



# PERMANENT PEOPLES' TRIBUNAL

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## 54° SESSION OF THE PERMANENT PEOPLES TRIBUNAL

**ROJAVA vs TURKEY**

**Brussels, 5-6 February 2025**

### **PRELIMINARY STATEMENT**

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This is the preliminary statement of the panel of judges of the Permanent Peoples' Tribunal, 54<sup>th</sup> session, sitting in Brussels on 5 and 6 February 2025 to decide on the responsibility of senior Turkish officials for alleged crimes of aggression, war crimes, crimes against humanity in Rojava, north-east Syria, from 2018 to date. The Tribunal has been held at the request of nine organisations<sup>i</sup>. The defendants were notified but failed to respond or appear.

First of all, we wish to pay tribute to the courage of the people of Rojava, and to express our gratitude particularly to those who have shared their experiences with us. We thank the team of prosecutors<sup>ii</sup>, witnesses and participating organisations for the diligence and commitment with which they have assembled and presented an extraordinary wealth of evidence for this Tribunal.

### **1. Testimony**

The testimony we have heard paints a consistent, compelling picture of widespread, pervasive and systematic punishment of a people. Their crimes? Being Kurdish, and creating a society built on principles of equality, justice and solidarity. The aim of the punishment is the eradication of the Kurdish identity, presence and culture.

The people of Afrin were forced from their homes when the city was occupied by Turkey in 2018. The Kurdish population went from over 90% to 25%, as their homes were seized and offered to Sunni Arabs and Turkmen (often themselves IDPs, displaced after Syrian government offensives). Properties were systematically looted, storefronts and street signs replaced with Turkish names, the currency and postage became Turkish, Turkish replaced Kurdish as a language of instruction. Land and property were seized, factories dismantled, the olive industry confiscated and olives repackaged and sold as Turkish. We heard that many displaced from Afrin suffered multiple displacements: to Al-Shahba, overcrowded tented camps with no access to healthcare or basic necessities, and escalating violence; to Al Tabqa, travelling through conflict zones, after another wave of military operations. We heard that around 120,000 people were forced out – 40% children, another 40% women, and many of the others elderly vulnerable people. The current total of displaced was put at 300,000.

Some went to Tel Rifaat, where in December 2019 they were subjected to shelling in a wholly civilian area, where children were playing in an alley near a school. Of the 10 people killed by the two shells fired by Turkish artillery, 8 were children, as were 9 of those injured. We heard recorded testimony of a parent of a 5-year-old son who was killed and whose 7-year-old was wounded. This was one of many such indiscriminate attacks on civilians in the aftermath of the occupation of Afrin.

In Afrin itself, we heard of many arrests, summary killings of political activists and emergency responders; disappearances; of how people could tell the time by the screams and cries of those tortured, which began at 9am and went on until 5pm. A survivor said 'my memory of detention is pain that I shall feel for the rest of my life.' We were told of abductions, the sexual assaults and rapes of women and girls, the secret prisons converted from schools and agricultural buildings and train stations, and the inability of survivors to speak out for fear of detention and torture, the lack of effective remedies in the militia-controlled courts.

We heard evidence of bombardments of other villages of NES in October 2019, leading to forced displacements of nearly 140,000 more people, and saw evidence – photographic, medical and a lab analysis - of the use of white phosphorus, whose use against civilians is prohibited, and the same pattern of occupation, violence, human rights abuses, land and property seizures and resettlement by other groups, to prevent the return of those forced out. Some areas have seen more

than 27 attacks by the Turkish army or its proxies – not military areas but farmers’ fields and villages. The multiple displacements have scattered families, with some family members dead, some whose fate is unknown.

We heard how vital civilian infrastructure has been destroyed, to make life impossible. We saw photographic evidence of repeated bombing of gas and electricity plants and oil installations, meaning no fuel for warmth and cooking but also no water, as the largest water plant couldn’t operate, leaving a million people – in villages, in refugee camps, in informal settlements, as well as hospitals, without clean running water, leading to dysentery and cholera among other health problems. The nature of the bombing made it clear it was deliberate, not accidental. We heard about attacks on medical facilities treating tens of thousands of patients in Kobani and Qamlişo, which again through their targeting and repetition are clearly deliberate; and about attacks on the environment, through illegal logging of forest areas, sometimes for illegal settlements.

The attacks on women - the ‘political feminicide’ of women challenging patriarchy and working for gender equality, the brutal rapes of Kurdish women by Turkish intelligence in the secret prisons, were shown to be a direct attack on the Rojavan model, although strongly resisted by the Rojava women. Finally, we heard evidence of acts of cultural and historical erasure, including the bombardment and desecration of Afrin’s archaeological and historical sites, including a 3,000-year-old UNESCO world heritage site now repurposed as a military training ground, the bombing of Shemoka, an experimental intercultural school for displaced children, causing the deaths of a number of students; and the bombing of Simav printing house in Qamişli, in which 7 people were killed. Journalists recording Turkish attacks on civilian infrastructure including hospitals were killed.

## **2. What the pattern tells us**

Turkey’s attacks on Syrian territory, without UN Security Council authorisation, amounts to an international crime of aggression. The pattern of attacks, bombings, shellings, drone attacks and atrocities against civilians, the forced displacements and demographic engineering through replacement of populations, the destruction of power and damage to water supplies, the environmental damage, the destruction of cultural heritage and educational institutions, the use of rape, torture, secret detention - are all contrary to international law, constitute crimes against humanity and war crimes, and are indicative of genocide. It is not for us, as a *Peoples’ Tribunal*, certainly not at this stage, to adjudicate on legal nuances. We can however express our horror and outrage at what we have heard. And we can add that the pattern tends to confirm witnesses’ testimony that the aim is to drive out the Kurdish people and culture. The evidence drives us to the conclusion that all the **defendants** are criminally responsible: President Recep Tayyip Erdogan; Hulusi Akar, minister of defence 2018 to 2023; Hakan Fidan, head of Turkish intelligence in the period and now **foreign** minister; Yaşar Güler, chief of the general staff during the period and now minister of defence; and General Ümit Dündar.

## **3. Turkey’s justification and what Rojava represents**

Turkey claims that its operations are ‘self-defence’ against ‘terrorists and their supporters’ in Rojava. But the claim is patently unfounded. The Democratic Autonomous Administration of North and East Syria (DAANES), formed in 2014 out of the chaos of the Syrian civil war, is a model of direct democracy, justice, ethnic coexistence, gender equality and peace, founded on principles of pluralism and inclusivity. And it is a model of autonomous self-government, a model the Turkish government is set on destroying. Women working for peace are ‘terrorists’ deserving summary execution, according to this narrative. While Turkish armed forces carries out many military operations in Syria, the Turkish government also uses proxies – militias that it has funded and provisioned with weapons, and the evidence indicates that these militias are ISIS-aligned

groups. Thus, the evidence points, not to the Kurds of Rojava, whose fighters fought ISIS/Daesh, but to the Turkish state and its senior ministers, as those directing terror against civilian populations.

#### **4. The current situation in Syria**

The focus of the evidence has mainly been on the period 2018, when Afrin was occupied, to late 2024, but recent events have meant the focus has shifted to the present and future, despite Turkey's continuing aggression against Rojava. It is of vital importance to the future of the Kurds that the new Syrian administration engages positively with DAANES, acknowledging it as an autonomous self-governing part of the territory of Syria which does not threaten Syria's territorial integrity, and that it protects and respects Kurdish life, culture and autonomy.

#### **5. The obligations of the international community**

The international community is aware of the continuing suffering of the Kurdish people and the crimes of the defendants, but has taken no meaningful action. There is no state recognition of DAANES and no possibility of domestic or international redress. It is vital that the experience of the Kurds of north and east Syria and the crimes against them are properly acknowledged, that those responsible are brought to justice, that DAANES is internationally recognised as an authentically representative and democratic self-governing administration, and that the international community immediately ensures the cessation of the attacks by Turkey, direct and indirect, on the Kurdish people of Rojava, in order to avert a fully-fledged genocide.

## Composition of the PPT panel of judges



### **Giacinto Bisogni (Italy)**

Magistrate since 1981 and at the Court of Cassation since 2002. He has been working on international and EU law issues since 1997, collaborating with the European Commission on European civil codification projects. He is the author of numerous essays and commentaries on the protection of fundamental rights. He worked in the Legal Service of the European Commission from 1999 to 2002. Currently, he has ongoing collaborations with various universities, including the Law & Anthropology department of the Max Planck Institute.



### **Domenico Gallo (Italy)**

Former Section President of the Court of Cassation, he entered the judiciary in 1977, actively participated in the life of the current "democratic magistracy" and the European Association of Magistrates "MEDEL". In September 1994 he was elected Senator. At the end of the legislature, in 1996 he returned to the judiciary, where he served until 31 December 2021. He has edited numerous publications on topics relating to institutional issues and human rights. Among these: *Da Sudditi a Cittadini - il percorso della Democrazia*, Edizioni Gruppo Abele (2013); *Ventisei Madonne nere*, Delta Tre Edizioni (2019); *Il Mondo che verrà*, Delta Tre Edizioni (2022) e *Guerra Ucraina*, Delta Tre Edizioni (2023), *Guerre*, Delta Tre Edizioni (2024).



### **José Elías Esteve Molto (Spain)**

Senior lecturer of Public International Law and international relations. Director of the Master's Degree in Human Rights, Democracy and International Justice (2019-2023) and Secretary of the Human Rights Institute at the University of Valencia (2012-2021). He is currently in charge of the International Human Rights Department of the Legal Clinic of the Law Faculty of this University. Investigator advocate in claims related to international crimes committed in Tibet and Burma before the Spanish tribunals through universal jurisdiction. He has published dozens of articles in journals and book chapters on topics associated with international crimes, international humanitarian law, business and human rights focusing the attention on cases as the Union Carbide disaster of Bhopal.



### **Czarina Golda S. Musni (The Philippines)**

Human rights lawyer and member of the Union of Peoples' Lawyers in Mindanao (UPLM). She focuses her work on the defence of the land rights of the peasants and indigenous communities in Mindanao against extractive industry companies and the government policies which results in the displacement, destruction of livelihood, environmental plunder and even killings and enforced disappearances of community leaders and members. She is also active in the campaigns for peace talks between the Government of Philippines and the Communist Party of the Philippines – National

Democratic Front to resolve the ongoing armed conflict in the country. For her actions, she has been a victim of the red-tagging phenomenon that criminalises, stigmatizes and threatens those who defend human rights, those who criticise the government and those who call for a just and lasting peace in the Philippines. Due to the intensified persecution against her, she had to flee from her country for her safety and security.

### **Gabrielle Lefèvre (Belgium)**

Belgian journalist since 1972: at La Cité until 1995; then at Le Soir until 2009. Columnist on the alternative news website [www.entreeslignes.be](http://www.entreeslignes.be) since 2009. Specialist in development cooperation, social issues including migration, poverty and poor housing. Non-magistrate member of the Belgian High Council of Justice, representing the press, from 2008 to 2012. Member of various professional journalism bodies, including the Commission d'agrégation au titre de journaliste professionnel and founding member of the Conseil de déontologie journalistique. Member of the Henri La Fontaine Foundation, dedicated to pacifism. Former President and member of the Board of Directors of the Pro Renovassistance Foundation, dedicated to housing the most disadvantaged, in Brussels, and author of several books.



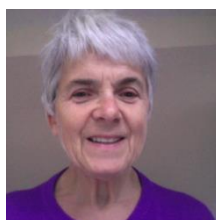
### **Rashida Manjoo (South Africa)**

Professor Emerita at the University of Cape Town, South Africa where she taught for many years in the Faculty of Law and convened the LLM Human Rights Program. Between 2009 and 2015, she held the position of United Nations Special Rapporteur on Violence against Women, its Causes and Consequences. Her UN work has included monitoring and reporting on States' compliance in responding to and preventing violence against women, its causes, and consequences, both generally and in different country contexts. Prof Manjoo is the former Parliamentary Commissioner of the Commission on Gender Equality, an institution created by the Constitution of South Africa, with a mandate to oversee the promotion and protection of gender equality and women's rights. She has also been involved in social context training for judges and lawyers, where she has designed both content and methodology.



### **Frances Webber (UK)**

Former barrister who specialised in immigration, refugee and human rights law until her retirement in 2008, and acted as a junior barrister for Amnesty International in the Pinochet extradition case of 1998-99. She is a trustee of the Institute of Race Relations, having served as vice-chair for many years, and is an honorary vice-president of the [Haldane Society of Socialist Lawyers](#). She co-edited *Macdonald's Immigration Law and Practice* (5th and 6th editions, 2001 and 2005) and *Halsbury's British Nationality, Immigration and Asylum* (4th edition, 2002 reissue), and is the author of [Borderline justice: the fight for refugee and migrant rights](#) (Pluto, 2012). After retirement she lectured at Warwick and Birkbeck (University of London) for some years, and she has spoken and written extensively on migration and human rights issues.



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<sup>i</sup> These are: **Committee for Justice and Law and the Department of Foreign Relations of the Democratic Autonomous Administration of North and East Syria (DAANES)**, the **Research and Protection Centre for Women’s Rights**, the **Human Rights Organizations in Al-Jazira and Afrin**, **MAF-DAD e.V** (Association for Democracy and International Law), **ELDH** (European Association of Lawyers for Democracy & World Human Rights), **IADL** (International Association of Democratic Lawyers), the **KNK** (Kurdistan National Congress), the **Kurdish Institute of Brussels** and the **Free University of Brussels (VUB)**.

<sup>ii</sup> They are: **Jan Fermon** (Belgium); **Şerife Ceren Uysal** (Turkey); **Rengin Ergül** (Kurdistan); **Urko Aiertza Azurtza** (Basque Country); **Efstathios C. Efstathiou** (Cyprus); **Socrates Tziazas** (Cyprus); **Dr Anni Poes** (Germany); **Barbara Spinelli** (Italy); **Declan Owens** (Ireland); **Ezio Menzione** (Italy); **Heike Geisweid** (Germany); **Florian Bohsung** (Germany). More info: <https://rojavapeopletribunal.org/prosecutors/>