



25 Civilians Killed as Government Forces Bomb Al Mayadeen City with Cluster Munition No less than 232 Cluster Attacks by Government Forces since it was First Used

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I. Introduction

The Syrian regime used cluster munition for the first time in 2012 and continued using cluster munition following that attack where we have recorded no less than 232 cluster attacks from- it was first used by government forces in July 2012 until 15 December 2016. Over the past five years, we published a [number of reports](#) and said that the Syrian regime is the worst in the world in terms of the use of cluster munition in the past years. Our colleagues at the Cluster Munition Coalition have published several reports that prove that as well as our colleagues in Human Rights Watch. Since 2013, 113 states condemned the massive use of cluster munition by the Syrian regime at the United National General Assembly. This wasn't enough, however, to stop the Syrian regime from conducting cluster attacks. 2016 saw a noticeable drop in the rates of the use of cluster munition by the Syrian regime. In contrast, Russian forces elevated their use of cluster munition as we have documented no less than 147 attacks using cluster munition by Russian forces alone since they intervened in Syria on 30 September 2016.

In this report, we document the targeting of the garage in Al Mayadeen city with missiles loaded with cluster submunition by fixed-wing government forces warplanes. Al Mayadeen city is located in the eastern suburbs of Deir Ez-Zour, and it is about 45 kilometers away from Deir Ez-Zour city. The city is populated by no less than 200,000 people who are mostly IDPs from different parts of Deir





Ez-Zour governorate. Al Mayadeen city has been under the control of ISIS since 3 July 2014.

SNHR team spoke to a number of the city residents, eyewitnesses, and survivors in addition to local media activists. This report includes one account. We have explained the purpose of these interviews for the eyewitnesses who gave us their permission to use the information they provided in this report.

We have also reviewed the pictures we received and verified their authenticity. The pictures show ShOAB-0.5 cluster remnants. We have copies of all the videos and pictures that are mentioned in this report.

The investigations mentioned in this report showed that the targeted areas were civil areas where there were no military centers or weapon warehouses for extremist Islamic groups 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. Additionally, this report doesn't cover the social, economic, and psychological ramifications.

II. Details

Thursday 15 September 2016, fixed-wing government forces warplanes fired a number of RBK-500 missiles loaded with ShOAB-0.5 cluster submunition targeting the garage in Al Mayadeen city. The garage is considered a vital area that contains passenger buses and stalls. The bombing resulted in the killing of 25 civilians including nine children and three women. In addition, about 30 others were wounded.

Pictures showing the location of the garage





SNHR spoke to Mrs. Abu Ahmad, via WhatsApp, who provided us with his account:

“The airstrikes started early in the morning. One of the airstrikes targeted Al Rahba castle in the city. The airstrikes lasted for nearly two hours, and one of the missiles fired fell near the basement I was hiding in along with my family which shattered the glass windows.”

“Around 12:30 PM, we heard ambulances and Al Rawda mosque issued out calls to go to Al Nour hospital and donate blood. I went there and saw a large number of victims and wounded. Some of them were laying in the hallways and many of them were children and elders.”

“I learned from someone there that the bombardment targeted the garage, which is an area that is heavily crowded with civilians, with missiles carrying hundreds of cluster submunition. I couldn’t go to the garage because ISIS members stopped people from gathering out of fear that they might be another bombing.”

“The garage is a vital area that contains a number of busses and some small stalls. There are no centers for ISIS or their members there.”

III. Appendixes and Attachments

Victims’ names



Pictures showing a part of a cluster munition after the bombing by fixed-wing government forces warplanes on Al Mayadeen city





IV. Conclusions and Recommendations

1- The use of cluster munition by government forces is considered a violation of both the distinction and proportionality principles of the international humanitarian law. The incident addressed in this report amount to a war crime especially that evidences show that cluster munition were used against civil targets rather than specific military objects.

2- Despite the fact that more than 140 states around the world have condemned the use of cluster munition by the Syrian regime through the United Nations General Assembly, the regime seems to insist on using that weapon. The regime has massively expanded the use of cluster munition in 2014 which shows an utter disregard and carelessness despite the unanimous condemnation.

3- 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 amounts to a war crime where all elements were fulfilled.

Recommendations

The Security Council

- The Security Council has to adopt a binding Resolution to destroy all cluster munition in Syria as was the case with chemical weapons.
- The Security Council has to take additional steps as it has been more than two years since Resolution 2139 was adopted and no pledges to cease the indiscriminate bombardment operations have been made. All the conflict parties must respect these steps 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 perpetrating war crimes have 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 Russian government

The Russian government has to specifically cease supplying the Syrian government with weapons after it was proven that government forces are using these weapons in crimes against humanity and war crimes against civilian citizens. On the other side, the State Friends of Syria must apply serious pressure on the various political and economic levels on the Russian government in order to achieve that.

The United Nations

The United Nations have to start preparing extensive studies on the sites where government forces used cluster bombs in order to alarm the residents of these areas and accelerate the process of neutralizing the bombs that haven't exploded. Thousands of hectares in Syria have been tainted with cluster remnants. As usual, The Syrian Network for Human Rights is willing to help in that regard.

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 and the massacres that preceded considering that these massacres are an explicit and glaring sign among daily sporadic and less severe massacres. Also, the Office should try to implement the recommendations in the 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 killings 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 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

Our thanks and condolences for the families and local activists who contributed majorly to this report.

