

## **Afrin after Operation Olive Branch:**

### *An update on the situation in north-west Syria*

Submission to the UN Independent International Commission of Inquiry  
on the Syrian Arab Republic, September 2021

#### **Introduction**

The Ceasefire Centre for Civilian Rights (Ceasefire) and YASA e.V. – Kurdish Centre for Studies & Legal Consultancy (YASA) have been monitoring the human rights situation in Afrin, northwestern Syria since the launch of Operation Olive Branch in January 2018, which culminated in the occupation of the area by Turkish forces and armed factions of the Turkish-backed Syrian National Army (SNA). In July 2020, Ceasefire and YASA published *Cultivating Chaos: Afrin after Operation Olive Branch*, a comprehensive report on violations of human rights and international humanitarian law in Turkish-occupied Afrin.<sup>1</sup> The report documented patterns of violations including attacks on civilians and civilian infrastructure; forced displacement and demographic change; arbitrary detentions; property looting and theft; and attacks on religious and cultural heritage.

This briefing provides an update on the situation in Afrin, covering the period from July 2020-June 2021 and drawing on an additional 125 cases documented since the publication of the previous report. It finds that patterns of arbitrary detention targeting the Kurdish population are continuing with impunity, driving the ongoing displacement of local residents out of the area. Large-scale property and land seizures, coupled with major new housing and infrastructural projects, are encouraging the resettlement of Syrians from other governorates into Afrin, cementing patterns of demographic change. Meanwhile, the destruction of religious and cultural heritage sites continues to alter the historical character of the region. At the same time, constant infighting between SNA factions creates a precarious security environment for all, with frequent clashes and bombings leading to civilian casualties. Women and girls in this context are rendered vulnerable to sexual harassment, forced marriage, and other forms of gender-based violence at the hands of the factions.

The interviews upon which this briefing is based were conducted by YASA’s researchers, who recorded and transmitted case details using a secure, online reporting tool designed by Ceasefire. Interviewees included direct victims of violations as well as witnesses to violations (such as close family members,

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<sup>1</sup> Ceasefire Centre for Civilian Rights and YASA e.V. – Kurdish Centre for Studies & Legal Consultancy, *Cultivating Chaos: Afrin after Operation Olive Branch*, London, July 2020, [https://www.ceasefire.org/wp-content/uploads/2020/07/CFR\\_Syria\\_EN\\_July20.pdf](https://www.ceasefire.org/wp-content/uploads/2020/07/CFR_Syria_EN_July20.pdf).

friends and neighbours). To protect the safety and anonymity of all those involved in the documentation process, names and personal identifying details of victims and witnesses have been omitted in this briefing.

## Arbitrary detentions and torture

As documented in Ceasefire and YASA's previous report, since the conclusion of Operation Olive Branch control of Afrin's villages and districts has fallen into the hands of a wide array of different SNA factions. These factions have a parasitic relationship with the local population, detaining and extorting individuals to supplement their income while constantly competing with one another over territory and resources. The lack of internal discipline or a centralized command structure within the SNA means that faction members operate with near-total impunity, carrying out detentions and other violations on an almost daily basis in the areas they control.

Ceasefire and YASA have documented an additional 101 cases of arbitrary detention by SNA factions in Afrin since the publication of the previous report. Most of these detentions took place between July and December 2020, although some cases involved individuals who were detained during the early stages of the occupation of Afrin and released several years later. Nevertheless, these cases represent only a fraction of the total number of detentions and kidnappings in occupied Afrin. According to statistics published by the Human Rights Organisation – Afrin, 987 people were kidnapped in Afrin in 2020, while more than 7,343 were kidnapped in total over the first three years of the occupation.<sup>2</sup>

Most of the victims of arbitrary detention in Afrin are Kurds, even though Kurds now form a minority of the population in the region. This points to a clear pattern of targeting on the part of the SNA factions, who use allegations of support for Kurdish political parties as a reason or pretext to detain and extort Kurdish civilians who remain in the area. In the detention cases documented by Ceasefire and YASA, the reasons given for the arrest of the victim included communicating with or serving in the People's Protection Units (YPG); collecting taxes for the Autonomous Administration; working for a local commune in the past; being in possession of a driver's license issued by the Autonomous Administration, hiding or smuggling weapons; repairing vehicles belonging to the Autonomous Administration; or posting photos with the Kurdish flag on social media.

*"I don't know (the reason for the arrest), but I know that the situation is no longer tolerable. If the goal was to displace us, we would have migrated with more dignity than this." - 23-year-old woman detained by the Hamza Division*

The targeting of Kurds for alleged connections to the Autonomous Administration extended to minors as well. In one case documented by Ceasefire and YASA, a 13-year-old boy was detained by the Military Police on charges of belonging to the People's Protection Units during the period of the Autonomous

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<sup>2</sup> *Syrian Democratic Times*, 'Human Rights Organisation of Afrin, Syria, Releases Shocking Report on Abuses,' 15 January 2021, <https://www.syriandemocrattimes.com/2021/01/15/human-rights-organisation-of-afrin-syria-releases-shocking-report-on-abuses/>.

Administration. When his brother and cousin went to the headquarters of the Military Police to inquire about his situation, the two were also detained and subjected to beatings and torture.<sup>3</sup>

According to anecdotal evidence, this pattern of targeting has led to an exodus of Kurdish youth and young adults from Afrin. Since young people are more likely to have served in the People's Protection Units or worked for the Autonomous Administration, they are at high risk of being detained on accusations of collaborating with the former administration if they try to return to Afrin. Theoretically, it is possible for those who have not been politically involved to conduct a 'status settlement' (*taswiyet wadha*) with the factions, a process which clears their record of any accusations of membership in the Democratic Union Party (PYD) or the Autonomous Administration. However, the cost of this process, which can fall anywhere between 1,000 and 2,000 USD, is prohibitive for many young people. Furthermore, the option is not available in all parts of Afrin and is not an absolute guarantee that one will not be subjected to arrest or extortion. Consequently, few young people have chosen to return to Afrin.



Tal Ghazi village, August 2020 © Karam Almasri/Shutterstock

Other detention cases documented by Ceasefire and YASA included Kurdish civilians who were detained after coming into conflict with faction members or Arab IDPs. In one case from July 2020, a man was detained by members of the Noor Al-Din Zengi faction in Jindirees after a herd of his livestock went grazing

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<sup>3</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 489), 2 September 2020.



on lands seized by an Arab family, who filed a complaint against him with the faction.<sup>4</sup> In another case, an elderly woman was detained by members of Al-Jabha Al-Shamia after refusing to give them three houses she was taking care of, one of which belonged to her son-in-law. They detained her after claiming to have found weapons in her possession, which they had planted themselves in one of the vacant houses.<sup>5</sup>

The SNA factions operate an intricate network of detention facilities in northern Syria, with each faction running its own headquarters and prison in the area it controls. The Syrian Observatory for Human Rights has compiled a list of 20 SNA-run prisons in the Afrin area alone.<sup>6</sup> Some of them consist of houses seized from civilians that have been converted into prisons, while others are former government or public buildings that have been taken over by the factions. The Turkish-backed Military Police and Civilian Police forces also operate their own prisons.<sup>7</sup> In the detention cases documented by Ceasefire and YASA, most victims were detained in informal faction headquarters in the villages and districts of Afrin until their release. However, some were transferred to the Azaz or Al-Ra'i prisons, located in the Euphrates Shield zone of Turkish control.

In nearly all the documented cases, detainees were subjected to severe beatings and torture in SNA-run facilities. Methods of torture included beatings with sticks, cables or hoses; electrocution; and pouring hot water on the body. Those who were later released often suffered from long-term health consequences as a result of the torture. In one case, a 24-year-old man who was being beaten with electrical cords in the ear area lost his hearing completely, even though he was only detained for four hours.<sup>8</sup> Another man, first detained in 2018, was still suffering from back pain two years later after being beaten on the back with sticks during his detention.<sup>9</sup> In June 2021, it was reported that the Military Police transferred several Kurdish prisoners from Ma'aratah prison to Afrin's military hospital due to their deteriorating health conditions caused by torture, according to the Syrian Observatory for Human Rights.<sup>10</sup>

In several cases documented by Ceasefire and YASA, the torture was so severe that it led to the death of the victim. In one case, a 38-year-old man died after only three days in the custody of Al-Jabha Al-Shamiya, as a result of severe internal bleeding in the intestines sustained through torture.<sup>11</sup> In several cases, torture was used to extract confessions from detainees regarding their relationship to Kurdish political entities. One 43-year-old man confessed under torture to working with the intelligence services of the People's Protection Units,<sup>12</sup> while a 28-year-old woman confessed to teaching Kurdish in a school during the period of the

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<sup>4</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 383), 17 July 2020.

<sup>5</sup> Interview with a friend of the victim, documented via the Ceasefire-MENA platform (post ID: 382), 17 July 2020.

<sup>6</sup> Syrian Observatory for Human Rights (SOHR), 'SOHR highlights Ankara-backed factions' prisons in Afrin area, north-west of Aleppo,' 12 January 2021, <https://www.syriahr.com/en/200215/>.

<sup>7</sup> UN General Assembly, Human Rights Council, 46th session, 'Report of the Independent International Commission of Inquiry on the Syrian Arab Republic', 11 March 2021, p. 29, <https://undocs.org/A/HRC/46/55>.

<sup>8</sup> Interview with a cousin of the victim, documented via the Ceasefire-MENA platform (post ID: 352), 1 July 2020.

<sup>9</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 430), 29 July 2020.

<sup>10</sup> SOHR, 'Due to bad health conditions |Military Police transfers several prisoners to military hospital in Afrin,' 10 June 2021, <https://www.syriahr.com/en/217839/>.

<sup>11</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 502), 7 September 2020.

<sup>12</sup> Interview with a neighbour of the victim, documented via the Ceasefire-MENA platform (post ID: 363), 7 July 2020.



Autonomous Administration.<sup>13</sup> Torture was also used to increase pressure on the family members of the victims to pay ransoms for their release. In one case, members of Brigade 112 detained and tortured a 35-year-old olive farmer from the village of Ba'adina and sent pictures of his torture to his family via WhatsApp, threatening to kill him if ransom was not paid.<sup>14</sup>

In the previous report, Ceasefire and YASA noted that arbitrarily detained individuals were usually released after payment of a ransom between two and six million Syrian pounds. In the more recent cases, ransoms were requested in Turkish lira, a reflection of the fact that the Turkish lira has now become the de-facto currency in occupied Afrin. Financial incentives were clearly a motivation behind the arrests, as some interviewees believed

*“We were blindfolded. After the blindfold was removed, I could see the soldiers and officers. They were all Turks and we were on Turkish soil.”-woman detained from the village of Al-Duha (Matina)*

they were targeted because the faction members knew they had enough money to pay ransoms. In one case, a man was arrested by Ahrar al-Sharqiya on his way to Azaz after his wife inadvertently gave information to the wives of the faction members about their wealth and property.<sup>15</sup> In another case, a young man detained by faction members in Afrin city was asked for information about his wealthy neighbours so that they could target them as well.<sup>16</sup> Nevertheless, many interviewees, especially those who had been arrested and released for ransom multiple times, felt that the ultimate goal of the financial extortion was to force them to leave Afrin.

Some detainees were presented before Turkish-speaking investigative judges in Afrin during their time in detention. More concerningly, Ceasefire and YASA documented multiple cases where victims were transferred to Turkish territory for investigation and/or sentencing after being detained by SNA factions in Afrin. This not only suggests a significant degree of coordination between Turkish authorities and the SNA factions, but could also be a breach of the laws of war, which prohibit the unlawful deportation of protected persons. The Fourth Geneva Convention requires civilians accused of violations in an occupied territory to be detained in the occupied country, and to serve their sentences there, if convicted.<sup>17</sup>

In one case, a woman from the village of Al-Duha (Matina), who had previously worked in a local commune, was arrested by the Ahrar al-Sham faction for collaborating with the Autonomous Administration after being reported by an Arab IDP. After being detained in Afrin for several hours, she

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<sup>13</sup> Interview with a family friend of the victim, documented via the Ceasefire-MENA platform (post ID: 568), 27 September 2020.

<sup>14</sup> Interview with a resident of the village, documented via the Ceasefire-MENA platform (post ID: 521), 17 September 2020.

<sup>15</sup> Interview with a human rights activist, documented via the Ceasefire-MENA platform (post ID: 488), 1 September 2020.

<sup>16</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 425), 20 July 2020.

<sup>17</sup> Fourth Geneva Convention, arts. 49, 146 and 147.

was taken to another prison inside Turkish territory, which she believes was close to the city of Kilis on the Syrian border:

*We were blindfolded. After the blindfold was removed, I could see the soldiers and officers. They were all Turks and we were on Turkish soil. We were three women and about thirty-five young men. They put us all in a small room. All detainees were Kurds except for one woman of Arab origin. In this prison, the Turkish soldiers assaulted the detainees and beat the young men.*

The woman spent only one night in the prison, after which she was handed over to a SNA faction, blindfolded and taken in a cattle car to another facility inside Syrian territory, presumably the Al-Rai prison. She stayed there for 20 days and was presented five times before a Turkish judge, while a faction member translated her words. No official ruling was issued, but she was threatened not to resume work with the Autonomous Administration before being released.<sup>18</sup>

In another case, a 41-year-old man from the village of Omar Ushaghi was arrested by members of the Nur al-Din al-Zenki faction on accusations of smuggling weapons across the border for the Autonomous Administration. He was detained and tortured for 20 days in the faction's headquarters in the village of Quba in Rajo sub-district, then transferred to a Turkish prison in the city of Gaziantep. Although he was tortured during his 3.5-month stay in Turkish prisons, he did not confess to the charge of arms smuggling, and told them that he was only smuggling people across the border. His brother was able to secure his release by paying a ransom to the Al-Zenki faction. Immediately after paying the ransom, the victim was released in the village of Quba. After his ordeal, he fled Afrin to Kobani.<sup>19</sup>

In another case, a 33-year-old man from Arab Oshagi village was detained in March 2018 by the Liwa Al-Sultan Mehmet Fatih faction on accusations of working with the Autonomous Administration. He was taken to Mirkan village and then moved into Turkish territory, where he spent two and a half years in Turkish prison. During this time, his family had no information about his whereabouts, and assumed he was dead. In July 2020, the victim's brother received a notice from Azaz Court informing him that the victim was being held in Al-Ra'i prison. The brother travelled to Azaz and was able to speak to the victim briefly. He had been kept in a solitary cell and had not seen the light of day in two and a half years, and as a result he could not open one of his eyes. The faction asked for 40,000 USD for his release, which was beyond the family's ability to pay. Consequently, the victim was still being kept in Al-Ra'i prison at the time the case was documented.<sup>20</sup>

In another case, a 28-year-old man from Omar Ushaghi was arrested by the Al-Muntasir Billah faction after a conflict between his father and the faction, and later transferred to Turkish territory. Under torture in Turkish prisons, he was forced to confess that he was dealing with the People's Protection Units. He was

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<sup>18</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 896), 12 February 2021.

<sup>19</sup> Interview with the brother of the victim, documented via the Ceasefire-MENA platform (post ID: 432), 22 July 2020.

<sup>20</sup> Interview with the brother of the victim, documented via the Ceasefire-MENA platform (post ID: 428), 21 July 2020.

sentenced to life imprisonment and was serving his sentence in Turkey at the time the case was documented.<sup>21</sup>

## Sexual and gender-based violence

While most victims of arbitrary detention in Afrin are male, cases documented by Ceasefire and YASA indicate that the factions are also engaged in patterns of predatory behaviour against women and girls. Violations in this category have been more difficult to document due to taboos against speaking openly about sexual and gender-based violence. However, according to the UN Commission of Inquiry on Syria, ‘as Syrian National Army detention practices rapidly evolved, women were increasingly rendered vulnerable to abduction.’<sup>22</sup> In May 2020, after members of the Jaysh al-Islam faction attacked a detention centre run by the Hamza Division, a widely circulated video showed eight women who were found in the latter faction’s custody, all of whom had been abducted and sexually abused.<sup>23</sup> According to the Missing Afrin Women Project, an open-source documentation project that tracks violations against women in Afrin, over 150 women and girls have been kidnapped from Afrin since 2018.<sup>24</sup>

Ceasefire and YASA documented several cases of detention of women and girls over the reporting period. In one case, a 16-year-old girl was arrested by the Military Police in Afrin city while she was on her way home from school. She was detained and subjected to torture and ill-treatment on the pretext that she was a fighter in the Women's Protection Units (YPJ), and her father was forced to mortgage his land to secure the ransom needed to release her. When she returned home, the girl was psychologically and physically scarred, which drove her family to leave the area for Aleppo.<sup>25</sup> In another case, a 17-year-old girl was kidnapped from her home in Rajo sub-district by an armed group affiliated with the Al-Hamzaat faction and taken to an unknown location. Her father was able to track her down over a month later in the town of Al-Dana in Idlib province, and paid 800 dollars to the faction for her release. She was suffering from amnesia as a result of assault and mental trauma.<sup>26</sup>

In addition to torture and ill-treatment, cases documented by Ceasefire and YASA confirm that sexual violence is also used against female detainees in SNA-run prisons. The testimony of a woman from the village of Al-Duha (Matina), previously cited, suggests that such practices are widespread. After being detained by the Ahrar al-Sham faction for her previous role in a local commune, the woman was held in Afrin prison for one night. During her time there, she described meeting three Yazidi female detainees: a mother, her daughter and her daughter-in-law. The mother was separated from the others and put in the kitchen, while the prison guards entered the room where the two younger girls were. The mother could hear that the girls were being sexually assaulted, and attempted suicide by stabbing herself with a knife from the

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<sup>21</sup> Interview with a resident of the village, documented via the Ceasefire-MENA platform (post ID: 364), 7 July 2020.

<sup>22</sup> UN General Assembly, *op. cit.*, p. 14.

<sup>23</sup> Hagedorn, E., “An insult to women” everywhere: Afrin kidnappings prompt calls for investigation of Turkey-backed rebels, *Al-Monitor*, 2 June 2020, <https://www.al-monitor.com/originals/2020/06/syria-afrin-kidnappings-investigation-turkey-backed-rebels.html#ixzz6w5AOTdnE>

<sup>24</sup> Missing Afrin Women Project, <https://missingafrinwomen.org/about/>.

<sup>25</sup> Interview with the mother of the victim, documented via the Ceasefire-MENA platform (post ID: 778), 27 November 2020.

<sup>26</sup> Interview with a relative of the victim, documented via the Ceasefire-MENA platform (post ID: 575), 21 September 2020.



kitchen. Later, after she was transferred to another detention centre (believed to be Al-Rai prison), the woman from Al-Duha described being held with more than 150 other women, some of whom were detained with their children. After midnight, the prison guards would take some of the girls away under the pretext of bringing them for medical examinations or to perform forced labor. The girls would return psychologically broken; according to the woman, ‘we knew that they were being harassed or raped, but they would not speak of it.’ Other forms of torture were also widely used in the prison; the woman also described meeting a 30-year-old woman from Kafr Safra who was beaten so badly she was unable to speak.<sup>27</sup>

In addition to the threat of arbitrary detention and sexual torture, women and girls in Afrin are also at risk of daily harassment and forced marriage attempts by SNA faction members. Taking advantage of the precarious security situation, the factions often prey on local families who will hand over their daughters in marriage out of fear for their own safety. In one case documented by Ceasefire and YASA, a 34-year-old woman was arrested by members of the Al-Muntasir Billah faction from her home in Jaglat Ma’amak village on accusations of serving in YPJ. During her interrogation in the faction’s headquarters in the village, the faction leader proposed that she marry him to avoid torture and imprisonment, promising to also protect her family from harm. The woman agreed to the marriage out of fear for her family. She was released for 24 hours to prepare for the wedding and was threatened with rape if she retracted her words.<sup>28</sup>

In another case, a woman living in the Mahmoudiya district of Afrin city, whose husband was detained, received a notice from the court in Afrin asking her to pay a sum of money for his release. The Ahrar Al-Sharqiya faction then came to her and demanded eight million Syrian pounds to avoid being detained and imprisoned herself. A member of the faction proposed that she marry him instead of paying the ransom, but she refused, telling him she was a married woman. He said he could get rid of her husband or that she could marry him without her husband's knowledge. He also threatened to kidnap her in front of her husband. She told the fighter to come back the next day and that she would give him her final answer. With assistance from her family, the woman was able to smuggle herself out of Afrin to Tel Refaat overnight to avoid marrying the faction member.<sup>29</sup>

The fear of being subjected to forced marriage and other forms of sexual harassment has forced many women living in Afrin to change their behaviour to avoid coming into contact with the factions. In one case documented by Ceasefire and YASA, a 16-year-old girl was sexually harassed and threatened with kidnapping by members of Ahrar Al-Sharqiya in Afrin city, who followed her in their car while she was on the way to work. After the incident, she stopped leaving her home altogether out of fear of the faction.<sup>30</sup> In another case from the village of Baylan Kuy, a father decided to marry his young daughter to one of his relatives because she was being constantly harassed by a faction member, and he was afraid for her life.<sup>31</sup>

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<sup>27</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 896), 12 February 2021.

<sup>28</sup> Interview with a friend of the family, documented via the Ceasefire-MENA platform (post ID: 433), 27 July 2020.

<sup>29</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 375), 15 July 2020.

<sup>30</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 1014), 25 May 2021.

<sup>31</sup> Interview with a friend of the family, documented via the Ceasefire-MENA platform (post ID: 1015), 25 May 2021.

## Property theft and settlement activity

Widespread incursions on the property of local residents have been an element of the occupation of Afrin since the beginning. Following the initial military advance, the factions systematically looted and took possession of vacant houses and properties left behind by people who fled the invasion. Faction members either took residence in the houses themselves or sold or gave them to newly arrived families displaced from other parts of Syria. Likewise, the factions took over thousands of hectares of olive groves and other agricultural lands, the primary source of livelihood for many local residents. Taken together, these patterns of property theft have accelerated processes of displacement and demographic change both by driving local residents out and making it unfeasible for them to return.

Members of SNA factions continued to take over residential and agricultural properties during the reporting period. According to the Syrian Observatory for Human Rights, the factions seized 240 houses and shops owned by Afrin residents during the year 2020.<sup>32</sup> Faction members often relied on accusations of collaboration with Kurdish political entities to justify their actions against property owners. For example, in a case documented by Ceasefire and YASA in Bulbul, members of the Suqur Al-Sham faction cut down approximately 1,200 olive trees from a man's land on accusations that he was cooperating with Kurdish parties.<sup>33</sup> In another case from the village of Sharan, a 70-year-old man was forced to surrender his olive crop to members of the Sultan Murad faction who accosted him on his land:

*Some workers and I were in my olive field, harvesting the crop. We were surprised by the arrival of a pickup truck carrying about fifteen armed men. One of them came down to me and told me that my harvest would be confiscated. He called me a terrorist because according to them, my eyebrows are similar to those of Abdullah Ocalan, the leader of the Kurdistan Workers' Party imprisoned in Turkey. I tried to talk to him, but he said to me right away: 'Either you go home now on your own or we will take you... and you know very well what it means for us to take you.' I went back to the house and was left without a harvest this year.*

Even when local residents are able to produce documents proving their ownership of land or property, it is often not enough to prevent property seizure by the factions. Reportedly, some clerks working in the real estate offices of the local councils in Afrin refuse to recognize ownership documents issued during the period of Autonomous Administration.<sup>34</sup>

Properties belonging to local residents displaced outside of Afrin are also vulnerable to expropriation. In a case documented by Ceasefire and YASA, a man who went to visit the olive and almond fields of his brother, who was living in Europe, was accosted by members of the Liwa al-Sham faction, who said that the land belonged to them. They detained the man for two days and forced him to sign a document selling

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<sup>32</sup> SOHR, 'With media blackout |Turkish-backed factions seize nearly 250 houses and shops owned by Afrin residents in 2020,' 24 December 2020, <https://www.syriaahr.com/en/197367/>.

<sup>33</sup> Interview with a family friend, documented via the Ceasefire-MENA platform (post ID: 7728), 17 June 2021.

<sup>34</sup> Khalifa, N., 'Real estate seizures, utilization, and royalties... Who protects property rights in Afrin?' *Enab Baladi*, 29 July 2020, <https://english.enabbaladi.net/archives/2020/07/real-estate-seizures-utilization-and-royalties-who-protects-property-rights-in-afrin/?so=related>.

his brother's land.<sup>35</sup> In March 2021, the Syrian Observatory for Human Rights reported that local councils in Afrin suspended the recognition of powers of attorney issued by the Syrian government. The decision affected residents of Afrin who were displaced to other Syrian governorates and issued power of attorney documents to allow their relatives to manage their lands and properties in their absence.<sup>36</sup>

The seizure of residential and agricultural properties, coupled with other discriminatory restrictions imposed by the factions on local economic production, make it financially unsustainable for Kurdish residents to remain in Afrin. The factions impose levies on the sale of agricultural crops such as olives and grape leaves, and charge fees on merchants transporting their harvests for using the road into Afrin.<sup>37</sup> The faction members also impose a protection fee on business and shop owners in Afrin.<sup>38</sup> Ceasefire and YASA documented several cases where local residents were forced to hand over cans of olive oil from their seasonal production to the factions as a ‘protection’ levy to prevent their lands and crops from being stolen.



A mountain village in Afrin ©Ahmadoo.tv/Shutterstock

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<sup>35</sup> Interview with the victim, documented via the Ceasefire-MENA platform (post ID: 494), 20 August 2020.

<sup>36</sup> SOHR, ‘Attempts to seize people’s properties in Afrin |Turkish-backed civil councils reject power of attorneys given by displaced people to their relatives,’ 2 March 2021, <https://www.syriahr.com/en/207187/>.

<sup>37</sup> Afrinpost, ‘After olives, oil, and grape leaves... fighters steal the sumac crop in Afrin,’ (Arabic), 9 July 2020, <https://bit.ly/3zBOC35>.

<sup>38</sup> Afrinpost, ‘“Sultan Murad” imposes monthly royalty on shops and medical clinics in Afrin,’ 5 April 2021, <http://afrinpost.net/en/2021/04/sultan-murad-imposes-monthly-royalty-on-shops-and-medical-clinics-in-afrin/>.



After seizing agricultural lands, faction members often harvest the crop for their own profit or burn down the trees to be sold as firewood. For example, in an incident documented by Ceasefire and YASA in July 2020 near the Jebel Lailun area in Shirawa, SNA faction members set fire to olive groves by deliberately firing incendiary bullets, leading to the destruction of around 3,000 trees.<sup>39</sup> In the same month, forest trees near the village of Kûra in the Rajo district were burnt down after a faction used the area as a firing range for military training.<sup>40</sup> According to the Assessment Capacities Project, there are an estimated 18 million olive trees remaining in Afrin, compared to 26 million prior to the 2018 conflict.<sup>41</sup>

Since the previous report, Ceasefire and YASA have also noted an increasing trend in the clearing of agricultural land to make room for major infrastructure projects. This accelerating trend has seen agricultural lands seized from their original owners and converted to real estate records, to be sold to developers for the construction of housing projects. The projects are usually established under humanitarian auspices, with investment from Gulf-backed charitable bodies, to provide housing to Syrian refugees and internally displaced persons (IDPs). However, these charity initiatives usually neglect to mention the military occupation and forced displacement which have created the context for the new construction projects to take place.

For example, in the formerly Yazidi-majority area of Şadêrê (Shadereh) in Shirawa sub-district, the Turkish humanitarian organization White Hands (Beyaz Eller) began construction of a residential complex called “Basma” to provide housing to displaced families from Idlib. The project, which will involve the construction of 144 apartments in its first phase, is also funded by the Kuwait-based International Charity Association for Development (Tanmia) and the Palestinian organization Live with Dignity, which collects donations from Palestinian towns and cities in the Southern Triangle for projects supporting Syrian refugees. Live with Dignity has also funded the construction of several mosques and other housing projects in Turkish-occupied areas of northern Syria.<sup>42</sup>

Similar projects have been initiated by the Sham Al-Khair Charity, which was founded in Eastern Ghouta and registered in Turkey, but receives financial backing from Kuwait.<sup>43</sup> The charity was behind the construction of a settlement complex called ‘Kuwait Al-Rahma’ in a village in Shirawa sub-district, including nearly 300 houses, a mosque, a dispensary, a school and a Quranic institute. The complex was designed to house IDPs from other parts of Syria and was built under the oversight of the Afrin Local

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<sup>39</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 385), 19 July 2020.

<sup>40</sup> *Ibid.*

<sup>41</sup> Assessment Capacities Project (ACAPS), ‘Syria: Humanitarian needs in Afrin,’ 3 March 2021, [https://www.acaps.org/sites/acaps/files/products/files/20200302\\_acaps\\_short\\_note\\_syria\\_huamitarian\\_needs\\_in\\_afrin.pdf](https://www.acaps.org/sites/acaps/files/products/files/20200302_acaps_short_note_syria_huamitarian_needs_in_afrin.pdf).

<sup>42</sup> *Afrinpost*, ‘Funded by pro-Muslim Brotherhood associations: New settlement project in Yazidi village of Şadêrê, occupied Afrin, 15 May 2021,’ <http://afrinpost.net/en/2021/05/funded-by-pro-muslim-brotherhood-associations-new-settlement-project-in-yazidi-village-of-sadere-occupied-afrin/>.

<sup>43</sup> Syria Justice and Accountability Centre, ‘Foreign Aid and Demographic Change in Northwest Syria,’ 6 May 2021, <https://syriaaccountability.org/updates/2021/05/06/foreign-aid-and-demographic-change-in-northwest-syria/>.

Council.<sup>44</sup> In the same sub-district, the charity is reportedly building a residential complex to house members of the Civilian Police and their families, funded by the Qatari Red Crescent.<sup>45</sup>

The online media network Afrinpost has reported significant settlement activity in the village of Kafr Safra in Jenderes district. According to the outlet, 170 olive trees were uprooted from a field owned by a Kurdish citizen and sold in preparation for the construction of a housing complex. On agricultural land belonging to a Kurdish resident west of the village of Qorba, a housing project is being constructed by the Al-Ata' Investment Associations Charity (Qatar), Al-Noor Association (Turkey) and the Turkish Disaster and Emergency Management Authority (AFAD).<sup>46</sup>

These construction projects, which are designed primarily to house Syrians arriving from other governorates, serve to entrench the displacement of local Kurdish residents who were forced to flee their lands as a result of the Operation Olive Branch military advance and its aftermath. These demographic changes continue to gather speed as ongoing hostilities in northern Syria have pushed more displaced Syrians from Idlib, Ghouta, northern Hama, and rural Damascus towards the Afrin area.<sup>47</sup> According to the UN Office for the Coordination of Humanitarian Affairs, displacement into Afrin intensified over 2020, with approximately 13,000 arrivals registered in December 2020 alone.<sup>48</sup> Concurrently, the Turkish government openly acknowledges the return of over 400,000 Syrian refugees from Turkey to northern Syria.<sup>49</sup>

Survey data obtained by Ceasefire and YASA from Sharran sub-district (below) provides a stark illustration of the extent of demographic change in Afrin. The data, which was collected in 2021, shows that original residents now form a minority of the population in nearly every surveyed village in the sub-district. In one village, the formerly Yazidi village of Bafliyun, there is not a single resident remaining. The data is consistent with patterns that Ceasefire and YASA have documented in other sub-districts. For example, Khedria Village in Bubul district was home to around 600 Kurdish inhabitants prior to the Turkish-led invasion, all of whom were displaced by the military operations. Of those original residents, only about 80 people have returned, while 300 people have been resettled from Homs and Hama governorates. In Qarantalq Village in Sheikh Al-Hadid district, which was originally home to 1,750 people, only 400 residents have returned, while 800 displaced people have been settled. In Altania village in Raju district,

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<sup>44</sup> SOHR, 'Demographic change in Afrin | Residential complex constructed in Shirawa for housing displaced people,' 18 April 2021, <https://www.syriahr.com/en/214164/>.

<sup>45</sup> Afrinpost, 'Funded by Qatar: new settlement village constructed in Sherawa sub-district,' 17 June 2021, <http://afrinpost.net/en/2021/06/funded-by-qatar-new-settlement-village-constructed-in-sherawa-sub-district/>.

<sup>46</sup> Afrinpost, 'Sale and seizure of lands and real estate in the village of Kafr Safra in light of unrestrained settlement activity,' 21 June 2021, <http://afrinpost.net/en/2021/06/sale-and-seizure-of-lands-and-real-estate-in-the-village-of-kafr-safra-in-light-of-unrestrained-settlement-activity/>.

<sup>47</sup> ACAPS, *op. cit.*

<sup>48</sup> *Ibid.*

<sup>49</sup> Al-Hilu, K., *The Turkish Intervention in Northern Syria: One Strategy, Discrepant Policies*, Fiesole, European University Institute, 14 January 2021, p. 9, <https://cadmus.eui.eu/bitstream/handle/1814/69657/Khayrallah%20al-Hilu%20-%20The%20Turkish%20Intervention%20in%20Northern%20Syria%20One%20Strategy%20Discrepant%20Policies.pdf?sequence=1&isAllowed=y>.

which was formerly home to 350 people, only 35 original residents have returned, while 450 displaced people have been settled from Homs and Aleppo governorates.<sup>50</sup>

Village	Number of residents	Number of displaced persons	Total inhabitants	Residents as percent of total
Sharran	390	1619	2009	19%
Kafr Janna	419	2091	2510	17%
Qatma	551	4052	4603	12%
Bafliyun	0	669	669	0%
Qastal Jindu	153	1858	2011	8%
Omaranli	498	537	1035	48%
Jamanli	304	978	1282	24%
Qarqin	17	132	149	11%
Deir Suwan	729	2474	3203	23%
Arab Jumuaa	92	0	92	100%
Firkan	311	411	722	43%
Ikdam	101	123	224	45%
Sarnejek	22	882	904	2%
Shiltah	71	574	645	11%
Mirsawa	262	334	596	44%
Omar Samu	98	637	735	13%
Zaytunik	191	251	442	43%
Mashaala	200	1462	1662	12%
Dikmedash	195	620	815	24%
Arab Wiran	137	349	486	28%
Ali Bazan	27	392	419	6%
Singerli	278	1996	2274	12%
Matinli	64	1225	1289	5%
Kharabat Sharran	594	3884	4478	13%

## Destruction of cultural heritage

The destruction and excavation of Afrin's historical and cultural heritage sites continued over the reporting period. These processes were usually carried out by members of SNA factions operating with Turkish knowledge or oversight. Attacks on heritage sites appear to be motivated by a dual purpose: to profit from the sale of historical artifacts looted from the premises on the one hand, and to alter the socio-cultural landscape of the region on the other, by removing historical remnants of pre-Islamic civilizations and desecrating sites associated with Afrin's different ethnic and religious groups.

<sup>50</sup> Communication with YASA's local sources (identities withheld), August 2021.



During the reporting period, Ceasefire and YASA documented the conversion of the Ancient Shrine of Cyrus (Nabi Hourî) into a mosque. The archeological site is located in Sharran subdistrict and dates back to 200 BC. Witnesses said that illegal excavations and thefts of antiquities had been going on for more than two years at the site before it was converted to a mosque. In the excavation areas, photography is prohibited and anyone who takes photos or videos is arrested.<sup>51</sup>

The Turkish authorities and two SNA factions also used heavy machinery to illegally excavate the Dederiyeh (Dudêrî) archaeological site, located approximately 2 km west of Maidanki village in Sharran subdistrict. The name Dudêrî means ‘the hill with two doors’ in Kurdish, and the cave is notable for the discovery of buried Neanderthal remains within. According to a witness from the village, members of Jaish Al-Nakhba and Faylaq Al-Sham bulldozed the archaeological hill under direct Turkish supervision, as a Turkish scorpion vehicle driven by Turkish officers frequented the site during the excavation. The bulldozing work began in early summer 2020 and led to the removal of the cover over the stone stairs that lead to an arched building inside the hill. A report released by the Syrian Directorate of Antiquities of Afrin in December 2020 confirms that the hill was subjected to excavation with heavy machinery, as evidenced in photographs and satellite images of the site.<sup>52</sup>

## **Bombings and other security incidents affecting civilians**

Due to the multiple armed actors vying for control in Afrin, the precarious security situation poses an ongoing threat to civilians, with frequent car bombings, exchanges of gunfire between factions, and in some cases, aerial bombardment. While many of these attacks appear to target faction headquarters or other military targets, they often take place in crowded urban areas, leading to civilian deaths and injuries.

According to the Human Rights Organisation - Afrin, there were 39 bombing incidents during the year 2020, which killed or wounded more than 170 people.<sup>53</sup> For example, on 14 September 2020, a car bomb exploded in the center of Afrin city, in a busy market area close to the headquarters of the Jaysh al-Sharqia faction.<sup>54</sup> The blast killed at least 10 people and injured more than 30, including several children.<sup>55</sup> On 26 October 2020, a motorcycle exploded on Jindires Road in Afrin city, killing two people and injuring five others.<sup>56</sup> On 24 November 2020, a car bomb again exploded in central Afrin, killing two, injuring 17, and causing extensive damage to the industrial area.<sup>57</sup> Turkey and the SNA factions have accused the YPG of

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<sup>51</sup> Case documented via the Ceasefire-MENA platform (post ID: 898), 24 March 2021.

<sup>52</sup> Interview with a witness to the violation, documented via the Ceasefire-MENA platform (post ID: 784), 19 December 2020.

<sup>53</sup> Khalil, D., ‘Human rights organization reveals violations in Syria’s Afrin,’ North Press Agency, 3 January 2021, <https://npasyria.com/en/52397/>.

<sup>54</sup> Al-Hassan, K., ‘Casualties in car bombing in Afrin, northwestern Syria,’ North Press Agency, 14 September 2020, <https://npasyria.com/en/46765/>.

<sup>55</sup> Action on Armed Violence, ‘At least 10 people killed by car bomb in Afrin, Syria,’ 16 September 2020, <https://aoav.org.uk/2020/at-least-10-people-killed-in-car-bomb-in-afrin-syria/>.

<sup>56</sup> SOHR, ‘Afrin blast |Two persons killed and five others injured in motorcycle-bomb explosion,’ 26 October 2020, <https://www.syriahr.com/en/189882/>.

<sup>57</sup> Reuters, ‘Two blasts kill seven in Syrian rebel-held northwest near Turkish border,’ 24 November 2020, <https://www.reuters.com/article/syria-security-blasts-northwest/two-blasts-kill-seven-in-syrian-rebel-held-northwest-near-turkish-border-idUSKBN2842MQ?il=0>.

being responsible for such attacks, but YPG spokespersons have denied involvement, insisting they only attack military targets.

These attacks have continued throughout 2021. For example, on 30 January 2021, another car bombing in Afrin's industrial district killed at least five people, including children, and injured more than 20 others.<sup>58</sup> On 26 June 2021, a car bomb exploded near a gas station on the main road between Aleppo and Afrin, killing three people and wounding others.<sup>59</sup>

In Shirawa sub-district, where there are several villages which have not fallen under Turkish control, frequent aerial bombardment by Turkish forces has caused harm to civilians and their properties. For example, on 5 June 2021, artillery fire by Turkish forces on the village of Kaloutah in the district killed a young girl and injured her brother and father.<sup>60</sup> Turkish missile and artillery shelling in the villages has also killed livestock and prevented local farmers from cultivating their land or grazing livestock, threatening their livelihoods.<sup>61</sup>

However, the single most bloody incident during the reporting period was the 12 June 2021 double artillery attack on Afrin's Al-Shifaa Hospital, which killed as many as 18 civilians and wounded dozens of others.<sup>62</sup> The double strike strategy appears to have been intended to target those responding to the first blast; after an initial strike hit a residential neighbourhood, a second strike, 45 minutes later, targeted the hospital emergency department where Syrian Civil Defense ambulances had evacuated the casualties.<sup>63</sup> Two hospital staff and two ambulance drivers were among those killed, and the attack also destroyed the hospital's emergency department, labour and delivery room, and part of the outpatient department.<sup>64</sup> The perpetrator of the attack has not been conclusively identified, as the attack was launched from an area partly controlled by the Syrian government and partly by the Kurdish-led Syrian Democratic Forces (SDF).<sup>65</sup>

## Available remedies and responsibility for violations

In almost every individual case documented by Ceasefire and YASA, victims were unable to access effective remedies for the violations to which they were subjected. Only in one case, which involved the kidnapping of a 16-year-old girl, was the victim's family able to secure assistance from the Military Police,

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<sup>58</sup> Reuters, 'Bomb blast kills at least five people in northern Syrian town of Afrin,' 30 January 2021, <https://www.reuters.com/article/us-syria-security-turkey-blast-idUSKBN29Z0L7>.

<sup>59</sup> Youm7, 'Syria announces the killing of 3, including a child, in an explosive device blast in Afrin' (Arabic), 26 June 2021, [https://www.youm7.com/story/2021/6/26/سوريا-تعلن-مقتل-3-بينهم-طفلة-في-انفجار-عبوة-5368784?utm\\_source=pocket\\_mylist](https://www.youm7.com/story/2021/6/26/سوريا-تعلن-مقتل-3-بينهم-طفلة-في-انفجار-عبوة-5368784?utm_source=pocket_mylist)

<sup>60</sup> SOHR, 'Death toll update |Turkish artillery fire on Shirawa district kills regime officer from Qardaha,' 5 June 2021, <https://www.syriahr.com/en/217589/>.

<sup>61</sup> Al-Saleh, N., 'Ongoing Turkish shelling on Syria's north causes constant fears,' North Press Agency, 12 June 2021, <https://npasyria.com/en/60777/>.

<sup>62</sup> United Nations, 'UN strongly condemns 'appalling' attack on Syrian hospital,' 14 June 2021, <https://news.un.org/en/story/2021/06/1093972>.

<sup>63</sup> Al Nofal, W., 'Who is behind the massacre at Afrin's al-Shifa Hospital?' Syria Direct, 14 June 2021, <https://syriadirect.org/who-is-behind-the-massacre-at-afrins-al-shifa-hospital/>.

<sup>64</sup> Syrian American Medical Society, 'Two staff killed, eleven injured in an attack on Al-Shifaa Hospital in Afrin,' 12 June 2021, [https://www.sams-usa.net/press\\_release/two-staff-killed-eleven-injured-in-an-attack-on-al-shifaa-hospital-in-afrin/](https://www.sams-usa.net/press_release/two-staff-killed-eleven-injured-in-an-attack-on-al-shifaa-hospital-in-afrin/).

<sup>65</sup> Al Nofal, *op. cit.*

who located the girl in the custody of the Ahrar Al-Sharqiya faction.<sup>66</sup> In all other cases, victims and their families either failed to receive assistance after reporting the violation or refrained from reporting altogether due to distrust of local institutions or fear of retaliation by the factions. In one case, a woman whose husband was killed after being kidnapped by Ahrar Al-Sharqiya filed a lawsuit in one of the Afrin courts. Although the identity of the killer was known to the investigative authorities, no prosecution took place.<sup>67</sup> In another case, a man who filed a complaint with the Military Police after his house was seized and looted was kidnapped by Al-Jabha Al-Shamia and only released after paying a ransom and dropping his claim to the house.<sup>68</sup>

Local councils in Afrin are ineffective at addressing violations, as documented in Ceasefire and YASA's previous report. In the post-Olive Branch context, members of the councils are chosen primarily for their loyalty to Turkey and unable to act as independent advocates for the local population.<sup>69</sup> Moreover, in many cases documented by Ceasefire and YASA, village leaders (mukhtars) collaborated directly with the factions to hand over local residents for detention. As such, mukhtars and local council members do not hold sway over the factions and are themselves vulnerable to arbitrary arrests and other forms of retaliation for criticizing their actions.

In September 2020, the SNA established a 'Rights Restitution Committee' formed of representatives of several factions in Afrin, ostensibly to return stolen properties to their legal owners and resolve other grievances.<sup>70</sup> However, the Committee has been decried as ineffective and superficial by local observers. According to Afrinpost, after the Committee visited the village of Meydanki and met with the people who submitted complaints about their living conditions, all those who submitted complaints were threatened by faction members.<sup>71</sup> Members of the Ahrar al-Sham faction also threatened villagers in Kurzêlê/Qurzaihel to withdraw the complaints they submitted to the Committee relating to their seized properties in Afrin city.<sup>72</sup>

As the occupying power, Turkey is responsible for upholding human rights obligations in territories it occupies. Yet, many cases documented by Ceasefire and YASA show direct Turkish involvement in serious human rights abuses. In several of the arbitrary detention cases, Turkish intelligence officers were present while members of the Military Police or Civilian Police carried out the detentions. In several other cases, victims were arbitrarily detained and held by Turkish intelligence officers directly. As confirmed by the

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<sup>66</sup> Interview with a neighbour of the victim, documented via the Ceasefire-MENA platform (post ID: 468), 23 August 2020.

<sup>67</sup> Interview with a human rights activist, documented via the Ceasefire-MENA platform (post ID: 488), 1 September 2020.

<sup>68</sup> Interview with a friend of the victim, documented via the Ceasefire-MENA platform (post ID: 382), 17 July 2020.

<sup>69</sup> Al-Hilu, *op. cit.*, p. 12.

<sup>70</sup> *Enab Baladi*, 'Six months after its formation, what did the "Grievance Resolution" committee achieve in Afrin?' (in Arabic), 26 February 2021, <https://www.enabbaladi.net/archives/461365>.

<sup>71</sup> *Afrinpost*, 'Cosmetic offers from "Restoration of Rights"...and Kurdish families are prevented from Bulbule from returning to their homes,' 6 February 2021, <http://afrinpost.net/en/2021/02/cosmetic-offers-from-restoration-of-rights-and-kurdish-families-are-prevented-from-bulbule-from-returning-to-their-homes/>.

<sup>72</sup> *Afrinpost*, 'In Afrin: Pro-Turkey militias threaten Kurds who file complaints to recover their properties,' 10 July 2021, <http://afrinpost.net/en/2021/07/in-afrin-pro-turkey-militias-threaten-kurds-who-file-complaints-to-recover-their-properties/>.

UN Commission of Inquiry on Syria, Turkish officers are often present at SNA facilities where torture takes place.<sup>73</sup>

Turkey may be legally responsible for violations not only by its own forces, but also by members of non-state armed groups over which it exercises control.<sup>74</sup> However, Turkey has not made any significant efforts to prevent or punish violations perpetrated by the SNA factions it directly supports in Afrin, despite having an extensive presence in the region. Turkey has established 12 military bases in Afrin, as well as dozens of smaller outposts and a number of military barracks.<sup>75</sup> Governance in Afrin is directly tied to the Governorate of Hatay in Turkey, and the Turkish Ministry of Interior closely supervises the work of the local councils. As a result, it is not possible to conclude that Turkey is unaware of the violations taking place in Afrin, especially given their widespread character.

There is also evidence of close coordination between SNA factions and Turkish authorities. As previously described, in multiple cases, victims detained by SNA factions were transferred to Turkish custody, including to facilities located in Turkey. Moreover, in several instances, families were able to secure the release of their relatives who were held in Turkish custody by paying ransoms directly to an SNA faction.

## Recommendations

To all parties to the conflict in Afrin and northern Syria:

- Facilitate the free and voluntary return of all displaced persons to Afrin and allow them to access their lands and properties without hindrance;
- Ensure that all armed actors in Afrin are acting in compliance with human rights and international humanitarian law, and immediately investigate instances of misconduct and prosecute the individuals responsible;
- Ensure that any detentions carried out are done in accordance with applicable criminal procedure codes and that detainees are held only in officially recognized detention places;
- Allow human rights monitors, journalists, and other independent observers to access Afrin for the purpose of information gathering;
- Facilitate the arrival of humanitarian aid to civilians displaced by military operations in Afrin, including by simplifying access procedures for humanitarian organizations operating in Al-Shahba region;
- Guarantee the right to restitution to all civilians affected by looting, or, if restitution is unfeasible, to other suitable forms of reparation;

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<sup>73</sup> UN General Assembly, *op. cit.*, p. 14.

<sup>74</sup> Ceasefire and YASA e.V., *op. cit.*, pp. 33-34.

<sup>75</sup> Al-Hilu, *op. cit.*, p. 4.



- Ensure that local governance bodies are freely elected and representative of the local population;
- Issue a general amnesty for all those formerly affiliated with the civilian or military structures of the Autonomous Administration in Afrin, allowing them to return without fear of harm.



A photo taken from Turkey's Hatay province on March 02, 2018 shows smoke rising after Turkish Army warplanes hit positions in Afrin as part of 'Operation Olive Branch'  
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