

# Property Seizures

## in Northern Syria: A Tool for Forced Displacement in Afrin, Tal Abyad, and Ras al-Ayn/Serê Kaniyê

Research report

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## **Property Seizures in Northern Syria: A Tool for Forced Displacement in Afrin, Tal Abyad, and Ras al-Ayn/Serê Kaniyê**

*Türkiye and affiliated SNA armed groups used property seizures and destruction as a tool to forcibly displace the three areas' indigenous populations.*

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## 1. Executive Summary:

This report examines the systematic violations by the Syrian National Army (SNA) and Turkish military of housing, land, and property (HLP) rights in the Afrin region—occupied in March 2018—and Tal Abyad and Ras al-Ayn/Serê Kaniyê areas—occupied in October 2019—in northern Syria. The findings of the report demonstrate that these violations were a primary means of displacing the indigenous population, especially members of the Kurdish community, and changing the demographic composition in these areas.

Additionally, the report reveals that removals and forced displacement of the populace in the three areas were carried out by seizing or destroying residents' properties, as well as denying them access to their properties and livelihoods, especially their homes and agricultural lands. Large swathes of farmlands, chiefly olive groves, were bulldozed, and the contents of homes were looted, sold, destroyed, and burned. Some properties were also transformed into military bases and headquarters for the Turkish military or SNA-affiliated armed groups or into warehouses for selling stolen items.

Furthermore, the testimonies underlying this report show that several of these violations' victims were threatened with serious consequences should they contemplate returning to their hometowns and reclaiming their seized properties. In many cases, the victims' statements were consistent with the reports of the Independent International Commission of Inquiry on Syria (COI) and human rights organizations.

For instance, the findings of this report corroborate violations documented in the COI's report published on 14 August 2020 (A/HRC/45/31), which confirmed the presence of organized and widespread looting and seizure of property in Ras al-Ayn/Serê Kaniyê (Paragraph 49).

The actions this report documents breach a set of laws of war, in addition to several provisions of the U.S.-Türkiye ["historic agreement,"](#) which facilitated a ceasefire after the Turkish invasion of northern and eastern Syria. Such provisions include Article 4, which stipulates the protection of religious and ethnic communities, and Article 7, whereby Türkiye pledges to ensure the safety and well-being of residents of all population centers in the safe zone. The testimonies collected for this report leave no doubt that Türkiye failed to fulfill its commitment to the agreement with the U.S., instead disregarding it and, in some cases, committing actions that could amount to war crimes and, perhaps, crimes against humanity.

The report shows that the crime of forced displacement will likely have an adverse impact, especially on displaced people's basic rights, as human rights are intertwined and interconnected, and achieving one is contingent on the realization of others. Moreover, this violation will factor into obstructing the political solution under UN Resolution 2254 of 2015 and lead to a change in the demographic composition across the Syrian geography, threatening to bring about a myriad of repercussions in the future.

To avoid, or at least mitigate, these potential repercussions, the report includes a set of demands or recommendations that must be put into action, whether at the level of the international community and actors in the Syrian affair; the present or future Syrian government; the Syrian opposition, currently represented by the Syrian Opposition Coalition (SOC) and the Syrian Interim Government (SIG), being operative in Türkiye-occupied areas; or at the level of the Kurdish National Council (KNC), the Autonomous Administration of North and East Syria (AANES), and civil society organizations (CSOs) in their broader sense.

## **2. Report Methodology:**

The report builds on the analysis of 164 testimonies obtained by PEL's field researchers during in-person interviews with victims of forced displacement perpetrated by Turkish-backed SNA armed groups.

PEL's legal and administrative team transcribed these testimonies into pre-existing forms. The forms include questions related to the identity of the victim; their previous and current place of residence; the reasons behind their displacement; the reasons that prevented them from returning to their home areas; the property they owned before displacement, and its fate after displacement; information about the party or parties involved in the documented violations; and other queries aimed at identifying the genuine drivers of displacement.

Information fed into these forms was backed by documents and papers corroborating the victims/witnesses' ownership of the involved properties and photographs of some of those seized, several of which were also geolocated using Google Maps. Additionally, the report consulted open sources that address violations in Türkiye-occupied areas, especially the COI reports, large segments of which were reiterated by the victims' statements.

Notably, PEL’s filed researchers obtained the informed consent of victims who warranted the use of their testimonies or sharing them with actors concerned with human rights and fundamental freedoms that seek to document violations committed in Syria, such as the COI, the International, Impartial, and Independent Mechanism Investigating Serious Crimes in Syria (IIM), and national or international judicial entities that may have jurisdiction in the future to investigate the most serious crimes committed in Syria and prosecute perpetrators.

In keeping with PEL’s gender-sensitive policies, the organization’s five-member field research team included two female researchers.

The testimony analysis demonstrates that the primary purpose of property seizure and destruction in the target areas—Afrin, Tal Abyad, and Ras al-Ayn/Serê Kaniyê—is to forcibly displace the indigenous people; coerce them to migrate; and prevent them from considering a return to their homes in the future. Therefore, “property seizure as a means of forced displacement” is the focus of this report, given that it is perpetrated in a systematic and widespread manner. The COI reported that “arrest and detention of individuals were often carried out by brigades of the Syrian National Army in conjunction with property appropriation, including agricultural lands, which ultimately forced many people to leave the area and continue to prevent their return.”<sup>1</sup>

Notably, the names of the victims and information that might reveal their identities are all withheld from the report, even in the cases of witnesses who did not request anonymity. PEL opted for this measure to ensure the safety of the victims and their loved ones should they decide to return to their hometowns and reclaim their rights in the future.

It remains beyond the report’s capacity to include the entire testimonies. Therefore, only excerpts have been cited as demonstrations of forced displacement because of property violations perpetrated against locals in the target areas.

### **3. Legal Characterization of Türkiye’s Presence in Syria:**

Article 42 of the 1907 Hague Convention respecting the Laws and Customs of War on Land states that “[t]erritory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to

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<sup>1</sup> See paragraph 76 of the COI’s report published in September 2022.

the territory where such authority has been established and can be exercised.” This description is applicable as long as the land is under the effective control of the aggressor State, regardless of whether it exercises this control/authority directly or through its proxies in the region. Notably, paragraph 93 of the COI report dated 8 February 2022 emphasized that “in areas under effective Turkish control, Türkiye has a responsibility to, as far as possible, ensure public order and safety, and to afford special protection to women and children” referring to Northern Aleppo, and the Ras al-Ayn/Serê Kaniyê and Tal Abyad regions.<sup>2</sup> Within this perspective, Türkiye’s presence in Syria falls under occupation, a status that has already been emphasized by [Human Rights Watch](#) and [Amnesty International](#).

Moreover, the presence of Turkish forces in parts of Syria is an act of aggression under Article 8 of the Rome Statute of the International Criminal Court. The article defines an “act of aggression” as “the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall . . . qualify as an act of aggression: (a) The invasion or attack by the armed forces of a State of the territory of another State, or any **military occupation**, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof. . .”.

#### 4. Patterns of Property Violations Driving Forced Displacement:

- **Destruction of Property**

The Turkish military and their affiliated Syrian armed groups resorted to destroying civilian properties in the report’s target areas—including those of several of the interviewed victims—without distinguishing between military and civilian targets. This completely violates the obligations imposed by international humanitarian law (IHL) on parties to international and non-international armed conflict. IHL stipulates distinguishing between civilian objects and military objectives and refraining from targeting civilian objects without a military necessity. Property destruction also contradicts Article 53 of the Fourth Geneva Convention of 1949, which prohibits the occupying State from destroying any

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<sup>2</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 8 February 2022, available from: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F49%2F77&Language=E&DeviceType=Desktop&LangRequested=False>



private, immovable, or movable property related to individuals or groups unless military operations inevitably require such destruction.

Interviewed on 23 November 2022, Umm Nidal (a pseudonym), a resident of Bulbul town in the **Afrin** region, said that her house in the town was wrecked in a Turkish airstrike. She added:

***“The under-construction house, which consisted of two rooms, utilities, and a yard, was destroyed in Turkish aerial bombing of the town on 27 January 2018. The house became uninhabitable and needs rebuilding. My brother witnessed the shelling and saw the destruction that it caused to the house.”***

In the same context, Umm Dilo (a pseudonym), a Yazidi Kurdish local of **Afrin** city, interviewed on 19 December 2022, recounted how she and her children fled the city due to the extensive shelling and the approach of Syrian armed groups and Turkish forces. She recounted the details of the violations perpetrated against her property, saying:

***“My apartment building was destroyed and turned into rubble. I do not know the name of the party that destroyed my house. However, my house was seized, its entire contents were looted, and other people were brought to stay in it. Our shop was also seized, and its contents were looted. One of our neighbours witnessed how they looted the household items, but she did not act for fear of arrest.”***

The house of Israa Muhammad (a pseudonym) was destroyed in the same manner. Israa is a resident of Ain al-Arous village, **Tal Abyad** area. Interviewed on 12 August 2023, she said that her house consisted of three rooms and a kitchen and was destroyed in the Turkish airstrikes that bombarded the village, along with two van vehicles that burned down.

In **Ras al-Ayn/Serê Kaniyê**, the situation was equally distressing. W.A., a resident of the city who was interviewed on 28 January 2023, narrated how her house was destroyed in the Turkish strikes. She said:

***“The full area of my house is 500 m<sup>2</sup>, and the built-up area is 265 m<sup>2</sup>. My neighbour told me that my house was bombed by a Turkish drone and destroyed on 12 October 2019. In May 2020, my house and adjoining houses were converted into a Turkish military base.”***

It is important to note that military operations were not solely responsible for the destruction or burning of homes in the target areas. Umm Jakdar (a pseudonym), a local of **Afrin**, interviewed on 31 June 2022, narrated how her rented house was entirely burned down:

***“After my daughter and I arrived in Tal Qarah in the al-Shahba area, I was informed that my house had been set on fire and its entire contents burned by SNA factions after they noticed pictures of martyrs and my son’s military uniform. I learned this information from a friend who stayed in town.”***

This indicates that the violation was deliberate, motivated by revenge, and sought to only prevent residents from returning to their home areas.

This is corroborated by the report titled [“Syria: Turkey-Backed Groups Seizing Property”](#), in which Human Rights Watch stated that Türkiye-backed armed groups have seized, looted, and destroyed property of Kurdish civilians for personal use or to house families displaced from elsewhere in Syria without compensating owners.

- **Razing Trees and Looting Crops**

The violations that coerced locals to flee and abandon their homes were not limited to property destruction. Various SNA factions deliberately deprived locals of their livelihoods. They denied them access to their sole sources of income through bulldozing and uprooting fruitful trees, as well as looting and seizing crops, intending to force them to migrate and prevent them from considering returns in the future.

K. D. (a pseudonym), a resident of Jindires town in **Afrin city**, who was interviewed on 28 December 2022, said that her house, agricultural lands, and shop contents were seized, and 90 olive trees were cut down and bulldozed. She narrated:

***“My neighbour told me that a group of individuals, whom she believes are from the Ahrar al-Sharqiya/Free Men of the East, entered my house and looted all its contents, which were enough to fill the three commercial vehicles they used to load the items. No one dared to approach them. They sold those items in Yalangoz village. They threw the smaller items outside and burned them. The neighbours even called my sister-in-law, who stayed in the town, and told her that (my husband’s) house was being looted and robbed. However, she did***

***nothing, daring not to approach the house. Also, 90 olive trees were cut down on the pretext that these trees were the assets of the Democratic Union Party (Autonomous Administration). I do not know which military faction specifically cut down the trees. My uncle was there at the time and saw everything, but he too did not dare go near the land.”***

In the same context, PEL interviewed Umm Nashaat (a pseudonym), a resident of **Afrin** city, on 28 November 2022. She confirmed that her agricultural lands, shop, apartment, and home were seized and used to house other people. She added:

***“Regarding the agricultural land, my husband’s cousin, who stayed in the city, told us that 300 olive trees were burned—150 belonging to my husband and 150 owned by his brother. Notably, [my brother-in-law] cannot manage his land, even though he is in Afrin, because his grove, which has 1,200 olive trees, has been seized. They left him only 100 trees to invest in, as they were located within the walls of his house [. . .]. They also looted the contents of our homes and destroyed the solar panels.”***

In addition to the seizure, looting, and destruction of property, and sometimes the bulldozing of trees, the perpetrators of these violations deliberately cut down entire or parts of trees for firewood, according to Abu Kamiran (a pseudonym), a resident of Bulbul town in **Afrin** city, interviewed on 18 December 2022. He narrated:

***“A few neighbours who returned to the village after a while told my mother that a family from Damascus was living in our house. They are [relatives] of one of the al-Hamza/al-Hamzat Division’s fighters. My agricultural land contains 150 olive trees, and I do not know who is seizing them. However, some time ago, one of my brother’s friends told us that tree branches were cut off for firewood, especially the trees overlooking the main road.”***

Z.D. (a pseudonym), a resident of Rajo town in **Afrin** city, interviewed on 18 December 2022, said that Ahrar al-Sham faction seized his agricultural land, dotted with 200 olive trees, in the Meidan Ekbis area. The armed group cut down all these trees, bulldozed them, and confiscated his other houses, groves, and livestock.

- **Transformation of Seized Properties into Military Headquarters**

The Turkish military and SNA factions not only seized the victims' properties and denied them access to their homes but sometimes destroyed those properties and turned them into military headquarters or bases. Abu Abdulwahab (a pseudonym), a resident of the al-Aziziyah village in **Ras al-Ayn/Serê Kaniyê** city, interviewed on 25 January 2023, said that the Turkish army bulldozed the wasteland—89 dunums of uncultivated areas—of the village and turned it into a military base. He narrated:

***“The contents of my house and warehouses, as well as the houses of the rest of the villagers, were looted by the al-Hamza/al-Hamzat and the al-Mu’tasim divisions. The Turkish military also uprooted the trees in the village and bulldozed its mud houses, including mine. They only spared houses built with bricks and reinforced concrete, including my other house and the homes belonging to my brother, cousin, and neighbour. Those houses remained within the Turkish military base established on the ruins of the village of al-Aziziyah. The Turkish army also dug a 4-metre-deep trench. The trench was fenced with an approximately 4-metre-high earth mound.”***

Regarding his source of information, the witness added:

***“I got this information from an Arab whose village was about three KM close to ours. I was in touch with him until early 2022 when his phone became out of coverage. I later learned that he died in a landmine explosion. I also learned from social media and other outlets that our village [al-Aziziyah] has turned into a Turkish military base.”***

In the same context, Abu Reem (a pseudonym), an IDP from al-Manakh village in **Ras al-Ayn/Serê Kaniyê** city, interviewed on 18 July 2022, said that the Turkish military and their affiliated SNA factions seized and turned the entire village into a Turkish military base and looted the contents of all its houses. He recounted:

***“The Turkish military and the factions it supports entered our village by force of arms. They bombarded us with mortar shells and machine guns. Therefore, we fled the village to protect our and our children’s lives. They turned the village lands and homes into a Turkish military base, and I confirmed this as I saw the Turkish flags and soldiers myself. I can see all of this with binoculars. People are saying that the al-Hamza/al-Hamzat Division is in control of our village alongside the Turkish military.”***

Other villages were also converted into Turkish military bases, including Sharkrak village, administratively affiliated with **Tal Abyad** city. The village's houses were destroyed and bulldozed, according to M.A. (a pseudonym), interviewed on 8 August 2023. She narrated:

***“The Turkish military seized my house and destroyed it. It also seized the agricultural land. It turned the entire village into a Turkish military base, and none of the villagers remained there. We learned this from friends residing in the neighbouring villages and through social media.”***

On other occasions, houses were converted into military headquarters for the Turkish military and security services, or SNA factions. During an interview on 28 December 2022, Abu Sarhad (a pseudonym), a resident of Ma'abatli town, administratively affiliated with **Afrin** city, said that his house in Afrin was seized, initially converted into a Turkish intelligence headquarters, and then used as a residence by SNA fighters. He narrated:

***“The Turkish intelligence seized our house in Afrin for about two years. Then, it came under the control of one of the armed factions. I do not know which faction exactly. Our house in the Rahmaniya village and the agricultural lands that include about 500 olive trees in the villages of Khalil and Khazian were also seized. I believe the al-Amshat faction seized the village house and the agricultural lands because it controlled that area.”***

In the same context, the house of N. H. (a pseudonym) was converted into a headquarters for the Faylaq al-Sham/al-Sham Legion. The witness is a resident of Burj Haidar village in the Shirwa district of **Afrin** and was interviewed on 24 September 2022. He narrated:

***“After the Faylaq al-Sham/al-Sham Legion controlled our village, they turned our house into a military headquarters. They were inquiring about the ownership of some houses, including ours since I was a media worker in the Afrin region. A member of the Legion also contacted me through Messenger and told me that the house was seized and the SNA wanted me.”***

The witness added that a family affiliated with the Legion was brought into the house later.

- **Housing Non-Owners in Seized Properties**

Among the patterns the armed groups controlling the target areas use to forcibly displace people and prevent them from returning is seizing the properties and homes and using them to house families coming from other regions in Syria. These families or individuals are often members of or affiliated with the armed groups.

Interviewed on 28 November 2022, Umm Muhammad (a pseudonym) from **Afrin** narrated her experience in this regard:

***“We left our village on 16 March 2018, that is, in the last days of the shelling. After that, from my neighbour, who remained in the village, I learned that my house was seized, and the family of a fighter was settled there. My neighbour also told me that one of the armed group’s fighters had gotten married in my house and that he probably is affiliated with the 9<sup>th</sup> Division, but she is not completely certain. She said that the families and people who took turns living in my house changed more than once, and our agricultural land, which contains 350 olive trees, was seized.”***

For his part, E. M. (a pseudonym), from **Afrin** and interviewed on 24 September 2022, said his house was seized nearly 20 days after his displacement on 16 March 2018. He recounted:

***“After I arrived in Qamishli city, I learned from my neighbour that my house’s door was unhinged by an armed group. I believe it was the Sultan Murad Division. The gunmen searched the house under the pretext that we had relations with the Autonomous Administration. About a week later, a family from Aleppo’s countryside was brought into the house. Additionally, my brother’s house, adjacent to mine, was seized, and I learned that three families were living there (the father, the mother, and their married children).”***

Regarding his agricultural land in Mash’ala village, the witness added:

***“The land contains 60 olive trees. I do not possess any information about its status. After we were displaced in 2018, some of my relatives who remained in Afrin went to check on it, but they were arrested and beaten by the Sultan Suleiman armed group, which is the faction controlling the village. They were released after the Mukhtar (governor) intervened and assured [the armed group] that my relatives had only come to check on***

***the land and not for the olives. Since then, no one has dared to inquire about my property or communicate with me for fear of arrest and kidnapping.”***

Notably, seizure and housing non-owners in confiscated civilian properties is a policy enforced across Türkiye-occupied areas. A. M., a resident of **Ras al-Ayn/Serê Kaniyê** interviewed on 4 December 2022, was one of this policy’s victims. He narrated:

***“My house, which extends over an area of 132 m<sup>2</sup>, was seized, and all of its contents were looted. An Arab family from Deir ez-Zor province lived in it. I learned this from my elderly neighbour, whom I asked to check on the house. She visited the house and informed me that an Arab family was staying there. They welcomed her in. They are from the al-Uqaydat tribe in Deir ez-Zor. She said the family members are Free Army fighters but did not specify which armed group. I contacted another friend. He is Arab and is in the city. He told me he wanted to check on my house but did not dare to do so fearing the fighters of the Mu’tasim Division that controls the neighbourhood.”***

The involved armed groups also profited from the confiscated properties. They rented out several homes, where they did not settle in fighters. The tenants paid the rent, often in small sums and below-average rent rates, to the command of the group controlling the area. This practice was corroborated by Zakaria Afrin (a pseudonym), from **Afrin**, during an interview on 1 October 2022:

***“My apartment and all of its contents were seized. Additionally, a family from Aleppo’s countryside lived there. I learned that from my neighbour who stayed in Afrin at the time. [The people who stayed in the apartment] told him they would pay me the rent if I returned to Afrin. They are civilians. However, they have relatives who work with armed groups. I called them after a while and told them that the house was in their trust and that I wanted to sell it. Nevertheless, the person living in my apartment told me he got it from the headquarters. I believe [the headquarters] was affiliated with the al-Hamza/al-Hamzat Division. He said he had been paying the headquarters a monthly rent of 30,000 Syrian Pounds (SYP) for nearly two years—that is, since 2020.”***

The witness added that the person who seized the house attempted to justify the seizure to his neighbour. He said, “Afrin city had been occupied by the Kurds

since the days of the Ottomans. [We] regained the rights the Kurds had taken from the Arabs at that time.”

- **Looting and Destroying Household Items, and Denying Locals Their Livelihoods**

Seizing the civilian residents’ properties was not the armed groups’ only means to displace them or coerce them into leaving their areas. Worse yet, the perpetrators continued to act in a way that suggested they wanted to retaliate against the victims. They looted and destroyed movable possessions they found at homes and shops they seized after owners and occupants were displaced. Such seizures and acts of sabotage also affected the vehicles the owners left behind.

During a 16 August 2022 interview, Abu Hassan (a pseudonym), a resident of the Ronahi neighbourhood in **Ras al-Ayn/Serê Kaniyê** city, said his house was seized, the furniture looted or damaged, and vehicles sabotaged. He recounted the details of his encounter with the fighters that expropriated his home upon a visit to the neighbourhood:

***“I went to check on the house in the company of a commander from one of the al-Hamza/al-Hamzat Division’s groups. When we arrived there, the door was open. When we entered the house, we saw three fighters in military outfits with shoulder badges saying Liwa Soqour al-Shamal (Northern Hawks). The locks of the main and internal doors were shot and broken. The remaining household items were a washing machine, a refrigerator, a sewing machine, and a wardrobe. I went up to the roof. One of the house’s corners was destroyed by a mortar shell. There was an open area behind the house. Our clothes were left there, and our beds and my children’s closet were all broken and abandoned. Upon entering the residence, I witnessed the fighters chopping wood and shoving it into the heater. I asked them why they destroyed and broke our belongings; they said the fighters who were [at the house] before them were responsible for that. My vehicles were also seized: a bus, a pickup truck, and a Mazda car, in addition to several pairs of shoes intended for sale. The value of the shoes and vehicles was approximately \$270,000.”***

The witness also recounted the details of his attempt to recover his property, especially the vehicles and the shoe shipments:



***“While in the city, I visited one of the groups affiliated with the al-Hamza/al-Hamzat Division to recover the vehicles and shoes they had seized. They asked me to pay 10,000 USD. When I asked them about the reason for the amount they requested, they told me to consider it zakat (alms). Of course, I did not pay the money because I did not have that much cash. I then left the city secretly, with the help of the al-Hamza/al-Hamzat’s commander and returned to the al-Hasakah city. We had promised [this commander], who protected us, that we would give him a sum of money if we managed to recover our property. So, he was helping us”.***

This incident is consistent with the account obtained from Abu Abdullah (a pseudonym), a resident of Rajo town in **Afrin**, interviewed on 28 November 2022. He said he was forced to flee his village of Hopka in Rajo to Afrin city, only to escape Afrin as the shelling intensified and the Turkish army and armed groups drew closer to the area. He sought the al-Shabaa area and again had to leave it for al-Hasakah city. Abu Abdullah’s furniture and other belongings were looted after he left his home.

***“The Turkish-backed armed groups entered our village, seized the houses, including mine, and confiscated their contents. They also seized my agricultural land, which contained 800 olive trees. They confiscated my tractor, two Bart motorcycles, and 100 oil tins, weighing nearly 16 kg each.”***

He added that he learned all these details from his neighbours who remain in the village.

A. M. (a pseudonym), a resident of the Rajo district of **Afrin**, gave a consistent account during an interview on 4 December 2022. She narrated:

***“After Afrin’s occupation on 18 March 2018. The contents of my house (electrical devices, furniture, and utensils) were looted by members of the Ahrar al-Sharqiya/Free Men of the East. The house was later seized by a military police commander who stayed there with his family. They also seized the harvest of 300 trees for three years. My uncle now manages the harvesting. However, they are forcing him to give them a portion of the crops.”***

Testimonies show that the looting, plundering of residents’ property, and robbing them of their livelihoods in the report’s target areas were carried out in

a systematic and widespread manner. The involved armed groups set up points or centers to sell stolen items for revenue. During an interview on 9 January 2023, A.A. (a pseudonym), a resident of **Ras al-Ayn/Serê Kaniyê** city, said his house was seized and turned into a warehouse for the stolen items:

***“My 180 m<sup>2</sup> house, located in the Sharqiya neighbourhood in Ras al-Ayn/Serê Kaniyê city, was expropriated. The roof of my house and the wall of one of its rooms were damaged by a mortar shell. They vandalized some of the contents of my house and looted others. They also looted nearly 370 m<sup>2</sup> of construction wood. They turned my house into a warehouse for selling stolen goods.”***

The witness stressed that the al-Mu'tasim Division was behind these violations as it controls the entirety of the neighbourhood where the house is located.

In an October 2021 report titled [“Syria: Sultan Murad and Mu'tasim Divisions Pillage the Industrial Zone in Ras al-Ayn/Serê Kaniyê”](#), PEL, Syrians for Truth and Justice, and Synergy Association documented how various SNA factions, in partnership with Ras al-Ayn/Serê Kaniyê City Local Council and facilitated by Turkish authorities looted and sold residents' possessions from the industrial zone east of the city. The Sultan Murad Division controlled the industrial zone at the start of the Turkish Operation Peace Spring in 2019. The zone encompassed over 220 shops and vehicle repair shops. The division transported the contents of the shops, including cars, tractors, power generators, water and fuel pumps, and various maintenance parts, and sold part of them to their original owners, who risked their lives and returned to the city to check on their properties.

Additionally, the report revealed how the Mu'tasim Division also committed large-scale looting in the industrial zone. The division's members looted shop contents worth millions of dollars and sold them to multiple sides, including Turkish merchants, while they blackmailed owners and sold them goods they originally owned.

Furthermore, the report confirms that the armed groups transported truckloads of metals (steel, copper, and scrap) and goods looted from the industrial zone from the Ras al-Ayn/Serê Kaniyê area for sale in Tal Abyad on an almost daily basis. These looted shipments were sold to local and Turkish merchants, who coordinated the sales with commanders of the involved armed groups directly.

In its September 2020 report, the COI said that “[l]ooted household items were transported and sold through a coordinated process, which may indicate a premeditated policy implemented by several brigades. Such items were often

moved freely through Syrian National Army-staffed checkpoints by both Syrian National Army fighters and senior-ranking members and were stored in ad hoc locations such as warehouses or sold at open markets.”<sup>3</sup>

- **Imposing Royalties on Crops**

The locals who remained in their areas struggled with various forms of pressure aimed at coercing them into fleeing their hometowns and abandoning their properties. The SNA armed groups forced these locals to pay royalties for crops,<sup>4</sup> causing many to migrate from the region.

During an interview on 20 November 2022, Fahim (a pseudonym), from the Ma’abatli district of **Afrin**, said his house was seized, its contents looted, and used to house a non-related family by the al-Amshat armed group, which also cut down about forty trees that were in the house’s garden. Additionally, he said the SNA armed groups also confiscated shares of the crops cultivated on his agricultural land in Joulaqa village in Jindires district, the management of which he had delegated to a cousin. He added:

***“The Jindires City Local Council issued a decision stating that citizens can manage their agricultural property through their relatives, but on the condition that both parties have the same surname. Therefore, I appointed one of my cousins to manage my agricultural property and sent him a power of attorney via WhatsApp. He is now seeing to the land’s affairs. However, after he had harvested the crops, [the armed groups] would withhold 40% of the produce, leaving him only 60%. Occasionally, they would ask him to pay a ransom (royalty) in exchange for allowing him to run my property or not arresting him, and similar so-called advantages. I, in turn, do not demand any shares of the crops’ profits because my only goal is to protect the trees and prevent them from being cut down and bulldozed, as happened with the trees in my home garden.”***

This incident echoes the account provided by Umm Yousef (a pseudonym) from **Afrin** during a 4 December 2024 interview:

***“We were displaced on 16 March 2018. Then, the Ahrar al-Sharqiya/Free Men of the East looted the contents of our house, including electrical appliances, bedroom furniture, and even the doors and windows. They***

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<sup>3</sup> See paragraph 50 of the COI’s September 2020 report.

<sup>4</sup> See paragraph 47 of the COI’s September 2020 report.

***also stole the motorcycle. They kept hold of our agricultural land, dotted with 300 olive trees, for three years. I learned of this through the video posted by the Ahrar al-Sharqiya/Free Men of the East as they seized the house and looted its contents. My uncle filed several complaints and managed to recover the agricultural land three years after its seizure.”***

The witness and her family did manage to reclaim their piece of land. Nevertheless, their struggle did not end. At the time of reporting, the witness’s family was still under the mercy of the armed group that requested massive shares of the harvest. Umm Yousef narrated:

***“Indeed, my uncle was able to recover the land, manage, and invest in the 300 olive trees. However, he is forced to pay 40% of the crops’ value to the Ahrar al-Sharqiya/Free Men of the East every year.”***

For his part, Nouri Jamil (a pseudonym), an IDP from Jindires in Afrin, interviewed on 4 December 2022, said the armed groups withheld over 60% of his brother’s olive crops. He added that his brother dares not inquire about the status of his property or demand it back. He narrated:

***“I fled the area with my family on 21 January 2018 after my father’s farm in Tal Salur town was bombarded, my sister died and remained under the rubble there, and her son was seriously injured. As for my property, my house in Jindires was seized, as was my house in Tal Salur. They were turned into military headquarters, and the 150 olive trees there were seized [. . .]. Even though my brother lives there, he does not dare to ask about my property. My brother owns pomegranate and olive trees. He manages them but pays the faction in control 60% of the crops. The faction takes the remaining percentages in other ways, such as ransom or fines.”***

An *al-Arabiya* report [said](#) that the Ankara-backed fighters are imposing many taxes on olive farmers. Farmers pay royalties to access their farms and transport olives to pressers. They are also giving the fighters shares of the revenues from the olive oil they sell. Additionally, the report stated that Türkiye is exporting Syrian olive oil to Europe after forging the product’s certificate of origin.

- **Threatening Owners with Dire Consequences if They Return**

In areas highlighted in the report, the armed groups in control have gone beyond destroying or confiscating property of the locals and threatening them with arrest in order to maintain their displacement. They have also warned IDPs of

dire consequences if they decide to return to their homes. A few groups have even contacted victims who have been displaced and threatened them to prevent any thoughts of returning to their homes.

N. H. (a pseudonym) is a resident of Shirawa district in **Afrin**. He said his property was seized and converted into a military headquarters, adding that he does not think about returning because he received a threat from a member of the Faylaq al-Sham/al-Sham Legion:

***“We are not considering a return because I received a threat call via Messenger from a member of the Faylaq al-Sham/al-Sham Legion. [The caller said] the reason is that I am Kurdish and that their goal in attacking the region is to displace and erase the Kurds. He also told me that I was on the SNA’s wanted list because I am a well-known journalist in the Afrin region, and I was covering the military attack on our region. All of our properties were seized under the pretext that we were supporters of the Autonomous Administration. Ironically, we became wanted by the SNA after we were wanted by the Syrian regime.”***

In the same context, Umm Ammar (a pseudonym), a resident of a village in **Ras al-Ayn/Serê Kaniye** city, interviewed on 4 April 2023, said:

***“A month after our displacement, I considered going back to my village to check on our property. However, before taking this step, we contacted one of the people residing in the village. He warned us against returning because the faction seizing our property threatened to arrest us under the pretext that we were supporters of the Autonomous Administration. The faction also said they will not allow us to return and that all our property has become theirs because they found a picture of my cousin, who was martyred while with the Syrian Democratic Forces as they fought the Islamic State (IS).”***

She added that she did not file any complaint because there is no reliable authority to turn to in these cases.

During an interview on 9 August 2023, Mustafa (a pseudonym), from Tal Abyad city, also said that he did not attempt to return to his area to claim his property because he received a threat of arrest if he went back:

***“My neighbour told me that he is cultivating my agricultural land but that he is paying the land rent to the Sultan Murad Division since it is the***

***faction controlling my land [. . .]. I did not try to return because I am from the Kurdish component and received a threat from the leader of the same faction over a call. He called me using one of the villagers' phones and threatened me with arrest if I returned to the town. This was intended to ensure that I would not return and reclaim my property."***

During an interview on 26 July 2022, Limar (a pseudonym), from **Ras al-Ayn/Serê Kaniye** city, spoke about her mother's return to town to reclaim her property, adding that her mother failed and returned to the Washokani IDP Camp in al-Hasakah province, where she has been living since the Turkish incursion. Limar narrated:

***"Sometime after we fled the area, my mother went to town to check on our house. It was evident that all of its contents were looted. She filed a complaint at a Turkish military center. There, she met a Turkish officer and spoke to him directly with the help of an interpreter. The officer promised her that the stolen items would be recovered. However, nothing happened, and several days later, she was threatened with arrest by the Sultan Murad Division. As a sick and elderly woman, she was unable to bear this and returned to the camp, noting that the group that seized the house burned [our] identity papers under the pretext that my brother was a popular singer and was singing for the Autonomous Administration."***

The witness elaborated on the threats her mother received:

***"They told my mother, 'Forget about the house; you will not return there.' They also sent us audio recordings in which they identified themselves as members of the Sultan Murad Division. They stressed that we should not return and never dream of going back. They also directed a slew of insults at us."***

Suzan (a pseudonym), a resident of **Tal Abyad** city, interviewed on 10 August 2023, said that their neighbour—preferring not to disclose his name—moved some of her house's belongings to his house to protect them from looting. The next day, an armed group came and took those items and threatened to arrest him if he tried to do so again. She added that her husband and her family were afraid to return to the area because that neighbour told them that members of the SNA said that if (Kh.), the witness's father-in-law, returned, they would kill him.

The testimonies collected on threats were consistent with the documentation of the COI across several reports. The COI reported that they “gathered several reports of retaliatory acts by individual Syrian National Army members against owners who had lodged complaints for property restitution or compensation, including verbal threats, beatings and abduction; in one case, a farmer was killed after he had managed to get his property back from armed factions in Afrin subdistrict”.<sup>5</sup> The COI also stressed that “SNA informed the Commission that procedures were in place for civilians to claim their properties. Nevertheless, interviewees reported being prevented from regaining access to their properties, some of which had been confiscated in 2018; threatened with arrests for claiming properties back”.<sup>6</sup>

## **5. Forced Displacement from a Legal Perspective:**

The term "forced displacement" involves two related concepts. The first concept is displacement, which refers to the act of removing a person from their home or place of residence and relocating them somewhere else. The second concept is forcibility, which means that the removal is not carried out with the displaced person's genuine will. Forcibility implies coercion and a lack of consent.

Furthermore, when individuals or entities commit coercive acts against others, the act indicates their intention and desire to achieve foreseen outcomes, which vary based on their motives.

Within this perspective, the acts described constitute a full-fledged crime. Therefore, this report will address the crime of forced displacement from the standpoint of international law and Syrian legislation since the crime occurred on Syrian soil, predominantly by Syrians against Syrians.

- **Forced Displacement Under International Law**

Forced displacement violates a person’s right to private property and adequate housing and arbitrarily deprives them of this property.<sup>7</sup> It thus also breaches Article 13 of the Universal Declaration of Human Rights of 1948, which affirms that every individual has the freedom to move and choose their place of residence within the borders of each state. Furthermore, it goes against Article 12 of the 1966 International Covenant on Civil and Political Rights.

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<sup>5</sup> See paragraph 91 of the COI’s February 2022 report.

<sup>6</sup> See paragraph 101 of the COI’s March 2023 report.

<https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/documentation>

<sup>7</sup> Article 25 of the Universal Declaration of Human Rights and Article 11 of the International Covenant on Economic, Social and Cultural Rights.

Additionally, Principle 6 of [the UN Guiding Principles on Internal Displacement](#) establishes that “[e]very human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence. The prohibition of arbitrary displacement includes displacement: (a) When it is based on policies of apartheid, "ethnic cleansing" or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population; (b) In situations of armed conflict. . .”. Principle 21 of the same document establishes that “No one shall be arbitrarily deprived of property and possessions”, stressing that the property and possessions shall be protected, in particular, against the following acts: “(a) Pillage; (b) Direct or indiscriminate attacks or other acts of violence; . . . (e) Being destroyed or appropriated as a form of collective punishment.”

Moreover, the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 prohibits the mass or individual forcible transfer of protected persons or their deportation from occupied territories.<sup>8</sup> Also, the Additional Protocol II to the Geneva Conventions of 1977 prohibits the forcible transfer of civilian populations for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demanded.<sup>9</sup> It also banned compelling civilians to leave their territory for reasons connected with the conflict. These provisions are not only inscribed into documents related to international armed conflicts. They are now part of those addressing non-international armed conflicts under Common Article 3 of the four Geneva Conventions. The article labels forced displacement as a crime in international or non-internal armed conflicts. These provisions apply to the situation in the report's target areas, as it involves an international armed conflict where one country (Türkiye) has occupied the lands of another country (Syria).

Moreover, Article 7 of the Rome Statute of the International Criminal Court defines deportation or forcible transfer of population a crime against humanity, when committed “as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”. The article also defines “deportation or forcible transfer of population” as the “forced displacement of the persons concerned by expulsion or other coercive acts from the area in

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<sup>8</sup> Article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949

<sup>9</sup> Article 17 of Additional Protocol II to the Geneva Conventions of 1977



which they are lawfully present,<sup>10</sup> without grounds permitted under international law”.

In connection, Article 8 of the Rome Statute considers the “transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory” a war crime. It also classifies as a war crime “[a]ttacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended, and which are not military objectives” and “appropriation of property, not justified by military necessity and carried out unlawfully and wantonly”. Notably, the victims’ testimonies corroborate that the cases of deportation, seizure of property, looting, and destruction all took place without any military necessity that would justify these criminal acts. This confirms that the Turkish military and the SNA armed groups that it controls have committed the crime of forced displacement. Notably, legal texts addressing forced displacement, also refer to the act using the terms deportation and forced transfer.

- **Forced Displacement in Syrian Legislation**

The crime of forced displacement or transfer remains largely untouched upon by Syrian laws. Only Article 38 of the current 2012 Syrian Constitution addresses the general concept, saying, “No citizen may be deported from the country or prevented from returning to it; no citizen may be extradited to any foreign entity; every citizen shall have the right to move in or leave the territory of the state, unless prevented by a decision from the competent court or the public prosecution office or in accordance with the laws of public health and safety.” However, this provision is not inscribed into Syrian penal laws, and forced displacement thus remains unpunished.

Since this report has approached property seizures as a trigger for forced displacement, it is imperative to address property violations under Syrian laws. Article 15 of the existing constitution establishes that “[c]ollective and individual private ownership shall be protected” and shall not be usurped unless within the parameters of the law. Furthermore, Article 771 of the Syrian Civil Code states that it remains impermissible to deprive anyone of their property except in the circumstances determined by the law, provided that this is in exchange for fair compensation. For its part, Article 768 of the same code guarantees that the

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<sup>10</sup> The arbitrary arrest of residents and the unjustified seizure and destruction of their property are perhaps a key example of the coercive acts that would trigger displacement.

owner of a thing alone shall be entitled to the use, exploitation, and disposition thereof within the limits of the law.

Moreover, Article 723 of the Syrian Penal Code stipulates that “whoever does not hold an official title deed or a document entitling him/her to dispose of the property and takes possession of a property or part of a property in the hands of another shall be punished with imprisonment for up to six months.” The article also stipulates a penalty of up to three years in prison should the confiscation of property be conducted by a group of at least two armed persons, which is the situation suffered by the majority of the victims interviewed for this report. Additionally, confiscating assets from citizens’ homes constitutes the crime of theft or armed robbery when committed with violence and under the threat of a weapon or by breaking down doors in the absence of property owners. These acts are crimes punishable by hard labor for over three years under Articles 623, 624, and 625 of the Penal Code.

## **6. Actors Involved in Forced Displacement:**

The analyses of the testimonies collected by PEL demonstrate that several entities stood behind the forced displacements of community members in the target areas. Most notably, the act was perpetrated by the Turkish military and the various armed groups operating under the banner of the SNA.

Based on the testimonies, the perpetrators were involved in 148 violations. The al-Hamza/al-Hamzat Division topped the list, having committed 33 property violations that underlie the forced displacement of the populace. Second is the Ahar al-Sharqiya/Free Men of the East, who have perpetrated 16 violations. Then comes the Sultan Murad Division, which was responsible for 13 violations, followed by the Mu’tasim Division, which carried out 12 violations, and al-Jabha al-Shamiya/Levant Front, which committed seven violations.

Involved in the situation were also the Military Police, found responsible for four violations; the Suleiman Shah Brigade (also known as al-Amshat), proven responsible for three violations; and the Ahrar al-Sham, also responsible for three violations.

The Faylaq al-Sham/al-Sham Legion, the Northern Hawks Brigade, the Shaitat Brigade, and the al-Mawali Brigade were involved in two violations each. Furthermore, the Euphrates Shield Brigade, The al-Qadisiyah Brigade, and Thuwar Hama/Rebels of Hama Brigade were involved in one violation each.

The interviewed victims attributed 20 violations to the SNA without identifying the exact armed group. They also attributed 26 violations to the Turkish military.

Several victims did not attribute the violations they suffered to specific armed entities, referring to the perpetrators as the Free Army or the mercenaries. Since no armed groups as such existed, at the time the testimonies were obtained, these violations were not included in the statistics aggregated by perpetrators. This explains the discrepancy between the number of witnesses/victims interviewed, 164, and the violations linked to perpetrators, 148.

The SNA armed groups identified by the witnesses legally operate under the mantle of the SIG's Ministry of Defence. This stems from the fact that it was the defence ministry that declared the formation of the SNA on 30 December 2017.<sup>11</sup> Defining its duties, the ministry also said it is "concerned with the affairs of defence and the SNA and works to organize the military and revolutionary forces under the umbrella of this army in cooperation with the commanders of the corps and other formations to move as quickly as possible to the military state other armies enjoy, as they operate hierarchically and according to a chain of command and control."<sup>12</sup> Therefore, the SIG's defence ministers, who assumed their duties during the period in which these violations were committed, must be held accountable—especially since they cannot deny their knowledge of these crimes and violations given the COI's reports, which consistently confirmed the responsibility of the SNA armed groups for these violations. However, at odds with its legal duties, the ministry did not take effective action to hold accountable either the command or individuals within the listed SNA armed groups who were found responsible for the recorded breaches.

Notably, similar legal responsibilities apply to the SOC, as it is the political body that places such trust in the SIG and has the power to dismiss ministers together or individually, hold them accountable, accept their resignation, and approve any ministerial reshuffle.<sup>13</sup>

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<sup>11</sup> "SIG Announces Formation of SNA (Photos)" (in Arabic), *Enab Baladi*, 30 December 2017 (last accessed 14 August 2023). <https://www.enabbaladi.net/194981/>

<sup>12</sup> For additional information, see: "The Ministry of Defense" (in Arabic), *Syrian Interim Government* (last accessed 14 August 2023). <https://www.syriaig.net/ar/169/about>

<sup>13</sup> Paragraph 5 of Article 11 of the "Basic Statute of the National Coalition for Syrian Revolutionary and Opposition Forces," available from: <https://www.etilaf.org/about-us/%d8%a7%d9%84%d9%86%d8%b8%d8%a7%d9%85-%d8%a7%d9%84%d8%a7%d9%94%d8%b3%d8%a7%d8%b3%d9%8a-%d9%84%d9%84%d8%a7%d9%8a%d9%94%d8%aa%d9%84%d8%a7%d9%81-2022>

Türkiye, according to its status established in the previous section as an Occupying State, is legally responsible for protecting the property of the civilian population in the areas it occupies, as it is obligated to apply the rules of IHL in the monitored areas. This requires that civilian property not be seized or destroyed unless military operations inevitably necessitate such destruction,<sup>14</sup> and the Occupying State must prove the existence of an imperative military necessity. Therefore, the Occupying State must hold accountable those responsible for these violations, whether members of the Turkish military or the leaders and members of the SNA, because the latter is under its effective control—especially since there is no indication that the looting or destruction of the property discussed in the report was carried out for an inevitable military necessity.

Notably the COI said it “continues to investigate the precise extent to which various Syrian National Army brigades and Turkish forces have formed a joint command and control hierarchy and notes that, if any armed group members were shown to be acting under the effective command and control of Turkish forces, violations by these actors may entail criminal responsibility for such commanders who knew or should have known about the crimes, or failed to take all necessary and reasonable measures to prevent or repress their commission.”<sup>15</sup>

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<sup>14</sup> Articles 2 and 52 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, available from: <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949>

<sup>15</sup> Paragraph 69 of the COI’s September 2020 report.

# Property Seizures

## in Northern Syria: A Tool for Forced Displacement in Afrin, Tal Abyad, and Ras al-Ayn/Serê Kaniyê

### Actors Involved in Forced Displacement

The report documents **148** violations

 <p>The al-Hamzat Division 33 violations</p>	 <p>Turkish army 26 violations</p>	 <p>The Ahar al-Sharqiya 16 violations</p>	 <p>The Sultan Murad Division 13 violations</p>	 <p>The Mu'tasim Division 12 violations</p>
 <p>Al-Jabha al-Shamiya 7 violations</p>	 <p>The Military Police 4 violations</p>	 <p>The Suleiman Shah Brigade 3 violations</p>	 <p>The Ahrar al-Sham 3 violations</p>	 <p>The Faylaq al-Sham 2 violations</p>
 <p>The Northern Hawks Brigade 2 violations</p>	 <p>The Shaitat Brigade 2 violations</p> <p>The al-Mawali Brigade 2 violations</p> <p>The Thuwar Hama Brigade 1 violation</p> <p>The al-Qadisiyah Brigade 1 violation</p> <p>The Euphrates Shield Brigade 1 violation</p>			

The interviewed victims attributed 20 violations to the SNA without identifying the exact armed group.

## **7. Repercussions of Forced Displacement:**

Uprooting a person from the region where they grew up and forcing them to move to another area or country has undeniable tragic effects on their life, basic rights, and freedoms, which are purportedly sacred and protected. Within the Syrian context, displacement or forced removal of the population would bring about profound impacts given that displacement is carried out on an ethnic, sectarian, religious, or similar basis, threatening to change the demographic composition in target areas. Furthermore, displacement is likely to have a massive effect on the political solution sought under Resolution 2254.

- **The Impact of Forced Displacement on IDPs' Basic Rights and Freedoms**

The human rights stipulated in international covenants and conventions are interconnected, indivisible, and complementary since the realization of any right depends on the fulfilment of the others. Forced displacement is a serious infringement of fundamental human rights, especially the above-mentioned rights to property; freedom of movement; choosing a place of residence; and adequate housing.

No doubt coercing victims—residents of the report's target area—to leave their original places of residence and abandon their property, lands, and livelihoods will cause them to lose, or at the very least, undermine many of their other rights. In addition to their deprivation of the right to property and adequate housing, IDPs would face difficulties securing livelihoods as they did before displacements, especially if forced to live in IDP camps, as is the case with the majority of the victims quoted in this report. This constitutes a flagrant violation of the human right to a decent standard of living sufficient to guarantee the health and well-being of individuals and their families, especially through access to food, clothing, medical care, necessary social services, and continuous improvement of their living conditions.<sup>16</sup> Notably, deprivation or derogation of the rights above may endanger an individual's right to life.

Additionally, increased pressure on communities hosting IDPs will also affect the IDPs' right to education. The number of education centers and teaching staff in these communities would fail to meet the educational needs of IDPs, especially if the host community itself is already grappling with education-related challenges, as is the case across Syria. The unabating conflict, ongoing for over 13 years now, has destroyed numerous schools and educational centers amidst

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<sup>16</sup> Article 25 of the Universal Declaration of Human Rights, and Article 11 of the International Covenant on Economic, Social and Cultural Rights.

reconstruction or rehabilitation difficulties. The hostilities have forced a large number of teachers to leave the country. In turn, the absence of education would push many children into the labor market to fend for their displaced families and increase child recruitment in combat.

The right to education, first and foremost, aims at the full development of the human personality and the sense of its dignity; strengthens respect for human rights and fundamental freedoms; and enables all persons to participate effectively in a free society.<sup>17</sup> Therefore, deprivation of the right to education will undermine the IDPs' other contingent rights, including the right to participate in the management of the country's public affairs in the future, as well as their right to hold public positions.<sup>18</sup>

Furthermore, forced displacement or removal violates the rights of indigenous peoples, who enjoy special protection guarantees. These guarantees ensure there are effective redress mechanisms to shield indigenous communities from actions that aim or lead to the expropriation of their lands or resources and any form of forced transfer.<sup>19</sup> In this context, communities may not be removed from the lands where they stay without their free, prior, and informed consent and in exchange for fair and equitable compensation while retaining, wherever possible, the option of return.<sup>20</sup>

The repercussions of forced displacement are often harsher for women, especially in societies beset with ongoing armed conflicts. Male arrests, disappearances, and fatalities typically rise in conjunction with wars. This causes the woman's family duties and obligations towards their children to double. Additionally, forcing women into homelessness or moving to inadequate residences that lack privacy increases their vulnerability to sexual and other forms of violence.<sup>21</sup>

Perhaps the most dangerous consequence of forced displacement, especially in the Syrian case, is the IDPs' potential deprivation of their right to civil documents. The Syrian government has resorted to ceasing multiple services,

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<sup>17</sup> Article 13 of the International Covenant on Economic, Social and Cultural Rights.

<sup>18</sup> Article 25 of the International Covenant on Civil and Political Rights.

<sup>19</sup> Article 8 of the 2007 United Nations Declaration on the Rights of Indigenous Peoples.  
[https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

<sup>20</sup> Indigenous and Tribal Peoples Convention, 1989 (No. 169).

[Indigenous and Tribal Peoples Convention, 1989 \(No. 169\) | OHCHR](#)

<sup>21</sup> Forced Evictions: Fact Sheet No. 25/Rev.1. UN Office of the High Commissioner, New York and Geneva, 2014. P. 20. [FS25.Rev.1.pdf \(ohchr.org\)](#)

including civil registration, in areas outside their control as a form of collective punishment against the communities in those areas.<sup>22</sup> Similar concerns pertain to Syrians who have escaped the country altogether and who face various challenges related to the registration of civil events such as births and marriages.<sup>23</sup> This situation threatens entire generations who lack the necessary civil documents that prove their legal existence and further threatens to deny them an assortment of rights dependent on their legal status.

- **The Impact of Forced Displacement on the Political Solution**

The policies of forced displacement constitute an environment ill-suited for finding a sustainable political solution that will end the ongoing suffering of Syrians. Indeed, these policies are one of the main obstacles to this solution. It is an acknowledged fact that any political solution requires providing a safe environment for IDPs' voluntary return. However, with the continued forced displacement and removal of populations, such an environment remains unimaginable.

In the Syrian context, the most realistic approach to reaching the desired political settlement lies in implementing UN Resolution 2254 of 2015. This resolution drew a somewhat acceptable roadmap for peace in Syria, as it expressed support for “a Syrian-led political process that is facilitated by the United Nations and, within a target of six months, establishes credible, inclusive and non-sectarian governance and sets a schedule and process for drafting a new constitution, and further expresses its support for free and fair elections, pursuant to the new constitution, to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability, with all Syrians, including members of the diaspora, eligible to participate”.

Accordingly, the political process proposed by the international community in line with the resolution requires the formation of an inclusive government; the drafting of a new constitution; and the holding of free and fair elections, with the participation of all Syrians. However, this remains inconceivable in the shadow of the continued woes of Syrian IDPs, among them victims in the

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<sup>22</sup> The Property Issue and its Implications for Ownership Rights in Syria, The Day After, June 2019 (Last visited: 13 April 2024). <https://tda-sy.org/2019/07/01/the-property-issue-and-its-implications-for-ownership-rights-in-syria/>

<sup>23</sup> For additional information, see: Syrian refugees' right to legal identity: implications for return, Norwegian Refugee Council, January 2017 (Last visited: 13 April 2024). <https://www.nrc.no/globalassets/pdf/briefing-notes/icla/final-syrian-refugees-civil-documentation-briefing-note-21-12-2016.pdf>



report's target areas. Without returning seized property to owners, compensating them for the damages they suffered; and holding perpetrators accountable, this roadmap will be unable to reunite Syrians and find a common will and spirit to create a safe future. Moreover, it will cause the Syrian components to lose trust in each other, thus complicating the realization of a consensus on the required political solution.

Resolution 2254 also endorsed the Geneva Communiqué of 30 June 2012, as the basis for a Syrian-led and Syrian-owned political transition to end the conflict in Syria. The Communiqué stipulates that “all groups and segments of society in the Syrian Arab Republic must be enabled to participate in a national dialogue process. That process must be not only inclusive but also meaningful. In other words, its key outcomes must be implemented.” Nevertheless, it remains challenging to discuss such participation in light of the continuing processes of forced displacement and the victims' hampered return to their original places of residence, which contradicts Resolution 2254. The resolution underscores “the critical need to build conditions for the safe and voluntary return of refugees and internally displaced persons to their home areas and the rehabilitation of affected areas.”

Actors in the Syrian affair continue to attempt to circumvent the provisions of Resolution 2254 and have ignored them on more than one occasion. Nevertheless, it remains the resolution that shaped the features of the political solution in Syria, including building the conditions for the safe and voluntary return of refugees and IDPs. Accordingly, the resolution will be ineffective if the policies of expelling residents from their homes, accompanied by property confiscations, persist, as well as if the armed groups resume their current conduct—carrying weapons and tightening their grip over the community and properties—while escaping accountability and legal prosecution. Failure to address these factors would make armed groups the major obstacle to the desired solution as they are the primary beneficiaries of forced displacement policies.

Therefore, the implementation of Resolution 2254 requires the cession of forced displacement and removals; the remedying of the reasons that give rise to displacement; providing a safe environment for the voluntary and dignified return of refugees and IDPs to their homes; and disarming and holding accountable the armed groups involved in the documented violations.

Otherwise, the resolution will remain a mere document with no impact on the situation on the ground.

- **The Impact of Forced Displacement on the Target Areas' Demographic Composition**

The results and effects left by forced displacement policies on Syrians in general and on the residents of the “Olive Branch” and “Peace Spring” operations areas, in particular, are very adverse. These effects tend to be even more horrifying and disastrous when implemented on an ethnic or nationalist basis to erase the identity of an entire component. This intended erasure was evident in the testimonies cited in the report, as the Kurdish component was the primary target of the armed groups and the Turkish government behind them. Many witnesses stated that their properties were seized, and they were displaced for being Kurds or for their alleged support of the AANES when it controlled those areas.<sup>24</sup>

Also, several Kurdish witnesses were contacted by members of the factions controlling their areas, who threatened them with arrest and torture if they returned to the areas they fled. In addition, the majority of the victims stated they were able to learn about the fate of the properties they left behind by communicating with Arab neighbours and acquaintances who remained in their hometowns. Another element that corroborates that the obliteration of the Kurdish identity in the target regions was the primary purpose of these policies is that seized homes and property were given to IDPs from elsewhere in Syria, such as Idlib, Aleppo, and Ghouta, or to the people of the neighbourhood or village in which the property is located, whereby the occupants, in this case, were either Arabs or Turkmen. Not a single case was recorded in which the seized property was granted to a Kurdish family.

Most of the interviewed Arab IDPs said they fled the region for fear of being accused of belonging to or dealing with the AANES, especially if they had previously worked for one of its institutions. However, none of them mentioned they were forced to escape because of their ethnic affiliation or Arab nationality. On the contrary, the majority of the Kurdish victims said that the region was mainly targeted to displace them due to their ethnicity.

Therefore, targeting the areas monitored in the report, displacing their local populations, and seizing their properties radically aimed at changing the

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<sup>24</sup> The COI has corroborated this fact across several reports, including the one published in September 2020, in paragraphs 47, 48, 49, and 50.

demographic composition of these regions and erasing their dominant characteristics, especially the Afrin region and its villages—being Kurdish or predominantly Kurdish.

Within the same context, Türkiye seeks to return hundreds of thousands of Syrian “guest” refugees on its territories to the areas it controls in northern Syria. It has returned over 550,000 Syrian refugees to these areas, according to a [statement](#) by the Turkish Foreign Minister. Furthermore, Türkiye and some organizations supporting its stance in Syria have established several residential settlements for housing refugees in those areas so that over time, the settlements and their occupants will become a reality that will need very complex solutions to address in the future.<sup>25</sup>

The countries involved in the Syrian affair, including Türkiye, have played a prominent role in changing the demographic composition of many Syrian cities and towns as they sought to implement their agendas in Syria through bilateral agreements. Under these agreements, residents of those areas were removed from their original places of residence and replaced with people from elsewhere in Syria. The territories under Turkish control were subject to several such agreements.

Under one such deal, Russia and the Syrian government could control the Eastern Ghouta region in the Damascus countryside and transfer its residents to the areas north of Syria, including Afrin.<sup>26</sup> Türkiye occupied Afrin just as the Syrian government took over Ghouta with Russia's assistance. Through another agreement with the U.S., Türkiye managed to occupy the areas of Ras al-Ayn/Serê Kaniyê and Tal Abyad via the operation “Peace Spring.” The incursion led to the displacement of the vast majority of the people of the two regions,

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<sup>25</sup> « In reparation for the return of refugees, Türkiye is building housing units in Syria”, Sky News, 25 May 2023 (Last visited: 13 April 2024). <https://www.skynewsarabia.com/business/1624016-%D8%AA%D9%85%D9%87%D9%8A%D8%AF%D8%A7%D9%8B-%D9%84%D8%A7%D9%95%D8%B9%D8%A7%D8%AF%D8%A9-%D8%A7%D9%84%D9%84%D8%A7%D8%AC%D9%8A%D9%94%D9%8A%D9%86-%D8%AA%D8%B1%D9%83%D9%8A%D8%A7-%D8%AA%D8%A8%D9%86%D9%8A-%D9%88%D8%AD%D8%AF%D8%A7%D8%AA-%D8%B3%D9%83%D9%86%D9%8A%D8%A9-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7>

<sup>26</sup> «Syria: Role of International Agreements in Forced Displacement (1)», Syrians for Truth and Justice, 3 October 2023 (Last visited : 13 April 2024). [Syria: Role of International Agreements in Forced Displacement \(1\) - Syrians for Truth and Justice \(stj-sy.org\)](#)

instead of whom IDPs, including Iraqi wives and children of IS fighters, from other Syrian areas came to live.<sup>27</sup>

Without the slightest doubt, demographic change processes, within their varied contexts and purposes, will constitute a paramount obstacle on the path to coming up with a roadmap for Syria; increase the risk of further tears in the Syrian social fabric; and give rise to multi-party and agenda conflicts, all to the disadvantage of the best interests and unity of the Syrian people, especially as they will make the desired recovery process challenging.

## **8. Conclusion and Recommendations:**

This report concluded that the primary purpose of the Turkish occupation of areas north of Syria was to remove the greatest possible number of its indigenous people, using, to this end, their affiliated Syrian armed groups. The most common method applied to induce displacement was the destruction and seizure of IDPs' properties, as well as the imposition of taxes and royalties on locals who managed to remain in their home areas.

Additionally, the report concluded that systematic and widespread forced displacement violates a plethora of the IDPs' rights and fundamental freedoms established across several international covenants and conventions. The report stressed that undermining these rights would be a most serious hurdle for the efforts seeking a political solution that can satisfy Syrians wishing to achieve an inclusive democratic State governed by law.

To address the disastrous effects of the forced displacement policies discussed in the report, action must be taken at several levels and by several parties. To facilitate the required action, PEL came up with a set of recommendations for actors and decision-makers in the Syrian affair, as well as those involved in the Syrian public landscape:

### **1. The United States of America and the European Union**

- The U.S. and EU must explicitly refer to the forced displacement operations practiced by Türkiye and affiliated armed groups in Türkiye-occupied areas; openly condemn those operations; and call on the Turkish government to desist from these policies and to exercise its effective

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<sup>27</sup> « Syria: Role of International Agreements in Forced Displacement (3) », Syrians for Truth and Justice, 19 October 2023 (Last visited : 13 April 2024). [Syria: Role of International Agreements in Forced Displacement \(3\) - Syrians for Truth and Justice \(stj-sy.org\)](https://stj-sy.org/en/syria-role-of-international-agreements-in-forced-displacement-3)

powers to prevent proxy armed groups from committing violations, including the looting and destruction of properties, which, as this report shows, have been a tool for forced displacement.

- The U.S. and EU must use the proper legal description to refer to the Turkish presence in northern Syria—explicitly declaring it is an occupation following the principles of international law—and urge Türkiye to implement its obligations as an Occupying State—most importantly, the protection of civilians and their property; preventing forced transfers and displacement of populations in line with the Fourth Geneva Convention of 1949; and genuinely activating accountability mechanisms to hold violators accountable.
- The U.S. and EU must impose sanctions on bodies and individuals involved in violations that drive forced displacement and seek to prosecute them in countries whose courts have universal jurisdiction over the most serious crimes, such as war crimes and crimes against humanity, which include acts of forced displacement when committed systematically and on a large scale.
- The U.S. and EU must provide the necessary support to civil society organizations working to document the violations committed in Syria, including those related to the crime of forced displacement.

## **2. The United Nations and the Commission of Inquiry on Syria**

- The UN, represented by its Secretary-General, must accelerate the political solution process, urging the COI and the IIIM to also focus on the cases of forced displacement that take place in Syria and issue special thematic reports in this regard.
- The UN must create a safe and neutral environment to promote the voluntary and dignified return of refugees and IDPs to their homes; hold accountable those involved in the violations that drive forced displacement; issue a Security Council resolution to refer the Syrian file to the International Criminal Court following the Rome Statute; call for an end to the use of the veto in this regard; and compensate those affected for the damages they suffered when possible.

## **3. The Current or Future Government of Syria**

- The GOS must submit official complaints to the UN against the Turkish government to end the state of occupation in parts of the Syrian territory

and demand that it compensates those affected by the violations committed against them and their property as a result of its military operations that further established the state of occupation.

- The GOS must resort to legitimate means under international law, such as mediation and arbitration, and file a lawsuit, if necessary, before the International Court of Justice to demand that the Turkish government withdraw from the Syrian territories it occupies and pay the compensation the court will estimate for the damages resulting from the state of occupation.
- The GOS must provide the necessary support to those displaced from the Türkiye-occupied areas, especially by giving them access to civil registry and ownership documents; refrain from linking the provision of basic services to citizens with their location or political opinion; and grant immediate approval to UN agencies to use their border crossings to supply IDPs with much needed humanitarian aid.
- The GOS must consider all property ownership transfers that have taken place in Türkiye-occupied areas since the beginning of the occupation invalid and enable those affected to submit requests for recovery and compensation to an independent and impartial legal body capable of transparently deciding on those requests.
- The GOS must ensure full respect for the right of victims to recover their property and obtain full compensation by implementing the basic principles relating to the right to a remedy and reparation, in particular, the principles relating to the restitution of housing and property in the context of the return of refugees and IDPs (The Pinheiro Principles).

#### **4. The Syrian Opposition (SIG and SOC)**

- The SIG and SOC must prevent the SNA factions from committing violations in areas under their control and hold those involved in documented violations accountable, especially given the SNA's affiliation with the SIG's defence ministry.
- The SIG and SOC must conform to the COI's reporting on forced displacement and property seizures in their control areas; oblige their affiliated factions and members to return property and land to their owners; and secure the return of IDPs to their areas.
- The SIG and SOC must issue the necessary decisions to prevent ownership transfers in their control areas, deeming those occurring invalid. They

must oblige anyone who claims validity to provide proof in the event of a dispute over ownership after the end of the state of occupation.

- The SIG and SOC must issue the necessary decisions to prevent the imposition of royalties or taxes on crops; revoke decisions warranting royalties issued by factions or local councils, regardless of what the royalties were called when imposed; address the effects of royalties already imposed; and restore the status quo ante.

## **5. The Kurdish National Council**

- The KNC, as a member of the SOC, must bear at least political and moral responsibility for the violations committed in the areas of Operation Peace Spring. The pretext that the SOC-affiliated factions do not obey the SOC does not negate the responsibility of the SOC, including the KNC, to at least monitor these violations and diligently work to stop them. Therefore, the KNC must assume its responsibilities and use its presence within the SOC to keep tabs on violations; assist victims in litigation to recover their property; and condemn the perpetrators.
- The KNC must also demand that Türkiye, as the occupying power and the actual force controlling the region, as well as the state supporting the Syrian opposition, assume its responsibilities in stopping violations against the residents of this region and ending all policies of demographic change there.

## **6. The Autonomous Administration of North and East Syria**

- The AANES must provide the necessary support to people displaced from Türkiye-occupied areas who reside in its control territories, especially those in IDP camps; seek to provide IDPs with appropriate job opportunities; and target them with programs and activities that help them engage in the labor market; as well as integrate them with the host community.
- The AANES must help IDPs who wish to return to their original areas of residence and support efforts aimed at preserving property rights, especially issuing ownership and documents for IDPs from all areas occupied by the Turkish military.
- The AANES must support the work of CSOs in the fields of documentation, legal, and humanitarian support for victims of the Turkish occupation and refrain from imposing fees or taxes on activities targeting those victims.

## **7. Civil Society Organizations**

- CSOs must professionally and impartially document violations committed in Syria in general and in Türkiye-occupied areas in particular and share their documentation with international human rights institutions and courts that prosecute perpetrators based on the principle of universal jurisdiction.
- CSOs must pressure the Turkish government to admit the state of occupation and thus implement its obligations as an occupying state per the principles of IHL through continuous advocacy to inform the international community of the suffering of the victims of the Turkish occupation; issue periodic reports in this regard; and hold periodic seminars and conferences that shed light on the violations perpetrated by the Turkish military and the SNA factions against populations in the occupied areas.
- CSOs must pressure the SIG and the SOC to exercise their powers to stop violations committed by the SNA factions and ensure fair accountability for those involved in these violations.
- CSOs must continue mobilisation and advocacy for the rights of victims, urging the GOS and the de facto authorities to provide victims with the necessary support and allow CSOs operating in their areas to provide support themselves.
- CSOs must raise IDPs' awareness of their basic rights, the necessity of not stopping demanding those rights, and cooperating with organizations working in the field of documentation to uncover violations by the Turkish military and SNA armed groups. They also should inform IDPs of the necessity of preserving documents that prove their rights to property and housing and assist them legally and financially, if possible, to issue replacement copies for damaged or lost ones.





## About “PÊL”

PÊL- Civil Waves is an independent, non-governmental, and non-profit organization that works to strengthen the roles of women, youth, and forcibly displaced communities in Syria, founded in 2013.

“PÊL” works in a diverse multi-ethnic, religious, social, and cultural community and believes that protecting and managing diversity and including all residents fairly guarantees sustainable peace. To this end, “PÊL” works to engage all citizens without prejudice or discrimination and at all levels. We believe that promoting community dialogue between individuals and different population groups and between them and local governance structures is essential in easing current tensions and establishing a more just future.

“PÊL” believes the ongoing conflict in Syria since 2011, associated with decades of bad policies, has affected the environment, and created significant challenges that affect the lives of the population now and the country's future for decades to come. To this end, we promote awareness of environmental protection and the expansion of green spaces, monitoring ecological problems and their link to destabilizing social cohesion and developing solutions and alternatives to face these challenges.

“PÊL” focuses on victims of forced displacement. It seeks to strengthen the response to the housing, land, and property rights violations in Syria and enables the affected people to organize themselves and defend their cases. We believe that systematic and expanded legal and narrative documentation of land, housing, and property rights violations is essential in ensuring the dignified return of forcibly displaced and internally displaced persons to their areas of origin. Therefore, “PÊL” documents the testimonies and narrative stories of the victims of these violations and supports advocacy efforts and legal follow-up in this context.



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