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Совет по правам человека**Сорок шестая сессия**

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Пункт 4 повестки дня

**Ситуации в области прав человека,
требующие внимания со стороны Совета**

**Вербальная нота Постоянного представительства Турции
при Отделении Организации Объединенных Наций в Женеве
от 22 марта 2021 года в адрес Управления Верховного комиссара
Организации Объединенных Наций по правам человека**

Постоянное представительство Турецкой Республики при Отделении Организации Объединенных Наций в Женеве и других международных организациях в Швейцарии настоящим представляет Управлению Верховного комиссара Организации Объединенных Наций по правам человека и секретариату Совета по правам человека статистические данные о связанных с задержанием нарушениях или злоупотреблениях, совершенных в ходе конфликта в Сирии с марта 2011 года, которые были подготовлены в качестве вклада в работу Независимой международной комиссии по расследованию событий в Сирийской Арабской Республике (см. приложение).

Постоянное представительство просит выпустить настоящую вербальную ноту и приложение к ней* в качестве документа Совета по правам человека по пункту 4 повестки дня, распространить его в качестве документа Организации Объединенных Наций и разместить в соответствующем разделе веб-сайта Совета.

* Воспроизводится в полученном виде только на том языке, на котором оно было представлено.



Annex to the note verbale dated 22 March 2021 from the Permanent Mission of Turkey to the United Nations Office at Geneva and other international organizations in Switzerland addressed to the Office of the High Commissioner for Human Rights

Statistics on detention-related violations or abuses since March 2011 in Syria:

1. Violations involving forcefully detained minors:

- Forced recruitment or conscription of minors (children below 18 years of age) and related arbitrary arrests by PKK/YPG and PKK/YPG-led so-called “Syrian Defense Forces” (SDF) factions is known to be a common practice in the de facto “SDF” controlled areas as documented by the UN Commission of Inquiry on Syria (CoI) reports including A/HRC/45/31, A/HRC/43/57, A/HRC/43/CRP.6, A/HRC37/72, “Detention in the Syrian Arab Republic: A Way Forward” and others. According to the information gathered by the Turkish authorities, forcefully recruited minors in areas under the de facto control of the “SDF” are often relocated to the PKK camps in Iraq, where they are indoctrinated and trained to fight in the ranks of PKK/YPG. Those who try to escape are executed in summary killings and are often portrayed as if they were killed as a result of Turkish military operations.
- PKK/YPG or “SDF” factions are known to arbitrarily detain children under the age of 18 and forcefully transfer them to camps in Hasakah, Qamishli, and Derik for ideological indoctrination in line with the terrorist ideology of PKK/YPG.
- PKK/YPG is known to forcefully recruit, train and use boys and girls as young as 12 years old from IDP camps in northeast Syria as documented by the US Department of State’s 2020 report on Trafficking in Persons (pg. 473).
- The report of the UN Secretary-General on children and armed conflict, issued as a document of the Security Council (S/2019/509) documents the forceful recruitment of minors by PKK/YPG. According to the report, “the majority of the children [in Syria] were recruited and used by YPG/YPJ (313) operating under the umbrella of SDF. More than 40 per cent of the children recruited by YPG/YPJ (126) were girls, 20 of whom were below the age of 15 and 119 of whom served in combat roles.” (pg. 26-27).
- The Operation Inherent Resolve Quarterly Report to the US Congress on the period from July 1 to September 30, 2020 also acknowledges the fact that “the SDF has a history of recruiting child soldiers” (pg. 65).
- After the PKK/YPG suffered heavy losses of personnel due to defections among its ranks in October 2016, it started forcing children, including minors, of Arab families residing in Afrin and the surrounding region to join the ranks of PKK/YPG and forcefully relocated families who rejected to do so to Azez region.
- In October 2017, the “SDF” ordered the conscription of Arabs aged 17-32 into the ranks of PKK/YPG.
- In December 2017, after PKK/YPG and “SDF” factions took control of Manbij, they started to forcefully recruit underage boys and girls residing in Manbij into the ranks of PKK/YPG.
- Gender-based violence and rape of underage children is known to be common among the PKK/YPG factions. Duran Kalkan, one of the well-known ringleaders of PKK/YPG, is also known for sexually exploiting underaged girls recruited as a common practice.
- In Kamışlı (Qamishli) region, PKK/YPG forcefully separates minors from Arab families and sends them to a school in Qamishli/Kubur El Bid for political

indoctrination. After completion of political indoctrination, children are sent to PKK/YPG camps/bases for armed military training for 6 months. Following this method, minors as young as 13 years old are forcefully conscripted by PKK/YPG in Qamishli.

- In Haseke (Hasakah) region, PKK/YPG factions raid every household and forcefully detain children aged 15 and above using the pretext of “compulsory military service” or “duty of self-defense”.
- Forceful recruitment and conscription of underage children are common in all areas under the de facto control of the “SDF”. The “SDF” enacted a so-called “legislation” enforcing those over 18 years of age as of 4 November 2019 residing in Manbij, Qamishli, Amude, Hasakah and Raqqa to be conscripted among the ranks of the “SDF”. This was a form of amendment to the original arrangement (titled the so-called “Self-Defense Duty Law”) announced by the “SDF” on July 13, 2014, which compels each family residing in the areas under the de facto control of the “SDF” to provide one of its members for the participation in “the duty of self-defense” for six months. This period was later increased to 9 months in January 2016.
- Even female minors are reported to be abducted from their families in case a family does not have a male child.
- In July 2020, clashes occurred in Kafr Naya and Dayr Jamal villages located in Tel Rifat between PKK/YPG factions and families who were opposing forceful recruitment of their children, which led to the death of 3 Arab youngsters.
- According to the “Country Guidance: Syria” issued on 28 September 2020 by the European Asylum Support Office (EASO), “SDF and YPG use forced recruitment in addition to the ‘conscription’ system, in order to supplement their numbers”. There were documented cases of arbitrary arrest of those who continue their education or have medical problems. Arrests of those who attempted to avoid forced recruitment were reported. The individuals recruited were given training and were immediately dispatched for military purposes.
- EASO’s “Country Guidance: Syria” also contains information on the methods the “SDF” used for pressuring families of minors. According to said document, “There were also reports that the SDF was asking returning families to volunteer one man per family to join YPG, which deterred some families from returning to their homes. Some families chose to move from the areas under SDF in order to avoid reprisals, including arrest, for not accepting recruitment. IDPs in Mabrouka camp alleged that SDF forces were targeting certain families for forced recruitment and that families without sons were reportedly forced to pay USD 300 to SDF militants. Different sources stated that members of the Arab communities in areas under SDF control were also subjected to forced recruitment by the SDF. Arab fighters who refused to join SDF claimed that they have been subjected to harassment, arbitrary arrests, and confiscation of weapons and cars.”
- Again, according to the risk analysis of EASO, “SDF/YPG are non-State armed forces, therefore, non-voluntary recruitment by SDF/YPG, even if imposed under the ‘Duty of Self-Defence’, is considered as forced recruitment. Forced recruitment and child recruitment are of such severe nature that they would amount to persecution.” In fact, PKK/YPG is also known for threatening the families of forcefully conscripted minors in order to prevent those children from escaping from the ranks of PKK/YPG factions.
- According to the information gathered by the Turkish authorities, PKK/YPG and the “SDF” formed a militia force called “green berets” tasked with searching for those avoiding “duty of self-defense”. The militia called “green berets” is endowed with a large budget and has the “authority” to arbitrarily detain those who reject joining the ranks of PKK/YPG factions.
- In Hasakah, forcefully recruited minors are taken to an indoctrination camp called the “Youth Battalion” where they receive armed training before joining the ranks of PKK/YPG factions.

- PKK/YPG is known for engaging in illegal organ trafficking and selling abducted minor's organs in exchange of cash. According to the information gathered by the Turkish authorities, for purposes of organ harvesting, PKK/YPG abducts minors from IDP camps in areas under the de facto control of the "SDF" and transfers them to Manbij. In the tunnels dug by PKK/YPG in Manbij, children are first anaesthetized and then their internal organs are harvested, while the rest of their bodies are disposed of in cesspools.

2. Violations with regard to arbitrary detention, including torture and other inhuman or degrading treatment or punishment under detention and extrajudicial killings:

- Arbitrary arrests in the areas under the de-facto control of the "SDF" and PKK/YPG factions are commonplace as documented by various CoI reports including A/HRC/37/72 and the one titled "Detention in the Syrian Arab Republic: A Way Forward" dated 8 March 2018. As documented in various reports of the CoI, often times these arbitrary arrests are conducted against PKK/YPG opponents or those who reject forced conscription by PKK/YPG and "SDF" factions. Torture against political dissidents is common in the detention centers in areas under the de-facto control of the "SDF". As documented in the CoI report (A/HRC/37/72), family members of those who are detained by PKK/YPG factions or the "SDF" are often denied information regarding the whereabouts of their relatives as well as the reason of their arrest. Refusal of medical access to detainees as well as torture and cruel treatment of detainees in the detention centers in areas under the de-facto control of the "SDF" is common as documented by the aforementioned CoI report and others.

The following information with regards to arbitrary detention, torture and other inhuman or degrading treatment or punishment in detention centers in Syria were gathered by the Turkish authorities:

- In November 2017, PKK/YPG and the "SDF" started the practice of forceful recruitment in Deyr Ez Zor, Hasakah and Qamishli, while arbitrarily detaining those who objected this practice and subjecting them to cruel and inhuman treatment.
- In Manbij in January 2018, PKK/YPG factions arbitrarily detained many people of Arab origin following the VBIED explosion which killed 5 members of PKK/YPG. PKK/YPG factions killed 5 of the detainees and disposed of their bodies in a river in Karakozak region.
- In Manbij in April 2019, 12 people were arbitrarily arrested for being opposed to PKK/YPG and the "SDF" and were subjected to torture in detention.
- In Raqqa city in July 2019, civilians were arbitrarily arrested for resisting forced relocation by PKK/YPG and "SDF" factions. They were taken to detention centers operated by PKK/YPG and were killed in summary executions.
- In Raqqa city in September 2019, PKK/YPG factions and the "SDF" arbitrarily arrested approximately 200 civilians on the grounds that they were supportive of Turkey and the Syrian National Army. PKK/YPG and "SDF" factions also threatened the rest of the local population and subjected them to degrading treatment.
- In May 2020, PKK/YPG and the "SDF" conducted arbitrary arrests of those who were suspected of being opposed to the terrorist organization or of being supportive of security forces of the Syrian Interim Government (SIG), in order to avoid defections from PKK/YPG.
- Around 60 civilians, who went to Raqqa city from Operation Peace Spring area to take the central university entrance exam on June 19, 2020, were arbitrarily detained by PKK/YPG or "SDF" factions and forcefully recruited to fight for PKK/YPG.
- Around 120 civilians were arbitrarily detained by PKK/YPG or "SDF" factions during the peaceful protests in Deyr Ez Zor on August 4, 2020 following the death of Sheikh Mutashar Hifil, leader of the Ageidat tribe on August 2, 2020.
- In the detention center in Hasakah, around 40 civilians were arbitrarily detained on the ground that they rejected to join PKK/YPG or "SDF" factions. Those who were

detained in the said detention center were subjected to extreme torture, following which many were compelled to accept to join the terrorist factions linked with PKK/YPG.

- PKK/YPG or “SDF”-related faction named “113th Battalion” is known to torture detainees with electrical and other appliances in detention centers in areas controlled by the “SDF”.
- PKK/YPG or “SDF”-related factions arbitrarily detained members of Arab tribes, including minors, in the village of Kubbe (Qubbah) located in the east of the Euphrates River in order to recruit them in terrorist activities in the areas under control of the SIG authorities.
- Dissidents of PKK/YPG and “SDF” living in areas under the de facto control of the “SDF” are often arbitrarily arrested for allegedly spying or engaging in intelligence-gathering activities against the “SDF”. Those detainees, among whom are also minors, are often subjected to torture and other cruel treatment in detention centers.
- Forceful recruitment of minors by PKK/YPG and “SDF” factions have been documented in various reports by NGOs and international organizations as well as numerous news reports (please see the attached list of reports by NGOs and international organizations). Kanaan Barakat, one of the so-called “officials” of the “SDF”, admitted that the arrests were carried out for the purpose of recruitment¹.
- CoI report A/HRC/37/CRP.3 documents the fact that torture and cruel treatment are also common in IDP camps in the areas under the de facto control of the “SDF”. Information gathered by the Turkish authorities confirm that PKK/YPG and “SDF” factions forcefully indoctrinate minors in Al Hawl camp and recruit them to fight for PKK/YPG factions. This was also mentioned in various press reports including the one published by the German newspaper “Bild” in December 2019 by Björn Stritzel, which contains his findings after his interviews with German children detained in Al Hawl camp.
- In this context, PKK/YPG and “SDF” factions forcefully transferred approximately 100 minors aged 12-14 years old to the “Telesved” refugee camp which is located in west of Karachok Mountain in Hasakah region. An estimated 1800 women and children are held in the said camp by PKK/YPG and “SDF” factions. This camp is used as a political indoctrination and military training facility for the forcefully recruited minors.
- According to the information gathered by Turkish authorities, PKK/YPG and “SDF” factions recently engaged in activities which aim to extort money from families or close relatives of DEASH terrorists held in Al Hawl camp. For this purpose, PKK/YPG and “SDG” factions contact the families or close relatives of captive DEASH members, using the captives’ personal details (such as photos, ID and contact info), and ask for bribe or large sums of cash, promising to free the related DEASH terrorist in return.

3. Locations of illegal detention centers operated by PKK/YPG and the “SDF”:

- PKK/YPG or “SDF” factions operate open as well as secret detention centers in Ayn El Arab where civilians are arbitrarily detained on the ground that they are supportive of Turkey or the Syrian National Army, and are subjected to various types of psychological and physical torture.
- The building formerly used by the regime’s Ministry of Finance in Manbij was converted by PKK/YPG as of 2018 to be used as a center of detention, interrogation and torture. It contains three “torture rooms” where detainees are subjected to torture and other cruel treatment. In one of these rooms, there is an electrical system used for

¹ “Compulsory military recruitment in Jazira Region: SDF imposing their authority”
<https://english.enabbaladi.net/archives/2019/07/compulsory-military-recruitment-in-jazira-region-sdf-imposing-their-authority/#ixzz6fC4943Zo>.

torturing the detainees, and the other two are equipped with apparatus used for hanging and torturing the detainees.

- In Qamishli, there is a detention center called “Jerkin”, known to host illegally-detained persons for “being opposed to the Kurdish cause”. This detention facility is not accessible to lawyers or visitors, and even doctors are denied access for treating the ill and wounded among the detainees.
- PKK/YPG converted a hospital in Aziziyah district into an indoctrination and training center in February 2020. This center is one of the places where those who are forcefully recruited and conscripted are taken to before joining the ranks of PKK/YPG factions, and therefore used solely for military purposes.
- Presence of various secret detention centers are reported also in Derik, Qamishli, Hasakah, Shaddadah, Manbij, Raqqa, Tabqa, Tel Rifat and Ayn El Arab that are under the de facto control of the “SDF”.
- In Hasakah, there is an indoctrination camp called “Youth Battalion” where forcefully recruited minors are subjected to armed training before joining PKK/YPG. The number of children in this camp used to be approximately 250-300. However, this number recently dropped to around 70-80 following the counter-terrorism operations conducted by the Turkish Armed Forces and the Syrian National Army.

4. Reported numbers of victims of torture or other forms of cruel treatment that were identified among Syrians under temporary protection in Turkey:

- 1648 Syrians under temporary protection in Turkey reported that during their asylum process, they have been subjected to torture and other forms of detention-related cruel treatment in Syria prior to their arrival in Turkey.

5. Relocation of detainees to/from Syria:

- According to the testimony of one former PKK/YPG member who defected to Turkey (name withheld for security reasons) in January 2018, PKK/YPG abducted a number of people from Turkey to Syria, bringing them to a school building located on the road between Ayn El Arab and Raqqa city. This school building is still used as a secret detention center by PKK/YPG where detainees are often subjected to torture and other forms of cruel treatment which sometimes results in death of detainees.
- According to the information gathered by the Turkish authorities, forcefully recruited children from areas under the de facto control of the “SDF” are often transported to the PKK camps in Iraq, where they are indoctrinated and trained to fight in the ranks of PKK/YPG.

6. Questions with regard to the Turkish Armed Forces:

- The Turkish Armed Forces do not operate any detention facilities inside Syria.

List of the reports on PYD/YPG'S human rights violations

1. **Under Kurdish Rule - Human Rights Watch**
<https://www.hrw.org/report/2014/06/19/under-kurdish-rule/abuses-pyd-run-enclaves-syria>
2. **Syria: Armed Group Recruiting Children in Camps - Human Rights Watch**
<https://www.hrw.org/news/2018/08/03/syria-armed-group-recruiting-children-camps>
3. **Press Releases of World Council of Arameans**
<https://wca-ngo.org/wca-news/press-releases>
4. **We Had Nowhere To Go – Amnesty International**
<https://www.amnesty.org/en/documents/mde24/2503/2015/en/>
5. **Have the Syrian Kurds Committed War Crimes? – The Nation**
<https://www.thenation.com/article/have-the-syrian-kurds-committed-war-crimes/>
6. **Syria Crisis: Northeast Syria Situation Report No. 30 - UNOCHA**
<https://reliefweb.int/report/syrian-arab-republic/syria-crisis-northeast-syria-situation-report-no-29-1-31-october-2018>
7. **The PKK's Fateful Choice in Northern Syria - International Crisis Group**
<https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/176-pkk-s-fateful-choice-northern-syria>
8. **In Syria, U.S.-Backed Kurdish Fighters Face Trump's Withdrawal — And The Legacy Of Their Own Mistakes – The Intercept**
<https://theintercept.com/2018/12/28/syria-withdrawal-kurds-pkk/>
9. **The Forgotten Foreign Fighters: The PKK in Syria – Henry Jackson Society**
<http://henryjacksonsociety.org/wp-content/uploads/2017/08/3053-PYD-Foreign-Fighter-Project-1.pdf>
10. **Children and Armed Conflict – UN report**
https://www.un.org/ga/search/view_doc.asp?symbol=S/2019/509&Lang=E&Area=UNDO C
11. **Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017) and 2401 (2018) – UN report**
<https://undocs.org/S/2018/1041>