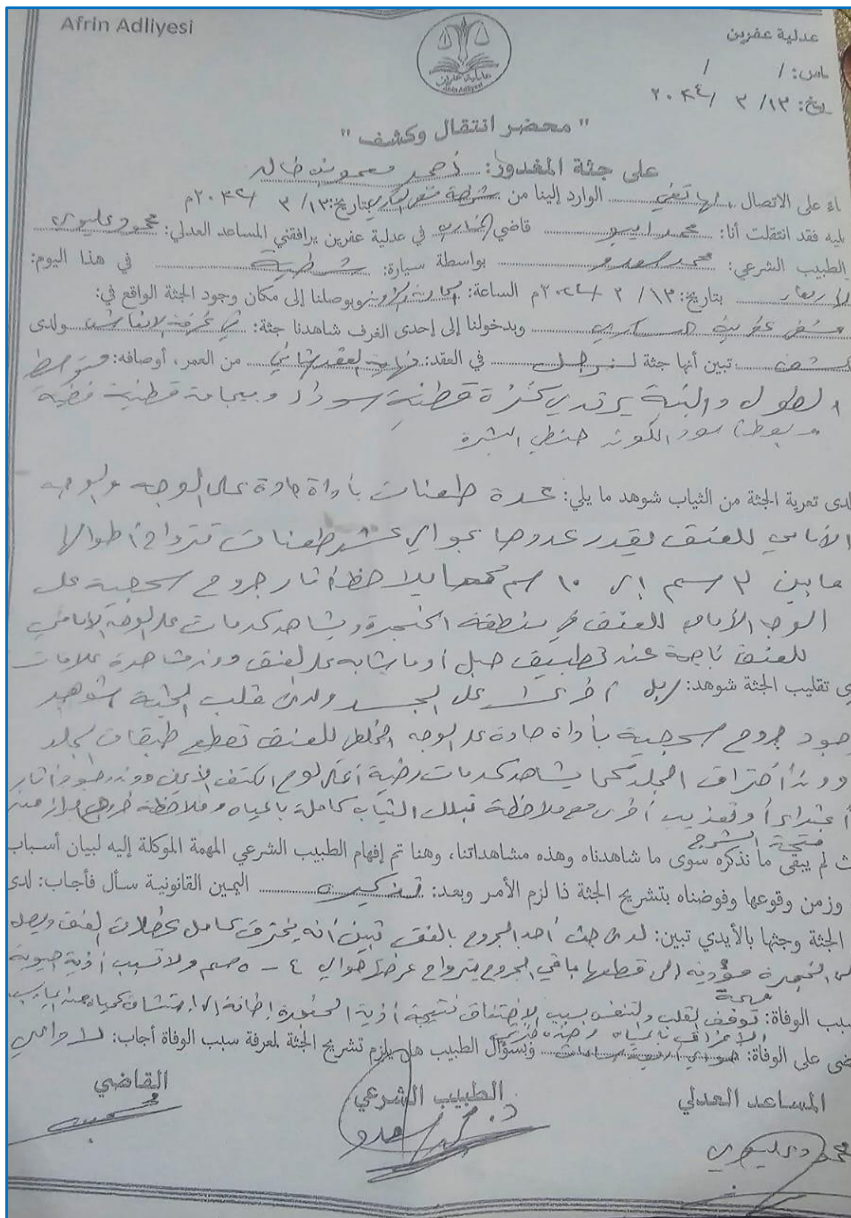


Image of the forensic medical report on the murder of Ahmed Khalid Modda, clearly showing a horrific murder crime, in which the perpetrator used knife stabbing on the neck and different parts of the body with depths reaching up to 10 cm in some areas, along with attempts to strangle him. Photo credits: The victim's relatives

Despite Ahmed’s family filing a lawsuit against the perpetrator, the case remains unresolved months after the crime. On August 1, 2024, Synergy contacted the victim’s relatives, who confirmed that the perpetrator is still in custody, but the case has not been decided yet, raising their concerns about the possibility of the perpetrator escaping the appropriate punishment.

Ahmed’ family and all Kurdish residents are living in a constant fear of the lack of justice. In a [video](#), Ahmed’s mother appears devastated by her son’s murder, expressing her mistrust in the domestic courts run by the SNA. She says, "What did we do to deserve having my son killed? Is it just because we are Kurdish?" In the same video, which is 1 minute and 36 seconds long, she adds, "I don’t want these courts; you are the ones who kill and you the same people who hold the courts," reflecting the Kurdish community’s feeling of the absence of legal accountability and the recurrence of crimes without punishment.

Synergy has previously documented a continuous pattern of justice and accountability absence. A report published on March 20, 2024, titled "[After a Year on Newroz Crime in Afrin: Victims’ Families Still Seek Justice](#)", indicated that suspended death penalty had been issued against three perpetrators. However, the implementation of this sentence seems unlikely as families of the victims continue to face pressure to drop the charges and close the cases.

Turkey’s Legal Responsibility as an Occupying Power:

Since its two military operations “Olive Branch” in 2018 and “Peace Spring” in 2019, Turkey has occupied areas of Afrin, Ras al-Ayn/Serê Kaniyê and Tall Abyad/Girê Spî. It is worth noting that Turkey maintains a continuous military presence in these regions, enforcing Turkish law, school curricula, and other public services.

As an occupying power, Turkey bears the responsibility for maintaining public order and safety, with a particular duty to protect women and children. Turkey remains bound by human rights obligations concerning all individuals present in these territories. If Turkish forces fail to act against reported violations, they may breach these obligations.

Additionally, the occupying power must respect the human rights treaties ratified by the country whose territory is occupied, either partially or fully.¹ Moreover, the application of human rights conventions beyond national borders is a responsibility of the occupying power.²

Therefore, Turkey is responsible for human rights violations in the occupied territories, whether committed directly or through the Turkish-backed factions, such as the Syrian National Army (SNA). Turkey is expected to uphold and promote human rights, and ensure

¹ UN Human Rights Committee (HRC), *CCPR General Comment No. 26: Continuity of Obligations*, 8 December 1997, CCPR/C/21/Rev.1/Add.8/Rev.1. §4.

² ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, ICJ Reports 2004, p. 136, § 106.

the protection of civilians, in accordance with Article 43 of the [Hague Regulations](#), which requires the occupying power to maintain public order and safety.

Violating Terms of the US-Turkish Agreement:

In addition to failing to acknowledge its occupation of parts of northern Syria, Turkey has not adhered to the Ceasefire [Agreement](#) for northeast Syria which it signed with the US on October 17, 2019. According to this agreement, Turkey committed to protecting human rights and ensuring the safety of residents in the designated safe area.

Article No. (4) of the US-Turkish Agreement, which consist of 13 items, states, “**the two countries pledge to uphold human life, human rights and the protection of the religious and ethnic communities**”. Article No. (7) of the Agreement further specifies, “**Turkey voiced commitment to ensure safety and well-being of residents of all population centers in the safe area controlled by the Turkish forces, and reiterated that it will take utmost precautions to avoid inflicting damage on civilians or on infrastructure.**”

Despite these commitments, Turkey has failed to implement effective measures to ensure the public order and safety in the areas it occupies. Instead, these regions have experienced chaos and infighting among armed factions, resulting in civilian casualties and property damage. These developments represent a clear violation of the agreement; as Turkish authorities have not intervened to halt these violations or hold the perpetrators accountable.

Recommendations:

As an occupying power, Turkey has failed to fulfil its responsibilities in the Syrian territories it occupies, failing to ensure the protection of civilians or stability in these regions. Accordingly, Synergy Association for Victims recommends:

1. **Assume Responsibilities:** The Turkish authorities, as an occupying power, must take all necessary measures to ensure public order and safety in the occupied territories, including providing special protection for women and children;
2. **Abide by Agreements:** The Turkish government must adhere to the Ceasefire Agreement signed with the US, particularly the items related human rights protections and ensuring the safety and well-being of residents in all population centers under its control;
3. **Hold the Factions Accountable:** Turkey, as the party effectively responsible for the SNA, must ensure respect for human rights and hold accountable any perpetrators of violations occurring in the occupied territories;
4. **Guarantee Access to Justice:** The Turkish government and its allies in the Syrian opposition must guarantee the victims’ rights to access justice through establishing effective, easy, and accessible redress mechanisms; These mechanisms should ensure

prompt and impartial investigations, hold perpetrators accountable, and provide appropriate compensation to victims.