

## Syria: Legal and Human Rights Implications of Printing Official Documents in Türkiye



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## 1. Background

In late December 2024, the Türkiye Gazetesi website [reported](#) that the new authorities in Syria, led by Ahmed al-Sharaa, were seeking assistance from Türkiye for various services. This included printing official documents for Syrian citizens, such as identity cards, passports, and driver's licenses. The request for help arose from the inadequacies in Syria's infrastructure, which made it difficult to produce these documents.

The report further stated, "The relevant Turkish institutions have started preparations to print identity cards, passports, and driver's licenses for Syrians in Türkiye. A system similar to the one used in Türkiye for passports, smart chips, and driver's licenses will also be adopted for Syrians."

Various Turkish media outlets, including [CNN TÜRK](#) and [TRHaber](#), reported similar news, emphasizing that Turkish President Recep Tayyip Erdoğan instructed all Turkish ministers regarding the demands of the new Syrian authorities. On 25 December 2024, Anadolu Agency [announced](#) that during a cabinet meeting, President Erdoğan directed each minister to address the specific needs in Syria, according to their respective fields. This is intended to facilitate the return of public institutions and the re-establishment of state order in Syria.

The report also indicated that following the establishment of the Ministry of Interior in Syria, Türkiye's Ministry of Interior, led by Ali Yerlikaya, would provide support in areas such as civil registration, security, and passport printing. Additionally, Türkiye planned to assist with technical equipment and information sharing.

These reports emerged 17 days after the fall of the Assad regime on 8 December 2024. This change followed [Operation Deterrence of Aggression](#), launched by the Military Operations Directorate, which was led by the now-dissolved Hay'at Tahrir al-Sham (HTS) in collaboration with other opposition factions, including those affiliated with the Turkish-backed Syrian National Army (SNA). Following the regime's collapse, the HTS assumed control in Damascus under the name of the "[Syrian Interim Caretaker Government](#)," with Mohammed al-Bashir serving as its leader. Notably, on 29 January 2025, the Military Operations Directorate held a "[Victory Conference](#)," announcing the appointment of Ahmed al-Sharaa, the former leader of HTS, as president of Syria during the transitional period.

## 2. Syrian Reactions to the Printing of Official Syrian Documents in Türkiye

As of now, the Syrian government, which was the former de facto authority and is currently recognized as the transitional authority, has not issued any official statements regarding reports of its request for assistance in printing official Syrian documents in Türkiye. However, this news has generated controversy in various Syrian circles, particularly on media websites and social media platforms. There are growing concerns and questions about the potential risks associated with this move and its significance to the government's priorities.

In a publicly available [post](#) on Facebook, Syrian journalist Omar Qasir questioned whether it is acceptable to simply hand over the data of millions of Syrians to foreign entities. He explained,

Is it not crucial to identify who set fire to the main immigration and passport center in Damascus? This incident has caused significant hardships for hundreds of thousands, if not millions, of Syrians both inside and outside the country. Many individuals were waiting to travel for scholarships or work contracts, while others could not renew their residency permits without new passports. Some cannot return to visit their loved ones

in Syria and face similar challenges. Should not these individuals be prioritized by a caretaker government to manage their affairs? After all, these processes operated normally under the previous regime, which financially exploited applicants for these services in exchange for facilitating their transactions.

The General Command of the Military Operations Directorate, overseeing Operation Deterrence of Aggression, [announced](#) on the morning of 8 December 2024 that the Immigration and Passports Department building in the Zablatani area of Damascus experienced a significant theft followed by a [fire](#). The stolen items included desktop and laptop computers, as well as external storage devices containing specialized software used by the department. This incident “[h]indered efforts to relocate the Immigration and Passports Department and resume services for citizens as quickly as possible”, as stated by the Directorate, which also mentioned that similar incidents had occurred at the Department’s branches in other governorates of Syria.

In a publicly available Facebook [post](#), Dilshad Othman, a Syrian computer engineer specializing in cyber threats, expressed his concerns regarding the potential handover of sovereign files containing citizens’ information to another country. He questioned the implications of such a decision for privacy and, most importantly, for the Syrians’ identity as citizens.

Commentators on the post raised concerns about privacy, recalling the data leakage involving Syrian refugees and asylum seekers in Türkiye following [violent attacks](#) by Turkish citizens on the homes, workplaces, and properties of Syrians in Kayseri on June 30, 2024. Nearly three million Syrians living in Türkiye had their personal data [leaked](#) online, which included names, [ID numbers](#), [passport numbers](#), and addresses. This information was widely circulated in Telegram groups, accompanied by violent rhetoric urging attacks on Syrian refugees residing in Türkiye.

### 3. Previous Hacks of Official Turkish Websites Heighten Fears Among Syrians

On 9 September 2024, the Turkish Media and Law Studies Association (MLSA) [revealed](#) details of a major data breach that compromised the personal information of 108 million Turkish citizens. This breach included sensitive information such as ID numbers, home addresses, and phone numbers. The incident underscores vulnerabilities in digital security and cybersecurity within Turkish institutions, showing their failure to protect the rights of both Turkish and foreign citizens. The Turkish Information and Communication Technologies Authority (ICTA), responsible for safeguarding this information, acknowledged the breach and sought assistance from Google to remove the compromised data.

In 2023, MLSA filed a lawsuit against the Turkish Ministry of Interior for a significant [breach](#) in which the personal data of nearly 100 million individuals, including both Turkish citizens and foreigners living or having lived in Türkiye, was stolen and offered for sale online. This stolen information came from the Turkish government’s e-Devlet portal, which contains sensitive details about residents’ educational backgrounds, health information, banking credentials, and tax statuses. Reports from the Balkan Investigative Reporting Network (BIRN) [revealed](#) that the data was initially listed for sale in 2023 on the website sorgupaneli.org, and it continued to be sold in 2024 through various websites and channels on the Telegram app.

In November 2024, the Turkish website PolitikYol [reported](#) that private data belonging to Turkish citizens was being sold on a Telegram group for as little as 150 Turkish lira. This data included citizens' phone numbers, addresses, health records, banking information, and business records. PolitikYol stated that the data is continuously updated on the website, which displays its creation date on the homepage as October 2023.

The risks associated with Türkiye's possession of data on Syrian citizens extend beyond the impact of leaks on the privacy of refugees and the harm that results from them. These risks also pose a direct threat to the identity of Syrian citizens living in areas controlled by Türkiye since 2017. This includes regions in northern Syria known as the Euphrates Shield, which stretches between the cities of Jarabulus and al-Bab, as well as the Olive Branch region, encompassing the Afrin area in the northern Aleppo countryside.

In 2019, Syrians for Truth and Justice (STJ) [documented](#) efforts to obliterate the identity of both natives and displaced populations arriving in areas controlled by Turkish military forces, particularly in the Euphrates Shield and Olive Branch regions. This process involved modifying civil registry records to show a birth location in the Afrin region or other areas under Turkish control. Indigenous and displaced residents were required to obtain an identity card that contained incomplete information, with some details being misleading or falsified regarding the holder's true identity. These identity cards were issued through a special program established by the Turkish government and implemented by local councils affiliated with the Syrian Interim Government and the Syrian Opposition Coalition. Importantly, this card does not differentiate between internally displaced persons, refugees, and local citizens, as all individuals' data is recorded as indigenous.

The al-Khat al-Amami/Front Line website – linked to the [Syrian Revolutionary Left Current](#) – cited a Facebook [post](#) by digital security expert Alaa Ghazal, asserting that printing Syrian documents, whether in collaboration with Türkiye or any other country, presents a serious threat to national security. This is due to the fact that data from any nation is regarded as a vital component of national security.

The website stated, "Handing over the data of the Syrian people to Türkiye exposes us to significant technical and non-technical risks, making us more vulnerable to targeting and surveillance than we could have anticipated." It emphasized the challenges of retrieving this data, even if the partnership with Türkiye were to end. The website described this action as "catastrophic," explaining that,

"[This move] could threaten the privacy of Syrians and serve as a tool for a state interfering in Syrian affairs, ultimately impacting the future of the Syrian people and strengthening its influence over their lives. We urgently need to restore our independent decision-making, reclaim our country's freedom, and determine our own future."

The [Syrian Future Movement](#) has [condemned](#) the Syrian government's invitation to Türkiye to take charge of the document printing process in Syria. They characterized this action as "hasty and ill-considered," stressing that the issue should be viewed as a private national matter, regardless of Türkiye's position as a friend or ally of the Syrian people.

The Syrian Future Movement does not oppose utilizing logistical support from public or private entities, including Turkish expertise, as long as it positively contributes to knowledge transfer



and benefits the Syrian people. Nevertheless, the Movement sees data sharing with any country for purposes such as printing or organizing as a serious concern that must be rejected and prevented. They highlight the importance of considering the long-term consequences of such actions. The movement advocates for establishing a dedicated department within the Syrian state to manage this data, ensuring accountability for its security and preservation. Furthermore, they propose creating a data bank focused on maintaining a comprehensive archive of Syrian families and all related information.

Concerns in Syria regarding the potential transfer of the nation's document printing files and related data to Türkiye are closely linked to Türkiye's actions within Syrian territory. On 19 February 2025, the Turkish Ministry of Interior [announced](#) the arrest of an individual in Syria accused of "publishing offensive posts about President Recep Tayyip Erdoğan" on social media.

According to a statement from the Turkish Ministry of Interior, the Istanbul Public Prosecutor's Office issued an arrest warrant for this individual, who resided in the Küçükçekmece district of Istanbul. He was apprehended in Syria with assistance from the National Intelligence Organization, the General Directorate of Security (EGM), and the Hatay Intelligence Directorate. The statement noted that the ministry's Cybercrime Department initiated legal action against 97 accounts that posted the mentioned offensive content, leading to all these accounts being blocked by court order. However, the statement did not mention any collaboration between Turkish and Syrian authorities concerning the operation conducted in Syria.

#### 4. Conclusion

The potential handover of personal files to Türkiye would violate both local and international laws, jeopardizing the security of Syrian citizens and undermining Syria's sovereignty and independence. If the Syrian caretaker government transfers these personal files to the Turkish government, it would represent a significant concession of Syrian sovereignty to another state. This sovereignty is upheld in successive Syrian constitutions, which recognize citizens' data as "permanent basic national documents."<sup>1</sup> Relinquishing these documents would equate to conceding national sovereignty. Furthermore, such action from the Syrian government would contravene civil status laws, emphasizing the importance of preserving civil registry documents, ensuring their integrity, and safeguarding them from loss. Therefore, exporting these records beyond Syrian borders and transferring them to another country violates these Syrian laws.

Successive civil status laws in Syria, particularly the [Syrian Civil Code No. 13 of 2021](#) and the Syrian Civil Code [No. 26 of 2007](#), state that civil status records cannot be transferred outside civil status centers. In cases where forgery is alleged regarding the contents of a specific record, the court must visit the civil status office to review the record on-site. If the law prohibits transferring records to a Syrian court located in the same geographical area as the civil status office, how can the contents of these records be transferred across borders to another country?

Syrian civil status laws stipulate that civil documents, including personal and family cards and civil registry extracts, must be issued solely through Syrian civil registry centers. These laws prohibit issuing these documents from other centers, mainly those not Syrian. This restriction exists because these documents are considered "basic national documents."

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<sup>1</sup> Article 7 of Syrian Civil Code No. 13 of 2021 and Article 7 of Decree No. 26 of 2007.

If there is an error or forgery in civil status records that is corrected by a competent court through a final decision, or if the head of the appropriate civil registry center rectifies it according to Syrian civil codes,<sup>2</sup> will this decision be binding on Turkish official departments to update their civil status records? If the Turkish official departments responsible for issuing personal documents to Syrians refuse, for any reason, to issue a document to an individual, what legal remedies are available for the affected party to file a complaint against the relevant authority? Will the Syrian citizen need to travel to Türkiye to resolve this issue with the authorities? We request answers to these questions from the caretaker government.

It is important to emphasize that the Syrian state has a legal obligation to respect, protect, and fulfill human rights under international law and in exercising its sovereignty. Before a state decides to delegate the responsibility of issuing identity documents to another country on behalf of Syrian citizens, this decision must be carefully evaluated in light of its duty to uphold the rights of these citizens. This includes refraining from interfering with or limiting their enjoyment of these rights, protecting those rights from violations by any party, and taking positive measures to facilitate the exercise of these rights. It is crucial to note that fulfilling these obligations cannot serve as an excuse to neglect others. Therefore, entrusting Türkiye with the responsibility of issuing identity documents cannot be justified as a "positive measure" to enhance Syrians' enjoyment of their rights if this measure fails to meet the state's responsibilities to respect and protect those rights.

In this context, transferring the personal documents of Syrians to another country represents an apparent failure to uphold the duty to respect and protect the right to privacy. Article 17 of the [International Covenant on Civil and Political Rights \(ICCPR\)](#) states that no one shall be subjected to arbitrary or unlawful interference with their privacy, family, home, or correspondence. This right is required to be guaranteed against all interferences and attacks whether they emanate from State authorities or from natural or legal persons.<sup>3</sup> It is important to note that state legislation is the primary means by which this right must be protected,<sup>4</sup> emphasizing national laws' superiority over conflicting measures.

Handing over Syrians' data to the Turkish government violates their privacy and undermines the state's obligations under international and national law. Furthermore, the right to security of person protects individuals against the intentional infliction of bodily or mental injury, regardless of whether the victim is detained or not.<sup>5</sup> The right to personal security also obliges state parties to take appropriate measures to protect individuals from foreseeable threats to life or bodily integrity proceeding from any governmental or private actors<sup>6</sup>.

Given the state's inability to exercise its sovereignty and the related authority legally, transferring the responsibility for issuing documents to Türkiye could jeopardize the security of the affected Syrian citizens. This transfer would also obstruct the Syrian state from fulfilling its duties, as it cannot assert its sovereign powers over Turkish authorities. As a result, the caretaker government would violate its international obligations as outlined in international treaties and conventions, including the ICCPR, to which Syria is a [state party](#).

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<sup>2</sup> Articles 44 and 45 of Law No. 13 of 2021 and Article 46 of Decree No. 26 of 2007.

<sup>3</sup> Human Rights Committee, General Comment No. 16: Article 17 (Right to Privacy), 8 April 1988, para. 1.

<sup>4</sup> Ibid.

<sup>5</sup> Human Rights Committee, General Comment No. 35, Article 9 (Liberty and security of person), CCPR/C/GC/35, 16 December 2014, para. 9.

<sup>6</sup> Ibid.

The threats posed may undermine the rights of Syrians to equality before the law, access to justice, and the right to effective redress. For example, how can a Syrian citizen challenge or file a complaint regarding a violation of their privacy by Turkish authorities processing their identity documents? Who holds legal responsibility: Syria or Türkiye? To which legal and judicial jurisdiction should the citizen appeal? In this uncertain context, the Syrian government's approval of the document printing process in Türkiye indicates a loss of rights for Syrian citizens and places the supposed obligations of the state upon them.

Under international law, a state has the right to invoke diplomatic protection measures on behalf of its nationals when another state harms their rights. This action aims to ensure their protection and to seek redress for any internationally wrongful acts committed against them.<sup>7</sup> The Permanent Court of International Justice (PCIJ), and later the International Court of Justice (ICJ),<sup>8</sup> emphasized the link between the rights of a state and the rights of its nationals, portraying it as a fundamental aspect of fairness and respect for international law .

One of the Court's decisions affirmed: "It is a fundamental principle of international law that a state has the right to protect its nationals when they are harmed by acts contrary to international law committed by another state and cannot obtain redress through ordinary means. By taking on the case of one of its nationals and resorting to diplomatic or international judicial procedures on their behalf, a state is effectively asserting its own rights – its right to ensure respect for the rules of international law through its nationals."<sup>9</sup>

In the context of Syria and Türkiye, since the Syrian government has permitted another state to exercise part of its sovereign authority – specifically, the issuance of identity documents – what legal and diplomatic measures can Syria take to protect its citizens from harm caused by Türkiye?

Additionally, states that are parties to the [1963 Vienna Convention on Consular Relations](#) cannot enter into additional consular agreements unless they confirm, support, or supplement the provisions of the Convention, as outlined in Article 73(2). Therefore, any agreement concerning the issuance or printing of identity documents for Syrian citizens that contradicts or limits the provisions of the Convention would be deemed a violation of this article, along with the numerous rulings of the ICJ related to this issue<sup>10</sup>.

Moreover, Allowing Türkiye to issue official Syrian documents may lead to confusion in the relationships between Syrians and other countries. If a country needs personal documents from a Syrian residing within its borders – regardless of the reason – will it reach out to the Syrian government or the Turkish government?

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<sup>7</sup> International Law Commission, Draft Articles on Diplomatic Protection with commentaries (2006), Article 1, Commentary, para. 2, p. 27.

<sup>8</sup> ICJ, *La Grand (Germany v. United States of America)*, Judgment, I.C.J. Reports 2001, p. 466, at 493-494; *Avena and Other Mexican Nationals (Mexico v. United States of America)*, Judgment of 31 March 2004, I.C.J. Reports 2004, p. 12, at 35-36.

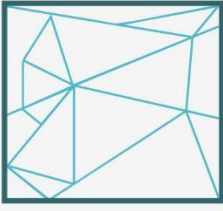
<sup>9</sup> PCIJ, *Mavrommatis Palestine Concessions*, Judgment No. 2, 1924, PCIJ, Series A, No. 2, p. 12.

<sup>10</sup> ICJ, *Jadhav (India v. Pakistan)*, Judgment, I.C.J. Reports 2019, para. 93.



**Based on the above, STJ demands that the current Syrian government to:**

- Abandon the initiative to print official Syrian documents in Türkiye or any other foreign country. Instead, a specialized national legal committee should be established under the Prime Minister's Office. This committee must be diverse and represent all Syrians, ensuring that everyone's concerns are taken into account. Its purpose will be to address this issue along with other national matters related to the security, safety, and rights of all Syrians.
  - Utilize both national and international expertise in relevant technical and legal fields, following current national laws that offer the highest level of protection for Syrian citizens regarding their official documents. This process should be guided by reviews and recommendations from legal experts.
  - Enhance diplomatic efforts to improve communication with other nations regarding interim measures related to the validity of identity documents and their international acceptance.
  - Prioritizing consular missions to reactivate efforts and engage them in proposing interim solutions.
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## ABOUT STJ

Syrians for Truth and Justice (STJ) started as an idea in a co-founder's mind while attending the U.S. Middle-East Partnership Initiative's (MEPI) Leaders for Democracy Fellowship program (LDF) in 2015. The idea became a reality and flourished into an independent, non-profit, impartial, non-governmental human rights organization.

STJ's beginnings were more than humble; initially, it only reported stories of Syrians who experienced arbitrary arrest, enforced disappearance, or torture. Planted in fertile soil, the seed of this project grew into an established human rights organization licensed in the Middle East and the European Union. STJ today undertakes to detect and uncover violations of all types committed in all Syrian parts by the various parties to the conflict.

Convinced that Syria's diversity is a wealth, our researchers and volunteers serve with unfailing dedication to monitor, expose, and document human rights violations that continue unabated in Syria since 2011, regardless of the affiliation of the victims or perpetrators.

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