

## **REPORT ON A JOURNALISTIC FACT FINDING MISSION ON THE SUPPOSED HUMAN RIGHTS VIOLATIONS AGAINST THE ARAB POPULATION IN ROJAVA, SYRIA**

Since the days of March, 22<sup>nd</sup> to 28<sup>th</sup>, 2015 when a small group of representatives of important organisations who belong to different political and cultural milieus of the Syrian civil society came together in the framework of the World Social Forum, the international initiative [www.peaceinsyria.org](http://www.peaceinsyria.org) has been active organising an All Syrian Peace Congress in Derik, one of the principal towns of the Kurdish province of Cizre/Al Jazeera .

### **I. HISTORICAL BACKGROUND**

The idea was to bring together, for the first time inside Syria, as many of the divergent political currents of the Syrian civil society as possible, like it had been the case in the rather successful conference in the "Peace castle" of Schlaining , Austria, in March 2014 where the participants had agreed to issue a common declaration to promote a "peace plan of civil society". This peace plan originally contemplated, amongst other points, the realisation of an *All Syrian National Assembly* in Damascus in order to trigger off an authentic peace process starting from below, similar to the process which has been exemplified in the Kurdish territories of Syria since the end of 2013.

But given the fact that with the appearance of the so called Islamic State (Daesh) the Syrian regime would not allow such an assembly to take place in Damascus, another working meeting of the same Syrian spectrum met in Vienna, Austria, in October 2014 and decided to start with some regional peace congresses in Qamishli, Latakia and Aleppo.

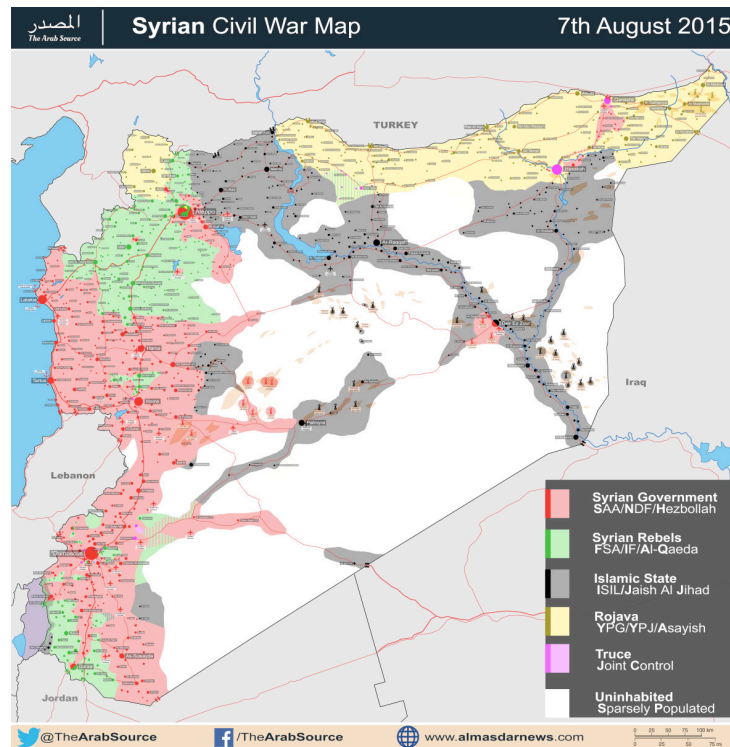
In Tunis, during the World Social Forum in March of 2015, it was decided to start in Derik, Rojava, with the first of these peace congresses. However, approaching the concerted date of June 12<sup>th</sup> and 13<sup>th</sup>, 2015 a series of difficulties popped up, owing to which different subjective factors converted themselves into objective obstacles for the realisation of such an event in Derik:

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There was first of all the fact, that many of the Syrian participants had taken refuge in different countries and were afraid that they could get caught by the secret services or the army of the Syrian regime which still controls the airport of Qamishli, in spite of the fact that the Kurdish civil and military authorities had expressed their guarantees and denied any interference of the Syrian governmental authorities in the internal process of Rojava.

- 1) This attitude revealed a basic distrust of the Arab opposition towards the Kurdish representatives of the PYD and YPG/YPJ. So many members of its affiliated organisations including many intellectuals of the traditional Syrian Left like the NBDC (National Body of Democratic Change, led by Haytham Manaa) declined. This sign of mutual distrust reached its peak when the Muslim Brotherhood and their military allies from the Free Syrian Army started to accuse the YPG (the most important political and military front in the Kurdish areas of Rojava) of “forced expulsions” and even “ethnic cleansing” of the Arab population in the province of Hassaka.

During an emergency meeting held in Vienna at the beginning of June, 2015, the representatives of the MB and PYD agreed that the international initiative [www.peaceinsyria.org](http://www.peaceinsyria.org) should send a delegation of international journalists to Rojava in order to verify or contradict the accusations of different members and organisations of the Opposition-Coalition and their military allies. Finally, this delegation consisting of five journalists from Germany, Spain and Austria, decided to go from September 21<sup>st</sup> to 30<sup>th</sup>, 2015, to the Syrian part of the Hasaka area (Rojava), including also the visit of Syrian exiles in Sanliurfa, Turkey, and a refugee camp near Dohuk (Kurdistan) on Iraqi territory.



## II. METHODOLOGY

In a meeting in Mardin, Turkey, prior to our tour, our group of five journalists who work for all different kinds of media -TV, Radio, daily and weekly newspapers, internet platforms - agreed to apply the principles of a serious investigative journalism to our common task. This implied an attitude of complete impartiality in the fact finding process by going to the sources of origin as much as we could and to show a political understanding in the analytical approach – even in the cases when the one or the other side have made serious mistakes.

We were all aware that a war situation inevitably feeds subjective projections on each side whose origins are often based on a difference in culture – like it is the case between the Arab and the Kurdish culture. Without wanting to get into the details of the mutual allegations and accusations we were aware that the conflicts inside the multicultural environment in the province of Hassaka/Rojava have had a long historical tradition which goes back

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to the French domination in the 1920s and leads up until now to the somehow artificial border lines between Turkey, Syria and Iraq.

All these reflections led us to the methodological assessment that we had, first of all, to reach out to those who in the past had pronounced heavy accusations against the way the Kurds supposedly treated the Arab communities. Therefore we travelled first of all to Sanliurfa, one of the border towns of Northern Kurdistan, situated between Mardin and Gaziantep, only a few miles away from the border between Turkey and Syria.

Alert of any bias and intimidation which the Arabs might have in an environment where the PYD exercises its hegemony, our group of journalists had a more than five hour meeting on September 22<sup>nd</sup> with approximately a dozen men and women of different age groups who presented themselves as former members of the Free Syrian Army and in one way or another close to the opposition from the Syrian National Council SNC. Although many of them did not want to identify themselves "for obvious reasons" as they said, we could, at the end of our discussions, get a formal interview with Mumtaz Ali Hassan, a lawyer from the city of Hassaka who had belonged to the leadership of the so called Syrian Democratic Block.

### **III. ACCUSATIONS OF HUMAN RIGHTS VIOLATIONS**

From the very beginning of our conversations we had the impression that our counterparts were rather well prepared when it got down to the issue of human rights violations by the YPG and YPJ, the two military forces of the Kurdish self-governing, autonomous entities (cantons) which together form Rojava according to the self understanding of the Kurdish population. It struck us that our dialogue partners did not refer to them either as YPG/YPJ or as PYD which is the name of the Kurdish leading party in the Hassaka province, but they referred to them as PKK, the Kurdish political-military organisation in Turkey which still figures on the list of "terrorist organisations" in the EU and in the USA. This might be historically correct since the PYD was founded by high ranking members of the PKK-directorate under the leadership of Abdullah

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Öcalan; however it seemed to us quite biased to name an organisation by a name which the organisation itself does not use.

In consequence, also the accusations forwarded by our Arab partners against the military performance of the "PKK" in the Arab villages of Rojava were quite heavy and many of them, if proven true, could be qualified as terrorist attacks like:

- 1) the alleged killing of civilians, the burning down of private properties and harvests for which the denunciators gave us the names of approximately 15 villages and small towns where the violations were supposed to have happened – some of them in 2013 and others in 2014.

Since it was obvious that our team of journalists could not cover all these cases we eventually decided to visit four of these sites, all of them in the Tel Hamees area where supposedly also a massacre of 35 unarmed persons (among them 7 children) had taken place in September, 2014.

- 2) Another heavy allegation we heard was that the YPG/"PKK" had systematically expelled the Arab population – up to the extent that some sources even talked about "ethnic cleansing" in the areas of conflict between the YPG and the so called Islamic State (Daesh).
- 3) And thirdly, our dialogue partners in Sanliurfa gave us a list of six names of alleged political prisoners who supposedly were held in the prison of Al-Malikiyah/Derik; one of them, they said, was a leader of the historical Communist Party, another a renowned activist for the Palestinian cause and in one case the police allegedly captured a son, because they could not get hold of the father.

On our question why the Kurdish authorities should have committed such war-crimes and gross violations of human rights against a population they principally consider as their allies, our dialogue partners objected loudly: "They cannot be our allies, because they are the allies of the regime of Bashar al Assad". More than that: the group of ex-FSA fighters explained, that the PYD/"PKK" is an

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extended arm of the regime which uses them to control the area as a whole. In one sentence: there is no difference between the autonomous administration of Rojava and the regime: both use violent methods and are considered as their enemies.

However, when we asked at the end of our conversation if they would agree to engage in a dialogue with the PYD/"PKK" – leadership in some place outside Turkey and Syria as an eventual result of this peace initiative we are heading for, they accepted - not without a certain reluctance: "First they must admit what they did", was the common denominator of the group.

#### **IV. THE MASSACRE OF AL HAJJIA ON SEPTEMBER 13TH, 2014**

It is almost impossible to conduct investigations in Rojava totally independently. We had to rely on vehicles, drivers and an excellent interpreter who was put at our disposal by the authorities of Rojava. For security reasons, as they assured us, we were accompanied by a military escort. However, we had not forwarded a plan of what and when we wanted to visit beforehand. We gave the names of the villages we wanted to see only one day before going there.

One of the places we had pointed out as being of our interest was the village of Al Hajjia, an Arab hamlet which had been occupied by Ahrar Al Sham and the Islamist Al Nusra front and later by IS forces. The village elders invited us to sit down in one of the houses and listen to their first-hand version of the event. Women were also allowed to take part in the assembly.

What struck us first was the particularly warm welcome the Arabs gave the military who are predominantly Kurdish. We have seen in other countries how the civilian population behaves vis-à-vis an army considered as an occupation force. People prefer staying in the houses when men in uniform appear and those forced to fake friendship and gratitude act like puppets on a string. None of these behaviours could be observed in any of the Arab villages we visited. Various Arabs told us that they themselves had established contact with the YPG asking them to deliver them from suppression by the IS. This was also the case in Al Hajjia.

Nobody was able to give an eye-witness report of the killing of 35 civilians during the night of September 13<sup>th</sup>, 2014, but many people heard the



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shoot-out which took place at 3am. Everybody knew that the YPG forces would attack that night and people were hiding in their houses. Some had left the village in anticipation of the armed clashes. In the morning, Daesh fighters had retreated and YPG was in control of Al Hajjia. 35 bodies of civilians, among them six children and three women, were found outside the village.



Foto: Martin Lejeune

One of the elders shrug his shoulders: „I cannot say who did it“. He had heard the shooting of a skirmish but declared himself unable to put the blame on one of the factions. Another Arab man drew our attention to the fact that IS had a habit of using civilians as human shields, „and if they deny to comply, they shoot them“. The IS also used to put the blame on YPG. A young man who had fought with the IS was covered by a generous amnesty. He was also pardoned by the village people and can live with his family. He confirmed this tactical procedure of Daesh.

Confronted with the findings of our mission, the Syrian exiles in Turkey tried to convince us that YPG had replaced the original population of the villages by friendly Arabs who support them. To be on the safe side we

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spoke with refugees from the Tell Hamees area in camps both in Rojava and in Irak. The camp Roj near Derik is managed by an independent body and not under the influence of YPG. Without any exception, all the Arab refugees we spoke to confirmed that they had suffered under the repressive regime of IS. None had heard about deliberate ill-treatment by YPG troops or of allegations of a massacre. Most of the refugees from the area liberated from Daesh rule had already returned to their villages.

Conclusion: although it cannot be absolutely ruled out that the 35 civilians in Al Hajjia were killed by YPG, it is more probable that IS is to blame or that they were killed in crossfire during the night.

## **V. THE ACCUSATION OF FORCED EVACUATION OF ARABS BY THE YPG/YPJ.**

During the days we spent in Hassaka province we visited various Arab villages and all the people we met there affirmed to be happy and to feel safe under the protection of the YPG/YPJ. And not only this: some of them, including Arab women, had joined the armed forces. However, we also spoke to some youngsters who had been with Daesh and got integrated in the lives of their communities under the recent amnesty law and did not perceive any "spirit of revenge" among the YPG/YPJ forces. We even met two fathers of high ranking Daesh-commanders who saw no hazard of being persecuted for the crimes of their sons.

In all of the villages we visited, we were told that most inhabitants had returned to their houses or their ruins. And on the other hand we visited two refugee camps under an administration independent from the PYD: in Roj we found refugees from the Kurdish area East of Aleppo who told us how terrible their lives were under the boots of Daesh, but none of them knew of families who had fled from the YPG/YPJ as such.

This was also the impression of the UNHCR-director in a refugee camp in the outskirts of Dohuk who confirmed the statement of the Vice-governor of Dohuk in the sense that the refugees in their overwhelming majority had fled either from Daesh or from the war as such. Nevertheless, we met some refugees from Qamishli who said that – for economic reasons - life in Iaq was better than in their hometown.





Foto: Ralf Leonhard

All these facts confirm the lessons drawn from the personal observation of a Spanish-Catalan documentary filmmaker who had accompanied female YPJ and FSA fighters immediately after having won the battles against Daesh:

Between May and July of 2015 Alba Sotorra, a member of our Fact Finding Mission, spent five weeks with the YPJ (the female units of the YPG) in the Eastern front of Kobane documenting the Tell Abyad (Kurdish: Girê Sibî) offensive.

“During my stay I witnessed the dynamics of the army and learned about their methods, their ideas and their ethics. I witnessed (and filmed) the advance of mixed YPG/YPJ units through Arab villages that had just been liberated from IS. As the Kurdish army entered the villages, the local population was organized in groups. With a cordial treatment, the male YPG soldiers checked the local men for arms, while the YPJ fighters did the

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same with the women. The atmosphere was relaxed and the women were joking. There were many kids around and nobody seemed scared. A commando from the Free Syrian Army, the *Euphrates Vulcano*, was in charge of checking the documents of the men and they arrested a few of them under the charges of belonging to IS. They were treated with respect and the men did not seem afraid when they were taken by the FSA commando. I did not see any arrests done by the YPG/YPJ, maltreatments or harassments”.

When they entered Tell Abyad, the city was empty. The local population had fled to Turkey or Raqqa fearing clashes in the city. But two days later the population slowly came back and soon their daily life was back to normal.

“In Kobane I also had the chance to speak with the local Kurdish population that had returned to their villages after they were liberated from IS, and some people told me that they were upset with the YPG/YPJ because they did nothing against the Arabs who had stolen or destroyed their houses. When I asked a YPJ commander, she explained me that it was very important for the YPG/YPJ to create an environment where the Arabs would not feel excluded or maltreated.

For the reasons listed above, when I heard the accusations made by the group we meet in Sanliurfa, I was shocked. I had not directly spoken with the Arab population in Kobane, but having personally met so many soldiers and commanders of the YPG (having lived with them for weeks!), it was hard for me to imagine that kind of behaviour by an army that has, as a rule, treated the Arab population with respect. Talking directly with the local Arabs became crucial”.

Conclusion: we could not find any proof of systematic evacuation of Arab population by the YPG/YPJ forces.

## **VI. POLITICAL PRISONERS IN THE *AL-MALIKIYAH* PRISON?**

During our meeting with the opposition members in Sanliurfa, Turkey, their spokesman, Mr. Mumtaz Ali Hassan, gave us a list with six supposed political prisoners, who according to some opposition members were held in the *Al-Malikiyah* prison in the city of Derik. The names they mentioned were the following:

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- 1) Ibrahim Ahmad Althalag: member of the Communist Party of the local region. He has been arrested for a year
  - 2) Jamal Alhamdi: independent member. Arrested for a year
  - 3) Rami Alhabib independent
  - 4) Nasib Albarho independent
  - 5) Raid Almahamid: Palestinian independent. He was arrested two years ago
  - 6) Amar Nagi Al Hassan; in prison in lieu of his father since October 10<sup>th</sup>, 2014

When we asked the authorities of Rojava to let us visit the *Al-Malikiyah/Derik* prison, without us telling them any names in advance, they accepted from the very beginning without any objections. We arrived at Al Malikiyah/Derik prison the 26th of September, and after a short visit to the main police station, we were immediately received by the regional director of prisons of Al Jazeera/Cizre, Abeer Khalid and were allowed to film our encounter as we filmed nearly all sequences reflected in this paper.

When we asked the prison administration about the six prisoners whose names were given to us in Turkey, they said that they had never heard their names before and that they were not in the records of the *Al-Malikiyah / Derik* prison. Then we asked some inmates with whom we were allowed to speak, whether they ever had heard the names. They had not.

So we left the prison with the conviction that these six prisoners indeed had never been in the Al Malikiyah/Derik prison.

Asked for her comments on the criticism of Amnesty International on the frequent delay of the tribunals, the director told us, that they admitted a certain negligence in the procedures, reason for which they are in contact with different Human Rights organizations, as well as European organizations, and are asking them for training, experts and help in the field of prison systems

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The next day we had a meeting with Aldar Khalil, one of the most influential leaders of the PYD in Rojava. After telling him about our visit to the *Al-Malikiyah* /Derik Prison and about the prisoners we could not find, he decided by himself to ask all the prisons in Rojava about the whereabouts of those persons and if they were perhaps in another jail.

The day of our departure, we got a call from Aldar Khalil that they had, indeed, found the indicated persons in prison but that they were not prisoners of conscience but criminals who had been sentenced for very concrete crimes. Asked whether some of them or all could fall under the new amnesty law he said that the Kurdish leadership would accept a dialogue and set them free provided they had not committed blood crimes. He promised to send us detailed information, and also affirmed his willingness to open an independent investigation of every single case.


He also asked us to tell Mr. Mumtaz Ali Hassan, who had given us the list of the prisoners, that they were willing to have direct talks about the prisoners with any opposition force and that there was a chance to solve the issue.

When we were back to Turkey, we talked to Mr. Mumtaz Ali Hassan, as well as with the lawyer of the six prisoners, Mr. Yasser Al Farhan from the SNC, and both said they were ready to discuss the matters, if the administration of Rojava “would stand back from its alliance with Bashar al Assad.”

## **VII. CONCLUSIONS AND RECOMMENDATIONS**

This last statement brought us back to the initial objective of our mission to find out the deeper roots of the contradictions between the Kurdish and the Arab opposition leadership. Beyond our efforts to discover through a quite exhaustive although (owing to the lack of time and resources) not complete fact finding process we realized that the facts by themselves can be interpreted in different ways, according to the side the different actors belong to.

The massacre of Hajjia for instance, the burning of the villages can, with the same right, be attributed to Daesh and to the YPG, depending whether you give the Kurds the benefit of the doubt or want to see these



violations as part of a “Kurdish conspiracy”. The refugees may have fled from violence as such or from fear of being killed by Daesh or YPG.

This difference in the cultural perceptions also has a deeper root in the political prejudice that the Kurds are in reality “allies of the regime”, an accusation the PYD itself will never accept. We therefore can speak about a relationship characterized by a deep mutual distrust, which has to be overcome, if “peace in Syria” is accepted as a common goal.

It is therefore necessary and urgent that the representatives of the Arab and the Kurdish communities get together to talk about the different points of the above mentioned cultural and political misunderstanding. Fortunately, both sides we met during our research have declared their openness to engage in a political dialogue which could take place at the end of November/beginning of December, 2015 in Erbil, the Iraqi capital of the Kurdish autonomy in Iraq.

This will not be an easy task to be achieved. But given that even the superpowers USA and Russia have recognized to a bigger or lesser degree that they are unable to win the war against Daesh without the active participation of the people, we, on the international level, should double our efforts to create a climate of mutual comprehension whilst the war in Syria is still going on. That is why we commend all of the people met during this journey not to continue with the logics of war which leads to mutual destruction, but to create a spirit of conciliation in order to win the struggle for peace.



## THE AUTHORS AND PARTICIPANTS IN THE FACT FINDING MISSION:

**Dr. Leo Gabriel** – independent journalist and coordinator of [www.peaceinsyria.org](http://www.peaceinsyria.org) in the framework of the World Social Forum

**Martin Lejeune**, independent journalist for German and Swiss newspapers

**Dr. Ralf Leonhard** – independent journalist for ORF-Radio and “Die Tageszeitung”, Vienna and Berlin

**Fernando Romero-Forsthuber** – independent filmmaker and founding member of the [www.peaceinsyria.org](http://www.peaceinsyria.org) initiative

**Alba Sotorra Clúa** – independent filmmaker

Vienna, Berlin, Barcelona, Mexico, on October 15<sup>th</sup>, 2015



