

**"Olive Branch and Spring of Peace"
War Crimes and Systematic Violations in
Light of International Law**



2024

1 Introduction

The military operations launched by Türkiye in northern Syria, such as Operation Olive Branch (2018) and Operation Peace Spring (2019), have resulted in widespread human rights violations against the local population, especially the Kurdish communities in Afrin, Ras al-Ayn/Serê Kaniyê and Tel Abyad, resulting in forced displacement of the population. The military operations resulted in consolidating Türkiye's occupation of the areas. They were accompanied by a series of violations of rights enshrined by the International Covenant on Civil and Political Rights, such as arbitrary arrests, extrajudicial killings, and torture. Additionally, confiscation of properties and looting enabled and further consolidated the forced displacement of the population, in violation of Article 12 of the ICCPR. These practices were implemented in accordance with a policy of targeting the original identity of the areas and seeking to change the features of the region.

The right to freedom of movement (Art 12), the prohibition of inhumane treatment, which applies in contexts of forced displacement or the living conditions that lead and enable forced displacement to occur (Art 7), and the underlying discriminatory grounds (Article 26), in principle, recognises a right not to be displaced under ICCPR. This right establishes negative and positive obligations on States to protect individuals from being displaced.

The present report has been produced based on the documentation collected by the DAR Association of Victims of Forced Displacement. DAR is a survivors-led association focused on centering the rights of survivors of forced displacement and other serious violations. DAR Association provides a platform to advocate for the rights of justice, truth, remedy and guarantees of non-recurrence, their voluntary and safe return to their original place of residence, and compensation for the harm they suffered. Documentation was further corroborated by reports from the Hevdesti/Synergy Association for Victims, Human Rights Watch and the UN Commission of Inquiry on Syria.

2 Legal Framework Applicable to Türkiye's ICCPR Violations in Syria: Türkiye's Occupation over Syrian Territories

It is largely accepted that human rights treaties apply extraterritorially, including in cases where a State has effective control over a territory of another State, exercising both power and authority over individuals. In its General Comment 31, the Human Rights Committee noted that a State Party must respect and ensure the rights laid down in the ICCPR to anyone within the power or effective control of that State Party, even if not situated within the territory of the State Party. This principle applies to those within the power or effective control of the State Party, regardless of the circumstances in which such power or effective control was obtained¹.

Türkiye has been militarily occupying large parts of north Syria since 2017. In its first operation in 2016 (Operation Euphrates Shield), it occupied the predominantly Arab region north of Aleppo that included Azaz, al-Bab and Jarablus, which had previously been under the control of the Islamic State. In its second military intervention in 2018 (Operation Olive Branch), it captured Afrin, a Kurdish-majority area. In its third and last incursion in 2019 (Operation Peace Spring), Turkish armed forces gained control of the area between Tel Abyad and Ras al-Ain (Serakaniye, in Kurdish). All these military operations were conducted with and through a local armed group, the Syrian National Army (SNA), which serves as a *de facto* proxy in the occupied areas, and were marked by massive displacement and serious abuses of human rights².

¹ Human Rights Committee, General Comment no. 31 (The Nature of the General Legal Obligation Imposed on State Parties to the Covenant)

² Human Rights Watch, "Everything is by the Power of the Weapon: Abuses and Impunity in Turkish-Occupied Northern Syria", February 29, 2024, available online at: <https://www.hrw.org/report/2024/02/29/everything-power-weapon/abuses-and-impunity-turkish-occupied-northern-syria>

Under international law, a territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation is limited to areas where such authority has been established and can be exercised³. This is a factual determination, demonstrated by the fact that said authority is established and exercised by the intervening State in the areas in question. In the *DRC v Uganda* case, the International Court of Justice (ICJ) stated that, to this end, the Court had to satisfy itself that the foreign armed forces were not only stationed in particular locations but also that they had substituted their own authority for that of the domestic government⁴.

Following its military operations in Northern Syria, Türkiye has established and continues to exercise effective control over the areas subject to military incursion. This control is exercised directly by Türkiye as occupying power through military, intelligence and administrative means. Türkiye maintains control over the territories it occupies through the presence of its armed forces and intelligence agencies, with over 100 military sites, bases and observation posts across northern Syria. Furthermore, each of these occupied territories is administratively controlled by local authorities in neighbouring districts inside of Türkiye: the governors' offices of Hatay, Kilis, Gaziantep, and Sanliurfa directly oversee the provision of education, health, financial services and humanitarian aid in adjacent territories of Syria alongside local councils established by Türkiye and whose representatives are often approved or appointed by Türkiye. Thus, the Hatay governor oversees the Afrin local council, the Kilis and Gaziantep governors the work of councils in the "Euphrates Shield" areas, while the Sanliurfa governor is responsible for the areas between Tel Abyad and Ras al-Ayn⁵.

In addition to administrative control, the occupied areas are *de facto* treated as an extension of Türkiye. The Turkish lira has replaced the Syrian currency, and Turkish banks and post offices exclusively provide financial services. Electricity is provided by and through Türkiye's companies and power grid, while Türkiye's health directorates oversee healthcare facilities. Inhabitants of the areas are also required to obtain local council-issued ID cards, which are linked to the Turkish national ID system, with information presented in both Turkish and Arabic, while Syrian government-issued identity cards are no longer accepted in these territories⁶.

Moreover, Türkiye further reinforces its control over the occupied areas through its *de facto* proxy force, the SNA. Under International Humanitarian Law, it is established that effective control over an occupied territory can also be exercised through proxy armed forces. This is the case when armed groups act as occupying power on behalf of another state which has "overall control" over them, therefore exercising effective control over local authorities in the occupied territory or over the organised groups that have such effective control over the territory of another state⁷.

Türkiye exercises direct control over the SNA, which it supplies with military training, weapons, salaries and logistical support⁸. While the SNA officially reports to the Ministry of Defense of the Syrian Interim Government (SIG), a self-declared governing body in Azaz, its factions answer only to Turkish military forces and intelligence agencies. Indeed, Turkish military and intelligence agencies oversee the factions' conduct in these areas through their operation rooms in al-Bab, Jarablus, Ras al-Ain and Afrin, which direct the SNA factions. Turkish authorities frequently join the SNA in its conduct, including in the context of arbitrary detention. Turkish armed forces and the SNA often arrest and illegally transfer Syrian nationals to Türkiye, a conduct that is indicative of collaboration and joint operations between Türkiye and the SNA⁹.

³ The Hague Regulations Respecting the Laws and Customs of War on Land annexed to the Fourth Hague Convention of 18 October 1907, Article 42.

⁴ ICJ, ICJ, Case Concerning Armed Activities on the Territory of the Congo (*DRC v. Uganda*), Judgement of 19 December 2005, paras. 172–177

⁵ New Lines Institute for Strategy and Policy, Intelligence Briefing: The Gangs of Northern Syria: Life Under Turkey's Proxies, December 2022, available online at: <https://newlinesinstitute.org/wp-content/uploads/20221206-Intel-Briefing-Turkish-Proxies-in-Syria-NLISAP-1.pdf>, (last access: 29 August 2024)

⁶ Ibid

⁷ ICTY, Prosecutor v. Duško Tadić, Trial Chamber, Judgment, 7 May 1997, Case No. IT-94-1-T, para. 584

⁸ Ibid., New Lines Institute for Strategy and Policy.

⁹ Report of the Commission of Inquiry on the Syrian Arab Republic, A/HRC/45/31, September 15, 2020, available online at: <https://undocs.org/en/A/HRC/45/31>

Based on the facts above, there is sufficient evidence to believe that Türkiye has established and continues to exercise full authority in the areas it has invaded since 2016. It exercises this authority both directly and through overall control of de facto proxy forces. As the occupying power, Türkiye has an obligation under Article 43 of the Hague Regulations of 1907 to take all measures within its power to restore and ensure, as far as possible, public order and safety in the occupied areas. This obligation includes the duty to secure respect for the applicable rules of international human rights law and international humanitarian law, to protect the inhabitants of the occupied territory against acts of violence, and not to tolerate such violence by any third party¹⁰. Hence, as an occupying power, Türkiye is obliged to adhere to the minimum standards defined by international humanitarian law and the complementary protections of international human rights law, which apply simultaneously and extraterritorially to the Syrian-occupied territories.

As a State party to the ICCPR, Türkiye is under an obligation pursuant to Article 2(1) to respect and ensure the rights recognised by the ICCPR in occupied areas and toward Syrian civilians under its jurisdiction. This legal obligation is both negative and positive and requires Türkiye to:

- Refrain from violations of the rights recognised by the Covenant,
- Adopt legislative, judicial, administrative, educative and other appropriate measures in order to fulfil their legal obligations,
- Ensure that individuals have accessible and effective remedies to vindicate Covenant rights and make reparations to individuals whose Covenant rights have been violated,
- Ensure that individuals responsible for violations are brought to justice in cases where investigations through remedy procedures reveal violations of certain Covenant rights,
- Take measures to prevent the recurrence of violations of the Covenant, including providing for and implementing provisional or interim measures to avoid continuing violations and to endeavour to repair any harm caused by such violations.

3 Forced Displacement as Violation of ICCPR Obligations

Article 12(1) has two components: the right to liberty of movement and freedom to choose where to reside or be established. Both may apply concurrently. The general right to freedom of movement and to choose a residence in a place of one's choice within the territory includes protection against all forms of forced internal displacement and makes forced displacement of a person or a group prima facie unacceptable under the ICCPR, according to the Human Rights Committee General Comment 27.

In addition to being a breach of obligations under Article 12, in and of itself forced displacement also leads to potential additional violations of the ICCPR. Indeed, forced displacement exposes the displaced population to serious threats to life and to physical and psychological integrity, significantly interfering with the right to life (Article 6), the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (Article 7), and the right to family and private life (Article 8). Article 7 of the ICCPR, which outlaws together with torture, "cruel, inhuman or degrading treatment or punishment", is particularly relevant in the context of measures of forced displacement in Turkish-occupied territories. In this context, the Kurdish population has been subjected to ill-treatment by being directly and discriminately targeted with displacement from their areas because of discriminatory motives and subjected to ill-treatment because of the living conditions to which they are subjected, which fail to meet the standard of human treatment.

¹⁰ ICJ, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 9 July 2004, ICJ Reports 2004, paras. 111-113; ICJ, Case Concerning Armed Activities on the Territory of the Congo (DRC v. Uganda), Judgement of 19 December 2005, para. 178.

The right to freedom of movement (Art 12), the prohibition of inhumane treatment, which applies in contexts of forced displacement or the living conditions that lead and enable forced displacement to occur (Art 7), and the underlying discriminatory grounds (Article 26), in principle, recognises a right not to be displaced under ICCPR. This right establishes negative and positive obligations on States to protect individuals from being displaced and to remedy the impact of forced displacement.

Beyond the ICCPR, International Human Rights Law also burdens Türkiye with additional negative and positive obligations in the context of forced internal displacement, as enshrined in the Guiding Principles of Internal Displacement and the United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons (the Pinheiro Principles), which guarantee the right to not to be arbitrarily displaced, the right to non-discrimination, the right to freedom of movement and right to voluntary return in safety and dignity, and the right to property and housing restitution.

3.1 Forced displacement as a violation of freedom of movement

Forced displacement, as characterised by the coerced and involuntary nature of the displacement, violates individuals' right to freedom of movement under the ICCPR.

Article 12 is explicitly limited to freedom of movement “within the territory of the State”. While it is now confirmed that States have extraterritorial obligations under the ICCPR, Türkiye might argue that extraterritoriality does not extend to Article 12, given its explicit intra-territorial language. Nevertheless, in previous Concluding Observations on Israel, the Human Rights Committee confirmed that violations of freedom of movement in Gaza and the “Seam Zone” were considered violations of obligations under Article 12 by Israel¹¹. The same approach should be taken in relation to violations of freedom of movement in Turkish-occupied territories by Türkiye.

3.2 Forced displacement as a violation of freedom of choice of residence

The right to choose one's residence is the freedom to set up permanent or temporary residence at any location. Pursuant to General Comment 27, the right to reside in a place of one's choice includes protection against all forced internal displacement. Forced displacement violates such a right as it leads to further adverse and long-term consequences such as permanent loss of land or property, use of collective shelters or IDP camps (which may constitute a form of ill-treatment), and inability to return home. Freedom to choose where to reside can also be violated by the destruction of homes.

3.3 Inapplicability of permissible limitations

Article 12(3) contains permissible limitations to the exercise of “the above-mentioned rights”, being Article 12(1) and 12(2). Article 12(4) contains its own limitation measures, which specify that the right contained therein may be limited by non-arbitrary reasons. The Human Rights Committee has issued detailed guidelines regarding the application of the permissible limitations to Article 12 rights in Article 12(3), stating that permissible limitations must not nullify the principle of liberty of movement and are government by the requirement of necessity provided for in Article 12(3) and by the need for consistency with the other rights recognised in the Covenant.

¹¹ HRC, Concluding Observations on Israel, UN doc CCPR/C/ISR/CO/3

Measures of forced displacement by Turkiye fail to pass any justification test under paragraph 3 of Article 12 on the grounds that there is no basis for such action as provided by law or consistent with other rights recognised by the ICCPR. Within this context, the restrictions need to be consistent with the other rights guaranteed in the Covenant and with the fundamental principles of equality and non-discrimination. Measures of forced displacement in the context of Turkish-occupied territories not only are inconsistent with rights recognized by the ICCPR, but they are usually part of and the result of violation of other rights protected by the ICCPR, such as prohibition of torture, prohibition of arbitrary detention, right to life, discrimination and lack of access to effective remedy. Most importantly, the policy of measures of forced displacement that primarily target the Kurdish population (through seizure of properties, denial of return and persecution on ethnic grounds) is inconsistent with the fundamental principle of non-discrimination.

4 Forced Displacement and Related Violations in Turkish-Occupied Territories

The two operations, “Peace Spring” and “Olive Branch”, caused the displacement of at least 350,000 residents of Afrin, Ras al-Ayn/Serê Kaniyê and Tall Abyad regions in North and Northeast Syria. More than 36,000 displaced people live in three makeshift camps (Washokani/al-Twinah, Serê Kaniyê/al-Tala’i and Tall as-Samn) in the two governorates of al-Hasakah and Raqqa whereas more than 7,000 displaced persons live in makeshift camps, (al’Oda, Afrin, Shahba, al-Muqawama and al-’Aser), which are run by the Autonomous Administration in Shahba region in the north of Aleppo governorate¹².

Forced displacement constituted a key component of the military operations of Turkiye in the area, with the intent to re-shape the identity of the region in a way that better aligned with Turkiye’s military and political agenda in the areas. Forced displacement was, therefore, at the cornerstone of the military incursion and the ultimate intent behind additional violations of human rights abuses, which (1) aimed at consolidating forced displacement through the seizure of properties and denial of return and (2) aimed at coercing people into leaving the areas through arbitrary detention, torture and other serious human rights abuses, de facto creating a coercive environment devoid of protection and legal guarantees.

The sections below address a number of policies and practices enabling and consolidating forced displacement and its impact on the population, such as the destruction and confiscation of properties, coercion into further displacement through detention-related crimes, denial of return and additional measures with underlying discrimination on ethnic grounds.

4.1 Consolidation of forced displacement through destruction and confiscation of properties

Since the occupation of Ras al-Ayn/Serê Kaniyê and Tall Abyad regions in Operation “Peace Spring” in October 2019, Hevesti-Synergy has documented the seizure of more than 5,500 residential houses, 1,200 commercial and industrial shops and around one million donum (100,000 ha) of farmlands by Turkish forces and the opposition SNA¹³.

After taking control of these areas, SNA fighters and their families occupied houses after civilians had fled. The SNA’s factions seized, looted, and destroyed properties of the Kurdish

¹²Synergy, “Where is My Home? Property Rights Violations in Northern Syria Perpetuate Demographic Change”, January 2023, available online at: https://hevdesti.org/wp-content/uploads/2023/01/Where-is-My-Home_Property-Rights-Violations-in-Northern-Syria-Perpetuate-Demographic-Change_Synergy.pdf (last access: 10 September 2024)

¹³ Ibid

civilians in Afrin without compensating the owners and settled their fighters and their families in the civilians' seized houses¹⁴. Those returning to their homes often find them destroyed, confiscated or occupied by armed factions. In some cases, homes have been sold for as little as \$700. In some cases, civilians have had to pay large sums of money to access their properties. Turkish forces have also been complicit in seizing and destroying properties and in preventing the return of residents.

In Dawoudiya village, east of Ras al-Ayn/Serê Kaniyê, Turkish forces seized the village and turned it into a military outpost after destroying some of the civilians' homes, while Kurdish original inhabitants were banned from returning to the village. A former inhabitant of Dawoudiya recalled that Dawoudiya was completely evacuated from its inhabitants in October 2019 in the context of intensified hostilities and the advancement of Turkish forces. Dawoudiya residents were displaced to al-Hasakah city. Through information from residents of Arab adjacent villages, Dawoudiya's former inhabitants found out that their village had been turned into a military hotspot. Reportedly, Turkish forces asked residents of adjacent villages to inform residents of the Kurdish village of Dawoudiya to give up on the prospect of returning. This information came from unofficial sources, and inhabitants were never consulted or informed of possible legal pathways and protective measures to guarantee their rights to property or to return to their village¹⁵. A similar incident occurred in Bab al-Faraj, where Turkish forces bulldozed properties. Turkish forces converted the village's house into military posts and barracks for their troops and constructed a field hospital there. A former inhabitant of the village stated that Turkish forces prevented the residents from returning¹⁶.

4.2 Population coerced into forced displacement through arrest, detention and torture

Since the start of the occupation, areas under the occupation of Turkey through their proxy SNA have witnessed widespread and systematic human rights abuses against the local population. These violations are a constitutive element of the broader policy of forced displacement, with the intent to (1) further coerce those who have remained to leave the areas and (2) dissuade former inhabitants from returning.

After the capture of the areas, the majority of people who decided to remain in the areas were later subjected to interrogation by Turkish forces and the SNA. Some were subject to ill-treatment or torture on the pretext of affiliation with parties and groups opposed to Turkiye. In the majority of cases, Turkish forces and the SNA directly targeted individuals in order ultimately to force them, especially the Kurdish population, to leave their homes through threats, extortion, murder, kidnapping, torture and arbitrary detention.

The following incident is emblematic of the type of coercive environment imposed on residents of these areas. A 70-year-old resident of Ras al-Ayn/Serê Kaniyê preferred to stay in the city during the military operations in order to protect his family's properties from pillage and looting. Given his old age, he believed this would protect him from any perceived affiliation with any political party or military group. However, as soon as the military operation ended, a SNA faction stormed his house, blindfolded him, and arrested him arbitrarily without providing any reasons behind the arrest. The victim was taken to an unknown place, interrogated and released only three days later. He was re-arrested and interrogated several times and subjected to torture and ill-treatment under the accusation of being involved with the Autonomous Administration. After his fourth release, one of the fighters asked him to leave the region and not to return¹⁷.

¹⁴ Human Rights Watch, "Syria: Turkey-Backed Groups Seizing Property, Compensate Displaced Residents for Use, Damage", 14 June 2018, available online at: <https://www.hrw.org/news/2018/06/14/syria-turkey-backed-groups-seizing-property>

¹⁵ See note 12, page 13

¹⁶ Ibid, page 14

¹⁷ Ibid, page 17

4.3 Denial of return

The indigenous population has been prevented from reclaiming their properties or from returning. After the end of the two military operations, many reports emerged that Turkiye and its proxy prevented civilians, especially Kurds, from returning to their areas and homes. In several cases, members of the SNA threatened, extorted or detained many residents once they tried to reclaim their properties.

Their return has also been prevented by the recurring violations against the Kurdish population remaining in the areas, such as extrajudicial killings and arbitrary detention, which prevents individuals from returning in a context of lack of protection and legal guarantees. A displaced person from Ras al-Ayn/Serê Kaniyê stated that he is frightened to return to his city because of fear of being arrested or subjected to other violations given the SNA's systematic policy of deontion, torture and ill-treatment in the areas they control¹⁸. Another former resident of Afrin recalled a similar pattern of being unable to return because he was afraid for his life. In this case, a SNA fighter directly threatened to arrest him if he ever thought of returning¹⁹.

4.4 Consolidation of forced displacement through discriminatory practices and policies

Forced displacement has been consolidated through discriminatory practices, which can be described as “demographic change”, by preventing the Kurdish population from returning to their areas of origin. However, most importantly, these practices are of great concern as they also lead to further violation of the rights of the Syrian people and the Syrian society as a whole in favour of the political and military interests of Turkiye.

Within these areas, and Afrin specifically, the issue of forced displacement and property rights is exacerbated by the magnitude of crimes to which the Syrian people have been subjected and the impact that these crimes have had on Syria. Indeed, it is essential to note that Afrin had become a place of refuge for individuals who have been themselves, victims of forced displacement, having forcibly transferred to North Syria following forced displacement and crimes against humanity committed by the Syrian government in other neighbourhoods (i.e. Eastern Ghouta). As victims of forced displacement themselves, they have a right to livelihoods and safety, and some of them may have ended up renting or buying properties confiscated by Turkish forces. These individuals have a right to return to their areas of origin in safety and dignity. However, their rights are yet to be fulfilled in a context of continuing crimes against humanity and repression at the hands of the Syrian government in areas under its control, as proved also by the recent HRC Concluding Observations on Syria.

In this context, different layers of victimhood and forced displacement coexist, undermining civil peace and common coexistence with which the region is characterised. The scene will be more complicated if the issue is protracted and not addressed in the context of finding a comprehensive political solution to end the conflict in Syria that centres the rights of all victims to truth, justice and dignity in any future plan for Syria²⁰.

Additionally, Turkiye intends to use those areas as “safe zones” and to designate them for the relocation of Syrian refugees from Turkey. Indeed, in May 2022, Turkish President Recep Tayyip Erdoğan announced a plan to create a “safe zone” in the Turkish-occupied territories of

¹⁸ Ibid, page 19

¹⁹ Ibid, page 26

²⁰ Ibid

northern Syria and build homes to accommodate up to one million Syrians living in Türkiye²¹. The designation of these areas as safe zones for a possible relocation of Syrian refugees from Turkey would be in violation of the right of non-refoulement and constitute a further violation of their rights under ICCPR.

5 Conclusion and Recommendations

The military operations launched by Türkiye in northern Syria, such as Operation Olive Branch (2018) and Operation Peace Spring (2019), have resulted in widespread human rights violations against the local population, especially the Kurdish communities in Afrin, Ras al-Ayn/Serê Kaniyê and Tel Abyad, resulting in forced displacement of the population. The military operations resulted in consolidating Türkiye's occupation of the areas and were accompanied by a series of violations of rights enshrined by the International Covenant on Civil and Political Rights, such as arbitrary arrests, extrajudicial killings, and torture. Additionally, confiscation of properties and looting enabled and further consolidated the forced displacement of the population, in violation of Article 12 of the ICCPR. These practices were implemented in accordance with a policy of targeting the original identity of the areas and seeking to change the features of the region.

The right to freedom of movement (Art 12), the prohibition of inhumane treatment, which applies in contexts of forced displacement or the living conditions that lead and enable forced displacement to occur (Art 7), and the underlying discriminatory grounds (Article 26), in principle, recognises a right not to be displaced under ICCPR. This right establishes negative and positive obligations on States to protect individuals from being displaced and to remedy the impact of forced displacement.

Within this context, Türkiye, as a State Party to the ICCPR, must implement the following recommendations. ***Within this context, we call on the Human Rights Committee to consider the “access to justice” and “accountability for ICCPR violations in the context of occupation” recommendations within the Follow-Up Procedure of the Committee, in accordance with Rule 75(1) of the Committee’s rules of procedure.***

5.1 Access to Justice

- Türkiye must take immediate steps to administer justice in the occupied areas and ensure the right to a fair trial for all detainees, including those transferred to Türkiye. This includes ensuring the independence and impartiality of judges, the right to legal counsel, and the prohibition of coerced confessions and evidence extracted under torture as evidence in court.
- Türkiye must ensure that victims of ICCPR violations in the occupied territories have access to justice and effective legal remedies. This includes establishing mechanisms for victims to report abuses without fear of retaliation, providing reparations, and ensuring that judicial processes meet the international standards set by the ICCPR. Additionally, Türkiye must protect those seeking justice and redress from any form of intimidation or retaliation.

5.2 Accountability for ICCPR Violations in the Context of Occupation

- Türkiye should acknowledge the extraterritorial application of the Covenant in Turkish-occupied territories in Syria and adopt all necessary measures to fully comply with its obligations to protect the rights guaranteed by the ICCPR to all individuals under its jurisdiction and subject to its authority in the areas it occupies. This includes ceasing ongoing violations and ensuring the effective realisation of the right to remedy for victims in the occupied territories.

²¹ Human Rights Watch, “Syrians Face Dire Conditions in Turkish-Occupied ‘Safe Zone’: No Access to Livelihoods; Dangerous Smuggling to Reach Other Areas of Syria”, 28 March 2024, available online (last access: <https://www.hrw.org/news/2024/03/28/syrians-face-dire-conditions-turkish-occupied-safe-zone>)

- Türkiye must ensure the prompt, thorough, independent, and effective investigation of all reported cases of human rights violations committed against civilians in the Syrian-occupied territories. Perpetrators must be brought to justice, and information on the progress of the investigations should be made public.

5.3 Forced Displacement

- Put an end to the practice of expropriating and confiscating property and lands owned by the civilian population, and take immediate steps to remedy the violations of property, land and housing rights already committed, with a view to ensuring civilians' full access to their lands and livelihoods, and the restitution of their properties in accordance with the Pinheiro Principles.
- Ensure that any restrictions imposed on the freedom of movement of forcibly displaced individuals, namely their right to return, are removed, being inconsistent with the requirements for permissible restrictions set forth in Article 12(3) of the Covenant, and that members of Turkish forces and SNA factions found responsible for depriving victims of their right to return, whether in a direct or indirect manner, are held accountable and appropriately sanctioned, and that victims of those acts receive effective remedies.
- Provide adequate protection and legal guarantees to individuals returning to their areas of origin from forced displacement, including by ensuring that all violations against them are thoroughly and impartially investigated, that perpetrators are prosecuted and, if found guilty, punished with penalties commensurate with the gravity of the offences, and that victims are provided with effective remedies.