



HOUSING AND LAND RIGHTS NETWORK

H a b i t a t I n t e r n a t i o n a l C o a l i t i o n

In cooperation with:



Geneva, Cairo, Damascus MD 31 July 2023

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Urgent Appeal: Deprivation of Water and Related Human Rights in al-Hasaka, northern Syria

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Dear Excellencies:

We have the honor to address you in our capacities as independent, nonprofit and nongovernmental civil society organizations in Syria and the surrounding region to call your urgent attention to the longstanding chronic and deepening water crisis imposed on well over half a million persons in northeast Syria, including internally displaced

persons. Since 2019, authorities in Türkiye and Türkiye-controlled militias have deprived the affected population from safe access to water due to the repeated disruptions of the Alouk water pumping station, the primary source of water in the region. This case involves the violation of multiple overlapping individual, collective, domestic and extraterritorial human rights treaty obligations of the concerned states, namely Syria and Türkiye. Specifically, Türkiye is acting as an occupying power in parts of northeast Syria and using the closure of the Alouk water station as a negotiating tactic to use it to leverage negotiations with the Kurdish-led Autonomous Administration.¹

The blockade of the Khabur River's water flow by the Turkish-backed SNA during a period considered to be Syria's driest summers in history will have serious consequences for the population downstream. Taking into account both climatic conditions and further limitations of water coming in from the shutdown of Alouk water station, as well as limited flow into the Euphrates, the Khabur is an indispensable source for the survival of the civilian population. With over 84 towns and villages lacking access to water, there would likely be thousands of households struggling with water access caused by the building of dams, deliberately stopping the flow of water essential for household and agricultural use.

The Alouk Station is a primary source of water to serve the needs of over 600,000 persons of the population in northeast Syria, especially the roughly 200,000 ethnically diverse residents of the City of al-Hasaka,² in addition to the town of Tall Tamr and suburbs, including the IDP camps of al-Hawl, Arisha/al-Sad and Washu Kani/al-Twaina. Those camps accommodate tens of thousands of internally displaced persons from various Syrian provinces and areas, in addition to thousands of Iraqis and third-country nationals.

Alouk water pumping station was established in 2010, as a solution to the then water crisis in the city of al-Hasaka and environs, in the Jazira Region of the Autonomous Administrations of northern and eastern Syria. The al-Hasaka Governorate, with a 2023-estimated population of 422,445,³ lies on the border with Türkiye. The station is located near the village of Alouk Sharqi, 10 km east of Ra's al-Ayn/Serê Kaniyê. (See Figure 1.)

Alouk Station, with a pump capacity of approximately 175,000 m³ of drinking water per day, has a 25,000 m³ water reservoir and 12 large pumps that transport water through

¹ UNOCHA, "Flash Update #2: Humanitarian impact of the military operation in north-eastern Syria as of 11 October 2019," [Flash Update #2: Humanitarian impact of the military operation in north-eastern Syria as of 11 October 2019 | HumanitarianResponse](#); "Up to 1 million people at risk due to severe interruptions to Alouk Water Station" [EN/AR], *ReliefWeb* (15 July 2021), <https://reliefweb.int/report/syrian-arab-republic/1-million-people-risk-due-severe-interruptions-alouk-water-station-en-ar>; "Killing the Khabur: How Turkish-backed armed groups blocked northeast Syria's water lifeline," *PAX* (3 November 2021), <https://paxforpeace.nl/news/killing-the-khabur-how-turkish-backed-armed-groups-blocked-northeast-syrias-water-lifeline/>.

² In 2004, the city's population was 188,160, comprising Arabs, Kurds and Arameans, with a smaller number of Armenians. Al-Hasakah subdistrict population 2004 census, archived 8 April 2013 at the *Wayback Machine*, http://www.cbssyr.org/new%20web%20site/General_census/census_2004/NH/TAB08-1-2004.htm.

³ Al-Hasaka Population Estimate 2023. *World Population Review*, <https://worldpopulationreview.com/world-cities/al-hasakah-population>.

67 km-long pipes to al-Himma water station and provide water to inhabitants of the western countryside of al-Hasaka.

Türkiye and its affiliated Syrian armed groups have had effective control over the territory since 2016, after Türkiye’s first military operation (Operation Euphrates Shield). Since the Turkish-led military offensive “Operation Peace Spring,” in October 2019, Türkiye-affiliated armed groups have been in control of the Alouk Water Station. Some Turkish forces remain physically present⁴ and control the 120 km-long stretch of the frontier from Ra’s al-`Ayn/Serê Kaniyê, where the Alouk water station is located, to Tall Abyadh. (See Figure 1 above.)

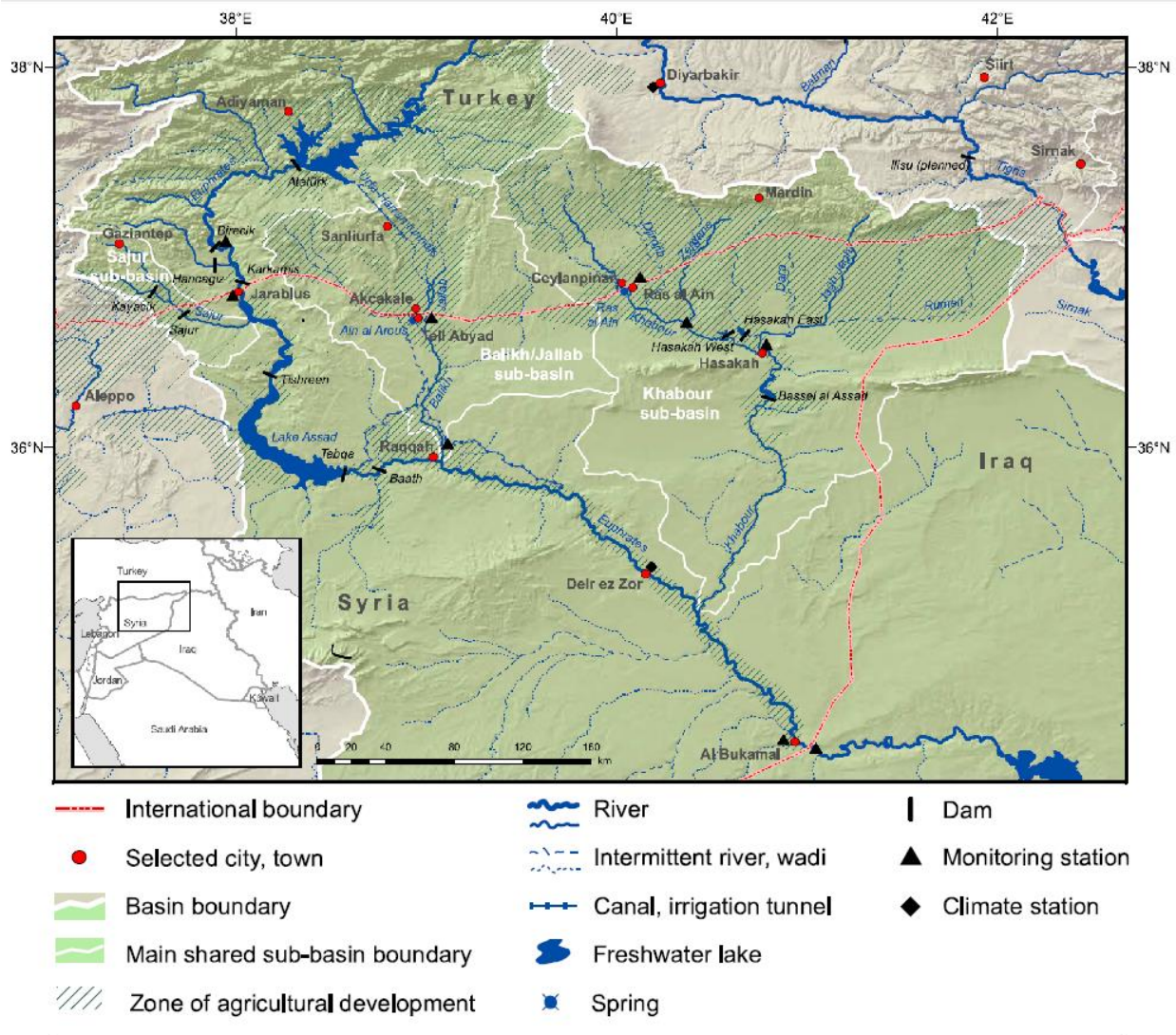


Figure 1: Shared Tributaries of the Euphrates River. Source: Gesellschaft für Geowissenschaftler und Rohstoffe and UN Economic and Social Council for Western Asia (ESCWA), 2013.

⁴ UN Human Rights Council (HRC), Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/52/69, 7 February 2023, paras. 14, 91, 104–105, 111, 113, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/010/21/PDF/G2301021.pdf?OpenElement>.

Economic and physical hardship

Over 5 million people, including in northeast Syria, rely on the Euphrates River for their drinking water, and other 3 million people for electricity, reducing the water levels at the Tishreen dam and Tabqa dam, causing widespread power shortages and limited access to water.⁵ The coincident drinking water cut-off in the areas supplied by the Alouk water pumping station forced people to bear the extra costs of bringing in tanker trucks with water of often inferior quality and safety. That exposed consumers to waterborne diseases such as diarrhea, which can lead to dehydration and malnutrition. Furthermore, it made water use unaffordable for many Syrians, particularly given the current severe economic deterioration, which has seen a significant rise in commodity prices alongside volatile exchange rates. Water prices have spiked with the devaluation of the Syrian pound.⁶

Coinciding with the spread of the COVID-19, the repeated interruptions of water put children and families at risk during the current efforts to curb the virus by preventing handwashing with soap, a critical factor in the fight against the pandemic.⁷

The Syrian Health Ministry declared a cholera outbreak in September 2022, which has been described by the former UN Humanitarian Relief Coordinator as a “serious threat” to the Syrian people and the entire Middle East region. In addition to the threat posed by COVID-19 and water-borne diseases, the water shortage in Syria also has severe consequences for the population's overall health and well-being. Access to clean water is essential for basic hygiene and sanitation.⁸

Military operations

Following US President Donald Trump Administration-ordered 6 October 2019 withdrawal of US troops from northern Syria, which had been supporting Kurdish allies,⁹ Türkiye launched a military invasion of northeast Syria known as “Operation Spring Peace.” That military incursion killed some 70 civilians and displaced more than

⁵ WFP and Mashfi, *op. cit.*

⁶ Daniela Sala, Bart von Laffert, Shaveen Mohammad, “Dead trees and dry lakes: Syria's water crisis,” *Deutsche Welle* (13 December 2021), <https://www.dw.com/en/conflict-and-climate-change-drive-water-crisis-in-syria/a-59999269>.

⁷ UNICEF, “Interruption to key water station in the northeast of Syria puts 460,000 people at risk as efforts ramp up to prevent the spread of Coronavirus disease,” statement from UNICEF Representative in Syria, Fran Equiza, 23 March 2020, <https://www.unicef.org/press-releases/interruption-key-water-station-northeast-syria-puts-460000-people-risk-efforts-ramp>.

⁸ UNICEF, *op. cit.*; OCHA Regional Office for Syria, “Whole of Syria Cholera Outbreak Situation Report No. 5, October 2022, 1 November 2022,” https://www.hrw.org/sites/default/files/media_2022/11/WoS%20Cholera_Situation%20Report%20%235_DRAFT_30th%20October_Final%20Nov%201st%20%28002%29.pdf.

⁹ “Trump makes way for Turkey operation against Kurds in Syria,” *BBC News* (7 October 2019), https://www.bbc.com/news/world-middle-east-49956698?intlink_from_url=https://www.bbc.com/news/topics/cp7r8vgl2y7t/kurds&link_location=live-reporting-story.

200,000 people¹⁰ and the Syrian non-state military serving as Türkiye's surrogate ground force have been accused of committing war crimes.¹¹

The Second Battle of Ra's al-`Ayn was part of the 2019 Turkish offensive into north-eastern Syria, during the Rojava conflict of the Syrian Civil War. The battle was fought between Turkish Armed Forces and the Turkish-backed "Syrian National Army" (SNA) against the Syrian Democratic Forces (SDF).¹² The battle resulted in the capture of Ra's al-`Ayn/Serê Kaniyê by Turkish/SNA forces on 20 October, and the incorporation of the town under the Turkish occupation of northern Syria.¹³

Turkish President Recep Tayyip Erdoğan has stated his intention to control a larger area of Syrian territory and establish a "safe zone" for Syrian refugees to "return" from Türkiye. However, human rights organizations have expressed concerns about Erdoğan's plans for demographic engineering and the potential for human rights abuses by Syrian non-state armed groups supported by Türkiye in these "safe zones."¹⁴

On 9 October 2019, with the announcement of the launch of Operation Peace Spring into the Syrian territory, Turkish forces created 30-kilometer as "buffer zone" and rendered the Alouk water pumping station out of operation. Subsequently, in mid-October 2019, Turkish forces and armed groups fighting under the banner of the Turkish-affiliated SNA managed to gain full control of the Alouk water pumping station, which remained out of service.

Electricity cuts in areas under the control of Turkish-affiliated armed groups have been reported since October 2019. Electricity in these areas is supplied by power lines coming from areas under the control of the rival SDF. Reportedly, electricity provided had been weak due to general technical problems and, thus, the Alouk water pumping station was not operating in full capacity. Among the technical problems is the low water pressure as a result of reduced flow of the Khabur River, which flows eastward through the City of al-Hasaka.

¹⁰ Hardin Lan, "Displacement and Despair: The Turkish Invasion of Northeast Syria," *Refugees International* (12 November 2019), <https://www.refugeesinternational.org/reports-briefs/displacement-and-despair-the-turkish-invasion-of-northeast-syria/>.

¹¹ Amnesty International, "Damning evidence of war crimes by Turkish forces and allies in Syria," 18 October 2019 <https://www.amnesty.org/en/latest/news/2019/10/syria-damning-evidence-of-war-crimes-and-other-violations-by-turkish-forces-and-their-allies/>; The Syrian Observatory for Human Rights, "For the 37th consecutive day, Alouk water station goes out of service with Turkey using water as pressuring weapon," 9 December 2022, <https://www.syriahr.com/en/279556/>.

¹² "Turkey invades Syria in 'Peace Spring' land offensive against Kurdish militia," *Australian Broadcasting Commission* (10 October 2019), <https://www.abc.net.au/news/2019-10-10/turkey-invades-syria-in-land-offensive-against-kurdish-militia/11584084>.

¹³ "Turkish army takes control over Syrian border city of Ras al-Ayn – TV," *Tass* (20 October 2019), <https://tass.com/world/1084181>.

¹⁴ Human Rights Watch, "Turkey/Syria: Weaponizing Water in Global Pandemic? COVID-19 Protections Rely on Adequate Supply, 31 March 2020, <https://www.hrw.org/news/2020/03/31/turkey/syria-weaponizing-water-global-pandemic>; "Questions and Answers: Turkey's Threatened Incursion into Northern Syria," <https://npasyria.com/en/65742/#:~:text=The%20length%20of%20the%20al,and%20then%20enters%20Iraqi%20territory>; Hardin Lang, "Displacement and Despair: The Turkish Invasion of Northeast Syria," *Refugees International* 12 November 2019, <https://reliefweb.int/report/syrian-arab-republic/displacement-and-despair-turkish-invasion-northeast-syria>.

On 13 November 2019, 35 days after it was out of service, the Alouk water pumping station came back online. Nevertheless, on 24 February 2020, Turkish forces inexplicably turned off Alouk water pumping station and expelled its workers. As a result, a water crisis befell the City of al-Hasaka, the town of Tall Tamr and their suburbs. At the height of that summer, water was cut-off in al-Hasaka city and its countryside for over 22 days, but re-opened on 22 August 2020.

The people's natural resources

Al-Khabur River originates and flows through southeastern Türkiye to northeastern Syria, with a total length of 388 kilometers, of which 308 kilometers are in Syria. It is the largest of the three tributaries that join the Euphrates River, and it has the highest annual water flow compared to the other two tributaries.

Syria, Türkiye, and Iraq all share al-Khabur River and its surrounding basin. The basin is approximately 36,200 km² in surface area, with 28% located in Türkiye, 66% in Syria, and the remaining 6% in Iraq. It empties into the Euphrates River near Dayr al-Zur. Al-Khabur River is fed by water from smaller streams (*wadis*), which join to form the upper Khabur, also known as the al-Khabur Triangle.

The drought of the river has also created suitable habitats for sand flies, which carry the Leishmaniasis disease. This has led to an increase in cases of the disease in villages surrounding the river.

The denial water to flow in the Khabur River has led to the death of thousands of fish, owing to the environmental consequences, as well as diminishing a source of food and livelihood for the local population.¹⁵

¹⁵"Turkey's water seizure kills thousands of fish in Khabur," *North Press Agency* (26 July 2023), <https://npasyria.com/en/101703/>.



Figure 2: Dying fish in Khabur River at Tall Tamr in northern al-Hasaka, northeastern Syria. Source: North Press.

Agriculture loss

Local farmers in the al-Khabur Valley have reported that the Turkish projects are responsible for the loss of agriculture and livestock in the region. They have pointed out that the low water levels in the river have made it more contaminated as the pollutants become more concentrated in the shallow water, which makes it unsuitable for animals to drink. The farmers also have reported that they are unable to plant crops as they used to, due to the lack of irrigation water and they stated that the river valley, which was previously used to cultivate cotton, barley, wheat, and rice, is now barren.¹⁶

¹⁶ "Syria's Hasakah farmers fear of al-Khabour River drought," *North Press Agency* (7 October 2021), [Syria's Hasakah farmers fear of al-Khabour River drought - North press agency \(npasyria.com\)](https://npasyria.com).

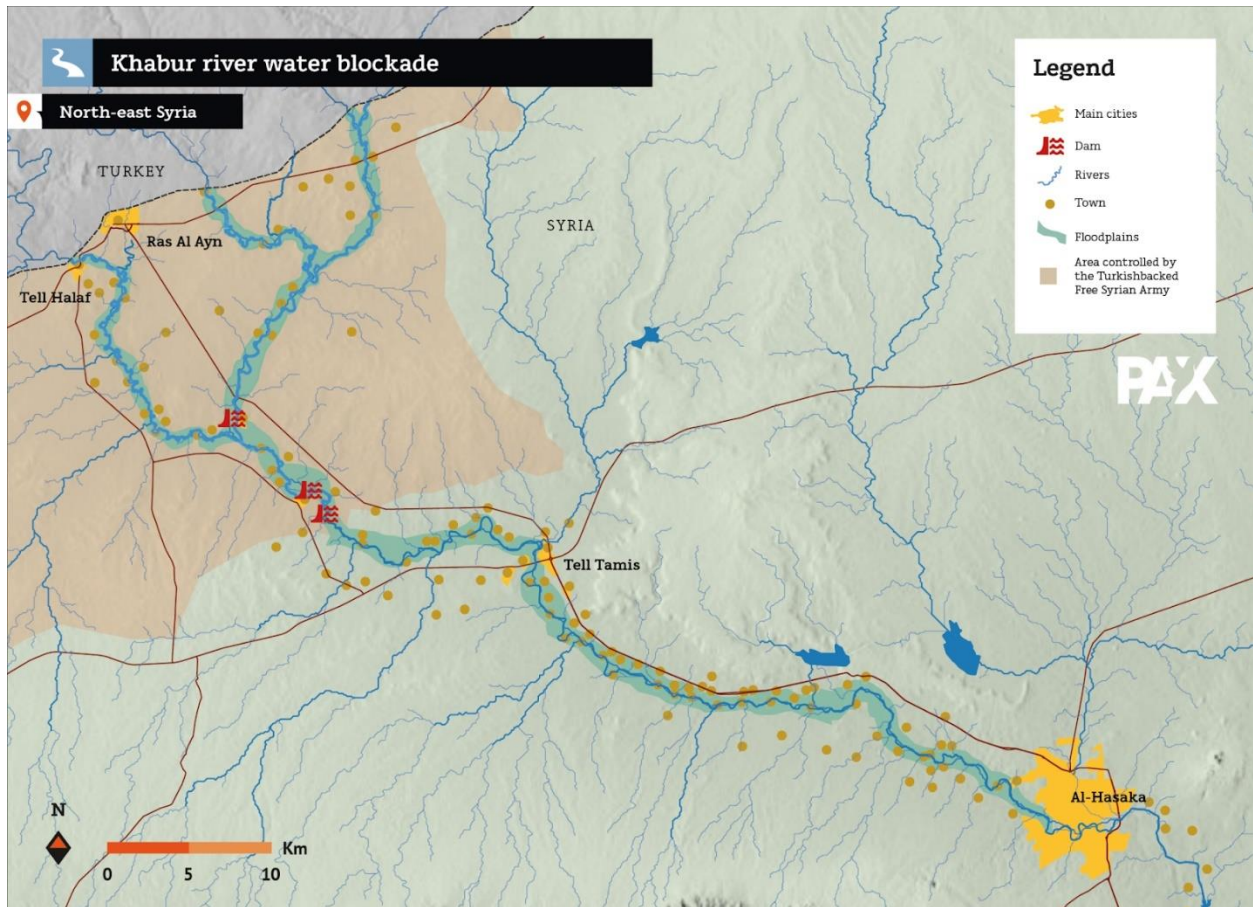


Figure 2: Al-Khabur River blockade by militias and related dams. Source: www.pax4peace.nl.

In addition to the impact on agriculture, the water shortage had also affected the fishing industry. Fisherfolks in the region have reported a decline in their livelihoods due to the reduced water levels. The director of water resources in the Shaddadi Agriculture Committee has warned of an imminent disaster that may befall the region due to the decline in agriculture and livestock, which are the mainstay of the region's economy and the livelihood of its residents. Local sources estimate that at least 3 million people are at risk of food insecurity due to the interruption of irrigation, which is expected to continue unless there is an increase in rainfall. The water shortage is also affecting the availability of drinking water in the region.¹⁷

¹⁷ "Syria drought: Farmers blame Turkish dams for low river levels," video, *Aljazeera* (30 September 2022), <https://www.youtube.com/watch?v=gNgHmYrsXdA>; جفاف نهر الخابور يهدد بكارثة إنسانية بعد حبس تركيا مياه الفرات الواردة إلى سوريا, *Zuhabûna Fîratê, Vedeng* (4 May 2021), <https://www.youtube.com/watch?v=PdrBqtrGrDM>; Turkey causes immeasurable suffering to al-Hasakah, Deir-ez Zor residents," *Hawar News Agency* (24 July 2023), <https://www.hawarnews.com/en/haber/turkey-causes-immeasurable-suffering-to-al-hasakah-deir-ez-zor-residents-h31634.html>; "انتشار اللاشمانيا في القرى الواقعة على ضفاف نهر الخابور," *Aso Network* (15 September 2021), <https://www.youtube.com/watch?v=DO8-t5EtK2w>.



Figure 3: Al-Khabur River near the town of Tall Tamr, northeast Syria, Source: North Press Agency.



Figure 4: Al-Khabur River engorged north of al-Sifah bridge to retain water after erection of a militia-constructed dam in late May 2021. Source: Planet Scope and www.pax4peace.nl.



Figure 5: Dried out al-Khabur River at al-Nashwa, al-Hasaka, 10 October 2021. Source: Abdullah Mohamed.

Wider context

The Turkish authorities' withholding of Euphrates River waters, on which more than 5 million people in Syria depend as a main source for drinking water. Notably, these include significant reduction in the flow of the Euphrates controlled by Türkiye's upstream Atatürk Dam, whose reservoir behind the dam is Türkiye's third largest.¹⁸

Syria relies on the Euphrates River for 80% of its water needs, which is essential for its electrical projects and development. Over a third of Syria's regions also depend on the Euphrates River for electricity, with Aleppo being the most dependent. Türkiye has reduced the amount of water from the Euphrates River that flows into Syrian territory to a quarter, causing the power generators in Aleppo, which are built on three dams, to stop working. If Türkiye continues to violate the 1987 agreement by limiting the water flow (Syria and Türkiye entered into a bilateral agreement in 1987, in which Türkiye promised to provide a minimum of 500 m³ per second of water to Syria), cities such as Aleppo, Raqqa, Dhayr al-Zur, and al-Bukamal may face a humanitarian catastrophe.

¹⁸ World Food Programme (WFP), Syrian Arab Republic: mVAM Bulletin Issue no. 55, May 2021, <https://docs.wfp.org/api/documents/WFP-0000128777/download/>; Oula Mashfj "Humans, animals and land: we all need water to live": Inside Syria's water crisis (Norwegian Refugee Council, undated), <https://www.nrc.no/shorthand/stories/we-all-need-water-to-live/index.html>.

The current water flow is reportedly only 200 cubic meters per second, far below the agreed-upon amount.¹⁹

The series of Turkish and Syrian dams has exacerbated the decline in water availability in the northeastern regions of Syria. This, in turn, has caused an increase in its pollution due to the sewage that flows into the Euphrates, oil contamination in areas rich in oil wells and, ultimately, has contributed to the outbreak of cholera, infecting hundreds with it during the previous months.²⁰

The resulting low water levels pose a threat to the electric power supply, as 3 million people in northeastern Syria receive electricity almost exclusively from three hydroelectric power stations on the Euphrates River.

Over the past months, officials in the Autonomous Administration have repeatedly warned of a decrease in the flow of the Euphrates River, which affects the generation of electricity. As the work of Syria's Tishrin Dam stopped generating electricity in March 2023, any decision to resume operation depends on the percentage of water received from the Turkish side of the river.

Local inhabitants also lack access to reliable water-related information and transparency of operations and relevant decisions taken by Syrian and Turkish authorities.

Syrian Citizens and Organizations Resist

The General Activities Committee of the Educational Complex in the Syrian city of al-Hasaka organized a protest march in which students and teachers participated. The purpose of the protest was to condemn Türkiye's decision to cut off the water supply from the Alouk water station. The people of al-Hasaka and the surrounding area also protested Türkiye's actions in cutting off the drinking water.²¹ In addition to the protest in al-Hasaka, inhabitants in Kobani and various other local civil society groups also have blockaded a joint Russian-Turkish patrol from taking place in their areas. A total of 124 organizations, including GAV Relief and Development, the Class Peasant Union, the Union of Intellectuals in the Jazira Region, the Union of Agricultural Engineers, and the Union of Teachers of North and East Syria, have called on the international community to intervene and require Türkiye to follow the rules of water sharing. Several international organizations, such as PAX for Peace (Netherlands), the United Nations,

¹⁹ "سوريا تعلن جفاف نهر الخابور بسبب تركيا،" *البلد* (4 أيار/مايو 2021)، <https://www.elbalad.news/4801489>؛ "الجفاف يغزو شمال شرق سوريا - توقعات بنزوح الملايين،" *سكاي نيوز* (1 أيلول/سبتمبر 2021)، <https://www.skynewsarabia.com/business/1460743-%D8%A7%D9%84%D8%AC%D9%81%D8%A7%D9%81-%D9%8A%D8%BA%D8%B2%D9%88-%D8%B4%D9%85%D8%A7%D9%84-%D8%B4%D8%B1%D9%82%D9%8A-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D9%88%D8%AA%D9%88%D9%82%D8%B9%D8%A7%D8%AA-%D8%A8%D9%86%D8%B2%D9%88%D8%AD-%D8%A7%D9%84%D9%85%D9%84%D8%A7%D9%8A%D9%8A%D9%86>

²⁰ "Syria: Parties to Conflict Aggravate Cholera Epidemic : Turkish Authorities Disrupting Water Supply, Syrian Government Obstructing Aid," 7 November 2022, <https://www.hrw.org/news/2022/11/07/syria-parties-conflict-aggravate-cholera-epidemic>; عبد الحليم سليمان، *op. cit.*

²¹ "سوريا.. احتجاجات بالحسكة لقطع تركيا المياه،" *الثورة* (18 كانون الثاني/يناير 2021)، <https://althawrah.ye/archives/653909>

United Nations Children's Fund (UNICEF), Human Rights Watch, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the Center for Violations Documentation, and the Humanitarian Practice Network, have also produced reports about the water shortages in the area and the Turkish actions that have contributed to the crisis. The UN has also called on all parties to the conflict to restore the water flow and ensure the protection of civilians and the delivery of humanitarian assistance.²²

In 2021, the Turkish-backed factions of the Syrian Democratic Forces built dams on the Khabur River, which, in turn, led to a halt in the flow of water to the areas of the countryside of al-Hasaka and Tall Tamr, which caused water cuts to farmers who were deprived of water for irrigating their farms, especially in the countryside of Tall Tamr.²³

Last year, water providers were able to distribute 10 to 15 tanks per week, but now report that volume to have declined by almost half, due to the tank owners raising the price of water delivery. At any rate, they have not been able sufficiently to meet the needs of all the residents since the 2019 shut-off.



Figure 6: Residents protest water cut-off in central al-Hasaka, January 2021. Source: SANA Agency.

²² "احتجاجاً على قطع مياه الفرات .. أهالي كوبياني يمنعون تسبير دورية مشتركة روسية-تركية في مناطقهم، و124 منظمة تدعو المجتمع الدولي للتدخل وإلزام تركيا بقواعد تقاسم المياه،" مركز توثيق الانتهاكات (أيار/مايو 2021)، <https://vdc-nsy.com/archives/46747>

"Teachers and students of Syria's Hasakah protest against water cut off by Turkey," video, North Press Agency (15 December 2020), <https://www.youtube.com/watch?v=JxOxEjW4Xm8>.

²³ عبد الحليم سليمان، "شمال سوريا يستجدي 'شربة ماء'،" عربية Independent (12 حزيران/يونيو 2023)، <https://www.independentarabia.com/node/461941/%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9/%D8%AA%D9%82%D8%A7%D8%B1%D9%8A%D8%B1/%D8%B4%D9%85%D8%A7%D9%84-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D9%8A%D8%B3%D8%AA%D8%AC%D8%AF%D9%8A-%D8%B4%D8%B1%D8%A8%D8%A9-%D9%85%D8%A7%D8%A1>

Other interventions to date

The Office for the Coordination of Humanitarian Affairs (OCHA) issued an urgent update on 28 April 2020²⁴ on the decrease in total available electricity in the area due to the low water level at the Tishreen Dam.²⁵ OCHA also issued a report on the situation at the end of August 2020²⁶ and a quick update when the Alouk Water Station malfunctioned on 1 July 2021.²⁷

The Syrian government has accused the Kurdish Autonomous Administration of cutting off the electricity connected to Ashouk station,²⁸ which prompted UN, humanitarian and international bodies to enter into mediations to restore its operation.

The UN Special Rapporteurs (SRs) on the human rights to water and sanitation, health and the right of the human rights of internally displaced persons issued a joint communication to Türkiye and Syria on 2 October 2020 about the water cuts at the Alouk station since 2019.²⁹

Since the issue falls within the jurisdiction of the Syrian state, the SRs sent the communication also to the Syrian government, which responded on 10 November 2020³⁰ and on 15 December 2020.³¹

The Turkish government responded on 2 December 2020, rejecting the assertion that the areas were within Türkiye's territory of effective control and decrying the humanitarian community for their lack of diligence in providing humanitarian assistance in this case.³²

²⁴ OCHA, "Disruption to Alouk Water Station," Flash Update #01, 28 April 2020, <https://reliefweb.int/node/3733779/>.

²⁵ OCHA, "Syrian Arab Republic: Euphrates water crisis & drought outlook, as of 17 June 2021," 22 June 2021, <https://reliefweb.int/node/3751300/>.

²⁶ OCHA, "Situation Report #2, Alouk Water Station," 28 August 2020, <https://reliefweb.int/report/syrian-arab-republic/syria-situation-report-2-alouk-water-station-28-august-2020>.

²⁷ OCHA, "Syria: Alouk Water Station - Flash Update: Disruption to Alouk Water Station," Situation Report #2, Alouk Water Station, 1 July 2021, <https://reliefweb.int/report/syrian-arab-republic/syria-alouk-water-station-flash-update-disruption-alouk-water-station>.

²⁸ "Turkey Says Kurdish Administration Is To Blame for Water Crisis in Northeast Syria," *The Syrian Observer* (28 August 2020) from al-Masdar (Pro-regime Lebanese website), <https://syrianobserver.com/news/60181/turkey-says-kurdish-administration-is-to-blame-for-water-crisis-in-northeast-syria.html>.

²⁹ Léo Heller Special Rapporteur on the human rights to safe drinking water and sanitation Michael Fakhri Special Rapporteur on the right to food Tlaleng Mofokeng Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health Cecilia Jimenez-Damary Special Rapporteur on the human rights of internally displaced persons, AL TUR 16/2020, 2 October 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25571>.

³⁰ SYR 3/2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=35724>.

³¹ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=35806.

³² Permanent Mission of the Republic of Turkey, "Information note in reply to the joint communication from Special Procedures of 2 October 2020," 2 December 2020, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=35760.

No further Special Procedure contacts or follow-up are found. Several news reports carried reports of the situation until the present.

The latest review of Türkiye by the Committee on the Elimination of Discrimination against Women (CEDaW) did not include any mention of issues of extraterritorial obligations of the state, in general, or its conduct in Syria, in particular.³³

The Committee on the Rights of the Child (CRC) recently reviewed Türkiye with 30 non-governmental organizations that submitted parallel reports, but no Syrian organizations among them. The Committee's concluding observations make no mention of the issues of extraterritorial engagements, in general, or Türkiye's conduct in Syria, in particular.³⁴

The human rights violations covered in the present appeal have been taking place within the territorial jurisdiction of the Republic of Syria. Although the areas concerned are not within the state's effective control, it is nonetheless relevant to consider any treatment within the review of relevant Treaty Bodies.

CEDaW's 2014 review of Syria under the Convention did not make any reference to water issues.³⁵ Syria has not been reviewed by, nor reported to CESCRC for over 20 years.

CRC issued Concluding Observations in Syria's 2019 fifth periodic review, noting concern about discrimination against children based on where they live, particularly regarding access to education, health services and safe water. Accordingly, the Committee urged the state party to "Ensure that all children throughout the territory have equitable access to education, medical services and essential services, such as safe water, without discrimination and independently of where they live."³⁶ In addition to this general observation, the Committee cited:

"The use of denial of access to water as a weapon of war by all sides to the conflict, such as the closure of the Khafsah pumping station, the main water source for Aleppo city, for long periods by armed groups, as well as the switching off of the main source of water to east Ghutah in the Assad suburb once it was retaken and put under State control;..."³⁷

³³ CEDaW, Concluding observations on the eighth periodic report of Türkiye, 12 July 2022, CEDAW/C/TUR/CO/8, <https://undocs.org/Home/Mobile?FinalSymbol=cedaw%2Fco%2Ftur%2Fco%2F8&Language=E&DeviceType=Desktop&LangRequested=False>.

³⁴ CRC, Concluding observations on the combined fourth to fifth reports of Türkiye, CRC/C/TUR/CO/4-5, 2 June 2023, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FCO%2FTUR%2FCO%2F4-5&Lang=en.

³⁵ CEDaW, Concluding observations on the second periodic report of Syria, CEDAW/C/SYR/CO/2, 18 July 2014, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FCO%2FSYR%2FCO%2F2&Lang=en.

³⁶ CRC, Concluding observations on the fifth periodic report of the Syrian Arab Republic, CRC/C/SYR/CO/5, 6 March 2019, para. 17(b), https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FCO%2FSYR%2FCO%2F5&Lang=en.

³⁷ *Ibid.*, para. 19(f).

And noted “The millions of children denied access to food, education, health care, water, sanitation and a minimum standard of living, due to the use of siege tactics.”³⁸

CRC also observed violations of children’s environmental health-related rights, including:

“the damage to the environment generated and exacerbated by weapons-related contamination, damage to critical infrastructure, including water treatment facilities and sewage systems, and the breakdown of the environmental services in the context of the armed conflict and its immediate and long-term risks to children’s health, and the long-term environmental consequences.”³⁹

The Committee recommended that the Republic of Syria party devise and implement a system of response and assistance to enhance protection of the population, especially children, and the environment. It expressed concern about the high number of children suffering from poverty and lacking access to a minimum standard of living due to the armed conflict, and recommended that the state party substantially increase its investment in social welfare policies to ensure that children living in poverty receive adequate financial support and free, accessible services without discrimination, and prioritize the provision of drinking water, sanitation and housing and the availability and affordability of food.

At the Seventh Brussels Conference on “Supporting the future of Syria and the region” organized by the European Union on 14–15 June 2023, donors pledged €5.6 billion: €4.6 billion in grants for 2023 and €1 billion for 2024. Participants testified that the water crisis is still worsening and is one of the main causes of food insecurity, undermining livelihoods, and compelling onward migration in search of resources. In addition to the scarcity and poor quality of available water, especially in the displacement camps in the northern parts of Syria is leading to numerous diseases.⁴⁰

International law

³⁸ *Ibid.*, para. 19(g).

³⁹ *Ibid.*, paras. 41–42.

⁴⁰ See Chairman’s Statement, including details on pledges,

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extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.consilium.europa.eu/media/65267/2023_06_15_chairstatement.pdf.

In connection with above facts and concerns, the UN Watercourses Convention has established the basic principles and rules on management, use, and protection of watercourses.⁴¹ Türkiye has not signed the Convention, and was one of only three countries (with Burundi and China) that voted against its adoption in the UN General Assembly. But that does not hinder Türkiye's compliance with the fundamental norms of the customary international law governing the management of the cross-boundary watercourses such as the principle of equitable and responsible utilization, the obligations not to cause harm and to prevent or minimize the environmental harm.⁴²

According to the bilateral agreement in 1987 between Damascus and Ankara, Syria should get 500 cubic meters of water per second from Türkiye, since 2020, Syrian regime accused Türkiye of depriving Syrians of their share of water from the Euphrates, and directly weaponizing water access by cutting water to Syrian cities.⁴³

We also draw attention to article 25 of the Universal Declaration of Human Rights (UDHR), which recognizes the right of everyone “to a standard of living adequate for the health and well-being of himself and of his family, including food.” Furthermore, articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Türkiye ratified on 23 September 2003, guarantees the rights to an adequate standard of living and to health, respectively. In particular, article 11.1 stipulates that states “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.” It further requires states to “take appropriate steps to ensure the realization of this right.”

With regard to the human rights to safe drinking water and sanitation, ICESCR, the Convention on the Elimination of All Forms of Discrimination against Women (CEDaW) and the Convention on the Rights of the Child (CRC) impose human rights obligations to ensure safe drinking water and sanitation. Further, the explicit recognition of the human rights to safe drinking water and sanitation by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the UDHR, and article 11 of ICESCR.

In its General Comment No. 15, the Committee on Economic, Social and Cultural Rights (CESCR) clarified that the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and

⁴¹ Convention on the Law of the Non-navigational Uses of International Watercourses, 21 May 1997, entered into force on 17 August 2014, https://treaties.un.org/doc/Treaties/1998/09/19980925%2006-30%20PM/Ch_XXVII_12p.pdf.

⁴² Adele J. Kirschner & Katrin Tiroch: The Waters of Euphrates and Tigris: An International Law Perspective. Max Planck Yearbook of United Nation Law, Volume 16, 2012. https://www.mpil.de/files/pdf4/mpunyb_07_Tiroch_16.pdf

⁴³ Erasmia Arvanita, Maria Boti, Danai Eleftheroglou, Marianna Krasanaki, Eirini Padouva, Vasileios Rousopoulos, Thanos Sagias, Coralia Xepapadea and Vera Zervakaki, “The Future of the Euphrates River in Syria, A Cradle of Civilization Cries for Help” (Washington: Center for Strategic and International Studies. 2023), <https://features.csis.org/the-future-of-the-Euphrates-River/>

domestic uses.⁴⁴ General Comment No. 15 also makes explicit state parties' obligations to regulate third parties responsible for water services to adhere to the same requirements.⁴⁵ Furthermore, the United Nations General Assembly in its resolution 70/169 of 2015 recognized that "the human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use," and that "the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, while reaffirming that both rights are components of the right to an adequate standard of living."

The human rights to water and sanitation require that water is continuously available, in sufficient quantity for drinking, personal hygiene and domestic uses. In addition, in its General Comment No. 15, the CESCR highlights that "the right to water is also inextricably related to the right to the highest attainable standard of health (article 12.1) and the rights to adequate housing and adequate food (article 11.1) and that "(w)ater is required for a range of different purposes, besides personal and domestic uses, to realize many of the Covenant rights. For instance, water is necessary to produce food (right to adequate food) and ensure environmental hygiene (right to health)."

With regard to the right to food, the CESCR has defined the core content of the right to food in its General Comment No. 12, along with the corresponding obligations of states to respect, protect and fulfill the right to food both on their national territory and outside the national territory. The CESCR considers that the core content of the right to adequate food implies, *inter alia*, availability of food which refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand, and accessibility of food which encompasses both economic and physical accessibility.

Additionally, we recall that the obligation to respect existing access to adequate food requires states parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the state to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. These obligations are individual, collective, domestic and extraterritorial in nature.

The obligation to fulfil (promote, facilitate and assist) means the state must pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. Finally, whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, states parties have the obligation to fulfil (promote, facilitate and assist in) realization of that right directly.

⁴⁴ CESCR, General Comment No. 15 (2002), The right to water (arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights), E/C.12/2002/11, 20 January 2003, <https://digitallibrary.un.org/record/486454?ln=en>.

⁴⁵ *Ibid.*, paras. 41–45.

With regard to the right to the highest attainable standard of health of the affected communities protected by article 12 of the ICESCR, the CESCR in its General Comment No. 14, indicates that the right to health is inclusive and extends not only to timely and appropriate health care, but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing and healthy environmental conditions,⁴⁶ to which States have an obligation to ensure equal access for all.⁴⁷ While the right to health is of progressive realization and subject to availability of resources, there are various core obligations that states parties must fulfill with immediate effect,⁴⁸ including ensuring access to basic shelter, housing and sanitation, and an adequate supply of safe and potable water.⁴⁹

In its statement on the coronavirus disease (COVID-19) pandemic, the CESCR identifies people living in conflict-affected regions as particularly vulnerable during the pandemic as they frequently suffer higher rates of chronic illnesses and underlying health conditions than others, which places them at greater risk of developing severe health complications from COVID-19. The CESCR recommends states, as a matter of urgency, to adopt special, targeted measures, to protect and mitigate the impact of the pandemic on vulnerable groups, including conflict-affected populations. Such measures include, among others, providing water, soap and sanitizer to communities that lack them and specially tailored measures to protect the health and livelihoods of vulnerable groups.⁵⁰

Furthermore, Principle 18 of the Guiding Principles on Internal Displacement states that “1. All internally displaced persons have the right to an adequate standard of living. 2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water.”⁵¹

Finally, we would like to emphasize that all states have a duty not to adopt measures that have a real risk of negatively affecting the rights housing, water, sanitation and health outside their national territory, the violation of this duty does not relieve the State on the territory of which the violation occurs from its obligations under international human rights law, in particular, from its duty to mitigate such negative impacts and to protect the victims.

⁴⁶ General Comment No. 14 (2000), The right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights), E/C.12/2000/4, 11 August 2000, para. 11, <https://digitallibrary.un.org/record/425041?ln=en>.

⁴⁷ *Ibid.*, para. 36.

⁴⁸ *Ibid.*, para. 30.

⁴⁹ *Ibid.*, para. 43 (c).

⁵⁰ Statement on the coronavirus disease (COVID-19) pandemic and economic, social and cultural rights : statement / by the Committee on Economic, Social and Cultural Rights, E/C.12/2020/1, 17 April 2020, <https://digitallibrary.un.org/record/3856957?ln=en>.

⁵¹ Guiding Principles on Internal Displacement, E/CN.4/1998/53/Add.2, 11 February 1998, <https://undocs.org/Home/Mobile?FinalSymbol=E%2FCN.4%2F1998%2F53%2FAdd.2&Language=E&DeviceType=Desktop&LangRequested=False>.

The blockade is an extreme measure that resulted in denying the civilian population of their sustenance. Under international humanitarian law (IHL), included in the Geneva Conventions Additional Protocol I (Protection of Victims of International Armed Conflicts), attacks on ‘objects indispensable to the survival of the civilian population’, (including water infrastructure), is prohibited. These concerns were further expanded in the Geneva List of Principles on the Protection of Water Infrastructure⁵² under Principle 12 and in Rule 10 of the ICRC’s Guidelines on Protection of the Environment in Armed Conflict.⁵³ Both documents outline how “rendering useless” water infrastructure — in this case, the blockade of water in a river — would fall under this category.

Similarly, the 2004 Berlin Rules on Water Resources of the International Law Association⁵⁴ provide that “in no event shall combatants attack, destroy, remove, or render useless waters and water installations indispensable for the health and survival of the civilian population if such actions may be expected to leave the civilian population with such inadequate water as to cause its death from lack of water or force its movement.” The scope of this provision covers the construction of water installations such as dams that block access to water indispensable for the survival of the civilian population.

In the case at hand, a nonstate armed group, SNA, which controls an area, is cutting off essential water supplies to the civilian population. This could be a calculated measure employed by the SNA with the intention of starving the civilian population and/or bringing about their forced displacement as a method of warfare. These methods of warfare constitute violation of IHL rules, which prohibit: “the use of starvation of the civilian population as a method of warfare”⁵⁵ and “attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population.”⁵⁶ To the extent that these measures target particular groups, including minorities, “causing serious bodily or mental harm to members of the group” could arise to the level of acts of genocide.⁵⁷

⁵² Geneva Water Hub and The Platform for International Water Law of the University of Geneva, “The Geneva List of Principles on the Protection of Water Infrastructure, 2019, https://www.genevawaterhub.org/sites/default/files/atoms/files/gva_list_of_principles_protection_water_infra_www.pdf.

⁵³ ICRC, “Guidelines on Protection of the Environment in Armed Conflict,” 25 September 2020, <https://www.icrc.org/en/document/guidelines-protection-natural-environment-armed-conflict-rules-and-recommendations-relating>.

⁵⁴ International Law Association, “Berlin Rules on Water Resources,” Berlin Conference on Water Resources Law, 2004, Article 51, https://www.internationalwaterlaw.org/documents/intldocs/ILA/ILA_Berlin_Rules-2004.pdf.

⁵⁵ International Committee of the Red Cross (ICRC), *Customary IHL*, Rule 53. Starvation as a Method of Warfare: Rule 53. The use of starvation of the civilian population as a method of warfare is prohibited, Volume II, Chapter 17, Section A, ICRC Database, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule53.

⁵⁶ ICRC, *op. cit.* Rule 54. Attacks against Objects Indispensable to the Survival of the Civilian Population, Rule 54. Attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population is prohibited, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule54.

⁵⁷ Rome Statute of the International Criminal Court, 1998, Article 6(c), <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>; Convention on the Prevention and Punishment of the Crime of Genocide, 1948, Article 2(b), https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf.

Türkiye has a military presence in northern Syria and collaborates with the SNA.⁵⁸ This would invoke Türkiye's obligation to ensure respect for IHL.⁵⁹ Thus, Türkiye must exert its influence, to the degree possible, to stop such violations by the SNA and any armed group with which it collaborates.

Moreover, this case also raises issues related to the violation of fundamental human rights such as the right to water, the right to food and the right to life. These human rights complement the prohibition of rendering useless water indispensable to the survival of the civilian population under IHL. SNA arguably has such obligations under human rights law toward the civilian population in the areas it has established *de facto* control and has replaced the national authority.

Conclusion and recommendations

We are concerned that the repeated interruption of water supply from the Alouk water pumping station deprives approximately 600,000 people of their right to clean, safe, sufficient, affordable and accessible water for drinking and other vital purposes. This deliberate deprivation of the human right to water inextricably links to the violations of other human rights such as the highest attainable standard of health, food, adequate housing and livelihood.

Any remedy must involve local communities and civil society organizations in consultations or policies related to the management of water resources, in addition to supporting groups of victims and advocating for their cause and neutralizing water resources from political tensions and ending with support for what is known as environmental peace building in the field of water resources management, by exploring opportunities to reconcile hostile communities to reach common solutions to water resource management problems, especially transboundary ones, with the support of the United Nations or other international organizations.

We request to Human Rights Council Special Procedures to call upon the responsible parties, including the Turkish government and its agent, the Syrian National Army, to:

- **Follow previous communications with Türkiye and Syria to ensure the immediate removal of all dams in the Khabur River halting the blockade of water downstream.**
- **Demand that Türkiye respect international legal obligations on protection of civilian infrastructure, as protected under the Geneva Conventions Additional Protocol I.**
- **Call on all parties to commit to peaceful dialogue toward solutions conflict-related and to climate-linked degrading natural resources.**

⁵⁸ HRC, *op. cit.*

⁵⁹ ICRC, *op. cit.*, Rule 144. Ensuring Respect for International Humanitarian Law Erga Omnes: Rule 144. States may not encourage violations of international humanitarian law by parties to an armed conflict. They must exert their influence, to the degree possible, to stop violations of international humanitarian law, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule144>.

We request to Human Rights Council Special Procedures to call on the international community to:

- **Proactively engage with Türkiye and Syria to ensure that civilians have access to the Khabur River's water.**
- **Call for the establishment of a neutral and multilateral body to manage the operations of the Alouk Station, with a mandate to report directly to the UN Human Rights Council's Independent Commission of Inquiry and Security Council.**
- **Encourage concerned governments to develop a strategy for the region on cross-boundary water challenges linked climate-change linked developments that affect surface and groundwater, soil and vegetation growth across the region, including Türkiye, Syria and Iraq.**
- **Call upon the Human Rights Council and the Independent International Commission of Inquiry on the Syrian Arab Republic to include the blockage of water courses in Syria in their situation monitoring, and systematically include violations of the human right to water and right to a clean, healthy and sustainable environment in their reporting to relevant authorities and state delegations.**
- **Call upon the UN Security Council to ensure regular briefings on water insecurity impacts facing civilians in Syria and other conflict-affected areas during its monthly briefings on the humanitarian situation, and ensure the participation of civil society organizations in the briefings and reporting mechanisms.**