

Read-out – Rojava Information Center  
Second Human Rights Forum On Human Rights Violations In the Afrin Region of  
Syria

*On 30<sup>th</sup> of January 2021, the second Human Rights Forum About Human Rights Violations In Afrin Region – Syria was held in Qamishlo, North and East Syria. The conference was organised by Rights Defense Initiative Organization – Syria, Human Rights Organization in Afrin – Syria, Rojava Center for Strategic Studies, Center for Research and Protection of Women's Rights in Syria and Human Rights Organization in Al-Jazeera Canton – Syria.*

*The first conference was held in December 2018 in Amude. This forum was intended to follow up on the situation in Afrin regarding human rights violations since the Turkish invasion and occupation in December 2018. The forum was intended to raise attention to the issue, and to call upon the international community to act for the people of Afrin.*

**Highlights:**

- The forum covered among other things the displacement of the people, the statistics relating to this, and first-hand testimonies.
- A lot of the speakers were focused on viewing the situation in the context of international law and legal practices.
- A common theme among the speakers was the allusiveness of trying Turkey in an international court.
- The forum also contained three testimonies of people from Afrin who told of horrific experiences encountered in the region. The stories of anguish affected the attendees in a powerful way, bringing many to tears.

The co-chair of the Democratic Autonomous Administration, Mr. Abd. Hamid Al-Mahbash, opened the forum speaking about the humanitarian situation in Afrin, and the occupied areas in North and East Syria – including the impacts of the Turkish occupation on the stabilization effort of the region.

Afterwards, Ibrahim Sheko gave the statistics of the Afrin region before and after the invasion showcasing the population numbers, the demographic changes and war crimes committed – mainly against Kurds and Yazidis – particularly the women. Following these events a large number of these groups fled to Europe or other parts of Syria living in poor conditions in IDP-camps. Sheko stated that the region of Afrin previously had a population of 300,000 people before the war, a majority of Kurds and a minority of Yazidis.

He gave the following numbers:

- 80% of Afrin's population have been displaced by force.
- 400,000 people have been installed in Afrin.
- 498 civilians were killed by Turkish attacks.
- 696 civilians have been wounded – among them 303 children and 213 women.
- nearly 1000 people were kidnapped, and their families were forced to pay ransom.
- 64 schools were destroyed due to the military operation.
- the number of students registered before the military operation was 50,855, but there are only 13,000 students in Shehba areas.
- Turkish and Arabic languages and Islamic law were imposed in the schools
- In 2018, 943 persons were kidnapped, of whom 76 were killed under torture or executed without any trials, charged with having connections with the Autonomous Administration. Most of the kidnappings took place under the supervision of the Turkish forces and their intelligence service MIT, through direct investigation and torture operations.
- Dozens of vital sites and health, educational and service facilities were targeted. Afrin Hospital was bombed 3 times, and ambulances belonging to the Kurdish Red Crescent were targeted while transporting the wounded to hospital.
- a water purification station was targeted in the village of Metina and the dam in the village of Maidanki was targeted during the military operation to cut off the water on the population, using it as a weapon of war to force civilians to flee.

- In 2019, 6,000 cases of kidnappings were recorded as well as 500 cases of ransoms. The fate of 330 people is unknown.
- 700 people were subjected to torture. Some of the kidnapped women and children were filmed while being tortured and the videos were then sent to their families who were blackmailed for ransom, which sometimes amounted to more than 100 thousand US dollars.
- 54 people died under torture in detention centers.
- In 2019, 41 died as a result of the bombing of the Turkish state and jihadist factions. While 2 journalists and 670 civilians were wounded as a result of bombardments, 1,730 were injured by mines and explosions.
- On December 2, 2019, the city of Tal Rifaat, 35 km north of Aleppo, was subjected to direct artillery shelling by the Turkish state and armed factions. The bombing targeted the displaced people from Afrin directly, resulting in the loss of 8 children and 2 adults, in addition to wounding 17 people, including 9 children.
- 40 women were murdered and 128 wounded between 2018 and 2019. In addition, 60 cases of rape were recorded, most of them against minors. 5 of these committed suicides and 270 were kidnapped. Cases of forced marriage under threat and extortion were also recorded, as well as a high rate of underage marriage among women to avoid their relatives marrying members of armed groups.
- **In 2020**, 58 people were killed, among them 9 women. 987 people were kidnapped. 39 bombings occurred in civilian-populated areas, resulting in the injury and loss of 170 people.
- 35 women were kidnapped in 2020 and 67 cases of rape were documented, including minors and disabled. 5 cases of forced marriage with jihadist factions against minors from Afrin have been documented. Sexual violence was not only against women, as cases of rape of men and adolescents were documented in the prisons of the factions under the supervision and knowledge of the Turkish army.

- 300,000 forest and olive trees were cut down for firewood trade, including 300 rare perennial olive trees, 15,000 oak trees and more than 11,000 forest trees. The factions burned an equivalent of 2,180 dunums, as well as 10,000 of the total 33,000 hectares of agricultural land.
- More than 28 archaeological sites and mounds were destroyed and the antiquities in them were stolen and sold in Turkish markets in an organized process to obliterate the historical identity of Afrin canton.
- A religious shrine for religious and sectarian minorities was destroyed and some of them were converted into Islamic mosques under the auspices of Turkish relief and religious institutions. Some of them were transformed into animal barns after the completion of their exhumation.
- The names of most of the streets, squares, public and historical places in Afrin canton were changed with the names of Turkish and Islamic personalities, especially those who committed crimes against the Kurdish people.

The conference then played footage of the Afrin region during and after the occupation. Scenes included civilians fleeing on foot, scenes of torture committed and destruction of property.

Journalist and human rights activist Dr. Ghassan Ibrahim began to speak about the implications of the Turkish occupation and the forced demographic change.

He pleaded that the UN and US should do more to prevent the demographic change. He said that the example of the Turkish occupation will encourage other countries to come to Syria and stake their claim.

Following Dr. Ghassan, three witnesses from the Afrin region gave their personal testimony on their experiences with the Turkish occupation.

The first witness was a woman who told of the horrific conditions she witnessed inside a prison controlled by extremist factions. She said: 'I am from Afrin. I didn't leave Afrin. We have been arrested by Turkish soldiers and their mercenaries that brought us to their jail. We had to stay there for a while. Then we have been put in the

mercenaries' underground prison. We were about 150 women and girls there, lots of us sick, in a 20 square meters room. They tortured us a lot, women, girls, men. One day for example they put a girl under a blanket and said 'let her suffocate, it's not our problem'. Another day they took a woman in her thirties out of the cell at 1AM, beat her and water tortured her. When they throw her back in the cell, she was covered with blood and was left like this for hours.'

Asma Hassan, the second witness, related the story of taking refuge inside a school in Tel Rifat, and seeing her son and other children killed by shelling. Now, her other son refuses to go to school due to trauma. She asked for restoration of her rights and the rights of her community to be restored, and wishes to return to her home after those responsible are held accountable.

The third witness, Mohammed Jameel, told of how his neighbors came to his home during the shelling, looking for safety. Everyone was trying to flee the region by car or foot, while the city of Afrin was being shelled. He paid over 600,000 Syrian Pounds to a smuggler to get him and his family into Aleppo, but during the confusion of being smuggled at night, his group came under small arms fire. He was wounded, and taken to a hospital ran by the militia groups and arrested.

After a break, we returned with Dr. Azad Deewanee talking about the crimes committed by Turkey and its militias in the scope of international law.

Dr. Deewanee discusses the population before the invasion, with 98% identifying as Kurdish. The President of Turkey, Erdogan, supports Islamic groups all over the world and used his political party to help the Syrian National Army, which contains a number of extremist jihadist groups. He said: 'Some groups are supportive of Al-Qaeda, and contain former ISIS militants. The Grey Wolves are an ultra nationalist group that has sympathizers within the Turkish Special Forces who took part in the Afrin invasion. ISIS flags and Al-Nusrah flags were flown at a rally in the center of Afrin, as well as in Serekaniye during the protests against the French president Macron after his comments in 2020. The groups are not local to Afrin, and they are supported by the Turkish leadership. During the Afrin and Serekaniye invasion, SNA groups were instructed by a religious leader to read religious passages decrying infidels, and president Erdogan used similar sentiments, claiming the Turkish Army and its affiliates were "the Army of the Prophet.". The Turkish government did not

provide any reasoning for their operation, like cross border attacks or armed instigation from the YPG. These facts are documented by foreign journalists like the BBC and international NGOs.'

Dr. Deewanee presented the official language of the internationally agreed upon terms for what a "war crime" is and how the targeting of any civilian population is an offense. He argued that ethnic cleansing and war crimes can amount to genocide against a population. He added: 'President Erdogan misconstrued the true numbers of the population statistics in Afrin, blatantly disregarding the fact checked numbers provided by a number of journalists and international organizations. His systematic plans to invade Afrin, including the Turkish military's involvement and targeting of civilians, and continuous displacement of native populations amounts to an ethnic cleansing. The UN Commission on Human Rights avoids using such terminology as "war crimes" and "ethnic cleansing" because it creates an uncomfortable relationship between nations.'

Following this, Dr. Azad took questions from the attendees.

An attendee, Bakir Lashkari, suggested that the Kurdish issue be brought to the EU, that Afrin witnesses be sent to the White House of Joe Biden in order to advance the issue of the Kurdish people around the world through lobbyist groups.

An other attendee, Muhammed Sheeraz Talabani, commented that he and his group are documenting the crimes and atrocities being committed across the region in Syria and Iraq, including the use of chemical weapons, and encouraged Dr. Deewanee to continue his work.

Yet an other attendee, Dalya Ahmed, commented that it is difficult to bring these offenses to the courts because of relationships between the UN members and NATO allies.

Ahmad Z. Bajalan of the International Criminal Court said that the ICC needs the help of the UN Security Council to bring Turkey and other factions who commit crimes to the court.

Appeals lawyer and general manager of Maat Foundation for Peace, Development and Human Rights, Ayman Okail, began his lecture on the human rights violations and his civil society organization's attempts to document the actions of Turkey and its affiliates. He wishes to bring these documents to Geneva. Mr. Okail's focus is about

the use of prohibited weapons and tactics, including the use of chemical weapons against civilians. He urged civil society organizations to force Turkey to speak out about these actions.

The conference continued with Majdolin Hassan, Member of the Women's Advisory Council for the UN Special Envoy for Syria and Head of the Syrians for Detainees and Abductees.

She argued that there is a need for psychological services for the people to heal from the tragedy. The Syrian government must join the international community in order for there to be more access to legal avenues for the benefit of the Syrian people. Following her statements, she took question from the attendees.

An attendee, Bakir Lashkari, asked Ms. Majdolin Hassan about the silence of the Syrian and Turkish governments. She said: 'Both governments have the same fear of the Kurdish population, and its in their interest to ignore the crimes they are accused of. We must trust the reports about the crimes, and every nationality has the right to decide its own fate. The Syrian Government may not recognize the Kurds as Syrian, but they have the right to identify as Syrian and Kurdish with representation in their government.'

An attendee asked Majdolin Hassan how the Afrin issue and the files going to the International Court can be viewed as women's issues. She responded that any woman can testify, or give files to the courts so they are represented, and they can go to many different international courts. This is similar to cases in Sudan.

Another conference attendee asked Majdolin Hassan how the people of North and East Syria can participate in international courts if they have been forbidden by international agreements, specifically women.

Majdolin Hassan responded: 'There has been no international decision to protect women in the international community, only in war situations. There is more than 50% participation in North and East Syria politics by women, and they should participate in the international communities.'

Margaret Owens used her time to raise the issue of sexual violence against women and discrimination, and how difficult it is to document cases of rape when the victims are hesitant to speak out. Ms. Owens talked about the women who fled Afrin and are

now living in horrible conditions elsewhere in North and East Syria, hoping that these women will speak to the panels documenting their plight.

Majdolin Hassan responded to Ms. Owens, saying that her cause is trying to support these women and hear their stories. Women are empowering themselves and the UN should encourage this work. The women's efforts should be shared with the rest of Syria.

A conference attendee discusses the fact that the accomplishments of the women in North and East Syria are the same women who are suffering in Afrin at the hands of the Turkish government. The Syrian government is ignoring the actions of Turkey, and they are just as responsible.

Majdolin Hassan responded that yes, the Syrian government is morally culpable, but they are unable to defend Afrin. While they are guilty of war crimes, they have no care about what happens in Afrin.

Ahmad Rajab Shehata Mahmoud Abu Shweba, a lawyer and lecturer at Alexandria Faculty of Law and a member of the Arab Lawyers Union started his discussion on the legal aims of charging the aggressors in Afrin. He said: 'The acts committed in Afrin by the aggressors are all examples of war crimes, and the UN agencies and Security Council must not separate the crimes from its sponsors in Turkey. The victims who are in the reports have a good chance of winning their case, but the problem lies with the UN Security Council and the politics of its members. The Kurds suffer at the hands of Turkey; the death of women and children, kidnappings and sexual violence. Going to the Security Council will be a solution for the Kurds and having a trial against the aggressors. The Syrian government doesn't allow its people to go to international courts, but the world can see the files.'

Yan Fermon, lawyer at the Brussels Bar since 1989, specialist in EU, Belgian criminal law and international humanitarian law brought the conference back after a short break to discuss the legality of trying aggressors in court.

Mr. Fermon discussed the legal precedent of the UN charter and the articles of the charter that deal with crimes of aggression and crimes against peace, as established after World War 2 and in the 1970's.

He said: 'The crime of aggression is the mother of all crimes that all other acts are derived from. War crimes and crimes against humanity stem from crimes of aggression. Members of the UN Security Council have violated these statutes.'

The UN charter explicitly states that it is forbidden to use means of force to settle international disputes, and although acts of self defense are permissible, all operations must cease once the Security Council makes resolutions or takes action. Turkey's claim of self defense against the Syrian State is without basis, as there are no recorded attacks from the Syrian State against Turkey. Similarly, Turkey can be held responsible for having motive to break the UN articles by their pattern of escalation.

The UN articles stipulate that it is not the soldiers who are culpable for the crimes that are committed, but rather the political leaders who organize and cause the chain of events that make the crimes, as established in precedent after World War 2. Turkey's pattern of escalation started with allowing 30,000 internationals join the ranks of Jihadi groups in Syria as part of the so called "Jihadi Highway". This contradicts my observations when I visited the Syrian-Turkish border in 1993, and saw its incredible security. Turkey cannot deny its motives for crimes of aggression and crimes against peace when in 2014 there was a leaked video of Turkish leaders discussing a false flag operation against Syria. Turkey is also culpable for crimes of aggression, as Turkey's political leaders organized and supplied militia groups and mercenaries who committed the crimes against humanity in Afrin and elsewhere. Without the crimes of aggression, there is no crime of genocide, ethnic cleansing or crimes against humanity. This was established in the Nuremberg Trials after World War 2, and expanded upon and detailed in the 1970s.' It's important in the discussion to pay attention to crimes of aggression and to consider all crimes in violation of the UN articles as part of the whole. The responsibility of the Turkish leaders can be made through their motives and the global perspective. Many small ways we hold those accountable who support the logistical operations of Turkey. The hesitation of nations to put these issues on trial are due to the amount of evidence that must be collected. No one wants to take their nationals back as they could be culpable. Other nations hope that the Kurds will hold the aggressors in Syria indefinitely so they will not be asked to take responsibility for their own citizens involvement in war crimes perpetrated and aided by the Turkish state.'

In the end, the conference returned with its closing statements, thanking its speakers, attendees and viewers.

The statement read:

“The Second Human Rights forum on Human Rights Crimes in Afrin, Syria, was held on 01/30/2021 in Qamishlo, with the presence of more than a hundred and fifty participants from Syria and abroad. The crimes committed in Afrin canton by the Turkish occupation and the loyal Syrian armed factions were highlighted. Through discussion of the axes and opinions and proposals, the following recommendations and demands were offered:

- Stressing that the Turkish military intervention in the Syrian territories is a crime of aggression against the sovereignty of the Syrian state, a member of the United Nations, because it is not based on an international resolution or a Syrian national resolution and is a clear violation of the provisions of the UN Charter and the provisions of international humanitarian law.
- Work to end the Turkish occupation of Syrian areas and ensure the return of the forcibly displaced under international sponsorship.
- Stressing that the crimes committed against women in Afrin rise to the level of genocide, and work to expose it to the international community.
- Demanding the United Nations to send an international fact-finding committee to Afrin canton to investigate the crimes committed by the Turkish occupation state and the factions under its banner.
- Demanding the United Nations and the relevant international bodies to assume their legal and moral responsibilities towards hundreds of thousands of displaced Afrin, considering it a crime of forced displacement for the purpose of demographic change and a crime of ethnic cleansing, which is a war crime according to the 1998 Rome Statute, and to refer the perpetrators to the International Criminal Court
- Communicating with international humanitarian workers, academics, researchers and activists to prepare files on the violations committed in Afrin and submit them to European international courts with them and communicate with relatives of victims in

## Europe and America

- Establishing an international program for individual and collective compensation for all victims of the Turkish occupation, especially women and children
- Communicating with international media and documentary film makers and working to expose the crimes committed by Turkey and the armed factions loyal to it.
- Forming a local and international committee to follow up on the recommendations and decisions issued by the forum and preparing for the holding of subsequent forums and forums in this regard.

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