



After Using Cluster Munitions and Long-Range Missiles, Russian Forces Use Phosphorous Bombs in Syria Russian Regime's Violations Amount to War Crimes

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I. Introduction and Methodology

On 30 September 2015, Russian forces commenced air strikes on Syria and announced that it will target extremist Islamic groups and therefore joined the major conflict parties in Syria. SNHR previously issued two reports that documented the violations that were committed by the Russian forces through random and indiscriminate shelling and targeting pure civilian targets thus the material and human loss was great due to these attacks. In this report we document the use of phosphorous bombs by the Russian forces.

Our team conducted interviews and investigations with residents, local activists and eyewitnesses; in addition we included three of the interviews in this report. We analyzed footages and images we received and cross referenced these outcomes with information about the air strikes from pro-Russian media outlets. All eyewitnesses spoke in Arabic as we also explained the aim behind conducting these interviews where some of them preferred their real names to be kept confidential, as we also kept a record for all the contact details to all eyewitnesses.

Unfortunately, after four continuous years of daily shelling and bombardment, Syrians are able to differentiate between the Russian and Syrian regime shelling. These airstrikes target, to a large degree, 85% of regions under the control of armed opposition while it targets 15% of regions under ISIL's control.





II. Incident Detail:

Bayneen town is located in Idlib governorate between Areeha and Ma'art Al No'aman and it is under joint control between armed opposition and Al Nusra front.

We have previously documented in a [previous report](#) the Russian shelling on the town on 23 October 2015 when it targeted the north-east side of the town and killed two civilians, one amongst which was media activist Waseem Al Adel.

In this report we document the particular incident that occurred on 12 October 2015 when Russian warplanes targeted a grove eastern of the town with more than 8 airstrikes, amongst which, two of the airstrikes used phosphorous bombs.

At 4:45 p.m. alleged Russian warplanes shelled a grove one kilometer away from eastern of Bayneen town and 7 kilometers away from Ma'art Al No'aman with 8 airstrikes detailed as follows:

- Two airstrikes used phosphorous bombs which burned several agricultural lands whose area is estimated with 500 meters.
- Six airstrikes that targeted a region two kilometers away from the first attack. The rockets targeted an olive presser facility and an automatic bakery. The equipment in these two facilities were greatly damaged, burned and destroyed. Nine civilian cars were burned as well.

We would like to indicate that this is the first time that we document the use of this kind of weapons by Russian forces. The missiles explode in the air leaving behind it burnt fragments. Upon analyzing the shelling images and images of its remnants, we believe that it was white phosphorous the kind that is usually used as a camouflage weapon in military operations where it releases white and thick smoke. White phosphorus is used within the limits of the international law against military targets and in open areas; however, in Syria it was used against civilians in a region that is free of any military presence.

We did not record any civilian injuries due to the use of Phosphorous bombs; nevertheless, we recorded the death of 3 individuals, including two children, and the injury of not less than 10 persons due to the Russian rocket shelling on the bakery and the olive presser.





Khaled Nour, one of the local residents and eyewitnesses on the shelling incident gave SNHR his testimony:

“On Thursday at night, FSA observatories announced that Russian warplanes were heading towards Jabal Al Zawiyah. The warplanes launched two airstrikes on Bayneen town. The rocket or incubator exploded in air and I saw a group of fireballs. When it reached the ground, it caused a great fire. Then the Russian warplanes conducted another airstrike on a nearby region with four vacuum rockets which destroyed the olive presser and the bakery. The shelling injured dozens of individuals. We did not hear the sound of the rocket the dropped the phosphorus bombs but we heard the sound of the warplane and we saw the fireballs and very thick white smoke.”

Moustafa Ghareeb, a local activist examined the shelled region and gave SNHR his testimony:

“I heard that a grove eastern of Bayneen town was shelled with phosphorus bombs and another region 2 kilometers away was shelled again with rockets. I went to first location and saw the remnants from the phosphorous shelling spread on a wide area. Almost 500 meters of agricultural lands were burned as well. The bombs left remnants of molten iron which became watery fluid due to the heat as well as the black viscous substance that smelled like sewage water. The residents in the region told me that a rocket targeted the olive presser where 15 cars were present next to it; all of which belonged to civilians since we are harvesting olives these days. Then the warplanes targeted the people who escaped the shelling on the olive presser and it shelled the square where the cars had been parked. Few minutes later, it targeted an automatic bakery with three rockets. I saw great and massive destruction to the oil presser, the bakery and the flour storage house. In addition to the human casualty, the shelling damaged the olive crops which the residents rely on to earn a living. I believe that the Russian reconnaissance planes monitored the car movement to and from the olive presser which made it a target for the warplanes. Russian warplanes do not only kill us, but destroy our crops and livelihoods.”





SNHR interviewed Mohamad Thakara, head of the civil defense team that went to the shelling location:

“I went with a group of members from the civil defense to Bayneen town. Our centre is almost 3 kilometers away from the shelling site. When we arrived there, the grove was burning and we put it down. We also collected the bombs’ remnants and then went back to our centre. Later, the Russian warplanes targeted the region with rockets thought to be vacuum rockets and it targeted the olive presser, the nearby square and the automatic bakery. The shelling was repeated 50 meters away from the olive presser. We pulled out victims’ bodies from under the rubble and transported injured people. During that time we were shelled again and two members of our team were injured, and our ambulance was damaged. I took my teammates, the rest of the injured people and the victims to the hospital. The shelling caused great destruction to the agricultural lands and civilians’ cars. The Russian warplanes conducted more than 9 airstrikes on a purely civilian region. They did not only target civilians, but civil defense members as well.”

III. Attachments:

- [Images](#) that depict the thought to be Phosphorous bombs:





- [Images](#) that depict the shelling aftermath due to thought to be Phosphorous bombs on Bayneen town:



- An image that depicts bombs believed to be Phosphorous due to the alleged Russian shelling on Bayneen town:



- An [image](#) that depicts the ambulance that was damaged to the shelling on Bayneen town.





- [Images](#) that depict the victims of the alleged Russian shelling on Bayneen town:



IV- Conclusions:

1. Russian forces violated UN Security Council resolution 2139 through its indiscriminate and deliberate shelling.
2. Russian forces should abide by the International Humanitarian Law, and therefore responsible for these violations since the beginning of the attacks, which were mentioned through this report. Russia must bear the consequences of all these violations, and avoid its recurrence.
3. Indiscriminate bombardment is considered a clear violation of the International Humanitarian Law, and these indiscriminate killings amount to war crimes and crimes against humanity.
4. It is necessary to protect civilians from the brutality of the Syrian regime and extremist militias allied with them. A no-fly zone must be established in parallel with the protecting civilians in Syria from the brutality of ISIL.

Recommendations:

- Russian forces should abide to the International Humanitarian Law and the International Customary Humanitarian Law and uphold its accountability towards the crimes it perpetrated.
- Implement the principle of “protecting civilians” adopted by the General Assembly in 2005, in Syria now, as the situation there is direly requiring the implementation of such a principle.
- Indiscriminate bombardment is considered a clear violation of the International Humanitarian Law, and these indiscriminate killings amount to war crimes and crimes against humanity.

Acknowledgment

Our heartfelt thanks and appreciations go to the victims’ families, eyewitnesses, and local activists whose testimonies contributed majorly to this report. Our most profound consolations go out to the victims’ families and friends.



