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Conseil des droits de l'homme Cinquante-quatrième session 11 septembre-6 octobre 2023 Point 4 de l'ordre du jour Situations relatives aux droits de l'homme qui requièrent l'attention du Conseil

Note verbale datée du 11 octobre 2023, adressée au Haut-Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de la Türkiye auprès de l'Office des Nations Unies à Genève

La Mission permanente de la République de Türkiye auprès de l'Office des Nations Unies à Genève et des autres organisations internationales en Suisse a l'honneur de transmettre ci-joint les observations de la République de Türkiye concernant le rapport de la Commission d'enquête internationale indépendante sur la République arabe syrienne soumis au Conseil des droits de l'homme à sa cinquante-quatrième session¹ (voir annexe).

La Mission permanente souhaiterait que la présente note verbale et le texte de son annexe* soient publiés comme document du Conseil des droits de l'homme au titre du point 4 de l'ordre du jour, distribués comme document de l'Organisation des Nations Unies et affichés sur la page correspondante du site Web du Conseil.



¹ A/HRC/54/58.

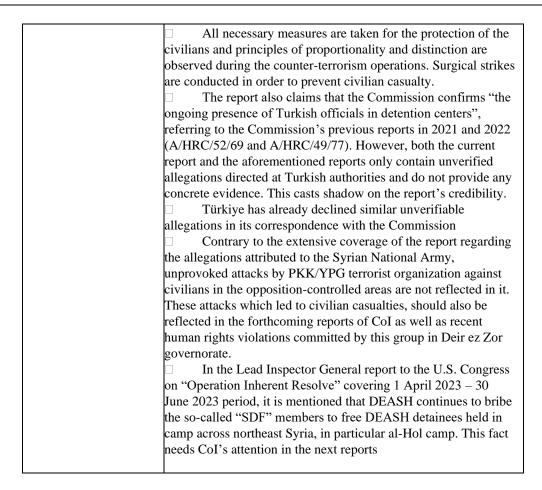
^{*} L'annexe est reproduite telle qu'elle a été reçue, dans la langue de l'original seulement.

Annexe à la note verbale datée du 11 octobre 2023, adressée au Haut-Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de la Türkiye auprès de l'Office des Nations Unies à Genève

Observations of the Republic of Türkiye on the Report of the UN Independent International Commission of Inquiry on the Syrian Arab Republic submitted to the 54th Session of the Human Rights Council

Para. 8	The report underlines "continuation of mutual attacks between the so-called Syrian Democratic Forces (SDF) on one side and Türkiye and the Syrian National Army (SNA) on the other." We denounce this classification as Türkiye cannot be put
	on an equal footing with the terrorist organization. So-called "SDF" is affiliated with the PKK/YPG terrorist organization and Türkiye is pursuing a counter-terrorism operation on the basis of the right of self-defense. Türkiye's right of self-defense cannot be merely defined as "attack".
	Reference to so-called "autonomous administration" in various parts of the report (SDF-linked autonomous administration in the north-east), lacks a legal basis and constitutes a deliberate attempt by the Commission to confer legitimacy to a region of a Member State, implicitly, as if it is a separate area, and upon an entity closely linked with a terrorist organization. This is a self-declared title by a PKK/YPG-linked entity undermining Syria's territorial integrity. It has no legal basis on international law. Misuse of this legal definition in this report casts shadow to impartiality of the report. Such legal terms should not be used arbitrarily.
Para. 19-21	The report states that "a convoy carrying fuel from the Syrian Democratic Forces-linked autonomous administration in the north-east to communities in Syrian National Army-controlled Afrin was refused entry by the authorities on 10 February, citing concerns of being politicized. This description is not fair and does not fully correspond the reality. In the aftermath of February earthquakes, many actors, including the tribes from the northeast and KRG of Iraq were able to dispatch humanitarian assistance to the affected areas in the northwest. It is the so-called "SDF" itself which politicized the matter of humanitarian assistance.
Para 81/82/83/84	The report claims that Turkish officials are involved or not prevented human right violations and civilian casualties have been recorded out of Turkish drone attacks. Türkiye fully respects international humanitarian law. Turkish officials have not been involved, directly or indirectly, in any human rights violation in Syria. Türkiye rejects baseless allegations of violations falsely attributed to Turkish authorities. Moreover, claiming the presence of Turkish officials in investigations in Syria without providing any substantial evidence casts shadow on the impartiality of the report. The areas that were cleared from terrorist elements through counterterrorism operations of the Turkish Armed Forces (TAF) and Syrian National Army (SNA) are under the control of the executive branches of the legitimate Syrian opposition.

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