



## Mercenarism in Syria: Predatory Recruitment and the Enrichment of Criminal Militias

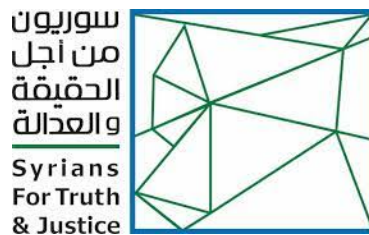


# Mercenarism in Syria: Predatory Recruitment and the Enrichment of Criminal Militias

May 2021



The Syria Justice and Accountability Centre



Syrians for Truth and Justice

## ***About the Syria Justice and Accountability Centre***

*The Syria Justice and Accountability Centre (SJAC) strives to prevent impunity, promote redress, and facilitate principled reform. SJAC works to ensure that human rights violations in Syria are comprehensively documented and preserved for use in transitional justice and peace-building. SJAC collects documentation of violations from all available sources, stores it in a secure database, catalogues it according to human rights standards, and analyzes it using legal expertise and big data methodologies. SJAC also supports documenters inside Syria, providing them with resources and technical guidance, and coordinates with other actors working toward similar aims: a Syria defined by justice, respect for human rights, and rule of law. Learn more at [SyriaAccountability.org](http://SyriaAccountability.org)*

## ***About Syrians for Truth and Justice***

*Syrians for Truth and Justice was conceived during the participation of its co-founder in the Middle-East Partnership Initiative (MEPI) Leaders for Democracy Fellowship program, who was driven by a will to contribute to Syria's future. Starting as a humble project to tell the stories of Syrians experiencing enforced disappearances and torture, it grew into an established organisation committed to unveiling human rights violations of all sorts. Since its establishment, STJ has had access to thousands of victims, documented hundreds of violations, and trained dozens of human rights activists. Its private database reflects this engagement and aims at contributing to the prospects for justice. Covering all areas of Syria, STJ has fostered its experience of documenting in a conflict zone in order to reach out to the population, hear their story, and collect evidence. Willing to enhance the Syrian civil society, we also implement capacity building projects in various topics, including digital security and civic engagement in order to transfer our skills and expertise to change-makers in the field.*

*Mercenarism in Syria: Predatory Recruitment and the Enrichment of Criminal Militias*

*May 2021, Washington, D.C.*

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*Cover Photo —A military parade featuring fighters from the Hamza Division, a faction of the Syrian National Army engaged in mercenary recruitment and accused of numerous human rights abuses, 2017 © Syrian National Army, Second Legion*

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A military parade featuring fighters from the Hamza Division, a faction of the Syrian National Army engaged in mercenary recruitment and accused of numerous human rights abuses, 2017 © Syrian National Army, Second Legion


# EXECUTIVE SUMMARY

# I. EXECUTIVE SUMMARY


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This report draws from new field research on the recruitment of Syrian mercenaries for combat in foreign conflicts in 2020. It discusses the relationship between the war economies and human rights violations in Syria and foreign conflicts by documenting three phenomena evident in Syrian mercenarism: predatory recruitment, labor exploitation, and the defrauding of families. It serves as an update to previously published analysis regarding the foreign recruitment of Syrian mercenaries by both Syrians for Truth and Justice (STJ) and the Syria Justice and Accountability Centre (SJAC). Although focused on the Turkish government’s recruitment of Syrian mercenaries for conflicts in Libya and Nagorno-Karabakh (since it has been the most active recruiter), the report also suggests where other parties have participated in this practice—including the governments of Syria, Russia, Libya, and Azerbaijan. The report is organized by the practices referenced above rather than geographic region, as field research has revealed similar dynamics across the different conflicts to which Syrian mercenaries have been party. After providing details, testimony, and analysis relevant to each theme, the report concludes with a set of political and legal analyses and recommendations.

**ESEN03**  
Turkish Air Force




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**GZT**  **N/A**  
GAZIANTEP  
+02 (UTC +03:00)

ACTUAL **4:40** hrs ESTIMATED -

AIRCRAFT TYPE (A400)  
**Airbus A400M-180**



REGISTRATION **15-0051** COUNTRY OF REG. 

SERIAL NUMBER (MSN) **051** AGE (FEB 2017) **3 years**

 Recent 15-0051 flights 

CALIBRATED ALTITUDE **19,975 ft** VERTICAL SPEED **0 fpm**


GPS ALTITUDE **N/A** TRACK **309°**



 Speed & altitude graph 

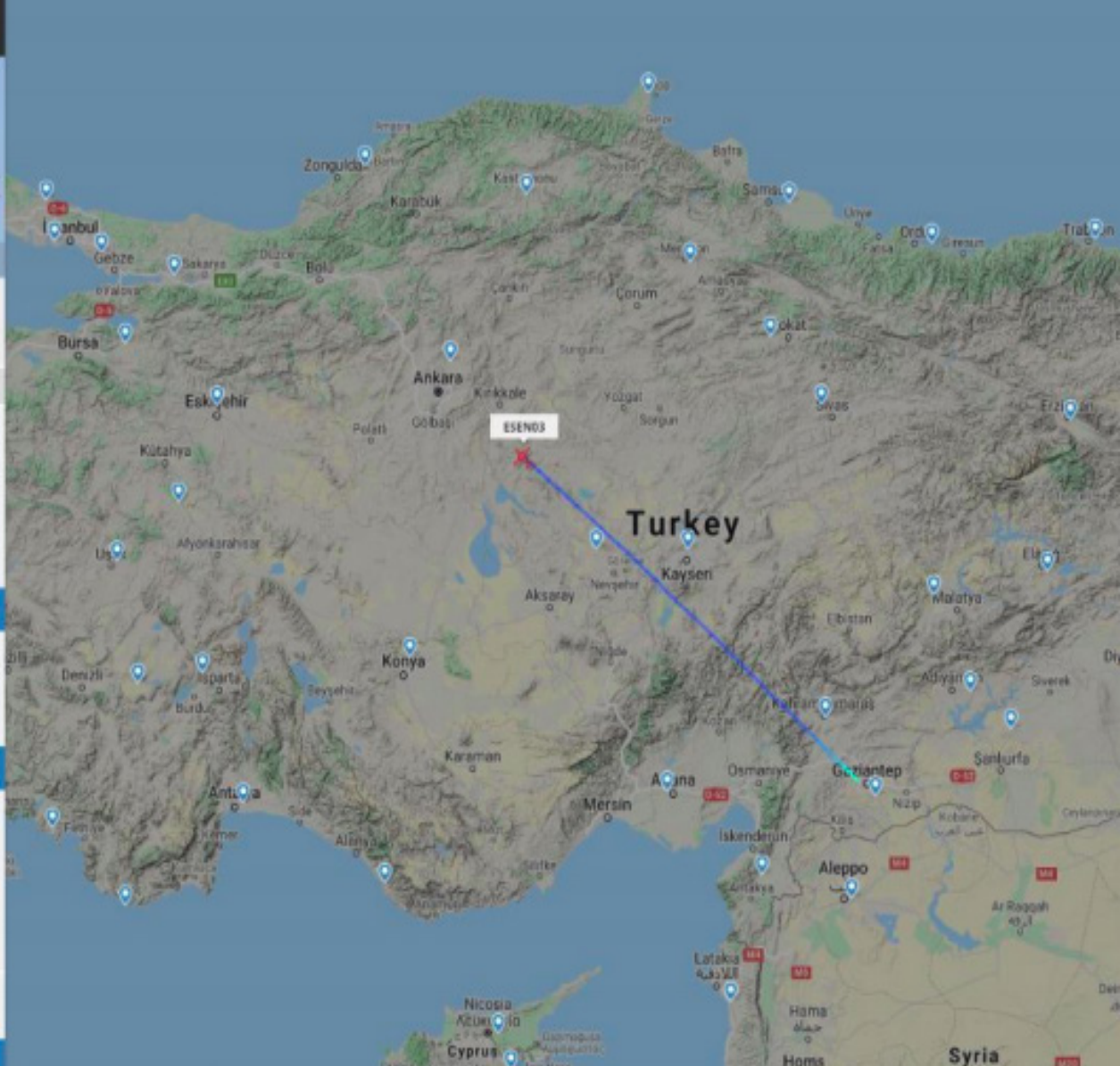
GROUND SPEED **389 kts** TRUE AIRSPEED **N/A**

INDICATED AIRSPEED **N/A** MACH **N/A**

WIND **N/A** TEMPERATURE **N/A**

FIR/UIR 

 Data source - ADS-B 



The flight path of a Turkish military aircraft on September 22, 2020, bound for the Turkish-Syrian border for the likely purpose of transporting Syrian mercenaries to Azerbaijan, 2020 © FlightRadar24

# Introduction and Research Methodology Overview



## II. Introduction and Research Methodology Overview

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The recruitment of Syrian mercenaries for combat in foreign conflicts has been widely reported in international media for the past several years. Early reports focused on the presence of Syrian fighters in the Libyan conflict after it came to light in 2019 that the Russian private military security contractor (PMSC) Wagner Group coordinated with the Syrian government to bring thousands of Syrian soldiers to aid the Russian-backed General Khalifa Haftar and his Libyan National Army. Haftar's April 2019 offensive against territory held by the Turkish-backed Government of National Accord (GNA) compelled Turkey to redeploy its proxies in the Syrian National Army (SNA) for the purposes of countering Haftar's forces. Turkey had originally funded and directed the SNA in the context of the Syrian conflict, against both Syrian government forces and Kurdish-led forces like the People's Protection Units (as in Operation Olive Branch of 2018). In late 2019 and early 2020, however, Turkey began to use the SNA outside the Syrian context. During this time, international press sources reported the arrival of several thousand SNA fighters in Libya, where they successfully repelled Haftar's offensive and defended economic arrangements that Turkey had recently established with the GNA.<sup>1</sup> Many SNA fighters subsequently left Libya, although some stayed through successive attempted ceasefires and the tentative initiation of peace talks in November 2020.

Turkey again turned to mercenarism in hopes of replicating its apparent success in Libya, amid an escalation in the longstanding dispute between Armenia and Azerbaijan over

the ethnically Armenian, administratively autonomous region of Nagorno-Karabakh. Throughout September 2020, Turkey conducted a recruitment drive to bring hundreds of Syrian fighters to Nagorno-Karabakh to bolster Azerbaijani forces in their ultimately successful bid to recapture the territory.<sup>2</sup> In the same period, many individuals came to Nagorno-Karabakh to fight on the side of Armenia. Many were [Armenians residing abroad](#) and came of their own accord, but there were also reports that Russia [continued to coordinate](#) with the Syrian government to bring fighters from the Syrian Arab Army (SAA) - possibly to bolster Armenian forces.<sup>3</sup>

The deployment of Syrian mercenaries in Libya and Nagorno-Karabakh, whether by the Turkish or Russian governments, should be seen in light of two broader phenomena. The first is the growing popularity of mercenarism among regional and international powers as a means of displacing the material and political costs of military intervention in the Middle East and North Africa onto mercenary soldiers. Local and western media sources have reported on this practice in a range of conflicts in the region, including in Afghanistan and Iraq, where the U.S. relied on multinational PMSCs to execute military operations,<sup>4</sup> in Syria, where Russia dispatched Chechen soldiers against opposition forces,<sup>5</sup> and in Yemen, where the UAE continues to employ Sudanese fighters.<sup>6</sup> This phenomenon has generated extensive discussion and concern about the difficulty of holding mercenary forces—as well as the States that contractually engage them—accountable for violations of IHL and human rights.<sup>7</sup>

The second phenomenon is of more direct concern to Syrian human rights organizations: the humanitarian suffering across Syria that makes mercenarism one of the only feasible options for material compensation for an entire generation of young Syrians who have grown up in conditions of extended war and displacement. Rather than focus on the alleged ideological commitments of fighters that typically feature in geopolitical analyses of Syrian mercenaries, here we highlight the material desperation among fighters and their families that has driven so many to enlist for combat abroad. These conditions frequently have only been intensified by the exploitative nature of mercenary recruitment and compensation. It is important to document these war economies given that this predatory recruitment of mercenaries has enriched and strengthened some of the most criminal factions that make up the SNA. Efforts to

prevent their gross and widespread violations of human rights in Syria will therefore be helped by parallel efforts at holding them, and the PMSCs and states on which they are dependent, accountable for their abuses in the territories to which they have been dispatched.

The research for this report was primarily conducted for STJ's reports on Syrian mercenaries in particular conflicts. These reports drew on digital forensic investigations to document the physical movement of Syrian fighters to Libya and Nagorno-Karabakh, as well as dozens of digital and in-person field interviews that were conducted between April 2020 and March 2021 with individuals with firsthand knowledge of dynamics of recruitment, combat, and compensation. Additionally, we examined open-source information and press reporting relevant to the topic.



A map depicting the territorial gains that Azerbaijani forces achieved in the conflict over Nagorno-Karabakh with the help of Syrian mercenary fighters, 2020 © Wikimedia Commons

## Background: PMSCs, the SNA, and Foreign State Officials

### III. BACKGROUND: PMSCs, the SNA, and Foreign State Officials

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Over the last year, first in Libya and then in Nagorno-Karabakh, Turkey's recruitment of Syrian mercenaries has proceeded through both local militias and formally incorporated PMSCs under close supervision of Turkish authorities in Northwest Syria. Militia leaders in the SNA have taken on the task of recruiting fighters on the ground while still receiving funding and overall direction from SADAT Defense Consultancy, which itself maintains close ties with former and current commanders in the Turkish military.<sup>8</sup> The relationship between the SNA, SADAT, and the Turkish military has grown out of the history of Turkey's successive interventions into the Syrian conflict, especially the Euphrates Shield and Olive Branch campaigns of 2016 and 2019. SADAT founder Adan Tanriverdi had openly pushed for these campaigns, which saw Turkey overtly direct the deployment of SNA fighters alongside its own armed forces. In the same years, SADAT cultivated commercial ties with the same Libyan military actors that would come to form the UN-recognized GNA, laying the basis for its role in transferring SNA fighters to Libya from late 2019 onward. SADAT has been responsible for the international air transport of mercenaries once they crossed into Turkish territory via the Hawar Kilis border crossing, and the direction of these mercenaries in combat operations in Libya itself. SADAT has played a similar role in the mobilization of mercenaries for the conflict in Nagorno-Karabakh, principally by transporting SNA fighters on military aircraft from Gaziantep to air bases near Ankara and Istanbul and then to combat zones; and subsequently overseeing their deployment in cooperation with Azerbaijani military officials.<sup>9</sup> In public statements to the media from

October 2020, SNA officials acknowledged that the Turkish government pushed for recruitment to Libya but denied that the same had been the case in the run-up to Nagorno-Karabakh;<sup>10</sup> they alluded only to the role of unnamed "Turkish security companies" in recruiting individual Syrian mercenaries, not whole SNA factions as such. In this regard it is important to note that, in the latter half of 2020, SNA sources did mention monthly meetings between SNA faction leaders and the Turkish military and intelligence authorities placed in various towns in Northwest Syria. Yet given the well-established links between SADAT and high-level AKP figures in the Turkish military and political apparatuses (most importantly Erdogan himself), this does not suggest that the role of PMSCs like SADAT have diminished.

On the ground in Northwest Syria, SNA factions have been instrumental in the initial recruitment process. To an extent, this relationship parallels the prominent role played by the Russian military itself in the redeployment of Syrian government forces to combat zones abroad, initially to Libya and then to Nagorno-Karabakh. At the same time, SNA mercenaries work alongside the institutions and armed forces of other states like Libya. Furthermore, actors outside the SNA have also been drawn into the war economies that have developed around processes of military recruitment and procurement.

Turkey's recruitment of Syrian mercenaries for combat in Libya in the second half of 2020 and for Nagorno-Karabakh has been managed generally through SNA faction leaders who monopolize particular corps

within the SNA. According to a career officer in the SNA, recruitment from the First Corps is subject to the control of Muhammad Jassem (Abu 'Amsha) of the Suleiman Shah Brigade. Recruitment from the Second and Third Corps is controlled by the Sultan Murad Brigade, the Hamza Division, and the Mu'tasim Division. Other factions important in recruitment include the Glory Corps (Faylaq al-Majd), and the Sham Legion (Faylaq al-Sham) As Columbia University's Institute for the Study of Human Rights has explained in its overview of the conflict in Nagorno-Karabakh, the leaders of these factions carry egregious human rights records: Abu 'Amsha and the Suleiman Shah Brigade of rape, looting, and property confiscation; Fahim Issa and the Sultan Murad Division of torture and shelling of civilians; and Sayf Balud and the Hamza Division of kidnapping.<sup>11</sup> These atrocities are consistent with the general conduct of the SNA that the United Nations Independent International Commission of Inquiry (COI) noted in a recent report on the situation in Syria.<sup>12</sup>

The formal registration of fighters for mercenary work abroad often occurred at the headquarters of these factions. These factions each reportedly received 100,000 USD in

exchange for their work in recruitment. A fighter in al-Waqas Brigade with whom our field researchers spoke prior to his departure to Libya in early July confirmed that the wages offered in this period of recruitment were broadly similar to what was reported in Libya earlier in the year: 2,500 USD per month, not including bonuses and compensation in the event of injury or death. The formal range of monthly salaries available to fighters in Nagorno-Karabakh was slightly lower (1,500-2,000 USD) but in fact went lower than that, as we explain below, due to systematic wage theft and the mediated channels of recruitment. Recruitment for Libya has continued even after hostilities between the GNA and Haftar's forces subsided somewhat. As an officer in the military police in Afrin told our field researchers, Turkey has sought to provide technical training to Libyan military and police forces by recruiting officers who defected from the SAA to serve in an advisory rather than combat capacity. Over time in Libya, according to a 60-year-old fighter who was originally displaced from Hama and spoke with our field researchers in March 2021, Libyan authorities came to pay wages to the SNA factions while Turkish military figures played a more technical and advisory role.



SNA fighters wearing what digital forensics investigation ascertained to be the uniform of Azerbaijani border guards, 2020  
© Syrians for Truth and Justice

In addition to SNA factions and defected SAA officers, Turkey has also sought to draw from members of the Free Police of Afrin (al-Shurta al-Hurra fi 'Afrin) to work alongside Libyan law enforcement. According to an official in the FPA who spoke with our field researchers, there have been two kinds of offers made to FPA members: either to sign a contract to go to Libya individually for up to a year, or leave for Libya permanently with their families, all of whom would receive Libyan citizenship. The FPA official told us that:

*as police [in Syria], we fall completely under Turkey's authority when it comes to salaries, tasks, and appointments. We were asked to send units to work as police in Libya alongside the Government of National Accord, and establish security in the cities under its control. Going there is voluntary, with contracts lasting either six months or a year; or on a permanent basis, which is what's required for Libyan citizenship. About 600 men from the Free Police left [for Libya] in two batches, with the first leaving on June 24, 2020 and the second on July 17, 2020; among these, about 60 men left with their whole families. Their tasks were distributed among the civilian, criminal, transportation, and peace-keeping branches of the police. These officers received training in the police academy in Tripoli alongside Libyan police before they were assigned tasks. They fall entirely under the purview of the Libyan Ministry of Interior.*

In such capacities, and with the approval of Libyan state officials, these particular Syrian mercenaries are effectively playing governance roles in Libya. The same is true of the Syrian women who have been brought to Tripoli to provide training to members of the Libyan Women's Police and Libyan medical personnel. Contracts for training female medical and police personnel have promised monthly 2,500 and 2,000 USD monthly salaries, respectively.

Additional Protocol I of the Geneva Conventions in Article 47 defines a mercenary as someone who: "(1) is especially recruited in order to fight in an armed conflict; (2) in fact takes a direct part in hostilities; (3) is motivated essentially by the desire of private gain; (4) is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict; (5) is not a member of the armed forces of a party to the conflict; (6) has not been sent by a State which is not a party to the armed conflict on official duty as a member of its armed forces." As this report explains, the very basic presence of Syrian fighters in Libya and Azerbaijan meets each of these requirements and violates international law as expressed in the Montreux Document. Yet as the next sections explain, the reality of mercenarism in Syria over the past year is even more predatory, exploitative, and destructive for Syrians than official portrayals would suggest.



Syrian fighters captured by the Russian-backed Libyan National Army (LNA), 2020 © LNA media

## **Predatory Recruitment: IDPs, Children, and Precarious Incentives**

## IV. PREDATORY RECRUITMENT: IDPs, Children, and Precarious Incentives

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### IDPs

In profiting from the commissions on recruitment, SNA leaders have depended on the dire humanitarian conditions in Northwest Syria that make mercenarism an appealing option for many residents. As a fighter from the Levant Front told our field researchers, it was poor living conditions rather than any ideological commitment, that drove him to enlist for combat in Azerbaijan: “I have many children, and my daughters have grown up without me being able to provide for them. [Here in Syria] the Levant Front pays me just 400 Turkish Lira every 50 days, so I decided to go to Azerbaijan to secure a decent and dignified life for my family.”

One reason the recruitment has been so predatory arises from SNA leaders’ reliance on a network of brokers (*samsara*), who act as middlemen between them and individual recruits. These brokers have been especially active in the recruitment of fighters or civilians unaffiliated with a particular faction. One such broker who registered fighters for Azerbaijan explained to us that

*[t]hose who want to go to Azerbaijan can register directly at one of the headquarters of the Sultan Murad Division or the Glory Corps (Faylaq al-Majd), in the Olive Branch areas; or through people who have strong ties with the Turkish intelligence. In Idlib and the displaced persons’ camps, the Sham Legion/ Faylaq al-Sham is primarily responsible for the registration process: civilians and military personnel came individually or in groups to registration centres, giving their ID information and their phone numbers, to be contacted later.*

Recruitment for Azerbaijan from within internally displaced persons (IDP) camps was consistent with previous practices Turkey employed to acquire mercenary fighters. Prior to the initiation of the recruitment process for the conflict in Azerbaijan, Turkey was also reportedly hiring brokers to recruit fighters for the Libyan conflict from among IDP camps in Idlib; they earned between 100 and 300 USD for each group of fighters they were able to procure.<sup>13</sup> The continued recruitment of mercenaries for post-conflict Libya has also occurred in IDP camps. Turkey has sought out officers who defected from the Syrian military to work in Libya as military instructors. Some of these officers are affiliated with the SNA, while others had previously refused to join the SNA and were residing in refugee camps in Turkey.

Amid such mediated recruitment practices, deception has been common.<sup>14</sup> For example, our field researchers spoke with a man named Abu Samer, who explained to our field researchers that “I registered to fight in Azerbaijan with my 18-year-old son, Samer, driven by our bad living conditions. They claimed that our task there would be guarding the Turkish bases, but we then discovered that was actually not true and that we would be taken to participate in combat; that is why me and my son decided not to go.”

### Child Soldiers

SNA factions and brokers have recruited some of the most vulnerable members of Syrian society for mercenary combat abroad, including children.<sup>15</sup> This practice follows the longstanding presence of child soldiers in the SNA.<sup>16</sup> According to a witness who spoke



with our field researchers, individuals from the Sultan Murad Brigade (such as Hamido al-Juhayshi) were most responsible for the recruitment of children. In June 2020, UN human rights experts expressed alarm over the recruitment of fighters under the age of 18;<sup>17</sup> this came despite the Syrian Interim Government's public ban on the recruitment of child soldiers.<sup>18</sup> Indeed, although international criticism compelled Turkey and the SNA to return child soldiers from Libya and impose stricter age requirements in the recruitment drive for Nagorno-Karabakh, the practice of hiring children has since continued. Yet other interviewees noted that disputes have broken out as recently as June 2020 between and among the Turkish government and SNA factions over the continued recruitment of children (e.g., Suleiman Shah and Falcons of the Levant brigades). We discovered further evidence of child recruitment in an interview with the family of an al-Hamzat fighter by the name of 'A. 'Uthman, who was killed in Libya in May 2020 at the age of 19 but was initially recruited into the faction when he was still a minor. A member of 'Uthman's family told us that "his poor mother took the news of his death very hard. He had spoken with her twice from Libya, to tell her that he was going to secure a better life for her."

Russia's recruitment of Syrian mercenaries for deployment in Libya and Nagorno-Karabakh has also involved similar dynamics of mediation and deception. Although the Russian-created Fifth Corps of the SAA is an important source of mercenaries, Russian forces have still had to depend on provincial brokers and tribal elites. This is especially the case in the provinces of Homs and Deir Ezzor. Our field researchers spoke with both military and civilian personnel who referenced brokers such as S. al-Harbi in eastern Homs and A. Abdul Mu'ti of the National Defense Forces in Palmyra, as well as tribal heads in Deir Ezzor like F. al-Haddar of the Bani Khalid tribal confederation. According to a captain

in the 5th Legion, these figures advertised the mercenary contracts in their areas on behalf of the 5th Legion and recommended lists of recruits to Russian forces. Contracts offered wages ranging between 1,000 and 2,000 USD depending on the fighter's specialty, though without compensation for injury or death. Payment has been issued either directly to the recruits or to brokers (who deduct a commission). Recruits were transported to the Russian-operated Khmeimim Air Base in Latakia before boarding flights to Armenia. The Fifth Corps captain admitted to our field researchers that those who were recruited to Libya but then rerouted to Nagorno-Karabakh "weren't entirely informed of the details of the process" and were not aware that their work assignments had changed so drastically. The exact role of the Syrians whom Russia brought to Nagorno-Karabakh remains unclear. At least some fighters, such as one 28-year-old member of the Syrian National Defense Forces whom our field researchers spoke with, were responsible for guarding military and logistics facilities. However, given that some fighters were already operating as mercenaries in Libya suggests that a combat role may have also been intended for them in Nagorno-Karabakh. This is bolstered by the testimony of families of Syrians who were brought to Nagorno-Karabakh by Russia and were subsequently killed in combat there, as discussed later in this report.

### **Precarious Incentives**

Deception is not the only instrument used to secure Syrian mercenary labor: there are also the many precarious and often illegal incentives that have been offered to induce Syrians to take on dangerous work. The most significant of these is the promise of foreign citizenship, especially the opportunity for fighters and their families to gain Turkish and/or Libyan nationality through a process of legal naturalization. There is a precedent for this political use of naturalization in the



*Members of the Free Police of Afrin onboard a Turkish military aircraft that will transport them from Turkey to Misrata, Libya, for the purpose of serving in police forces attached to the Libyan Ministry of Interior, June 2020 © Syrians for Truth and Justice*

Syrian conflict. In the context of its repeated interventions in Northwest Syria, the Turkish government offered citizenship to some members of the armed factions that eventually made up the SNA. In many cases, these were leaders of particular factions and came from an ethnically Turkoman background, while in other cases it was the families of those SNA fighters killed in combat in Syria who were reportedly offered Turkish citizenship.<sup>19</sup> This occurred in the wider context of the Turkish government issuing citizenship to tens of thousands of Syrian refugees present in the country under the exceptional citizenship law of 2017.

Offers of citizenship resurfaced in the past year as Turkey has moved to deploy Syrians in foreign conflicts. In the recruitment drive for the Libyan conflict that began in late 2019, the details of such offers appear to have varied according to military rank and the particular SNA faction that was involved. Some lower-level fighters, such as those in the Sultan Murad Division, were offered Turkish citizenship in exchange for going to Libya, while including fighters in the Levant Front (al-Jabha al-Shamiya), Turkish citizenship was to be granted to their families in the event of their death in combat. At least one family of a slain fighter from the village of Sharran in Afrin

district began the procedures of acquiring Turkish citizenship. In recent months, however, families of fighters slain in Libya have reportedly not received the Turkish citizenship that was promised. This was the case for the family of a mercenary who was recruited by the Hamza Division, despite him being below the age of 18.

SNA factions again offered Turkish citizenship alongside tiered salaries and bonuses to induce Syrian fighters to participate in the conflict over Nagorno-Karabakh. As one fighter based in Nagorno-Karabakh with the Sultan Murad Division told our field researchers,

*[t]hey offered us a monthly salary ranging between 1,500 and 2,000 USD, determined according to the fighter's specialty, in addition to compensation of 40,000 USD in the event of death, 30,000 USD in the event of an amputation of a limb and disability, and 15,000 USD in the event of serious injury (without amputation); this is alongside promises to give Turkish citizenship to the families of the dead, although we don't know the extent to which these promises are genuine.*

As of mid-October 2020, we could not confirm if the fighters who went to Nagorno-Karabakh or their families have indeed received Turkish citizenship. Given the systematic defrauding of SNA fighters by division leaders and recruitment brokers, this should be investigated further.

In addition to Turkish citizenship, mercenaries have also been offered Libyan citizenship. We have documented this practice specifically with regard to the FPA members who moved to Libya to provide security services on behalf of the GNA and brought their families with them. Those who left with their families received Libyan citizenship immediately. One member of the FPA who accepted the offer of permanent relocation and citizenship for him and his family noted the direct involvement of Libyan state institutions in this process.

According to statements provided to our field researchers, he was among the “approximately 150 members of the civil police [the FPA] who got to Tripoli on July 24, 2020 and received Libyan citizenship and all related personal identification documents.” He went on to explain how “there is a Libyan who handles the procedures involved in transferring the documents from the Civil Registry Authority in the presidential building in Tripoli. The Libyan documents and passports first go to the Civil Registry in the al-Hadba region, before being authenticated by Fathi Bashagha, the Interior Minister under Fayez al-Sarraj.” Although the FPA recruits are legally Libyan citizens working under the direction of the Libyan Ministry of Interior, we understand that they and their families remain somewhat sequestered as a community in a Syrian residential area established in the neighborhood of Nakhbat al-Diyar in the district of Salah al-Din south of Tripoli, and their children are now enrolled in private Libyan schools free of charge. The FPA members themselves have received monthly salaries of 5,000 Libyan dinars, health insurance, and free education for their children at the local al-Manhaj al-Qadim school.

Similar offers have been accorded to those Syrian women who have been recruited for medical and police training work in Libya. One woman who spoke to our field researchers, H.H., said that in May 2020 she had received medical training in Turkey at the Antalya Governmental Hospital, alongside fifteen other Syrian women and with assistance from the Turkish Red Crescent. Although they were initially instructed to provide frontline medical care to al-Hamzat fighters, she and other Syrian nurses refused this assignment and have remained at the Tripoli Hospital. Given that the hospital covers all of her living expenses and there is a possibility of acquiring Libyan citizenship, H.H. said that “I don't ever plan on returning to Syria. The situation is much better here and so I am thinking of bringing my family [from Syria].”

Yet, even if some mercenaries have indeed been rewarded with naturalization, it is nevertheless in exchange for extremely precarious and dangerous work—under the auspices of Libyan and Turkish state officials and PMSCs that have disregarded their human rights and those of the populations they are now policing. The very fact that Syrians are willing to take these precarious offers of foreign nationality suggests how desperate many are to escape the dire humanitarian conditions in Syria. The fragile and precarious status of Syrian mercenaries abroad has been borne out by the treatment they have received after being captured in combat in Libya and Nagorno-Karabakh. According to fighters still in Libya as well as those who have recently returned, beatings and torture are routine in prison camps affiliated with Haftar’s LNA. Moreover, as

mercenaries, Syrian captives do not enjoy the standard protections under international law afforded to prisoners of war; and furthermore, although prisoner swaps do occur, some SNA fighters have even been returned to territory held by the Syrian government where they face extreme danger as individuals associated with the opposition-aligned SNA. In Armenia, meanwhile, SNA mercenaries captured during the conflict over Nagorno-Karabakh have been convicted on terrorism charges in closed, rapid-fire prosecutions that have likely not met international due process standards.<sup>20</sup> Finally, as the report explains below, it is clear that many mercenaries and their families have not been as fortunate as those who received citizenship and other promised benefits. They have instead been met with disappointment and heightened insecurity as factions and



A member of the Free Police in Afrin, identified as Abu Saraqib, standing near Syrian mercenaries serving in Libyan police forces attached to the Libyan Ministry of Interior, Tripoli, Libya, July 13, 2020 © Syrians for Truth and Justice

## Exploitation: Wage Theft, Forced Recruitment, and Violations Abroad

## V. EXPLOITATION: Wage Theft, Forced Recruitment, and Violations Abroad

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### Wage Theft

The mediated and dispersed nature of recruitment and procurement work between different SNA factions has led to greater exploitation and violence, both among the Syrians who are compelled to fight abroad and between them and the local communities where they are now a fixture. A major form that this exploitation has taken is the systematic wage theft that we documented, as individual fighters were regularly defrauded by senior SNA figures. In Libya, the practice reportedly began after the drawdown of hostilities in summer 2020. A Syrian member of Muhammad Fatih Brigade who traveled to Libya with the Sultan Murad division explained how

*[a]fter the combat was over and things calmed down, the leadership of the Sultan Murad Division tried to seize the wages of the Syrian fighters who were working under their command. We went three months without being paid, and after we each asked for an advance of 300 USD they only gave us 100 and kept the rest. It was Sami Abu Abdo (deputy leader of the division), Fahim 'Issa, and the leader Hamido al-Juhaishi who were behind this.*

It is significant that mercenaries who had been in Libya reported wage theft particularly after the most intense fighting had subsided. The timing is a reminder that elements of the SNA, like many other parties to the Syrian conflict, actually have a vested material interest in the perpetuation of hostilities.<sup>21</sup> Armed violence, first in Syria and now in foreign battlefields, has become a critical source of income for militia groups. When violence ceases, therefore

so too does that revenue—quite literally in the case of the commissions that SNA leaders and brokers earned from Turkey in exchange for recruitment work.

In Nagorno-Karabakh, meanwhile, wage theft also arose as Turkish funding cascaded through various private brokers and SNA factions that often offered slightly different contracts. Whereas the initial batches of fighters in Libya in early 2020 received written contracts from recruiters, by the time of recruitment for Nagorno-Karabakh there were only verbal promises being made to recruits. This informality has clearly contributed to the patterns of exploitation described here. One broker told our field researchers that in the recruitment drive for Nagorno-Karabakh, Turkey nominally proposed three- or six-month contracts with fighters that stipulated monthly salaries of 3,000 USD and compensation to families totaling 75,000 USD in the event of a fighter's death. The broker explained, however, that the armed group would not give all this money to the fighter. Rather, it withheld part of the money in exchange for giving him immediate approval to travel and circumvent health requirements that Turkey nominally imposes. The broker added that “the armed groups always breach the contracts and give the fighters salaries between 800 to 1,400 USD. A fighter receives just 300 USD in Nagorno-Karabakh, and the rest of the money is given to his family in Syria.” Furthermore, the cash payments were often made in Turkish liras rather than U.S. dollars as had been promised. Each of the armed groups competed to register the largest number of fighters in order to appropriate part of their salaries or the financial support

provided to them by Turkey. A witness residing in Northwest Syria with whom we conducted an online interview elaborated on this phenomenon:

*I went to the headquarters of the Sultan Murad Division with 20 young men, and expressed our interest in going to Azerbaijan. They offered 1,400 USD as a monthly salary to the fighter, 3,000 USD to the battalion leader, and 2,500 USD to his deputy. Then we went to the headquarters of the Suleiman Shah brigade and met the recruiting official, Hatem Diab, who said that they offer the fighter 1,800 USD, 4,000 USD to the battalion leader, and 3,000 USD to his deputy.*

### **Forced Recruitment and Violations Abroad**

In recent months there have even been reports of forced recruitment, specifically in Libya, with Turkey demanding periodic compulsory military service and weaponry procurement from SNA factions. Individual members of these factions face expulsion and displacement if they reject these demands. One fighter for the Suleiman Shah Brigade (Liwa' Sulayman Shah, formerly known as al-'Amshat) admitted to our field researchers that he and approximately one hundred others were expelled from the faction after refusing to take part in another military tour in Libya. "After we refused to travel to Libya, the Brigade dismissed us [from the unit] and expelled us from Shaykh al-Hadid, the area of Afrin under its control." Furthermore, they were forced to leave the originally Kurdish-owned properties in which they had been living and that were reappropriated by the faction. In cases where SNA factions refused orders to implement compulsory military service, as with the Levant Front (al-Jabha al-Shamiya), Turkey has subsequently withdrawn its financial support.

The nature of the mercenary war economies has also entailed the exploitation and expropriation of communities where Syrian fighters have been dispatched. In Libyan cities such as Tripoli and Misrata, where many Syrian mercenaries are stationed, the competition for recruitment and procurement contracts among SNA factions has led to internecine violence and numerous human rights violations. The witness from the Muhammad Fatih Brigade said that on July 17, two fighters from the Hawks of the Levant Brigade (Liwa' Suqur al-Shamal) were killed in a confrontation stemming from the division of resources, and that a month prior an officer in Sultan Murad Division, Abu Hammouda 'Azizi, had also been killed in clashes arising from issues related to the cost of currency exchange rates. Rights violations have often taken the form of looting, the seizure of civilian land and property, and sex trafficking. According to a member of the Sultan Murad Division, there is also widespread weapons trafficking since

*any member [of a militia] can just take a weapon and sell it, but the person who does this the most is the head of the Mu'tasim Division while the one most active in selling ammunition is A.J., the head of the Hamza Division. On top of that, the leaders of some Libyan groups are using Syrians in attacks on [private] homes, on the pretext that their residents are collaborators [with Haftar and the LNA]. The Syrians regard the robbing of these homes as part of the just spoils of war, since they are [allegedly] the property of collaborators.*

Such conduct echoes the war crimes that SNA factions have been accused of committing in Northwest Syria since 2016.<sup>22</sup> Where SNA factions have pillaged and expropriated properties in the Northwest belonging to alleged "collaborators" with the Kurdish-led SDF, they are now doing the same to those who have ostensibly collaborated with other opponents of the Turkish government outside Syria—even if they are in fact civilians.<sup>23</sup>



A displaced family in Idlib © Damascus Voice

# Defrauding Families



## VI. DEFRAUDING FAMILIES

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Mercenary recruitment has broadly deleterious effects on the social and material conditions of women and children left behind in Syria. While some families have obviously benefitted (e.g., those who received Libyan citizenship), for most of the families with whom we spoke mercenarism had only led to greater economic precarity and social dislocation in their households. It has generally entailed the departure of men who are often the sole breadwinner, an absence that can prove catastrophic in the dire humanitarian context of Syria, where over 60% of the population suffers from malnutrition. For example, 22-year-old Umm al-Bara' and her 2-year-old child were forcibly ejected from an IDP camp in Afrin by her husband's family after it came to light that he left to fight in Libya. Umm al-Bara' told our researchers that at first she had no idea that her husband, who like her originally hails from the countryside west of Hama, had even left for Libya:

*[i]nitially he was away from home for 15 days; this was when he was enlisting in the Suleiman Shah Brigade in Afrin. Then, unexpectedly, he was gone more than a month without us knowing where he was. Out of nowhere one of his friends told us that he had traveled to Libya, at which point his family demanded that we leave for my family's tent in Kfar Hum camp. They held me responsible for their son's departure to Libya and not telling them about his plan to do so—even though I hadn't known anything about it. I hope my husband comes back [from Libya] alive, as the one time he contacted me since his trip he told me that the situation there is shocking. It was not as [the recruiters] had described it to him, and he is being forced to stay there for three months. There has been no news from him since then.*

The departure of fighters is, therefore, a source of social insecurity as well as economic desperation among the most vulnerable members of Syrian society.

Such dynamics are aggravated when the organizations that recruit mercenaries deceive families about the fate of fighters killed or capture abroad. This was evident in testimony from a displaced woman from Homs countryside who identified herself to our field researchers as N.H., and whose husband Hatem (a soldier who defected from the SAA's Fourth Corps) went to Libya with the Levant Brigade in early February 2020. In May, regular communication from Hatem suddenly ceased and N.H. eventually learned that he had been captured along with a dozen fighters from the Hamza and Sultan Murad Brigades. She and her family appealed to the Levant Brigade's commander in Idlib, Salil al-Haddar, who disavowed any responsibility or knowledge regarding Hatem but promised that Turkish security services would secure the prisoners. In fact, she heard nothing from Turkish authorities. In July, a relative of N.H. who works for the Air Force Intelligence in Homs confirmed that Hatem and the other prisoners had been transported to Syria and were being held in the Khmeimim Air Base. N.H. was also told that Hatem's injuries were not being treated, with his right foot still requiring treatment for the gun wound he suffered in combat. "We haven't gotten any new information about Hatem since then," N.H. told us as she now waits in an even more vulnerable position than before, while she and her family try to navigate the multiple authorities involved in Syrian mercenarism that each disavow their responsibilities to the families of fighters recruited without the protections afforded to prisoners of war who

are nationals. As is often the case with families of the missing or forcibly disappeared, waiting desperately for information allows for others to take advantage of families by claiming to offer information or even reunion with loved ones in exchange for compensation.

Families of Syrians who went to Nagorno-Karabakh with either the Turkish-backed SNA on the side of Azerbaijan or at the behest of the Russian-backed Syrian government on the side of Armenia, were similarly confused and often misled by recruiters. Like the recruits themselves, families interviewed by our field researchers were not provided any information as to the true destination of their brothers, husbands, and fathers. Many parents were shocked to hear that their sons were fighting in Nagorno-Karabakh, when they had believed them to be in Libya. One such parent, the mother of a fighter (identified only as J.S. and unexpectedly sent to Nagorno-Karabakh) described how

*[w]e were in dire need of money, so my son sought out [the broker] S. al-Harbi's office with the intention of joining his armed group (the al-Harbi Brigade). There, they persuaded him to traveling to Libya after pointing to the lucrative salary. He registered his name but was not deployed immediately. He was called up on September 15th and notified that a flight would soon head to Libya. My son left home the next day. On September 18th he called us from Khmeimim Air base from an officer's cellphone and said that he had been tasked with protecting vital facilities in Libya; that was the last time we heard from him. Later, people from al-Harbi's office told us that my son and other young men had been transferred to Armenia instead of Libya, claiming that they were short on fighters there. We went to the office to inquire into his whereabouts and were told that he would return when his national duty had been fulfilled. They assured us that he already received two months' wages and was still in Armenia.*

While J.S.'s mother believes him to still be alive, at least ten Syrians recruited by Russian forces have been killed in combat. Some of their family members received their bodies, while other family members were instructed to retrieve them from the Homs Military Hospital or the Deir Ezzor Airport; it is not yet clear if they were ultimately able to do so.

In other cases, the deaths of dozens of SNA mercenaries in both Libya and Nagorno-Karabakh were confirmed, yet issues of compensation have arisen for their families. The full citizenship and financial compensation promised to the families of recruits who died in Nagorno-Karabakh and Libya has either been partly withheld by SNA factions or not materialized at all. The family of 'Uthman, for example, still has not received Turkish citizenship almost a full year after his death. Indeed, the recruitment broker with whom STJ spoke acknowledged that the factions have only given some families 50,000 USD out of the 75,000 USD promised in the contracts. Interviews with families of slain fighters have revealed that in some instances not even these reduced amounts have been paid to them. For example, the mother of a 30-year-old SNA fighter identified as Yassin J. who was killed in Libya in June 2020, told our field researchers that he

*is my eldest son and the only one who provides for me. Immediately after his wedding, he told me and his wife that he had taken an offer to Libya to fight with the SNA. He had only been married a day when he traveled to Libya and was killed there after just a week there. He left his wife after just a day, and his body came back to us after only a week. It was delivered from Libya to Turkey, where his brothers brought it from the Jarablus crossing and I saw it was covered with shrapnel marks. Afterward we buried him in Karameh camp north of Idlib. We have not received any financial compensation, not even a lira, nor citizenship.*



The United Nations Security Council considers the situation in Syria, New York, October 2019 © United Nations

# Political/Legal Analysis and Recommendations

## VI. Political/Legal Analysis and Recommendations

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Various external parties to the Syrian conflict have long funded proxy forces inside Syria to serve their own geopolitical interests. The recruitment of Syrian mercenaries for armed conflicts outside the country represents an extension of this practice, as well as an expression of the general humanitarian desperation in Syria which has deepened amid the economic and public health crises of the past year. Mercenarism also shows no signs of abating, despite the drawdown of conflict in Libya and Nagorno-Karabakh and the fact that it has resulted in the deaths of hundreds of Syrians as of December 2020.<sup>24</sup> New hotspots across the region and beyond will offer more opportunities for international powers to subsidize their geopolitical interventions by leveraging humanitarian suffering in Syria.<sup>25</sup> Finally, the local war economies that have emerged add more incentive to continue this practice. Yet, if the deployment of Syrians abroad reflects the internationalization of the Syrian conflict, it also implicates a number of States and international actors. They are responsible for ending the practice in accordance with multiple conventions and mechanisms of international law.

As described in this report, the recruitment and conduct of Syrian mercenaries clearly violate various international agreements. It is first and foremost a violation of the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries. Several States involved in Syrian mercenarism are already signatories to this Convention, yet they ignore the obligations it entails, including Libya, Azerbaijan, Armenia, and Syria. Turkey and Russia should accede to this Convention and cease their recruitment of Syrian mercenaries. In Libya specifically, Turkey and Russia's

deployment of armed Syrian fighters constitutes a violation of the UNSC arms embargo on Libya. Additionally, the ICC's open investigation in Libya means that Turkish and Russian officials and commanders could be subject to international prosecution for the conduct of Syrian mercenaries they are directing there. That ministers and bureaucratic offices in the Libyan state are involved in granting citizenship to Syrian mercenaries should further implicate the GNA in violations of international law.

Finally, whether in the case of Libya or Nagorno-Karabakh, the continued involvement (to varying degrees) of PMSCs like SADAT and Wagner Group in Syrian mercenarism implies distinct legal responsibilities stemming from the PMSC "best practices" laid out in the Montreux Document. Turkey and Russia (as both Home and Contracting States), in addition to Libya and Nagorno-Karabakh (as the Territorial States) should be held to these standards. For example, the abuses of the SNA that we documented in Libya could implicate SADAT, and hence Turkey and Libya, for the failure to properly select and authorize PMSCs to abstain from involvement in "serious crimes," such as violent crime, sexual offences, violations of international humanitarian law, and corruption. The presence of Russian captives in prisoner swaps likely suggests a continued role for PMSCs like the Wagner Group in mercenary recruitment and conduct, even as this may not be clear to many mercenaries themselves.

The deployment of Syrian mercenaries represents one aspect of an extremely complex and expansive problem which war economies that first emerged in Syria now pose for the international enforcement of human rights. Accordingly, there is a wide range of victims

and perpetrators of human rights abuses, from families of mercenaries in Syria itself to civilians in Libya and Nagorno-Karabakh. Ensuring that these victims receive some measure of redress and perpetrators are held accountable raises the possibility of a variety of justice processes and social interventions at multiple jurisdictional levels. These should be seen as mutually reinforcing, however, given that mercenarism abroad is serving to enrich and strengthen some of the most criminal armed groups in Syria itself, particularly

Turkish-backed groups in the Northwest. Holding these groups, and the states that contract them, accountable for their actions in Libya and Nagorno-Karabakh will support efforts to prevent violations in Syria itself. Ultimately, a just and sustainable solution to the problem of Syrian mercenarism must address the desperate humanitarian conditions that are driving thousands of Syrians to pursue such dangerous labor in the first place, and the war economies that have developed as a consequence.

## Recommendations

*States should prevent the exploitation of Syrian mercenaries and ensure compliance with International Humanitarian Law.*

- Turkey/Russia: Cease the financing and recruitment, whether direct or indirect, of Syrian armed groups or individuals for the purpose of mercenary combat abroad. As an occupying power in Northwest Syria, Turkey is legally responsible for conducting impartial and independent investigations into the SNA factions that have engaged in predatory recruitment practices—including in IDP camps.
- Turkey/Russia: Ensure that the practices of PMSCs align with the principles described in the Montreux Document<sup>26</sup>, specifically in their engagement with Syrian armed groups they have been subcontracting. As states contracting PMSCs like Wagner and SADAT, they must respect international humanitarian law in determining the field of operations of these firms such that they do not take part in combat roles or carry out activities that should be the purview of states (e.g. supervision of Syrian captives in Libya).
- Turkey: Monitor and prevent mercenary recruitment activity in IDP camps in areas of Northwest Syria under Turkish control.
- Syria: Release SNA mercenaries who were captured in Libya and taken to Syria, as part of a wider program of prisoner releases in the country.
- Libya/Azerbaijan: Monitor and prevent violations of human rights and labor abuses committed by Syrian mercenaries and PMSCs operating with their approval. As territorial states, they should prosecute such groups for crimes committed on their territory according to fair trial standards, and coordinate with contracting states to determine appropriate fields of operation.
- Libya/Azerbaijan: Revoke citizenships that were granted as a reward for participating in the fight, denaturalizing fighters and support them to stay in the country legally or leave in a way that respect their rights. Establish wider disincentivizing policies.
- Provide redress to victims of human rights and labor abuses committed by Syrian mercenaries and PMSCs, such as Syrian families who have been defrauded by recruiters and Libyans whose homes have been pillaged by SNA factions.

### *Syrian armed groups should*

- Cease the recruitment of Syrians for the purpose of mercenary combat, particularly when these individuals are children.
- Provide redress to families of mercenaries who were defrauded by recruitment brokers and have not received the compensation that was promised.
- Honor the obligation to respect human rights in the areas under which they exercise effective control or government-like functions, whether in Syria itself or in the foreign countries to which they have been sent (e.g., as civil police in Libya/Azerbaijan: Reject the deployment of mercenaries by Turkey/Russia, or any other countries). Make a public commitment to not accepting the role of mercenaries from allies or countries providing security assistance.
- In the case of the SNA, this should be done as part of a wider effort to discipline its members for the numerous human rights violations they have committed in Northwest Syria.

### *United Nations and International Community should*

- Investigate and hold accountable states and individuals engaged in the recruitment and deployment of Syrian mercenaries. These may be done through the imposition of targeted sanctions on state officials instrumental in citizenship transfers, military commanders responsible for combat operations, and business figures with known ties to PMSCs. In the case of Syrian mercenaries in Libya, there is a preexisting international mechanism in place for such actions, given that the use of mercenaries there violates the UN embargo on military transfers to the country.
- Hold accountable Libyan/Azerbaijani officials involved in accepting the recruited mercenaries, including imposing targeted sanctions on officials involved in the process.
- Address the dire humanitarian situation in IDP camps in Northwest Syria, particularly through the increased delivery of food and medical aid that could reduce the incentive of mercenary contracts.
- Reopen the Bab Al-Salam humanitarian border crossing through the UNSC.
- Support disarmament, demobilization, and reintegration programs for Syrian mercenaries who have returned from combat abroad. Although the precise design of such programs goes beyond the scope of this report, they could be modeled on past interventions in contexts like Sierra Leone where former fighters received vocational training and compensation in exchange for disarmament.

### *Justice actors (European prosecutors, human rights organizations)*

- Support efforts by Syrian CSOs and individuals to hold Turkey accountable at the European Court of Human Rights for its violations of the European Convention for Human Rights & Fundamental Freedoms, to which it is a state party.
- Support Libyan and Azerbaijani CSOs in engaging with victims of rights abuses committed by Syrian mercenary groups and PMSCs operating in these territories.



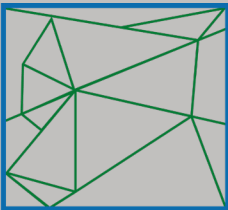
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