

The Syrian Regime Perpetrates a Massacre in Hamouriya Town Two Days after Geneva Talks' Fifth Round Start

17 Civilians Killed including Three
Children and Seven Women

SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Sunday, April 30, 2017

The Syrian Network for Human Rights, founded in June 2011, is a non-governmental, non-profit independent organization that is a primary source for the United Nations on all death toll-related statistics in Syria



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I. Introduction

Hamouriya town administratively follows Eastern Ghouta in Damascus suburbs. Under the control of armed opposition factions since 2012, the town, which is located seven kilometers away from the capital Damascus, has been under a siege imposed by Syrian regime forces since October 2012. The town's current population is approximately 30,000 people who mostly are IDPs who came from Joubar, al Mleiha, Hatitat al Turkman, and al Marj areas.

In this report, we will document a bombardment by fixed-wing Syrian regime forces war-planes that targeted a market in Hamouriya town. SNHR team contacted a number of city residents, eyewitnesses, survivors, and local media activists, as this report includes three accounts. We have explained the purpose of the interviews for the witnesses 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 them the agony of remembering the violation as much as possible. We also made sure to conceal the identity of any witnesses who preferred to use an alias.

We have reviewed the pictures and videos we received, and verified their authenticity. These pictures show the heavy destruction that resulted from the bombing. In addition, other pictures showed children victims. We have copies of all the pictures and videos mentioned in this report in a secret online database, and back-up copies on hard drives. For more information, please see our general work [methodology](#).



The investigations included in this report have proven 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.

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 psychological ramifications.

II. Details

On Saturday, March 25, 2017, around 09:40, fixed-wing Syrian regime forces warplanes fired no less than four missiles that targeted the center of al Rawda Street near the main market in the middle of [Hamouriya town](#), which resulted in the killing of 17 civilians including three children and seven women (adult female), and injured 30 others at least. Additionally, [al Rawda Mosque](#) was heavily damaged, and tens of shops were destroyed as well as a number of cars.





Khaled al Umari, who is member of the International Institution for Social Development in Eastern Ghouta, was a few meters away from the bombed site. Khaled told us, via Facebook, that he was going to the market to buy some things, when the market was targeted at 09:40. Khaled pinpointed the targeted place in al Rawda Street near al Rawda Mosque: “It is the largest market in the mid-section of Eastern Ghouta, and one of the most civilian-crowded places. I counted more than 70 shops that were completely destroyed, and a number of dead children and women. Where are the armed men whom they are supposedly targeting?!”

Khaled gave us [a video](#) he recorded at the medical point in Hamouriya town. The video shows a great number of wounded people including three children at least. Among the three children were a child with a critical injury



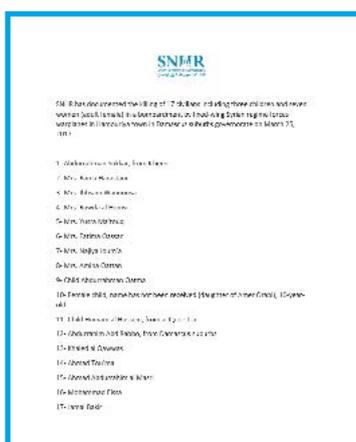
Muslim Abdul Baset, a photographer who visited the market in the aftermath of the airstrike. Muslim, whom we contacted via Facebook, told us that he heard the explosions, as he was only one kilometer away from the market. He saw civil defense and medical teams putting out fires and pulling out the victims and the wounded: “They pulled out victims from the rubbles of a toy store, and other victims from the rubbles of a detergent store. All of them were civilians who were only shopping for their daily needs. I saw women trapped under the rubbles of their homes. I took some pictures of the market, the destruction, and the victims. A few hours later, Syrian regime forces targeted the market again with mortar shells.”

We contacted Abdul Mu’in, a documentation official at the medical point in Hamouriya town, via Facebook. Abdul Mu’in told us about the number of victims and the wounded who were rushed to the medical point: “Ambulances took some time to arrive at the targeted site, as the great destruction that resulted from the airstrikes had heavily hindered the traffic movement. We received tens of injuries, some of them were centered in the head and eyes, in addition to five amputation cases. Doctors conducted no less than 20 surgeries which mostly were on women and children of no more than four years of age. There were 25 critical cases.”

“The regime claims that the target was a gathering for Failaq al Rahman. However, the area is one of the most civilian-crowded areas, where no military presence is to be found.”

III. Attachments

Victims’ names





Destruction in “Hamouriya town” market, after an airstrike by Syrian regime forces



Two injured children at the medical point in Hamouriya town after an airstrike by Syrian regime forces – Picture by: Muslim Abdul Baset





Three victims including two children in the aftermath of an airstrike by Syrian regime forces in a market in Hamouriya town

IV. Conclusions and Recommendations

Legal conclusions

- 1- The Syrian regime has, beyond any doubt, violated Security Council Resolutions 2139 and 2254 which both state that indiscriminate attacks must be halted. Also, they 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 armless civilians. Therefore, Syrian 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 regime, are considered a violation of the customary international law as the shells were fired at a populated area rather than a specific military object.
- 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.



Recommendations

The Security Council

The Security Council has to take additional steps as Resolution 2139 has been adopted and no pledges to cease the indiscriminate bombardment operations have been made. All the parties to the conflict must respect the Resolutions and adhere to the rules of the international humanitarian law.

The Syrian case must be referred to the International Criminal Court and all those who are responsible must 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 and Iranian regimes who are directly involved in committing crimes against humanity and war crimes against the Syrian people.

The Office of the United Nations High Commissioner for Human Rights

The Office must submit a report to the Human Rights Council and other organs of the United Nations on this massacre specifically considering that it is a glaring sign in a string of daily, sporadic and less significant massacres. The OHCHR also should work on implementing the recommendations included in this report.

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.



The European Union and the United States of America

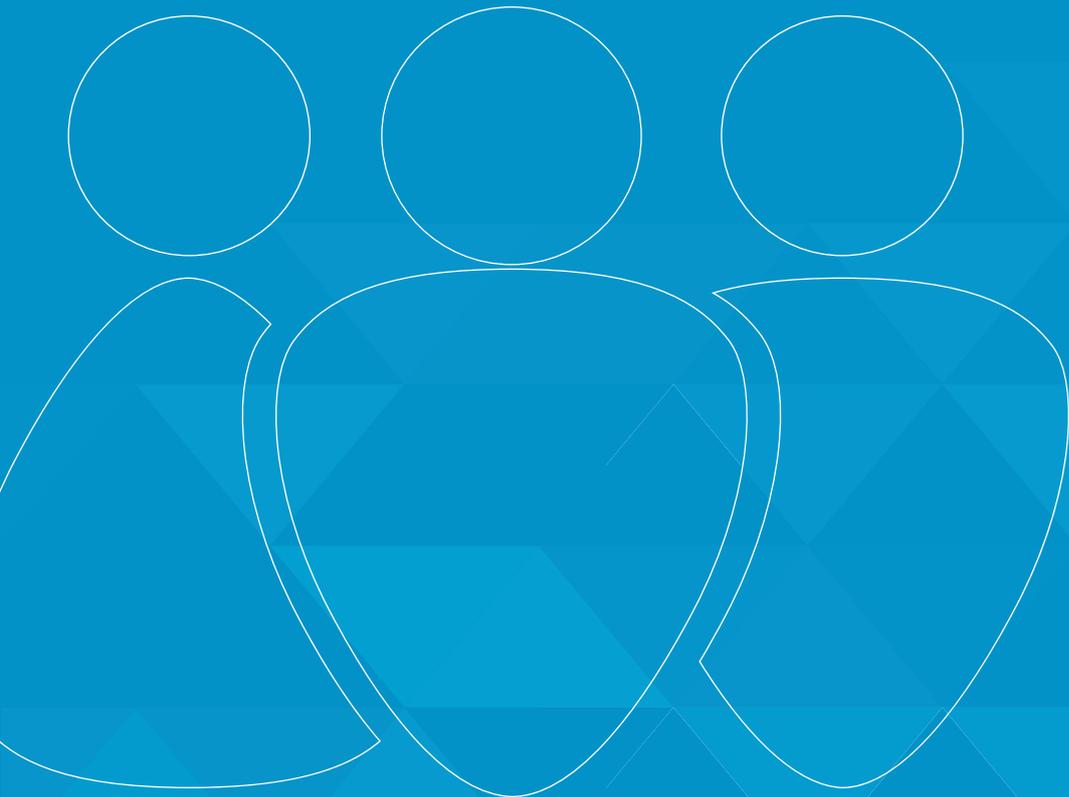
Support the International, Impartial and Independent Mechanism that was established in accordance with General Assembly Resolution 248/71 that was adopted on December 21, 2016. And establish local tribunals that enjoy a universal jurisdiction, and work on the war crimes that were perpetrated in Syria.

- 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 were drought out. Therefore, steps under Article 7 of the Rome Statute must be taken and the norm of the Responsibility to Protect, which was established by the United Nations General Assembly, must 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

We would like to thank and extend our most heartfelt condolences to all the families and local activists in Hamouriya town who effectively contributed to this report.





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