

## **Introduction speech by Mr. Kox to the current affairs debate on the Turkish military intervention in Syria**

*24/01/2018*

While most of us were on their way to Strasbourg, Turkish President Erdogan ordered his army to start a military intervention into neighbouring state Syria. Last weekend warplanes started to bomb parts of the Kurdish-Syrian area, in the region of Afrin, where after Turkish troops and tanks crossed the Turkish-Syrian border. As we speak, here with the representatives of our member states, one member state's government has started a new front in the ongoing cruel war in Syria. This Assembly, which has shown our deep concern already with everything that is happening in Syria, can of course not cast a blind eye on new developments over there, which will lead to more atrocities, more wounded, more killed and more displaced citizens. Once again a political dispute leads to a violent reaction, and will add to the already huge threats of the Syrian conflict to regional and international security.

I want to thank the Assembly for granting my Group's request for a current affairs debate on how to deal best with these shocking new developments, and for granting me the honour to open this debate with some introductory remarks and proposals.

With this military intervention of Turkey into Syria we are entering a new phase in the Syrian war, which has already costed so much lives and so much civilization. First we had, as part of the so called Arab Spring, peaceful uprising against the lack of democracy and human rights as well as social and economic progress in Syria, followed by brutal suppression of President Assad's regime. Then we witnessed how parts of the opposition decided to armed resistance, whereafter Islamic State used the internal chaos to create its own strongholds in the country, from where they could spread their terrorist threats throughout the world. Then we saw how foreign powers got themselves militarily involved in Syrian developments, partly at the request of the Syrian government, partly at the request of opposing forces. And a broad coalition, led by the United States, started its own military alliance against the threats of IS / Daesh. Thousands of civilians have been killed; millions have become IDPs or refugees, quite a lot of them now seeking shelter in our member states.

And instead of contributing to restoration of order and peace, Turkish authorities put extra fuel on the fire, by starting a unilateral military intervention into Syria.

How should we measure this unilateral decision and its effects, over there, in the region and world wide?

In general, international law prohibits states from using military force on the territory of another state. The Charter of the United Nations states in art. 2.4:

'All member states shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other matter inconsistent with the purposes of the United Nations.'

There are only 3 situations where this general prohibition can be lifted:

- 1) A state can be invited by another state to assist it in maintaining or restoring domestic peace and security
- 2) A state can be mandated by the UNSC to use force in order to restore or maintain international peace and stability (art 42)
- 3) A state may exercise its right to self-defense (art 51)

The first 2 conditions are obviously not met: Syria explicitly opposes the Turkish military intervention; and there is no mandate whatsoever of the UNSC, which has only started to discuss the recent events.

The Turkish government also does not base its intervention on these 2 possibilities, but states that its unilateral military action is related to its right to self-defense.

Already between August 2016 – March 2017 Turkey militarily intervened in Syria with its operation Euphrates Shield. Then too its actions were justified as self-defense, against the shelling by IS of Turkish territory. However, practically all military strikes were not directed against IS but against the Kurdish YPG, the militia of the Democratic Self-Administration of Rojava in northern Syria, de facto independent from the Syrian government in Damascus.

The now started operation, called 'Olive Branch' is portrayed as a needed reaction to a direct, huge and immediate threat to Turkey security. However, until now no proof at all has been given by Turkey for its position. On the contrary, the region which is now under Turkish fire, Afrin, happens to be one of the few places which has managed until now to stay outside the violent clashes in Syria. Therefore it has become a place of shelter for thousands IDPs from the rest of Syria.

In a series of statements, President Erdogan has made it perfectly clear that this military intervention has other goals than self-defense. Already in October last year he stated in Russian newspaper Izvestya, that Turkey was ready to launch a large scale military operation in northern Syria, and even to annex Manbij and Raqqqa to its areas of influence, to prevent the establishment of a Kurdish state. It is clear that President Erdogan is completely opposed against the development on Turkey's southern border of an ever more autonomous Kurdish region in Syria. But in no way international law allows him to oppose this political development in his neighboring state by militarily intervening in that state.

Neither can this military operation be seen as a short and quick reaction to an immediate threat. Turkish authorities have made it clear that its army is entering northern Syria to stay there. Turkish Prime Minister Yildirim stated that the aim of the military intervention is to establish a 30 km safe zone, deep in Syria.

The self-administration of Rojava intends in no way to give the Turkish army free access to its territory. Thus a violent clash seems not to be avoided. Already several people have been wounded and killed, people are on the run and structures have been destroyed by Turkish warplanes and tanks. Overall, instability in Syria and the region will grow again and security will again be further undermined by the Turkish unilateral operation.

At the same time, Turkish military intervention against the Kurds in Syria, will upset the Kurdish communities in Turkey as well. Since President Erdogan jeopardized the peace

process between the Turkish authorities and the Kurdish communities, on the eve of the 2015 parliamentary elections, suppression of Kurdish citizens in Turkey has enormously increased, with continuous attacks against communities and its representatives, amongst which the elected parliamentarians of Turkish 3<sup>rd</sup> biggest party in Parliament, HDP.

We can expect that the longer the intervention into Syria lasts and the more violence is used, the more internal tensions in Turkey will grow and lead to new explosions of violence over there. We already have heard President Erdogan say that those in Turkey, who want to use their fundamental rights of freedom of gathering and expression, to oppose his military intervention, will pay a high price. Such language violates Turkish obligations as a Council of Europe member state, under the European Convention on Human Rights, and increases fears that we will have a new round of human rights violations in our member state.

I come to a conclusion.

This Assembly has shown great interest in and worries about the Syrian war and its effects to the region as well as the the whole of Europe. We have formulated thoughts about how to handle the refugee crisis caused by this war. We are dealing with the atrocities of IS terrorism, coming from Syrian soil and we are looking for ways to bring to justice those who committed crimes of genocide. We have discussed the need to cut of financial canals towards IS / Daesh and to hold those countries which provide terrorist with money and other means accountable. We showed solidarity with the endangered citizens of Kobane when it was under IS siege. And we praised Kurdish-Syrian Peshmerga's for their defense of Kurdish citizens, their resistance against IS and their important contribution to the defeat of Daesh in Syria.

Now we should again act instead of looking away from new atrocities in this ongoing war. Therefore I would appreciate if you would comment on the following 4 proposals which I want to give to you:

- 1) To call upon the Turkish authorities to immediately stop its military intervention into Syria and to respect the Charter of the United Nations, and to look for political ways to solve political problems, including security needs;
- 2) To call upon CoE member states to use their influence in the UNSC to have a.s.a.p. a UNSC resolution, demanding end of hostilities and immediate withdrawal of the Turkish army from Syrian soil; and to call specifically upon those CoE member states which do not have a seat in the UNSC to support such a resolution;
- 3) To call upon the Council of Europe to use all its possibilities, CM, PACE, SG and HRC, to convince our member state Turkey that this unilateral military intervention violates the Charter of the United Nations and the values and principles of our organization;
- 4) To call upon the Turkish authorities and the Kurdish-Turkish community to restart the peace process, which was jeopardized in 2015, but which is, according to resolution 1925 (2013) of this Assembly 'the obvious way forward in ending violence and creating a peaceful environment for the solution of the Kurdish issue.'