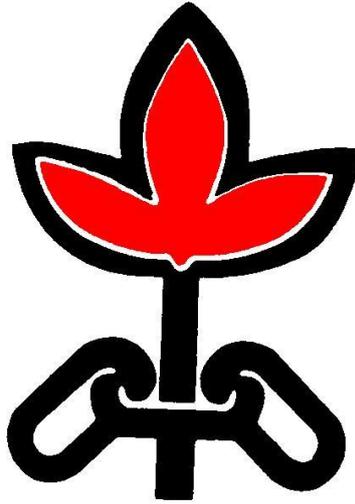


Human Rights Association (IHD)

**Report on Investigation and Evaluation of Turkey-Rojava
Border Crossings
(5-6-7 October 2013)**

11 October 2013



1986

Human Rights Association Headquarters

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THE FORMATION AND OBJECTIVE OF THE COMMITTEE

The Human Rights Association has formed a human rights committee in order to examine and investigate on site whether the border gates on Turkey – Syria border, especially Rojava border gates, are open for humanitarian aid and the situation of the refugee camps on the border line by meeting the parties and to analyse the facts related to events in a true and fair manner and to declare these to the public. The members of this committee are the general president of human rights association Öztürk Türkdoğan, General Vice President of International Human Rights Federation Yusuf Alataş, General Vice President of Human Rights Association Serdar Çelebi, Southeastern and Eastern Anatolia Regional Representative and Central Administrative Board Member Şevket Akdemir, General President of Human Rights Association's Diyarbakır Branch and Central Administrative Board Member Raci Bilici, General President of Human Rights Association's Adıyaman Branch and Central Administrative Board Member Osman Süzen and Central Administrative Board Member Sevim Salihoğlu. The committee has accomplished its work by visiting Nusaybin/Nîsêbin, Ceylanpınar/Serkaniye, Şenyurt/Derbesiye, Akçakale ve Kilis/ Öncüpınar border gates between the on 5-6-7 November 2013.

INITIATIVES OF THE COMMITTEE

The central office of Human Rights Association (IHD) communicated through IHD branches, got appointments in order to investigate on site the Nusaybin/Nîsêbin, Akçakale and Kilis/Öncüpınar border custom gates, the Ceylanpınar/Serkaniye and Şenyurt/Derbesiye border transit points and to meet the locals, political party officers, mayors, non-governmental organization representatives; and with official writing dated 26.09.2013 and no. 202/2013/129–180 claimed for appointment from Coordinator governorship located in Gaziantep.

In behalf of the committee, IHD president Öztürk Türkdoğan had a phone conversation with vice Prime Minister Beşir Atalay on 4th of October in order to make a permitted transit from Turkey border to Syria, however it was stated that due to the fact that the Nusaybin border gate are closed from the other side, transit was not available and the other areas were not safe.

NUSAYBİN/ Nîsêbin

A district of Mardin settled down neighbouring lowland to Kamışlo in the Syria border. It officially has a population of 113.885, districts and villages included. A majority of the population is constituted by the Kurds and the rest are consisted of Arabs and Assyrians. At Nusaybin there is a border custom gate.

INTERVIEWED INSTUTIONS:

BDP (Peace and Democracy Party), Board of Trade, Commodity Exchange, Confederation of Public Labourers' Unions, Craftsman's Association, Nusaybin Agency of Mardin Medical Chamber, deputy vice mayor, Kürdi-Association and Democratic Convention of Folks (HDK).

INTERVIEWS AND THE INFORMATION OBTAINED:

The committee interviewed BDP, HDK, KESK, Kürdi-Der, Chamber of Commerce and Industry, Commodity Exchange, Craftsman's Association, representatives from Medical Chamber of Nusaybin Agency and vice mayor of Nusaybin on the date of 4th of October 2013 in the city of Mardin's Nusaybin district town hall. During the meeting the representatives of Medical Chamber Agency stated that, until a month ago the assistance was permitted but now government authorities pass the buck to the other side of border about the permission and state that Syrian officers causing the problem while the Turkish authorities give permission. This situation prevents us from providing humanitarian aid to people affected by war. The fact that medical equipment such as medicine and medical instruments cannot be transported to the area where those are much needed causes for instance the surgeries to be made without narcosis, lack of medicine, diseases to last longer and an increase in epidemic diseases. The representatives stated that especially children need medicine and food very much and not being able to provide help, affects them deeply. It was explained that epidemic diseases spreading on the other side of border affected Nusaybin public as the border is very close to the district. The officers of the non-governmental organizations and the political party, who believe that the intended assistance is not enough for the area where millions of people famish, stated that entrance and exit should be allowed, that the border gate located in Kilis is open and there are not any problems about transits, and expressed that the soldiers of Assad are present in Kilis border as well as in Nusaybin border, and if transit is permitted there, it can also be permitted in Kilis. They added that the state allows FSA members' transit from other side to Turkey but the humanitarian aid from Turkish side is not allowed. They stated also that with the beginning of war 470 workplaces got closed and when people working in these places are considered with their families thousands of people are suffering financially and these people are facing big difficulties.

The representatives of Nusaybin Chamber of Commerce and Industry stated that Şenyurt gate was closed during 12th September 1980 military coup period, Nusaybin entry point was active and their primary purpose is providing humanitarian aid. They report that, vice Prime Minister Beşir Atalay with whom they met in Ankara, told them that there is no prohibition about crossing the border; however the Nusaybin entry point is in control of Assad's army and they do not allow the transits. Additionally, it is stated that a new border gate in Nusaybin is built by Turkish Union of Chambers and Exchange Commodities (TOBB) however it is idle due to the war.

The committee went to border gates and made investigations. The officers at the Nusaybin border gate, who were interviewed by the committee, reported that the gate is legally open; however the other side (Syrian Regime) does not accept humanitarian aid as they claim that the aid would be captured by PYD; the border transit is prohibited to Turkish nationals by officers but foreign nationals are allowed to transit. They also stated that the safety of borders is in control of Syrian regime officers.

Two ambulances with Swedish license plates at the ground zero of the border withdrew the committee's attention. It was mentioned that these ambulances were donated from Sweden three months ago, the exit procedure was completed by Turkey; however as the other side is closed they could not be delivered. AFAD's (Prime Ministry Disaster and Emergency Management Presidency), written order requires the delivery to be made at ground zero of the border, however the governorship should handle the delivery and this issue should be addressed.

The committee has also visited the newly built border custom gate of Nusaybin which is situated on the 3-4 kms to the east side of the present border gate and said to have cost around by TOBB.

Another issue that drew the committee's attention was that ditches were being dug and walls were being built in these ditches. Putting up walls between the Kurdish people who live on the both side of the border and who are relatives with each other is perceived as a very desperate situation.

ŞENYURT/Derbesiye

A town located in Mardin's district called Kızıltepe. It is a small residential area at Syria border with population of 2.000. Although there is a border gate, this gate was closed after 12th September 1980 military coup and the town incurred great economic loss. Currently, it continues its existence as border crossing point in military security area. The most important means of living are agriculture and livestock. 99% of the locals live off with these jobs.

INTERVIEWS AND INFORMATION OBTAINED:

The committee continued the investigations with the border checkpoint Şenyurt/Derbesiye town in Kızıltepe in the city of Mardin, in early morning on 6th October 2013. It was stated that border gate had been open until 12th September 1980 but got closed on that date. Nusaybin's Naifoğlu and Cumhuriyet neighbourhoods' headmen and people of Şenyurt expressed that currently, PYD is in control of the other side of border and PYD prevents border crossing. The ones we interviewed stated that as of 6th October 2013, the control of Şenyurt boundary point is provided by Turkish soldiers; and the transition of humanitarian aid has been permitted once in every 10-15 days for the last two months. They stated that when transition of aid started, security measures were raised and punch bags were constructed for security. Committee confirmed that there was no armed conflict, opening fire or bombs from other side, not even a single bullet has fallen to this side and there was no security problem in Şenyurt since the beginning of the war. It is visible that Syrian regime's soldiers or officials are not present on the other side of the border; and it was confirmed that the other side of the border is in PYD's control by people who came to the border area along with the committee and had phone calls with their relatives who were 50 meters away from the border, on the other side.

It was learned that people who came to Turkey illegally have been tortured and maltreated by soldiers where they got caught and their valuable belongings and money were seized. (Majority of these people is relatives of people of Şenyurt and they were in touch with each other by GSM telephone etc.). It was stated that treatment in police headquarters was in a similar manner. All of the people the committee interviewed stated that especially one police officer, whose name remains unknown, who is from Şanlıurfa, fluent in Arabic and works for Şenyurt District Security Directorate's Foreigners Department tortures and maltreats people from Syria and seizes their money and valuable belongings without registering. The committee was told that the soldiers of Turkey - Syria border line Hanyeli area's border battalion tortured and maltreated Muhammed Şükrü Velid, Muhammed Veysi İbrahim Kadir, Ali Bozan Halil, Muhammed Şerif Hüsso (It is claimed that his arm was broken by mentioned police.) Muhammed Ramazan Bozzo and Muhammed Halil Muso who passed the border illegally, on September 3rd or 4th 2013 and their 500 liras valuable belongings were seized. It is learned that when the people mentioned above were sent to other side, their relatives on the Turkey's side saw they were injured and one's arm was broken as the border is very close and it is possible to see the other side with bare eyes.

One of military officers who were interviewed by the committee cited that there were not any security problems so far; and transition of humanitarian aid is permitted and assisted by them, the transition is put in order and can be made every Wednesday according to the cumulated amount of the material collected.

The officer stated that approximately 100 people per day was coming to Şenyurt illegally, even then 100 people were in gendarmerie station; and this caused some problems; for instance when the people who came illegally were caught the procedure lasted for 24 hours and as there was no subsistence allowance and no food was being provided for them were having problems and soldiers were sharing their food with them. The officer reported that every month approximately 4000 people experience the similar situations; among these people, the ones who want to go the camps are sent there and the ones who want to go back are sent back.

Some quite big silos on the Syrian side of the border, which were just next to border checkpoint, drew the committee's attention. The same silos were seen in Nusaybin and Ceylanpınar. One of the neighbourhood headmen of Şenyurt district stated that these silos were full of wheat, and the area is controlled by PYD; but there was no factory or mill to grind the wheat. He said that at least mills needed to be sent to other side from Turkey to the other side. In the investigation that committee made later, it was determined that there were approximately 3 million tons of wheat was present in the silos.

Committee determined that border checkpoint was closed and also that it was fortified with many punch bags.

CEYLANPINAR/Serekaniye

It is a small town in Urfa which is located at South East of Turkey. The Kurdish Name of town is Serêkânî and its Syrian name is Ras Ayno. It is located at border of Syria and it has a population of 76.084. There is TİGEM (General Directorate of Agricultural Enterprises) which is the biggest state hatchery in Turkey. There is a border checkpoint in Ceylanpınar.

INSTITUTIONS INTERVIEWED:

Mayor of Ceylanpınar, İsmail Aslan.

Speaker of Ceylanpınar STK platform which is found by 40 non-governmental organizations; representatives of Chamber of Pharmacists, Eğitim-Bir-Sen (Educators' Union), Memur- Sen (Union of Public Officers), Sanayi ve İş Adamlar Derneği (Businessmen's Association), Diyanet Sen (Union of Religion Officers), Tarım- İş (Agriculture and Agricultural Industry Workers of Turkey) .

On September 6th, 2013, after visiting after Şenyurt/Derbesiye the committee went to Ceylanpınar, a district of Urfa, to make investigations. In the interview with the mayor of Ceylanpınar İsmail Aslan stated:

"There was no battle for 10 days, PYD dominates the other side of the gate, and there are no soldiers on Turkey's side. On November 8th 2012, battles started on Syrian side and with the airplane attacks of the Regime, injured people were brought to Ceylanpınar for treatment starting from November 11th 2012. As there were many injured people, hospital could not serve to the people of Ceylanpınar. When the border was under the control of Al-Nusra, seriously ill civilians were permitted to pass from the border but when YPG took the control, passage was not permitted. When the Rojava side demanded the treatment of injured civilian Kurdish people and YPG members this was rejected on account the fact that opposite groups cannot be treated in the same hospital. Most recently, two members of Al-Nusra were brought to Ceylanpınar Public Hospital. As a result of the reaction of Ceylanpınar people, two injured people were sent back. Border gate was completely closed when YPG took control. As far as we know, injured people of Al-Nusra are being passed Turkey through Akçakale. As the border gate is closed, three or four trucks of food sent from Istanbul is about to decay. We cannot pass the food aid to the other side."

Right now, there are not any Turkish soldiers on border gate posts; only armed vehicles are patrolling. The houses situated across the Azadi Park had become the headquarters of Al Nusra front. Yet now, YPG is in control. On the other hand, people of Ceylanpınar are very anxious because of the clashes. Three unexploded rocket projectiles fell to the house of Muzaffer Acet, the deputy mayor. The people, who even stay at homes, are being targeted. We are announcing and warning people to stay at home, but we see that staying home is not a solution. People are afraid of suicide bombers. We know that the mentioned weapons are Al Nusra front's control, not YPG's.

On the other side of the border, there are relatives of our Kurdish and Arab citizens and they are worried about their relatives' lives. As the border gate is shut, their treatment demands for their ill or injured relatives are being rejected; therefore many injured or ill people try to cross the border in illegal ways.

PYD does not want to be in conflict with Turkish Government; so we do not think that PYD would shoot through the border. We think that the shootings are made by Jihadist groups that want Turkey to become a party of the conflict.

During the first transitions of the Jihadist groups from Ceylanpınar to Serekaniye, weapons and armed militants were transported by hiding them with train wagons queued for 200-300 meters. One woman who saw that informed her husband about the transportation and the husband warned the police. Yet the police told him "We are aware of that, everything is under our control." When I asked the district governor about the situation he said: "We deport the ones who cause disturbance in the camps." Yet we do not think that this is the real reason.

When the regime forces attacked by aircrafts, 18000 people gathered in the border. As a result of our mediation efforts, 8000-10000 people came to Ceylanpınar. Some of them went to Kızıltepe and Viranşehir, some of them stayed in Ceylanpınar. Municipality of Ceylanpınar provided some houses to 300 people. After the government placed these people in the camps, there were some partial harmonization problems between the Arabic and Kurdish people.

Since the 16th of July, the border is under control of PYD and injured people are allowed to cross the border. (Before 16th of July, it was permitted.) As far as we know, most recently three injured people crossed the border through Derbesiye. Yet it is claimed among the locals that a group of Al-Nusra militants were brought to Aslantepe post. After the in conflict of 15th-16th July, we demanded the permit to pass the border of five injured people (two civilians and three members of YPG), from the district governor who told me "I should ask the governor." After a long wait, the injured people had to be sent back to Qamişlo as our demand was not accepted. When I asked as a mayor to the governor of the district why they did not permit, he gave me an interesting answer: "The injured were speaking Turkish among them; they were not Kurds from Syria." Mavlana Primary school was shut for the reason that is dangerous to go there during the conflict. Yet other schools near Mevlana primary school are still open and the children still continue their education. We think that this is not the reason for shutting the school.

Social and health-related problems of people from Ceylanpınar and who came from the other side of the border increase day by day.

Even when the government clarifies Al Nusra is a terrorist organization, local authorities tolerate them. Our municipality was excluded from the efforts to resolve the problems resulting from the conflicts. We still cannot enter the military zone, tent city, TIGEM and the refugee camp. So we cannot answer the assertions. I once went to the tent city along with the governor."

An officer from Municipality press office states that

"State authorities do not explain anything to the public; they only have communication between themselves."

6 representatives from 40 NGOs who met in Ceylanpınar report that;

Because of the war, there was not a healthy communication between NGOs in Ceylanpınar. We created a platform from 40 NGOs. Everything occurring in the other part of the border

influences us as well so we need a platform which can be used for bonding people, lessening the results of separations and problems. We think that if all NGOs can stand together in Ceylanpınar, we can become a voice and common conscience; we can explain the problems in a better way. We have not transformed our structure to a formal one yet because the process is so rapid. Generally NGO meetings are held once a month. Sometimes, when bombs explode, there are injured or dead people or there is another incident as result of which we should gather, we meet once a week. In Ceylanpınar, there are some fundamental problems which we tried to deal. Yet now, war is our priority. We are in psychological distress. A couple of days ago, I went to Diyarbakır and I was scared of the planes passing, I thought that they would bombard. Our friends took shelter. We had already seen shrapnel pieces around; this is the reason of our psychological state. During Assad era, there were bomb rains and these caused great psychological depressions. Sounds of bombs, conflicts are parts of our daily lives and we are almost used to them. On the other hand, we think that we need to be cured, we need some professional help. We already informed the authorities, the people in Ceylanpınar suffer from the war. For instance, last year because of having no municipal services, there were mosquitoes. We informed the mayor and he told us "We are not allowed to disinfect." Municipality is not allowed to render some services. We are not only affected by the conflicts, we are also affected by epidemic illnesses, insects and environmental occasions. Our biggest fear was chemical weapons and this case about chemical weapons was hopefully solved in a way. There is no peace, people are depressed. We do not want Turkey or another country to be party of war. This country should solve its problems on its own and the other countries should help to solve them if there is a need. We all think like that as humans. This is not an official border gate, but humanitarian aid can be provided.

Committee: It is claimed that humanitarian aid was carried through here before.

No, it is not true. Some food such as potatoes was sent, but when they could not agree among them, this stopped. In the beginning of the year, there were some different groups and something like that occurred.

Committee: Are the practices on this side of the border affected by who is in control on the other side? For instance, we cannot see soldiers who are under control of regime power. As we understand, they have all left.

Now there are not any regime soldiers in Ceylanpınar. They left after first five days.

Committee: Is the conflict still going on, on the other side of the border?

The conflicts are still continuing, we hear some sounds; but we cannot tell the exact source. We presume that it comes from near Tilhelefin. We are also far from there and we do not have opportunities. If you get permission, you will see that the road along the borderline is open. Yet we are not sure you would get permission. As much as we can observe, people come here from there. Approximately 5600 people do not want to stay in the tent city in Ceylanpınar district. When we ask them the why, they tell us that Arab people stay there. This is their expression, not our observation. They state that when they go there, the Arabic people try to exercise power over them. They are all civilians so there is not a connection between them and the government or the authorities. Those people do not want to stay in the tent city because of disagreement between them.

Committee: So there is need of different tent cities to be built for different groups like the Kurdish people or people with different religious beliefs.

Yes, this solution would decrease the problem; but it is not the exact solution. We told this to the minister in Urfa, and he said that they would consider this. For that purpose, three or four months ago, a tent city was built near Kepez; but by some political reasons it was transformed to Viranşehir tent city and it was deviated from the aim.

Committee: One of them is empty at the moment, right?

There's a camp just near Kepez. If they can bring the people from Ceylanpınar region who people don't have any problems with each other whether they are Kurds or Arabs, it would ease some problems. However for example, these people cannot get along with people from Idlip and Halep, they have cultural differences. The Minister of Labor and Social Security had a positive look for that idea and he also gave a promise. They built an encampment too however it never became the way it should be. If this problem can be resolved the problems of many sufferers would ease to some extent. In terms of security and social life, displaced people who hang around here are posing danger. It would be good if they could build different encampments for different ethnic or religious groups too because, there are about 10-12 encampments in Turkey and this might meet this need a little bit.

We also talked to district governor about building the second encampment. We wanted to have a second encampment and we also wanted Syrian people who live in the city to be placed in this encampment. He said that displaced Syrian people hanging around in the city will be a big problem in the future.

Committee: When was this encampment built?

The second encampment's construction started in April. It has been two months since the opening.

Committee: Might the reason for construction be a possible wave of immigration?

We wanted them to settle there too because when they do, then the distinction between Kurds and Arabs could be made.

Committee: Instead of a distinction, people could have decided with whom they would like to stay. And also, according to some speculations, there are people coming to Syria to fight against the regime from all around the world, including Turkey and at this point there are some claims that Turkey is helping them. For example here there are some speculations about the land of TIGEM, have you ever heard anything about this?

We met people from various nationalities but we don't know whether these people are fighting or not. There are Circassians, some people resembled Germans and some resembled Pakistani. We insisted a lot about this issue. We talked to police, government and ministry about these people not to hang around at the centre. They were hanging around with guns at first, and then they considered our concerns. They are not here in the centre right now. They were calling it Free Syrian Army, they were mixed too for example there were Circassians. The identity of the people who died in the clash was on the news anyway. Right now there aren't any of them or we just don't see them. There are some

speculations but they are not coming to the centre. We are just hearing it from others like you. About the supervision of the encampment, after we became an NGO they are telling these speculations to us too. The entrances of encampments also need to be supervised. And also we are hearing that there are men coming here for war. Few days ago I heard that a man who had brought her wife for child birth had told that he would be going to the front after his wife gives birth. We don't know whether this is true or not because press or others cannot go there.

Another thing is that, there are lots of idle people, we have complains about them but they are victims too. They are not doing a good thing for them by letting them hang around like this. If an encampment were to build for them to live easily then it would be really helpful for them. People are coming to our door for charity. You see people on the streets who are begging for money. Theft has pervaded, number of second marriages has increased, there are lots of idle women, some of them are widows, husbands' of some of them stayed there, moral problems have emerged, our partners are anxious. Women are blaming Syrian women now; they are accusing them because they the Syrian women are the reason for their families to fall apart. At the very beginning, there was a help campaign, everyone was sharing what they have, and they opened their houses. We, as the NGOs, told these to the authorities. They had some money then, after spending the money they found other way and this affected the social environment like I told you. We had foreseen this. Some of them are working as illegal workers. People say that they can't find jobs because of them, because they are paid less. As a result, we are not living in peace.

Let me tell you something that I witnessed: Two families are living in a place where there is only a canvas around the place and nothing at the top, if you can call this living of course. The state has to do something about this at first. If they place these people to encampments, maybe the problems will decrease. They don't get the right of a political refugee, they are like guests. When they don't get this right, encampments become a war camps instead of a refugee camp.

It has been ten and half months since these people came. In this time, they repeatedly went to the other side. They go there, and they return when the bombs explode. In this sense, if the corridor of humanitarian aid gets open, the people on the streets will go there. If they have enough help there to feed themselves, these people would not come back. We have made an announcement for the ones who want to go back to sign up. They were about to leave, but the day before they were supposed to leave, the war intensified and there were shootings so they stayed and the ones who had already left came back. In this sense, the corridor of humanitarian aid is important. If it gets open, they will leave because they are being humiliated here. Here, the most important thing to emphasize is the corridor of humanitarian aid.

This place was the gate of customs before but it was shut. We took an action against it but the agenda has changed. Ceylanpınar is a place like nowhere in Syria issues. Go to Akçakale, all Arabs live there; other places are populated by the Kurdish. Here, Arabs and Kurds live together; and because of that that war has a major impact on us. Our biggest fear is the war to become an inner clash. I mean, it may be terrible if Arabs support Arabs and Kurds to Kurds. The main reason to NGO's getting together is to prevent this conflict to become deeper.

Most of the people living in the encampment have relatives in Ceylanpınar. They come to the encampment to take their relatives to their home by paying bail; however, they do not take them to their home but compel them to live in rental houses or rambling places so they hang around idly. To prevent this, the government has to abolish the guest status. Moral values are getting vanished. Youngsters and uneducated people can do wrong things. There are a lot of problems in hospitals, queues are getting longer. Hospitals already have personnel shortage and residents are bothered. People who live here go other places for treatment. The population of Ceylanpınar was around 70 thousand habitants including the population of villages. Approximately 30 thousand refugees have arrived; now the population is around 100 thousand. Also moral and social hatred has started, so people are reactive. The government should immediately take measures; for the beginning a field hospital needed to be established. There was also a flow of wounded people from clashes; there were 50-60 injured people, 2-3 deaths per day. Of course, people's psychology collapsed. But for the sake of humanity, people must be treated for sure.

The committee has seen the border crossing point on the spot before meeting the NGO's. The border crossing point is in the building of the military unit which ensures border security. When we met an officer, he stated that the clashes were over at the other side of the border for that moment but they are continuing 5-6 kilometres far from the border occasionally. He also stated that the control of the Syrian side of the border crossing point has been taken by PYD and now it is controlled by PYD. When our committee was there, we observed that the work machines were building a barrier. Besides, the crossing point was totally closed.

AKÇAKALE

Akçakale is a district of the city of Şanlıurfa. The district that has a population of 87.793 with the population of its villages included. It is just next to the Syrian border. Nearly 90 per cent of the population of the district consists of Arabs and the rest is Kurdish. The people are mostly engaged with agriculture. Cotton and wheat are among the most cultivated products.

AKÇAKALE CUSTOMS GATE

On October 6th, 2013, the committee went to Akçakale Customs Gate. Around 17.00, there was a crowded group who were thought to be Syrians, in front of the customs gate. We learned that they wanted to pass to the other side but they could not because it was Sunday. While these people were waiting, we saw that one of them pass the wires and jump to the other side and shake hands with the officer who was there. When the vice president of the International Federation of Human Rights (FİDH) Yusuf Alataş asked the officer about this incident, the young officer who did not give his name walked away with inappropriate gestures. Another matter that drew our attention was that a line of trucks with nearly a kilometer length was waiting at the border gate. There were materials for trade like cement alongside the materials of humanitarian aid in those trucks.

The committee has also visited the mayor of Akçakale, Abdülhakim Ayhan.

According to the mayor;

The population of Akçakale is around 27.500. There are about 35.000 people and 25.000 of them staying are at the camp and 10.000 are staying at houses. We do not know about the people who are staying in the villages. 90-95 per cent of the local population is Arabs. There is not a political problem here but there are humane and social problems.

According to the evaluation of the committee, it was observed that the foreigners are allowed to enter and exit at the border customs gate, the border is open for humanitarian aid and trade, the people from Free Syrian Army can easily come in and go out, the number of the Syrian refugees exceed the population of the district, and the people who stay outside the camps cause various social problems.

KİLİS ÖNCÜPINAR CUSTOMS GATE

It is been located within the neighbourhood of Öncüpınar of central district of Kilis.
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THE MEETING WITH THE OFFICERS AT THE BORDER

The committee went to the border gate and met the officials there.

The committee: This gate is open but the other side is closed. Isn't it?

Yes, this gate has never been closed. The other side of the border gate is captured by the Free Syrian Army but the other side is closed for the last few weeks. In the city of Kazaz, there has been armed conflict between Free Syrian Army and Al Qaeda and now the city of Kazaz is taken by Al Qaeda. That is why the gate is closed.

The committee: Is the passing of our citizens allowed?

No, it has been closed since the beginning of war with the decision of Council of Ministers. The gate is open but this does not mean anything.

The committee: If a person comes from the other side, you allow them, don't you?

Sure, if they have an official passport we do. We do not have any problems with the implementation. We warn them when they want to leave that we cannot take them back even if they want to.

The committee: Now are there the members of Free Syrian Army or the militants of Al Qaeda?

There are both, to be honest. The customs gate is predominated by Free Syrian Army. The centre of Azaz is captured by Al Qaeda. Azaz is 5 kilometres far from the gate. Sometimes, wounded people come as there are clashes. Human aid goes from here but it been sent under control of Kızılay (Turkish Red Crescent). IHH (The Foundation for Human Rights and Freedoms and Humanitarian Relief) and the others distribute the aids. On the other side, there is a camp which is dominated by Free Syrian Army that consists of 15 thousand people

and the aids only go there. They are not distributed at any other place. As Free Syrian Army does not distribute the aids proportionally, it is been said that Al Qaeda stands up to it.

Upon the question our committee about whether there has been humanitarian aid from this gate to Afrin, the officers stated that this was not possible, the area of Afrin was surrounded but a corridor of help could be opened in another place at the border of Turkey near Afrin and that could be decided by the administrative chiefs.

MEETING WITH COORDINATOR GOVERNOR

Committee has interviewed the coordinator governor Veysel Dalmaz, on 7th October, 2013. Meeting notes are provided below:

Governor Dalmaz;

Trade is made at the border gates which are open and do not have problems; for instance Öncüpınar border gate is closed; at the Akçakale gate, there is minor trade. As Öncüpınar gate is closed Akçakale border gate became busy. We transfer the aids there with the leadership of Kızılay (Turkish Red Crescent). There is a real tragedy going on in Syria and Turkey is one of the most affected countries. I am afraid of an increase in these problems since Al-Qaeda terror is spreading and now there is a mechanism that destructs the opposition within the opposition itself. It seemed like Al-Nusra was fighting against Assad and an organization with another name, now they are gaining force both from the central government and other centres of power. Nobody knows who is in side of whom in Syria and what will be the side of Turkey is a complete uncertainty. The Syria has become an arena for world's super powers that Syria would not be able to cope with anymore. As a country with the longest border with Syria, we will be affected the most; we have relatives at each point of the border.

Committee: The committee mentioned the ambulances waiting at Nusaybin border gate.

They should apply for giving the information of the ambulances; where they come from, who will get them from the other side of the border; then we will take care of them.

Committee: The committee cited that approximately 100 people are caught everyday as they are trying to cross to Şenyurt from the other side. The claims about torture and maltreatment and the problems that military officers in said area face due to budget shortage were mentioned.

We hear about them as well indeed. There are people crossing the people without any problems as well as the people who beat them very harshly. We unfortunately face these problems. I agree that the armed forces' border units should be warned seriously about this situation. If there are some established facts, they should go with witnesses and sue. These kinds of cases should be notified to us. We, as the Prime Ministry, are dealing with camps, people and the humanitarian aid between camps. There are standards about illegal transitions; there are reception and repatriation centres, and normally these should have been directed to these centres. These centres also should have their own budget... When this system doesn't work properly, gendarmerie does it in its own way. We will express these.

Committee: The committee asked about people who are released from camps with bails.

There is a need for an altogether work. Maybe one tenth of the people who came here do not have any place to live anymore; but the rest has come for other reasons such as having a house, or trading. This is the reason why we cannot cover the needs of the one tenth. We are all well aware that the problems might damage the social structure; there are clashes between the cultures. But I do not know about the people released from camps with bails.

Committee: It is heard that people from different ethnic origins do not want stay at the same camps together.

We do not to separate camps as Kurdish, Turkish or Arab camps; but unfortunately there is a cultural clash.

Committee: We learned that the way from Öncüpınar to Efrin is closed; there are demands for opening a humanitarian aid corridor from Turkey to Efrin.

We had a border gate over there but we also need to think about the situation over there as well; terrorist organizations are very active. We want a structure intertwined to the locals and this is the problem. If they can assure that the aid will not go to the organization then we will open the border right away. Frankly, I do not want to help an organization that is against Turkey. The lack of a mechanism assuring that the aid provided will reach the ones in need is the main problem; both about Syria and the other fractions. However, if they can convince us about this, if they work properly, we will comply with that. In fact whomever we send the help becomes more powerful; so we do not want the armed forces to receive the aid and not deliver it to the people in need.

Committee: Trade across the Nusaybin border gate was mentioned.

The border gate would open if the regime uses the control of the other side, there would not be any problems; petroleum and other things would be put in good use. This is also what I want; the relations with Turkey would become better. I had meetings with Democratic Union Party (PYD); however they are acting in two-sides; on one hand they try to improve the relations with Turkey but on the other hand they have been fed form the government, they received arms armed and have been dishonest. They need to demonstrate that they are sincere; this is how our state perceives the situation.

Committee: The number of people who came from Syria was asked.

Officially, there are around 200000 people in 10 provinces at 22 camps. Approximately, there are 600000 or maybe even 800000 people in total. This number may increase in winter. After encountering too many people in our cities, we started a population census. The census has been concluded in Gaziantep, Kilis and Şanlıurfa but not in other cities.

Committee: The situation of young people taken from Turkey to fight for Al-Qaeda was mentioned.

There are some associations in Turkey which are derived from Al-Qaeda. These associations gather people by brain washing and with the ideas of jihad. I know 8-10 young people; their families came to us and complained. We rescued a few of them but the others were not that lucky. The families should be directed to courts to sue. Unfortunately there are

many associations including radical left and right. Officers and governors over there should take legal action against their activities that are out of their purposes. You should voice this issue as Human Rights Association.

Our committee stated that there are applications about the young people taken from Turkey to Syria for Jihad; and we are dealing with the situation in Adıyaman, Gaziantep and Şanlıurfa; but the security and security intelligence units are not interested enough; and the issue will be transferred to chief public prosecutors' offices.

When our committee requested the Coordinator Governor, the Şenyurt and Ceylanpınar border gates to be opened for humanitarian aid in a continuous manner; he stated that they will be more flexible in this issue and people who will provide aid should contact them.

EVALUATIONS

1- Due to the continuing civil war in Syria, the exit of Turkish citizens from border gates is prohibited by a circular of Turkish Republic Ministry of Interior.

2- Nusaybin customs gate open on Turkey's side for humanitarian aid and trade; however the gate is closed on Syria's side.

3- Şenyurt border checkpoint is in military zone and transportation of humanitarian aid is permitted within limits (once or twice a month). The authorities stated that in future, the passage of humanitarian aid would be conducted on Wednesdays and that it may occur weekly or in every two weeks according to the quantity of the supplies.

4- Ceylanpınar border checkpoint is in military zone and is closed to humanitarian aid transfer.

5- Akçakale border gate is actively functioning for trade and humanitarian aid.

6- Kilis Öncüpınar border gate is closed due to the armed conflict between FSA and Al-Qaeda and because Kazaz region is in control of Al-Qaeda.

7- It's understood that Turkish Republic has a positive approach towards border gates and checkpoints which are in control of FSA; but a negative approach to the ones being controlled by PYD and that an obvious political position is taken.

8- 200000 of Syrian refugees who took shelter in Turkey are in camps and 600000 of them reside in various cities of Turkey by their own means. It is seen that this situation causes different social and cultural problems and there is a great uncertainty in the situation.

9- Turkey regards the situation of refugees as a *de facto* case and therefore does not apply the law and also acts with an approach of "saving the day".

10- There are obvious problems with the camps regarding the people with different ethnic origins and religious beliefs. For example, there are not any camps for Kurds or Alawites.

11- There are serious claims about torture and ill treatment of the refugees who arrive by crossing wire fences; and it is understood that Turkey does not take any measures related to the issue.

12- Refugees who are residing outside the camps do not receive any form of aid from the state apart from the health services.

13- It is learned that the refugee women in Turkey receive prejudiced and negative attitude from locals; and this situation sometimes causes problems between refugees and local women.

14- All directives issued by the Prime Ministry and other ministries regarding the refugees and camps are undisclosed. The entry of human rights organizations to the camps is not allowed. This shows the lack of transparency in government's actions.

SUGGESTIONS

1- Şenyurt and Ceylanpınar border checkpoints on Turkey-Rojava border which do not have any security problems should operate as "zero-point borders" and be held continuously open for humanitarian aid and trade.

2- PYD should make attempts to open Nusaybin border gate on Syrian side; and the gate should be made available for trade.

3- A humanitarian aid corridor should be established from Turkey border in order to convey aid to Afrin which is close to Turkey-Syria border and surrounded by Al-Qaeda.

4- The wall which is being constructed in Nusaybin region of Turkey-Rojava border should be immediately demolished.

5- The necessary equipment or mills should to grind the wheat in the silos in Rojava region should be sent from Turkey.

6- Considering the fact that the humanitarian aid sent by international community to Syria which is distributed through Syrian National Council's Gaziantep office is not sent to the Kurdish region, namely Rojava; some of the aid should be conveyed directly to Rojava via one or multiple offices close to Şenyurt border-gate which would be established by Kurdish National Council.

7- There effective investigations should be conducted about claims of torture and ill-treatment of refugees on border and in border posts; military units should be controlled and Human Rights Institution of Turkey should investigate the issue.

8- Regarding those who joined Al-Qaeda and went to Syria; the police and intelligence units should immediately start to inspect those who are responsible for transporting these individuals; and Public Prosecution Office should conduct an effective investigation.

9- The close threat to Turkey's people by the take-over of Syrian cities by jihadist organizations such as AL-Qaeda and Al-Nusra should be taken into consideration and a new political approach should be established regarding the issue.

10- An “open gate” policy should be applied without discrimination for all those who take refuge in Turkey due to the civil war and as the international law requires, no individual should be declined entrance at border. Syrians taking refuge in Turkey should be deported by force or nobody should be forced to “voluntarily return” to Syria.

11-As a the ‘Law on Foreigners and International Protection’ (Law No.6458) requires, a regulation defining “temporary protected status” given to Syrian refugees should be defined at once and the status should be secured by law. Preparation of this regulation should be done in cooperation with human rights organizations and the regulation should be based on the comments of these organizations.

12- The problems of Syrian refugees’ regarding access to health services have been tried to get solved by No. 2013/8 Circular, dated 9.9.2013, “Regarding the health and other services for Syrian guests” issued from Prime Ministry Disaster and Emergency Management Presidency by the signature of Vice Prime Minister Beşir Atalay. This circular should be implemented in 81 cities without discrimination by ethnicity, religion or sect and should be monitored continuously.

13- All directives and orders issued by Prime Ministry and other ministries regarding the refugees and camps should be open for access of human rights organizations.

14- The investigation of refugee camps in Turkey by human rights organizations should be allowed.

15- To reduce social problems of the refugees who reside outside the camps; government, NGOs and municipalities should work in coordination.

16- In order to solve all of these problems, Turkey should review its policy on Syria; and should contribute in declaration of the cease-fire to stop the on-going civil war and holding Geneva Conference; contribute in democratization of Syria during establishment of a transition government; should establish good relations with Rojava regional administration (Kurdish National Council and PYD) and therefore contribute in peace process of Turkey.

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