

Al Wa'er Neighborhood Residents Join 12 Million Forcibly Displaced Syrians

They Have No Choice

SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Tuesday, April 18, 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



Report Contents

- I. An Introduction on how Millions of Syrians have been Displaced
- II. Al Wa'er Neighborhood
- III. Coerced Truces that Aim for more Forced Displacement
- IV. A Summary for the most Notable Violations that Led to Forced Displacement
- V. Details
- VI. Conclusions and Recommendations
- VII. Attachments

I. Introduction

The Syrian regime's aerial bombardment and land shelling have resulted in killings and massacres that have been ongoing since the very first days of the popular uprising in March 2011 towards freedom, in addition to the destruction of hundreds of thousands of houses. We, at SNHR, believe that this is the main reason that led to forced displacement. The second reason is the regime's three machine: "Arbitrary arrest, torture, and enforced-disappearance". The third reason is sexual violence, and the fourth reason is the siege, and then comes several other factors and violations. All of this has paralyzed the society and forced people to flee just to survive. No less than six million Syrian citizens are now IDPs who fled their original places of residence, while nearly seven million Syrians have become refugees abroad.

The Syrian regime and its two allies, the Iranian and Russian regimes, are responsible for 85% at least of the forced displacement operations in Syria, followed by ISIS (the self-proclaimed the Islamic State), and then the Democratic Union Party, which is a branch for the Kurdistan Workers' Party. Those three parties have displaced most of the IDPs and refugees. According to our periodic studies and reports on the various kinds of violations, we have enough compelling reasons to believe that those parties have practiced displacement in a systematic and widespread manner against civilian residents, which constitutes a blatant violation to the Geneva Conventions, and amounts to a crime against humanity according to Article 7 of the Rome Statute of the International Criminal Court. Moreover, none of these parties had sought measure to provide shelter, health care, or food for the displaced civilians.



We can't justify these displacements by military reasons or for the sake of protecting civilians, as these parties are still banning those who were displaced from returning to their homes, and, on the contrary, those people are facing the threat of being pursued and killed which violates rule 132 of the customary international humanitarian law.

Some of the displacement operations carried out by the Syrian regime have shown a sectarian nature, while ISIS's operations exhibited a sectarian nature when the group attacked Christian areas, and an ethnic nature when he displaced Kurds, as we said in a number of past reports. On the other hand, the Kurdish Democratic Union Party showed an ethnic nature in its operations against Arabs, which was the case in [al Hasaka governorate](#) and Tal Abyad area in al Raqqa governorate as we pointed out in past reports. This behavior constitutes a war crimes according to Article 8 of Rome Statute.

Also, armed opposition factions' attacks caused residents to flee and displace in some of these areas, while the international coalition forces' bombardment caused additional displacements.

Fadel Abdul Ghany, chairman of SNHR, says:

“Hundreds of thousands of IDPs are living in camps, or in the woods, or in towns and cities that aren't their original places of residence. Most of these people rely on humanitarian aids, and can't go back home because of the ongoing bombardment, fear of being arrested, torture, conscription in the Syrian regime's army and militias. Most of these people are suffering from severe poverty. All of this have resulted in a fragmented society whose heritage is heavily destroyed.”



Since the end of February 2013

II. Al Wa'er Neighborhood

al Wa'er neighborhood, located in western Homs city and of an area of 3 kilometers², has been under the control of armed opposition factions. In mid-2012, the neighborhood's population reached 350,000 people at least, who most of them were IDPs from Homs's southern neighborhoods and Old Homs's neighborhoods.

Al Wa'er neighborhood is surrounded by a number of military points and facilities: The college of warfare, the military hospital, and the military forces that are stationed al Wa'er groves, in addition to the armed Shiite militias that are stationed in al Zarzouriya and al Mazra'a villages which both are of a Shiite majority. Also, the rocket launchers and snipes who are stationed on al Kardiniya Tower target the neighborhood from time to time.

Thursday, October 10, 2013

Syrian regime forces imposed a siege on al Wa'er neighborhood. At that time, the neighborhood's population was 100,000 at least. The checkpoint surrounding the neighborhood obstructed the delivery of food and medical supplies, and fuel except on rare occasions under pressure and blackmailing.

The neighborhood has been targeted in a number of military operations, where the Syrian regime forces escalate their attacks on the neighborhood and tighten the siege from time to time. The neighborhood was the point of focus in a number of agreements and truces between the Syrian regime and armed opposition factions.

Saturday, November 8, 2014

a truce was struck in the neighborhood between armed opposition factions and Syrian regime forces that established a ceasefire, and stated that 12,000 food baskets would enter the neighborhood for the people besieged inside at the request of the Office of the United Nations High Commissioner for Human Rights and under the sponsorship of the International Red Cross and the Syrian Arab Red Crescent. On the following day, the Syrian regime forces breached the truce, and targeted the



neighborhood with rockets, mortar shells, and tank shells which obstructed the passage of the aid convoy, as we documented in a [past report](#).

Tuesday, December 1, 2015

a new truce was under a United Nations sponsorship. The agreement was divided into stages, where groups of armed opposition fighters and their families would leave al Wa'er neighborhood for Idlib suburbs and the northern suburbs of Homs, and in exchange the Syrian regime would release a number of detainees and reveal the fates of others. Also, the agreement stated that food and medical supplies would enter the neighborhood, and provided for the facilitation of civilians' movement from and to the neighborhood. Some of the agreement's provisions were executed such as the ceasefire, and al Muhandiseen crossing was opened. Additionally, [a group of armed opposition fighters left the neighborhood](#) along with [their families](#) on December 9, 2015 for Idlib suburbs, and [some families](#) left the neighborhood via al [Muhandiseen](#) crossing to the rest of Homs neighborhoods.

Thursday, March 10, 2016

Syrian regime forces re-shut the crossing completely, hindered the passage of food and medical supplies, and impeded civilians' movement, which deepened the suffering of the civilians and complicated the living and health situation for the residents, as we documented in a past report: ["The continuing siege of "Daraya" and "Al Wa'er Neighborhood"](#)

In late-September 2016

[a second group left the neighborhood](#), as part of the U.N. agreement to the northern suburbs of Homs governorate, and the crossing was opened for only one month, [before Syrian regime forces re-shut it](#) and hardened the siege on the [28,000 civilians](#) who [remained](#) in the [neighborhood](#).

February 5, 2017

Syrian regime forces and the pro-regime Shiite militias escalated their attacks on the neighborhood, shelling residential buildings and vital civilian facilities with mortar shells and artillery, in addition to tens of airstrikes by Su-22, Su-24, and MiG-23. Also, [highly-explosive parachute missiles](#) were used.





A Su-22 warplanes targeted al Wa'er neighborhood in a number of airstrikes, February 27, 2017. Photograph by Mohannad al Hmoud



A parachute missile dropped by a fixed-wing Syrian regime forces warplane in al Wa'er neighborhood, March 2, 2017. Photograph by: Mohannad al Hmoud.



III. Coerced Truces that Aim for More Forced Displacement

All the truces and reconciliations were implemented at the expense of the disregarding the international humanitarian law, wherein not even one truce or reconciliation would have been struck, had its rules were considered. All of these so-called truces and reconciliations were implemented under submission and oppression, and through violating the international humanitarian law that manifested in siege, indiscriminate shelling, starvation, obstruction delivering aids and civilians' movement. The option to accept these truces and reconciliations is the least catastrophic option, as there is, certainly, no willingness or intention to agree on a deal with the ruling regime who violated many of those agreements.

In 2016, these truces were executed in a number of areas in Damascus suburbs such as Darayya city, which we highlighted in [a report](#), al Mu'damiya and Khan al Sheih towns in Damascus, and Aleppo city's eastern neighborhoods. The Commission of Inquiry's [report](#), published on February 2, 2017, that was devoted to addressing the east part of Aleppo city has deemed the displacement of the residents from Aleppo's eastern neighborhoods a war crime. This report will focus al Wa'er neighborhood, where we will be primarily highlighting what the neighborhood was subjected to such as shelling, arrest, enforced-disappearance, the siege and its ramifications, and the most significant reasons behind the forced displacement that took place in the neighborhood recently.

Cumulatively, SNHR recorded, through the daily documentation processes, the following in al Wa'er neighborhood from the beginning of the popular uprising in March 2011 until March 13, 2017:

- Extrajudicial killing
- Barrel bombs
- Incendiary weapons
- Targeting of vital civilian centers
- Enforced-disappearance
- Deaths due to the siege

This only represents the bare minimum of what we were able to record in light of the siege, and the intensity and magnitude of the violations. All the incidents are recorded with dates, pictures, location, and other details. We haven't included the destruction of building, as those are very difficult to record. Also, this report doesn't cover the psychological ramifications.



Following the displacement of the original residents, local pro-regime militias loot and wreck the houses and properties. This was the case in Banyas and Old Homs, where Banyas city's residents didn't returned to their homes. Instead, these houses were used by settlers who follow the Alawite sectarian group that control the sectarian regime that rule Syria.

IV. A Summary for the most Notable Violations that Led to Forced Displacement

These figures cover the period of time between the start of the popular uprising in March 2011 and March 13, 2017

We outlined the most notable documented attacks by the Syrian regime forces and their allies:

A. Massacres and unlawful killing: we recorded the killing of no less than 891 civilians including 58 children and 56 women (adult female).

B. Targeting of vital civilian facilities: we recorded 31 incidents of attack on vital civilian facilities at least.

C. Unlawful attacks (barrel bombs): we recorded no less than 152 barrel bombs.

D. Incendiary weapons: one attack

E. Siege: we recorded the death of 16 civilians due to siege who are divided into:

- Food shortage: 13 civilians including five children and two women (adult female).
- Medicine shortage: three civilians including two children.

F. Enforced disappearance: we recorded no less than 647 individuals including nine children and 11 women (adult female)

V. Details

A. Massacres and unlawful killing

SNHR documented the killing of no less than 891 civilians including 58 children and 56 women (adult female) at the hands of the Syrian regime forces from March 2011 until March 13, 2017. Among the victims were 173 individuals who were killed by snipers including 12 children and nine women (adult female). Also, we recorded no less than 10 massacres.

Saturday, January 11, 2014, Syrian regime artillery fired a number of mortar shells at the neighborhood, which resulted in the killing of 28 individuals including one child and two women. Additionally, a number of residential buildings were damaged and fires broke out in the area.

Wednesday, October 15, 2014, Syrian regime artillery fired an explosive cylinder at the neighborhood, which resulted in the killing of 10 individuals including two children and two women. Additionally, the shelling caused some destruction in a number of residential buildings.



Saturday, October 25, 2014, Syrian regime artillery fired an [explosive cylinder](#) at the neighborhood, which resulted in the killing of seven individuals including one child.

Tuesday, December 16, 2014. Fixed-wing Syrian regime forces warplanes carried out six missile airstrikes in the neighborhood, which resulted in the killing of 40 individuals including seven children and 10 women. Additionally, a residential tower was destroyed, and a number of buildings were heavily damaged.

Saturday, September 26, 2015, Syrian regime forces rocket launchers fired a surface-to-surface rocket at a children's playground at a time when children and families were gathering, which resulted in the killing of 29 individuals including 17 children and four women. We had released a [report](#) documenting the details of this incident.

Wednesday, February 8, 2017, Syrian regime forces rocket launchers fired a number of "Pheel" rockets in conjunction with a mortar shelling by Syrian regime artillery, which resulted in the killing of 11 individuals including four children and two women.

B. Targeting of vital civilian facilities

SNHR documented no less than 31 incidents of attack on vital civilian facilities in al Wa'er neighborhood by Syrian regime forces from March 2011 until March 13, 2017

- Eight incidents of attack on places of worship (mosques).
- Seven incidents of attack on vital educational facilities.
- Eight incidents of attack on vital medical facilities.
- Five incident of attack on civil defense centers.
- Two incidents of attack on communal facilities.
- One incident of attack on a power station.

Monday, November 18, 2013, Syrian regime forces fired a surface-to-surface rocket at al Walid Hospital in the neighborhood, which resulted in the killing of eight individuals including one child, two women, and four medical personnel. Additionally, 40 others were wounded, and the hospital was heavily damaged. We had released a [report](#) documenting this incident.

Friday, January 3, 2014, Syrian regime forces artillery fired a number of shells at al Ra'is Mosque "known as al Umari Mosque" in the neighborhood. The cladding materials on the southern front of the mosque were destroyed almost completely.



Saturday, March 29, 2014, Syrian regime forces rocket launchers fired a surface-to-surface rocket near a [makeshift hospital](#). The hospital building was [heavily damaged](#). As a result, the hospital was rendered out of commission.

Friday, August 15, 2014, Syrian regime forces artillery fired a shell at al Kendi school, which is affiliated to the UNICEF, in al Wa'er neighborhood. The school building was partially destroyed.

Sunday, October 26, 2014, fixed-wing Syrian regime forces warplanes fired a [number of missiles](#) at a [commercial complex](#) in the neighborhood. Parts of the complex building [were destroyed](#).

Monday, November 3, 2014, fixed-wing Syrian regime forces warplanes fired a missile at the mosque which is affiliated to the Islamic Orphanage in the neighborhood. The mosque building, furniture, and its minaret were heavily damaged.



A picture showing the "Islamic Orphanage" mosque in al Wa'er neighborhood, Homs – November 3, 2014

Friday, March 20, 2015, Syrian regime forces artillery fired a number of Shilka shells at the minaret of [Fatima Mosque](#) in the neighborhood. The minaret was partially damaged.

Sunday, April 12, 2015, Syrian regime forces artillery fired a number of [explosive cylinders](#) at the Martyr Ahmad al Eissa School in the neighborhood. The school building was partially destroyed, and its cladding materials were partially damaged.



Friday, August 19, 2016, Syrian regime forces artillery fired a number of shells at al Ber Hospital in the neighborhood. [The hospital](#) building and its cladding materials were moderately damaged.

Saturday, August 27, 2016, Syrian regime forces artillery fired a number of mortar shells at al Walid Obstetrics Hospital in the neighborhood. The hospital building was moderately damaged.

Tuesday, November 15, 2016, Syrian regime forces rocket launchers fired a number of “Pheel” rocket at the clinic center in the neighborhood. The center building was partially destroyed, and its equipment were moderately damaged. As a result, the center was rendered out of commission.

Monday, December 19, 2016, Syrian regime forces artillery fired explosive cylinders that fell near the civil defense center in the neighborhood. The center building and its [cladding materials](#) were moderately damaged. Additionally, an ambulance belonging to the civil defense center was rendered [out of commission](#) after it was partially destroyed.

Wednesday, February 8, 2017, Syrian regime forces fired a “Pheel” rocket at the civil defense center in the neighborhood. A civil defense member was wounded. Additionally, the center building and an ambulance belonging to the center were heavily damaged. As a result, the center and the ambulance were rendered out of commission.

Sunday, February 26, 2017, fixed-wing Syrian regime forces warplanes fired a number of missiles near [Qurtoba Elementary School](#) in the neighborhood. The school fence was partially destroyed, and [the school building](#) and cladding materials were heavily damaged.



The destruction in Qurtoba School in al Wa'er neighborhood, February 26, 2017



C. Barrel bombs

Syrian regime helicopters dropped no less than 152 barrel bombs on al Wa'er neighborhood from March 2011 until March 13, 2017

D. Incendiary weapons

We recorded one use of incendiary weapons by Syrian regime forces from March 2011 until March 13, 2017.

Friday, August 26, 2016, Syrian regime forces fired a number of shells loaded with an incendiary substance, likely napalm, at "Nouri Hawwa" Shelter Center, which resulted in the killing of two children.

E. Siege

Syrian regime forces and the pro-regime Shiite militias has been imposing a siege on the al Wa'er neighborhood since Thursday, October 10, 2013. The regime forces prohibited the passage of food, medical, and heating supplies, which caused a sharp rise in supplies prices. Additionally, power and water outages would last for long periods of times that amount to weeks sometimes.

Syrian regime forces would escalate their military operations and tighten the siege from time to time, restricting the civilians' movement, including employees and university students, while facilitate their movement in other times. The regime's aim with this was to decrease the population in the neighborhood by igniting displacements towards the other neighborhoods in Homs, where the population has decreased by 60% since the start of the siege.

On February 19, 2017, an aid convoy was supposed to enter the neighborhood under a U.N. supervision via Tripoli Road. However, the snipers stationing on al Kadriniya Tower shot the convoy. On the following day, the U.N., in cooperation with the Red Cross and the Red Crescent, attempted again to deliver the aids, but they were stopped by al Reda militias, who are affiliated to the Lebanese group Hezbollah. The militias, who are stationed in al Mazra'a village that is adjacent to the neighborhood, seized half the convoy's trucks, which carried basic medical and food supplies. Also, they assaulted the trucks drivers.



“[Homs News Center](#)” Facebook page posted a statement that reported the incident, saying that al Reda forces did that and distributed the aids among al Mazra’a village residents.

The siege led to the deterioration of the living and health situation in the neighborhood, leading to a food and medical shortage. We recorded the killing of 16 civilians due to the siege:

- Food shortage: 13 civilians including five children and two women (adult female).
- Medicine shortage: three civilians including two children.

F. Enforced-disappearance

SNHR has documented no less than 647 individuals, including nine children and 11 women (adult female), of the residents of al Wa’er neighborhood who are still under arrest or forcibly-disappeared from the start of the popular uprising in March 2011 until March 13, 2017.

The regime didn’t only make arbitrary arrests, as we recorded arresting members of the negotiation committee that was selected to negotiate on behalf of armed opposition factions in Homs, as what happened with [Dr. Amin al Halwani](#) from Homs city, a human doctor and director of the al Amin Hospital in Homs city. He was selected as mediator to negotiation on behalf of the armed opposition factions in Old Homs city and al Wa’er neighborhood. He was arrested by Syrian regime forces in May 2014 near al Safir Hotel in Homs city, after he left a meeting with Homs governor. His fate is still unknown to SNHR as well as his family.

Monday, May 30, 2016, Syrian regime forces arrested the members of the negotiation committee in al Wa’er neighborhood, four members, after they were called under the pretext of discussing the truce terms. They were arrested at a Syrian regime checkpoint on the outskirts of the neighborhood. They were released on the same day.

Sunday, 11 September 2016, we recorded that Syrian regime forces released 194 detainees including 19 women from various areas in Homs governorate in accordance with the agreement struck with armed opposition factions in al Wa’er neighborhood in Homs city, which was agreed upon on December 1, 2015.

These systemic, widespread violations resulted in a total state of drain throughout the neighborhood, which forced the residents to accept the settlement proposed by the Syrian authorities under the supervision of the Russian authorities for armed opposition factions in the city. The agreement was signed on March 13, 2017. The agreement’s provisions stated that groups of armed opposition factions and their families, as well some civilians, would leave the neighborhood for Aleppo suburbs and Idlib. And settle the situation of the fighters and civilians who wish to stay in the neighborhood, in addition to a number of terms concerning releasing detainees.



Nearly 1400 [left the neighborhood](#) including 500 armed opposition fighters on March 18, 2017. This was the [first group](#), provided that [the remaining groups](#) would leave within [two months](#) of the date on which the agreement implementation commenced.

On Monday, March 20, 2017, a new meeting was held between the negotiation committee on behalf of al Wa'er neighborhood and Syrian regime forces with the presence of the Russian Coordination Center who repelled all the provisions regarding releasing detainees, and settled for pledging that the Syrian regime will not arrest any new individuals from al Wa'er neighborhood after settling their situation, nor the regime will arrest any individuals related to armed opposition fighters under a Russian guarantee.

With the exclusion of the provisions that provided for the release of detainees in the most recent agreement, and particularly releasing the detainees in Homs Central Prison who were arrested over charges related to partaking in the peaceful movement, we are fearing that the Syrian regime will end the revolt in Homs Central Prison which the prisoners have been committing to since mid-2012 in protest of the ill treatment by the prison administration and their trials at military court and the terrorism court based on confessions that were obtained through torture or security reports. We are also afraid that the Syrian regime will, as usual, use force to end the revolt of the prisoners and take them to undisclosed location, especially after some of them received the death penalty that was issued by the terrorism court in Damascus and the secret military field-court, SNHR spoke to a number of detainees via the phone. Those detainees stated that they are afraid that Syrian regime forces will raid the prison and punish and retaliate against them after they were excluded from the most recent negotiations in al Wa'er neighborhood.

VI. Conclusions and Recommendations

Despite some conditional exceptions, the international humanitarian law explicitly prohibits forced displacement, declaring that any violation to its rules in that regard is considered a war crime, as well as articles (8-2-b-vii) and (8-2-e-viii) of Rome Statue of the International Criminal Court.

Forced displacement constitutes a war crimes in non-international armed conflicts. When carried out as part of a widespread or systematic attack against civilian residents, forced displacement constitute a serious violation to Geneva Convention, and can be also considered crimes against humanity according to Article (7-1-d) of Rome Statute, and rules



129,130,131,132, and 133 of the customary international humanitarian law. The Syrian regime's actions in al Wa'er neighborhood were part of a systematic, deliberate, and widespread attack through informed strategies. Therefore, these actions constitute crimes against humanity. And seeing it was perpetrated in the context of an internal armed conflict, they also constitute war crimes.

Recommendations

The Security Council

- Bind the Syrian regime to cease the resettlement operations that re being carried out in the cities and neighborhoods whose residents have been displaced.
- Insure the right of return for the refugees and IDPs, and the right to reacquire all of their lands and properties.
- Enforced displacement is a threat to the region and the Syrian lands, and it unsettles the security and stability. Instilling peace and security in Syria is a fundamental part of the Security Council's mandates, responsibilities, and capacities.

The Syrian-Russian-Iranian alliance

The Syrian government is a part of the "International Covenant on Economic, Social and Cultural Rights". Therefore, the Syrian government is not only obliged to refrain from carrying out enforced displacements, but also to stop their occurrence, and protect residents from such operations rather than carrying out these operations itself under a clear support by the Iranian regime.

Human Rights Council and the Office of the United Nations High Commissioner for Human Rights

Focus more on forced displacements and its dangers in Syria, and condemn the practices of the Syrian regime and all who are involved n this regard.

VII.Attachments

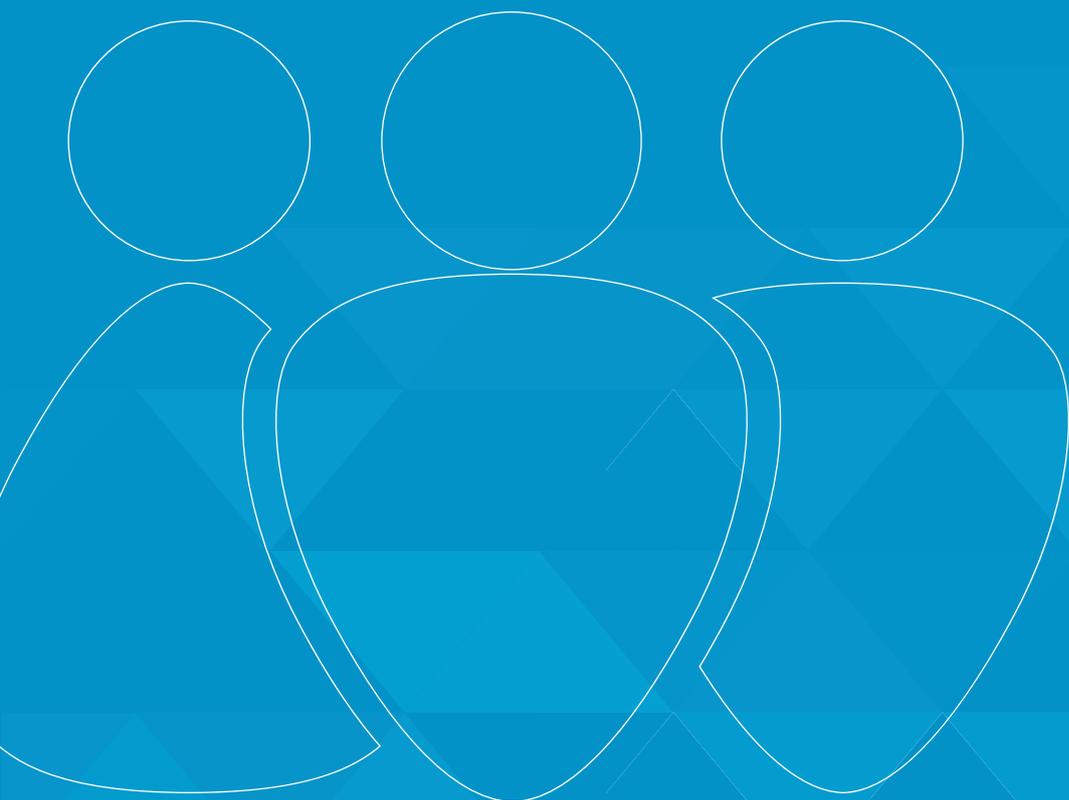
Document shelling [Raes mosque](#) in Wa'er neighborhood of Homs by government forces

Bombarding [Al-Wa'er Neighborhood](#) Worsens the Suffering of 15,000 Families under Siege and Kills Tens of Victims

Acknowledgment

Our most profound thanks go out to all the residents, activists, and eyewitnesses of al Wa'er neighborhood who effecti





@snhr



Info@sn4hr.org

www.sn4hr.org

