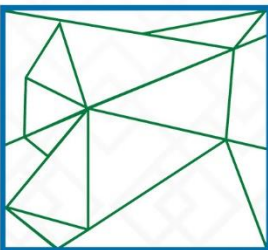


Syria/Turkey: Turkish Border Guards Escalate Violence Against Syrian Asylum Seekers



Syria/Turkey: Turkish Border Guards Escalate Violence Against Syrian Asylum Seekers

Rumors prompted more Syrians residing in areas controlled by the Autonomous Administration to cross illegally into Turkey, where many were tortured and killed



Executive Summary

In the present report, Syrians for Truth and Justice (STJ) will address the abuses meted out to Syrian asylum seekers by the Turkish border guards (Gendarmerie). The report will cite testimonies from credible sources on 28 substantiated cases of Syrian asylum seekers who were killed and underwent beatings, ill-treatment, and unjustified torture by Turkish border guards for attempting to cross Turkish borders illegally in the months of June, July, August, and September 2021. Turkish border guards killed at least five Syrian asylum seekers through severe torture, shot and killed three others, including two children, and forcibly repatriated many others.

Rumors that Turkish border guards only allow the Kurds to pass the borders safely explain why 21 out of the 28 cases we documented where people safely crossed were people from the Autonomous Administration area in northeastern Syria. The rest of the cases were of Syrians from areas controlled by the Syrian National Army (SNA) and Hay'at Tahrir al-Sham (HTS).

According to workers in the Syrian-Turkish crossing points, Turkey re-suspended the entrance of Syrians, including those in critical conditions, into its territories in late October 2021. The decision has led many Syrians to seek illegal routes, mostly dangerous, to access Turkey through smuggling networks. Smugglers coordinate with the military forces in control of the border areas to facilitate their smuggling operations in exchange for money.

Notably, a few years ago, Turkey [restricted](#) the entrance of Syrians into its territories following the controversial deal reached between Ankara and the European Union in 2016. The deal obliged Turkey to stop the flow of irregular migrants to Europe in exchange for a commitment from Europe to grant Turkey six billion euros in aid for Syrian migrant communities on its soil, reduce visa restrictions for Turkish citizens, and re-energize stalled talks regarding Turkey's membership to the European Union.

Consequently, in November 2017, Turkey [finished](#) building a 911 km. wide and four meters high "security wall" along the border cities of Hatay, Kilis, Gaziantep, Urfa and Mardin. The wall was completed even as Turkish officers' continued [declaring](#) that Syrians fleeing the fighting were welcome in Turkey, and that Turkey maintains an open-door policy.

In 2018 and 2019, STJ [documented](#) the deaths of 19 Syrian asylum seekers and the injury of 17 others by Turkish border guards for trying to [reach](#) Turkey illegally. Furthermore, STJ documented dozens of cases of asylum seekers who were killed and wounded by Turkish border guards nearing the separation wall in the Syrian side. [The Violations Documentation Center in Syria \(VDC\)](#) also documented the killings of 13 Syrian asylum seekers, including three children, by Turkish border guards in 2019. In addition, the VDC has documented the killings of 13 Syrian asylum seekers, including four children, by Turkish border guards in the first nine months of 2021.

Legal Analysis

International law promotes and protects human rights through two basic legal frameworks, international humanitarian law (IHL)—also known as the law of war or the law of armed conflict, and international human rights law (IHRL). IHL applies to armed conflicts, international or non-





international, regulates and restricts the used warfare means and methods. These restrictions and responsibilities are imposed on all parties to the conflict to limit the conflict's effects and protect persons not taking part in the hostilities, including civilians, or those who no longer participate in the fighting, or are no longer capable of fighting, such as wounded combatants and prisoners of war. The IHL seeks protection based on two main sources, namely the Law of Treaties and the Customary Law. The first consists of a set of rules stipulated in related international treaties, such as the Hague Conventions, the Geneva Conventions and their Additional Protocols that bind the signatory states.¹ The second—known as the Customary IHL—is a set of rules derived from the general practices of states in pertinent cases throughout history, which are accepted as law and are universally binding.²

For its part, IHRL aims mainly to protect individuals, and some groups to a certain extent, from arbitrary practices their governments might perpetrate against them. It is considered more complex and detailed in terms of the rights it stipulates, the obligations of the contracting parties, and the mechanisms of implementation and follow-up, based on a set of international and regional covenants and treaties, which in most cases obligate signatory states to include these rights within their domestic laws to ensure their practical and effective implementation.³ However, the key dimension of the IHRL is that it applies at all times, not only in peace, as is common. IHRL remains valid even in cases of war, authorizing certain exceptions in critical circumstances. The IHRL allows states to suspend a few human rights when faced with extreme states of emergency and armed conflicts, except for fundamental rights that must be respected in all circumstances. These include the prohibition of torture and inhuman punishment or treatment, the outlawing of slavery, and the right to life, among others.⁴ The imperative to implement and protect these rights does not conflict with any other legal text or framework, including the law of armed conflict, whether international or non-international. Contrastingly, these two legal bodies are complementary, seeking to protect human beings and preserve their safety and dignity albeit from different angles.⁵

Therefore, the cases of torture and killing documented in this report are evident crimes and blatant violations of several of these civilians' rights, enshrined in the bodies of the IHL and the IHRL, not to mention additional violations perpetrated against surviving civilians, who were denied their right to asylum and were forcibly repatriated to unsafe conflict zones.

In most of the reported cases, the victims were unarmed civilians, who were not parties in an armed conflict and had not participated in any hostile military activities. Despite this, these

¹ For a full view of the above-mentioned treaties, refer to the ICRC website's section: Treaties, States Parties and Commentaries. <https://ihl-databases.icrc.org/ihl>

² For a full view of the law, refer to the ICRC website's section: IHL Database. <https://ihl-databases.icrc.org/customary-ihl/eng/docs/home>

³ UN, the Foundation of the International Human Rights Law: <https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law#:~:text=The%20Universal%20Declaration%20of%20Human,binding%20international%20human%20rights%20treaties>.

⁴ ICRC, IHL and human rights law (29 October 2010): <https://www.icrc.org/en/document/ihl-human-rights-law>

⁵ ICRC, "What is the difference between IHL and human rights law?" (22 January 2015), <https://www.icrc.org/en/document/what-difference-between-ihl-and-human-rights-law>





civilians were either arrested for approaching the borders or for crossing them to seek asylum or shot at with live bullets with the intent to kill and prevent them from crossing.

In addition to arrests and killing, the detained civilians are subjected to other practices and forms of treatment, which without a doubt, fall under torture, and therefore constitute a clear violation and a crime that is worth accountability based on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984,⁶ which Turkey signed and ratified in 1988.⁷ In Article 1(1), the Convention defines torture as:⁸

“ . . . the term ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

All forms of torture and inhuman treatment are absolutely prohibited in all international laws and norms, because “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.”⁹ Torture is considered a violation of the IHL, and its perpetration is a war crime, regardless of the nature of the armed conflict, whether it is of an international¹⁰ or non-international character.¹¹ According to the testimonies obtained for the purposes of the report, the Turkish border guards systematically punish these refugees by torture or even killing, and forcibly return those who remain alive to Syrian territories without any consideration for their status as asylum seekers. This act is a violation of the first clause of Article 3 of the Convention against Torture, which states that: “No State Party shall expel, return (“refouler”) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.”¹² The Turkish state did not only forcibly return these civilians to Syria, which is considered an unsafe country but also tortured them. Turkey is thus evidently weaponizing systematic torture and killing on the

⁶ The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

⁷ UN, Treaty Collection, Chapter IV: https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtldsg_no=IV-9&chapter=4&clang=_en#EndDec

⁸ The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

⁹ Ibid, Article 2(2)

¹⁰ Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, dated 12 August 1949. Article 147: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=F8D322BF3C0216B2C12563CD0051C654>

¹¹ Ibid, Common Article 3: <https://www.icrc.org/en/document/geneva-conventions-1949-additional-protocols>

¹² The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984, Article 3(1): <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>





border and using them as means of punishment or systematic revenge against Syrian civilians and asylum seekers in particular.

In their turn, killing cases, including those resulting from torture, direct targeting, and unlawful executions at the borders, constitute a blatant violation of the victims' right to life, the legal frames that ensure that they are not arbitrarily deprived of this right, and the legal frames discussed above.¹³ This violation should be understood in the context that all people, particularly detainees, have the right to life and personal safety from all forms of torture and inhuman treatment, which are rights guaranteed by the IHL and IHRL in times of peace, as well as war.

Asylum Seekers Tortured to Death

Throughout the reporting period, STJ documented the deaths of at least five Syrian asylum seekers due to severe torture and beatings:

Muhsen Jaber al-Nayif and Hazem Suleiman al-Hussein

On 18 September 2021, the two young men Muhsen Jaber al-Nayif, from the village of Zughair in Deir ez-Zor, and Hazem Suleiman al-Hussein died of brutal torture by Turkish border guards after being caught attempting to cross the border illegally from near the city of Tell Abyad in northern Raqqa, currently controlled by the SNA.

A witness (the 1st source)¹⁴ told STJ that Turkish border guards detained the two young men after they crossed the separation wall illegally from near the city of Tell Abyad and beat them with sticks and metal wires. The witness told STJ:

"The two young men transferred to a hospital in Tell Abyad after being beaten severely by the Gendarmerie. However, Muhsen Jaber al-Nayif arrived dead with clear bruises on his entire body; he was put in the mortuary. For Hazem Suleiman al-Hussein, he had a sprained neck and visible strangulation marks. Al-Hussein received first aid in the hospital in Tell Abyad and was then transferred to a hospital in Turkey where he died. Al-Hussein then was returned to the hospital in Tell Abyad."

The witness confirmed that the two young men were buried silently in a cemetery in Tell Abyad, without notifying their families. Nonetheless, the incident went public a few days later and STJ obtained photos of the two young men's bodies bearing clear signs of torture.

¹³ UN, OHCHR, International Covenant on Civil and Political Rights, Article 6:

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

¹⁴ STJ concealed the identity of the witness for his safety, but we will share it with the UN bodies upon request.





Image (1)- Hazem Suleiman al-Hussein's body. Credit: STJ.



Image (2)- Muhsen Jaber al-Nayif's body.

Salar Othman

On 28 August 2021, Salar Othman, 36, a young man from the village of Abira, was subjected to severe torture by the Turkish border guards after being caught crossing into Turkey from an unofficial point near Syria's Qmaishli/Qamishlo, jointly controlled by the Autonomous Administration and the Syrian government. Othman died of his wounds on 28 August.





STJ spoke to the doctor (the 2nd source) who treated Othman in Farman hospital in Qamishli. The doctor confirmed that it was impossible to save Othman's life after the serious torture he underwent. The doctor explained:

"Othman was hit on his entire body with sharp objects. We tried our best but were not able to save him. His kidneys stopped after two days due to the electric shocks he was subjected to."

STJ also met Othman's father (the 3rd source) who lamented:

"Torture marks were clearly visible on my son's body, mainly on his legs, due to the repeated electric shocks he underwent. Doctors performed dialysis for him to revive his kidneys, but his body did not respond."



Image (3)- Salar Othman. Credit: Othman's family.

Muhammad Eid Muhammad

On 22 August 2021, Turkish border guards caught Muhammed Eid Muhammed, 20, from the town of al-Dasheshah in southern rural al-Hasakah, and Muhammed Lateef Azzawi, 23, from the town of Markada, attempting to cross the borders into Turkey illegally. The two young men tried to access Turkey from near the village of Atishan, to the west of Ad Darbasiyah town, which is currently under the control of the Autonomous Administration. The Turkish border guards brutally beat and tortured the two young men, killing Muhammed and seriously injuring Azzawi.

STJ met the survivor Muhammed Azzawi (the 4th source) who testified:

"I attempted to cross the borders at dawn with the help of a smuggler who assured us that the route was safe. However, a few steps into Turkey the border guards found us."





The guards hit us brutally with sticks and rifle buttstocks and kicked us for more than an hour until we fainted.”

Azzawi added that Muhammed Eid Muhammed Hassoun Ahmed, who is the only son of his parents and their only provider, died due to severe beating before being hospitalized.

Ali Othman (the 5th source), the forensic doctor in the al-Shaheed Khabat Hospital in Ad Darbasiyah, explained to STJ that Muhammed/Hamadi al-Hussein died from a cerebral hemorrhage caused by severe beating. For Azzawi, the doctor said that he had fractures in his ribs, upper limbs, and right leg and that he received the treatment he needed.



Image (4)- Muhammed/Hamadi al-Hussein covered with a blanket on a cot with members of the Asayish emergency forces pushing him. Credit: Dirbêsiyê FM.



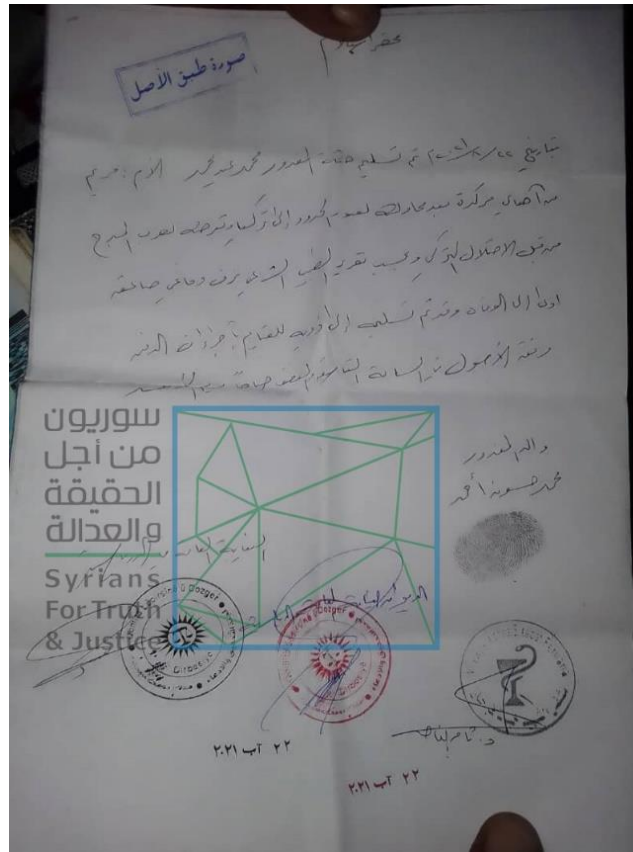


Image (5)- A photograph of a report drafted on handing over the body of Muhammed Eid Muhammed to his family. Credit: Muhammed's family.

Hassoun al-Fetan

On 25 June 2021, Hassoun al-Fetan, 18, from the village of al-Mashrafiyah in Hama, died of brutal torture by Turkish border guards after his attempt to cross the borders illegally into Turkey from a smuggling point in Idlib province, currently controlled by HTS.

A woman (the 6th source) close to al-Fetan's family recounted to STJ:

"At midnight on that day, Hassoun al-Fetan tried with a bunch of women to cross into Turkey illegally but the Turkish border guards trapped them. A Turkish officer grabbed al-Fetan and hit him on the head with the buttstock of his rifle, knocking him down. Then the officer started kicking al-Fetan and stepping on his head right in front of the eyes of the women. Afterwards the officer tortured al-Fetan with an electric baton until he fainted. Then he poured hot water on him."

The source quoted a woman who witnessed al-Fetan's torture, who said:

"I think al-Faten's limbs were broken from torture. We heard his bones fracturing."

The source added:

"At dawn the next day, the Turkish border guards threw al-Faten on the bank of the Orontes River at the Friendship Dam area in the border village of al-Alani in Idlib. I heard later that members of HTS drew al-Faten alive from the river, covered him with a blanket, and took him home. His family rushed him to Idlib Hospital but he died on the way there. How he died was horrible."





Deaths by the Turkish Border Guards' Direct Gunfire

STJ monitored three incidents in which Turkish border guards shot and killed two children and a man. The incidents took place near the SDF-held Ad Darbasiyah town in al-Hasakah, near the HTS-held village of Zuf in Idlib, and in the SNA-held district of Jindires in Afrin.

Ahmed Hussein al-Naser

On 29 September 2021, Turkish border guards shot and killed 13-year-old Ahmed Hussein al-Naser, who hails from the village of Arab Khan of Abu Raseen (Zarkan) town in Ras al-Ayn/Serê Kaniyê, while he attempted to sneak into Turkey illegally from the village of Arada (20 km. to the west of rural Ad Darbasiyah).

A relative of al-Naser (the 7th source) told STJ:

"Al-Naser wanted to enter Turkey to smuggle into Europe via it and seek asylum there. However, the Gendarmerie saw him as he got near the border wall and started shooting directly at him. Al-Naser turned back and tried to flee but a bullet hit his back."

Al-Naser was transferred to al-Ali private hospital in Ad Darbasiyah

Dr. Mas'oud al-Ali (the 8th source), the director of al-Ali private hospital explained:

"A bullet hit al-Naser's back and passed through his chest, causing heavy bleeding which led to his death. The time of al-Naser's death is estimated at around 09:15 p.m.; meaning before he was hospitalized."

Saher Nawras Ashqar

On 18 August 2021, Turkish border guards shot and killed Saher Nawras Ashqar, 42, married with five children, while he attempted to access Turkey illegally from a smuggling point near the village of Zuf in Idlib, held by HTS.

A relative of the victim (the 9th source) told STJ:

"The Turkish border guards saw Ashqar when he reached 400 meters off the border wall and shot him dead. Then, the border guards took Ashqar to a hospital in Turkey where his body was autopsied. Ashqar's family asked an acquaintance in Turkey to pick up their son's body and transfer it to Idlib through the Bab al-Hawa border crossing."

The source added:

"The Turkish border guards had previously shot and killed several people who tried to reach Turkey from the village of Zuf. Additionally, when the border guards spot any movement near the border wall, they always end up opening fire on civilians' fields and homes on the Syrian side."

Muhammad Khair Abdulsalam

On 18 July 2021, Turkish border guards killed 14-year-old Muhammed Khair Abdulsalam al-Haj Muhammed. Muhammed hails from the village of Ghadqa in Idlib, but he was displaced from it with his mother and three brothers to a camp near the city of A'zaz, northern Aleppo over the course of the conflict





A relative of the child victim (the 10th source) told STJ that a smuggler lured Muhammed with money to work with him as a watcher for the smuggling route. Muhammed moved from A'zaz to Jindires District in Afrin and worked for a week with the smuggler without the knowledge of his family.

The source went on to say:

“Muhammed used to work in a restaurant for little pay, which was not enough to support his mother and brothers. One day a smuggler offered Muhammed money to work with him as a scout for the smuggling route. Muhammed’s task was to climb the border wall and make sure that no Turkish border guards were there and thus secure the passage of asylum seekers... In return, the smuggler promised Muhammed to buy him a mobile phone and to give him \$50 in exchange for the safe passage of each asylum seeker. Muhammed’s mother tried to stop him from working with the smuggler, fearing for his life. However, the smuggler’s offer was so enticing to poor Muhammed that he went against his mother’s wish and accepted the job.”

The source added:

“On 18 July, Muhammed called his mother and told her that he started working with the smuggler, but then we lost contact with him. Muhammed’s first day at his new job was his last; the Turkish border guards spotted Muhammed with their flashlights when he first climbed the border wall and saw him cutting the barbed wire. Muhammed tried to flee but the Turkish guards started firing at him. A bullet hit Muhammed’s upper back and passed through his throat, which led to his death. The forensic doctor estimated that Muhammed died ten hours after he was shot.”

The source went on to say:

“Muhammed’s brother contacted a smuggler in Jindires trying to find him after his family did not hear from him. The smuggler told Muhammed’s brother that a boy, who was about 13-years old, was found killed a day earlier. So, Muhammed’s family went to the hospital in Jindires to search for him.”

The source added:

“A farmer found Muhammed wounded on the ground 100 meters away from the border wall. The farmer called the police who came and took Muhammed to the hospital. However, Muhammed died, and the police circulated his name, but no one identified him. Thus, the police performed the funeral prayer for him and buried him. When Muhammed’s family learned about his death they came to Jindires and ask the police to get Muhammed’s body, but the police refused to exhume it.”





Image (6)- 14-year- old Muhammed Khair Abdulsalam al-Haj Muhammed's body. Credit: Muhammed's family.

Asylum Seekers Face Live Bullets and Excessive Violence

Throughout the reporting period, STJ documented 22 incidents in which Turkish border guards assaulted and tortured Syrians for trying to reach Turkey from unofficial border points:

Muhammad

On 3 September 2021, Muhammed (an alias) tried to cross into Turkey with a group of people. However, they fell back after the Turkish border guards and members of the Autonomous Administration spotted them and started shooting at them.

Muhammed (the 11th source) recounted to STJ:

"I decided with three young men and two women to access into Turkey from the Kharazeh village, located between the cities of Qamishli and Ad Darbasiyah, after we monitored the borders for two days. We headed towards the borders at 1:00 a.m. As we neared the border wire, soldiers affiliated with the Autonomous Administration on one side, and the Turkish border guards on the other, started firing at us indiscriminately. We then fled in different directions and met at predetermined point."

Rebar Omar

On 10 September 2021, Rebar Omar, 22, who hails from the village of Jernik in Amuda, attempted to cross into Turkey from near al-Qahtaniyah/Tirbepî town via an illegal route, which a smuggler assured him was safe. Nonetheless, Turkish border guards captured Omar and beat him severely.

Rebar Omar (the 12th source) told STJ:

"Five members of the Turkish border guards attacked me and beat me brutally with sticks and rifle buttstocks for a full hour. Then the guards threw me off the border wall, which is more than three meters high, to the Syrian side, where locals found me and





took me to al-Sha'ab Hospital in Amuda (in Kurdish: Nexweşxana Gel Li Amûdê). I had fractures in my left hand and shoulder, a tear in my thigh muscle and bruises to my head."



Image (7)-Signs of torture on Rebar Omar's body. Credit: Rebar Omar.

Man from al-Hasakah Province Beaten and Tortured

On 12 September 2021, Turkish border guards severely beat and tortured a young man from al-Hasakah province after they caught him attempting to cross into Turkey illegally from near Amuda town, then threw him off the border wall to the Syrian side. Members of the Kurdish internal security forces (Asayish) found the young man and transferred him to al-Sha'ab Hospital in Amuda (in Kurdish: Nexweşxana Gel Li Amûdê). A nurse (the 13th source) in the hospital said:

"The young man was unconscious, and his condition was critical due to the torture, severe beating, and electrical shocks he underwent. He had bruises to his entire body."



Image (8)- Signs of torture on the body of the young man from al-Hasakah. Credit: the official website of the Kurdish internal security forces (Asayish) in northeastern Syria.





Four Young Men Savagely Beaten

On 15 September 2021, Turkish border guards savagely beat four young men; Lo'uay al-Hamad, 19, Theib Housni al-Raja, 18, Mahyar Majeed, 22 and Qasem Mahmoud, 20 –all from al-Hasakah – after being caught attempting to enter Turkey from unofficial point in Ad Darbasiyah.

Locals of Ad Darbasiyah took the four young men to the Shaheed Khabat Hospital in Ad Darbasiyah

One of the survivors, Lo'uay al-Hamad (the 14th source, told STJ that he and his friends wanted to immigrate to Europe via Turkey and went on to say:

“We passed the border wall at about 3:00 a.m. and walked only few steps away from it before ten Turkish border guards trapped us. The guards started insulting us in Turkish and hitting us with sticks and the buttstocks of their rifles. They tortured us for more than an hour leaving bruises and wounds in our entire bodies. The torture fractured my friend Qasem’s right leg.”



Image (9)- Signs of torture on the body of the young man Lo'uay al-Hamad. Credit: Dirbêsiyê FM.



Image (10)- The young man Lo'uay al-Hamad receiving treatment at the Shaheed Khabat Hospital in Ad Darbasiyah after Turkish border guards tortured him. Credit: Dirbêsiyê FM.





Saif Adel Matar

On 27 September 2021, a young man, Saif Adel Matar, was transferred to Ras al-Ayn Hospital (formerly Roj Hospital) in Ras al-Ayn/Serê Kaniyê after Turkish border guards beat him over his attempt to sneak into Turkey.

A nurse (the 15th source) in the public hospital in Ras al-Ayn told STJ that Saif Adel Matar was found unconscious due to severe beating. The nurse added:

“Al-Matar attempted to cross the borders from near Tell Halaf town. Unfortunately, the Turkish border guards captured him, beat him severely with sticks and the buttstocks of their rifles, and then threw him off the border wall to the Syrian side.”

The nurse added that SNA members hospitalized al-Matar and his condition stabilized. Activists from the city of Ras al-Ayn/Serê Kaniyê confirmed that Turkish forces warned the mayors of the villages bordering Turkey that the Turkish border guards have orders to fire at any civilian or military presence which nears Turkish borders.



Image (11)- The young man Saif Adel Matar receiving treatment at the public hospital in Ras al-Ayn.
Credit: local Facebook pages.

Muhammed Ahmed Sheikho

On 27 September 2021, Turkish border guards shot a farmer, Muhammed Ahmed Sheikho, 55, in the shoulder while he was working in his field in Siftek border village in rural Ayn al-Arab/Kobanî.

Sheikho (the 16th source) told STJ:

“My field is the entire livelihood of my family. It lies 250 meters away from the Turkish borders. That day, the Turkish border guards shot me in the shoulder and then started firing in the air. I fell and cried for help. I do not know why the Turkish border guards did that.”

Sheikho was transferred to the hospital of Ayn al-Arab/Kobanî, where he underwent a surgery and was treated until his condition stabilized.





Three Young Men Tortured

On 5 August 2021, Turkish border guards brutally tortured three young men, Hussein Muhammed, 25, Juan Julo, and Fares Hissou after they attempted to cross into Turkey illegally from Tell Bashak village in al-Qahtaniyah/Tirbepî. Hussein Muhammed, one of the survivors, (the 17th source) stated to STJ:

“I left with a group of people to the borders, and we managed to pass the border wall at about 1:30 a.m. We dispersed so as not to be noticed by the Turkish border guards. However, the guards trapped us and caught me with two young men while the others managed to flee. The guards beat us heavily with sticks and rifles’ buttstocks for more than two hours before throwing us off the border wall. Locals in the Syrian side found us and took us to a hospital in Qamishli.”



Image (12)- Signs of torture on the bodies of Hussein Muhammed, Juan Julo and Fares Hissou. Credit: Hawar News Agency.

Abdelaziz Najdat Moussa

On 10 August 2021, Turkish border guards tortured a 16-year-old child, Abdelaziz Najdat Moussa, for attempting to smuggle into Turkey from near Ad Darbasiyah town.

Moussa (the 18th source) recounted to STJ:

“I attempted to cross the borders into Turkey at 1:00 a.m. However, six Turkish border guards trapped me and started insulting and torturing me. The guards hit me with the buttstocks of their rifles, kicked me, and tore my cloths with the bayonet of a Kalashnikov. One of the guards even put his shoe in my mouth. Then the guards threw me off the border wall. Locals took me to al-Shaheed Khabat Hospital in Ad Darbasiyah. I had wounds and bruises on my entire body, mainly on my face.”





Mustafa Ammar and Shiyar Ali

On 13 August 2021, the Turkish border guards caught Mustafa Ammar, 26, and Shiyar Ali, who hails from the village of Minas, while attempting to cross the borders into Turkey illegally from Kanya Kurdan area in [Ayn al-Arab/Kobanî](#). The guards beat the two young men, severely injuring them.

Mustafa Omar (the 19th source) told STJ:

“At dawn on Friday 13 August, five Turkish border guards attacked us. They did not say a word, but started beating us with sticks, kicking us, and stoning us. Then, the guards threw us off the border wall to the Syrian side. Locals of Kanya Kurdan found us and took us to a hospital in Ayn al-Arab/Kobanî. Torture caused us severe wounds and fractures.”

Abu Ghazi

In mid-August 2021, a young man, Abu Ghazi (an alias), who hails from Zawiya Mountain/Jabal Az Zawiyah, attempted to cross into Turkey with a group of his relatives to find work. However, Turkish border guards captured them and brutally tortured them.

Abu Ghazi (the 20th source) narrated to STJ:

“I decided with a group of my relatives to cross into Turkey. Thus, we contacted several smugglers and agreed with one of them to help us cross the borders from the village of Zuf in western rural Idlib. Indeed, we crossed the borders with the smuggler at night because there was less chance to be seen by the Turkish border guards than in the day, as the smuggler said. As we passed the borders, we saw the Turkish border guards looking at us without moving, thus we felt safe and continued to walk. However, when we got 1 km. away from the border wall, the Turkish border guards attacked us, and we could not flee. They detained us with the smuggler but released him after a talk he had with them in Turkish, which we did not understand. The guards then took us to their post and started torturing us. They tore our clothes and broke our mobile phones. The guards held us for a day and then transferred us to the Bab al-Hawa border crossing, where they handed us over to HTS. The severe torture we underwent made me fear even thinking about crossing into Turkey again.”

Abu Muhammed (the 21st source) successfully crossed into Turkey and reached Istanbul. Abu Muhammed told STJ:

“I attempted a dozen times to cross into Turkey from a smuggling point near the village of Azmarin in rural Idlib. Each time, Turkish border guards caught me, beat me brutally, and transferred me to the Bab al-Hawa border crossing. Afterwards, I decided to take an agricultural smuggling route from Dorriyeh village in Darkush district in northwestern Idlib. I attempted with a group of people to pass through this route several times, but we failed as the Turkish border guards trapped us and beat us severely each time. However, in my last attempt, I managed to escape the border guards and fled into a field where I hid in a hole I found. I stayed in the hole for two full days without moving. On the third day, I saw a Turkish woman working in the field. I plucked up the courage, got out, and told her my story; fortunately, the woman spoke a little Arabic. The woman took me to her home where I met her cousin, who is a smuggler. The woman's cousin asked me for \$1200 in exchange for driving me deeper into Turkish territory and threatened to hand me over to Turkish border guards if I did





not secure the amount. I called my family in Syria and told them what I needed. They sent me the amount and I gave it to the woman's cousin who then transferred me to Istanbul."

Ahmed Saleh and Mahmoud Matar

On 18 August 2021, two children Ahmed Saleh, 16, and Mahmoud Matar, 17, attempted to cross Turkish borders illegally from near Ad Darbasiyah, but Turkish border guards trapped them and brutally beat them.

One of the survivors, Ahmed Saleh (the 22nd source), spoke with STJ:

"We passed the border wall at 3:00 a.m. on 18 August. Then, eight Turkish border guards attacked us and started kicking us and hitting us with sticks and rifles for three hours. Afterwards, they threw us off the border wall to the Syrian side, where locals found us and took us to the Shaheed Khabat Hospital."

A nurse (the 23rd source) in the Shaheed Khabat Hospital in Ad Darbasiyah told STJ that Ahmed Saleh had fractures in his left leg due to a severe hit with a sharp object. As for Muhammed Matar, the nurse reported that he had fractures in his upper limbs and his left leg, and he was unable to talk as a result of the severe blows he took to his jaw and nose. The nurse confirmed that the two children stayed at hospital until their conditions stabilized.



Image (13)- Wounds of the child Mahmoud Matar. Credit: Dirbêsiyê FM.

Ali Saleh, Muhammed Muhammed, and Thamer Muhammed

On 24 August 2021, Turkish border guards severely beat two young men Ali Saleh, 32, and Muhammed Muhammed, 30, as well as a child, Thamer Muhammed, 17, after they were caught attempting to cross into Turkey illegally from the village of Tell Zewan near Qamishli.

Ali Saleh (the 24th source) told STJ:

"The Turkish border guards trapped us while we were attempting to cross into Turkey at 9:30 p.m. Initially, a vehicle with five guards headed towards us and then four other vehicles followed it with about 25 soldiers inside. All of those soldiers attacked us and started hitting us with iron sticks and electric batons until it was 1:00 a.m. Thereafter, the soldiers robbed us of our personal belongings including money and mobile phones





and then threw us off the border wall. Locals in the Syrian side took us to the public hospital in Qamishli.”

The doctor (the 25th source) oversaw the treatment of the young men and the child, reporting to STJ that they had fractures to their ribs, noses, and backs, as well as scratches on their entire bodies as a result of the brutal beatings they were subjected to.



Image (14)- Signs of torture on the bodies of Ali Saleh, Muhammed Muhammed and Thamer Muhammed. Credit: Hawar News Agency.

Two Young Men Beaten and Robbed

On 25 August 2021, Turkish border guards severely beat and robbed two young men after being caught attempting to cross into Turkey illegally from the village of Qarmough in Ayn al-Arab/Kobani.

One of the survivors, Abdullah Jouma', from the city of Manbij (the 26th source), recounted to STJ:

“We jumped over the border wall at 4:00 AM. Then, heavy shooting broke out. We tried to hide but the Turkish border guards trapped us and started hitting us hard with their helmets and rifles for more than an hour. Afterwards, they robbed us of our money and threw us off the border wall. The Asayish forces found us and took us to a hospital in Ayn al-Arab/Kobani.”





Image (15)- Signs of torture on the body of the young man Abdullah Jouma'. Credit Hawar News Agency.

20 Kurdish People Crossed into Turkey

On 29 August, a group of 20 Kurdish people tried to cross the borders into Turkey from an unofficial point near al-Malikiyah town. However, the Turkish border guards detained all the party and handed them over to the SNA.

Roni (the 27th source), a witness of the incident, testified to STJ:

"I wanted to sneak into Turkey, so I contacted a smuggler and he told me that I could access Turkey from al-Malikiyah or Amuda towns. On 29 August, I went with the smuggler to the smuggling point in al-Malikiyah to scout the route I would pass. I saw a group of 20 people attempting to cross the borders from there and the smuggler then said to me: "see how they would pass safely". It was only seconds after the smuggler's words when we heard gunshots and screams. I fled with the smuggler instantly. I learned later that the SNA detained all people in the group and held them in Ras al-Ayn/Serê Kaniyê. The SNA asked their families for \$5,000 each in exchange for their release."

Killing Displaced Persons and Locals at the Separation Wall

STJ documented in earlier reports incidents in which the Turkish border guards unduly fired at displaced people and locals in Syrian areas bordering Turkey. The incidents killed and injured dozens of civilians, including children. In the last three months, STJ has verified several shooting incidents, two of which involved the deaths of an elderly man and a child.

Radwan Sattam Ubaid

On 22 August 2021, the Turkish border guards shot and killed 12-year-old Radwan Sattam Ubaid while he was in an IDP camp in Atme town, adjacent to the Turkish border. A resident of the camp (the 28th source) who witnessed the incident, testified to STJ:





“The child, Radwan Sattam Ubaid, hails from al-Jabeen village in northern rural Hama. He is in the sixth grade and has a physical disability. Ubaid was displaced with his parents and eight brothers to a camp in Atme. On 22 August, Ubaid went to al-Ali camp to visit his uncle. At 9:00 p.m. that day, Turkish border guards fired three shots at the tent of Ubaid’s uncle, which is only 800 meters away from the border wall. A bullet hit Ubaid in his right flank and passed through his heart.”



Image (16)- The child victim Radwan Sattam Ubaid. Credit: family of Radwan Sattam Ubaid.

Mustafa Wajeb al-Jundi

On 29 April 2021, Turkish border guards shot and killed Mustafa Wajeb al-Jundi, 73, while on his way to his field in the village of Zuf north Idlib, adjacent to the Turkish borders.

A relative of al-Jundi (the 29th source) told STJ:

“Al-Jundi owns agricultural land in Ain Haseek area, which is 500 meters away from the Syrian-Turkish borders. At 7:00 a.m. on that day, al-Jundi headed to his land on his donkey to oversee its plowing by his workers. While on his way there, al-Jundi took a bullet in his head fired by the Turkish border guards. Some young men found al-Jundi and rushed him to the hospital, but he was already dead.”

The source added that “relatives of al-Jundi accompanied by a patrol from the police station of the village of Zuf went to inspect where he died. Turkish border guards fired at the patrol, but nobody got hurt.”





Image (17)- The elderly victim Mustafa Wajeb al-Jundi. Credit: family of Mustafa Wajeb al-Jundi.

An Overview of the Smuggling Routes to Turkey

There are dozens of smuggling points and routes to Turkey along the Syrian-Turkish border. Smugglers coordinate with the different powers in control of the Syrian areas bordering Turkey to ensure safe passage for the asylum seekers they deal with. The controlling powers agree with smugglers to take a specific amount of money for each smuggling operation they facilitate for them or to get a share of the gains of that operation.

In the Turkish-occupied Operation Peace Spring area that extends between Ras al-Ayn/Serê Kaniyê and Tell Abyad, there are at least ten smuggling points. Smugglers deal with different SNA groups in control of the area on the one hand and Turkish border officers on the other, to facilitate their smuggling operations in exchange for large sums of money. The bribed Turkish border officers provide the smugglers with the schedules of their shifts to coincide with the passage of asylum seeker groups under their watch and thus ensure them safe access into Turkey. Reportedly, some smugglers agreed with Turkish border officers on amounts reached \$800 for the safe passage of each asylum seeker. The same Turkish officers beat, torture, and even kill asylum seekers who cannot afford bribes.

STJ's field researchers were able to define the following smuggling points in the Operation Peace Spring area:

1. [Al-Yabisah point](#): located in northwestern Tell Abyad, under the control of the Levant Front/al-Jabha al-Shamiya group. The safe passage is available from this point upon bribing the Turkish officers in charge of it.





2. [Khirbet al-Banat point](#): jointly controlled by the 20th Division and the Glory Corps/Faylaq al-Majd.
3. [Al-Aziziyah point](#): controlled by the Sultan Melikshah Division.
4. [Al-Mahatta point](#): jointly controlled by the Sultan Murad Division and the al-Hamza/al-Hamzat Division. The safe passage is available from this point upon bribing the Turkish officers in charge of it.
5. [Al-Midakhat point](#): controlled by the al-Hamza/al-Hamzat Division.
6. [Al-Wadi point](#): controlled by the Sultan Murad Division.

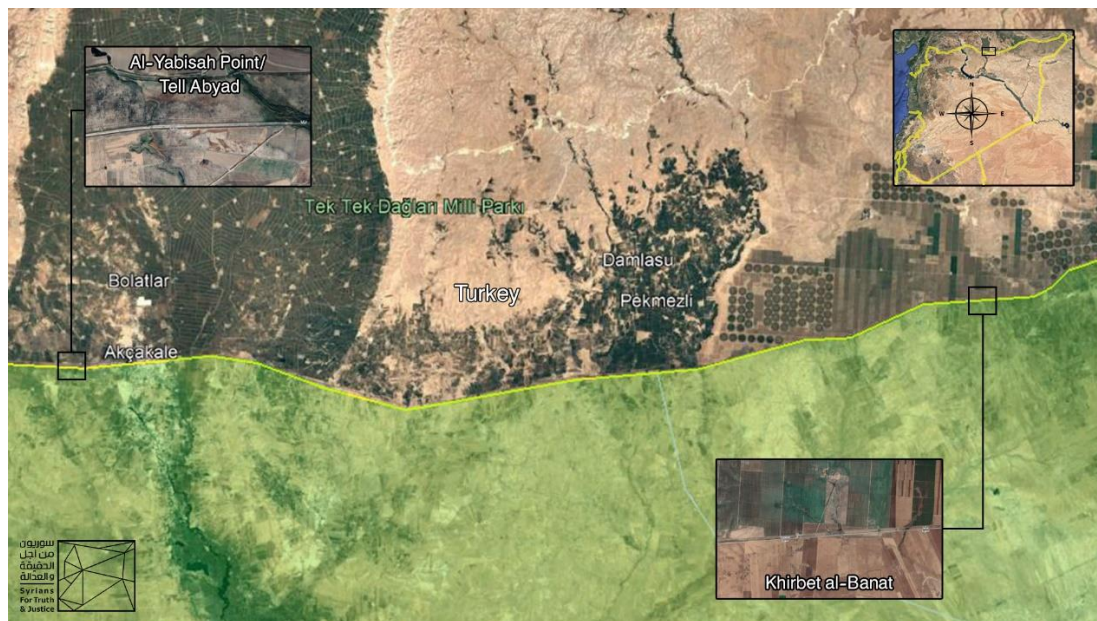


Image (18)- A map illustrates the smuggling points to Turkey in the SNA-held areas.

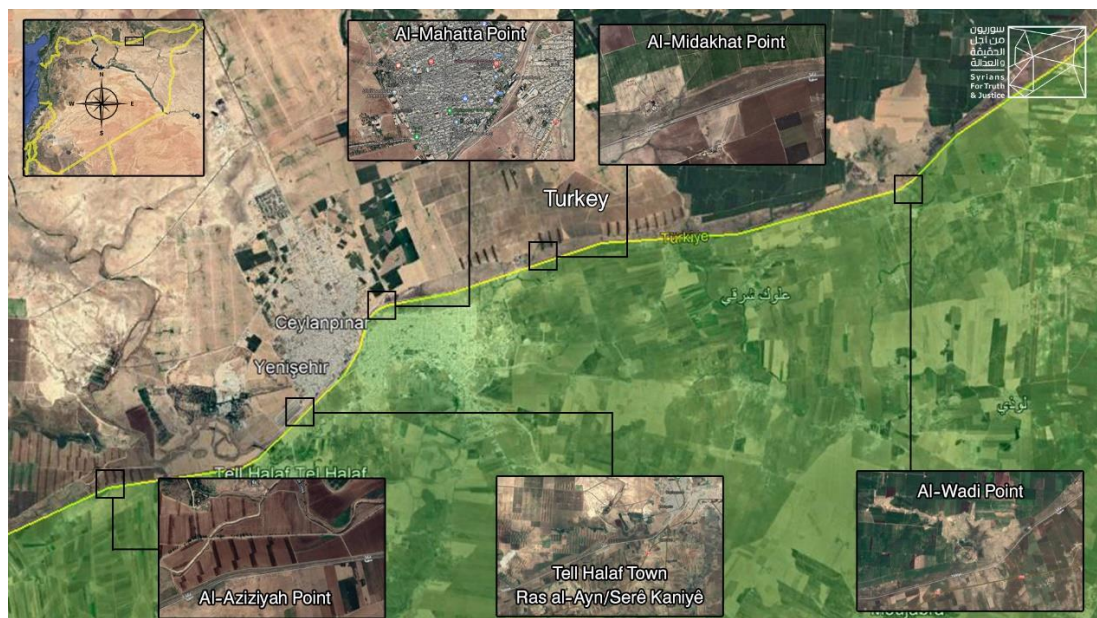


Image (19)- A map illustrates the smuggling points to Turkey in the SNA-held areas.



The local council of Tell Abyad issued a decision imposing a fine of TRY 300 on people who are caught attempting to cross into Turkey illegally for the first and the second times. In the third smuggling attempt, the person shall be liable to a discretionary sentence of imprisonment by the court of Tell Abyad. The decision signed by the local council's writers Ismail Saleh and Mara Suleiman as well as its secretary general Subhi Sukar and its head Saleh Haj Abdullah.


المجلس المحلي في مدينة تل أبيض

مجلس الاجتماع TOPLANTI TUTANAĞI

٥3	TOPLANTI NO	رقم الاجتماع	01.08.2021	TOPLANTI TARİHİ	تاريخ الاجتماع
18				HAZIR BULUNAN ÜYELER	عدد الحضور
				BULUNMAYANLAR	عدد الغياب
					خلاصة

تم التوقيع حسب الملحق 1

Yoklama : Listesi EK1

القرار: عقد المجلس المحلي اجتماعه في مقر المجلس في 01.08.2021 لأجل:

- 1- فرض غرامة مالية قدرها 300 ليرة تركية في المحاولة الأولى و الثانية والسجن في المحاولة الثالثة وفق ما تراه العنلية في مدينة تل أبيض، لكل من يحاول العبور بطريقة غير شرعية من سورية إلى تركيا عبر الحدود بأي وسيلة كانت، وسيتم فرض عقوبة السجن مباشرة من قبل القضاء في العنلية. يتم دفع المخالفة بموجب إيصال مالي لدى مديرية المالية في المجلس المحلي.
- 2- وفيما يلي القرارات التي اتخذها المجلس المحلي في مدينة تل أبيض بخصوص "عقود الزواج" في المنطقة:

- (1) إذا أسند كلا طرفي عقد الزواج (الزوجة - الزوج) أو كلاهما توكيلاً رسمياً أو تزوجا عن طريق التوكيل، أو إذا تزوج أحد الطرفين من الطرف الآخر خارج سوريا، اعتبر عقد الزواج غير قانوني.
- (2) لا يجوز للمحاكم إبرام عقود الزواج. وعليه فإن عقود الزواج التي أبرمتها المحكمة في منطقة تل أبيض غير قانونية، ويعتبر المجلس المحلي أن جميع عقود الزواج المبرمة أو التي ستبرم في محكمة تل أبيض بشأن الزواج غير قانونية.
- (3) في الحالات التي يتزوج فيها الطرفان في المنطقة ثم يذهبان أو يذهبان بالذهاب إلى دول أخرى غير سوريا من خلال إظهار عقد الزواج ككامل، فإن عقود زواجهما غير قانونية. بغض النظر عن إبرام عقود الزواج، لا يمكن تقديمها كدليل للم شمل الأسرة، ولا يمكن استخدام عقد الزواج للسفر إلى دول أخرى خارج سوريا أو لطلب لم شمل الأسرة.
- (4) يتم عقد الزواج فقط من قبل المجلس المحلي أو مؤسسة رسمية يتم تحديدها. عند تنفيذ عقد الزواج، يجب على المؤسسة الرسمية المحددة اتخاذ القرار وفقاً لجميع المواد المذكورة أعلاه، 1، 2، 3، بشأن عقد الزواج. وتمت الموافقة على القرار بالإجماع من الحضور.

Meclis Başkanı
رئيس المجلس
إسماعيل حاج عبدالله

Genel sekreter
الأمين العام
صبيح سكر

Katip Üye
الكتيب / مروة سليمان

Katip Üye
الكتيب / اسماعيل صالح

الصفحة 1 من 2

Image (20)- A photograph of the abovementioned decision by the local council of Tell Abyad.

STJ's field researchers were able to define the following smuggling points in the Autonomous Administration areas:

1. A point near the village of [Arada](#) (20 km. to the west of Ad Darbasiyah).
2. A point near [al-Qahtaniyah/Tirbessî](#) town.
3. A point near [Kanya Kurdan](#) neighborhood in Ayn al-Arab/Kobanî.
4. A point near the village of [Atishan](#) to the west of Ad Darbasiyah town.
5. A point near the village of [Tell Zewan](#) to the east of Qamishli.
6. A point in [Siftek](#) village in rural Ayn al-Arab/Kobanî.
7. A point near the village of [Qarmough](#) to the east of Ayn al-Arab/Kobanî.
8. A point near the village of [Bahira](#) to the west of Amuda town.
9. A point near the village of [Jatal](#) to the west of Ad Darbasiyah town.
10. A point near [Tell Halaf](#) town to the west of Ras al-Ayn/Serê Kaniyê city.
11. A point near the official [Syrian-Turkish border crossing](#) in Qamishli city.

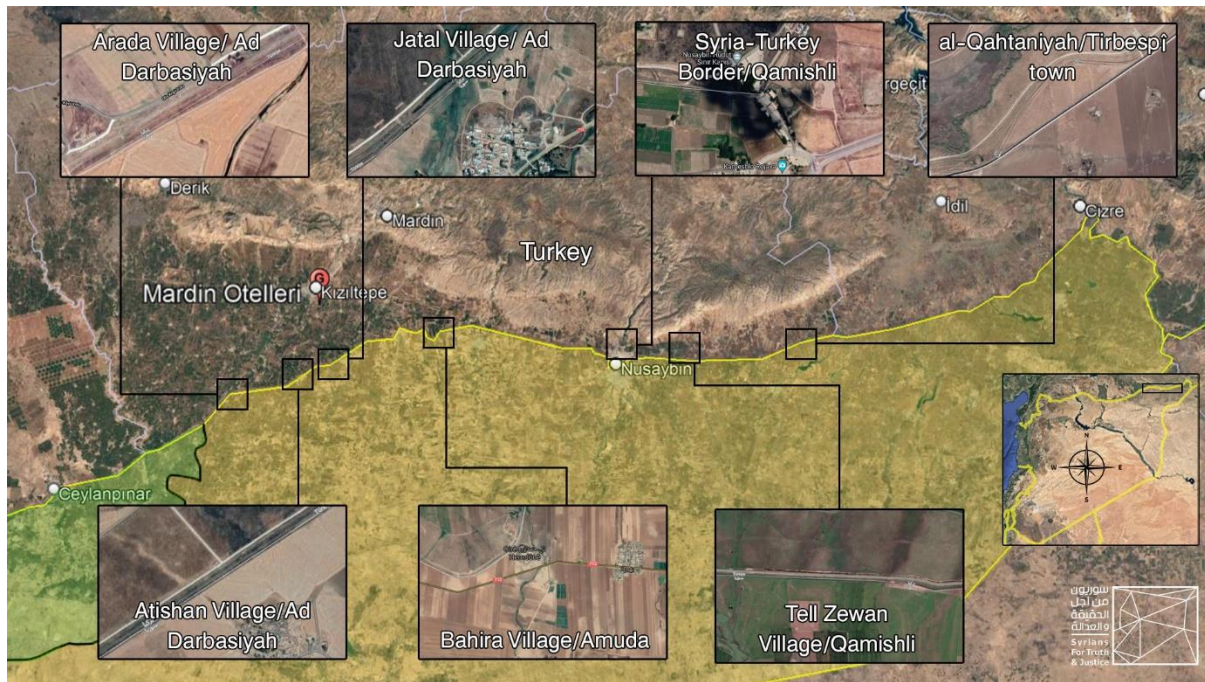


Image (21)- A map illustrates the smuggling points to Turkey in the Autonomous Administration area.

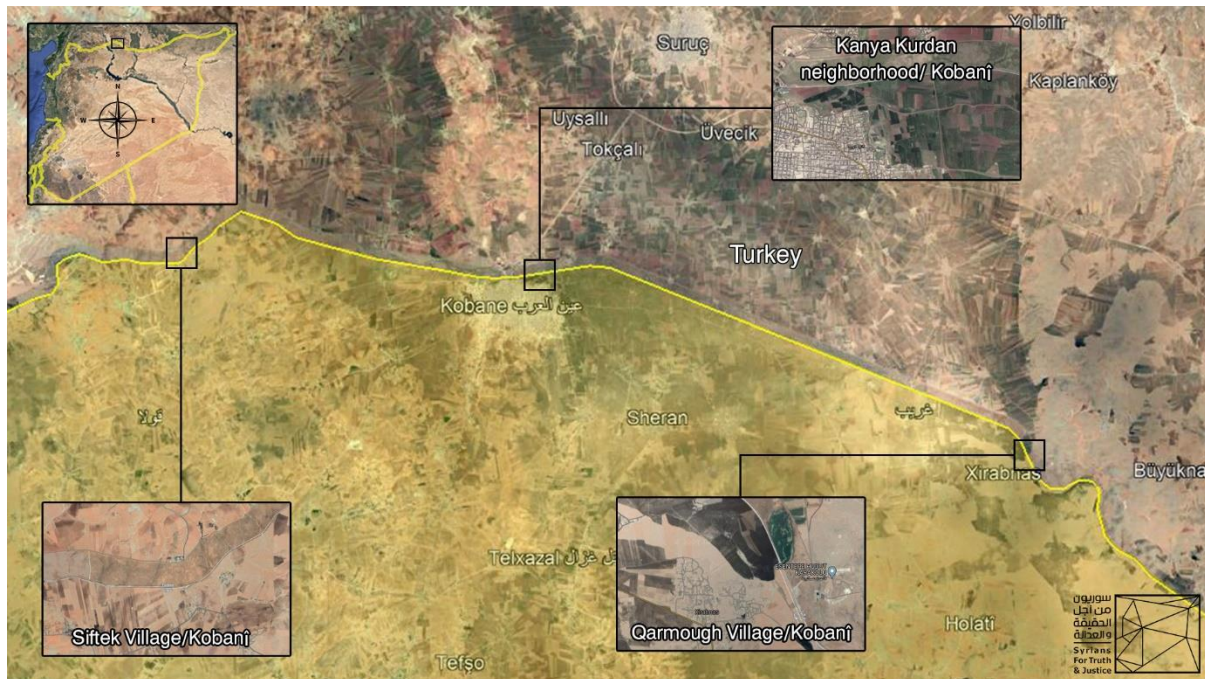


Image (22)- A map illustrates the smuggling points to Turkey in the Autonomous Administration area.

STJ's field researchers were able to define the following smuggling points in Idlib province:¹⁵

1. A point near [Ain al- Beida village](#).
2. A point near [al-Rehaniyah village](#).

¹⁵ STJ published several reports on the smuggling operations to Turkey from Idlib province.





3. A point near [Bab al-Hawa border crossing](#).
4. A point near [Karm al-Mared](#).
5. A point of [Talul](#), which starts a smuggling route through the Orontes River
6. A point near the [separation wall](#).
7. A point near [Zuf village](#).
8. A point near [Kherbet Eljoz village](#).
9. A point near [al-Mushrefa village](#).
10. A point near [Dorriyeh village](#).

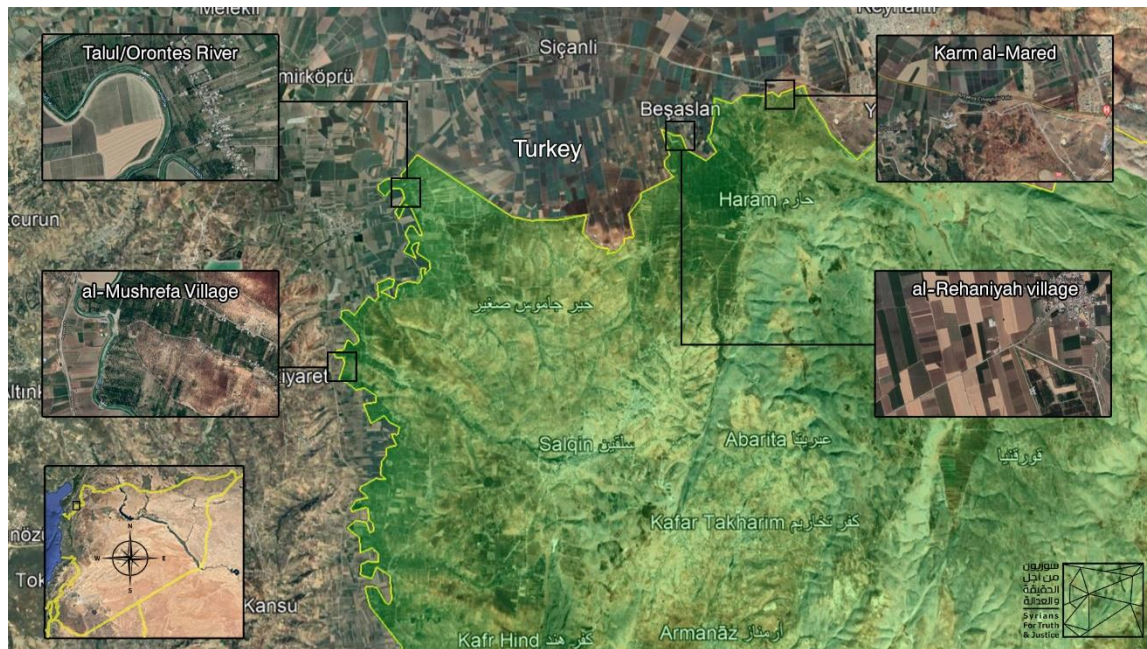


Image (23)- A map illustrates the smuggling points to Turkey in HTS-held areas in Idlib.

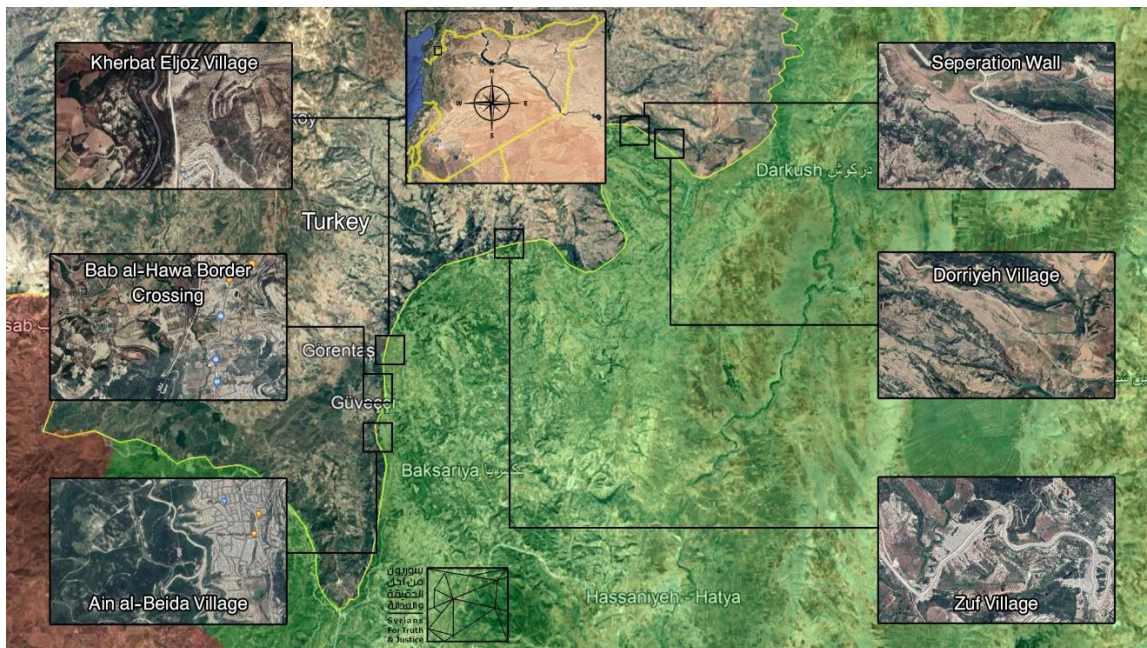
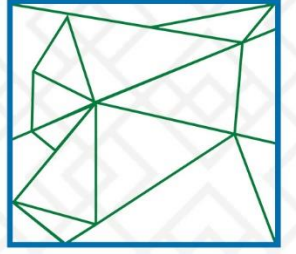


Image (24)- A map illustrates the smuggling points to Turkey in HTS-held areas in Idlib.





About Us:

Syrians for Truth and Justice (STJ) is a nonprofit, nongovernmental organization monitoring human rights violations in Syria. Founded in 2015, STJ has been based in France since 2019.

STJ is an impartial and independent Syrian human rights organization operating across Syria. Our network of field researchers monitor and report human rights violations occurring on the ground in Syria, while our international team of human rights experts, lawyers, and journalists gather evidence, examine emerging patterns of violations, and analyze how violations break domestic Syrian and international law.

We are committed to documenting violations of human rights committed by all parties in the Syrian conflict and elevating the voices of all Syrians victimized by human rights violations, regardless of their ethnicity, religion, political affiliation, class, and/or gender. Our commitment to human rights monitoring is founded on the idea that professional human rights documentation meeting international standards is the first step to uncovering the truth and achieving justice in Syria.



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