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Questions and Answers: Turkey's Threatened Incursion into Northern Syria



A fighter of the Turkish-backed Syrian National Army take part in a military parade in the countryside of Aleppo Governorate on June 9, 2022, as part of the forces' preparations for military actions on the areas controlled by the Syrian Democratic Forces. © 2022 Anas Alkharboutli/picture-alliance/dpa/AP Images

Since May 2022, [Turkish](#) President Recep Tayyip Erdoğan has [threatened](#) a military incursion into northeast [Syria](#) targeting the cities of Tel Rifaat and Manbij

in Aleppo governorate. The two cities, west of the Euphrates River, are under the control of the Syrian Democratic Forces (SDF), a [United States](#)-backed Kurdish-led armed group. The group militarily controls most of northeast Syria, which is governed by the quasi-autonomous self-declared Autonomous Administration of North and East Syria. This planned incursion would be Turkey's fourth into northern Syria since 2016.

Turkey last conducted a military operation into the region in October 2019, alongside the Turkish-backed Syrian National Army, a coalition of Syrian opposition armed groups. Since then, Turkey has occupied a segment of the border area previously held by the Autonomous Administration between the city of Ras al-Ayn (Serekaniye in Kurdish) and surrounding areas in al-Hasakeh governorate and the towns of Tal Abyad (Gire Spi in Kurdish) and Ein Issa in al-Raqqa governorate.

The following question-and-answer document focuses on Turkey's laws-of-war obligations should it initiate a fresh offensive into northeast Syria, concerns relating to refugees and internally displaced people, the implications for Syrians and foreigners detained in the region for alleged links to the Islamic State (ISIS). It also addresses the human rights priorities that the Kurdish-led forces and other parties to the conflict should adopt during any imminent offensive.

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1. Why is Turkey threatening a military operation into northeast Syria?

Erdoğan has long stated his aim to create a 32-kilometer-deep "safe zone" in northeast Syria in response to perceived threats from the People's Protection Units (YPG and YPJ), the largest elements of the SDF. The Turkish government considers the YPG and YPJ to be terrorist groups linked to the armed Kurdistan Workers' Party (PKK) with which Turkey has been in a decades' long conflict on Turkish soil. Turkey's earlier military incursions into northern Syria, also aimed at pushing back Kurdish-led forces, have [been rife with human rights abuses](#).

A second stated objective is to forcibly relocate a million Syrian refugees to the zone from Turkey. Turkey shelters a little over 3.6 million Syrian refugees, whom it has given [temporary protection](#). About 500,000 of them are in Istanbul. Turkey has more refugees than any other country and almost four times as many as the entire European Union (EU). However, Turkey has failed to abide by the binding obligation of nonrefoulement, which forbids returning anyone to a country where they would be at risk of serious human rights violations.

Turkish drone attacks and shelling by Turkish-backed Syrian forces on northeast Syrian cities and towns held by the SDF have intensified in recent months, killing and injuring civilians, including children, [according to the Rojava Information Center](#), a volunteer media and research organization in northeast Syria.

On August 11, the SDF [said](#) its forces killed Turkish soldiers in response during three separate operations on August 8.

The [United States](#), [Russia](#), and [Iran](#) have all publicly warned against another Turkish incursion into northeast Syria.

2. [What is the current humanitarian situation in northern Syria?](#)

Ten years of conflict have decimated Syria's infrastructure and social services, resulting in massive humanitarian needs. Over 13 million Syrians needed humanitarian assistance as of early 2021. Millions of people in northeast and northwest Syria, many of whom are internally displaced, rely on the cross-border flow of food, medicine, and other lifesaving assistance.

In 2020, [Russia](#) used its veto power to force the United Nations Security Council to shut down three of four authorized border crossings into northern Syria, cutting off UN cross-border aid for the northeast entirely and making it more difficult to distribute aid in the northwest. Currently, all of northern Syria relies exclusively on the one remaining border crossing to northwest Syria from Turkey to bring in all UN-supplied humanitarian aid and medical supplies to civilians. On July 12, 2022, after Russia vetoed a 12-month extension of life-saving aid deliveries from this last remaining crossing, the Security Council settled on a six-month renewal instead, with another vote set for mid-winter, leaving UN aid agencies scrambling to prepare.

According to [a June 20 report](#) by the United Nations Office for the Coordination of Humanitarian Affairs, in northwest Syria alone, food insecurity has reached record high levels. Food prices continue to rise sharply, basic services remain severely limited, and 2.8 million people there have been internally displaced. Out of 1.7 million people living in camps or informal settlements, 800,000 live in tents, many of them old, overcrowded, and unfit for extreme weather.

While the scope of the anticipated Turkish military operation is not yet known, any major offensive is likely to displace thousands more people, straining a humanitarian response that is already at its limits.

3. **What has been the result of previous Turkish incursions into northern Syria?**

Turkish military incursions into northeast Syria have been fraught with human rights abuses, and in Turkish-occupied territories today, Turkey and local Syrian factions are abusing civilians' rights and restricting their freedoms with impunity.

During and in the immediate aftermath of [the October 2019 invasion](#), Turkey and the Syrian National Army (SNA), a non-state armed group backed by Turkey in northeast Syria, indiscriminately shelled civilian structures and systematically pillaged private property held by the local Kurdish population, arrested hundreds of people, and summarily killed Kurdish forces, political activists, and emergency responders in areas they occupy in northeast Syria.

By December 2019, Turkish authorities and the SNA had arrested and [illegally transferred at least 63 Syrian nationals](#) from northeast Syria to Turkey to face trial on serious charges that could lead to a life sentence. Most are reportedly still detained in Turkey pending the outcome of their ongoing trials. The SNA has also apparently blocked Kurdish families displaced by Turkish military operations from returning to their homes.

According to the UN Commission of Inquiry on Syria, Turkish-backed forces also committed sexual violence against women and men in territories under their control, including at least 30 incidents of rape. In 2021, Syrians for Truth and Justice, a Syrian nongovernmental organization based in Europe, reported that that SNA factions also recruit children, and documented at least 20 such cases.

Turkey and Turkish-backed factions have also failed to ensure adequate water supplies to Kurdish-held areas in northeast Syria. About 460,000 people in these areas depend on water from the Allouk water station near the town of Ras al-Ain (Serekaniye). The station's supply was [interrupted multiple times](#) following its takeover by Turkey and Turkish-backed forces in October 2019.

Turkey's 2018 military offensive in Afrin resulted in the deaths of dozens of civilians and displaced tens of thousands, according to the United Nations. Human Rights Watch [investigated](#) three attacks into northwest Syria at the time that claimed the lives of 23 civilians, bringing into question whether the Turkish Armed Forces had taken all the precautions necessary to minimize civilian harm. Turkish-supported non-state armed groups also [seized, destroyed, and looted properties](#) of Kurdish civilians in Afrin without compensating the owners, and installed fighters

and their families in residents' homes. Local activists reported at the time at least 86 incidents of abuse that appeared to amount to unlawful arrests, torture, and disappearances by those groups.

4. **What are Turkey's obligations under international humanitarian and human rights law during any military operation in Syria?**

Under international law, Turkish Armed Forces must take all feasible measures to avoid, and in any event minimize, the loss of civilian life, injuries to civilians, and damage to civilian objects during military operations. This means they should strictly observe international standards and procedures with respect to their means and methods of warfare designed to prevent civilian casualties, and should robustly and transparently report airstrikes and enemy and civilian casualties.

The laws of war strictly prohibit attacks targeting civilians or civilian structures unless they were being used for military purposes, and prohibit indiscriminate attacks that fail to distinguish between military and civilian targets. Attacks must also be proportionate, meaning that any anticipated civilian casualties or damage to civilian buildings should not be excessive in light of the concrete military advantage anticipated.

Turkey should promptly, impartially, and thoroughly investigate any civilian casualties that result from its operations. It should identify those responsible for civilian deaths resulting from violations of international humanitarian law and hold them accountable, including through criminal trials in the event of war crimes. Turkey should provide compensation for wrongful civilian deaths and injuries and appropriate "condolence" or ex gratia payments for civilian harm.

5. **What are the obligations of Turkey and other parties to the conflict under international law to civilians seeking to flee their military operation?**

The laws of war require all parties to the conflict to take all feasible steps to evacuate civilians from areas of fighting or where fighters are deployed and not to block or impede the evacuation of those wishing to leave.

Turkey and all parties to the conflict are required to allow civilians to flee ongoing hostilities and to receive aid. The parties to the conflict should ensure that fleeing civilians are safe and have access to humanitarian assistance and always ensure the safety and security of humanitarian relief personnel.

During the 2018 Turkish incursion into Afrin, armed groups affiliated with the SDF **prevented** civilians from fleeing and forced them to remain in areas where active hostilities occurred, while the Syrian government **blocked** civilians fleeing the Turkish-led military actions from entering territory under government control.

6. **What are Turkey's obligations under international law to civilians in the areas it occupies as a result of its military operation?**

As an occupying power and/or as a supporter of any local factions operating in areas under their control, Turkish authorities must ensure that their own officials and those under their command do not arbitrarily detain, mistreat, or abuse anyone.

Turkey should ensure that no pillaging or forcible taking of private property for personal use occurs. Under the laws of war, this is prohibited and can constitute a war crime. Combatants are not allowed to seize property for personal use, including to house their own families. The laws of war also prohibit destruction of property not justified by military necessity.

While the laws of war allow Turkish authorities to detain or intern civilians in occupied territory temporarily on security grounds, they are prohibited from transferring Syrian nationals from an occupied area to Turkey, whether for detention or prosecution purposes.

The authorities are obliged to investigate alleged violations and ensure that those responsible are appropriately punished. Commanders who knew or should have known about crimes committed by their subordinates but took no action to prevent or punish them can be held criminally liable as a matter of command responsibility.

Turkey should vet any armed groups it assists, make compliance with international humanitarian law a condition of assistance, and monitor such compliance. It should make clear that looting, arbitrary arrests, and mistreatment are unlawful and that it will investigate any credible allegations of abuses by groups on the ground.

7. **What is the human rights record of the Kurdish-led authorities and other armed groups on the ground in northeast Syria?**

The Syrian Democratic Forces (SDF), an alliance of Kurdish and Arab armed groups led by the YPG, was formed in October 2015 to fight ISIS as it was making large territorial gains in northern Syria. The US and other Western countries have actively supported and armed the SDF in the fight against the extremist armed group, including as part of the US-led [Global Coalition to Defeat ISIS](#).

The SDF have carried out mass arrest campaigns against civilians including activists, journalists, and teachers. In 2017, Human Rights Watch [received reports](#) of torture and ill-treatment in detention facilities controlled by the SDF. The SDF also held people without charge in violation of fair trial guarantees, local residents reported. Local activists also reported that the SDF restricted the freedom of movement of displaced people from Raqqa and Deir-Ezzor province in displacement camps that the SDF controlled.

In late July 2022, amid heightened tensions with Turkey, the SDF [reportedly arrested](#) at least 16 activists and media workers. [According to the Syrian Network for Human Rights](#), the arrests were carried out under the pretext of “espionage.”

The Global Coalition to Defeat ISIS, in partnership with the SDF, has also violated international humanitarian law with indiscriminate strikes in northeast Syria that resulted in civilian death and destruction.

Human rights priorities for Kurdish-led forces and other armed groups operating in and around northeast Syria should include taking all feasible precautions to avoid civilian casualties, investigating alleged unlawful strikes, and ensuring that civilians can flee the fighting in safety.

All parties who effectively control areas in northeast Syria should also provide sufficient support to displaced people and ensure that ground troops do not harass, arbitrarily arrest, or mistreat residents who choose to remain.

8. **What other armed groups operate in or around northeast Syria?**

The US has roughly 900 troops in northeast Syria as part of the Global Coalition to Defeat ISIS. The [United Kingdom](#) also had ground forces in northeast Syria as part of the Global Coalition. They were active during the 10-day battle to recapture a prison from ISIS in al-Hasakah region in January 2022.

As Turkey continues to threaten a military escalation, Russian and Syrian government forces [appear to be bolstering their presence](#) in northern Syria. Both Syrian and Russian military forces have a record of apparent war crimes and potential crimes against humanity in Syria.

9. [What is Turkey's current response to the Syrian refugee crisis?](#)

Turkey continues to host the world's largest number of refugees and asylum seekers and in 2016, made a deal with the European Union that offered billions of euros in aid in exchange for preventing onward migration to Greece and its islands.

Turkey shelters almost [3.6 million Syrians](#) registered under a "temporary protection" regulation, which Turkish authorities say automatically applies to [all Syrians seeking asylum](#). This reflects the [UN refugee agency's position](#) that "the vast majority of Syrian asylum-seekers continue to ... need international refugee protection" and that "states [should] not forcibly return Syrian nationals and former habitual residents of Syria."

About 200,000 Syrians have been granted Turkish citizenship. While some Syrians in Turkey have successfully established businesses, attended school, and graduated from universities, many face great poverty and hardship, drop out of school early, and are employed for lower wages than Turkish citizens earn in Turkey's informal economy. Under a geographical limitation reservation that Turkey has set to the UN Refugee Convention, Syrians and others coming from countries to the south, east, and north of Turkey's borders are not granted full refugee status in Turkey.

[Since early 2015](#), Turkey has all but closed its borders to Syrians fleeing the conflict, and they have increasingly been forced to use smugglers to reach Turkey. In [late 2015](#) and [2018](#), Human Rights Watch documented that Turkish border guards intercepted Syrians who crossed to Turkey using smugglers and in some

cases beat them, shot at them, killing or wounding them, and pushed them and dozens of others back into Syria or detained and then summarily expelled them.

Under its March 2016 deal with Turkey, the EU [maintains](#) that Turkey is a safe country to which it can return Syrian asylum seekers from Greece. Turkey has [never met the EU's safe third country criteria](#), though, and recent Human Rights Watch research documenting unlawful deportations of Syrian refugees from Istanbul and other cities in Turkey shows that any Syrian forcibly returned from Greece could face a risk of onward refoulement to Syria.

Over the past two years, there have been signs of a rise in racist and xenophobic attacks against foreigners, notably against Syrians. On August 11, 2021, groups of youths [attacked](#) workplaces and homes of Syrians in a neighborhood in Ankara a day after a fight during which a Turkish youth stabbed by a Syrian youth died. The Syrian youth and another Syrian boy are on trial for the murder.

Opposition politicians have made speeches that fuel anti-refugee sentiment and suggest that Syrians should be returned to war-torn Syria. President Erdogan's coalition government has responded with pledges to resettle Syrians in Turkish-occupied areas of northern Syria in an attempt to respond to the opposition parties' weaponization of the refugee issue in periods before Turkey's presidential and parliamentary elections, likely to take place in 2023.

Against this backdrop of anti-refugee sentiment, Turkey is unlawfully deporting hundreds of Syrian men and some boys to northern Syria. Human Rights Watch has recently documented that Turkish authorities and security forces have arrested, detained, and summarily deported hundreds of Syrian refugees, often coercing them into signing "voluntary" return forms and forcing them to travel into northern Syria through the Öncupınar/Bab al-Salam and Cilvegözü/Bab al-Hawa border crossings.

Turkey is bound by the obligation of non-refoulement, part of international law, which prohibits the return of anyone to a place where they would face a real risk of persecution, torture or other ill-treatment, or a threat to life. Turkey also may not use violence or the threat of violence or detention to coerce people to return to places where they face harm. Human Rights Watch highlights the following recommendations in this context:

- If there is an invasion, Turkey should open its borders to those in need and allow those fleeing the conflict to seek protection inside Turkey.
- Turkey should immediately stop unlawfully deporting Syrian refugees to northern Syria, including completely ending its misuse of voluntary return forms.

10. **What are “safe zones” and “safe areas”?**

“Safe zones” or “safe areas” are areas designated by agreement of parties to an armed conflict in which military forces will not deploy or carry out attacks. Such areas have also been created by UN Security Council resolutions. They can include “no-fly” zones, in which some or all parties to a conflict are barred from conducting air operations. Such areas are intended to protect civilians fleeing hostilities and to make it easier for them to access humanitarian aid. UN peacekeepers or other forces may defend them.

While the 1949 Geneva Conventions and their additional protocols do not specifically mention safe areas or safe zones, they recognize similar arrangements, notably “protected zones” and “demilitarized areas.” The latter are buildings or small areas where the parties to the conflict agree that civilians can get protections in addition to those already provided under international humanitarian law, or the laws of war. The Geneva Conventions also permit parties to a conflict to conclude “special agreements” to improve protection of civilians.

The creation of safe zones has no bearing on the prohibition under international humanitarian law of attacks targeting civilians, whether those civilians are inside or outside the designated safe zone. Civilians outside safe zones remain protected from deliberate attacks.

11. **Have “safe zones” been safe?**

International experience has shown that “safe zones” and “safe areas” rarely remain safe. Such areas often pose significant dangers to the civilian population within them. Without adequate safeguards, the promise of safety can be an illusion, and “safe areas” can come under deliberate attack. There may also be pressures on humanitarian agencies to cooperate with military forces that control

access to safe zones in ways that compromise the agencies' humanitarian principles of neutrality, impartiality, and independence.

Parties establishing safe zones may intend to use them to prevent fleeing civilians from crossing borders, rather than to genuinely provide protection. Such zones have been used as a pretext for preventing asylum seekers from escaping to neighboring countries and as a rationale for returning refugees to the country they fled.

Additionally, the presence of military personnel, sometimes commingled with civilian populations and sometimes initiating attacks from the safe area, can make the location a military target, as opposed to a genuinely safe zone. Forces might also recruit fighters, including children, in a safe area.

Safe zones and safe areas also suffer from the same problems faced by camps for internally displaced people. Residents may not be able to access work or their farms, for example, and so will be dependent on assistance for food, water, and other services, including health care. Women may face greater sexual violence due to overcrowding and tense social dynamics, and due to having to venture outside for work, water, firewood, or other reasons. UN peacekeepers or others in control might not have the capabilities to enforce law and order.

In short, the [historical record on safe zones](#) protecting civilians is poor – from Srebrenica in Bosnia-Herzegovina, to Kibeho in Rwanda, to Mullaitivu in Sri Lanka.

In November 2019, following Turkey's most recent offensive into northeast Syria, Human Rights Watch [documented](#) a host of human rights abuses carried out by factions of the SNA, the Syrian non-state armed group backed by Turkey, in territories over which Turkey exercises effective control. The abuses documented include summary killings and enforced disappearances, as well as property confiscation, looting, and blocking the return of Kurdish residents. This record of abuses makes it extremely unlikely that Turkey's proposed "safe zones" will be safe.

12. **[What would a Turkish incursion into northeast Syria mean for the men, women, and children arbitrarily detained in northeast Syria as Islamic State \(ISIS\) suspects?](#)**

About 60,000 men, women, and children are detained for alleged links to ISIS in [overcrowded, deeply degrading, and often life-threatening conditions](#) in locked camps and prisons in northeast Syria. Most have been held since early 2019 and some for more than five years. More than 41,000 are foreigners, with about three-fourths from Iraq and more than 12,000 from 60 other countries, regional authorities told Human Rights Watch in May.

A majority of the foreigners are children, most under age 12. None of the foreigners have been brought before a judge to determine the necessity and legality of their detention, making their detention arbitrary and unlawful.

The detainees lack adequate food, clean water, medical care, and shelter. Hundreds [have died](#) of preventable diseases, accidents, or violence inside camps and prisons. Humanitarian groups warn that a Turkish invasion is likely to lead to further shortages of basic necessities. In addition, the SDF and regional Asayish security forces are likely to be diverted from guarding the detainees to fight Turkish forces. This could increase both the security risks to the detainees and the potential for breakouts and uprisings by suspected ISIS hardliners.

Repatriations of foreigners, already slow and piecemeal, are likely to be suspended due to home countries' concerns about sending their diplomats or other nationals into northeast Syria to extract detainees amid an ongoing battle. The SDF diverted its forces from guarding these detainees and many prisoners escaped, including from a locked camp that [was hit](#) by a Turkish airstrike, during Turkey's incursion in 2019.



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