

4.6. Persons fearing forced or child recruitment by Kurdish forces

Following the fall of the Assad regime in December 2024, this document has been reviewed and updated. Please consult 'Interim Country Guidance: Syria (2025)'

COMMON ANALYSIS Last update: February 2023

*Minor updates: April 2024

This profile refers to the topic of recruitment under the 'Duty of Self-Defence' and the topic of child recruitment by Kurdish forces.

COI summary

a. 'Duty of Self-Defence' and forced recruitment

[Main COI reference: Targeting 2020, 3.3, pp. 42-43, 4.1, pp. 46-47, 4.2, pp. 47-48]

Compulsory recruitment continued in 2021 based on the conscription law passed by the Kurdish Administration in June 2019 about the 'Duty of Self Defence' [<u>Targeting 2022</u>, 5.3, p.?64]. Geographically, the law applies to the areas of northern and eastern Syria under the control of the Kurdish-led Autonomous Administration.

'Conscription' is mandatory for all male residents, including Syrian nationals and stateless Kurds, living in the territories under the Autonomous Administration. A May 2021 amendment expanded eligibility for conscription to those aged between 18 and 31 years [Targeting 2022, 5.3, p. 64]. Syrians from other parts of the country who have resided in the area longer than five years are obliged to join as well. Men serve in the YPG, while women can join the YPJ on a voluntary basis. It has also been reported that persons who transit between areas held by GoS and SDF risk conscription by both parties since the identity documentation and military deferments issued by one administration are not recognised by the other [Country Focus 2023, 1.2.5, p.29-30].

While under the Kurdish Administration law, members of ethnic and religious minorities are obliged to serve, the law was reportedly not enforced, and they rather joined on a voluntary basis.

The 'Duty of Self-Defence' has to be completed by the age of 40 years and it usually lasts six months. In the case of conscientious objection to join the Kurdish forces or arrest because of refusal to join, the 'Duty of Self-Defence' would be 15 months as a punitive measure. Late enlisters are obliged to serve for an additional month.

Deferrals can be granted by the Self-Defence Duty Department for: students, recent returnees to Syria, and persons with siblings younger than 18 years and a passed away or handicapped father. Exceptions to the 'Duty of Self-Defence' include medical reasons, disabilities, family members of martyrs holding a proving certificate thereof, or only sons. There is conflicting information as to whether the payment of a fee can exempt an individual from the 'Duty of Self-Defence'. However, according to Article 10 (2019) the payment of guaranty (kaf?la) does not exempt from the mandatory service. Lists of people wanted for service in the YPG were issued in 2015.

SDF and YPG have used forced recruitment in addition to the 'conscription' system, in order to supplement their numbers. There were documented cases of arbitrary arrest for recruitment despite applicable postponements for education or medical reasons. The individuals recruited received basic training and were subsequently sent to the frontlines. Following the May 2021 amendment, large-scale campaigns by the SDF in various Arab-majority communities to arrest and forcibly recruit men and women aged between 18 and 31 years were reported. SDF units reportedly pursued young men in their homes and arrested anyone who refused to comply with these decisions [Targeting 2022, 5.3, p. 64].

There were also reports that the SDF was asking returning families to volunteer one man per family to join YPG, which deterred some families from returning to their homes. Some families chose to move from the areas under SDF in order to avoid reprisals, including arrest, for not accepting recruitment.

b. Child recruitment

[Main COI references: <u>Country Focus 2023</u>, 1.4, p. 41; <u>Targeting 2022</u>, 5.3, pp. 64-66; <u>Targeting 2020</u>, 4.3, pp. 48-49]

The SDF and its components, particularly the YPG, continued to recruit and use children in large numbers in 2021 and 2022. Moreover, recent sources noted that, notwithstanding the action plan signed in June 2019 with the UN that aimed to end the recruitment and use of children in conflict, SDF continued to recruit children, whose number increased in 2022, with most of the children being recruited into the YPG or the women's units YPJ. [Country Focus 2023, 1.4, p. 41]

Groups linked to the PKK such as the Kurdish Revolutionary Youth Movement and the Kurdistan Women Union (KWU) were also reported to recruit children in their ranks including through kidnappings.

IDP camps were a source for recruiting children, on some occasions without the permission of their families. Parents usually had no contact with their children once they were recruited and only found out from authorities that their children were in training. After the training period, children were deployed in combat operations [Targeting 2020, 4.3, p. 49]. Recent sources also noted that the Kurdish People's Protection Units (YPG and YPJ) recruited and used boys and girls as young as 12 years old from IDP camps in north-eastern Syria [Country Focus 2023, 1.4, p. 41]. See also the subsection 4.12.2. Child recruitment concerning child recruitment by other groups.

Conclusions and guidance

Do the acts qualify as persecution under Article 9 QD?

SDF/YPG are non-State armed forces, therefore, non-voluntary recruitment by SDF/YPG, even if imposed under the 'Duty of Self-Defence', is considered as forced recruitment. Forced recruitment and child recruitment are of such severe nature that they would amount to persecution.



What is the level of risk of persecution (well-founded fear)?

The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: gender, age, falling within an exception ground, ethnoreligious background, being in an IDP situation, etc.

For men of recruitment age, see also $\underline{4.2.2. \text{ Draft evaders}}$ in relation to the GoS military service.



Are the reasons for persecution falling within Article 10 QD (nexus)?

While the risk of forced recruitment as such may not generally imply a nexus to a reason for persecution, the consequences of refusal, could, depending on individual circumstances, substantiate such a nexus, among other reasons, to (imputed) political opinion.

In the case of child recruitment, the individual circumstances of the applicant need to be taken into account to determine whether a nexus to a reason for persecution can be substantiated. For example, in the case of children who refuse to join the Kurdish forces, persecution may be for reasons of (imputed) political opinion.