

Kurdish Lobby Australia endorses Australians For Kurdistan call for the Australian Government to:

- Immediately recall its Ambassador from Ankara until such time as Turkey ceases all military action and withdraws its own and all proxy forces.
- Summon the Turkish Ambassador in Canberra to express its concerns in the strongest possible terms.
- Establish an immediate ban on all contact and cooperation between Australian and Turkish military and security personnel.
- Encourage its Western allies to protest Turkey's illegal military action and to take immediate, concrete and effective steps to guarantee Afrin's security.
- Use all means available to it at the United Nations to ensure the world body fulfils its mandate.

Kurdish Lobby Australia further suggests:

- **A UN peace-keeping force along the Turkey-Syrian border;**
- **A no-fly zone over northern Syria (including Idlib).**

A statement from KLA, calling for a response to Turkey's Operation Olive Branch was issued on 22 January 2018. (See <http://www.kurdishlobbyaustralia.com/wp-content/uploads/2018/01/Call-to-respond-to-Turkeys-invasion-of-Afrin-in-Syria.pdf>)

This is an update.

Between 20 – 29 January, Turkey conducted airstrikes from planes and helicopters, and fired mortars and artillery in support of a five pronged ground attack on Afrin using Turkey-backed militias and Turkish Security Forces (TSK). The (Kurdish) People's Protection Units (YPG/YPJ) have put up a fierce resistance. In ten days Turkey has advanced seven kilometres on one front, captured 11 villages, and taken Mount Bursaya. Turkey claims to have killed or captured 557 'terrorists'. The Syrian Observatory of Human Rights (SOHR) claims that at least 51 civilians have been killed and more than 130 wounded. Two civilians were killed from YPG shelling. On 25 January the SOHR reported that 53 YPG fighters, seven Turkish Security Force (TSK) personnel and 58 Turkey-backed militants had been killed. These figures have not been updated. On 26 January YPG claimed they had captured 16 TSK soldiers and killed 303 TSK fighters and Turkey-backed militants. At least 6,000 people have attempted to flee Afrin but have been stopped by regime checkpoints in the south. A Turkey-built border wall and the presence of Turkey-backed militias etc., stops them fleeing in other directions.

On 25 January Turkish Deputy Prime Minister Bekir Bozdag said, 'Those who support the terrorist organization will become a target in this battle.' Since then, President Erdogan and others have repeatedly demanded that the US remove US troops from

Manbij and that Turkey will attack Manbij and east of the Euphrates to rid their border of terrorists. Turkey has conducted airstrikes on Qamishli and the Kurdistan Region of Iraq. (According to FarsNews, on the night of 25 January Turkey conducted airstrikes on and around the town of Manbij and Sputnik's Arabic Service quoted media outlets claiming that two US military advisors were killed in the airstrikes. On 26 January, Iba News Agency reported that Hayat Tahrir al-Sham in Idlib announced they would join Operation Olive Branch. No other media outlets have confirmed these reports.)

Also on 26 January, Afrin authorities issued a statement: 'We call on the Syrian state to carry out its sovereign obligations towards Afrin and protect its borders with Turkey from attacks of the Turkish occupier... and deploy its Syrian armed forces to secure the borders of the Afrin area.' This would comply with the wishes of Russia and Syria, which YPG had rejected just days before the offensive. Other than allegedly allowing YPG reinforcements to travel to Afrin Syria has yet to take action.

Turkey wants to establish a 'security' zone 30 kilometres deep into Afrin to meet up with Turkey's observation posts in northern Idlib. Turkey-backed militias (many of whom are extremists such as Ahrar al-Sham) would secure the zone. Turkey intends to build infrastructure and a local administration, thus expanding Turkey's occupation of Syrian territory beyond the Azaz, Jarablus and al-Bab triangle. Turkey-backed militias are being forced to do Turkey's bidding, despite Turkey's betrayal of the opposition in eastern Aleppo, as Turkey has been training and supporting them since the end of Operation Euphrates Shield. The militias hope that after reaching Idlib they will be in a better position to confront the Assad regime, which is advancing in Idlib.

Turkey's attacks on Afrin have received support from nationalists inside Turkey but by Day 6 of the operation, Turkey had detained an estimated 150 journalists, activists and HDP party officials accused of using social media to spread 'terrorist propaganda' about the Afrin offensive. The international response to Turkey's aggression has been muted, the UN, US, UK etc. acknowledging Turkey's security concerns, despite Turkey being a threat to those living in northern Syria. With Turkey repeatedly threatening to attack Manbij and east of the Euphrates, US officials have demanded that Turkey halt operations, and say that US military personnel will remain in Manbij.

Turkey claims Operation Olive Branch is being conducted in accordance with Article 51 of the UN Charter, which stipulates that a state has an inherent right to self-defence against an armed attack. However, what constitutes an armed attack is controversial and the UN Charter was designed to manage conflict between state actors. An action targeting a non-state actor in Syria would require permission from Syria or the UN Security Council. According to the International Association of Democratic Lawyers (IADL), Operation Olive Branch is a preventative action that constitutes a violation of Article 51 and Article 2(4), the latter regarding the Prohibition of the Use of Force. Nor can Security Council Resolutions 1624, 2170 and 2178 be used as justifications for the use of force, as they do not authorise the use of force in the present circumstances, especially as ISIS and its affiliates do not have a presence in Afrin. IADL called Turkey's invasion of Afrin 'an act of Aggression as

29 January 2018



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defined in Article 1 and 3(1) of the Annex to UNGA Resolution 3314 (XXIX)' and a crime within the jurisdiction of the International Criminal Court. Since December 2017, the UN Security Council can refer a situation for investigation to this court under Article 13 of the Statute. As an 'act of aggression' constitutes the violation of an Erga Omnes obligation, it engages the legal interests of all states. According to the ICJ Israeli Wall Advisory Opinion 2004, all states are under an obligation not to recognise the illegal situation resulting from breaches of Erga Omnes obligations. They are also obligated not to render aid or assistance in maintaining the situation created by the breach.

We call on the Australian Government and international community to use international law and all means necessary to stop Turkey's aggression in northern Syria.