

AMNESTY INTERNATIONAL: RECOMMENDATIONS AHEAD OF THE DONORS' CONFERENCE FOR THE PEOPLE OF TÜRKIYE AND SYRIA AFFECTED BY THE EARTHQUAKE

On 20 March, the European Commission and the Swedish EU presidency will host a [high-level conference](#) in Brussels aimed at coordinating the response of international donors and raising funds for early recovery and relief efforts in both Türkiye and Syria. The conference will be attended by EU member states, candidate countries and potential candidates, neighbouring and partner countries, G20 members, Member States of the Gulf Cooperation, as well as the UN, international organisations, humanitarian actors, and international and European financial institutions. This paper outlines Amnesty International's key recommendations to the EU, EU member states and other countries participating in the “Donors' Conference for the people of Türkiye and Syria affected by the earthquake”.

The catastrophic earthquakes that devastated south-eastern Türkiye and northern Syria on 6 February and again on 20 February require a committed and sustained global humanitarian response. To date, the combined death toll is over 50,000 and climbing. The humanitarian crises resulting from the earthquakes have led to a worsening of the human rights situation in both Syria and Türkiye by exacerbating pre-existing vulnerabilities. Hundreds of thousands have been left homeless and without shelter, food, potable water, and health care, while thousands remain missing.

Aid has been slow in coming and more than one month after the initial quakes, the needs of people and communities in the two countries remain grossly unmet. In Syria, aid provision has been slowed down and obstructed by political considerations and logistical difficulties that have eclipsed the need for an urgent and immediate response to people's needs in the north. In Türkiye, the government has invoked a state of emergency in the affected provinces which according to international law must be provided in law, be necessary and be proportionate to a legitimate state objective¹. Amnesty International will be monitoring the situation to ensure that all measures implemented meet the strict requirements of Türkiye's obligations under the European Convention on Human Rights and other international human rights standards.

Indeed, in times of such crises, human rights are not suspended and there must be concerted efforts towards the promotion and protection of the human rights of everyone, including in the delivery of relief and recovery measures. Amnesty International recently [outlined](#) the obligations of the authorities in the wake of the earthquakes and the human rights challenges in Türkiye and Syria that threaten to undermine the rights of affected populations and to hamper the effective provision of humanitarian assistance.

It will be crucial that representatives participating in this conference adopt a human rights compliant approach to disaster response, recovery and reconstruction efforts and funding. This will be key to ensuring that the fundamental principles of non-discrimination and equality are integrated into the humanitarian response, guaranteeing the efficient and fair provision of humanitarian assistance, free from undue political interference and manoeuvring. Such an approach will also be vital to holding the authorities in Türkiye and Syria to account

¹ Türkiye declared a state of emergency on 7 February 2023 in the disaster affected provinces and subsequently notified the Council of Europe Secretary General of derogations under Article 15 of the European Convention on Human Rights for Articles 4§2, 8, 10 and 11 and Articles 1 and 2 of Protocol No. 1, "to the extent required by the exigencies of the situation."

regarding their compliance with international human rights standards.

Amnesty International therefore calls on the EU, its member states and all representatives participating in the conference to consider the following key issues:

HUMANITARIAN ACCESS:

- **Ensure that all border crossings remain open for as long as necessary for a robust humanitarian response that meets the urgent and long-term needs of the population in northern Syria, without the Syrian government's approval or a UN Security Council (UNSC) resolution:** After the earthquakes, the first UN aid convoy to northwest Syria, travelling from Türkiye through the Bab al-Hawa border crossing, arrived three days after the earthquake. The provision of UN assistance to northern Syria has, in part, been delayed due to the insufficient number of border crossings and coordination-related challenges. Until recently, the Bab al-Hawa crossing was the only UNSC-authorized border crossing into northern Syria and the only lifeline to the millions of Syrians in northwest Syria, after Russia and China vetoed the reauthorization of the Bab al-Salam crossing in July 2020. The UNSC resolution authorizing the Bab al-Hawa border crossing expires in July 2023, and humanitarian organizations are concerned that the UNSC will fail to renew the UN cross border resolution, which would effectively end all aid reaching the region given the Syrian government's record of arbitrarily obstructing aid.

On 13 February – more than a week after the earthquakes – the Syrian government approved the opening of two additional border crossings, Bab al Salam and al-Rai, for UN aid deliveries to northern Syria but only until May 2023.

The scale of the humanitarian disaster will most likely require a long-term response. To that end, states attending the conference should take the necessary measures to ensure that all border crossings remain open for as long as necessary without the need for authorization of the Syrian government nor that of the Security Council. In the event of a UNSC failure to re-authorize the UN cross border mechanism, the international community must do everything that they can to [guarantee](#) that life-saving aid continues to Syrians, including through an intervention at the UN General Assembly.

FUNDING:

Syria:

- **Ensure that funds raised for the people of Syria are allocated solely to the UN and its implementing partners as well as other international non-governmental organizations:** The Syrian government has long arbitrarily restricted access to aid in civilian areas outside of its control. Amnesty International has [documented](#) the widespread and systematic obstruction of aid by Syrian government forces to areas formerly under the control of armed opposition groups. In 2014, these restrictions prompted the UN Security Council to adopt a resolution authorizing the UN to deliver aid across the border with Türkiye to northern Syria under opposition control. This resolution is set to expire in July 2023.

Human Rights Watch has [documented](#) how Syrian government policies have allowed the authorities to regulate the humanitarian response, empowering the government to “divert aid, development, and reconstruction assistance in a way that creates significant (and in many cases realized) risk of discriminating against residents who are not aligned with the government's political agenda, and fails to

allow for aid to be distributed in a manner that respects the rights of the population.” The report adds that the UN and other international organizations can conduct their work only if they partner with a local humanitarian organization, including the Syrian Arab Red Crescent (SARC) which is affiliated to the Syrian government and has close relations to Syria’s security apparatus. That restriction, as well as interference by security forces in the delivery of aid, the overreliance on SARC and the inability to choose other local partners, has hindered the work of international humanitarian organizations.

In the aftermath of the earthquakes, media sources reported that Syrian government affiliated forces have allegedly stolen aid sent to earthquake survivors. Amnesty International [documented](#) two instances in which the Syrian government obstructed and diverted aid in Aleppo city. Meanwhile, Türkiye-backed armed opposition groups have also obstructed the delivery of aid to Afrin, an area in northern Aleppo under the occupation of Türkiye and affiliated armed groups and diverted aid away from people in need to armed group fighters and their families.

All donors have an obligation to act with due diligence to ensure that their assistance and cooperation reaches those who need it most without discrimination and is used in a way that does not contribute to human rights violations.

- **Provide additional funding to what was allocated prior to the earthquake for the UN-led humanitarian response in Syria, as well as to international humanitarian organizations and their local partners:** The humanitarian response in Syria must be adequately funded to meet the needs of at least eight million people in Syria who have been directly affected by the earthquakes, including four million living in government-controlled areas and 4.1 million living under opposition controlled areas in northern Syria. It will therefore be crucial that funding allocated at the conference come in addition to what was already planned for the ongoing humanitarian response frameworks for Syria.
- **Additional funding should be allocated specifically for the humanitarian response in northern Syria, where the already dire humanitarian situation was exacerbated by the earthquakes:** Prior to the earthquake, more than 1,000 trucks carrying UN aid entered to northern Syria per month. However, between 6 February and 28 February, only [583 trucks](#) had entered.

Out of 4.5 million people living in northern Syria, 4.1 million people, including 2.7 million internally displaced, rely on aid for survival. The earthquakes increased their vulnerabilities, especially in relation to access to shelter, food, water, sanitation and healthcare. Donors should work closely with implementing humanitarian partners to enable them to provide adequate shelter which brings dignity and protection to internally displaced people in camps, especially those living in tents. In coordination with implementing partners, donors should aim to address the comprehensive needs of the displaced community in camps through an integrated multi-sectoral and a human rights-compliant approach to providing services such as water and sanitation, health, education, and safe spaces for women and children.

- **Urge the UN for increased transparency in its humanitarian response and a human rights-compliant approach to the delivery of humanitarian assistance:** Donors should urge the UN to adopt a human-rights compliant approach to the delivery of humanitarian aid, while increasing transparency about who is receiving assistance through public reporting on humanitarian aid and access restrictions imposed by parties to the conflict, including the Syrian government.

Türkiye

- **Prioritize funding to the UN, its implementing partners and NGOs and put in place adequate systems of due diligence to ensure that assistance to the government of Türkiye is consistent with international human rights standards and principles of equality and non-discrimination:** Shortcomings in the Turkish authorities' coordination and operational organization of its disaster response, as well as reports of human rights violations including undue restrictions on the right to freedom of expression and information and discrimination against refugees and LGBTI people, threaten to undermine the rights of affected populations and to hamper the effective provision of humanitarian assistance in Türkiye. In light of this, donors must put in place systems of due diligence to ensure assistance to the government of Türkiye is consistent with international human rights standards and principles of equality and non-discrimination.
- **Increase financial and political support to local NGOs in Türkiye to ensure assistance reaches all affected areas and populations:** Since the earthquake, local NGOs in Türkiye have played a crucial role in efforts to improve the living conditions of affected populations and to provide for their basic needs. Increased political and financial support to Turkish civil society organisations engaged in humanitarian relief would contribute to their crucial activities.
- **Call for the facilitation and speeding up of procedures relating to humanitarian operations and work permits for INGOs and their assigned staff:** Humanitarian INGOs have faced bureaucratic obstacles to their operations in Türkiye, including not being able to obtain permits for their humanitarian relief and rehabilitation activities. Given the urgent needs, donors must urge the authorities to end the 'grey area' in which INGOs are forced to operate by facilitating and speeding up the procedures relating to their operation in the country.
- **Ensure that commitments for humanitarian assistance adequately address the needs of refugees in Türkiye:** Any financial assistance for refugees in Türkiye should be directed toward addressing humanitarian needs rather than migration control. Half of Türkiye's 3.6 million Syrian refugees live in the provinces most impacted by the earthquakes, leaving them more vulnerable than ever. Other refugees, including from Afghanistan and Iran, also face precarious conditions as they are not afforded any form of international protection in Türkiye. All refugees in Türkiye should be provided with access to humanitarian assistance.

OTHER FORMS OF SUPPORT TO VICTIMS AND SURVIVORS, INCLUDING AT RISK GROUPS:

- **Facilitate, expedite, and expand possibilities for victims of the earthquakes to access support in the EU:** This includes by relaxing visa requirements, facilitating family reunifications in the EU, applying flexibility with regard to documentation and other requirements, considering humanitarian admission programmes and offering visas on humanitarian grounds for the most vulnerable victims of the earthquakes. Also, consider extending or renewing existing visas and residence permits for people originally from the affected areas.
- **Share responsibility with Türkiye for protecting refugees, including through increased and expedited resettlement and humanitarian admission programmes:** Beyond ensuring adequate financial assistance to humanitarian programmes in Türkiye, participants to the conference should safeguard the rights of people requiring international protection, including by urgently increasing and expediting resettlement and humanitarian admission processes for refugees, as [called for by the UNHCR](#), and providing

complementary pathways to protection, including community sponsorship.

- **Ensure that specific at-risk groups are included in the allocation of humanitarian assistance and that aid is tailored to meet their specific needs.** These groups should be involved in all disaster prevention, response, relief and reconstruction efforts. This includes refugees, internally displaced people, children, women and girls, the LGBTI community, older people and people with disabilities. For a detailed analysis of the needs of these at-risk groups, please refer to Amnesty International's publication [Syria/Türkiye: A Human Rights Response to the February Earthquakes](#).

ACCOUNTABILITY FOR COMPLIANCE WITH INTERNATIONAL HUMAN RIGHTS STANDARDS

- **Hold the authorities in Türkiye and Syria to account regarding their compliance with international human rights standards, using all public statements at or around the conference to promote respect for human rights and to raise concern about:**
 - **Restrictions and obstruction of humanitarian assistance:** Urge all parties to ensure that the fundamental principle of non-discrimination is integrated into the humanitarian response and to guarantee the efficient and fair provision of humanitarian assistance, free from undue political interference and manoeuvring.
 - **Shortcomings in the effective coordination and operational organization of disaster response which seriously hampered lifesaving interventions:** The immediate provision of life-saving aid in the form of personnel, machinery and operational equipment to rescue people trapped in the earthquake rubble is essential. In both Türkiye and Syria, such operational organization has been severely lacking to the point that countless deaths might have been avoided had more concerted rescue plans been triggered from the start of the crisis.
 - **Undue restrictions on the right to freedom of expression and information:** Urge the authorities to respect the right to freedom of expression and ensure that all restrictions on this right, are necessary and proportionate. Underline that media provide news and other information in the public interest and must be permitted to operate freely, especially in times of crisis and that the authorities are obliged to guarantee the right of survivors to timely, relevant, accessible, and accurate information, without discrimination. Participants to the conference should raise concern about the Turkish government's banning of Twitter and Tik Tok on 8 February; the Turkish and Syrian authorities' reported detention of persons critical of the government's response; and recently adopted laws aimed at censoring and silencing critical voices, including the 2022 cybercrime law in Syria and the law to fight disinformation in Türkiye.
 - **Cases of arbitrary detention:** Express concern about the Turkish authorities' detention of at least 257 people in the aftermath of the earthquake for protesting the government's response to the disaster, and the arbitrary detention of people based solely on their criticism. Participants should also raise concern about the reported arrests of individuals in Syria for criticizing the government's aid distribution efforts and accusing the government of siphoning off aid.
 - **Cases of torture and other ill treatment in state custody:** In Türkiye, people detained for alleged looting following the earthquake have been subjected to torture and other ill-treatment in state custody and at least one person is confirmed to have died in custody after being detained by the police. In Syria, torture and other ill-treatment in detention by Syria's security forces, and to a lesser extent armed opposition groups, are prevalent and fostered by a culture of impunity.

Participants to the conference should call for independent, impartial and effective investigations into all allegations of torture and ill-treatment and to hold those found to have committed violations to account in fair trials.

- **Attacks and other human rights violations against refugees and migrants:** Denounce reports of physical abuse, harassment, racists attacks and/or hate speech against Syrian refugees in Türkiye by both civilians and state actors and urge the authorities to secure human rights, on a non-discriminatory basis, to all persons and groups subject to their jurisdiction.
- **Discrimination in the provision of aid:** Urge the authorities not to discriminate against people in the provision of aid including against those at risk of multiple and intersectional forms of discrimination, and to refrain from rhetoric or other action that targets or scapegoats marginalized groups, including in particular LGBTI people, refugees and migrants and to hold accountable any person who discriminates against, levels hate speech at or physically assaults members of these groups. Raise concern that state authorities and civic volunteers in Türkiye have prioritized “traditional” families in providing transportation to access aid and services. Further raise concern about reports that LGBTI people in Türkiye have refrained from attempting to access shelter, health care or other aid for fear of reprisals and concerns about their safety.
- **State and business responsibility in respecting building safety and construction rules:** Promote accountability and respect for human rights, including by urging the authorities to investigate the role that companies may have played in the disaster, for example by flouting building safety and construction rules. Further emphasize the state’s own responsibility and liability for regulating the construction industry, eliminating corruption within it and holding those that violate regulations to account.
- **Continued military attacks on civilians and civilian infrastructure,** as well as indiscriminate attacks in northern Aleppo and northwest Syria, in the aftermath of the earthquakes should be denounced.