

329 Civilians Killed, including 79 Children, in Two Months of Escalation in Eastern Ghouta

The Security Council is in
Deep Sleep

SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Sunday, January 14, 2018

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



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I. Introduction

The de-escalation agreement, which went into effect in May 2017, have failed to end the massacres, violations, and the indiscriminate, or deliberate, attacks by the Syrian-Russian alliance. The local agreements that followed in Eastern Ghouta region and specified the geographical borders for the de-escalation zones, as well as providing for ending hostilities, evacuating medical cases, and the passage of relief convoys haven't fared any better. For example, within 48 hours following the signing of the first agreement on July 22, 2017, between Russian forces and Jaish al Islam, Russian air forces went to commit a massacre in Irbeen city, an area that is included in the agreement, killing nine civilians, including five children. At the time of this writing, we have recorded no less than 28 massacres and 84 attacks on vital civilian facilities, including 12 medical facilities, since July 22, 2017.

Syrian-Russian alliance forces have aggressively elevated the pace of their attacks that target civilians, residential neighborhoods, and civilian objects following an attack by Ahrar al Sham Islamic Movement, an armed opposition faction, on the battlefronts of the Syrian regime on November 14, 2017 – a common mindset that we've seen these forces adopt on multiple occasion where they bomb, kill, and retaliate against civilian neighborhoods that are tens of kilometers far away from the clash lines.

We have outlined the most notable violations of human rights by the Syrian-Russian alliance in Eastern Ghouta in a [past report](#) we released 13 days after the start of the escalated offensive. Also, we have released a [report](#) that shed light on a similar offensive by the Syrian-Russian alliance on Idlib governorate, which is also included in the de-escalation agreement.



Even though the agreements explicitly stated that the Eastern Ghouta siege must come to an end and all medical cases must be evacuated immediately while relief convoys should be allowed entrance to the region, we've only monitored four relief convoys so far that entered Eastern Ghouta since July 22, 2017 - most recently on September 24, 2017. According to [ReliefWeb](#), an organization that assesses residents' needs in areas of crisis, only 25% of the 350,000 residents of Eastern Ghouta had access to aids in 2017.

The Syrian regime barred the critical medical cases, which have been increasing rapidly in light of the Syrian regime's ongoing starvation and denial-of-medical-supplies policies, from being evacuated. This crisis, which hit a critical point back in March 2017, concerns nearly 630 critical medical cases, including cancer, chronic diseases, and wounded who need special surgeries that are beyond the available medical capabilities in Eastern Ghouta. According to a report by the [UNICEF](#), 137 children need to be immediately evacuated from Eastern Ghouta.

Between December 27-29, 2017, the Syrian regime allowed the [Syrian Arab Red Crescent](#) to evacuate 29 critical cases (including nine children and six women) along with 59 of their family members as part of a deal the Syrian regime struck with Jaish al Islam, an armed opposition faction, which required them, in return, to release 29 detainees, including nine Syrian regime fighters. According to one medical personnel in Eastern Ghouta, two individuals of the critical medical cases that were set to be evacuated have died.

On Wednesday, January 10, 2018, the United Nations High Commissioner for Human Rights Zeid bin Ra'ed al Hussein, condemned the current events in Eastern Ghouta, including the siege and indiscriminate bombardment, in a [statement](#) released by the U.N.

Fadel Abdul Ghany, chairman of SNHR, says:

“What's taking place in Eastern Ghouta is a violation to three things at the same time: the law of war, the de-escalation agreements, and bilateral agreements struck with Russia. These things, altogether, haven't been enough at all to protect the civilians in Eastern Ghouta from the retaliation of the Syrian-Russian alliance forces. Instead of targeting clash lines and military fighters, families, houses, hospitals, and schools are being, very contemptibly, killed and bombed.”



Methodology

In the course of the ongoing monitoring for incidents and developments by SNHR team through a wide network that include tens of various sources that have been built over an accumulation of extensive relations since the start of our work. When we receive information, or hear some news about a violation via the internet or media outlets, we work on following-up on this news and try to verify and collect evidences and data. In some cases, the researcher is able to visit the incident location at the soonest. However, this is a rarity in light of the incredibly high security risks, and given the frequency of daily incidents and the human and material resources. Therefore, the possibility to access evidences vary from one case to another, and, hence, the degree of its classification. Usually, what we do, at SNHR, in such cases is relying on accounts from survivors who experience the violation firsthand, where we try to access those directly, and, to a second degree, who saw or filmed the violation, in addition to analyzing available materials from open sources such as the internet and media outlets. Thirdly, we try to speak to medical personnel who treated the wounded, assessed the symptoms, and determined the cause of death.

Please see the methodology adopted by SNHR for [documenting victims](#) and [classifying vital civilian facilities](#)

This report contains seven accounts that were collected through speaking directly with eyewitnesses, and are not cited from any open sources. We have explained the purpose of these interviews to the eyewitnesses who gave us permission to use the information they provided in this report without offering or giving them any incentives.

SNHR has tried to spare the eyewitnesses the agony of remembering the violation, and gave guarantees to conceal the identity of any witnesses who preferred to use an alias.

Furthermore, the investigations included in this report have proved that the targeted areas were civilian areas where no military centers or weapon warehouses for armed opposition factions or extremist Islamic groups were found before or during the attack. Also, Syrian/Russian forces didn't alert the civilians prior to the attacks as the international humanitarian law requires.

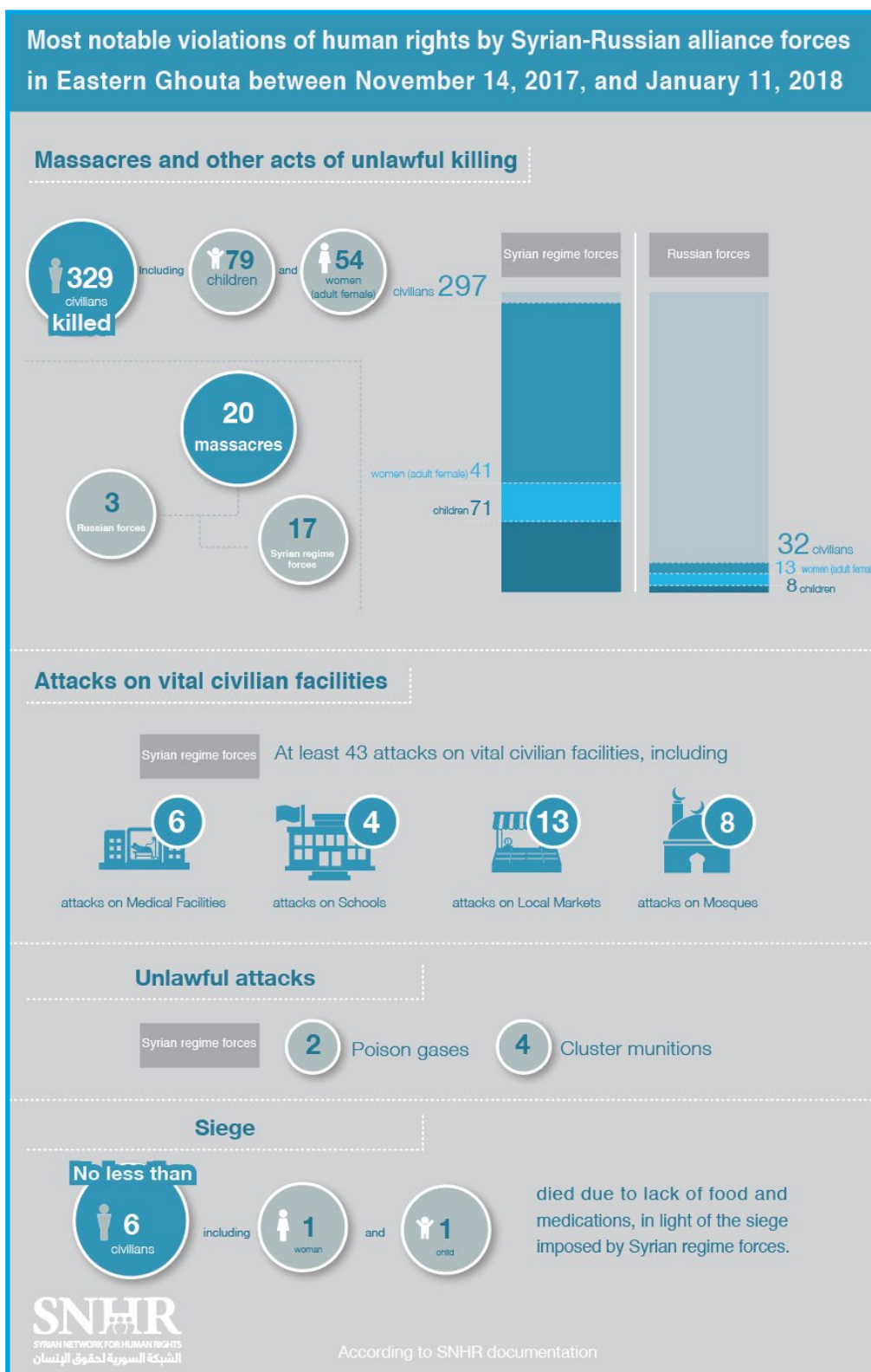
SNHR has analyzed the videos and pictures that were posted online, or were sent to us by local activists via e-mail, Skype, or social media. Some of the videos published by activists show the location of the attacks, the dead bodies, the injured, and the huge destruction in the aftermath of the bombardment.



This report only represents the bare minimum, which we were able to document, of the magnitude and severity of the violation that occurred. It also doesn't cover the social, economic, and mental ramifications.

II. Executive Summary

This report outlines the most notable violations of human rights by the Syrian-Russian alliance in the armed opposition-held Eastern Ghouta, Damascus suburbs governorate between November 14, 2017 and January 11, 2018 through bombardment operations and starvation.



A. Massacres and other acts of unlawful killing: We have recorded the killing of 329 civilians, including 79 children, 54 women (adult female), five civil defense personnel, five medical personnel, and one media activist. Additionally, we have recorded 20 massacres as follows:

- Syrian regime forces: killed 297 civilians, including 71 children, 41 women, four civil defense personnel, five medical personnel, and one media activist. Also, Syrian regime forces were responsible for 17 massacres.
- Russian forces: killed 32 civilians, including eight children, 13 women, and one civil defense personnel. Also, Russian forces were responsible for three massacres.

B. Attacks on vital civilian facilities: We have documented no less than 43 attacks on vital civilian facilities by Syrian regime forces, distributed as follows: eight mosques, six medical facilities, 13 local markets, four schools, two kindergartens, one orphanage, eight ambulances belonging to the civil defense, and one ambulance belonging to the Syrian Arab Red Crescent.

C. Unlawful attacks: We recorded four attacks with cluster munitions, and two attacks with poison gases by Syrian regime forces.

D. Siege: among the victims were six civilians, including one child and one woman, who died due to lack of food and medications, in light of the siege imposed by the Syrian regime forces on the region, in the period of time covered by the report.

III. Details

In this report, we are going to shed light on the incidents that were documented between November 27, 2017, and January 11, 2018, in addition to a number of incidents between November 14, 2017, and November 27, 2017, that weren't included in our past report as they were still being investigated.

A. Most notable massacres and other acts of unlawful killing

Syrian regime forces

Saturday, November 18, 2017, around 14:00, Syrian regime rocket launchers shelled [Hazza](#) town, which resulted in the killing of [five civilians](#), including [three children](#) and one woman, while 10 others were wounded.



Monday, November 27, 2017, around 13:00, [fixed-wing](#) Syrian regime forces warplanes fired [a number of missiles](#) in Madyara village, which resulted in the killing of [nine civilians](#) at once, including [one child](#) and one woman, while about 25 others were wounded.

Monday, November 27, 2017, around 13:00, fixed-wing Syrian regime forces warplanes fired a number of missiles at the local market in Misraba town, which resulted in the killing of five individuals at once, including one child, while about 10 others were wounded.

Tuesday, November 28, 2017, around 13:00, fixed-wing Syrian regime forces warplanes fired a number of missiles in [Hamouriya](#) town, which resulted in the killing of [five civilians](#) at once, including three children, while about 10 others were wounded.

Saturday, December 2, 2017, fixed-wing [Syrian regime forces](#) warplanes fired [one missile](#) in [Irbeen](#) city, which [resulted](#) in [the killing](#) of [seven civilians](#) at once while about [15 others were wounded](#).

Saturday, December 2, 2017, fixed-wing Syrian regime forces warplanes fired missiles in Harasta city, which resulted in the killing of two women.

Sunday morning, December 3, 2017, fixed-wing Syrian regime forces warplanes fired a missile near the road leading to Hazza town in western [Hamouriya](#) town, which resulted in the killing of six civilians. It should be noted that the same warplanes carried out another airstrike with two missiles in the center of the town, resulting in massacre in which 12 civilians were killed.

Wednesday, December 6, 2017, Syrian regime forces artillery fired a number of shells at Irbeen city, which resulted in the killing of two sibling children.

Thursday, December 14, 2017, Syrian regime forces artillery fired a number of shells at Ein Tarma town, which resulted in the killing of two civilians (one female child and her mother).

Saturday, December 30, 2017, fixed-wing Syrian regime forces warplanes fired four missiles at a residential building in the middle of Harasta city, which resulted in the killing of seven civilians from the same family, including five children and one woman. In addition, the building was heavily destroyed.



Saturday, December 30, 2017, fixed-wing Syrian regime forces warplanes fired a number of missiles in Harasta city, which resulted in the killing of [Omran al Shayeb](#), a nurse, as he was tending to the wounded from a previous shelling. It should be noted that Omran is a nurse who was born in al Iteiba village, in 1991, and worked at [Nabd al Marj Hospital](#). Also, Omran is married and a father of one.

Sunday, December 31, 2017, fixed-wing Syrian regime forces warplanes fired a number of missiles in Madyara village, which resulted in the killing of three civilians.

Monday, January 1, 2018, [nurse Osama al Hamouriya](#) died of wounds sustained in a bombing by fixed-wing Syrian regime forces warplanes that targeted Irbeen city with [missiles](#) on Sunday, December 31, 2017, as he was tending to the wounded from a previous shelling, Osama, from Irbeen city, 21-year-old, worked at the Medical Institution's Hospital in Irbeen city.

Tuesday, January 2, 2018, fixed-wing Syrian regime forces warplanes fired a number of missiles in Harasta city, which resulted in the killing of four civilians from the same family, including two children and one woman.

Tuesday, January 2, 2018, Syrian regime forces artillery fired a number of shells at a local market in Douma city, to kill the paramedic [Saif al Din](#) as he was tending to the wounded from a previous shelling. Saif al Din, from Douma city, 35-year-old, worked at the Unified [Medical Office](#) in Eastern Ghouta, married and a father of three.

Saturday, January 6, 2018, fixed-wing Syrian regime forces warplanes fired a [number of missiles](#) at the [residential neighborhoods](#) in Hamouriya town, which resulted in the killing of [17 civilians](#), including six children and six women.

Doctor Majd Dalati¹, researcher at SNHR who was near the attack site, told us: **“I was at the attack site 10 minutes prior to the attack. Everything was quite, but suddenly, we heard the sound of a warplane that fired four missiles at once. Each The missiles landed 50 meters away from each other.”** Majd added that people were in panic and started hiding in basements while medical and civil defense teams rushed to the area: **“Many martyrs had fallen. About 50 were wounded, and they were transferred to a several hospitals in Ghouta.”**





Monday, January 8, 2018, Syrian regime forces artillery fired a [number of shells](#) at a local market in Douma city, which resulted in the killing of [12 civilians](#) at once, including six children and one woman.

Monday, January 8, 2018, fixed-wing Syrian regime forces warplanes fired a number of missiles in Madyara village, which resulted in the killing of five civilians, including two children.

Monday, January 8, 2018, Syrian regime forces artillery fired a number of shells at Saqba city, which resulted in the killing of four civilians, including one child.

Tuesday, January 9, 2018, fixed-wing Syrian regime forces warplanes fired a number of missiles at Hamouriya town, which resulted in the killing of 25 civilians, including 13 children and eight women.

Tuesday, January 9, 2018, Syrian regime forces artillery fired a shell at a [local market](#) in Douma city, which resulted in the killing of five civilians at once.

¹ We contacted him via Facebook on January 9, 2018





Tuesday, January 9, 2018, fixed-wing Syrian regime forces warplanes fired a number of missiles at Saqba city, which resulted in the killing of the media activist [Hazem Abdul Aziz Abdul Wahed](#) who is from Harran al Awamid town, Eastern Ghouta, eastern Damascus sub-urbs governorate, aged 32-year-old.

Russian forces

Sunday, November 19, 2017, around 19:00, fixed-wing warplanes we believe were Russian fired a number of missiles in Madyara village, which resulted in the killing of six civilians (four children and their parents) while about 15 others were wounded. It should be noted that we have included this incident in our past report without specifying which party was responsible for the attack as we managed to determine they were Russian warplanes later.

Wednesday, January 3, 2018, around 21:00, fixed-wing warplanes we believe were Russian fired a [number of missiles](#) at [the residential neighborhoods](#) in the middle of Irbeen city, which resulted in the killing of six civilians (four children and their parents).

Anas al Ta'an², a civil defense volunteer, told us that observatories announced that Russian warplanes took off from Hmeimim Military Airbase between 20:30 and 21:00, before the operators told us that these warplanes carried out three airstrikes on Misraba town, followed by another three in the middle of Irbeen city -each airstrike with one missile: **“We headed for the attack site in Irbeen and found two buildings that were completely destroyed. The first missile didn’t cause any injuries while the third didn’t explode. However, the second one caused a massacre. We couldn’t start working until the scouting planes left, which was nearly at 23:00.”** Anas mentioned that the residents who survived told

² We contacted him via Telegram on January 6, 2018



them about a family living in the destroyed house: **“We were able to pull out three dead bodies - two men and one child. After we left, we learned that the other three family members were found at another location. It seems that the pressure that the explosion produced had killed and tossed them far away.”**

Wednesday, January 3, 2018, fixed-wing warplanes we believe were Russian fired a number of [missiles](#) at residential neighborhood in [Misraba](#) town, which resulted in [the killing of 20 civilians](#), including [11 women](#), and [a civil defense member](#), Basem al Fadli, while about 60 others were wounded.

Malek al Herek ³, a member of Ghouta Media Office, told us that observatories announced that Russian warplanes have taken off and are heading south around 21:00 on January 3: **“We notified all newsrooms so civilians can take precautions. We learned that the warplanes carried out airstrikes in Misraba and Irbeen and committed two massacres in the two towns. I headed with my friend to Misraba, which was about 3 km from my house, and civil defense members were pulling out the victims from rubbles, I documented and took pictures of the people who were in rubbles before heading back home.”** Malek added that the warplane carried out four airstrikes in Misraba – each airstrike was one or two minutes from the one before. Also, Malek said that he learned later that 10 victims were killed in an airstrike while seven were killed in a second airstrike, and three in the last two airstrikes: **“The destruction caused by the missiles was huge. The first missile created a hole with a depth of five meters and a radius of 10 meters after penetrating three roofs.”**



Victims killed in an air attack we believe was Russian, Misraba town – January 3, 2018

³ We contacted him via Telegram on January 6, 2018



B. Attacks on vital civilian facilities

Syrian regime forces

Places of worship

- Mosques

Tuesday afternoon, November 14, 2017, Syrian regime rocket launchers fired a number of rockets at Hazza Grand Mosque in the middle of [Hazza](#) town. The mosque building was partially destroyed and its furniture was moderately damaged.

Saturday, November 18, 2017, fixed-wing Syrian regime forces warplanes fired one missile at Za'bouba Mosque in Irbeen city. The mosque building was heavily destroyed and its furniture was heavily damaged as the mosque was rendered out of commission.

Monday, November 27, 2017, around 12:00, [fixed-wing](#) Syrian regime forces warplanes fired [a missile](#) at the [Old Mosque](#) in Misraba town. The mosque building, its furniture, and [cladding materials](#) were [heavily damaged](#).

Wednesday, November 29, 2017, around 16:05, Syrian regime forces artillery fired a number of shells at Abdul Raouf Mosque in eastern Douma city. The mosque building was partially destroyed and its furniture was slightly damaged.

Thursday, December 14, 2017, around 10:30, Syrian regime forces artillery fired a shell that landed near [Zamalka Grand Mosque](#) in Zamalka town, which resulted in casualties. The mosque building was moderately damaged.

Vital educational facilities

- Schools

Sunday, December 3, 2017, around 11:00, [fixed-wing](#) Syrian regime forces warplanes fired a missile near [Sanabel al Festat School](#), which is affiliated to [Amaal Educational Group](#), in the middle of [Hamouriya](#) town, which [resulted in a massacre](#). Additionally, the school building was partially destroyed and its furniture was [moderately damaged](#) as the school was temporarily rendered out of commission.





Damages in Sanabel al Festat School in the aftermath of a bombing by Syrian regime warplanes, Hamouriya town – December 3, 2017

Friday, January 5, 2018, [fixed-wing](#) Syrian/Russian forces warplanes fired [a number of missiles](#) at Irbeen [High School](#) for Girls in Irbreen city. [The school building](#) was [heavily destroyed](#) and [its furniture](#) was heavily damaged.

-Kindergartens

Monday, November 20, 2017, Syrian regime forces rocket launchers fired a surface-to-surface rocket [near a kindergarten](#) affiliated to Noor Center for Ending the Siege. The kindergarten uses a residential building, and is located in [Kafr Batna](#) town. The kindergarten building was [partially destroyed](#) and its equipment was heavily damaged as the kindergarten was rendered out of commission. It should be noted that a part of the kindergarten building is used as a psychological support center.

Sunday, December 3, 2017, Syrian regime forces artillery fired a number of shells near Iqra kindergarten in [Saqba](#) city. The kindergarten building was partially destroyed and its furniture was moderately damaged as the kindergarten was rendered out of commission.

- Orphanages

Tuesday morning, November 21, 2017, Syrian regime forces rocket launcher fired a number of rockets at Dar Dawhat al Amal building, an orphan house, in al Manfoush neighborhood, Misraba town. The building and its furniture were moderately damaged.



Vital medical facilities

- Medical facilities (hospitals – dispensaries – medical points – makeshift hospitals)

Saturday, November 18, 2017, Syrian regime rocket launchers fired a surface-to-surface rocket at al Rahma Medical Center in [Hazza](#) town. The center building was partially destroyed and its furniture was moderately damaged.

Saturday, January 6, 2018, fixed-wing Syrian regime forces warplanes fired a number of missiles near al Quds Hospital in Hamouriya town. The hospital building was moderately damaged as the hospital was temporarily rendered out of commission.

Doctor Majd Dalati⁴, a SNHR researcher, visited al Balsam Clinical Complex and al Quds Hospital after the bombing: **“The warplanes fired four missiles at once. One of the missiles landed in front of al Balsam complex which contains a number of clinics while another missile landed in front of al Quds Hospital which contains an ICU and a maternity wing. The bombing caused great damages to both facilities as the wooden walls that separate the clinics collapsed while some medical equipment were damaged.”**

Majd added that the same attack resulted in a massacre in the attack: **“Medical personnel and patients were unharmed, and the patients and premature newborns were transferred to other medical points. Currently, both facilities are out of commission.”**

Saturday, January 6, 2018, [fixed-wing](#) Syrian regime forces [warplanes](#) fired a number of [missiles](#) at al [Balsam Clinical Complex](#) in Hamouriya town. The complex building and its equipment were [heavily damaged](#) as it was [rendered out of commission](#).



Image shows destruction in al Balsam Clinics Complex as Syrian regime warplanes fired missiles on Hamouriya town in eastern Ghouta east of Damascus suburbs, on January 6, 2018 | by: Majd Dalati ©SNHR
Damages in al Balsam Clinical Complex in the aftermath of a bombing by Syrian regime forces in Hamouriya town – January 6, 2018

⁴ We contacted him via Facebook on January 9, 2018



Saturday, January 6, 2018, fixed-wing Syrian/Russian forces warplanes fired a number of missiles at the solo medical center in Madyara village. The center building was heavily destroyed and its equipment were heavily damaged as the center was rendered out of commission.

Monday, January 8, 2018, Syrian regime forces artillery fired a shell near al Zahraa Hospital, known as the Maternity Hospital, in the middle of Saqba city. The hospital building was slightly damaged.

Communal facilities

- Markets

Tuesday afternoon, November 14, 2017, Syrian regime forces rocket launchers shelled a local market in the middle of Hazza town. A number of shops were heavily damaged.

Thursday, November 23, 2017, fixed-wing Syrian regime forces warplanes fired a number of missiles at a local market in the middle of Irbeen city. A number of shops were heavily destroyed while others were heavily damaged.

Monday, November 27, 2017, around 13:00, Syrian regime forces artillery fired [two shells](#) at a [local market](#) in Douma city, which resulted in casualties. Additionally, the market facilities were moderately damaged.

Friday, December 22, 2017, Syrian regime forces [artillery fired](#) a number of [shells](#) at a local market in Douma city. [A number of shops](#) were [moderately damaged](#).

Sunday, December 31, 2017, around 14:00, Syrian regime forces artillery fired a shell at a local market in Kafr Batna town, which resulted in casualties. Additionally, two shops, as well as the market facilities, were slightly damaged.

Tuesday, January 2, 2018, [Syrian regime forces](#) artillery fired [a number of mortar](#) shells at a [local market](#) in [Douma](#) city, which [resulted in casualties](#). [Additionally, a number of shops](#), as well as [the market facilities](#), were [moderately damaged](#).





Damages in the aftermath of a shelling by Syrian regime forces on a local market in Douma city
– January 2, 2018

Monday afternoon, January 8, 2018, Syrian regime forces artillery fired three shells that were most likely fired from al Mleiha city. The shells targeted the main market in the center of Saqba city which resulted in casualties. Additionally, four shops were moderately damaged.

Msallam Abdul Basitt ⁵, a photographer, said that approximately three shells landed where he was: **“One of the shells landed on the building that contains al Zahra Hospital and caused slight damages. The second one landed in the local market in the public street before al Mahata Square towards al Jam’iya Square.”** Muslim added that as soon as he got to the site, he saw paramedics pulling out Abu Saleh al Qouatli from his shop after a shell landed in front of him: **“The destruction wasn’t excessive. Only shop fronts were damaged.”**

Monday, January 8, 2018, Syrian regime forces artillery fired a shell at al Hal market in north-western Saqba city, Eastern Ghouta, eastern Damascus suburbs governorate. A number of shops were heavily damaged.

Monday, January 8, 2018, Syrian regime forces artillery fired [a number of shells](#) at the [local market](#) in Douma city, which resulted in [a massacre](#). Additionally, [a number of shops](#), as well as the market facilities, were heavily damaged.

Tuesday, January 9, 2018, Syrian regime forces artillery [fired a shell](#) at the [local market](#) in Douma city, which [resulted in a massacre](#). Additionally, a number of shops were moderately damaged.

⁵ We contacted him via Facebook on January 9, 2018



Infrastructures

- Civil defense facilities (centers - vehicles)

Wednesday, November 15, 2017, around 16:30, Syrian regime forces [rocket launchers](#) fired a rocket loaded with cluster submunitions that landed in the middle of Saqba city. Some of the submunitions detonated near an ambulance belonging to the civil defense with no damages recorded to the ambulance.

Sunday, November 19, 2017, Syrian regime forces opened fire from [machine guns](#) at an [ambulance belonging](#) to the [civil defense's center 200](#) in Douma city as the ambulance staff were working on transporting a medical case to a medical point. The ambulance was moderately damaged.

Monday, November 27, 2017, around 12:00, Syrian regime forces artillery fired two shells near [an ambulance belonging](#) to the civil defense in the middle of Douma city. No damages were recorded to the ambulance.

Saturday noon, December 2, 2017, fixed-wing Syrian regime forces warplanes fired a missile near [an ambulance belonging](#) to the [civil defense's center 90](#) in Harasta city as the ambulance staff was scouting a site that was [previously bombed](#) by the same warplanes. [The missile](#) landed about 25 meters away from the ambulance. As a result, the ambulance driver lost control and the ambulance collided with an ambulance belonging to the Syrian Arab Red Crescent. The two ambulances' structures were damaged to varying degrees.

Tuesday, January 2, 2018, Syrian regime forces artillery fired a shell near [an ambulance](#) belonging to the civil defense in Douma city as the ambulance staff was tending to the wounded from a previous shelling. The ambulance was slightly damaged.

C. Unlawful attacks

Cluster munitions

Saturday, December 2, 2017, around 00:35, Syrian regime forces [rocket launchers](#), stationing in Dahiyat al Assad area in eastern Damascus suburbs governorate, fired two rockets loaded with cluster submunitions that landed in the middle of Saqba city.

Alaa al Din al Dimashqi ⁶, a photographer who works with the civil defense in Damascus suburbs, was able to observe the explosion of one of the rockets: **“That was nearly at 00:32. I saw a red light that lit in the sky, and I heard a faint sound followed by the sound of a strong explosion. Then, I started hearing consecutive explosions, and those were the**

⁶ We contacted him via Facebook on December 4, 2017



cluster bombs. I saw about 15 small explosions. There were no remnants left. It looks like every last bomb exploded.” Alaa provided us with [a picture](#) showing the signs of the cluster munitions’ explosions on the ground.

Poisons gases

Thursday, November 16, 2017, Syrian regime forces used ground shells loaded with poison gases to target Idarat al Markabat battlefield in southeastern Harasta city. As a result, seven individuals (four media activists and three armed opposition fighters) were injured, showing symptoms that included suffocation and redness in the eyes. We couldn’t determine exactly which type of weapon was used due to the heavy shelling on the area on the day of the attack.

Abdul Mun’im Eisa ⁷, one of the media activists who were injured in the attack, told us: **“About 7:30, Syrian regime forces used two mortar shells to target our location. Then, a nasty smell spread around, and I started breathing heavily. At first, I thought that was the smell of tires being burned, which is something that armed opposition fighters usually do, but one of the fighters told me that were targeted with chlorine shells, and told me to go back and put a wet piece of cloth on my face.”** Abdul Mun’im said that it was likely a shelling with poison gases loaded in mortar shells judging from the smell that spread immediately after the shell landed, but he couldn’t conclusively confirm that.

IV. Conclusions and Recommendations

Legal conclusions

1- The Syrian-Russian alliance has, beyond any doubt, violated Security Council Resolutions 2139 and 2254 which both state that indiscriminate attacks must be halted. Also, The Syrian and Russian regime have violated Article 8 of Rome Statute through the act of willful killing which constitutes war crimes.

2- We can confirm that the bombardment mentioned in this report has targeted defenseless civilians. Therefore, Syrian and Russian forces have violated the rules of the international human rights law which guarantee the right to life. Additionally, these violations were perpetrated in a non-international armed conflict which amount to a war crime where all elements were fulfilled.

3- The attacks mentioned in this report, which were carried out by The Syrian and Russian regimes, are considered a violation of the customary international law as the shells were fired at a populated area rather than a specific military object.

⁷ We contacted him via Facebook on November 28, 2017



4- Aerial bombardment has caused collateral damages that involved loss of lives, injuries, and significant damages to civil facilities. There are strong indicators suggesting that the damage was too excessive compared to the anticipated military benefit.

5. Syrian regime forces have breached, through the use of chemical weapons, Security Council resolutions 2118, 2209, and 2235. Also, these forces have breached the CWC which the Syrian government ratified in September 2013.

Recommendations

The Russian regime

- Launch investigations regarding the incidents included in this report, make the findings of these investigations public for the Syrian people, and hold the people involved accountable.
- Compensate all the damaged centers and facilities, rebuild and rehabilitate them, and compensate all the victims' families and the wounded who were killed by the current Russian regime.
- Completely cease the bombing of hospitals, protected objects, and civilian areas, and respect the customary international law.
- As a guarantor party in Astana talks, the Russian regime has to stop failing de-escalation agreements, and apply pressure on the Syrian regime in order to end all indiscriminate attacks and allow an unconditional passage of humanitarian aids to Eastern Ghouta.

The Security Council

- The Security Council has to take additional steps after Resolution 2254 was adopted, which states: **“Demands that all parties immediately cease any attacks against civilians and civilian objects as such, including attacks against medical facilities and personnel, and any indiscriminate use of weapons, including through shelling and aerial bombardment.”**
- The Syrian case must be referred to the International Criminal Court and all those who are responsible should be held accountable including the Russian regime whose involvement in war crimes has been proven.
- Instill security and peace in Syria and implement the norm of the Responsibility to Protect in order to protect the lives, culture, and history of the Syrian people from being destroyed, looted, and ruined.
- Expand the sanctions to include the Syrian, Russian, and Iranian regimes who are directly involved in committing crimes against humanity and war crimes against the Syrian people.



The OHCHR

The Office should submit a report to the Human Rights Council and other organs of the United Nations on the incidents mentioned in this report considering that these attacks were carried out by forces we believe were Russian in coordination with government forces.

The United Nations special envoy to Syria

- Expand Security Council briefings rather than only limiting them to the violations of al Nusra Front and ISIS
- Condemn the perpetrators of the crimes, the massacres, and those who were primarily responsible for shattering the de-escalation agreements.

The International Community

- In light of the split of the Security Council and its utter inability, Steps must be taken on the national and regional levels to form alliances to support the Syrian people that would protect them from the daily killing and siege and enhance the support for the relief efforts. Additionally, the principle of universal jurisdiction must be activated in local courts regarding these crimes in order to conduct fair trials for all those who were involved.
- SNHR has repeatedly called for the implementation of the “Responsibility to Protect” in tens of studies and reports and as a member of the International Coalition for the Responsibility to Protect (ICRtoP) after all political channels through the Arab League’s plan and then Mr. Kofi Annan’s plan have been drought out as well as the Cessation of Hostilities statements and Astana agreements that followed. Therefore, steps under Chapter VII of the Charter of the United Nations should be taken and the norm of the “Responsibility to Protect”, which was established by the United Nations General Assembly, should be implemented. The Security Council is still hindering the protection of civilians in Syria.
- Renew the pressure on the Security Council to refer the case in Syria to the International Criminal Court
- Work on fulfilling justice and achieving accountability in Syria through the United Nations General Assembly and the Human Rights Council and work on activating the principle of the universal jurisdiction.

Acknowledgment and Condolences

Our most heartfelt gratitude and condolences to all the residents and local activists who contributed effectively to this report.





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