



THE GENOCIDE UNDER COMMAND OF TURKISH PRESIDENT TAYYIP RECEP ERDOGAN IN AFRIN, SYRIA MUST STOP IMMEDIATELY

1. On or about 3 February 2018 the Ambassador of Turkey to South Africa, Elif Comoglu Ulgen, based in Pretoria, in a letter to the Editor and in reply to an article published in the local newspaper, the Sunday Independent, on 28 January 2018, with the heading “When Kurdish heroes against IS become victims” penned by Shannon Ebrahim, made the following statements, *inter alia*:

“... Turkish cross border military operation, Operation Olive Branch has been undertaken to mitigate the terrorist threat to Turkey. The objective is to ensure our border security and neutralise terrorists. The operation is carried out on the basis of international law, in accordance with our right to self-defence. The YPG (Mainly Kurdish militia known as People’s Protection Units) is an organic offshoot of the terrorist entity, PKK, recognised as such by all of Turkey’s allies ...”

2. This statement is typically a diplomatic attempt to justify and mask the terrible and outrageous acts of bombings, mass killings of innocent civilians, mainly women and children, random destruction of buildings, including homes, schools, hospitals and churches to the people and the city of Afrin, by Turkish soldiers. It is also alleged that the Turkish armed forces also use chemical weapons in and during their raids on the city of Afrin and its people.

THE CONTEXT

3. The decision of Turkish President Tayyip Recep Erdogan on 19 January 2018, to conduct and execute these “cross border military operation(s)” on the city and people of Afrin, which is within the internationally recognised boundaries/territory of Syria, follows a bloody war with genocidal proportions being waged in Syria for the last several years. That war includes, but is not limited to, a Syrian dimension, part of which sought a regime change in Syria and the overthrow of the Assad regime; secondly it has an international dimension, involving battles amongst the superpowers, including America, Turkey and Israel, on the one hand, and Russia and Iran, on the other, for ultimate control of post war Syria, given its geopolitical importance. Thirdly, it was marked by religious intolerance and/or ethnic hatred, driven mainly by IS/Isil, against the people of Syria, until the defeat of IS at Kobani. It is by now common knowledge that the murderous and genocidal attacks by IS upon the people of Kobani and other Syrian cities, were fearlessly and heroically defended by the people of Syria, across racial, ethnic and/or religious lines, living in these towns and cities. There were self defence units, organised, mobilised and led by the YPG, all of whom are women, very brave women. It was ultimately these self defence units, led by the YPG, that caused the final demise of IS within the Syrian territory, while the rest of the world stood by and observed in an explicable state of inertia.

THE CROSS-BORDER ATTACKS ON AFRIN THUS FAR

4. It has been reported that, to date, approximately 2645 attacks had been launched by the Turkish military on the city of Afrin, including aerial bombings, missile attacks and alleged chemical weapon attacks.
5. Thousands of people, mainly women and children, all of whom can hardly be described as “terrorists”, had died violently in, during and as a result of these attacks by the Turkish military forces. Many innocent people had been disfigured, were crippled, lost limbs and are destitute, their homes having been irreparably destroyed as a direct result of these attacks. Many more people, especially children die, or are at risk of dying because of a lack of medical treatment and resources. Many buildings including hospitals had been destroyed. Afrin is on the brink of total destruction and disaster, with no indication of the al-Assad government and/or other western countries, including the UN, intervening and coming to the assistance of the people of Afrin.
6. In contrast, the Turkish forces had reportedly suffered approximately only nine (9) casualties recently on or about 10 February 2018. No reliable information has been provided to indicate how many “terrorists” had been “neutralised” by the Turkish military forces. It is reported in the Cape Times newspaper of Monday 12 February 2018 that they (the Turkish military forces) “... had killed 39 militants”. There are no known reports of any of these “terrorists” having attempted to cross the Syrian/Turkish border from Syria into Turkey with the objective of threatening their border safety and security and/or attacking Turkish citizens on/in Turkish territory.

THESE CROSS-BORDER ATTACKS CONSTITUTE AN INTERNATIONAL
CRIME OF GENOCIDE COMMITTED BY TURKEY, ITS PRESIDENT AND
MILITARY FORCES

7. These self admitted cross border attacks on Afrin by the Turkish military forces violate the territorial integrity and independence of Syria and her people. It is a self admitted violation of international law.
8. These cross border attacks constitute acts of war by Turkey against the people of Syria generally and the people of Afrin specifically, in violation of the law of nations and/or customary international law.
9. These acts of war committed by Turkey against mainly defenceless civilians of the city of Afrin violate international law that should not go unpunished because it seriously violates international values and/or interests and seriously threatens the peace, order and security of the international community. This is a serious consideration because if Turkey goes unpunished for these heinous acts of war committed across their borders, within the sovereign territory of another independent State, other states, and/or rogue elements within a State might very well follow this example under a similar excuse, namely "to fight terrorists". On this basis alone there is an urgent need for urgent intervention by the competent organs of the United Nations, the office of the High Commissioner for Human Rights and/or the Office for the Co-ordination of Humanitarian Affairs. It is indeed a sad indictment on the UN and its various organs/structures to stand by idly without any meaningful intervention, in the face of these gross human rights violations of the people of Afrin by Turkey and its military forces.

10. On a proper construction of the words and statement by the Turkish Ambassador to South Africa, it is clear that the objective of the “cross border operations” is to kill members of a group, called YPG, described as “mainly Kurdish militia known as People’s Protection Units”. In this regard it must be pointed out that to date, and based on general public knowledge, neither the people of Kobani nor of Afrin, have referred to the YPG as “terrorists” or made an international appeal to be protected against it. The people of Afrin are in fact crying out for international solidarity and help against these attacks by the Turkish military against them.
11. It is a matter of public record that these so-called “cross border operations” have caused and are causing serious bodily and/or mental harm to, not only the members of this group, the YPG, but to the people of Afrin generally.
12. These “cross border operations” by the Turkish military forces are apparently conducted to “neutralise terrorists”. In other words, to deliberately inflict on this group of “terrorists” conditions of life to bring about its physical destruction in whole or in part. Turkey is therefore clearly the aggressor and as such cannot invoke the defence of self-defence to justify these horrific attacks on the people of Afrin.
13. The stated objective and intention underlying these “cross border operations” are therefore to destroy, in whole or in part, a group of people, referred to as the YPG, mainly because they are Kurdish, i.e. on ethnic grounds, but under the guise that they are “terrorists”. It is a matter of public record that the YPG has not been listed by the UN or any

of its organs, as a “terrorist” organisation. It is only Turkey, more specifically its president Tayyip Recep Erdogan who refer to, and regard the, YPG as “terrorists”. This is done to justify their gross human rights violations on foreign soil, on the people of Afrin.

14. These so-called “cross border military operations” by Turkey on the people of Afrin, within the sovereign territory of Syria, fall squarely within the definition of genocide under the UN Convention on the Prevention and Punishment of the Crime of Genocide, 1948. The Turkish military forces, under the ultimate command of its president, Tayyip Recep Erdogan, are therefore committing the international crime of genocide in respect of the people of Afrin. These heinous acts of war on a mainly defenceless people of Afrin, cannot go unpunished. It must be stopped and the UN and its organs must urgently act and intervene to stop any further killings in Afrin under the hands of the Turkish military forces.
15. The international community, as well as Heads of States, are urged to implore the UN and its organs to intervene urgently to stop the killings in Afrin. It is hoped that the international human rights organisations, such as Amnesty International, International Association of Democratic Lawyers (IADL) and others will take the appropriate steps for the criminal prosecution of the perpetrators of these unwarranted acts of war against the people of Afrin.

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Advocate Joey Moses

Father Matt Esau