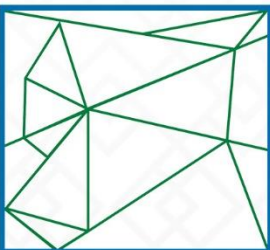


# Jindires/Afrin: The Full Story of the Nowruz Eve Murder





## **Jindires/Afrin: The Full Story of the Nowruz Eve Murder**

*The killings of four Kurdish relatives is one episode in a series of violations perpetrated against locals in Afrin since its occupation in 2018*





## Executive Summary

On the evening of 20 March 2023, three members of the Eastern Army/Jaysh al-Sharqiya—affiliated with the "Liberation and Building Movement" (LBM) of the opposition's Syrian National Army (SNA), shot at a Kurdish family for lighting a small fire in Salah al-Din neighborhood in Jindires town, rural Afrin, in celebration of the Kurdish New Year, Nowruz. The Turkish-backed armed group's bullets killed four of the family's members and seriously wounded a fifth.

The four victims are Farah al-Din Othman, his two brothers Nazmi Othman and Muhammad Othman, and his son Muhammad Othman. The brother Muhammad died later that night, while the remaining three died immediately in front of their house, affected by the bullets resting in their bodies' upper parts.

The next day, 21 March, the Military Police, also operating under the SNA, [announced](#) it had arrested the three involved army members. The police announcement was followed by many official statements from several SNA-connected entities, including the LBM, [denying](#) ties between the captured attackers and the Eastern Army/Jaysh al-Sharqiya while promoting the assault as a "fight between the victims and armed individuals."

Anger gripped locals across the Afrin region, to which Jindires town is administratively affiliated. The Kurdish community rose against attempts at evading responsibility for the killings that dominated the statements of the de facto authorities in the region. The locals organized large-scale [protests](#), several of which accompanied the burial procession. The protestors demanded that the SNA factions leave the region and authorities hold the perpetrators of the killings accountable, holding [placards](#) that read: "No to killing Kurds," "Five years of injustice are enough," "Five years of injustice, oppression, and demographic change," and "Afrin is Kurdish."

Additionally, 155 Syrian civil society organizations signed a [joint statement](#) condemning the killings, especially since the perpetrators did not hesitate to kill unarmed civilians while Jindires town and other areas north of Syria are still grappling with the devastating impact of the February 2023 [quakes](#). In the town alone, the tremors killed nearly [1,100](#) persons and inflicted destruction of varying degrees on thousands of buildings, leaving approximately 2,000 families without a shelter in the face of an acute shortage of life-saving resources because several armed opposition groups politicized and [diverted](#) aid.

However, the killings elicited little reaction on the international level, which manifested in brief Twitter statements. On 3 April 2023, the U.S. Embassy in Syria [tweeted](#): "Violence like that witnessed in Jindires on 20 March threatens Syria's stability. We urge all parties to halt civilian attacks and call for accountability."

For his part, Germany's Special Envoy for Syria, Stefan Schneck, [tweeted](#): "Germany condemns the tragic loss of lives during the lighting up of the Nowruz fire in Jindires. We extend our deepest condolences to the victims' families and call for an immediate investigation of the practices of the [Eastern Army/Jaysh al-Sharqiya]<sup>1</sup>. There is no room for violence during celebrations of hope and renewal."

---

<sup>1</sup> The tweet is translated from Arabic, which mistakenly cites the armed group associated with the reported killings as Ahrar al-Sharqiya/Free Men of the East.





Moreover, in a [report](#) published on 22 March 2023, Human Rights Watch (HRW) notes that these killings fall under a “litany of human rights abuses” the SNA factions have continued to commit since they took over the region. HRW added: “As an occupying power and as a backer of the local factions operating in areas under its control in northern Syria, Turkey is obliged to investigate these killings and ensure that those responsible are held accountable. Turkey should also cut all support to SNA factions implicated in recurrent or systemic human rights abuses and international humanitarian law violations.”

Notably, several Jindires neighborhoods, including the one that witnessed the killings, are controlled by the Eastern Army/Jaysh al-Sharqiya. The army was one of the opposition’s SNA factions that invaded and occupied the Afrin region along the Turkish military through Operation Olive Branch in March 2018. According to UN [estimates](#), the hostilities at the time forced at least 137,000 persons to flee the former Kurdish-majority region.

Under the Turkish occupation, the Afrin region, including Jindires town, became a stage for rampant human rights violations. The SNA factions perpetrate repeated and systemic patterns of violations with impunity and uncensored by the Turkish military—which backs them and practices effective control in the region. Since 2018, several independent local and international organizations, as well as concerned UN bodies, have documented large-scale violations, including [killings](#), [arbitrary arrests](#), [forced disappearances](#), abuse, [torture](#), [pillage](#), and [property seizures](#), as well as coercion of Kurdish residents to abandon their homes, [hampering the return of locals](#) to their original places of residence following hostilities, [demographic change](#) and practices of [Turkification](#).

In this special report, Syrians for Truth and Justice (STJ) unveils the intricacies of the Jindires murder, shedding light on the details of the attack and the response from the de facto authorities in the region. The authorities used the tragedy of the Kurdish family as a tool for political competition, enticing polarization and further establishing their dominance.

In terms of methodology, the report builds from six extensive interviews. The field researchers with STJ talked to witnesses and sources close to the victims’ family. Three interviewees were on site when the assault took place and are informed of the proceedings of the investigation with the surviving relatives. Additionally, the researchers interviewed three military sources from the SNA, among them a Sharia official with the Ahrar al-Sharqiya/Free Men of the East faction, who revealed the “Da’esh mindset” underlying the practices of the Eastern Army/Jaysh al-Sharqiya, and its treatment of the Kurdish community in the area and the Kurds’ embrace of their ethnic identity and celebrations, including Nowruz. Moreover, STJ reviewed various open-source materials, written and visual, published on the Jindires murder, verified the information they present, and cited several.

## Details of the Murder

For insights into the killings on the Nowruz Eve, STJ reached out to a civilian (Witness 1), who saw the members of the Eastern Army/Jaysh al-Sharqiya open fire on the Kurdish brothers one after the other in front of their home. The witness narrated:

“The older brother, Nazmi Othman, was sitting in front of his house on 16th Street in Salah al-Din Neighborhood when three members from the Eastern Army/Jaysh al-Sharqiya approached him. One of these members is called Habib. The two other







members were face masked. They asked him to put down the fire his nephew had lit on the house's rooftop to celebrate Nowruz. The brother refused their request. They quarrelled and exchanged insults. Then, the army members threw stones at him, called him a 'fire worshiper', and left. Sometime later, the army members returned with two AK-47 assault rifles and a gun. They shot at Nazmi. Then, the nephew, Muhammad Farah al-Din Muhammad, came out. They shot and killed him. [The second brother] Muhammad Muhammad Othman also came out. He intended to calm the situation down. However, they shot at him. The third brother, Farah al-Din Muhammad Othman, emerged from the house. They shot at him too."

The witness added:

"One of martyr Nazmi's sons, Muhammad Nazmi Muhammad, witnessed the murder with several neighbors. When the attackers threw stones at Nazmi, one neighbor tried to intervene and convince them to calm down. He addressed them, saying: 'It is a shame for neighbors to fight.' The attackers responded: 'This is none of your business, go away.'"

The witness said that after this altercation, he was confident the problem would spiral out of control, adding:

"I saw one of the army members try to make a call. Then, I observed Abu Habib handing weapons to his son and his companions to attack the brother Nazmi. Abu Habib is an officer at the Security Station of the Eastern Army/Jaysh al-Sharqiya. The attack occurred around 7:05 p.m. Abu Habib—Habib's father, one of the members who attacked Nazmi—was standing nearly 25 to 50 meters from the crime scene. Abu Habib is the murderer and the primary perpetrator in this crime, as I saw him passing weapons to the army's members after they quarrelled with Nazmi. This happened over a short time, no more than five minutes. The father had already prepared the weapons for them. After they finished shooting at the four victims, Habib and those with him headed to where Abu Habib stood and handed him the weapons back. He ordered them: 'Go now!' Therefore, the three boarded a motorcycle and left."

The witness added:

"The incident took no more than five minutes. Of course, there is a station for the Eastern Army/Jaysh al-Sharqiya [in the neighborhood]. It is located nearly 25 meters from the crime site. However, the father, [Abu Habib], did not obtain the weapons from the station. Abu Habib lives on the same street, 16th Street, in the Salah al-Din neighborhood, albeit on a side street. Additionally, five members of the Eastern Army/Jaysh al-Sharqiya were at the square [across from the victims' house]. They were watching the incident unfold. They were laughing at the incident happening before them. The dispute might have been resolved if they had kept to their habit and fired shots into the air."

Notably, the field researcher with STJ showed a civilian from the site of the attack, who is also close to the family (Witness 2), the photos circulated on social media of the three perpetrators, several of which were also included in the Military Police arrest statement. The witness confirmed that:

"Only Habib showed his face while the other two masked their faces. I know the father and the son, [Abu Habib and Habib], but I do not recognize the other two young men. Later, however, we learned that one of the two [attackers] is Abu Habib's prospective son-in-law. Abu Habib has been quarrelling with many lately and has become extremely arrogant."





Images (1&2)-Abu Habib, Habib's father, one of the three members of the Eastern Army/Jaysh al-Sharqiya involved in the Jindires killings. Source of the photo on the left: [Afrin Now](#). Source of the photo on the right: [Thiqa News Agency](#).



Image (3)-Omar Saleh al-Asmar (born in 2000), one of the alleged perpetrators of the Jindires killings. Source: The arrest statement of the SNA-affiliated Military Police.





Image (4)-Habib Ali Khalaf (born in 2004), one of the alleged perpetrators of the Jindires killings. Source: The arrest statement of the SNA-affiliated Military Police.



Image (5)-Bilal Ahmad al-Aboud (born in 2000), one of the alleged perpetrators of the Jindires killings. Source: The arrest statement of the SNA-affiliated Military Police.







After the shooting, witness 2 narrated:

"The neighborhood's residents gathered around the martyrs' dead bodies while the older brother was still alive. He was transported to the Afrin city hospital. The doctor told us that his situation was critical and that he needed a blood transfusion. The doctor also said they extracted five bullets from his body upon his arrival at the hospital, indicating that other bullets were yet to be removed. The four martyrs received the bullets into their upper parts, from the waist and up to the head. The shots marked circles on their bodies because the shooting was unbelievable. The three members fired shots from two AK-47 assault rifles and a gun."

A person close to the family (Witness 3) reported the challenges the family faced as they tried to admit the bodies of the victims into the mortuary of the hospital in Afrin until burial:

"The [family] transported the dead bodies to the Turkish military hospital. However, the hospital's [staff] removed the dead bodies from the premises and told the family to bury them. The relatives said they could not carry out the burials at night, to which the hospital responded that the Civil Defence could handle the matter. The family refused and decided to take the bodies to Idlib. Had they buried the martyrs at the time, only a few people would have accompanied them in the burial procession for fear of [the Eastern Army/Jaysh al-Sharqiya] while all the family wanted was to survive the injustice they suffered. In Idlib, Hay'at Tahrir al-Sham (HTS) handled the dead bodies and put them in the hospital's morgue. Then, the family transported the dead bodies to Jindires. Delegations from Idlib accompanied the bodies. It is worth mentioning that the family sought Idlib because, to them, there were no other solutions."

Notably, local activists [circulated](#) footage of the victim's bodies abandoned on the sidewalk of the Turkish hospital, located on the al-Muhamadiya village road.



Images (6&7)- The victims' dead bodies abandoned on the sidewalk of the Turkish hospital. Credit: Local activists on social media.







Image (8)- The live image above matched with open-source and satellite images listed below.



Image (9)- Footage of the Turkish Military Hospital matched with the image above. [Source](#).





Image (10)- Old entrance of the Turkish Military Hospital. Source.



Image (11)- Entrance of the Turkish Military Hospital following renovations. [Source](#).







Image (12)- Satellite footage of the Turkish Military Hospital. Source.

Commenting on the investigations, witness 3 added:

“The family had promises from various sides as many delegations visited them at the funeral tent. The family has no conviction in the decisions of the SNA, which took charge of the investigations into the case. The family demanded that the HTS oversee the matter because it is better than the [SNA] factions. [The factions] could easily arrest [the perpetrators] here and release them elsewhere. However, the Military Police ultimately managed the investigation.”

The witness added:

“The day after the murder, [a delegation from the] Military Police and a judge took the testimonies of [the victims’ relatives] they found at home. That day, before they left, members of this delegation hastened several of the martyrs’ relatives to fingerprint a white paper. The families had no idea about the reasons behind the request, [and some of them did provide their fingerprints]. Additionally, no one read what was written in the [delegation’s] papers as the testimonies of the martyrs’ relatives. The family is determined to bring the case before the court again if the statements of the relatives of the martyrs are found to have been manipulated.”

Notably, this attack by the members of the Eastern Army/Jaysh al-Sharqiya on the Othman family is not the first of its kind. On 12 April 2018, Farhan al-Din, who died in the recent shooting with his son Muhammad, was arrested and tortured by the army for demanding back his home, which the army had expropriated. Several local social media [pages](#), Syrian news outlets,<sup>2</sup> and individual [activists](#) in Afrin covered the 2018 assault on the victim.

<sup>2</sup> 'Alo, Shairo. "[Violations against Afrin Locals Continue](#)," Syria TV, 27 January 2019 (Last visited: 8 May 2023).





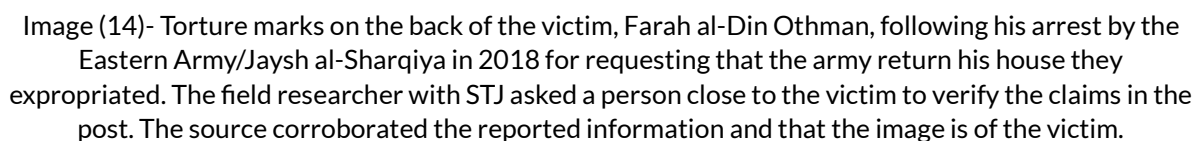
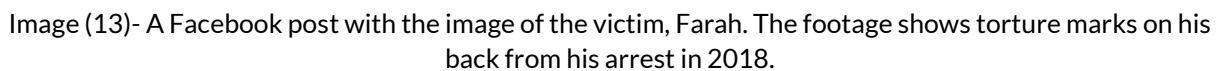




Image (15)- A protest held in front of the victims' home. Source: [Orient](#).



Image (16)- A protest held in front of the victims' home. [Source](#).







Image (17)-The live image above matched with 3D footage of the destruction caused by the 6 February quake in Jindires, also locating the victims' home. [Source](#).

## The De facto Authorities' Response

On 21 March 2023, the day after the killings, the Military Police published a "[statement to the public](#)." The police said they had "rushed immediately" to arrest "the criminals who carried out the horrific crime and those who covered up for them." The police stressed that they carried out the arrest in cooperation with the LBM of the SNA's 1st Legion.

However, the statement of the police neither mentioned the perpetrator's affiliation with the SNA and the LBM nor highlighted the national origins of the Kurdish victims. The statement only listed the names of the civilians shot and killed.

STJ obtained the account of a high-ranking Military Police officer (Source 4), who said that the police's actual response was, in reality, inconsistent with their initial report. The source said:

"We had no idea about the incident and heard of it from media reports. In the evening, we did not follow up on the incident, nor dispatched forces to the crime site, because no complaint was filed. Also, the Eastern Army/Jaysh al-Sharqiya would not have let us intervene."

The source added:







“In the morning, we were even surprised by the HTS’s entry into the Military Police station. The HTS ordered us to evacuate the station instantly, without our weapons and keeping only the uniforms we had on. The HTS kept only three police officers with them. We remained outside the station until around the early evening. We were then told that the issue had been resolved and that we could return to the station.”



Image (18)-The HTS’s Special Task Force taking over the Military Police station in Jindires town, north of Aleppo, on 21 March 2023. Source: [Halab Today TV](https://www.halabtoday.tv).



Image (19)- Screenshot from a [video](#) published in August 2022 matched with the image above. The photo shows a group of protestors in front of the Military Police station in Jindires town. STJ is listing this photo to mark out the location HTS’s force controlled, according to [Halab Today TV](https://www.halabtoday.tv).



Notably, the initial reports on the number of perpetrators were contested. The police announced capturing three offenders, while the LBM [statement](#), also issued on 21 March, said that only two individuals were involved in the crime. However, a [video statement](#) the LBM posted in the evening on the same day showed three offenders. In both statements, the LBM sought to refute the perpetrators' affiliation with it or any of its constituents. Additionally, the LBM focused on the regional affiliation of the perpetrators, presenting the incident as merely a dispute between individuals from eastern Syria (Deir ez-Zor and suburbs) and the Kurdish people in Jindires.

Regarding the exact number of the offenders, Source 4 confirmed that the Eastern Army/Jaysh al-Sharqiya handed the Military Police three persons in the early evening on 21 March 2023 and Abu Habib the next day. Additionally, the source highlighted that interrogations with the captured attackers and witnesses by the Military Police did not start until six days later, on 27 March.

The source also commented on the local authorities handling of the murder, adding:

“There is a determination that what happened was a dispute; the locals had attacked the fighters with stones; Abu Habib had no part in the matter, and that the person who planned and incited the killings is a minor of only 17 years old.”

## HTS Exploits the Tragedy to Expand

The Jindires murder presented the HTS with a potential opportunity to continue to dominate the Afrin region militarily, as well as in terms of security and services. On 3 April 2023, STJ published a [report](#) documenting all manifestations of the HTS's intensified presence in the Afrin region, which began in October 2022.

On 20 March, the evening of the murder, a circulated [video](#) showed the HTS General Commander, Abu Mohammad al-Julani, among his faction's personnel who received the victims' bodies in Atmeh village, in Idlib province. Al-Julani is filmed addressing female members of the grief-stricken family, telling them: “This is the last day you are going to be attacked. You are under our protection.”

Source 4 corroborated the HTS's presence in Jindires, saying:

“An HTS-affiliated military group is deployed near the Military Police station and is monitoring the situation. The HTS also has eyes within the ranks of the Military Police in Jindires.”

For further information on military control in Jindires town, STJ contacted a high-ranking officer from the SNA (Source 5). He said:

“Jindires is subject to the Eastern Army/Jaysh al-Sharqiya. However, there are a few HTS-tied military divisions there.”

The source added:

“The SNA commanders were shocked upon learning that the dead bodies of the victims were in Idlib and that al-Julani promised [the family] restitution. Most of the SNA commanders heard of the news like the rest of the people after it spread on online media groups.”





The source said that several SNA commanders attended the burials in Jindires on the morning of 21 March 2023, noting that HTS also deployed a large military force to the town, which included al-Julani and one of his closest associates and Iraqi national, Abu Maria al-Qahtani. He added:

“A meeting was held that brought together the commanders of the Eastern Army/Jaysh al-Sharqiya, the Ahrar al-Sharqiya/Free Men of the East, and [the HTS]. Al-Julani requested that he carries out the investigation. In tandem, the HTS forces spread across Jindires, entered and took over the Military Police station, and expelled the police officers from the station without their weapons. Additionally, the HTS started sending its forces to cordon off the centers of the Eastern Army/Jaysh al-Sharqiya. The army then pledged to surrender all the offenders so that al-Julani would not eliminate it.”

The source added that the Turkish authorities intervened following these factional talks and asked al-Julani to restore the situation existing before:

“A high-ranking Turkish intelligence officer, designated to Syria and Iraq, asked the HTS to evacuate the Military Police station and leave the [Jindires] case to the police, saying that [the Turkish intelligence] will look into the continuation of the investigation themselves. The HTS met the orders, left a small force in Jindires to ensure that perpetrators will be handed over, and quit the case.”

Commenting on the Kurdish residents' stance in the investigation proceedings, the source said:

“To tell the truth, all the Kurds are demanding is that the case be left for the HTS to handle and that the perpetrators be executed after they are tried.”

Notably, the position of civilians in Jindirs builds on al-Julani's policies towards the religious and ethnic minorities in Idlib. Al-Julani has been exploiting the Christian and Druze communities in HTS-held areas and using them to promote the faction's civil facade, the Salvation Government, and to [polish his image](#) and present himself as the “patron of minorities.”



Image (20)-Screenshot from a [video](#) showing the victims' relatives gathered at the Atmeh roundabout.





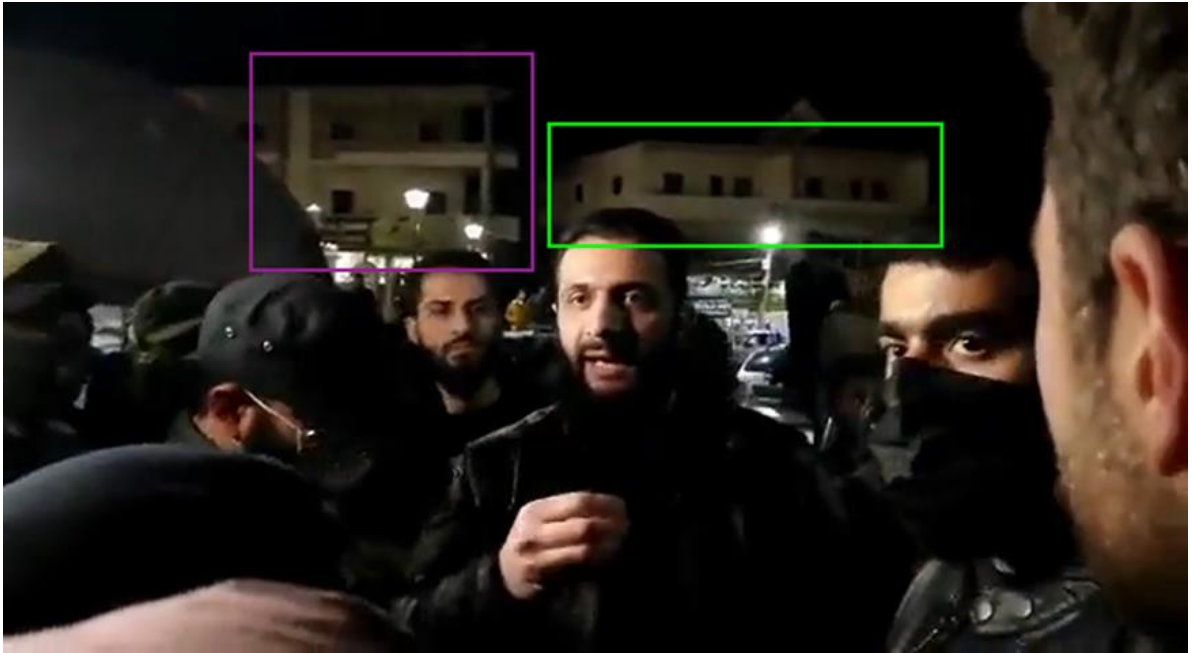


Image (21)-Screenshot from a [video](#) corroborating the presence of HTS General Commander, Abu Mohammad al-Julani, at Atmeh roundabout after the victims' families brought the dead bodies to the area from Jindires.



Image (22)- Live photo of the Atmeh roundabout taken in April 2023. [Source](#).







Image (23)- The live image above matched with satellite footage.



Image (24)-The dead body of one of the victims at the Atmeh roundabout. Source: STJ.





## Slow Investigations

On 8 April 2023, Mrs. Hevin Othman, the wife of one of the victims, appeared in a [video report](#) on Syria TV. She expressed anger at the lack of progress in prosecuting the perpetrators, as the measures made by authorities until that time had not taken any effective form and were only limited to promises.

Two days later, on 10 April, Mrs. Rushin Muhammad Othman, the sister of the three killed brothers, was featured in a [video](#) by ARK News. In the interview, the sister complained about the little attention dedicated to the Jindires case. She said:

“They killed four members of our family in cold blood. Their blood must not be shed in vain. We demand that the culprit and primary murderer, Abu Habib, be executed. They killed four of us in just a minute, while days and weeks go by, during which the case is neglected and left to descend into oblivion.”

In an exclusive statement nearly two weeks after the shooting, a source from the Military Police [told](#) Syria TV that the collection of testimonies had ended and that the criminal description of the crime is premeditated murder, pointing out that “all the elements of the crime existed at the scene, meaning that the crime report is solid and contains no legal gaps. The verdict in such cases is death by hanging.”

Additionally, 22 days after the shooting, the Director of the Military Justice Department, Brigadier General Arafat Hammoud, made a [statement](#) to *Enab Baladi* newspaper. He pledged “to prosecute the perpetrators with full transparency and apply the Syrian law in force in the region,” noting that the Military Police “referred the perpetrators to the Military Public Prosecution, where they were interrogated and arrested for the crimes attributed to them, which are premeditated murder and participation in it. Moreover, the judiciary detained the person who hid the perpetrators for the crime of concealing convicted persons.” Nearly 40 days after the attack, witness 1 told STJ:

“The relatives of the victims have hired a lawyer, and so did the offenders. However, they are still waiting for the trials to begin.”

## The Eastern Army/Jaysh al-Sharqiya

The army was founded in 2016 under the command of Major Hussein Hammadi. It consists of approximately 1000 fighters. The army partook in the Turkish-led military operations Euphrates Shield, Peace Spring, and Olive Branch. Today, the army operates under the mantle of the LBM, [established](#) in February 2022. In addition to the army, the LBM encompasses three other SNA-affiliated armed groups: Ahrar al-Sharqiya/Free Men of the East, 20th Division, and Suqour al-Sham Brigades/Levant Hawks Brigade-Northern Sector.

In terms of command, the LBM has Major Hussein Hammadi as its General Commander and Abu Hatim Shaqra, Commander of Ahrar al-Sharqiya/Free Men of the East, as his deputy.

In its founding statement, the LBM lists its fundamentals, including primarily: “Preserving the components of the Syrian people, preventing demographic change, establishing a fair system that safeguards the freedom and dignity of citizens, as well as working to stabilize the security situation in the LBM territories of control.”







Notably, even though the Jindires killings are overwhelming proof that the LBM and its separate components have failed to adhere to their declared principles, the attack on the Kurdish family is neither the only nor the first of its kind. For example, in a 2018 [report](#), HRW revealed that the Eastern Army/Jaysh al-Sharqiya was involved in confiscating the home of a civilian Kurd in Jindires town. The property seizure occurred after the civilian escaped Afrin fearing persecution by the SNA after it took over the region in 2018. At the time, the army housed one of its fighters and his family in the expropriated home.

Additionally, in December 2022, STJ published a [report](#) documenting the LBM's involvement in recruiting under-18 children within their ranks. STJ obtained a list of the names of 17 child recruits, five of whom were trained by the Eastern Army/Jaysh al-Sharqiya to be combatants.

In an extensive 2021 [report](#), STJ also unveiled how several SNA factions recruited former commanders, security officers, and fighters within the Islamic State (IS-locally known as Daesh). These fighters were delegated command and/or regular fighter positions within the SNA. According to an exclusive testimony STJ obtained earlier, Major Hussein Hamadi, LBM General Commander and leader of the Eastern Army/Jaysh al-Sharqiya, accepted former IS fighters and placed them under the protection of his faction. The report showed that the Eastern Army/Jaysh al-Sharqiya had enlisted seven such IS militants, who were delegated military, security, and administrative command positions.

In a recent account STJ obtained, a Sharia official from Ahrar al-Sharqiya/Free Men of the East (Source 6) confirmed that several former IS militants continue to operate within the ranks of the Eastern Army/Jaysh al-Sharqiya. The source said:

“The Eastern Army/Jaysh al-Sharqiya has a large number of IS commanders and militants, causing the main problem at the heart of the orientations of [the army’s] fighters and leaders.”

On the impact of these orientations and the role they played in the reported attack on the Kurdish family, the source said:

“Our information indicates that the dispute was planned by Abu Habib, his son, and the other security members affiliated with him. The purpose was to scare the Kurds in Jindires and prevent them from celebrating [Nowruz]. The reason behind this [approach] is that the command and even the Sharia officials of the Eastern Army/Jaysh al-Sharqiya have warranted the celebration and did not protest it. However, the IS-affiliated fighters and commanders did not like this mindset and considered lighting up [Nowruz] fires a practice belonging to infidels and Satanists.”

The source added:

“Honestly, the army commanders implicitly agree to this [opinion of the IS militants]. The issue was brought up on an online security group, including military, Sharia, and security commanders of the army. One security officer from the army said that these Kurds are atheists and infidels, and those who light up fires and celebrate them are performing the practices of fire worshipers. The answer of one army commander, known for being a former IS leader, was: ‘Well said! However, this opinion must not reach the media as ours, or we will be embarrassed before Türkiye and the West.’ We tried our best to organize religious sessions that explain Daesh’s mindset and its dangers, but, unfortunately, even the first-rank commanders have a past with Daesh.”







On the Jindires murder within the context of factional media competition concerning minorities, the source added:

“To tell the truth, I was not shocked by the massacre at all. More frankly, the massacre would have passed as an ordinary incident without extensive media coverage if not for the HTS’s intervention. The relatives of the victims would have been arrested and threatened by the Eastern Army/Jaysh al-Sharqiya until the issue has been resolved.”



Image (25)-This STJ-designed map matches live and open-source footage. The map locates the victims’ house, the Military Hospital, the Military Police station in Jindires town, and the cemetery where the victims’ bodies were buried.





Approaching the media competition and the SNA faction's use of Nowruz to garner support from locals in the area, source 5 said:

"In general, as an official stance, neither the SIG nor [its] defense ministry prohibits the Nowruz celebrations. However, the decisions of both the SIG and the ministry are dead letters because they maintain no control over the factions or on the ground. The final say on allowing or banning the celebration belongs to the commander of the faction himself and applies to only the area he chooses. For instance, in Shaykh al-Hadid, al-Amshat, [Suleiman Shah Brigade], warranted the celebrations and provided them with media coverage to present themselves as advocates of minorities. This is similar to al-Julan's approach in Idlib."

## Nowruz in the Shadow of the SNA

In 2009, The United Nations Educational, Scientific and Cultural Organization inscribed (UNESCO) Nowruz on the Representative List of the [Intangible Cultural Heritage of Humanity](#) under the [2003 Convention for the Safeguarding of the Intangible Cultural Heritage](#). In 2010, the United Nations General Assembly [proclaimed](#) the "International Day of Nowruz." In 2016, UNESCO extended the inscription of Nowruz on the representative list at the joint initiative of 12 countries, not including Syria.

In Syria, Nowruz—celebrated by Kurds primarily—lacks official recognition and continues to be an annual occurrence predominated by various repressive practices against the Kurdish minority. Kurds exist in multiple areas across Syria, including the Afrin region in the northwestern parts of the country and the areas of Qamishli/Qamishlo and Ras al-Ain/Serêkaniyê in its northeastern parts. The anti-Nowruz practices of the Syrian government are of a wide range, including official bans of festivities or dispersal of gatherings with force, in addition to arrests and clashes during which the government forces faced the celebrating Kurds with fire, often rendering several [wounded or dead](#).

In Afrin, violations against Kurds did not stop with the entry of the SNA into the region as a proxy force for Türkiye. On 18 March 2018, members of the SNA factions that participated in Operation Olive Branch [shot at](#) the Kawa the Blacksmith statue and [destroyed](#) it upon accessing the Afrin city center. Kawa is the hero of the Kurdish legend surrounding Nowruz, and his uprising against the tyrant is the heart of the Nowruz celebratory manifestations.







Image (26)-SNA members destroy the statue of Kawa the Blacksmith in Afrin city center in 2018.

Credit: [Reuters](#).

On 17 March 2019, this initial indicator of the SNA's policies towards Kurds in the region was followed by an official [ban](#) on Nowruz celebrations. The Turkish and Syrian opposition authorities distributed notices in the area, announcing that Nowruz will not be an official holiday and that they will not allow those celebrating Nowruz to organize activities such as "protests, marches, recreational events, or burn tires" on 20 March or any other day. Notably, Kurds light fires on Nowruz day as a symbol of freedom and rebellion against oppression.



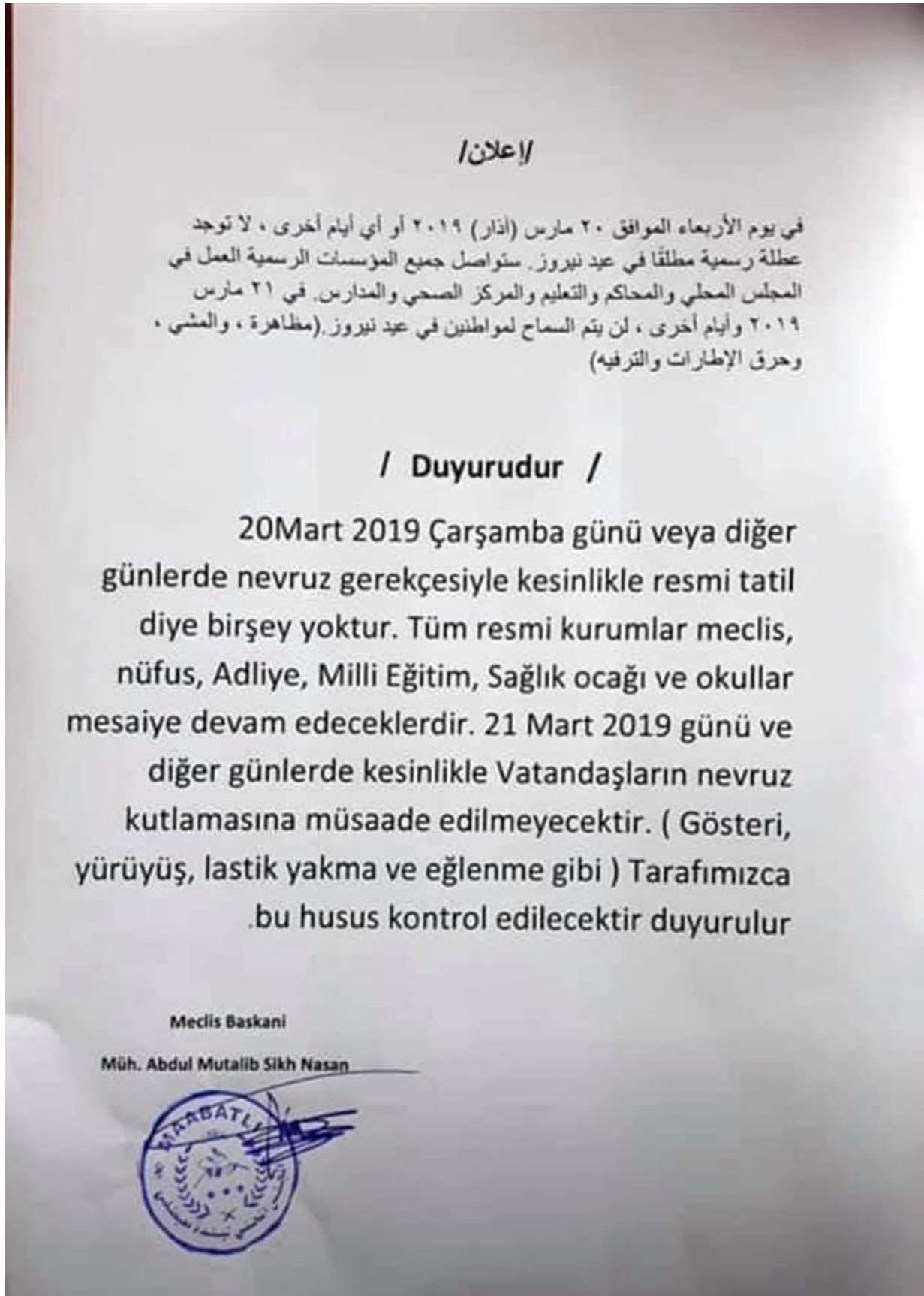


Image (7)-A notification from Turkish-affiliated local councils in the Afrin region, banning Nowruz celebrations for 2019. Source: [Elizabeth Tsurkov](https://www.stj-sy.org/en/2019/03/20/afirin-turkish-affiliated-local-councils-ban-nowruz-celebrations-for-2019/).





Despite allowing Kurds to celebrate Nowruz in the following years, the SIG—affiliated with the Syrian Opposition Coalition (SOC) and for whom the SNA operates as the military wing—did not work to set up measures to ensure protection for Kurds as an ethnic minority in the region. The Jindires killings are an inevitable consequence of this gap, especially within the context of the broad violations of the Kurds' human rights.

## Legal Opinion

The right to life is a basic and pivotal human right. Moreover, this right establishes other rights and freedoms stipulated in international covenants and instruments, constitutions, and domestic legislation.

International law prohibits the arbitrary deprivation of the right to life. Even during an armed conflict, the deprivation of life is considered arbitrary if the individual's "killing" does not occur within the contexts permissible by international humanitarian law (IHL); namely—in the context of hostilities—the killing of members of the armed forces of parties to the conflict or civilians taking a direct part in the hostilities and during their participation. Even though IHL notes that collateral damage from hostilities that adhere to the principles of distinction, proportionality, and precautions may result in victims who do not fall into these two categories, it absolutely prohibits intentional killing, which may amount to a war crime.

The victims of the Jindires killings were not combatants and were not taking part in any hostilities at the time of their targeting. They are among the categories protected under Common Article 3 of the four Geneva Conventions. Therefore, using lethal force against them through firearms is considered premeditated murder.

Moreover, parties to the conflict are obliged to treat those protected categories humanely and not to commit violations against them without any adverse distinction based on any basis. This duty is enforceable in all cases and means that depriving a person or group of people of this humane treatment because of their race, color, religion, belief, sex, birth, nationality, or any other reason is considered an adverse distinction against them. It is necessary that this crime not be separated entirely from the persisting context of practices against a specific ethnic group—the Kurds. This is because the repeated claim, in such cases whereby individuals are targeted because they belong to this ethnicity, that these practices are individual does not absolve the controlling authorities from their responsibility for reinforcing a clear pattern that reflects a systemic policy against that group. The Rome Statute founding the International Criminal Court defines persecution, as a crime against humanity, as the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the targeted group.

Notably, the behavior of the commanders in the context of this report may result in criminal liability according to international criminal law standards. The fact that the responsible person/commander incites the killing of the protected persons or does not take necessary measures to prevent their killing results in what is known as the responsibility of command, whether direct or indirect.

In terms of violations of rights and freedoms that must be respected, the operative 2012 Syrian Constitution does not directly refer to the right to life.<sup>3</sup> However, it "theoretically safeguards"

---

<sup>3</sup> Notably, STJ has several reservations about many of the Constitution's articles and has already published research papers and reports identifying gaps in the Constitution, whether in terms of text or application.







many basic human rights and freedoms that cannot be available to those who do not enjoy the right to life in the first place.

The Syrian Constitution stipulates the preservation of private property, the right to inheritance, respect for the principles of social justice, freedom, equality, and maintenance of the human dignity of every individual. It also establishes the right to health and medication, to contributing to the political, economic, and social life, as well as to freedom of opinion, expression, assembly, and other rights and freedoms, which should have remained beyond discussion if individuals do not enjoy their right to life. Therefore, the killings perpetrated by members of the Eastern Army/Jaysh al-Sharqiya are a clear and blatant violation of the right to life, which is the foundation for the rest of the rights and freedoms.

Should these members' motive for committing the offense be proven to have been preventing the Kurdish community from celebrating Nowruz, which they consider a national holiday—and this is the likely motive based on the testimonies of the witness and sources the report cites—then these members would be breaching the principle of non-discrimination between citizens on the grounds of gender, origin, language, religion or belief, enshrined in Article 33 of the Constitution. These members would also be infringing on Article 42 of the Constitution. This article states that: “1. Freedom of belief shall be protected in accordance with the law; 2. Every citizen shall have the right to freely and openly express his views, whether in writing or orally or by all other means of expression.”

As for the legal characterization of the army member's offense, should available evidence corroborate intent and prove that the act has been planned, the description of premeditated murder would apply to the act, according to Article 535 of the Syrian Penal Code. Therefore, the penalty for the perpetrators is death. However, should the offense be proven as having been committed at the spur of the moment during the quarrel and without prior planning,<sup>4</sup> then the act falls under culpable homicide of two or more persons, based on Paragraph 6 of Article 534 of the Penal Code. Moreover, should the offense be proven to have been perpetrated due to discrimination against Kurds—which is likely based on the sources' testimonies, the legal characterization of the act would be culpable homicide for an ignoble reason based on Paragraph 1 of Article 534 of the Penal Code. The penalty in these two contexts is hard labor for life.

Furthermore, if it is proven that the so-called “Abu Habib” (a security officer of the Eastern Army/Jaysh al-Sharqiya) is the one who incited the perpetrators to commit the crime, according to what is inferred from the statements of one of the witnesses, or if it is proven that he gave the perpetrators weapons to facilitate the commission of the crime, then he is considered either an instigator of the crime or a main accomplice, “without his assistance, the crime would not have been committed.” In both cases, he shall be punished with the same penalty that will be imposed on the perpetrators, whether he is considered an instigator or an accomplice.<sup>5</sup>

---

<sup>4</sup> Premeditation means that the perpetrator intended to carry out the crime, thought of it, and planned it in advance. Nevertheless, if the crime was committed impulsively and due to a specific reaction, the case would be a homicide, not premeditated murder.

<sup>5</sup> The first paragraph of Article 217 of the Syrian Penal Code stipulates that “the instigator shall be liable to the penalty for the offense he wanted to commit, whether the offense was actually committed, attempted or incomplete.” Likewise, the first paragraph of Article 219 stipulates that “the accomplice, without whose help the crime would not have been committed, shall be punished as if he himself was the perpetrator.”





Moreover, if the military judiciary present in the region is the one that will look into this case—since the perpetrators are military personnel—then the penalty to be imposed on the perpetrators, as well as the legal characterization of the crime, shall remain the same according to Article 50 of the Syrian Penal Code and Military Trial Code No. 61 of 1950 because the procedures established in the general Syrian laws are applicable before the military courts as well (Articles 13, 23, 33 of the Military Penal Code).

## Recommendations

### The United Nations:

- To take all necessary measures to protect the civilians in Afrin and across Syria, as well as pressure Türkiye as an occupying power to assume its legal responsibilities in ensuring public order and safety and maintaining law and order;
- To pressure the Turkish government to stop the demographic changes in Afrin, Ras al-Ayn/Serê Kaniyê, and other regions, commit to the provisions of the 1907 [Hague Agreement](#) and hand over the administration of those areas to their Syrian indigenous people;
- To take adequate measures to stop the expansion of the terrorist-designated Hay'at Tahrir al-Sham (HTS)/formerly al-Nusra Front in Afrin and other northern Syria regions. The HTS took this crime as a pretext to advance in Jindires and its countryside and take control of the SNA's headquarters in Jindires.

### The United States government and the European Union:

- To operationalize the sanctions against entities and commanders of the armed Syrian factions involved in committing human rights violations and extend the sanctions to include the remaining groups and individuals responsible for the violations in northern Syria, including Turkish officials who effectively run those areas.

**War Crimes Units in the countries, their enactments allow trials under the principle of universal jurisdiction, the International Impartial and Independent Mechanism (IIIM), and the competent international organizations:**

- To intensify their work on documenting all violations by all parties, particularly those in Afrin and throughout northern Syria targeting specific racial, religious, or ethnic groups.

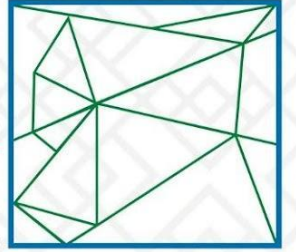
### The International Independent Commission of Inquiry on the Syrian Arab Republic:

- To release a briefing on the human rights situation in northern Syria, particularly in the areas under the effective control of Türkiye, including Afrin, Ras al-Ayn/Serê Kaniyê, Tall Abyad, A'zaz, and al-Bab.

Additionally, STJ demands that the SOC, the SIG and all political bodies under its umbrella assume their legal, political, and moral responsibilities toward all the crimes committed in Afrin, intervene to halt the violations perpetrated by their armed groups, and support the demands of the local population.

---





## 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.



[WWW.STJ-SY.ORG](http://WWW.STJ-SY.ORG)



[STJ\\_SYRIA\\_ENG](https://twitter.com/STJ_SYRIA_ENG)



[EDITOR@STJ-SY.ORG](mailto:EDITOR@STJ-SY.ORG)