



komela Mafê Mirovan ya Cizîrê û Efrîn  
منظمة حقوق الإنسان في الجزيرة و عفرين  
Human Rights Organization in Jazira and Afrin



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Reply to the Report of the Independent International  
Commission of Inquiry on the Syrian Arab Republic  
20 September, 2019.  
From: Human Rights Organisation in Jazira and Afrin

To the Rev. Commissioners of the International Commission of Inquiry, Paulo Sérgio  
Pinheiro (Chair), Karen Koning AbuZayd and Hanny Megally

After reviewing your report about Syria issued on 15 August 2019, which is due to be submitted to Human Rights Council on 29 Sep.2019, we would like to make our own remarks.

**-First:**

- 1- Some parts of your report contradict with UN charter, article one concerning the realization of international cooperation to boost human rights and all basic individual freedoms without any discrimination because of race, sex, language or religion. They also contradict with UN's obligations that seek to maintain its objectives provided in article, 55/56 of UN charter, which provide that all countries take individual or collective procedures in cooperation with the United Nations to enhance global respect and consideration for human rights and fundamental freedoms for all people without discrimination because of race, sex language or religion.
  - 2- In your report you have overlooked the extent of danger that the Turkish state poses on the population's life in the north and east of Syria, either directly or indirectly through Turkey-affiliated armed factions. This danger has surpassed all limits to endanger the lives of all people, in committing racial segregation crimes which threaten international peace and security despite the fact that the international treaty to fight racist crimes was signed in 1973, and went into effect in 1976. The Turkish state is still pursuing a genocidal policy penalized by Rome's 1998 regulation of la Hague's international criminal court.
  - 3-The right to live freely provided by article/3/ of the Universal Declaration of human Right, has been lost, as well as the right to freedom and security. The right to freedom of thought, opinion and religion provided by article 18 of the declaration has also been lost, in addition to the right of free movement provided in article/2/, and the right to freedom of expression and speech provided in article/19/. The right to private life; the right of family to care and protection are missing although, Like other civil and political rights of article 16 from the same declaration, they were guaranteed in the two international conventions of 1966 and article/2/ of the same declaration. The right to justice of article/7/ of the same declaration has also been wasted.
  - 4-In your report, you have sidestepped all these facts, casting a shadow of doubt and distrust over the legitimate right to self-defence which is recognized in all codes, religions and conventions.
- In your report you have disregarded the military defeat of Islamic state, ISIS, in Baghoz, Deir Ezzor province, on 23 March 2019. This victory was, in general, a turning point in the future of peace and security of your countries that call for free and stable life. Your report lacks the objectivity that all nations and peoples have used to expect from Human Rights commission, which was the first-fruits of the United Nation after establishment in 1945. Through its first initiative, the commission had the honor to paraphrase Universal Human Rights Declaration on December 10,1948. I think you could have read well the reasons behind and results of the victory won by the people of northern Syria versus terrorism on 32%



percent of overall Syrian territory. These outcomes and causes are so clearly distinct that they never require much effort to conduct researches and reviews into them and , therefore, you should not have bothered to predict, outlook, wail , or gamble from a distance about the credibility of the killer by belying the victim in an unprecedented grave example on the international arena and in the history of your sub.committee.

**Second:**

5-There is an insinuation at SDF in your report by using vocabulary that clearly indicate what lies behind as the report is full of accusations needless of any supposed proof. For example: words like "arrested " single...."stress are linguistically saturated with misleading and confusion..

6 -Your report is based on deduction and your conclusions are individual and non-individual references funded by Turkey, and, for this same reason, your reports from 11 Dec 2019 up to 10 July 2019 were void of truth. Those whom you claim to have interviewed were with you in Geneva, or vice versa as referred to in your report, taking into consideration that 291 whom you referred have acquired assylum in their residing places under false pretences and you, in turn, falsely relied upon their false testimony.

7- All that you pretend to have collected, highlighted and analysed from supposed resources run against and contradict with your claim of adhering to the concept of "not causing damage ". The process of adopting certain testimonies and resources which are merely part and parcel of the system of terrorism is for the good of islamist terrorists backed by Turkey.

8- Your debate and your judgment on default libels supposed experience, professionalism and independency stipulated by the international conventions concerning civil and political rights since 1966.

While your report insinuates Syrian Democratic Forces, you admit in paragraphs 9/10 how the entrenchment of ISIS terrorists among civilians slackened the advance of SDF units. If there exists any justification for this slow advance, it would surely have had something to do with humanitarian issues, on one side, and obeying international humanitarian laws, on the other side. We have witnessed this during our visits to SDF positions while fighting the terrorists. Therefore, your report was outlâying truth and the reality you presented only depended on the perjury of adversaries, terrorist remnants and in absentia.

**Third:**

9-In regard to the situation in Afrin in your report, paragraphs(65-64), we see the following: Abuses and violations of human rights perpetrated against the local inhabitants of Afrin by the Turkish army and its affiliated armed factions since Turkey launched its perfidious aggression on January 20,2019 till Turkey announced it had taken complete control of the Afrin region on23 March,2018, include grave war crimes. These crimes include: Abduction for ransom, forcible disappearing, murder, assault, forcible displacement of locals, rape, destruction of general and private property, crimes against children, women and the elderly, looting and pillaging of private possessions, leveling farms, burning of agricultural fields, destruction and burning of trees, desecration and destruction of cultural sites, religious shrines and places, looting of relics and bulldozing ancient sites, systematic demographic change, financial extortion via abduction for ransom that reached \$100 thousand.

All these crimes come under international crimes classified in Rome's fundamental regulations of the International criminal court of the 1954,1899,1907. Hague convention, particularly article/42/ of 1907 convention. Therefore, the Turkish state is second to none in being a state of aggression and occupation that violates its duties and obligations provided in the aforementioned article 42.

10-Moreover, your revered commission should have taken a historical step under your legal responsibilities rather than acting contrarily, as it is desperately seeking excuses for the good of the perpetrators of these crimes, holding the countrymen of Afrin responsible for Human Rights violations.

According to all statute international covenants and treaties, heavenly religions and philosophical theories the countrymen of Afrin act in a legitimate way to regain their stolen lands, homes, farms and property.

11- There is clear evidence in page /9/ paragraphs 26-27-28 that your report is absolutely politicized as accusations have randomly been attributed to SDF forces on baseless grounds and the bitter reality that would have prevented any army in the world to fight this battle militarily, humanistically or legally, to



maintain world peace and security, in accordance with all standards and norms adopted in both the public law and humanitarian law.

12- In fighting terrorism on behalf of the international community, Syrian Democratic forces/SDF/ demolished the "Empire of terrorism which was and is still threatening peace and stability of the free world, both militarily and ideologically.

#### Fourth:

13-your report did not address the suffering and plight of Christian minorities in the north and east of Syria inflicted by the armed groups assembled by Turkey from all over the world, as well as from Syrian interior. All Christian churches there have been looted, desecrated, booby- trapped or burned by al Nusra Front , or the Levant Front, and the so-called the ISIS caliphate in Iraq and Syria.

Christian churches in Raqqa,the former capital of ISIS caliphate had also been destroyed. For example, Armenian Catholic Church and the Roman Catholic Church which was destroyed after it had been turned into prison for women.

The Church of Armenian Martyrs in Markada,Hasakeh was also systematically destroyed. For the Armenians, this church was of high prestige because it had embraced the remains of 1915 Armenian genocide's Sifo Massacres at the hands of the Ottoman Empire.

#### Fifth:

14-Where is your report from the role of HTS (formerly Jabhat al-Nusra) when it took control of the de-escalation zone in Idleb and northern Hama, with direct support and guidance from the Turkish guarantor, and how they took control of the direct line of contact with the regime forces in Syria, constituting a strong excuse for the regime forces and Russia to attack.

15- Your report did not highlight the main Turkish role and the basis in supporting HTS for the control of these areas, only looking for a defect in the sacrifices of the Syrian Democratic Forces. You know well that events will prove the Turkish dirty role in everything related to terrorism, ideologically or practically. For example, when HTS commander, Abu Mohammad Golani was targeted and injured, he was transferred directly to Turkish hospitals via Turkish intelligence mediation. -Your report is far from impartiality in contents, being captive to the pre-charge of accusation, and this entranglement from neutrality is not less than the distance from earth to the sky.

16 -The report did not address the right of legitimate self-defense of peoples and nations which is guaranteed for all people under international conventions and the principles of human rights.Our people have been subjected to a genocidal campaign, starting from Tel Aran and Tel Hasel massacres in the countryside of Aleppo to new Turkish threats to invade SDF-controlled areas.

17- The report's description of the Kurds as insurgents is unfair by all standards, and this has nothing to do with the historical human background of this deep-rooted people that had been suffering various kinds of injustice and persecution and the cycles of recurring genocide is both old and new.

18- Where is your report concerning the right of any individual to defend oneself and one's land by all available means and ways. This right was the cornerstone when the International Court of Justice, the International Criminal Court and the European Court of Human Rights were established.

The latest form of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Civil Rights, Politics, Economic, Social and Cultural Rights and all relevant international covenants and protocols guaranteed that legitimate right.

19-What you called as "Kurdish rebels", in your report, are the Kurdish countrymen of Afrin who did not come from Turkey or other countries unlike pro-Turkey armed factions, and other global jihadists that Turkey supports both secretly and publicly.

20- During the preparation of your report, armed factions of the Turkish occupation attacked the positions of Marnaz, Malikiyah and Meng in the countryside of Aleppo, with the goal to displace the original civilians and displaced people of Afrin from those areas.

21-You have missed as you wrote down your report so-called Syrian National Army, which consists of many armed factions, mostly remnants of the Islamic Caliphate in Iraq and the Levant. One flagrant example the



case of the so-called Omar Hajji, a former detainee in Hawar Kilis prison of the Syrian city of Azaz, was a prominent Emir of the Islamic State's caliphate, and participated in the battles of Deir Ezzor, Hijiin, Baguz, Ramadi and DIALA, a source of notorious fatwas to abuse Yazidi women and sell them in Raqqa's markets. He is also the famous Sayyaf, known for beheading so many victims in front of the public. Hajji was released by the Sultan Murad Division 45,000 USD ransom, under the direct patronage of Turkish State Intelligence MIT. He is wanted by the Interpol and is currently working as a cleric in a mosque in Afrin the city, lecturing Quran and jihad being a close associate of the Turkish occupation.

22- Your report did not tackle the basis and structure of the composition of the so-called Syrian National Army, nor did it address the intellectual and ideological background of this army. In fact, all members of this alleged army are former remnants of the Islamic Caliphate or ordinary criminals and thieves. Aided by Turkish army, these armed hordes took control of the northern areas of Syria, starting from Jarablus and passing through Al Bab, Azaz, Al Ray, parts of Shehba till the borders of Dier Jammal town and Afrin. They joined the Islamic Caliphate State as early as 2013, but when SDF confronted the Caliphate, they fled to Turkey to be sponsored there and had their names changed, rehabilitated as Syrian National Army.

23- The legal and professional probity in investigation and questioning requires accuracy in the series of facts and events and in detail, without prejudice to the time-frame and the state of interdependence between events and the elements of each crime, especially if the crime is internationally punishable.

24- According to your report, in paragraph(56), you bear the responsibility of the security chaos and the escalation of violations in Afrin area to the resistance operations carried out by the legitimate forces of Afrin liberation who are by all standards self-defenders fighting injustice, aggression and occupation that is embodied in an endless series of war crimes perpetrated against the natives of Afrin. Your accusation of this resistance came in a veiled way.

25- This accusation in itself constitutes a complete bias to those armed groups associated with the Turkish state, before it is partial to the Turkish occupation of Syrian territory. This is completely unfair and inequitable to the resistance of Afrin natives.

26 -You mentioned in paragraph / 59 / of your report that you classify crimes committed against the Kurds in Afrin, as political economical and security motives lie behind, and target only affiliates of Kurdish Self-Administration. In fact, most crimes committed against the Kurds in Afrin are ethnically and racially motivated to clear the region of its indigenous population under the direct supervision of the Turkish governor of Hatay, who is running the occupied Afrin region as an absolute ruler, making frequent visits there.

27 - Your report categorizes the armed factions associated with the occupied Turkish state into two categories: moderate and extremist, but your report was oblivious of the fact that all these factions are extremist groups that practise terrorism and violence both intellectually and militarily. The source of this extremism is the Muslim Brotherhood organization led by its current global leader, Erdogan, whose organization characterize women as mere nakedness or "awrah".

28-There is a terrible contradiction between what is mentioned in paragraph / 64 / and what is mentioned in paragraph / 65 / of your report regarding the ability of the Turkish occupation to control the behavior of armed factions. In paragraph / 64 / you say that you have not received any indication that the Turkish authorities are able to control the criminal behavior of these factions, while you say in paragraph / 65 / of your report that the Turkish authorities still control the administrative, judicial and executive structures in Afrin through supeintendence, guidance and finance.

The purpose of this open contradiction is a concealed attempt by the Commission to absolve the Turkish State from its legal responsibility, under Article 42 of the Hague Treaty of 1899/1907, as an occupying force with legal responsibilities under the continuation of this occupation. Many documents and evidence by visual means prove to the whole world, especially the UN organizations that Turkey is the absolute authority in Afrin region, which unleashes its affiliates to indulge in humiliating the remaining loval Kurds, micromanaging all issues. It is well-known that the occupied Afrin region is an extension of Hatay Province in the Turkish military dictionary.

**Sixth:**

29-Your report did not refer to the plight of 150 thousand forcibly displaced native Afrinians in the squalid camps of Shahbaa, who are caught between the devil and deep sea. In Shahbaa, Afri IDPs are under an unjustifiable blockade imposed on the area, by the Syrian regime and with firelines dividing them with areas controlled by the Turkish army and its affiliated armed groups of "Euphrate Shield and Olive Br who launch daily attacks on these areas.

30- While we have not yet exhausted the right of full reply to your report, because your report in all its contents has created a great desire to respond to every word in it but for the purpose of maintaining peace and stability in the region, we would like to answer our following demands:

1 - We appeal to you to work on the withdrawal of the Turkish occupation forces from all the occupied areas in the north and east of Syria, rather than wasting your time appeasing to the Turkish occupation and its armed gangs.

2 - We appeal to you to review the overall report and every word contained in it as we assume you would keep up your impartiality, independency and professionalism.

3. Last but not least, we highly respect your international character and we hope that you accept our apologies on responding to every word written against the truth and the reality we live in. We are careful about exactness, paying attention to accuracy in details and information sent to you because we like the truth.

**Human Rights Organization in Jazira and Afrin.**



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