

To the attention of the following mandate holders:

1. Working Group on Arbitrary Detention
2. Special Rapporteur on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
3. Special Rapporteur on Minority Issues
4. Special Rapporteur on the Human Rights of Internally Displaced Persons
5. Special Rapporteur on Violence Against Women and Girls, Its Causes and Consequences

1. Summary

This submission urgently draws attention to what may constitute a systematic and ongoing pattern of arbitrary detention and torture carried out by non-State armed groups (NSAGs) under the leadership and funding of the Turkish government. These groups, operating as the Syrian National Army (SNA), have inflicted these abuses on residents in areas under their control since Türkiye's military operation "Peace Spring".

Our organization, [Synergy Association for Victims](#) (Synergy),¹ submits this allegation letter to present our findings, which reveal that the SNA, associated with the opposition Syrian Interim Government and the National Coalition of Syrian Opposition Forces, systematically commits acts of torture and inhuman treatment. These acts target civilians who have no connection to specific events and appear to be solely based on the SNA's exercise of control over the region and its inhabitants.² It is crucial to draw attention to a previous allegation letter³ submitted in September 2023 that addressed the same patterns and alleged perpetrators; unfortunately, no action was taken in response. The new testimonies of incidents that occurred after the timeframe covered in our previous submission highlight the continuity of this pattern and raise concerns about potential future violations, considering the developments and attempts by the SNA to advance into new areas not currently under their control.

Synergy had conducted 18 direct interviews with victims, and concluded its findings based on the testimonies' analysis and on information from other reliable sources. Our findings were further supplemented by our extensive experience in human rights documentation and in collaboration with international organizations; through our field researchers and activists;

¹ Synergy Association for Victims is a non-governmental, non-profit association which aims to provide a platform and a space for the 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 Northeastern Syria and participate in the process of accountability and justice.

² Sirwan Kajjo, Which Syrian Groups Are Involved in Turkey's Syria Offensive?, VOA, 09 October 2019 (Available at: <https://www.voanews.com/a/extremism-watch-which-syrian-groups-are-involved-turkeys-syria-offensive/6177353.html>).

³ Complaint to the United Nations Regarding the Crime of Arbitrary Detention and Torture in Northern Syria, Synergy Association for Victims, and Syrians for Truth and Justice (STJ), and Monitoring and Documentation Department at North Press Agency, 20 September 2023 (Available at: <https://hevdesti.org/en/complaint-to-the-united-nations-regarding-the-crime-of-arbitrary-detention-and-torture-in-northern-syria/>).

and other sources of information, including the United Nations and independent human rights organizations' reports.

2. Contextual Background

On 9 October 2019, Türkiye commenced its military operation "Peace Spring," initiating airstrikes and artillery bombardments on the region between Ras al-Ayn (Serê Kaniyê) and Tall Abyad, with impacts extending to areas like Kobani and al-Qamishli. Turkish President Recep Tayyip Erdoğan publicly announced the operation, executed alongside Turkish-controlled NSAGs—primarily the Sultan Murad Division, the al-Hamza Division (aka *Al-Hamzat*), and Tajammu Ahrar al-Sharqiya (*Ahrar al-Sharqiya*), as well as the SNA Military Police.

During the initial days of the operation, more than 180,000 individuals, including thousands of women and children, were displaced in chaotic waves, as reported by the United Nations.⁴ By the conclusion of the operation on 22 October 2019, Türkiye and its SNA proxies had seized a border strip approximately 120 km long and 30 km wide, stretching from Ras al-Ayn (Serê Kaniyê) to Tall Abyad. The displacement crisis left over 175,000 people uprooted, according to the Independent International Commission of Inquiry on the Syrian Arab Republic (COI).⁵

Notably, the COI has documented that civilians in Ras al-Ayn and Tall Abyad have experienced widespread violations of human rights and international humanitarian law (IHL), reflecting patterns of abuse previously recorded in the Afrin District. These violations—including abductions, detentions, extortion, torture, rape, and property seizures—are often committed with impunity.⁶ The COI's findings in this regard are constant in all its reports, indicating a steady and continuous systematic policy adopted and implemented by the reported NSAGs.

3. Reported Facts

3.1 Overview

The 18 victims who shared their testimonies experienced arbitrary detention, torture, and other forms of inhuman treatment at the hands of multiple factions of the SNA operating in the Ras al-Ayn (Serê Kaniyê) and Tall Abyad regions. These victims are primarily the original

⁴ UNHCR, More than 10,000 Syrians crossed the Iraqi border since the onset of the Turkish campaign on Northeast Syria, the United Nations, 25 October 2019 (Available at: <https://news.un.org/ar/story/2019/10/1042501>).

⁵ UN General Assembly, Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/34/57*, 28 January 2020, para 45.

⁶ See, for example: Amnesty International, Syria: Damning evidence of war crimes and other violations by Turkish forces and their allies, 18 October 2019 (Available at: <https://www.amnesty.org/en/latest/press-release/2019/10/syria-damning-evidence-of-war-crimes-and-other-violations-by-turkish-forces-and-their-allies/>).

inhabitants of these areas, all of whom were displaced earlier due to ongoing violations and remain displaced because they fear being subjected to similar abuses if they return.

The timeframe of the documented cases range between October 2019, during the initial SNA control of the area, and December 2022. This extended timeframe indicates that the violations are not limited to periods of active hostilities but represent a broader, entrenched pattern of abuse directed at civilians under the control of the SNA factions.

It is crucial to note that most victims were of Kurdish origin and frequently faced verbal abuse aimed at degrading their dignity, faith, and ethnicity, which aligns with the documentation from the COI.⁷ Victims have requested that their personal information not be shared with third parties for fear of retribution from the SNA factions identified in their testimonies.

3.2 Arbitrary Detention and Lack of Judicial Guarantees

All the victims were not promptly informed of the reasons for their detention. Most of them were arrested in their homes, while others were abducted while in route or performing normal activities such as running their businesses. Many witnesses were arrested while trying to cross the borders to Türkiye in route to migration. Despite this, they were later charged for alleged collaboration with the Autonomous Administration in North and East Syria (AANES), affiliation with the Syrian Democratic Forces (SDF), or involvement in acts of terrorism or sabotage. Despite these charges, most detainees were never brought before a court or given the opportunity for legal recourse. Instead, they were often released only after paying ransoms or surrendering their properties. Additionally, those who did appear before a court were either forced to pay bribes or accused by judges of fabricating claims of torture and ill-treatment. All detainees were compelled to sign blank or pre-filled papers, which were then presented to judges as confessions.

In one case, a victim who was a civil employee at the oil department in AANES informed Synergy that he endured daily interrogation and torture at an SNA Military Police prison in a village near Ras al-Ayn for 43 days starting from 23 June 2022. He was eventually forced to "beg" to sign whatever confession they wanted. After signing an unidentified document, he was kept for another two months in a different detention cell until a judge ordered his transfer to the "Central Prison." Another victim, a construction worker arrested in February 2022, reported to Synergy that his family had to pay USD 2000 to an SNA commander to allow him to appear before a court. The victims explained that appearing before the court usually leads to decisions of relocation or release on bail, which they considered a chance to be in a position or location where they might face less torture and ill-treatment.

⁷ UN General Assembly, Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/45/31, 14 August 2020, para 54.

3.3 Pillage and Release for Ransom

Victims consistently reported that their personal possessions—ranging from money and gold to mobile phones and property documents—were seized either during their arrest or through raids on their homes. Many of the interviewed victims were forced to pay a ransom for their release. For instance, one female victim, while attempting to cross the border into Türkiye in August 2022, was detained by the Turkish Border Guards for 24 hours before being handed over to the SNA Military Police. She was interrogated for two days before being released and given back her belongings. Upon checking her belongings to call her family, she discovered that USD 500, some personal jewelry, her mobile phone, and other items had been taken by the detaining members. Another victim was ordered to pay USD 3000 for his release, despite never being convicted of the charges of "SDF membership." Another victim after being forced to pay a ransom for his release following his arrest in his agricultural land, discovered that his planted land was cultivated by the members of the SNA group who detained him.

3.4 Torture, Ill-Treatment, and Detention Conditions

Detention conditions were consistently inhumane. Victims reported being held in overcrowded or solitary confinement, often with limited access to basic necessities such as food, water, and hygiene. Women detainees, in particular, faced severe mistreatment, including being denied sanitary products and forced to endure unsanitary conditions, which led to health complications. Some women were also required to be escorted by male guards when using toilets, compounding their trauma. Two female victims informed Synergy that male detainees were deliberately tortured in front of them as a means of coercion to confess to charges they never committed, mainly being SDF fighters or possessing intelligence information.

All victims reported enduring physical torture, sleep deprivation, and verbal abuse, often designed to humiliate and intimidate them. Kurdish detainees, in particular, were subjected to ethnic slurs and other forms of racialized abuse. The forms of torture described by the victims were varied but notably brutal. Common methods included beatings with sticks, electric wires, and the butts of guns; suspension from the ceiling; burning with cigarettes; and forced stress positions like the "*shabeh*".⁸ Many victims were also deprived of sleep, subjected to freezing temperatures, and denied warmth or even basic clothing. Victims were also subjected to psychological torture, including threats of sexual violence against themselves or their families.

One male victim reported to Synergy how he, upon arrival to the Military Police detention location, was searched and his phone and money were confiscated. One of the officers

⁸ The Hanging Torture Method (also known as Blanco): the jailers suspend the detainees by the wrists to ropes dangling from the ceiling to force the detainee stand on the tip of their toes so they are exposed to huge pressure or they remained hanging in the air so that the weight of their bodies press on their wrists and lead to the swelling of the wrists causing intense pain. Detainees may remain in such situation for hours or sometimes days in combination with severe beatings.

ordered him to strip of his clothes, leaving him with only shorts, and then threw him into a small, dark, solitary room. Later, two masked officers came, blindfolded him, and took him to another location, which he couldn't identify. Upon arrival, he was tortured and beaten with a green hose and cable for about an hour and a half without any questions or interrogation.

Two brothers reported that upon arriving at the headquarters of one SNA faction, officers took them out of the car and kicked them until they entered the building while blindfolded. They were thrown into a room inside the headquarters that had no mattresses or blankets. They stayed in that room for two days, during which they were tortured daily for about an hour and a half using the green hose method, where they were beaten all over their bodies and insulted (called agents, pigs, dogs). During those two days, they were not given any meals, only a little water, and were allowed to go to the toilet once a day. After the two days, one of them was taken to another room for interrogation, where an officer forced him to sit on a chair while another asked questions.

Another victim informed Synergy that on the first night of her detention, while she was asleep, members of the detaining faction opened the door and poured cold water on her body. She was then dragged by two masked men and taken to another room in the same building. They forcefully pushed her into a room that had a library, the flag of the SNA, and in another corner, the Turkish flag. A large man entered and violently asked her if she was Kurdish. When she answered yes, he said, "You look like a fighter, and you must confess. I know everything about you personally!" She denied these allegations, and he responded by calling her a mercenary, slapping her forcefully on the face, and cursing her with obscene phrases.

4. Alleged Perpetrators

Many victims were able to identify the individuals involved in their detention and abuse, either through direct recognition or based on information provided by their captors. Some victims identified their captors based on their affiliations or the insignia displayed on vehicles, while others were informed of their captors' factional affiliations by the captors themselves. However, some victims were blindfolded or otherwise prevented from identifying their captors.

Analysis of the testimonies and corroborating evidence indicates that these violations are part of a larger, coordinated system under the leadership of the SNA, encompassing its various factions, such as the Civil Police, Military Police, and Judiciary. The SNA factions and entities identified by the victims include Al-Hamzat, Sultan Murad Brigade, Military Police, Ahrar al-Sharqiyah, Ahrar al-Sham, and Jabhat Shamiyah.

United Nations bodies and international human rights organizations have documented similar patterns of violations against civilians in areas controlled by these SNA factions,

particularly in Afrin and the "Peace Spring" areas. These include widespread arbitrary detention, forced displacement, extortion, torture, and sexual violence, particularly against Kurdish residents.

The evidence suggests that these violations may constitute systematic breaches of IHL and International Human Rights Law (IHRL). The pattern of abuse—ranging from arbitrary detention and looting to ethnic persecution—appears to be part of a broader strategy to displace the original residents, particularly the Kurds, and prevent their return. This strategy mirrors the practices observed during the "Olive Branch" operation in Afrin and has expanded in the "Peace Spring" areas.

These persistent and widespread abuses point to a systematic and well-coordinated campaign of violence and persecution, potentially sanctioned as official policy by the SNA factions. The goal appears to be the forcible displacement of Kurdish communities and the consolidation of control over the region through violence and intimidation. The practices that began in Afrin and spread to the "Peace Spring" areas continue to this day, with clear evidence of war crimes and human rights violations.

5. Legal Framework

5.1 Obligations of NSAGs under International Law

IHL regulates the behavior of all parties to an armed conflict, including NSAGs. NSAGs that control territories or populations due to their engagement in a non-international armed conflict are bound by IHL provisions that aim to protect civilians from arbitrary actions in the absence of State control.⁹ They are required to respect a wide range of rights, including the protection of the wounded, the sick, and medical facilities, as well as the humane treatment of prisoners and detainees. They must refrain from practices like collective punishment, pillage, retaliation, and hostage-taking, and ensure that any forced displacement or deportation is in compliance with international law.¹⁰

The recognition of NSAGs' obligations under international law, particularly regarding IHRL, is growing. While states remain the primary duty-bearers for human rights, NSAGs exercising control over territories are increasingly seen as responsible for safeguarding human rights within their domains.¹¹ The UN and the Human Rights Council have underscored that NSAGs

⁹ Official Records of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law applicable in Armed Conflicts, Vol. 8, CDDH/I/SR.22, Geneva, 1974–77, p. 201.

¹⁰ Sivakumaran, *The Law of Non-International Armed Conflict*, (Oxford University Press, 2012), p 530.

¹¹ Committee Against Torture, 20th Sess., GRB. v Sweden, Communication No. 83/ 1997, UN. Doc. CAT/C/20/D/83/1997 (19 June 1998); Sheekh v Netherlands, App. No. 1948/04, HUDOC at 45 (11 January 2007); UN Secretary-General, Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka, 243 (31 March 2011), p 188; Darragh Murray, *Human Rights Obligations of Non-state Armed Groups* (Hart Publishing, 2016).

controlling territories must respect human rights,¹² particularly when they function in ways similar to a government.¹³ This duty includes ensuring the protection of both individual and collective rights of civilians under their authority.

5.2 Torture and Inhuman Treatment

Torture and inhuman treatment are prohibited under customary international law, with prohibition remaining absolute regardless of the circumstances, including during armed conflicts. This absolute prohibition applies to all actors, whether State or non-State, and is enshrined as a *jus cogens* norm—meaning that no derogation is allowed. Common Article 3 of the Geneva Conventions, which applies to NIAC, mandates the humane treatment of all persons who are not actively participating in hostilities, and explicitly prohibits torture and inhuman treatment, including degrading or humiliating acts.¹⁴

NSAGs are bound by these rules even in the absence of State involvement. Acts of torture or inhuman treatment committed by NSAGs, such as during interrogations or detentions, are subject to individual criminal responsibility, regardless of whether they are sanctioned or carried out by the State.¹⁵ International law does not permit NSAGs to justify such violations based on military necessity, nor does it allow the use of retaliation or other forms of reprisal as valid justifications for torture or ill-treatment.¹⁶

Key international instruments such as Article 5 of the Universal Declaration of Human Rights (UDHR), the Convention Against Torture (CAT), and Article 7 of the International Covenant on Civil and Political Rights (ICCPR) make it clear that the prohibition of torture and inhuman treatment is non-negotiable. CAT's Article 2(2) reinforces that no exceptional circumstance can justify acts of torture, and similarly, ICCPR's Article 7 explicitly prohibits torture under any conditions, including during times of war or public emergency.

5.3 Arbitrary Deprivation of Liberty

International law prohibits arbitrary deprivation of liberty in both IAC and NIAC. Customary IHL,¹⁷ in conjunction with IHRL, demands that any arrest or detention must be lawful and subject to judicial scrutiny. In particular, detained individuals must be informed of the charges against them and afforded the right to challenge the legality of their detention

¹² OHCHR, 'International Legal Protection of Human Rights in Armed Conflict', Geneva and New-York (2011), pp 23-27 (Available at: https://www.ohchr.org/sites/default/files/Documents/Publications/HR_in_armed_conflict.pdf).

¹³ OHCHR, Joint Statement by independent United Nations human rights experts on human rights responsibilities of armed non-State actors, 25 February 2021 (Available at: <https://www.ohchr.org/en/press-releases/2021/02/joint-statement-independent-united-nations-human-rights-experts-human-rights?LangID=E&NewsID=26797>).

¹⁴ Rule 90 of International Committee of the Red Cross (ICRC) study on Customary International Humanitarian Law.

¹⁵ ICTY, *Kunarac* Trial Judgment, 2001, para. 496, confirmed in Appeal Judgment, 2002, para. 148. See also *Simić* Trial Judgment, 2003, para. 82; *Brđanin* Trial Judgment, 2004, para. 488; *Kvočka* Appeal Judgment, 2005, para. 284; *Limaj* Trial Judgment, 2005, para. 240; *Mrkšić* Trial Judgment, 2007, para. 514; *Haradinaj* Retrial Judgment, 2012, para. 419; and *Stanišić and Župljanin* Trial Judgment, 2013, para. 49.

¹⁶ ICRC 2020 Commentary on Common Article 3, para 596.

¹⁷ Rule 99 of the ICRC Study on Customary International Humanitarian Law.

before a competent court.¹⁸ NSAGs, as non-State actors exercising control over a territory, are similarly bound by these protections to ensure that arbitrary detention does not occur within their domains.

Article 9 of the UDHR and the ICCPR prohibit arbitrary arrest, detention, and exile, ensuring that any deprivation of liberty must be conducted in accordance with the law. In addition, ICCPR Article 9(4) grants individuals the right to take proceedings before a court to determine the lawfulness of their detention and secure their release if their detention is found to be unlawful.

The UN Human Rights Committee's General Comment No. 35 affirms that the protections under Article 9 of the ICCPR apply even in situations of armed conflict, where IHL and IHRL overlap. In situations of armed conflict, States and armed groups must both respect the rights to liberty and security of those under their control. While States have the ability to derogate from some rights under Article 4 of the ICCPR during emergencies, any derogation from the protections against arbitrary detention must be narrowly tailored and strictly justified by necessity.

The principle of judicial review of detention remains paramount, and States (and, by extension, NSAGs) must ensure that detention is not prolonged beyond what is absolutely necessary. The burden of proof rests on the detaining authority to justify detention, and this burden becomes increasingly strict as detention continues. States and NSAGs must also ensure that detainees are treated humanely at all times, consistent with Common Article 3 of the Geneva Conventions.

The evolving understanding of NSAGs' obligations to respect human rights further emphasizes the importance of adhering to these international protections in conflict zones. As these groups continue to govern territories, as seen in areas such as "Peace Spring" and "Olive Branch," they must take on the responsibility of ensuring the protection of the human rights of civilians under their control. These obligations include safeguarding against torture, inhuman treatment, arbitrary detention, and other human rights violations, regardless of the state's capacity to protect or enforce these rights.

6. Recommendations

We urge the responsible mandate holders to give this issue the highest priority, in light of the severity of the violations being perpetrated and the lack of legal protection for hundreds of thousands of civilians who are at risk, both as current and potential victims, over an extended period. NSAGs controlling areas in northern Syria must be made aware that they do not enjoy impunity and are obligated to respect and protect the human rights of the residents under their control.

¹⁸ See for instance, Human Rights Committee, General Comment No. 35, 2014.

In light of this, we urge the mandate holders to take the following actions:

1. Engage with relevant actors and authorities:

It is essential to communicate with all concerned actors, especially the SNA and its various military and political leadership frameworks. The mandate holders should reaffirm the legal responsibilities of the SNA and encourage them to conduct thorough, transparent investigations into the violations, publicize the findings, and hold perpetrators accountable, regardless of their position within the organization.

2. Engage with the Turkish government:

The Turkish government, which exercises effective control over the SNA and regions such as Afrin, Ras al-Ayn/Serê Kaniyê, and Tall Abyad (the so-called "Olive Branch" and "Peace Spring" areas), must be urged to conduct an impartial and transparent investigation into the situation. Additionally, the Turkish government should clarify the available mechanisms for providing remedies and reparations to the victims of human rights abuses.

3. Public statement linking UN obligations to NSAGs' duties:

A public statement should be issued by the mandate holders that links the situation in northern Syria to the established positions of the United Nations on the obligations of NSAGs to respect and protect human rights in territories under their control. This statement would reaffirm the international community's expectation that NSAGs abide by IHRL, including the protection of civilians.

4. Call for contributions from human rights organizations:

A call should be made for non-governmental organizations (NGOs) working on human rights issues in the affected areas to contribute data and reports regarding the human rights situation under SNA control. This information can be used to support the abovementioned statement and provide a clearer picture of the extent of the violations occurring.

5. Incorporate the issue into annual reports:

The situation in northern Syria, specifically regarding the actions of NSAGs and their human rights violations, should be included in the mandate holders' annual reports to the Human Rights Council and/or the UN General Assembly. These reports should serve as a platform for raising awareness and fostering accountability for violations in these areas.