More than 10000 children have been killed in Syria by Government’s Forces

Documented by SNHR

More than 10000 children have been killed in Syria by Government’s Forces including 2305 under the age of 10

Report prepared by Syrian Network for Human Rights

Rule 135. of Customary IHL

Rule 135. Children affected by armed conflict are entitled to special respect and protection.

Introduction:

In Mid of February 2012, The nature of Syrian conflict has been describes as a non international armed conflicts, that’s mean each party to the conflict should be bound to apply Common Article 3 to the four Geneva Convections as well as Customary Norms of International Human Rights Law relating to non international armed conflicts.

Security council resolution 1325/2000: emphasizing all member states to implement fully international humanitarian law and human rights, based violence during conflicts.

International criminal law provides means to implement international sanctions for serious violations against customary law, international law and international human rights law Where these crimes are seen as an individual commitment. As noted the international criminal law trial persons accused of such crimes: genocide, crimes against humanity, aggression crimes and war crimes.

As of February 2013, 122 states are states parties to the Rome Statues of International Criminal Court, although Syrian Arab Republic had signed the Rome Statue of International Criminal Court, but has not ratified the treaty yet.

According to Article 13 of ICC (Exercise of jurisdiction)

(b) A situation in which one or more of such crimes appears to have been committed is referred to the Prosecutor by the Security Council acting under Chapter VII of the Charter of the United Nations; or Security council can refer Syrian file to the Prosecutor of ICC for investigation.

First: Unlawful killing:

Documented the death toll killed by Syrian Government Armed Forces

International Humanitarian Law: Rule 89. Murder is prohibited

SNHR: by our daily monitoring and over 100 members deployed in all of the Syrian provinces and their direct connection to the events that took place on the Syrian territory, we have been documented at least the killings of at least 10913 children by Government Forces, the under below annex documenting our file names, photos, date and place of their martyrdom to the date of 21/8/2013.
Among the 10913 victim children there are:
1. At least 530 field executed, either slaughtered by knifes as in Hwola village massacre, Karm Alziton neighborhood massacre, and Rifaai neighborhood massacre in Homs, finally Raas Alnabaa and Biyda village massacre in Baniyas, or shot as what happened in many places and villages all around Syria.
2. 2305 children lee the age of 10
3. 76 are infants

**Different and multiple Types of killing children :**
1- Shelling
2- Sniping
3- Raiding and field executed
4- Shockingly: among at least 194,000 Syrian detainee; more than 9000 children (under 18) Syrian governorates armed forces used against them very violent torture methods and barley differ from methods that treat the adults, they don’t differentiate between children and adults in detention.

Many of those who released told us that they were hearing the crying of the children screaming “we want our mother, we want to get out“

Syrian government armed forces tortured to death at least 87 children where they were arrested, tortured in prisons, they even died while they were in the hands of the executioner.

Please find all the above mentioned details, documented carefully in the following annex (it contain information to 4/6/2013, but the number are updated to 20/5/2013)

**children victims deployed all the Syrian Governorates as follows:**
1- 2252 children killed in Aleppo
2- 2109 children killed in Damascus countryside
3- 1743 children killed in Homs
4- 1435 children killed in Idlib
5- 999 children killed in Daraa
6- 697 children killed in Hama
7- 642 children killed in Dier Alzoor
8- 493 children killed in Damascus
9- 176 children killed in Raqqa
10- 63 children killed in Lattakia
11- 75 children killed other nationalities
12- 70 children killed in Hasaka
13- 28 children killed in Qunaitra
14- 46 children killed in Tartous
15- 2 children killed in Swidaa

Examples of children from various Syrian Governorates narrates their own stories of shelling, sniping, and parents killing by Syrian Government Armed Forces.
Aleppo Governorate:
- Aleppo / Masharqa – 18-4-2013, *child tells* how he was beaten by Syrian Government Shabiha

Dier Alzoor Governorate:
- Dier Alzoor, 31-7-2012, *child tells* how Syrian Government Forces warplanes bombed his house

Lattakia Governorate:
- Lattakia countryside / Alhafa, *child tells* how Shabiha killed his mother

Daraa Governorate:
- Daraa / Dael village, 29-4-2012, *child tells* the story of his injury by a sniper bullet for Syrian Government Armed Forces

Hama Governorate:
- Hama countryside / Latamna, 13-4-2012, *child tells* the details of Latamna massacre committed by Shabiha

Damascus countryside Governorate:
- Damascus countryside / Doma, 3-3-2013, *child tells* how Syrian Government armed forces shelled his house
- Damascus countryside / Kafar Batna, 8-11-2012, *wounded child tells* the killing of his sister caused by shelling by Syrian Government Armed Forces
- Damascus countryside / Doma, 3-3-2013, *child tells* how his twin brother killed caused by Syrian Government Armed Forces shelling

Idlib Governorate:
- Idlib / Sahl Alghab, 30-10-2012, *child tells* how Syrian Government Armed Forces shelled his house

Homs Governorate:
- Homs/ Houla village, 17-1-2013, *child tells* how Syrian Government Armed Forces shelled his house
- Homs/ Karm Alzitoun, 19-3-2012, *child tells* how Syrian Government Armed Forces shelled his house
- Homs / Rastan, 24-7-2012, *child tells* the story of his injury caused by Syrian Government Armed Forces’ warplane shelling on his house

Despite repeated Syrian government’s allegations that it is fighting Al-Qaeda, the Afghan and the terrorist, but the attacks deliberately, systematically and extensively aim civilians, which is considered war crimes under Article 8 of the Rome Statue. Systematic and extensive Syrian armed forces attacks caused Thousands of child victims in all of Syrian governorates, and are therefore tantamount to crimes against humanity according to Article 7 of the Rome Statue.
Second : proportion of the killed children

Civilians are the greatest part of victims killed by Syrian Government Armed Forces, where their proportion is 88% and the proportion of the killed armed rebel is less than 12%. This rate exceeded civilian victims proportion were killed in World War I and II which was 57%.

Proportion of killed children is 12%, which is a very, very high and scary rate and strict proof of targeting civilians by Syrian government’s Armed Forces through systematic shelling by Scud missiles, deliberating Barbaric random shelling with TNT by warplane shelling over the heads of civilians without any discrimination.

Third : Arrest and detention of children :

Article VII of international convention (International Human rights law) clearly prohibited torture and other cruel, inhuman, or degrading treatment or punishment.

SNHR estimates at least 9000 children inside security branches and prisons, were arrested during the raids, many of them arrested to pressure on their relatives.

Many survivor children told the story of their suffering and using against them the same cruel torturing methods against adult men.

SNHR documented the most common tortured methods used against children during their detention in Security Branches or prisons, according to testimonies of children survived from arrest.

1- Using all methods of beating on all body parts by different tools such as stake and electric cables, called colloquially (Robai), to beat on the soles and tread on the head.
2- Completely uprooting fingernails.
3- Removing hair from different parts of the body.
4- Cutting out flesh by forceps from sensitive organs.
5- Cutting out some parts of the detainee body; such as finger, flesh, or stabbing in the back or stomach.
6- Burning detainee’s skin using chemical acids or cigarettes.
7- Exposing the detainee after being enforced to take off all clothes and covers to extreme cold.
8- Depriving the detainee from medical care totally as there is a lack of medical care in large number of prisons.
9- Preventing the detainee to use the toilet but once or twice a day, forcing him/her sometimes to urinate on himself/herself. If the detainee is allowed to use toilet, the period may not exceed a minute. The detainee is also prevented from taking shower, going out and breathing fresh air.
10- Pouring cold water over the body after being hit and wounded.
11- Cracking ribs.
12- Insufficient amount of water and food which are not enough for a quarter of detainees.
13- Pouring boiling oil or water over legs.
14- Cutting the ear using the clipper used to trim the trees.
15- Stressing ears and nose using mallet.
16- Electric shocking, especially in breasts, knees, and elbows.
All those detained children deprived of education and stopped their study years with another at least 150,000 children cause of destruction, shelling and damaging almost 3,200 schools, and breaking into dozens of schools because of student involvement in anti–government demonstrations, more than 140 teachers killed by Syrian Government’s Armed Forces. Syrian Government starkly violated number of Customary IHL rules.

Rule 90. Torture, cruel orinhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment, are prohibited.

Rule 91. Corporal punishment is prohibited.

Rule 120. Children who are deprived of their liberty must be held in quarters separate from those of adults, except where families are accommodated as family units.

Fourth: Sexual Violence

By conducting multiple interviews with sexual violence victims, we found that there are dozens of rapes for minors (under 18), we can’t give accurate statistic, there are many cases couldn’t be documented and others concerned persons declined to talk about, but our estimations refer to more than 400 rapes for minor girls in various Syrian Governorates. Girls under 15 in Refai, Karm Alzaitoun and Baba Amr neighborhoods in Homs raped by Syrian government armed forces, many similar cases took place to other minor girls in Damascus countryside, Iddlib (Precisely Jisr Alshagour), Daraa, Hama, Lattakia and other areas, they are extensive systematic methods reflected negatively terribly on the psyches of those girls, cause they didn’t have sex, some of them didn’t even heard of it, many of them collapsed when they were talking about what happened to them, most documented rape cases occurred during raid, others in detentions.

Rule 93. Rape and other forms of sexual violence are prohibited.

Rape and sexual violence associated non–international armed conflict, and can therefore prosecuted as a war crime committed by Syrian Government Armed Forces. Practice of Rape and sexual assault formed one of torture methods in formal and informal detention centers in violation of International Human Rights Law and International Humanitarian Law.

Fifth: Child Recruitment:

We didn’t document the Syrian Government Armed Forces’ use of child soldiers in its ranks. In the other hand they used children and civilians as human shields during raids.

Rule 97. The use of human shields is prohibited.

Sixth: Refugee Child:

SNHR estimates that more than 75% of the refugee in the neighbor countries are women and children, according to the last statistic conducted with SNHR: the number of Syrian refugees 2,365,000 refugees including 1.1 million child under 18, most of them suffering of harsh living and educational conditions, and urgent need for long time psychiatric treatment for the horror of massacres, shelling, destruction lived within in their towns and villages. Attachment and annexes are samples of the extensive systematic violations took place in all the Syrian governorates against children of the Syrian people.
Homs Governorate:
- Homs, Bab Siba, 28-11-2012, child lost his eye, many operation conducted to him but in vain
- Homs, Rastan, 12-11-2012, trying to revive a child wounded by shelling
- Homs, Rastan, 3-4-2012, child has serious injury cause of shelling
- Homs - Ter Mala village, 14-11-2012, child has serious injury cause of shelling
- Homs - Khaldiah, 20-5-2012, child injured cause of sniper bullet

Daraa Governorate:
- Daraa - Jizzah, 12-7-2012, child shot with three bullets by Syrian Army

Dier Alzoor Governorate:
- Dier Alzoor - Mohasan, 19-9-2012, child lost his leg cause of shelling on bread bakery while he was trying to get some bread

Aleppo Governorate:
- Aleppo – Albab, 18-11-2012, child injured cause of shelling
- Aleppo – Alshaar, 4-11-2012, child injured cause of shelling

Hama Governorate:
- Hama, 18-5-2012, child injured cause of shelling

Damascus and countryside:
- Damascus countryside – Madaia, 5-8-2012, child shot by a sniper bullet
- Damascus countryside – Moazamiat Alsahm, 12-12-2012, child shot by a sniper bullet
- Damascus – Hajar Aswad, 13-12-2012, child injured cause of shelling

Idlib Governorate
- Idlib - Aldan, 26-7-2012, child with severe injured cause of shelling doctors trying to help him but in vain.

Legal conclusions:
Syrian government violated both International Human Rights Law and International Humanitarian Law
According to Article 7 and Article 8 of Rome Statue, and many other rules of Customary IHL (rules No. 89-90-93-97-120-135)
Syrian Government Armed Forces committed extensive systematic war crimes and crimes against humanity by unlawful killings, torture, sexual violence

Armed Rebels:
1- SNHR documented the kill of 22 children, most of them killed during shell by armed opposition against areas loyal to Syrian’s regime.
2- Most common violations committed by Armed Rebels is using children under 18 in dangerous non-combat roles (such as: support fighters, medical support, correspondence, espionage, cooking, and other services etc…), and in some rare conditions fighting and carrying weapons
Conclusions:
1- SNHR are watching with concern using children in dangerous non-combat roles and other rare cases in combat roles and carrying weapons, although it is not extensively.
2- ICC considered conscripting and enlisting children under the age of 15 and using them to participate in hostilities as a war crime.
3- SNHR didn’t documented any case of carrying weapons for children under 15, but there is evidence and documented cases where children participates in non-combat roles.

Condemnation and responsibilities:
Responsibility of states for internationally wrongful acts, similarly Customary IHL provides that states that the state is responsible for all acts committed by a members of its military and security forces, thus the states is responsible of wrongful acts committed by its military and security forces including crimes against humanity.

Prohibition crimes against humanity are among the rules of jus cogens or peremptory, and punish such crimes is compulsory according to the General principles of international law. Moreover, the crimes against humanity are the height violations of basic human rights, such as the right to life and prohibition of torture or other cruel, inhuman and degrading treatment. In accordance with the principles of State responsibility in international law, Syrian Arabic Republic hold responsibility for such crimes and violations, the duty to ensure punishment of the perpetrators individually and the duty to provide compensation to victims.

SNHR hold all violations committed by Syrian Government Armed Forces to the Syrian government and the General Commander of the army and the armed forces, Bashar Al-Assad, and to all the officials of security branches, and to all financially and morally supporters to those forces, with the legal judicial and material consequences to the victims and their families in addition to all the reactions that will come by the families or their friends.

We also condemn violations committed by some armed rebel factions and demand interim government to take its responsibility in this regard.

Recommendations:

Human right council:
1- Call upon security council and relevant organizations to take upon their responsibility towards what’s happening Syrian children from killing, rape, rape and displacement.
2- Exert pressure on the Syrian government to stop torturing, demanding the release of all children and stop pressure on their parents through detention and torture them.
3- Hold the allies and supporter of the Syrian government: Russia, Iran, China, moral and physical responsibility towards what’s happening Syrian children.
4- Serious attention of this case and give it high priority and try to take care of torture victims families.
Security Council:
1- Decision to refer all the criminals and the involved to ICC
2- Warn the Syrian Government Troops of the repercussions of using brutal methods and systematic killing and send clear messages about.

Arab League:
1- Demand Human Right Council and United Nations to give this serious issue the right attention and follow up
2- Serious attention of this case and give it high priority, and try to take care of torture child victims and mentally, physically, educationally rehab them
3- Political and diplomatic pressure on the Syrian Government Troops’ main allies - Russia, Iran and China - to prevent them from continuous providing cover and international and political protection for all the crimes committed against the Syrian people and hold them moral and physical responsibility for all the excesses of the Syrian Government Troops

Transitional Government:
1- Media and Political deserved attention of this case, and continuously raised in Syrian Friends Conferences
2- Demand Human Right Council and United Nations to give this serious issue the right attention and follow up
3- Form specialized committees to follow up the conditions of detainees families and care of them financially and morally
4- Form specialized committees to provide moral and psychological support to rehab children and what’s happening to them from killing, rape, rape and displacement
5- Condemnation, accounting and follow up torture committed by opposition armed factions