

Letter on Violations of Property Rights During and Following “Operation Peace Spring” in Northern Syria



Ensuring The Voluntary, Safe, And Dignified Return Of Displaced Populations And Providing Them With Compensation Is Essential, As Facilitating The Return Of Residents To Their Homes In Ras Al-Ain/Serê Kaniyê And Tell Abyad Constitutes The Most Significant Test For The Success Of The Transitional Phase In Syria



Northern Syria: Communication to UN Special Procedures Regarding Ongoing Violations of Property Rights in the Operation Peace Spring Area

Ensuring The Voluntary, Safe, And Dignified Return Of Displaced Populations And Their Compensation Is Essential, As The Return Of Residents To Ras Al-Ayn And Tell Abyad Will Serve As A Key Test For The Success Of Syria's Transitional Process

To the attention of:

- The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context;
- The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence;
- The Special Rapporteur on minority issues;
- The Special Rapporteur on the human rights of internally displaced persons;
- The Special Rapporteur on the rights of Indigenous Peoples.

We, Syrians for Truth and Justice (STJ), respectfully submit this letter to Your Excellencies in your official capacities to draw urgent attention to the ongoing housing, land, and property (HLP) violations impacting the residents of Ras al-Ayn/Serê Kaniyê and Tell Abyad/Girê Spî. Since 2019, these communities have suffered from a systematic campaign of forced displacement following the takeover of both areas by the Turkish Armed Forces and affiliated factions of the Syrian National Army (SNA) during Operation Peace Spring. Although several years have passed since the end of active hostilities, most original residents have not been able to return home. This is because violations such as unlawful property seizures, the resettlement of new families, and discriminatory security restrictions continue. These actions entrench the forcible demographic change and greatly obstruct any chance of a safe, voluntary, and dignified return.

Despite the fall of the Assad regime in late 2024, the formation of a new transitional government in Damascus in early 2025, and the adoption of a new constitutional declaration in March of the same year, the situation on the ground in Turkish-controlled areas of northern Syria has seen little to no change.¹

On 24 December 2024, the transitional government announced the formal integration of SNA factions into the Ministry of Defense,² including those controlling Ras al-Ayn and Tell Abyad. As a result, these factions are no longer just de facto entities but are now, at least officially, part of the internationally recognized transitional state structure. This development places direct responsibility on the transitional government for the actions of these factions, as well as for any failure to oversee and hold them accountable.

¹ "Despite Damascus-SDF understandings, isolation and suffering continue in Tal Abyad and Ras al-Ain" (in Arabic), Enab Baladi, 14 April 2025, <https://english.enabbaladi.net/archives/2025/04/despite-damascus-sdf-understandings-isolation-and-suffering-continue-in-tal-abyad-and-ras-al-ain/> (last accessed: 25 July 2025).

² "What's Next After Unifying All Military Factions Within Syria's Ministry of Defense?" (in Arabic), Al Jazeera, 23 May 2025, <https://www.aljazeera.net/politics/2025/5/23/%D9%85%D8%A7%D8%B0%D8%A7-%D8%A8%D8%B9%D8%AF-%D8%AF%D9%85%D8%AC-%D9%83%D8%A7%D9%81%D8%A9-%D8%A7%D9%84%D9%81%D8%B5%D8%A7%D8%A6%D9%84-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9-%D8%B6%D9%85%D9%86> last accessed: 25 July 2025).

1. Recommendations

Based on testimonies from victims and survivors in Ras al-Ayn and Tell Abyad, and following an analysis of documented violations related to property seizure, forced displacement, and demographic change, STJ urges the mandate holders to take the following actions to end these violations and restore rights to their rightful owners:

1. **Engage all relevant parties and reaffirm their legal responsibility for the violations:** They should be urged to conduct transparent and effective investigations, publicly disclose the findings, and hold accountable all those responsible, regardless of their positions within the SNA;
2. **End the occupation and unlawful control over Ras al-Ayn and Tell Abyad:** The Turkish state must withdraw its military forces and cease all direct and indirect support to armed factions in these areas, per its obligations under international humanitarian law (IHL) as an occupying power. Additionally, the Syrian transitional government should actively engage through diplomatic channels and utilize available international guarantees to ensure the removal of any unauthorized foreign military presence and the peaceful restoration of Syrian sovereignty over these territories;
3. **Guarantee the voluntary, safe, and dignified return of displaced populations and their compensation:** Securing the return of residents to their homes in Ras al-Ayn and Tell Abyad is the foremost test of the success of Syria's transitional phase.
A national plan should be created under the oversight of the transitional government, in collaboration with the United Nations (UN), to facilitate the immediate return of displaced persons to their properties while providing security guarantees and protection from retaliation or discrimination. Victims must be compensated for their losses, including properties that have been destroyed, looted, or unlawfully used in recent years. It is recommended that a national transitional justice fund oversee compensation and reconstruction programs in these areas, financed by frozen assets of the former regime and contributions from countries supporting reconstruction, in line with the provisions of the transitional constitutional declaration, which emphasize restoring confiscated property to its rightful owners and justice for victims of violations. Returning displaced populations to their original homes, with full respect for their rights, will be a vital milestone in restoring Syria's social fabric and civil peace;
4. **Protect property and housing rights in accordance with the Constitutional Declaration and applicable laws:** We urge immediate legislative and executive measures to safeguard property rights. The transitional Syrian authorities must lead efforts to enact specific laws or regulations addressing the status of seized properties in conflict-affected areas, particularly Ras al-Ayn and Tell Abyad. Such regulations should explicitly nullify all illegal transactions involving displaced persons' properties, including sales or forced reallocations conducted under occupation, and render any related property deeds or contracts legally void. Furthermore, a dedicated judicial or administrative body, such as a Property Grievance Committee, should be established to promptly receive and adjudicate complaints from displaced individuals, providing them with free legal support. We also welcome the 2025 Constitutional Declaration's provisions affirming the protection of acquired rights, respect for private property, and restitution of grievances, and emphasize the need to translate these constitutional

principles into practical measures that swiftly and justly restore rights to their rightful owners;

5. **Issue a public statement or formal opinion from relevant international bodies:** Including the UN, to highlight the ongoing and systematic violations in Ras al-Ayn and Tell Abyad. The statement should emphasize the severity and widespread nature of these abuses, call for their immediate stopping, and urge all involved parties to hold those responsible accountable according to international standards;
6. **Call on the UN and its Security Council to officially recognize the Turkish presence in northern Syria as an occupation:** Under Article 42 of the 1907 Hague Regulations. Demand an immediate end to violations and ensure the safe, dignified return of displaced populations to their original homes, along with the restoration of their properties or fair compensation when restoration is not feasible.

2. Background

On 9 October 2019, Türkiye launched Operation Peace Spring in northeastern Syria to create a “safe zone” along the Türkiye-Syria border aimed at resettling nearly 2 million Syrian refugees currently living in Türkiye.³ The operation targeted the Syrian Democratic Forces (SDF), led by the Kurdish People's Protection Units (YPG), which Türkiye considers an extension of the Kurdistan Workers' Party (PKK), designated as a terrorist organization by Ankara. Through this campaign, Türkiye aimed to push Kurdish forces 30 kilometers away from its border to improve national security and prevent any connections between Kurdish populations in Syria and Türkiye⁴.

Turkish President Recep Tayyip Erdoğan announced the launch of the operation with the participation of armed groups controlled by Türkiye, operating under the banner of the SNA, which includes factions such as the Sultan Murad Division, the al-Hamza/al-Hamzat Division, and the Tajammu Ahrar al-Sharqiya/Gathering of Free Men of the East.⁵ The operation featured airstrikes and artillery shelling on key areas like Ras al-Ayn and Tell Abyad. It lasted about ten days before stopping under a Turkish-American ceasefire agreement, during which the SDF

³ "Following Its Launch: Learn About the Objectives of Türkiye's 'Operation Peace Spring' in Northern Syria" (in Arabic), Al Jazeera, 9 October 2019,

<http://aljazeera.net/politics/2019/10/9/%D8%AA%D8%B1%D9%83%D9%8A%D8%A7-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D8%B4%D8%B1%D9%82-%D8%A7%D9%84%D9%81%D8%B1%D8%A7%D8%AA-%D8%B9%D9%85%D9%84%D9%8A%D8%A9-%D8%B9%D8%B3%D9%83%D8%B1%D9%8A%D8%A9> (last accessed: 25 July 2025);

See also: “Turkish Minister inspects housing construction project in Syria's Tell Abyad” (in Arabic), Anadolu Agency, 19 June 2022, <https://www.aa.com.tr/ar/%D8%A7%D9%84%D8%AF%D9%88%D9%84-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A%D8%A9/%D9%88%D8%B2%D9%8A%D8%B1-%D8%AA%D8%B1%D9%83%D9%8A-%D9%8A%D8%AA%D9%81%D9%82%D8%AF-%D9%85%D8%B4%D8%B1%D9%88%D8%B9-%D8%A8%D9%86%D8%A7%D8%A1-%D9%85%D8%B3%D8%A7%D9%83%D9%86-%D9%81%D9%8A-%D8%AA%D9%84-%D8%A3%D8%A8%D9%8A%D8%B6-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A%D8%A9/2616910> (last accessed: 25 July 2025);

⁴ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip”, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

⁵ Sirwan Kajjo, “Which Syrian Groups Are Involved in Turkey's Syria Offensive?”, VOA, 9 October 2019 <https://www.voanews.com/a/extremism-watch-which-syrian-groups-are-involved-turkeys-syria-offensive/6177353.html> (last accessed: 25 July 2025).

withdrew 30 kilometers from the 120-kilometer border strip between the two cities, allowing Turkish forces and allied SNA factions to take control of the area⁶.

During the operation, the area was subjected to indiscriminate shelling by Turkish forces and allied SNA factions, resulting in severe humanitarian impacts on civilians. According to the International Refugee Organization,⁷ over 200,000 people, including many women and children, were displaced. The operation was also marked by widespread human rights abuses committed by the armed factions supported by Türkiye, such as extrajudicial killings, arbitrary arrests, and torture⁸.

The damage went beyond individuals to include civilian property. The area experienced widespread looting and seizure of homes and possessions by armed groups. Homes of forcibly displaced residents were taken over and used as military headquarters or housing for fighters' families, while original residents were prevented from returning. Turkish forces were also involved in property seizures and turning some villages into military bases⁹.

Following the operation, violations of property rights continued in an organized manner. These actions led to significant demographic shifts as thousands of forcibly displaced Syrian families from other regions, including families of Islamic State (ISIS) fighters, were settled in the homes of the original displaced population,¹⁰ further exacerbating the humanitarian crisis. Additionally, Türkiye has increasingly deported Syrian refugees from its territory back to Tell Abyad,¹¹ intensifying the demographic changes in the area.

These violations persist despite a lack of genuine and transparent efforts to restore rights to their rightful owners. Such actions violate numerous provisions of international agreements, including the U.S.-Türkiye ceasefire agreement,¹² worsening the humanitarian crisis and increasing the suffering of the original residents who have lost their homes and properties.

3. Reflection of Recent Developments in Syria on the Areas in Question

Syria experienced a crucial turning point in late 2024 with the fall of Bashar al-Assad's regime on 8 December 2024, after forces of the Military Operations Command/Deterrence of Aggression (comprising Hay'at Tahrir al-Sham (HTS), and other groups) captured the capital, Damascus. This was followed by the announcement of a transitional governing authority in

⁶ "Turkey's Operation Peace Spring in northern Syria: One month on", Al Jazeera, 8 November 2019, <https://www.aljazeera.com/news/2019/11/8/turkeys-operation-peace-spring-in-northern-syria-one-month-on> (last accessed: 25 July 2025).

⁷ "Displacement and Despair: The Turkish Invasion of Northeast Syria", International Refugee Organization, 12 November 2019, <https://www.refugeesinternational.org/reports-briefs/displacement-and-despair-the-turkish-invasion-of-northeast-syria/> (last accessed: 25 July 2025).

⁸ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/52/69), issued on 31 March 2023, <https://documents.un.org/doc/undoc/gen/g23/010/21/pdf/g2301021.pdf> (last accessed: 25 July 2025).

⁹ "Housing, Land, and Property Rights Violations in Ras al-Ayn-Serê Kaniyê and Tal Abyad after 2019", PÊL- Civil Waves, 25 January 2024, <https://pel-cw.org/en/16584/> (last accessed: 25 July 2025).

¹⁰ "Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change", Synergy/Hevdestî Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

¹¹ Ibid.

¹² "The United States and Turkey Agree to Ceasefire in Northeast Syria", the White House, 17 October 2019, <https://trumpwhitehouse.archives.gov/briefings-statements/united-states-turkey-agree-ceasefire-northeast-syria/> (last accessed: 25 July 2025).

Syria. On 29 January 2025, Ahmed al-Sharaa was appointed head of the transitional period, the 2012 Syrian Constitution was repealed, and a new transitional government was established, adopting a provisional Constitutional Declaration in March 2025. The announcement also included the dissolution of armed factions, past security agencies, the People's Assembly (Parliament), and the former ruling Ba'ath Party apparatus. This declaration signaled the start of the transitional authorities' extensive restructuring of state institutions and the consolidation of the rule of law after decades of authoritarian rule¹³.

Despite the sweeping political changes, the regions of Ras al-Ayn and Tell Abyad continue to face the same conditions in terms of effective control and the enforcement of law. In practice, the central transitional government has yet to establish full authority over these areas, due to the ongoing presence of foreign forces and the dominance of local militias. Turkish forces remain deployed across these border regions, maintaining direct or indirect security and administrative control. According to some estimates, approximately 10,000 Turkish troops are part of the occupying forces stationed in northern Syria, including Afrin, Ras al-Ayn, Tell Abyad, and surrounding areas. Meanwhile, Türkiye-backed factions of the SNA remain active in the region, although their legal status has been nominally revised following recent political developments¹⁴.

Following the announcement on 24 December 2024 of the dissolution of "revolutionary" factions and their integration into the structure of the new Syrian Ministry of Defense, it was theoretically expected that these armed groups, including those from the SNA operating in Ras al-Ayn and Tell Abyad, would be incorporated under the unified Syrian National Army commanded by the transitional authorities. Indeed, the SNA was nominally placed under the leadership of the Ministry of Defense in the transitional government. However, in practice, many of these factions' members continue to operate under the direct guidance and support of Türkiye. Reports indicate that, despite the formal integration, these groups still receive their salaries and directives from the Turkish government, keeping their loyalty and operational alignment effectively outside the complete control of the Syrian transitional authorities. This reveals that the agreement to unify the factions may be fragile, as internal loyalties, rivalries over resources and positions, and competition among these armed groups persist. Some factions reportedly fear losing their influence or access to resources under the new military structure, which may lead them to stall or resist full integration¹⁵.

Regarding recent developments on the ground, reports emerged in April 2025 indicating that successive groups of fighters from the SNA factions had withdrawn from the cities of Ras al-Ayn and Tell Abyad toward Turkish territory. Buses carrying militants from factions such as Ahrar al-Sharqiya, al-Hamzat, and Sultan Murad, among others, were observed departing Ras al-Ayn in northern al-Hasakah Governorate, heading toward Tell Abyad and subsequently crossing into Türkiye. This unexpected development raised important questions about the true motives behind the withdrawal and whether it indicated an upcoming shift in the region's power

¹³ "Syrian Authorities Announce the Dissolution of the Army, Suspension of the Constitution, and Appointment of Al-Sharaa as Head of State" (in Arabic), BBC News, 29 January 2025, <https://www.bbc.com/arabic/articles/cwyp1knn3wno> (last accessed: 25 July 2025).

¹⁴ Ozcelik, Burcu, and Serhat Erkmen, Can Turkey Stabilise Syria? Long Read. 13 January 2025. <https://www.rusi.org/explore-our-research/publications/commentary/can-turkey-stabilise-syria#:~:text=The%20Turkish%20defence%20minister%2C%20Yasar,and%20military%20outposts%20including%20Afrin> (last accessed: 25 July 2025).

¹⁵ Ibid.

dynamics. No official explanation was provided; some sources suggested it might be part of a Turkish-led redeployment and restructuring after agreements with the transitional government, or the result of international de-escalation efforts with neighboring Kurdish forces, while other leaks hinted at a different reason: fear among many faction members of remaining in the area due to their documented involvement in serious violations.

According to multiple reports, commanders and fighters linked to Türkiye-backed factions have recently left the “Peace Spring” area to return to their areas of origin inside Syria via Türkiye. However, they intentionally avoided routes through territories controlled by the SDF, out of concern for retaliation or legal action due to past abuses against local civilians, including killings, torture, and mistreatment of detainees. If this partial withdrawal is confirmed and persists, it could signal a broader military repositioning in the region and potentially lead to new security arrangements. These might include deploying regular forces loyal to the transitional government to manage local security, reaching agreements with SDF forces to prevent clashes and maintain stability, or even more direct administrative and security control by Turkish forces themselves, replacing their local proxies¹⁶.

Despite all the aforementioned developments, the humanitarian situation and the rights of residents in Ras al-Ayn and Tell Abyad remain severely worsened as of the date of this complaint. The vast majority of the original inhabitants of these two areas continue to be forcibly displaced, living in temporary camps under harsh conditions, deprived of their right to return to their homes and lands. Many have been displaced for over five years, with no solution in sight. Their properties have either been destroyed or seized, and any attempt to reclaim their rights is met with the stark reality of lawlessness and the continued dominance of military power in these areas. Even after the transfer of authority in Damascus, no concrete or practical steps have been taken to facilitate the return of the displaced or to ensure their property rights in Ras al-Ayn and Tell Abyad. As of April 2025, the transitional government has not issued any official statement specifically addressing the status of these areas or presenting a plan to resolve the widespread housing and property violations therein. This inaction is perhaps understandable given the complexity of the situation, as these areas remain outside the direct control of the transitional government and would require regional and international arrangements to enforce any meaningful solution¹⁷.

4. Facts

Between May 2024 and March 2025, our organization conducted 40 interviews focusing on HLP violations committed by Turkish forces and factions of the SNA in the Ras al-Ayn and Tell Abyad areas in northeastern Syria. All the victims interviewed were original residents of the region. Some had been forcibly displaced due to military operations and the violations they experienced, while others remain displaced out of fear of renewed violations if they try to

¹⁶ “Heading towards Turkey | “National Army” factions continue to withdraw from Tal Abyad and Ras Al-Ain”, Syrian Observatory for Human Rights, 10 April 2025, https://www.syriahr.com/en/359619/?_cf_chl_tk=idRCX5XaqPeG.nMUfPa0geUh.T0aDzFXLXmYw1zUOvl-1754004191-1.0.1.1-Xm6gZ1UJjbx1CFRVxWzDmdAfhJqRhIQn8iZba4tPhJk (last accessed: 25 July 2025).

¹⁷ “Despite Damascus-SDF understandings, isolation and suffering continue in Tal Abyad and Ras al-Ain” (in Arabic), Enab Baladi, 14 April 2025, <https://english.enabbaladi.net/archives/2025/04/despite-damascus-sdf-understandings-isolation-and-suffering-continue-in-tal-abyad-and-ras-al-ain/> (last accessed: 25 July 2025).

return. Among those interviewed were 23 displaced persons from Ras al-Ayn and 15 from Tell Abyad. They or their relatives had been subjected to various forms of abuse, including arbitrary detention, torture, threats of arrest, and financial extortion.¹⁸ Numerous additional cases of similar violations occurred between 2019 and 2023, reinforcing the assessment that these abuses reflect a systematic pattern and a consistent practice targeting civilians in the region¹⁹.

Testimonies gathered by STJ field researchers in this context show that some members of armed groups not originally from the area have started making individual efforts to move their families, children, and belongings back to their hometowns. Meanwhile, they remain alone in Ras al-Ayn, waiting for a chance to reunite with them. Reports also describe cases where several members were detained by their own factions for attempting such relocations, leading to the abandonment of some homes. Local sources confirmed that the al-Hamzat and al-Amshat factions have almost completely pulled out of Ras al-Ayn²⁰.

Testimonies from within confirm that the original residents have yet to return to the two cities, with security concerns, ongoing confiscations, and lack of civilian authority being the main obstacles. Some attempts to reclaim property through bribery faced arbitrary conditions, such as requiring owners to stay within the area and forbidding their departure, highlighting the persistent coercive and unsafe environment²¹.

All the victims interviewed disclosed their names and personal information at the request of the Special Procedures team of the Human Rights Council; however, they refused to share this data with other actors or to publish it, due to their deep fear of retaliation; either against themselves, their family members, or relatives, by the alleged perpetrators.

5. HLP Violations

5.1. Seizure of Homes and Businesses

According to testimonies collected by STJ, as well as other accounts from various sources including UN reports and local and international human rights organizations, widespread HLP violations were recorded in the areas of Ras al-Ayn and Tell Abyad following Türkiye's Operation Peace Spring launched in October 2019. Documentation of the Independent International Commission of Inquiry on the Syrian Arab Republic (COI-Syria) confirms the occurrence and continuation of these violations in its latest report issued on 12 August 2024²².

These violations affected at least 62 homes, 52 commercial properties and establishments, including warehouses and factories, as well as 19 parcels of agricultural land covering 4,747 hectares, some of which had been cultivated before the Turkish incursion. The violations also involved seizing agricultural and industrial equipment and tons of stored seeds. These actions

¹⁸ "My Entire Life Savings Vanished Overnight": Housing, Land, and Property Rights Violations in Peace Spring Strip", STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

¹⁹ Ibid.

²⁰ During an online interview conducted by an STJ researcher on 15 May 2025.

²¹ During an online interview conducted by an STJ researcher on 19 May 2025.

²² Report of the Independent International Commission of Inquiry on the Syrian Arab Republic ([A/HRC/57/86](https://www.unhcr.org/refugees-and-returnees/5786)), issued on 12 August 2024, paras. 81 and 82.

occurred either immediately after the incursion or at various times during Turkish control of the area²³.

According to the reports, these violations were neither isolated incidents nor random acts; instead, they were carried out systematically and on a large scale by the Turkish army and its affiliated armed groups, such as the al-Hamzat, Ahrar al-Sharqiya, and the Sultan Murad. These groups used their military power to seize civilian homes, turning them into military headquarters or using them to shelter the families of their fighters, while other properties were looted or intentionally destroyed. It is important to note that several factions of the SNA have²⁴ been added to U.S. sanctions lists because of their involvement in serious human rights violations in Syria. For example, Ahrar al-Sharqiya was sanctioned in July 2021. More recently, both the al-Hamzat and al-Amshat were also designated for their links to serious human rights abuses in the Afrin region of northern Syria, especially against Kurdish residents. These abuses include kidnapping, arbitrary detention, extortion, rape, torture, and the unlawful seizure of land and property²⁵.

Testimonies documented by the PÊL-Civil Waves organization indicate that the seizure of homes and businesses was among the most common violations. For example, members of the al-Hamzat Division reportedly stormed houses in Ras al-Ayn and marked red numbers on the walls, signaling that the properties had come under their control. One witness said,

“I saw them spraying the numbers on the walls, and they told us that any house bearing a number was now theirs, and the original residents no longer had the right to return”.

In other cases, the homes were used to house the families of faction members. A witness from Tell Abyad stated,

“After I left the village because of Turkish shelling, I returned to find that the Ahrar al-Sharqiya faction had seized my home. They had written on the wall: ‘Reserved for Ahrar al-Sharqiya’ and moved their fighters into it after looting its contents²⁶”.

²³ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

²⁴ See the testimonies in each of the following reports: “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025);

Housing, Land, and Property Rights Violations in Ras al-Ayn-Serê Kaniyê and Tal Abyad after 2019”, PÊL- Civil Waves, 25 January 2024, <https://pel-cw.org/en/16584/> (last accessed: 25 July 2025);

“Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change”, Synergy/Hevdestî Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

²⁵ U.S. Department of the Treasury, Treasury Sanctions Syrian Regime Prisons, Officials, and Syrian Armed Group, 28 July 2021 <https://home.treasury.gov/news/press-releases/jy0292>

U.S. Department of the Treasury, Treasury Sanctions Two Syria-Based Militias Responsible for Serious Human Rights Abuses in Northern Syria, 17 August 2023 <https://home.treasury.gov/news/press-releases/jy1699>

²⁶ Housing, Land, and Property Rights Violations in Ras al-Ayn-Serê Kaniyê and Tal Abyad after 2019”, PÊL- Civil Waves, 25 January 2024, <https://pel-cw.org/en/16584/> (last accessed: 25 July 2025).

In other incidents documented by STJ, a Kurdish car dealer was forcibly evicted from his home in the al-Kharabat neighborhood of Ras al-Ayn. He recounted,

“We saw about twenty armed men in military uniforms speaking Arabic. They were entering houses in the neighborhood, including mine. I asked them what they wanted and told them I was the owner of the house. They said they were going to use it as a military post. They confiscated everything inside and threatened me at gunpoint.”²⁷

When he tried to return the next day to retrieve some essential belongings for his family, an armed guard with a Kalashnikov confronted him and told him to leave immediately or he would be detained inside the house. The man fled the city and now resides in the town of Tell Tamer.

In a similar incident, a displaced Kurdish farmer was also prevented from entering his home in the al-Mahta neighborhood of Ras al-Ayn when he returned to the city at the end of 2019. He was confronted by members of the Northern Hawks Brigade. The farmer narrated,

“As we knocked on the door, a man in a military uniform came out and asked us, ‘What do you want?’ I explained that I was the owner of the house and that I had returned to live in my home. Meanwhile, another soldier emerged, holding a machine gun, and fired several bullets between our feet. He started shouting, cursing, and insulting me, saying, ‘You dogs and son of dogs, you are [PKK] party affiliates, and you want houses! The house is yours; donate it to us’²⁸!

Another Kurdish food merchant, who had been displaced to Qamishli, returned to Ras al-Ayn in 2019 hoping to reclaim his shop and home. However, he found that his house had been completely looted and taken over by a commander named Shaaban Mohammed from the al-Hamzat Division. He said,

“Shaaban Mohammed sold all the belongings in my house. I tried to buy them back from him, but he refused and offered to sell me other items he had. He admitted to me that he had sold all my furniture and belongings at the market in Tell Abyad. Neighbors told me they saw a large truck loading my furniture and taking it away.”²⁹

He later found out that the commander had sold his house to a man from Homs for \$1,000.

In additional testimonies collected by STJ, a displaced Kurdish teacher from the village of Salihiye in Ras al-Ayn, now living in Qamishli, reported that his home had become unlivable, with the roof destroyed and the supporting columns taken out. Arab neighbors who had returned to

²⁷ During a physical interview conducted by an STJ field researcher on 13 May 2024. See also: Report of the Independent International Commission of Inquiry on the Syrian Arab Republic ([A/HRC/45/31](#)), issued on 15 September 2020, para. 49.

²⁸ During a physical interview conducted by an STJ field researcher on 11 May 2024. See also: “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

²⁹ During a physical interview conducted by an STJ field researcher on 8 May 2024.

a nearby village told him that factions had used his house as a warehouse to store looted goods from surrounding areas. He stated,

“They completely looted our homes and took everything. Even the walls and trees got destroyed by bulldozers, and they carved a road straight to the house.”³⁰

Looting operations also targeted 28 properties, including factories, shops, and restaurants owned by a displaced Kurdish food merchant from Ras al-Ayn. He reported that his assets came under the control of the al-Hamzat Division or the al-Mawali Battalion affiliated. Turkish forces, he added, used the storage facilities of his bulgur factory located on the Tell Halaf-Ras al-Ayn Road. He stated,

“Initially, there were instances of looting and theft at the factory. However, the al-Hamzat faction eventually gained control, with Abu Abdo al-Boushi from al-Bab taking charge. Al-Boushi, who had industrial tendencies, aimed to run the factory and thus prevented further looting. Indeed, he resumed the factory and produced bulgur. However, he was dismissed and expelled a year ago. Between his expulsion and the arrival of a new group to take over the factory, a significant amount of the factory’s equipment was looted. They stole lightweight and expensive items, including electrical cables, circuit breakers, and electrical and electronic components.”³¹

In Tell Abyad, the home of an Arab real estate office owner in the village of Kormazah was seized. According to his account, when the SNA entered the village and approached the house, his uncle informed them that it belonged to his nephew and offered the key to prevent any damage. Nonetheless, they used a tank barrel to break down the door, entered the house, and looted all of its contents in plain sight of his uncle. The property was later taken over by the Northern Brigade, led by Abu Abdullah al-Zarba, who used it as a military headquarters for several months. Eventually, the house was handed over to an SNA member, who remains in possession of it to this day.³²

Additionally, in Tell Abyad, armed factions transformed many homes into workshops for repairing military equipment and into detention centers. In testimony provided to the Synergy/Hevdestî Association for Victims, a displaced dentist reported that both his home and dental clinic in Tell Abyad were seized by the SNA. The clinic was turned into a security headquarters after all medical equipment had been looted. This seizure of property was not just aimed at controlling the area but was part of a larger strategy to intimidate residents and discourage their return³³.

These property seizures were accompanied by widespread looting. Numerous victims reported the theft of their furniture, electrical appliances, and personal belongings in various testimonies. Armed factions regularly collected these stolen items and sold them at makeshift markets specifically set up for this purpose. One victim recalled that after paying a bribe to a fighter to

³⁰ During an online interview conducted by an STJ researcher on 1 June 2024

³¹ During a physical interview conducted by an STJ field researcher on 8 July 2024.

³² “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip”, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

³³ “Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change”, Synergy/Hevdestî Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

access his home, he found it empty. When he asked about his possessions, he was told dismissively, “Perhaps others stole them before we arrived.”³⁴ These accounts highlight the complete lack of accountability among armed groups and show how looting became a normalized and systematic part of their daily operations in the occupied areas.

One of the tactics used by the factions was selling seized homes to newly resettled individuals, often displaced persons relocated by Türkiye. These sales were conducted with forged documents, effectively preventing the original owners from reclaiming their property rights. One victim said that his house had been sold to a newly arrived settler through falsified paperwork, and when he tried to challenge the sale, he received death threats³⁵.

Armed factions also extorted money from displaced residents. In Ras al-Ayn, civilians had to pay large sums to reclaim their homes.³⁶ However, even after paying, many victims were still denied access. In one case, a resident paid the full amount requested, but the faction broke the deal, kept control of the property, and threatened to kill him if he tried to claim his house again³⁷.

Multiple testimonies suggest that these practices were not isolated or random acts of property seizure, but part of a deliberate, systematic strategy aimed at forcibly displacing the original residents of Ras al-Ayn and Tell Abyad and replacing them with new inhabitants, mainly members of armed factions and their families. This strategy went beyond merely seeking economic gain from looted properties; it aimed to impose demographic and political changes in the region, effectively preventing the original population from returning or reclaiming their properties.

Amid these violations, neither the Turkish authorities nor the armed factions have taken any steps to protect the rights of the original residents. On the contrary, testimonies reveal a tolerance and implicit complicity with these abuses, worsening the victims’ sense of helplessness and their inability to reclaim their rights. As one victim testified,

“We felt not only homeless but also stripped of our rights, as if we no longer belonged to this land³⁸”.

It is evident that the violations in Ras al-Ayn and Tell Abyad were neither isolated incidents nor sporadic abuses. Instead, they reflect a deliberate and systematic policy designed to alter the status quo in these areas to the advantage of the controlling forces by displacing the original inhabitants, confiscating their properties, and exploiting these assets to serve the interests of armed factions and Turkish forces.

³⁴ During a physical interview conducted by an STJ field researcher on 2 July 2024. See also: Report of the Independent International Commission of Inquiry on the Syrian Arab Republic ([A/HRC/45/31](#)), issued on 15 September 2020, para. 50.

³⁵ “Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change”, Synergy/Hevdesti Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

³⁶ “Everything is by the Power of the Weapon”, HRW, 29 February 2024, <https://www.hrw.org/report/2024/02/29/everything-power-weapon/abuses-and-impunity-turkish-occupied-northern-syria> (last accessed: 25 July 2025).

³⁷ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip”, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

³⁸ Ibid.

5.2. Seizure of Agricultural Lands

Alongside the illegal confiscation of civilian homes, the region has experienced widespread seizures of agricultural lands, essential sources of income for the local communities. Documented testimonies report numerous cases of land taking. The COI-Syria confirmed the occurrence and ongoing nature of these violations in its latest report dated 12 August 2024³⁹.

The situation of displaced persons has deteriorated due to these violations, as many have been prevented from returning to their agricultural lands, which are now controlled by Türkiye-backed factions. Testimonies collected by STJ reveal that displaced farmers report their lands being illegally cultivated by armed groups. For example, a Kurdish farmer displaced from Ras al-Ayn recounted that an armed faction took over his land in Azudanka village, in Ras al-Ayn area, without his permission. He said,

“No one contacted me or sought my permission to cultivate my land.”⁴⁰

Still, the faction continued farming the land and profiting from its crops while the rightful owner remained displaced⁴¹.

In another testimony, displaced residents from Tell Abyad reported that their agricultural lands, equipped with irrigation pumps and other machinery, have fallen under the control of influential people from other regions. These people have exploited the land without paying or consulting the rightful owners. One farmer described how his village was turned into a “military corridor” used by Turkish forces and allied factions,⁴² leading to the complete destruction of its agricultural infrastructure, including the irrigation systems⁴³.

A displaced resident from the village of Sousek in Tell Abyad reported that his land and his family’s properties are now controlled by armed factions. He said,

“I used to own all the agricultural equipment and managed independently. Now, I live as a tenant and work as a laborer on others’ farms.”

He also explained that the faction in control of the area has consolidated lands from the surrounding villages, effectively preventing the original inhabitants from accessing or using their own property⁴⁴.

PÊL-Civil Waves documented reports showing that leaders of armed groups have seized large agricultural lands originally owned by displaced Kurdish residents in Ras al-Ayn and Tell Abyad.

³⁹ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic ([A/HRC/57/86](#)), issued on 12 August 2024.

⁴⁰ During a physical interview conducted by an STJ field researcher on 2 June 2024.

⁴¹ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

⁴² Ibid.

⁴³ During a physical interview conducted by an STJ field researcher on 23 June 2024.

⁴⁴ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

These lands are being exploited for economic gain by the factions, while the legitimate owners continue to be denied their property rights⁴⁵.

In other cases, villages were turned into military bases. Testimonies from displaced residents reveal that their villages were destroyed, their lands bulldozed, and incorporated into military facilities. One witness reported,

“Turkish military forces seized agricultural lands, annexing 40 dunams out of a total 113 to the Turkish military base.”⁴⁶

This was further confirmed by a resident of al-Sharakarak village in Tell Abyad, who said that his 2-dunam plot, previously planted with 200 olive trees, was confiscated, cleared, and turned into a Turkish military base⁴⁷.

These testimonies clearly show that the seizure of agricultural lands was not accidental or random, but a deliberate and organized effort to exploit the natural and economic resources of the displaced populations. The evidence cited in these accounts indicates that these operations aimed to strengthen the military and economic dominance of Turkish-backed factions, alter the region’s demographic makeup, and prevent the original inhabitants from reclaiming their land.

6. Legal Analysis

6.1. Responsibility of the Turkish Government

6.1.1. Under International Law

According to Article 42 of the Regulations annexed to the 1907 Hague Convention on the Laws and Customs of War on Land, “Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised.” This provision requires that control be effective, whether exercised directly or through local agents. Based on multiple testimonies and numerous reports published by STJ,⁴⁸ there is compelling evidence that Türkiye maintains effective control over areas such as Ras al-Ayn and Tell Abyad. This is demonstrated by the presence of approximately 41 military installations, the direct administration of services through the Governor’s Office of Şanlıurfa, and the display of the Turkish flag over various official buildings.⁴⁹ Moreover, international human rights organizations, including Amnesty International and Human Rights Watch (HRW), have consistently classified Türkiye’s presence in these areas as an occupation in their documentation of ongoing violations.⁵⁰ In light of

⁴⁵ Housing, Land, and Property Rights Violations in Ras al-Ayn-Serê Kaniyê and Tal Abyad after 2019”, PÊL- Civil Waves, 25 January 2024, <https://pel-cw.org/en/16584/> (last accessed: 25 July 2025).

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ See for example: “Torture in the Peace Spring Strip: A Tool for Persecution and the Perpetuation of Forced Displacement”, STJ, 26 June 2023, <https://stj-sy.org/en/torture-in-the-peace-spring-strip-a-tool-for-persecution-and-the-perpetuation-of-forced-displacement/> (last accessed: 25 July 2025).

⁴⁹ “My Entire Life Savings Vanished Overnight”: Housing, Land, and Property Rights Violations in Peace Spring Strip”, STJ, 22 October 2024, <https://stj-sy.org/en/my-entire-life-savings-vanished-overnight-housing-land-and-property-rights-violations-in-peace-spring-strip/> (last accessed: 25 July 2025).

⁵⁰ “Syria: Turkey must stop serious violations by allied groups and its own forces in Afrin”, Amnesty, 2 August 2018, <https://www.amnesty.org/en/latest/news/2018/08/syria-turkey-must-stop-serious-violations-by-allied-groups-and-its-own-forces-in-afrin/> (last accessed: 25 July 2025);

Türkiye's sustained and comprehensive control following Operation Peace Spring, its presence in parts of northern Syria meets the legal definition of occupation.

As an occupying power, Türkiye bears affirmative obligations that include both immediate responsibilities and additional duties that arise over time. It is required to fulfill its role per Articles 42–56 of the 1907 Hague Regulations and Articles 27–34 and 47–78 of the Fourth Geneva Convention.⁵¹ Furthermore, Türkiye is bound by Common Article 2 of the Geneva Conventions, which mandates the application of IHL governing armed conflicts to ensure the protection of individuals under its effective control⁵².

The conduct of the Turkish-backed SNA can be legally attributed to the Turkish state under Article 8 of the Articles on the Responsibility of States for Internationally Wrongful Acts. According to this provision, the actions of individuals or groups acting on the instructions, or under the direction or control, of a State are considered acts of that State under international law. This includes conduct carried out by individuals effectively operating under the State's authority or oversight⁵³.

As an occupying power, Türkiye is legally obligated under the Fourth Geneva Convention to protect civilian property and prevent its unlawful seizure or destruction, as reinforced by Article 43 of the Hague Regulations.⁵⁴ Furthermore, Türkiye must hold those responsible accountable, particularly when property seizures are used to house military personnel and their families or to extort ransom, resulting in civilian displacement and demographic changes in the region without any overriding military necessity to justify such actions⁵⁵.

6.1.2. Under Syrian Law

The 2025 Constitutional Declaration requires the State to maintain Syria's territorial integrity and criminalizes calls for division, secession, foreign intervention, or seeking external support. Therefore, the Turkish presence in areas like Ras al-Ayn and Tell Abyad clearly violates Syrian sovereignty and territorial unity.⁵⁶ The declaration also states that only the State has the authority to establish the military, prohibits individuals or groups from forming military or paramilitary forces, and reserves the exclusive right to possess arms for the State.⁵⁷ As a result, Türkiye's support for armed factions in these regions breaches this constitutional principle.

See also: "Illegal Transfers of Syrians to Turkey", HRW, 3 February 2021, <https://www.hrw.org/news/2021/02/03/illegal-transfers-syrians-turkey> (last accessed: 25 July 2025).

⁵¹ Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, Art 27-34- 47-78.

⁵² The Geneva Conventions of 1949 - Art. 2.

⁵³ Articles on Responsibility of States for Internationally Wrongful Acts 2001 - Art 8.

⁵⁴ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907. Art.43.

⁵⁵ "Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change", Synergy/Hevdesti Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

⁵⁶ Constitutional Declaration of the Syrian Arab Republic, Art 7(1), SANA, 13 March 2025, <https://sana.sy/?p=21> (last accessed 25 July 2025).

⁵⁷ Constitutional Declaration of the Syrian Arab Republic, Art 9, SANA, 13 March 2025, <https://sana.sy/?p=21> (last accessed 25 July 2025).

7. Violation of the Right to Property, Adequate Housing, and the Destruction and Seizure of Property

7.1. Under International Law

Regarding the right to property and housing, Article 17 of the Universal Declaration of Human Rights (UDHR) emphasizes the importance of the right to own property, either individually or collectively. It also bans arbitrary deprivation of property.⁵⁸ Furthermore, residents' right to private property is also protected under the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Türkiye is a party. According to Article 11 of the Covenant, everyone has the right to a decent standard of living, including adequate housing, and no one shall be deprived of their property without legal justification.⁵⁹

Additionally, the UN Human Rights Committee, in its General Comment No. 7 (1993) dated 10 March, emphasized that “forced evictions constitute a gross violation of human rights, particularly the right to adequate housing,” and urged governments to “take immediate measures at all levels aimed at eliminating the practice of forced evictions.” The Guiding Principles on Internal Displacement also reaffirm this protection, stating that “everyone has the right to be protected against arbitrary displacement from their home or place of habitual residence.”⁶⁰

Article 147 of the Fourth Geneva Convention describes the widespread destruction of property not justified by military necessity as a serious breach of IHL.⁶¹ In this context, the acts of destruction carried out by Turkish forces and their allied factions in areas like Tell Abyad and Ras al-Ayn, including the destruction of homes and the illegal seizure of agricultural lands without any lawful justification or military need, are clear violations of the Convention's rules. These actions give rise to legal responsibility not only for the occupying power but also for individuals directly involved. Article 146 of the Convention obligates States to prosecute those responsible for grave breaches, whether before national or international courts⁶².

Furthermore, the 1998 Rome Statute of the International Criminal Court, under Article 8(2)(b)(xiii), prohibits the destruction or seizure of property not justified by military necessity, classifying such actions as war crimes.⁶³ These provisions directly apply to the events in Tell Abyad and Ras al-Ayn, where widespread looting and unlawful appropriation of property occurred without any legitimate military justification, constituting clear violations of international law. Additionally, Article 8(2)(b)(xvi) of the Statute explicitly designates pillaging during international armed conflicts as a war crime and mandates accountability for perpetrators, whether individuals or groups.⁶⁴ The prohibition of pillage and looting is also a

⁵⁸ Universal Declaration of Human Rights (1948) - Art 17.

⁵⁹ International Covenant on Economic, Social and Cultural Rights (1966) - Art 11.

⁶⁰ Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context ([A/77/190](#)), issued on 19 July 2020.

⁶¹ The Geneva Conventions of 1949. Art.147.

⁶² The Geneva Conventions of 1949. Art.146.

⁶³ The Rome statute of 1988, Art. 8 (2)(b)(viii).

⁶⁴ The Rome Statute of 1988, Art. 8 (2)(b)(xvi).

well-established norm of customary international law, binding on all states and armed actors, as affirmed by Rule 52 of the Customary International Humanitarian Law (Customary IHL)⁶⁵.

Article 46 of the 1907 Hague Regulations also prohibits the confiscation of private property in occupied territories. This means that the seizure of homes and agricultural lands without compensation or legal justification constitutes a clear violation of IHL.⁶⁶ The destruction of property or its control through military force or supported militias, as documented in these cases, represents a breach of international obligations requiring the protection of private property during armed conflicts.

Similarly, Article 33 of the Fourth Geneva Convention of 1949 bans looting and pillage, in line with Articles 28 and 47 of the 1907 Hague Regulations,⁶⁷ which safeguard civilian private property and prohibit its use for military or economic gain by occupying forces. These laws are meant to protect property rights during conflicts and prevent parties from abusing the situation for illegal advantages.

Article 46 of the 1907 Hague Regulations also prohibits the confiscation of private property in occupied territories, meaning that seizing homes and agricultural lands without compensation or legal cause is a serious violation of IHL. The destruction of property or its seizure through military force or supported militias, as documented in these cases, breaches international obligations that mandate protecting private property during conflicts.

In this context, the UN Special Rapporteur on the Right to Adequate Housing has described such acts as “domicide,” a distinct crime under international criminal law. This term encompasses the deliberate destruction of homes, rendering them uninhabitable, or other forms of systematic denial of housing when committed as part of a widespread or systematic attack against civilians.

7.2. Under Syrian Law

From the perspective of Syrian law, Article 16 of the 2025 Constitutional Declaration affirms that “the right to private property is protected and may only be expropriated for public benefit with fair compensation.”⁶⁸ The Declaration further mandates that the State establish the foundations for transitional justice by abolishing all exceptional laws that have harmed the Syrian people and violated human rights. This includes nullifying the effects of unjust rulings issued by the Anti-Terrorism Court used to suppress the Syrian population, such as restoring confiscated property, and repealing exceptional security measures concerning civil and real estate documents that the former regime employed to oppress the Syrian people⁶⁹.

⁶⁵ ICRC, Customary IHL Database, Rule 52.

⁶⁶ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907, Art 46.

⁶⁷ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907. Art. 28 and 47.

⁶⁸ Constitutional Declaration of the Syrian Arab Republic, Art 16, SANA, 13 March 2025, <https://sana.sy/?p=21> (last accessed 25 July 2025).

⁶⁹ Constitutional Declaration of the Syrian Arab Republic, Art 48(1), SANA, 13 March 2025, <https://sana.sy/?p=21> (last accessed 25 July 2025).

As outlined in the Constitutional Declaration, a transitional justice commission shall be established employing effective consultative mechanisms centered on victims to determine accountability measures, the right to truth, redress for victims and survivors, and the honoring of martyrs.⁷⁰ Accordingly, providing effective remedies to those affected by violations committed by Turkish forces and their affiliated factions is a constitutional obligation of the Syrian State.

The 1949 Syrian Civil Code, in Article 771, states: “No one may be deprived of their property except in cases prescribed by law and in return for fair compensation.” Accordingly, any deprivation of ownership without a legal basis is a clear violation of the law. Article 768 affirms that “The owner of a thing alone, within the limits of the law, has the right to use, exploit, and dispose of it.” Article 770 further states that “The owner of a property has the right to all its returns, products, and attachments, unless otherwise specified by law or agreement.”⁷¹ Additionally, Article 723 of the Syrian Penal Code criminalizes the unlawful seizure of real property (property usurpation), which is punishable by up to six months in prison, or up to three years if the perpetrators are armed or act together. The law also prohibits forced or unauthorized entry into private homes. Article 557 imposes penalties of up to three years in prison for forcible entry, especially when committed at night or with weapons or violence.⁷² These legal provisions directly relate to many of the incidents documented in the gathered testimonies.

However, despite the presence of such penalties in Syrian legislation, they remain insufficient in light of the severity of the acts committed during the ongoing armed conflict in Syria. The law treats these violations as isolated individual offenses, without addressing their occurrence within the broader context of armed conflict or as part of a systematic policy. Moreover, Syrian courts do not adequately apply international treaties and conventions, as international law is not considered superior to domestic legislation. Syria is also not a party to the Rome Statute of the International Criminal Court and, therefore, does not enforce the legal provisions related to war crimes and crimes against humanity, including serious violations of property rights and the right to adequate housing. These legal gaps underscore the pressing need for Syria to align with international legal standards, both during armed conflict and in times of peace, in order to safeguard individual rights and prevent further violations.

8. Forced displacement

The forced displacement operations carried out by Turkish forces and the factions they support constitute a flagrant violation of IHL. Article 49 of the Fourth Geneva Convention prohibits the forcible transfer of civilian populations in occupied territories,⁷³ meaning that any displacement of the population without military necessity is considered unlawful. In cases where displacement aims to alter the demographic composition, as occurred in Tell Abyad and Ras al-

⁷⁰ Constitutional Declaration of the Syrian Arab Republic, Art 49, SANA, 13 March 2025, <https://sana.sy/?p=21> (last accessed 25 July 2025).

⁷¹ Syrian Civil Code of 1949, Syrian Arab Republic, People's Assembly, available at: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=12162&ref=tree> (last accessed 25 July 2025).

⁷² Syrian Penal Code issued by Legislative Decree No. 148 of 1949, Syrian Arab Republic, Ministry of Justice, available at: <http://jus.moj.gov.sy/ar/node/574> (last accessed 25 July 2025).

⁷³ The Geneva Conventions of 1949 - Art.49.

Ayn, such displacement represents a blatant breach of these rules. According to Article 8(2)(b)(8) of the Rome Statute,⁷⁴ such actions constitute a war crime when carried out as part of a plan or policy intended to bring about large-scale demographic change.

These operations go beyond just changing the demographic makeup and are broader violations of IHL. Altering the demographic structure violates key rules of international armed conflict, as forced displacement that causes significant demographic shifts is recognized as a crime against humanity.⁷⁵ Such violations undermine the fundamental right of individuals to return to their homes, a right safeguarded under the 1966 International Covenant on Civil and Political Rights (ICCPR), with Article 12 guaranteeing everyone's right to freedom of movement and choice of residence.⁷⁶ Forced displacement should only happen under clear and strict legal rules. In this context, displacement intended to settle new populations and cause demographic changes violates this right and is a direct breach of international law.

Furthermore, the Guiding Principles on Internal Displacement, adopted by the UN in 1998, clearly stress the importance of protecting internally displaced persons in all situations, including defending their property from looting, destruction, and unlawful seizure.⁷⁷ The ongoing violation of the property rights of internally displaced persons, as shown in these testimonies, breaches these principles. This total neglect of the rights of the displaced violates international commitments related to protecting internally displaced persons.

In its April 2021 report, the Special Rapporteur on the human rights of internally displaced persons pointed out that the loss of land and housing is a central aspect of internal displacement. These repeated HLP violations often result from discriminatory tactics aimed at displacing specific groups based on their religious, ethnic, social, or political identity, and at preventing their return to their homes.⁷⁸ Moreover, Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) of 1965 requires States Parties to ensure the full enjoyment of the right to property without discrimination based on race or national origin.⁷⁹ In this context, the seizures and forced displacements mainly targeting Kurdish populations raise concerns about racial discrimination and violations of the Convention ratified by both Syria and Türkiye. The systematic racial discrimination carried out by Türkiye-supported factions against national minorities, especially the Kurds, clearly violates Türkiye's international obligations under this Convention.

The violations linked to forced demographic changes in the region cannot be ignored, as they violate Türkiye's obligations under international human rights law (IHRL). These changes seek to shift the population to meet political and military goals,⁸⁰ thus infringing on the rights of the

⁷⁴ The Rome Statute of 1988, Art. 8 (2)(b)(xiii).

⁷⁵ The Rome Statute of 1988, Art. 7 (1)(d).

⁷⁶ International Covenant on Civil and Political Rights (1966) - Art 12.

⁷⁷ United Nations Commission on Human Rights, 'Guiding Principles on Internal Displacement' (1998) UN Doc E/CN.4/1998/53/Add.2.

⁷⁸ Report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary ([A/HRC/47/37](#)), issued on 21 April 2021.

⁷⁹ International Covenant on Economic, Social and Cultural Rights (1966) - Art 11.

⁸⁰ "Where is My Home: Property Rights Violations in Northern Syria Perpetuate Demographic Change", Synergy/Hevdesti Association for Victims, 19 January 2023, <https://hevdesti.org/en/violations-of-property-rights-in-northern-syria/> (last accessed: 25 July 2025).

indigenous people to stay on their land and keep their property. Under international law, forced displacement intended to change the demographic makeup is considered a crime against humanity under Article 7 of the Rome Statute of the International Criminal Court.⁸¹ Additionally, the intentional demographic alteration through the resettlement of new families, including those of ISIS fighters, in confiscated homes, violates the rights of the indigenous minorities in the area. This conflicts with the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which highlights the importance of respecting minorities' rights to housing and peaceful existence in their lands⁸².

9. The Right to Effective Remedy

It is crucial that individuals whose rights have been violated, especially regarding HLP, have access to effective and appropriate remedies that guarantee the restoration of their rights and fair compensation for damages. Article 2(3) of the ICCPR requires states to provide effective remedies to all victims of rights violations, including property rights, whether the violations were committed by individuals acting officially or not⁸³.

According to Human Rights Committee General Comment No. 31, States Parties must, in addition to effectively protecting the rights covered by the Covenant, provide accessible and effective remedies.⁸⁴ This includes establishing appropriate judicial and administrative mechanisms to quickly and efficiently investigate and address violations of property rights. A State's failure to investigate or prosecute perpetrators constitutes a violation of its obligations under the ICCPR⁸⁵.

In cases of serious violations of HLP rights, such as those in Tell Abyad and Ras al-Ayn, effective remedies include restoring rights to the rightful owners, providing adequate financial compensation, offering rehabilitation, and ensuring guarantees against future violations. Article 13 of the European Convention on Human Rights (ECHR) obliges Türkiye to provide effective compensation to victims of such violations, whether committed by official entities or non-governmental actors linked to Turkish authorities.⁸⁶ This obligation is also consistent with the principles outlined by UN Special Rapporteur Paulo Pinheiro, which affirm the right of refugees and displaced persons to recover their property or receive fair compensation when recovery is not possible.

Given these violations, Türkiye, as a State Party to these international treaties, must act immediately to stop such abuses and provide proper compensation to the victims. It should also ensure the safe and respectful return of displaced and internally displaced persons to their

⁸¹ The Rome Statute of 1988, Art. 7.

⁸² United Nations General Assembly, 'Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities' (1992) UNGA Res 47/135.

⁸³ International Covenant on Civil and Political Rights (1966) - Art 2 -3.

⁸⁴ Human Rights Committee, General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13, 26 May 2004, para. 15.

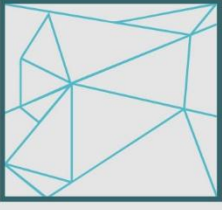
⁸⁵ Human Rights Committee, General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13, 26 May 2004, paras. 16-17-18.

⁸⁶ European Convention on Human Rights, 4 November 1950, Art 13.

homes, while guaranteeing protection against any retaliatory actions or additional collective punishments.

In the context of transitional justice in Syria, effective remedies must specifically address violations of property rights by establishing clear mechanisms for property restitution or, when restitution is not feasible, fair compensation. Adequate legal support should be provided to ensure victims' access to justice, accompanied by reforms to laws and procedures that have enabled these violations. Furthermore, to prevent recurrence, comprehensive reforms of the security and judicial institutions responsible for safeguarding property and owners' rights are essential⁸⁷.

⁸⁷ See [A/77/162](#): Sustainable Development Goals and transitional justice: leaving no victim behind - Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli, 14 July, 2022



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.