

# **DEADLY REPRISALS**

DELIBERATE KILLINGS AND  
OTHER ABUSES BY SYRIA'S  
ARMED FORCES

**AMNESTY  
INTERNATIONAL**



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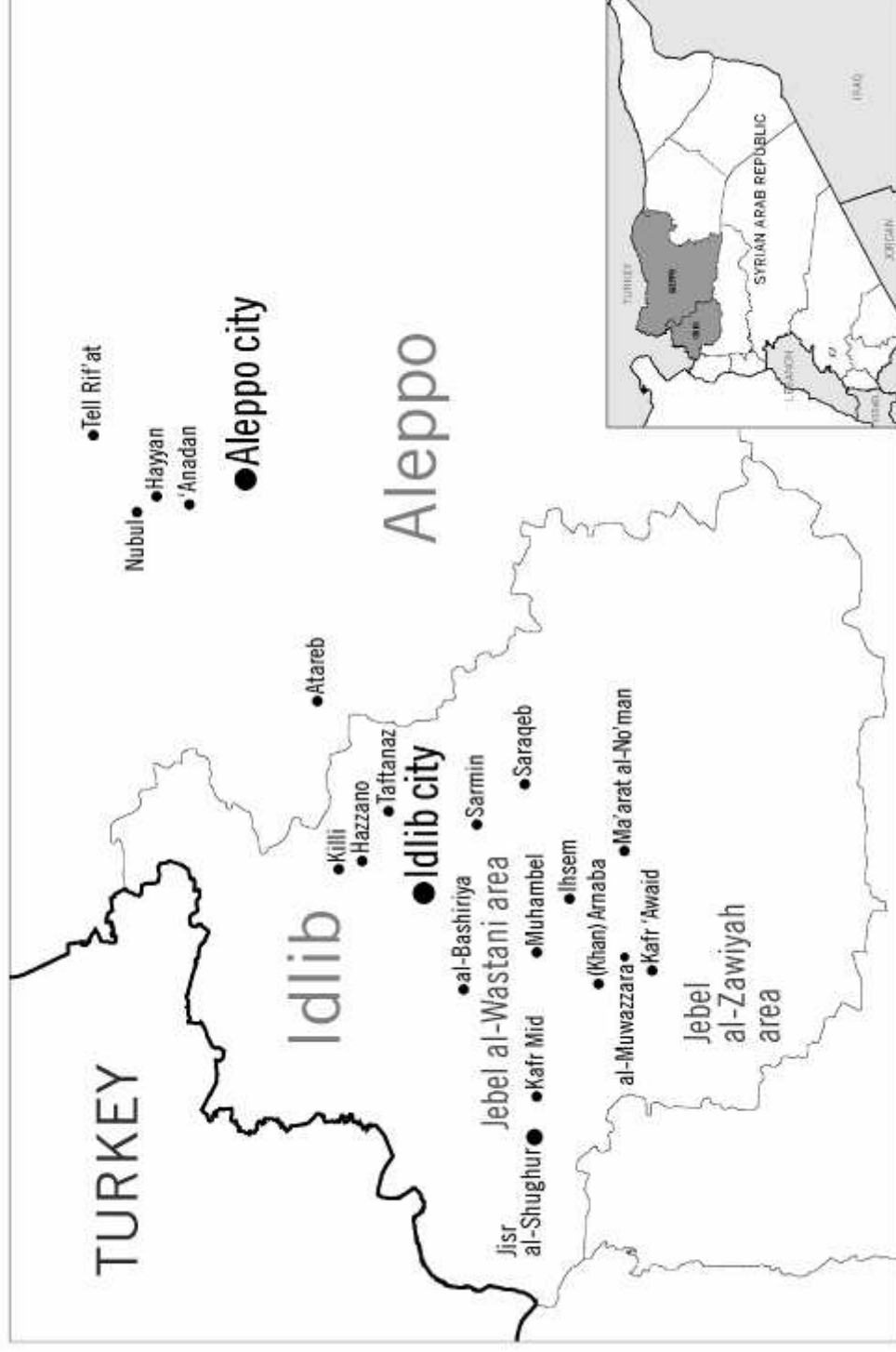
**AMNESTY  
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# 1. INTRODUCTION

**“They killed my sons, the dearest things I had, and then they desecrated their bodies by setting them on fire. How can a mother endure such pain?”**

The mother of three brothers dragged from their home, killed and burned in Sarmin on 23 March 2012

Syrian government armed forces and militias are rampaging through towns and villages, systematically dragging men from their homes and summarily executing them. They are burning homes and property and sometimes the bodies of those they have killed in cold blood. They are recklessly shelling and shooting into residential areas, killing and injuring men, women and children. They are routinely torturing detainees, sometimes to death.

In recent field investigations in Syria, Amnesty International has found disturbing new evidence of grave abuses – many of which amount to crimes against humanity and war crimes – committed by the Syrian army in towns and villages around Idlib, and Aleppo, as well as in the Jebel al-Zawiyah and Jebel al-Wastani areas (north-west of Hama)

between late February and late May 2012. Towns and villages are being kept under virtual siege by troops who fire indiscriminately into these areas and target those moving in and out of them.



The mother of three brothers dragged from their home, killed and burned in Sarmin on 23 March 2012. ©Amnesty International

The patterns of abuses documented by Amnesty International in these areas are not isolated. Indeed, they have been widely reported elsewhere in the country, including in the attack by Syrian forces on Houla on 25 May 2012. According to the UN, 108 individuals, including 49 children and 34 women, were killed.<sup>1</sup> Some were killed during the shelling of the village by Syrian security forces using heavy artillery and tanks, the use of which was confirmed by UN

monitors; but most were summarily executed in cold blood by men in military clothing, believed by the residents to be state-armed militias.

In the face of increasingly brutal repression against peaceful protesters calling for freedom and reforms since February 2011, the unrest has turned increasingly violent. In August 2011, opposition groups formed the Syrian National Council, based in Turkey, as an umbrella group for many of those inside and outside Syria seeking to overthrow the government of President Bashar al-Assad. The opposition inside the country now includes armed groups, most loosely organized under the banner of the Free Syrian Army (FSA) who, along with a growing number of soldiers who have defected from Syria's armed forces, have taken up arms against government forces.

In recent months, the situation appears to have evolved into an armed conflict in parts of the country. As armed confrontations between government forces and armed opposition groups have become more common, the frequency and brutality of government reprisals against towns and villages supportive of the opposition has escalated, in an apparent bid to punish the inhabitants for their known or suspected support for armed opposition groups, and to frighten them into submission.



A family living in the remains of their burned-out home in al-Bashiriya.  
©Amnesty International

Everywhere, residents described to Amnesty International repeated punitive raids by the state's armed forces and militias, who swept into their town or village with dozens of tanks and armoured vehicles, in some cases backed up by combat helicopters, firing indiscriminately and targeting those trying to flee. At times, the army's incursions came in the wake of attacks on government forces by armed opposition groups or clashes between the two sides. The outcome was the same in every case – a trail of death and destruction, much of it the result of deliberate and indiscriminate attacks.

Everywhere, grieving families described to Amnesty International how their relatives had been taken away by soldiers and shot dead, often just a few metres from their front doors. In some cases, the bodies had then been set on fire in front of the terrified families. The mother quoted above had found her three sons

burning outside her home. Another woman had found the remains of her 80-year-old husband among the ashes of her burned home after she was told by soldiers to look again for him in the house. Traumatized neighbours of a father of eight described how soldiers had dragged him to a nearby orchard, shot him in the legs and arm, shoved him into a small stone building, doused it with petrol and then set it alight, leaving the man to burn.

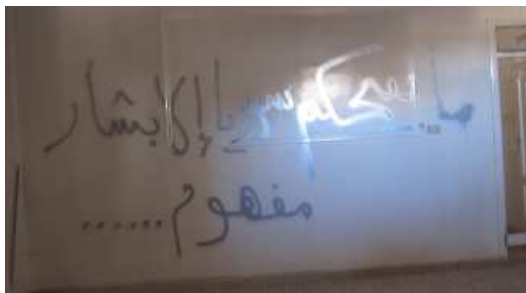


In every town and village houses, shops and other properties were systematically burned. Many of the houses now stand abandoned, their residents having fled the area or crowded in with relatives nearby. Other families, unable or unwilling to leave, are living in their burned-out homes, with nothing other than the charity they receive from relatives and neighbours. Many residents said they had seen soldiers and *shabiha* (armed militias working alongside government armed and security forces) looting their neighbours' homes.

The army crackdown has been targeting towns and villages seen as opposition strongholds. In most of the places visited by Amnesty International, soldiers had deliberately and unlawfully killed (extrajudicially executed) civilians not involved in any fighting, as well as armed opposition fighters who had been captured or were otherwise *hors de combat* – having surrendered or been captured or wounded. They had deliberately, wantonly and systematically destroyed homes, shops, medical facilities and other property. They had indiscriminately fired bullets and shells in civilian residential areas. They had prevented injured people from receiving life-saving medical treatment. They had tortured most of those they detained – sometimes to death – and subjected others to enforced disappearance.

From interviews with dozens of residents of different towns and villages, a consistent pattern of military operation emerged. Large and heavily armed contingents of soldiers – often accompanied by *shabiha* militia members – approached the towns in the morning in scores of tanks, armoured personnel carriers and other armoured vehicles, shooting and shelling in a reckless and indiscriminate manner. These actions often killed and injured civilian bystanders and damaged homes and properties.

In some cases, clashes broke out between government forces and armed opposition fighters in the outskirts as the opposition attempted, unsuccessfully, to prevent or slow the army's advance. Residents of Idlib city, Saraqeb, Sarmin and Taftanaz in Idlib governorate told Amnesty International that resistance from opposition fighters, for the most part armed with light weapons, was rapidly overcome. No armed confrontations were reported in Hazzano or Killi in the Idlib governorate. In the Jebel al-Zawiyah area, confrontations reportedly took place in al-Bashiriya and 'Ain al-Arouz on the first days of the army incursion. In 'Anadan and Tell Rif'at, north of Aleppo, armed clashes took place on the outskirts of the towns.<sup>2</sup>



Graffiti left by soldiers in Taftanaz stating: "Nobody will rule Syria except Bashar – understood?" ©Amnesty International

Reprisals were meted out to residents, regardless of whether or not armed opposition groups fought the army. Where there were armed clashes, the deliberate killings and burning of homes and properties took place after the clashes ended, when soldiers carried out house-to-house searches and arrests. A resident of Saraqeb told Amnesty International:

*"Once it was clear that they were not facing any resistance from the opposition fighters, the soldiers took their time going to every house and punishing people, even if they had nothing to*

*do with anything. It was a no-win situation. Some people who had nothing to do with the resistance were killed trying to leave, others stayed and were killed in their home, and others tried to hide and were found and also killed. The army seemed to consider all the men in these towns, especially young men but not only, as terrorists. Most of those executed in this way were not fighters, just ordinary people. Some were killed just because the army could not find their wanted relatives."*

In al-Bashiriya, where some 95 houses had been set on fire, a resident told Amnesty International:

*"The soldiers walked around the village for hours, setting houses on fire and killing the animals. They shot all of my neighbour's sheep for no reason. They burned houses in a random way. My husband and his brothers are activists but luckily they did not burn our home, but they burned other houses of people who never even went to one demonstration."*

A video filmed by a child from inside his house on his mother's mobile phone shows soldiers walking past houses on fire in the village, clearly unconcerned about any threat from the armed opposition.

The deliberate killings of scores of people and the burning, looting and trashing of hundreds of homes and other property in so many towns and villages cannot be considered "collateral damage" incurred in the context of armed confrontation, or the isolated acts of "rogue elements". The scale of the attacks, and the manner in which they were carried out, indicates that such crimes were perpetrated as part of a deliberate policy to avenge killings by armed opposition fighters of soldiers and/or pro-government militias and to spread fear among residents so they would not support the opposition. The burning of the bodies of people who had been deliberately killed also appeared to be aimed at terrorizing residents into passivity.

This report provides further evidence that deliberate and unlawful killings are part of a widespread and systematic attack against the civilian population, carried out in an organized manner and as part of state policy, and therefore amount to crimes against humanity. In the areas of the governorates of Idlib and Aleppo, where Amnesty International carried out its field research for this report, the fighting had reached the level and intensity of a non-international armed conflict. This means that the laws of war (international humanitarian law) also apply, in addition to human rights law, and that many of the abuses documented here would also amount to war crimes.<sup>3</sup>

Over this period, the vast majority of the human rights abuses documented by Amnesty International were committed by the state's security and armed forces, including *shabiha* militias. However, abuses have also been committed by armed opposition groups, including the torture and killing of captured soldiers and *shabiha* as well as the kidnapping and killing of people known or suspected to support or work with the government and its forces and militias. Amnesty International condemns without reservation such abuses and calls on the leadership of all armed opposition groups in Syria to publicly state that such acts are prohibited and to do all within their power to ensure that opposition forces put an immediate end to such abuses.

Since the outbreak of pro-reform protests in February 2011 and of mass protests calling for the downfall of President Bashar al-Assad and his government, in particular after the security forces first shot dead several demonstrators in Dera'a on 18 March 2011, Amnesty

International has received the names of more than 10,000 people – mainly men and boys -who have been killed during the unrest, although the actual figure may be considerably higher.<sup>4</sup> The evidence collected in the Aleppo and Idlib governorates, including the Jebel al-Zawiyah and Jebel al-Wastani areas, shows that hundreds, possibly more, have been deliberately killed at close range. While some of the victims were active in the opposition, many of them were killed unlawfully after having been taken captive; others appear to have been targeted simply because they were living in opposition-held areas and as such may have been considered supporters of armed opposition groups, including those linked to the FSA. Others were reportedly killed simply because soldiers wanted to take revenge on people from the area and/or could not find those they were looking for.

The persistent, serious and widespread human rights violations by Syria's security forces since March 2011 have been widely condemned by many members of the international community, but to date no effective action has been taken to stop the lethal repression. The failure of the international community to agree on an effective course of action has undoubtedly emboldened those committing and ordering the abuses, and has left many Syrians feeling that they have been abandoned by the rest of the world.

Amnesty International has long been calling on the UN Security Council to not only condemn the violations, but also to take measures to prevent further violations and to hold those responsible to account. These include referring the situation in Syria to the Prosecutor of the International Criminal Court (ICC), immediately imposing a comprehensive arms embargo and freezing the assets of the President and his associates. However, effective action by the Security Council has been blocked by China, the Russian Federation and other states.

The only initiative that the main international powers have agreed is the UN observer mission (UN Supervision Mission in Syria, UNSMIS)<sup>5</sup> deployed since 16 April 2012 in the framework of a six-point plan<sup>6</sup> drawn up by Kofi Annan, Joint Special Envoy for the UN and Arab League on Syria, and endorsed by the UN Security Council on 27 March 2012. The Annan plan includes provisions for the Syrian government to "immediately cease troop movements towards, and end the use of heavy weapons in, population centres, and begin pullback of military concentrations in and around population centres; ... intensify the pace and scale of release of arbitrarily detained persons, including... persons involved in peaceful political activities; ... respect freedom of association and the right to demonstrate peacefully as legally guaranteed." It also called on the opposition to stop the fighting and to work with the Joint Special Envoy "to bring about a sustained cessation of armed violence in all its forms by all parties".

However, the UNSMIS mission – said to number over 280 observers at the time of writing in late May 2012<sup>7</sup> – lacks a mandate to monitor and investigate human rights violations and abuses, including war crimes and crimes against humanity, and lacks the means to enforce compliance. As the ceasefire provided for in the six-point plan was being negotiated, Syrian armed forces launched a series of attacks on towns and villages, including in different areas of the Idlib and Aleppo governorates, during which soldiers extrajudicially executed scores of people, and deliberately burned down hundreds of homes and properties. Security forces continue to shoot at and arbitrarily detain demonstrators and critics, and detainees continue to be tortured and kept cut off from the outside world. According to local human rights organizations, more than 23,000 named individuals are currently held, though the actual figure could be considerably higher.<sup>8</sup>

The commitments in the six-point plan are broadly similar to those agreed to by the Syrian government with the Arab League in late 2011. The report of the Arab League monitors deployed in the country between 26 December 2011 and 28 January 2012 was never made public by the Arab League.<sup>9</sup>

Concrete steps are urgently needed to stop the growing spiral of violence in Syria. Among other things, Amnesty International is calling on the international community to:

- Ensure that the UN observer mission has an adequately resourced and strong human rights component with the mandate and the capacity to monitor, investigate and publicly report on all human rights abuses.
- Immediately impose an arms embargo on Syria with the aim of stopping the transfer of arms and equipment to Syrian government forces.
- Implement an assets freeze against President Bashar al-Assad, his close associates and any others who may be involved in ordering or perpetrating crimes under international law.
- Demand that Syria grant prompt and unfettered access to the independent international Commission of Inquiry, humanitarian and human rights organizations, and to international media.
- Refer the situation in Syria to the Prosecutor of the International Criminal Court to investigate crimes under international law, including crimes against humanity.

Amnesty International is calling on all states to:

- Take all necessary measures to exercise universal jurisdiction over crimes against humanity and other crimes under international law before national courts in fair trials and without recourse to the death penalty.

Amnesty International is calling on China and the Russian Federation to:

- Halt immediately all arms transfers and military assistance to the Syrian government as there is a significant risk they could be used to commit serious human rights violations of the kind described in this report.

Amnesty International is calling on the Syrian authorities, with immediate effect, to:

- End extrajudicial executions, direct attacks on civilians, and indiscriminate and disproportionate attacks by its forces, and make clear that such violations will not be tolerated.
- End indiscriminate fire in or into residential areas.
- End the use of torture and arbitrary detention, inform detainees' relatives of their whereabouts, allow detainees access to their families and lawyers without delay, and allow international human rights organizations access to detention centres.
- Co-operate fully with the UN observer mission and grant monitors access to all places of detention.

## ABOUT THIS REPORT

For more than a year from the onset of the unrest in 2011, Amnesty International – like other international human rights organizations – had not been able to conduct research on the ground in Syria as it was effectively barred from entering the country by the government. The organization repeatedly sought permission to enter the country since the mass protests and disturbances began in early 2011, but without a positive response from the Syrian authorities. The increasing gravity of the human rights crisis in Syria and the refusal of the government to countenance any form of outside verification led the organization to take the decision to enter Syria to carry out first-hand investigations without the authorization of the Syrian government. Between mid-April and the end of May 2012 Amnesty International conducted on-site investigations in the north-western Idlib governorate, in Idlib city and surrounding areas (Hazzano, Killi, Saraqeb, Sarmin and Taftanaz) and in the Jebel al-Wastani and Jebel al-Zawiyah areas (al-Bashiriya, Kafr Mid, Biftamoun, Mashamshan, Sinnaqra, Bsamas, Deir Sinbol, al-Lej, al-Muwazzara, 'Ain al-'Arous, Kafr 'Awaid and Qoqfeen), as well as in the northern governorate of Aleppo ('Anadan, Hyan, Tell Rif'at and Aleppo city). These investigations included over 200 interviews with relatives of those killed and arrested, people whose homes and properties had been burned down, damaged or looted, survivors of attacks, witnesses and released detainees.

Amnesty International arrived in some locations shortly after attacks by security forces had taken place. Some of these locations were under tight control by army or other security forces. Idlib city was swarming with security forces and soldiers. Military pick-up trucks with rear-mounted anti-aircraft machine guns were ubiquitous, as were checkpoints. On 27 April, the day of the first visit to the city by UN monitors, Amnesty International saw a large contingent of uniformed soldiers and *shabiha* dressed in civilian clothes getting out of open-back lorries. In this intimidating atmosphere, victims, families of victims and witnesses who spoke to Amnesty International expressed concern for their safety and asked for their names or the names of victims to be concealed to protect their safety. Most of the other towns and villages visited were surrounded by army positions and checkpoints and, even though armed forces were generally not present within the residential area, many of those interviewed also expressed fear and concern about possible reprisals. For this reason, the names of some victims and witnesses and other details that could lead to them being identified have been withheld.

The findings substantiate those of other bodies, such as the UN Commission of Inquiry on Syria<sup>10</sup> and the UN Committee against Torture,<sup>11</sup> as well as the evidence collected by Amnesty International during research missions to Lebanon, Turkey and Jordan to interview Syrians who have fled their country since the violent repression of the unrest began.<sup>12</sup>

Accounts from many of the refugees interviewed, as well as information received from those still inside Syria, painted a grim picture of the devastating consequences of military bombardments of towns, particularly Homs, over many months, including sustained shelling of civilian areas. They also provided damning evidence of other serious human rights violations by state security forces, including the firing of live ammunition at peaceful protesters and funeral processions, mass arbitrary arrests, widespread torture and other ill-treatment, enforced disappearances, extrajudicial executions, the burning and looting of homes, the targeting of medical personnel, and the denial of medical care to injured protesters and others.

While the field research in the Aleppo and Idlib governorates conducted between mid-April and

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Deliberate killings and other abuses by Syria's armed forces

the end of May 2012 provided further evidence of all of these abuses, this report focuses on deliberate and unlawful killings by government forces, including *shabiha* militias working alongside the military and security forces; direct and indiscriminate attacks using tanks, mortars and helicopters and resulting in the unlawful killing and injuring of civilians; the systematic burning and looting of people's homes and properties; and arbitrary detention and torture.

## 2. DELIBERATE KILLINGS

**“If they had anything against him they should have imprisoned him, not killed him in cold blood like that.”**

A relative of a man who was deliberately killed on 11 March in Idlib city

In town after town, village after village, distraught people described to Amnesty International how their relatives and neighbours had been killed in cold blood by Syria's security forces even though they were not involved in the fighting or were posing no threat to soldiers because they had been captured or were injured.

### IDLIB CITY

In the opposition stronghold of Idlib city, Amnesty International found evidence of deliberate killings committed by Syrian armed forces between 10 March, when the army stormed the city, and 16 April 2012.

Relatives of a young man (name withheld) who was extrajudicially executed on 11 March told Amnesty International that soldiers took him from his home, in front of his family, led him into the street, shot him in the head and then left. One of the relatives said:

*“We were at home; there was shooting and shelling everywhere and we did not know where to go for safety. In the morning soldiers came and took my nephew. They did not say anything and only had a quick look around the house; they did not carry out a detailed search. We did not dare to ask them anything and thought they would question him and release him.”*



Tanks in Idlib city on 13 March 2012. ©Private

*“We heard shots close by but did not think he was being shot. The soldiers then came back upstairs and burned down his family apartment, upstairs from ours, where we were all*

*gathered. When the soldiers left, after about 15 minutes, we looked from the window and saw him lying face down in the pool of blood in the street. We went downstairs to the street and found that he was dead. He had been shot in the head.*

*"I don't know if he had anything to do with the armed revolutionaries; I don't think so but I don't know for certain. He was going to demonstrations but he never spent any nights away from home and during the day he went to work. But whatever the case, if they had anything against him they should have imprisoned him, not killed him in cold blood like that."*

At least 10 men (names withheld) were deliberately killed by soldiers on 16 April in an area to the north-east of the city centre. The killings took place in the context of clashes that broke out between government forces and armed opposition fighters, reportedly as the latter were trying to provide cover for soldiers who had just deserted and were trying to leave the town. The victims, whose cases are described below, were not involved in the clashes.

Some of the men were taken from their homes or their relatives' homes; others were taken from the street. Some of them may have been fighters but were reportedly not bearing arms when they were detained. The mother of one of the victims told Amnesty International:

*"Soldiers came to our home and took my son. It was about midday. Later, at about 2 or 3pm as I was peering out of the window I saw soldiers line up eight young men standing facing the wall with their hands tied at the back and shoot them. Then they put the bodies in the back of a pick-up truck and left. I don't know if the men were all dead or injured. At that point I did not know that one of the men was my son. His body was found with other bodies at a school not too far from our home."*

A relative of another victim, a vegetable seller, told Amnesty International:

*"We had gone out early, about 6am to go to the wholesale market but were forced to stop and take cover because of heavy shooting. We went to the house of a relative near where we stopped. Members of Military Intelligence came to the house of our relatives, where we were sheltering and asked for our ID. They checked and did not find any problem; we were not wanted. Then one of the soldiers looked at my relative's cell phone and found a pro-revolution song. They took him outside..."*

*"After a while when I realized that there were no soldiers in the street I went out and a neighbour told me the soldiers had shot him and then taken him to a nearby house; I went there and found him injured. He had been shot in the ear and neck but was still breathing. Some neighbours helped to carry him to the car and three of them were going to take him to a field hospital [normal hospitals have long been out of bounds to people injured by the army/security forces] but on the way there they were stopped by soldiers and were killed. Their bodies were later found at a school, except the body of my relative who had been taken back to the house where he had previously been left for dead. They had finished him off with an additional shot to the head."*

Another man whose body was found dumped in the same place was seen being detained, unarmed, by soldiers just before 4pm in one of the streets in the area.



Residents of the area to the north-east of the town centre who were interviewed separately gave similar accounts of events to Amnesty International, corroborating the testimonies of relatives and friends of the victims.

## SARMIN

According to residents, 16 people were killed by soldiers during a military incursion in Sarmin on 22 and 23 March 2012. Of these, 11 were civilians not involved in armed confrontations and were shot dead after they had been seized. Several other men had been summarily killed during a previous army incursion on 27 February.

Among those killed were three brothers, Yousef, Bilal and Talal Haj Hussein, aged 22, 24 and 26, who were taken by soldiers from their home in central Sarmin in the early morning of 23 March in front of their mother and sisters. The soldiers shot the brothers in the head in the street outside their home and then set fire to the bodies and left them to burn. According to their family and local activists, the brothers, all construction workers, were not fighters but were active in demonstrations. Their mother told Amnesty International:

*"The army came on Thursday [22 March] and so all the youths were trapped in the town. My boys were at home. On Friday [23 March] early morning, at about 6-6.30am, soldiers came and banged on the door. We were all asleep and Bilal went to open the door. They said they want to search; they asked about the small motorcycle in the courtyard and Bilal said it was his. He gave his ID and one soldier took it and put it in his shirt pocket without even looking at it. Yousef came out of the room into the courtyard and Talal also came out of his room, still wiping his eyes from the sleep. He gave his ID and a soldier also put it in his shirt pocket without looking at it.*

*"They took Bilal and the motorbike outside to the street. There was a group of them searching everywhere and many others outside in the street. I could not see those outside but could hear many voices. The soldiers did not find anything in the house. They only grabbed a pair of military type trousers and said my sons are with the FSA [the opposition Free Syrian Army] but I told them everyone is wearing those trousers and they are being sold at the market. They did not take anything else.*

*"They dragged Yousef and Talal out to the street. I tried to go after them but a soldier pushed his rifle against me and told me to go back. Every time I tried to go outside they stopped me. About an hour later, after the soldiers had moved from the street, my relatives and neighbours called asking for water to put out a fire. We filled buckets of water and I ran out barefoot and my daughter who had run out ahead of me screamed 'my brothers are burning'.*

*"Yousef and Bilal were burning on the ground with several motorbikes piled over them. Yousef was shot in the side of the head and Bilal in the forehead, and Talal was lying face down, shot in head and in the back and burning from the waist down. Their hands were folded back, from how they had been tied. They were about 20 metres from the door of our home but we had to run back into the house because of heavy shooting and we could not recover the bodies until the about 7pm in the evening."*

Safwan 'Abd al-Qader Qara'ush, a 45-year-old father of five, was shot dead in his home on 22 or 23 March. One of his relatives told Amnesty International:

*"He used to be a police officer but stopped working several years ago because he became mentally disturbed and stayed at home on his own all the time. When the army came into town on the morning of 22 March he was in his home as usual and after the army left we went to check on him and found him dead in his bed. He had been shot in the head and was still holding his blanket over his head as if he had been afraid when he was shot dead. He was withdrawn and afraid of strangers, and when they went into his house, as they went into every other house, his most likely reaction would have been to hide under the blanket. He was a poor miserable man and it breaks my heart to think how afraid he must have been at that moment."*

Other civilians had been extrajudicially executed in Sarmin during previous army attacks on the town, part of a pattern that became entrenched as military operations intensified. On 27 February, for example, soldiers killed several men in their homes or after they had taken them from their homes. Among them was Mazen 'Abdo Midrik, a 36-year-old father of two young



Mazen 'Abdo Midrik was shot dead during a raid. ©Private

boys, who was shot dead during a raid. Several of his female relatives and their children were in the house at the time, including his wife and their children. She told Amnesty International:

*"On Sunday 27 February we heard shelling and since we lived on the second floor we went downstairs to my brother-in-law's home as we thought it would be safer. My husband opened the front door so that if the army came they would not need to break down the door. I was in a semi-basement room at the back of the house with the children and other female and elderly relatives and my husband was in the house."*

*"At about 11.30am I heard the army come and I heard them ask for [my husband]. Then I could not hear anything and I thought that they had taken my husband away. After a while I went upstairs to my home and found it... smashed. I returned downstairs to my brother-in-law's apartment and found my husband dead in the bedroom. He was lying on his back with many shots in the body and legs. As I hugged his body I discovered that he also had a deep cut on his side. I stayed with the body of my husband until late afternoon because it was impossible to go outside as the soldiers were in the street in front of the house."*

*"As well as smashing up the furniture in our apartment they also took various items, including the children's savings and a machine to take blood pressure. Our new car had been taken out of the garage and burned in front of the house. My husband had been working abroad to save money to build our home and our future and had only come back home at the end of 2011. Now our family has been destroyed."*

The same day, 'Abd al-Rahim Bashbash, a 27-year-old car wash worker and father of two young children, was dragged away from his home by soldiers. His body was later dumped in the street. His wife told Amnesty International:

*"A large group of soldiers came to our apartment in the old city at about 1 or 2pm, on 27 February. They searched the house and did not take anything but took my husband away. Later,*

*after the army left we found his body in the street, near the baladiya [municipal building]. He had been shot in the head and his hands were tied behind his back. I don't know why they did this. My husband did nothing wrong. He worked hard at the car wash to feed his family and did not even go to demonstrations."*

Also on 27 February, 'Omar Mahmoud Aslan, a 54-year-old father of nine and owner of a second-hand shop, had stayed at home while his wife and children visited relatives in the old city. According to his neighbours, soldiers went into several houses in the street that morning, including his house. 'Omar Mahmoud Aslan's wife and children returned home at about 3.30pm and found his body in the living room. He had been shot four times in his right armpit and the bullets had gone through his chest and abdomen and exited through his left side. His relatives pointed out that the injuries indicate that his hands were raised when he was shot. His family said that the room had been doused with petrol but for some reason had not been set on fire.



'Omar Mahmoud Aslan was found dead in his home on 27 February 2012. ©Private

## SARAQEB

Several men were reportedly deliberately killed by soldiers during the military incursion in Saraqeb between 24 and 28 March 2012.

Mohamed Salah Shamrukhi, a 25-year-old tailor who was active in protest demonstrations, was seized in the early afternoon of 25 March from the garden of his neighbour's house. His body was found dumped in the town's cemetery three days later, after the army had left. He had been shot in the head and tortured. The neighbour at whose house he was seized told Amnesty International:

*"The soldiers came into the garden and saw Mohamed hiding there and grabbed him and pushed him to the ground and smashed his face against the wall; when he lifted his head there was blood pouring from his face. They asked for a rope and tied Mohamed's hands at the back with the rope and took him away back to his home."*



Mohamed Salah Shamrukhi's body was found in Saraqeb's cemetery after he was seized by soldiers on 25 March 2012. ©Private

Other neighbours corroborated this account. Mohamed Shamrukhi's parents and grandmother said that the soldiers searched the house briefly and then left with Mohamed without taking anything. One of them told Amnesty International:

*"They wanted to know about weapons, but Mohamed had no weapons, he was scared of weapons. They dragged him away and we never saw him again. We went to look for him and the soldiers said they would release him but instead they killed him. On the morning of 28 March we learned that his body had been found dumped in the cemetery. He had been shot in the eye and the back of his head was missing and his leg was broken. A young boy who was detained with him said that they had pulled some of his beard off with pliers."*



Uday Mohamed Al-'Omar (left) and his uncle, Mohamed Sa'ad Barish. Their bodies were found by relatives on 26 March 2012 after they were dragged away from home by soldiers.

©Private

Uday Mohamed Al-'Omar, a 15-year-old schoolboy, and his uncle, Mohamed Sa'ad Barish, a 21-year-old chemistry student at Aleppo University, were dragged away by soldiers from their home in front of their family on 26 March. Their bodies were found by relatives the same evening near their home. Uday's mother – who is Mohamed Sa'ad's sister – told Amnesty International what had happened:<sup>13</sup>

*"At about 2pm soldiers broke down the door and burst into the house. There were at least 10 of them. The men of my family were hiding because it was believed that the army was taking and/or killing any young men they found. They grabbed my son Uday and asked for his ID. I told them that he does not yet have an ID because he is just 15.*

*"They left and went next door and found my brother Mohamed Sa'ad. He had shrapnel injuries in the arms and legs which he had sustained in the morning of 24 March, when he was in the market and the army came into town and many residents were injured by shooting and shelling. He was not involved with the resistance; he did not even go to demonstrations and was not wanted; he had no problem passing the army checkpoints on his way to and from Aleppo University and home. The soldiers brought him back to the house and we told them he was not involved in anything; I told them to check and if they found that he had done anything I would hand him over myself. We showed them his university card and they tore it up without even looking at it...*

*"I was trying to protect Uday behind my back and they pointed their rifles at me. I tried to reason with them and we begged them and kissed their feet but they took both Uday and Mohamed Sa'ad away.*

*"I tried to follow them outside and was screaming at them and they got angry and grabbed my other child, who is 10 years old and handicapped [learning disabled and mute], and threatened to kill him. As they left they set fire to the house. With my relatives we eventually managed to put out the fire, but by then my parents' home was mostly burned down. We could not go out for fear of being shot. Only in the evening, after the army left the area I went out with some relatives and found the bodies in the street, around the corner, less than 100 metres from the house. There were nine bodies. Uday had been shot in the head and Mohamed Sa'ad had his hands tied behind his back and had been shot in the chest."*

Near the nine bodies the family found the body of Uday's brother, 22-year-old Ahmad Mohamed al-Omar. His mother said:

*"He had been shot in the neck. He had gone out in the morning with a friend on a motorcycle*

*and never came back."*

Ahmad Mohamed al-'Omar, a business administration student at Latakia University, had been arrested in August 2011 and detained for 55 days, during which he had been tortured.<sup>14</sup> He had become a fighter with the opposition but, according to witnesses, was not armed on 26 March and was apparently trying to leave town when he was seized and killed.

Amnesty International could not establish with certainty how the nine others died, but heard allegations that they too were deliberately killed. Some were fighters but were reportedly not bearing arms when captured. Some of the women who helped collect the bodies told Amnesty International that the victims had their hands tied behind the back.

## TAFTANAZ

Amnesty International found evidence of large-scale deliberate killings by the army in Taftanaz on 3 and 4 April 2012.

More than 20 male members of the Ghazal family, including at least one under the age of 18, were deliberately killed on 3 and 4 April in Taftanaz. Sixteen of them were taken from a basement, where they were sheltering with women and children. According to some of the women who were present at the time, the 16 were led outside by security forces, some in army uniforms and some in plain clothes, in the afternoon of 3 April. Later that evening their bodies were found at three separate locations near the basement.



Bullet marks were visible in the reception room of the house where nine men were extrajudicially executed. ©Amnesty International

The bodies of 'Abd al-Nasser Ghazal and Mohamed 'Abd al-Rahman Ghazal, both Syrian Arab Red Crescent workers, were found on the patio by the front door of the house above the basement. The bodies of Zahir, Najib, Nazir (three brothers), Mohamed 'Ali, Saddam 'Ali (two brothers), 'Ali Jamal, Mahmoud Yahiya, Mohamed Salim and Yahiya Mohamed Deeb Ghazal were found in the reception room of a nearby house, where a row of bullet marks were visible on the wall, about 50cm from the floor. Five bodies were found burned in a small room nearby, close to a field hospital that had been burned down by the army. They are believed to be the bodies of members of the Ghazal family who had been missing since 3 April.



'Abd al-Nasser Ghazal was a Syria Red Crescent worker.  
©Amnesty International

Two other members of the family were killed in their homes. Ghassan 'Ali Ghazal, aged 75, was shot dead in his reception room in the afternoon of 3 April. A family member who had been at



A small room near a field hospital, where five burned bodies were found. Three of these are believed to be members of the Ghazal family. ©Amnesty International

home in an adjacent room told Amnesty International:

*"Soldiers first came to the house at about 2.30pm, checked our IDs and left. About two hours later a group of soldiers came back to the house. I was in the next room and saw them come through the courtyard. They went back to the reception room and I heard them ask Ghassan for money; he said he had no money. They told him to open the safe."*

*"Then I heard several shots. I saw the soldiers leave and I went to the room where Ghassan was lying in a pool of blood on the mattress next to the wall-closet where the safe is. The safe was open. Ghassan was still breathing but it was impossible to take him out or go to seek help because there were soldiers everywhere outside. He died some three hours later without us being able to do anything to help him."*

Three bullet marks were still visible in the wall of the wall-closet, behind the safe.

Salah Ghazal, aged 81, was burned in his home. His wife told Amnesty International:

*"I had been staying with relatives across the street and my husband was at home. When I went back home on 4 April I found it burned down but did not find my husband. I went out and asked the soldiers outside where they had taken him. I thought they had arrested him. A soldier replied 'you'll find him inside'. I told him that I did not find my husband in the house and he said, 'Go back in and look for him'. I went back and found his watch and his remains in a pile of ash."*



Ghassan 'Ali Ghazal, 75 years old, was shot dead in the reception room of his home on 3 April 2012. ©Private

Also on 3 April, soldiers arrested and then shot dead two brothers from the Ghazal family – Ibrahim, a 52-year-old teacher and father of six; and 42-year-old 'Omar Ghazal, a clerk in the local court and father of four. Relatives of the two men told Amnesty International that in the morning of 3 April two shells fired by the army hit their home, one of them injuring Ibrahim, his daughters, and the wife and daughter of his brother 'Omar. Shortly after, soldiers went to the house. One of the relatives said:

*"When the soldiers came, Ibrahim asked why they had shelled our home and pointed to the damage and the injured family members, including two women and a child. The soldiers checked the IDs and*

*took Ibrahim and 'Omar away. In the evening our neighbour called us and said there were two bodies lying in the street about 50 metres from our house, to the east. They described what they were wearing (Ibrahim a black jalabiya, and 'Omar track suit trousers and a sweater) and we knew it was Ibrahim and 'Omar. They had been shot in the head. We could not leave the house to recover their bodies for hours because there were soldiers and shabiha around."*



Five members of the Ghazal family, all of whom had joined the opposition as fighters, were killed on 3 April while lying badly injured in a house where they had been hiding. A sixth was left for dead but survived. He told Amnesty International:

*"In the morning, as the army came into town, we realized that we could do nothing against such a huge force as we only had five rifles and few bullets between more than 15 of us and there was no point trying to fight. We tried to escape but we eventually got trapped in a small empty house. Most of those who were initially with me managed to flee but I and five others stayed in the house and during the late afternoon the soldiers were firing tank shells at the house and eventually some, I think, three or four, came into the room where I and the other five were lying badly injured. They first shot randomly as they came in. By then it was dark and I think they were using a torch. Then they shot each of the other five one by one. I heard one of them say, 'Are you still breathing?' and 'Are you still praying?' as one of my companions near me was murmuring the Shehada prayer. Then he shot him. I was half hidden on one side of the room and perhaps they did not see me immediately. Before they left one of them saw me, pulled me up by my head but must have thought that I was dead as my face and head were covered in lacerations from the shrapnel of a tank shell."*

In one case in which three men were extrajudicially executed, soldiers wounded but failed to kill a fourth victim – Mohamed Ayman 'Izz, a 43-year-old father of three, who was shot in the head and left for dead. Mohamed 'Awad 'Abd al-Qader, aged 75, Ahmad Ja'afar, aged 65, and Iyad Ghneim, aged 36, were all killed. Mohamed Ayman 'Izz told Amnesty International:

*"Soldiers came to my home in the morning of 4 April, searched the house, checked my ID and looked in their computer, and then they took me out and put me in an armoured vehicle and drove around for about an hour, during which they brought three other men into the vehicle. They were Mohamed 'Awad 'Abd al-Qader, the father of the imam of the Mustapha mosque, Ahmad Ja'afar, the muezzin of the nearby grand mosque, and Iyad Ghneim, a government employee who worked in the agricultural sector."*



Bullet holes in the wall at about head level are visible in the room where the bodies of Mohamed 'Awad 'Abd al-Qader, Ahmad Ja'afar and Iyad Ghneim were found, their hands still tied at the back with plastic cuffs. ©Amnesty International

*"In the car they hit me in the back of the head with a rifle butt. They took us to the house of a neighbour in the northern quarter and lined us up facing the wall. They asked Mohamed 'Awad where his armed sons were and he said he had no armed sons, and one shot him three times in the head with a Kalashnikov rifle. Then one said to Ahmad, a former political prisoner, that 25 years in prison had not been enough for him, and shot him three times in the head. Then they shot Iyad, also three times, without asking him anything. Iyad fell on my shoulder and I recited the Shehada prayer as I knew I would be next. I don't remember what happened after that."*

*"I was eventually able to drag myself out of that place but I don't know how I got to where I was found, near my house. My wife did not recognize me as I was disfigured. The following day*

*I was taken to the hospital in Idlib city and there the security forces checked me very thoroughly but it was confirmed that I was not wanted. I don't know why the soldiers tried to kill me and why they burned my home after they took me away."*

Mohamed 'Izz had been shot in the left side of his neck; the two or possibly three bullets shattered his jaw and exited below his left eye.

Accounts of neighbours interviewed separately are consistent with the account given by Mohamed 'Izz. Bullet holes in the wall at about head level and bullet scrape marks on the floor were visible in the room where the bodies of Mohamed 'Awad 'Abd al-Qader, Ahmad Ja'afar and Iyad Ghneim were found, their hands still tied at the back with plastic cuffs. One of the neighbours said that when she first went to the house in the late afternoon of 4 April she thought that she had seen four bodies, but when she returned later with other neighbours there were only three bodies but a trail of blood leading outside, indicating that a fourth person had survived. The owner of the house said he found several 7.62 bullet casings (Kalashnikov munitions) on the floor of the room where the bodies were found.

## HAZZANO

In Hazzano, where the opposition had offered no resistance to the army, soldiers still committed abuses, including at least one deliberate killing.

'Abd al-Latif Latouf, aged 72 and father of 11 children, was shot dead in his home on 5 April 2012. His wife and children told Amnesty International that they had recently left Hazzano, fearing that the army was on its way there. According to his family, 'Abd al-Latif Latouf moved with difficulty and was almost deaf. A relative who had stayed in the town told Amnesty International that he had seen smoke coming from 'Abd al-Latif Latouf's house in the morning of 5 April but only managed to go there several hours later due to continuous shooting. When he arrived he found 'Abd al-Latif Latouf in his pyjamas, lying in a pool of blood in a ground floor room. He had been shot in the head, part of which was missing, and in the pelvis. The front door had been forced open and there were spent bullet casings on the floor of the room, indicating that he was shot from inside the room. The upper floor of the house had been burned down.

## JEBEL AL-ZAWIYAH AREA



A 54-year-old man who was set on fire by Syrian government soldiers.  
©Private

Further south from Idlib, in the Jebel al-Zawiyah and Jebel al-Wastani area, residents of several villages described to Amnesty International how soldiers had taken their relatives from their home, shot them dead and, in some cases, burned the bodies.

In Bsamas, a small village east of Ihsem, a woman described how her neighbour, a 54-year-old father of eight (name of victims withheld), was set on fire by soldiers near his home on 7 April 2012. She said:



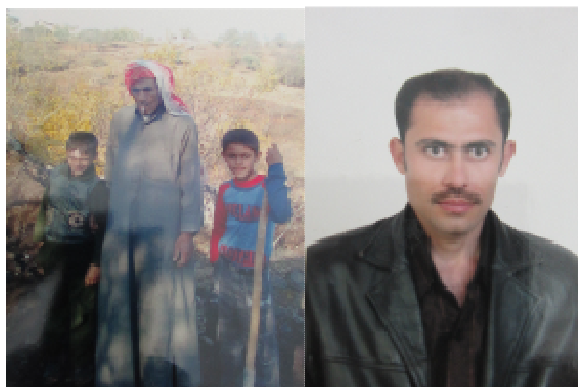
*"It was about 1pm. The soldiers dragged him to a small one-room old stone house in the orchard and then I heard shots. After the soldiers left, thick smoke was coming from the house. I went with my relatives to put out the fire, thinking the soldiers had taken our neighbour away. The smoke was so thick we could not see anything, but when we shone a torch we found our neighbour burning next to the barrel of diesel which was inside the room. We poured water over him but when we tried to take the body out pieces of burned flesh came off. It was terrifying; I cannot forget the sight. I never imagined someone could do such a thing."*

An elderly resident said he had seen soldiers kicking his neighbour as they were dragging him away, and then shooting him twice, in the legs and in the arm, before pushing him into a stone room where he was set on fire.

On the same day, six other men were taken from or near their homes and deliberately killed in the same village. Among them were a 72-year-old man and his 27-year-old son, a teacher. In the wall next to where their two bodies were found, in an unfinished building on the outskirts of the village, Amnesty International counted 16 bullet holes. Spatters of blood were still visible on the wall and on the ground. Their relatives said that the two men had been taken from their home at about 12.30pm by soldiers.

The mother of another victim, a 17-year-old secondary school student, told Amnesty International:

*"A group of soldiers came to the house; my son was sitting drinking mate (a sort of herbal tea). They took his ID, looked at it and tore it up and took him away. I was petrified; I was afraid that they would beat him or imprison him, but I never imagined that they would kill him. After the soldiers left, his body was found by the main road, about 500 metres from our home."*



A 72-year-old man and his 27-year-old son were deliberately killed on 7 April 2012. ©Private

Another teacher from the village was taken by soldiers as he was on his motorbike with his wife and three small children. In another incident, a farmer was seen by his family and neighbour being taken by soldiers as he approached his home, on his way back from working his land. The bodies of both men were later found on the outskirts of the village. So too was the body of a 24-year-old man, who had just finished his military service. Residents said that he was also seen being dragged away by soldiers.

Other men from the village had been extrajudicially executed during previous army incursions. Among them was a 42-year-old father of 11 who worked for a state company. His family told Amnesty International that members of the special forces, including a ranking officer,<sup>15</sup> came to the house on 23 February, tore up his work ID and took him outside. His neighbour said that he saw the soldiers handcuff him outside the house before dragging him away. His body was later found at the edge of the village.

A woman told Amnesty International that on 3 February soldiers took away her 28-year-old son,

a construction worker, from the family home at 5am. His body was found the following day, together with the body of another villager also arrested the previous day from the village, near the military camp in Eblin, a few kilometres south of the village. The body of a third villager, a father of seven, who was taken from his home on 3 February, was also found near the Eblin military camp two days later. His relatives told Amnesty International that he had been shot in the leg at his home before being taken away.



Five of the 20 men who were shot dead on 16 February. ©Private

Twenty men, most of them members of two families (names of the victims withheld), were shot dead on the morning of 16 February in Sennaqra, a small village south of Muhambel. Residents showed Amnesty International the place where 16 of their young male relatives, one of them still a child, were shot dead. They said that when villagers learned that the army was approaching in dozens of tanks and heavy military vehicles, the young men ran to hide in the hills. However, the army began shooting into the hills, so most of the youths returned to their houses. One of the relatives said:

*"When the soldiers arrived they took 16 youths, one of them who was only 16, and dragged them to a field right opposite the houses and shot them dead. Four other youths who were trying to run away were also shot dead. Then the soldiers left but we could not pick up the bodies for one and a half hours because the army kept shooting into the village from up on the bridge."*



The 16 graves of the youths shot dead in a field on 16 February 2012. ©Amnesty International

Relatives said that their bodies were found with their hands tied behind the back. Another relative of the victims told Amnesty International:

*"At about 7am people from a nearby village warned us that the army was on the way to our village. The young men tried to run away because we know that when the army comes they detain and kill men randomly and so it is better not to stay in the village. However, the army was shooting into the village from far, before they came into the village, so many of the youths got scared and went back home."*

*When the soldiers came into the village they took all the young men they found. Only those who managed to escape before the army came were saved. The 16 who were taken from their homes*

*were found dead, all together, with their hands tied behind the back. The other four who were caught while trying to hide were killed one by one where they were found."*

The mother of one of the victims said:

*"This is a very small village; there were only about 40 youths in the village and half of them were killed in one day."*

The army attack on the village appears to have been carried out in revenge for an attempted attack on a train station and train line near the village reportedly committed the previous night by armed groups.

In 'Ain al-'Arous and nearby villages, residents told Amnesty International that between 9 and 14 March, Syrian armed forces operating in the area arrested some 33 residents, including a woman and several children, and summarily killed four of the male detainees, apparently in revenge for the desertion of four soldiers in the area. Amnesty International received consistent accounts of this incident in a series of separate interviews with residents and relatives of the victims, including people who had been in the original group of detainees. One of them explained:

*"On 6 March, after four soldiers, possibly some of them were officers, I don't know, deserted from the army position in the nearby village of Arnaba, the army came to the village and searched the place and arrested 33 of us, including several members of the Qantar family, among them a woman, her nine-year-old daughter and at least two boys aged 16 and 17. We were held in an unfinished house in Arnaba; it was very cold. On 7 March in the evening they sent one of the detainees back to 'Ain al-'Arous to inform the village that if the four deserters were not handed over they would kill five detainees every day. The detainee who was sent had a brother detained with the rest of us and he knew that if he did not come back his brother and the rest of us would be killed.*

*"As far as I know, the deserters had only passed through the village and had gone on to join the FSA in another area. I heard that there were negotiations to bring back the four deserters so as to spare us detainees and the village, but I don't know what happened. Four of those detained with us, from the Qantar family, were taken to another place in the agricultural centre in the village of Eblin which serves as a military base. We were all released after three days, except these four. They are Ahmad and Khaled Qantar, two brothers aged 19 and 16, Mazen Qantar, aged 17, and Mustafa Qantar, in his mid-late 40s and father of 12 children. Their burned bodies were found three days later in the mountains nearby."*

Other relatives of those killed confirmed that the four had been arrested with the group and that their burned bodies were found



Mazen Qantar, aged 17. His body was found burned in the mountains three days after his arrest by Syrian soldiers on 6 March 2012. ©Private



Mustafa Qantar's body was found burned in the mountains three days after his arrest by Syrian soldiers on 6 March 2012. ©Private

on 14 March. They said that Mustafa's body was recognized because he was missing an eye.

Armed clashes reportedly took place in the 'Ain al-'Arous area at the time of the army incursion on around 9 March and it is not clear how many of those who were killed were participating in hostilities. At least 10 other men were killed, including three brothers (names withheld) whose family told Amnesty International that they had been arrested from the home of one of their relatives, and five members of the Qantar family, whose relatives said had been killed while trying to flee. Amnesty International could not verify the exact circumstances of these deaths when it visited 'Ain al-'Arous, because movement was very restricted by the army presence in and around the village and some of the relatives and witnesses had either fled or were too frightened to testify. However, the available information indicates that some of the victims were deliberately killed when not taking part in any hostilities.

Members of the Qantar family may have been targeted and deliberately killed in revenge for the actions of other family members believed to be part of the armed opposition.

In the nearby village of al-Muwazzara, a woman showed Amnesty International her partially burned down home, where her 60-year-old husband (name withheld) was shot dead by soldiers on the morning of 9 March. He had been shot three times in the head and twice in the shoulder. His wife held up the headdress he had been wearing at the time, which had three holes at the top and two by the side, where it sat on his shoulder. She said:



A 60-year-old man, who was shot dead by soldiers in his home on 9 March 2012.

©Private

*"It was early morning and my husband and I were at home. When we heard that the army was coming to the village we decided to go to our son's house down the road so that we could put the car in the garage because we were afraid that the soldiers may burn the car, because they burned many cars before when they came to the village. The car would not start and I started walking to my son's house. As I left soldiers went into the house where my husband was alone. When I got to my son's I called home and my husband said the soldiers had searched the house and left without taking anything.*

*"Then when I did not see him coming I called but there was no answer. My neighbour told me that a soldier and an officer had gone back to our house and my husband was outside and they took him into the house. After they left the neighbour saw smoke coming from the house and went to put out the fire and found my husband dead. The soldiers shot my husband dead and then set fire to the house. Why? I don't know. He was 60 years old and had just had a stroke 10 days earlier and was still unwell. He did not escape when the soldiers came to town. He was worried they may take the car but did not worry that they may harm him because he had not done anything wrong."*

The couple's neighbour confirmed this account, and Amnesty International found three bullet holes in the wall behind where the body had fallen, and several bullet marks on the floor nearby.

Also on 9 March, at least two other men were shot dead in the same village after having been

dragged away from their homes. The wife of a 32-year-old state employee and father of six told Amnesty International:

*"It was early morning and we were asleep. Two soldiers came and searched the house and then went to the door and a larger group came in and asked for my husband's ID. My husband was not involved in any protest activity and was not wanted. He travelled daily through army checkpoints on his way to and from his work in Idlib city. The soldiers took my husband outside and after a few minutes I heard shots and then it was quiet. I went outside with some of my children and found my husband dead in a pool of blood in the toilet in the courtyard. He had been shot in the left side of the head."*

The wife of a 31-year-old construction worker and father of four, told Amnesty International:

*"A group of soldiers came to the house at about 7 or 8am. They searched the house and asked for my husband's ID but he had lost it so I gave mine so that they could see that we are from the village. They just said he should get a new ID and left. Fifteen minutes later two of soldiers who had come the first time came back and took him away saying they were taking him to his family home nearby to check his identity, but they never took him home and in the afternoon, after the army left the village his body was found by villagers on a hill in the outskirts of the village. He had been shot about 10 times, in the head, the eye, the chest and the lower legs."*

In several villages in Jebel al-Zawiyah families told Amnesty International about the killings of their relatives after they had been seized by soldiers during earlier incursions into the villages. In al-Lej, the wife of a 28-year-old man (name withheld) who worked in Lebanon said that her husband was taken from his home on the morning of 19 December 2011, and subsequently shot dead.

*"Soldiers took my husband from home at about 9.30am and a few hours later his uncle went to ask about him at the army camp in the nearby village of Arnaba. Soldiers there told him to wait until the unit from Bellioun (a nearby village) came and that he had probably been taken to Bellioun and that if nothing was found against him he would be released before sunset. When the army left the village in the evening people from the village said they had found three bodies blindfolded and handcuffed at the back. One of them was my husband."*



A man from al-Lej, who was taken by soldiers on 19 December 2011. His body was found on the same day, blindfolded and handcuffed at the back. ©Private

Further south, in Kafr 'Awaid, more than 70 men and boys were killed on 20 December 2011. Survivors told Amnesty International that seven of those killed were summarily executed after they had surrendered or been seized by soldiers. They also said that several others were shot dead while they lay injured and unarmed. According to survivors and residents who went to the valley to recover the bodies, up to 120 men and boys from Kafr 'Awaid and nearby villages, including both civilians and armed opposition fighters, many of whom were not armed at the time, hid in the Wadi Bdama valley, which stretches for several hundred metres, in the early morning of 20 December and the previous night. Some had apparently been fleeing from village to village as the army advanced through the area. One

of the survivors told Amnesty International:

*"We were sheltering in small caves, in bushes and behind rocks. At about 10am the army came from all sides with tanks and heavy weapons and began shelling and shooting into the valley. It went on for several hours. I saw five who gave themselves up and who were executed. Three were civilians, including Mohamed 'Abd al-Karim al-Dhahir, the brother of the Imam of the local mosque, and Ahmad and Mukhlis al-Ghribi. Two were army deserters, Shahir Shamali and Samir Khannus. And two others were caught by the soldiers and were also executed. One was Mohamed Sayar al-Daddu, he was 16 years old, and the other was Zuhair Ahmad al-Dhahir, who was about 26 years old."*

## JEBEL AL-WASTANI AREA

Further north on 8 April, the army launched a major incursion in al-Bashiriya, a village where protest demonstrations had been held regularly since the beginning of the uprising. Armed clashes between the army and armed opposition fighters took place in the hills outside the village. About 35 men were killed in and around the village during the clashes; some are believed to have been armed fighters, others may have been fighters but were not armed when they were killed. Several were civilians, including at least three children, who were not involved in the conflict and who were either going about their chores or trying to flee to safety.

The three boys – Juma'a Yousef al-'Issa, aged 8, his brother Ibrahim, 14, and his cousin Nouredine 'Ali al-'Issa, 11 – and the latter's brother, 'Izzeddeen, 21, were killed in the nearby village of Biftamoun, where they had been tending the family's sheep. Other children who were tending sheep nearby and who hid when soldiers approached described how soldiers forced the three boys and 'Izzeddeen to kneel on the ground and shot them dead. According to the witnesses, 'Izzeddeen, said to be a fighter, was not armed when he was seized and killed. One of the boys' relatives told Amnesty International:

*"The children were grazing the sheep on the hill. When we saw the army come towards the village 'Izzeddine ran up to get the children and bring them home. The soldiers caught up with them and shot them. Little Juma'a, eight years old, was shot in throat and in the palms of both hands; he was holding his hands up when he was shot."*

On the same morning, another resident, 'Abd al-Hamid Mohamed 'Othman, a 30-year-old farmer and father of three, was shot dead in the same area. His elderly parents told Amnesty International:

*"He was working the land near home with the tractor when we heard that the army was approaching with tanks, so he brought the tractor home and took some food and water and walked up to the hills. He took the food and water to bring to the shepherds who were in the hill because with the army coming to the village they could not come back and would have to stay in the hills. He was shot in the head and in the arm and leg."*

A witness described to Amnesty International the killing of Sa'id Ibrahim Fara'a, a 55-year-old farmer and father of five, on the morning of 8 April:

*"Sa'id was walking on the main road on the outskirts of Baqlid village and a convoy of some 40 tanks and 30 army vehicles was passing on the road towards al-Bashiriya. The tanks and vehicles were spaced out, with some distance between them. A pick-up truck with a machine-*

*gun mounted at the back came by near Sa'id as he was walking on the road and shot him in the head from close by and continued on its way. The left side of his head was literally blown off. There was no reason for killing him, he was just walking on the road."*

Relatives and other residents saw some of the victims being dragged away by soldiers; their bodies were later found dumped around the village. Among them was Mustafa 'Idu, who was last seen being handcuffed by soldiers in al-Bashiriya.

In al-Bashiriya and surrounding villages, residents described patterns of abuses consistent with those seen in other areas where army incursions took place, with soldiers systematically hunting down men and burning down and vandalizing homes and property. A local woman told Amnesty International:

*"When the army approached the area, all the men fled; only we women, the children and the old people stayed in the village. The men must leave because they may be killed or arrested. This is what happens every time."*

Several residents who were hiding in the hills around the village told Amnesty International that the army shelled intensely the area around the village. One of them said:

*"I am not armed. I was just hiding in the hills like all the other men. The soldiers shelled from the tanks for hours. They seemed determined to kill every living thing. The shelling was totally indiscriminate. Shells were falling everywhere. They were not directed at fighters. I was trying to protect myself by hiding behind big stones. It was terrifying. Three men who were hiding in a hole between some stones, I don't know if they were civilians or fighters, got injured in the shelling. After the shelling stopped, soldiers came and threw explosive into the hole where the three injured men were and killed them."*

According to other residents, one of the three was a fighter and two were civilians. Another resident said:

*"When I heard that the army was coming in I grabbed the few medical supplies we have in the village and ran to hide in the hills. If I had been caught the soldiers would have had two reasons to execute me; because I am from the village and because I had medical supplies with me."*

## ALEPPO AREA

In the north of the country, in towns and villages around Aleppo, a similar pattern unfolded as in other regions. Government armed forces extrajudicially executed those they had captured, deliberately killed other unarmed civilians who posed no threat to them, and carried out gratuitous acts of violence.

In the small town of Tell Rif'at, north of Aleppo, at least nine men and a child were deliberately killed on 9 April 2012 during a one-day large-scale army attack on the town. Among the victims were seven members of the Sakran family – four brothers and their three cousins (three brothers) – who were shot dead in their home. Soldiers then set fire to the bodies and to parts of the house and to neighbouring houses. The victims were: Yousef Sakran, 35, and his brothers Mohamed Deeb, 31, 'Abdallah, 25, and 'Abd al-Latif, 22; and their three cousins,





Shadi 'Abdallah, 'Abd al-Latif, Bassam 'Abdallah and Deebou 'Abdallah – four of the seven members of the Sakran family who were extrajudicially executed in their home on 9 April 2012. Their bodies were then set on fire. ©Private

Bassam 'Abdallah Sakran, 35, and his brothers Deebou 'Abdallah, 26, and Shadi 'Abdallah, 24. All except 'Abd al-Latif left behind young children. One of their relatives told Amnesty International:

*"On 8 April, when we heard that a large army contingent was massing around our town, we took the women and children to relatives in another village. Early the following morning, on 9 April, eight of my brothers and cousins came back home to look after our houses and properties, so that they would not be looted as we heard had happened in other places which were invaded by the army. The town was surrounded by the army on three sides, with movement in and out of town only possible from the eastern side. All eight of them got home safely and we spoke to them on the phone the last time at 10.30am. They said the army had not yet got to the area of the town where our homes are. They were all at home except one of the five brothers, who had gone out to look for transport (shared taxi) to go to work in Aleppo. He did not find any taxi*



Abdallah Sakran (left) and Mohamed Deeb Sakran (right), who were also killed on 9 April 2012. ©Amnesty International

*going out of town and returned home before midday. When he got to the house he found his four brothers and his three cousins dead in the house. They had all been shot in one room and their bodies were on fire. Other parts of the house had also been set on fire. He tried to put out the fire but there was nothing else he could do. He was deeply traumatized and has been ill ever since. Our entire family is traumatized. Not even in the worst possible*



*nightmare we could have imagined that such tragedy would befall our family."*

When Amnesty International visited Tell Rif'at at the end of May, parts of the burned family house, including the room where the seven had been killed and burned, had been repaired. One of the victims' relatives said:

*"We have tried to repair the house as quickly as possible so that the children don't have to see the traces of the massacre of their fathers every day."*

Video footage obtained by Amnesty International shows the burned bodies of the seven members of the Sakran family in a pool of blood, with the blood-splattered wall and floor riddled with bullet holes.

On the same day, Mohamed Ka'akji, a 20-year-old electrician who worked for state television, and his friend Mohamed Hadbeh were both shot dead. A 15-year-old boy who witnessed the killing told Amnesty International:

*"In the morning [of 9 April] I tried to leave the town with Mohamed Ka'akji and Mohamed Hadbeh but it was not possible because the soldiers were all around and were coming into the town and so we hid in a house. We did not have any weapons. We stayed there for a long time and when we did not hear any noise for a long time they (Mohamed Ka'akji and Mohamed Hadbeh) opened the door to look outside but they found soldiers in front of the house. The soldiers grabbed them and shot them. I was hiding under a pile of mattresses and the soldiers did not see me. I heard the soldiers leave and after that I did not hear any sound any more and I stayed there for hours, until I heard people outside the house screaming when they found the bodies of Mohamed Ka'akji and Mohamed Hadbeh. By then the army had left."*

The brother of Mohamed Ka'akji told Amnesty International:

*"I had left town the day before and I called my brother in the morning (of 9 April). He said that he had gone to look for a shared taxi to go to his work in a nearby town but that there were no taxis and the soldiers at the edge of the town had sent him back into town and so he was going to have to stay in town because it was impossible to leave. After that I could not reach him anymore and I worried that something might have happened to him. After the army left, residents found his body, and the body of Mohamed Hadbeh. They were both shot dead in cold blood. My brother was a civilian. He was not armed, nor was his friend. Why did they kill them?"*



Mohamed Ka'akji. Witnesses said soldiers shot him dead and ran over his body with a pick-up truck.

©Private

Residents who found the bodies said that both men had been shot in the head and Mohamed Ka'akji had also been shot in the abdomen. Neighbours said soldiers had run over his body with a pick-up truck. Video footage of the bodies appears to corroborate their accounts.

In 'Anadan, between Tell Rif'at and Aleppo, Syrian armed forces deliberately killed at least three unarmed civilians during incursions on 5-6 April and on 27 February. A man who

witnessed the killing of his brother on 5 April told Amnesty International:

*"My brother, Mohamed, was a civilian; he had never had anything to do with weapons; he worked as a driver for the town hall. During the incursion we did not leave the town and stayed in our home because we thought that the army would not attack civilians. At about 10 or 10.30am on 5 April several members of military security came to our house. Our home is behind our shop on the main road, where the soldiers were certain to pass, so we left the front door open, so that the soldiers would not have to break down the door if they wanted to come in to search the house. We did not hear them come in. They kicked open the door of the room we were in and shot my brother in the abdomen, without saying anything. They just shot him point blank. There were 10 or 15 of them. They hit me hard on the head with the rifle butt and I fainted. They may have thought I was dead. When I regained consciousness my brother was bleeding and was still breathing but I could not go to get help or take him anywhere because the soldiers were everywhere in the streets. My brother died in our home some four or five hours after he was shot, without me being able to do anything to help him."*

In the afternoon of the same day, in the same road, soldiers shot and seriously wounded two brothers in their home. Their father who was present at the time told Amnesty International that several soldiers burst into the house and shot his two sons. He said that as the two young men were lying on the floor injured, one of the soldiers aimed his rifle and was about to finish them off but other soldiers took them away instead. They were detained in a military security detention centre in Aleppo for 19 days and were subsequently released on bail, on payment of 43,000 Syrian pounds (about US\$675).<sup>16</sup>

In a previous incursion into 'Anadan, on 27 February, Syrian government forces extrajudicially executed two men. A third man, in his late forties, who was with them and survived, told Amnesty International:

*"It was about 3pm. I was in the taxi on the edge of the town with Mohamed Isma'il al-Raj, the taxi driver, aged 63, and 'Adnan al-Ghafour, who was in his late 20s or early 30s. Uniformed and plain clothes security men on a pick-up truck shot at our taxi. Isma'il was injured in the left shoulder and 'Adnan in the left leg. Isma'il stopped the car and the security men took us out of the car and made us kneel by the side of the road. There were some 15 pick-up trucks. With them was the head of the Aleppo branch of the Air Force Intelligence, so I presume they were members of Air Force Intelligence, though some may have been from other forces. Some were wearing green military fatigues and others were in civilian clothes. They were armed with Kalashnikov rifles. They kept us there, kneeling by the side of the road for about two hours while they fired into the town. They then got back into their vehicles to leave and as they were leaving they shot at us. Isma'il was hit by some 10 bullets in the neck and chest and 'Adnan was shot in the neck and side. They both died immediately. I was shot in the back; the bullet lodged in the vertebral column and has not yet been removed."*

### 3. INDISCRIMINATE ATTACKS CAUSING CIVILIAN CASUALTIES

**“The tank kept shooting at us, even though they could see we were women and children.”**

A relative of an elderly couple killed when their pick-up truck was fired on as they fled Taftanaz on 3 April

While it has been predominantly men and boys who have been the targets of extrajudicial executions, hundreds of bystanders not involved in the conflict have been killed and injured as a result of indiscriminate shooting and shelling by Syrian armed forces, both in the context of military incursions and attacks, and at other times. During visits to towns and villages around Idlib and in the Jebel al-Zawiyah area, an Amnesty International delegate witnessed several instances of indiscriminate shooting from army positions.



A destroyed house in Taftanaz. ©Amnesty International

On 1 May, seven members of the Yousef family – a child, three women and three men – were killed and 10 others, most of them children, were injured when their home and the area around it was indiscriminately shelled in the middle of the night in Mashamshan, a village near the town of Jisr al-Shughur. Members of the family told Amnesty:

*“We were sleeping. It was 1am when a shell struck our home; it came through the roof and landed in an empty room. We ran out of the house in panic and some of us went to our relatives next door and the others gathered under a tree nearby. Exactly 12 minutes later another shell struck right by the tree, killing Fawwaz, his 15-year-old son Nadim, his sister Ghofran, his cousin Ahmad, and his aunts Maryam and Shouqa. Some of the victims were horribly mutilated in the explosion and those who were injured in the blast were mostly children; some of them have serious wounds.”*

'Abd al-Hay Hamad, a young man from the nearby town of Jisr al-Shughur, who was staying in the area, was also killed in the blast. Several other shells exploded in the area in the following minutes, fortunately without causing further casualties but causing panic among the residents.

On 12 May, a five-year-old girl, Maryam Qeddi, was killed when a hail of bullets hit her home in Qoqfeen in Jebel al-Zawiyah. The bullets also injured her 10-year-old cousin and her 70-year-old aunt. Members of the family told Amnesty International that Maryam had been playing on the balcony when she was struck in the back by a bullet, which went through to the chest. She died almost immediately. Her aunt, who was struck by a bullet in the thigh, said she had been standing by the door of her home nearby. Children from nearby houses showed Amnesty International where they had been playing when several bullets hit the wall just above their heads. One of those bullets injured Maryam's cousin in the head. The shooting came from an army position on a hill across the valley.



Hamida al-Sayed was shot dead while picking peas in a field.

©Private

On 3 May, Hamida al-Sayed, a 35-year-old mother of three young children, was shot dead in Jannat al-Qura village in Jebel al-Zawiyah. A relative told Amnesty International:

*"She was picking peas in a field on the outskirts of the village, a few hundred metres from an army checkpoint when she was struck by a bullet in the left side of her chest and in her left hand. The army often shoots indiscriminately in all the directions from the checkpoint and the area is very dangerous for the agricultural workers who tend the fields in the area."*

Amnesty International has interviewed scores of men, women and children who described being injured in indiscriminate shooting and shelling and has received numerous testimonies from residents of towns and villages in different parts of northern Syria describing frequent and sustained indiscriminate shelling and shooting – often causing civilian casualties – both before and during army incursions into towns and villages and at other times.

On 15 February, Iyad Salameh, a four-year-old boy, was killed when a tank shell, fired from an army position to the west of Sarmin, struck the first-floor veranda of his family home. Shrapnel from the same shell also killed a man, Ziyad Maari, as he was walking in the street near the house. Neighbours told Amnesty International that on that day several tank shells fired from army positions to the west and east of Sarmin had landed near houses on the outskirts of the town.

On the morning of 27 February, 'Abd al-Mohsen 'Abboud was killed when a tank shell slammed into his third-floor apartment in Sarmin. Later that day, Nawal 'Ali 'Abd al-'Aziz, a 65-year-old mother of six, was killed when a shell hit her home. Both incidents happened during a one-day military incursion into Sarmin, during which there was intense random shelling in the town. One of Nawal's relatives told Amnesty International:



Remains of munitions were found in several homes in Taftanaz, Sarmin and al-Bashiriya. ©Amnesty International

*"Nawal and her husband were sitting in the living room, which opens into the internal courtyard of the house. It was about 1.15pm when a shell came over the courtyard, struck the roof of the porch and slammed into the living room. Nawal was hit and killed on the spot; she had horrific lacerations."*

Nawal's husband, who was sitting in the same room, was unhurt.

Ahmad Qara'oush, aged 17, was killed on 22 March by a tank shell as the army was approaching Sarmin in what appears to have been an example of long-range indiscriminate shelling described by residents in all the towns visited by Amnesty International. Ahmad Qara'oush's mother told Amnesty International:

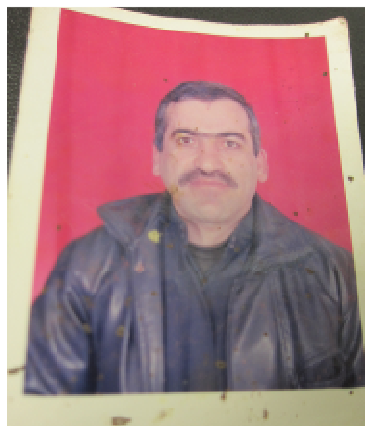
*"Just as the news was coming in that the army was moving towards the town, Ahmad went out to watch. He was by the main road and the tanks were still far away, by the junction outside the town, but they fired indiscriminately into the town. I got the message that my son had been hurt but the shelling intensified and it was impossible for me to go out to look for him. He was taken to a field hospital but died and it was impossible to get his body that day. The following morning at 5am I went to the place where the army tanks were stationed at the edge of town and asked to be allowed to bury my son. I told them he was killed by the first shell in the morning and the officer said he had fired the first tank shells. They gave me half an hour to get the body and bury him, without ceremony or even prayers."*



Ahmad Qara'oush was killed on 22 March 2012 by a tank shell. ©Private

'Izzat 'Ali Sheikh Deeb, a 49-year-old father of one, was killed in Saraqeb in the early afternoon of 27 March, when a tank shell struck the house from the east, taking out two walls before hitting him. He died almost immediately. The shell or possibly shells were apparently fired from a tank less than 20 metres east of the house on the main road. The tank's track marks were still visible on the road when Amnesty International arrived.

'Izzat 'Ali Sheikh Deeb's wife and child were in a different part of the house and were unharmed. His brother told Amnesty International that soldiers later came to the house and admitted having fired at the house in error, saying they had thought fighters were in the house. He said:



'Izzat 'Ali Sheikh Deeb, killed when his home was hit by a tank shell. ©Private

*"They wanted to take 'Izzat's body and when I opposed this, they threatened to shoot me but in the end they left."*

Some people have come under attack even as they tried to escape the fighting, with government forces failing to distinguish between civilians and combatants. 'Ali Ma'asus, aged 76, and his wife Badrah, aged 66, were killed and their 46-year-old son and 10-year-old granddaughter were injured when their pick-up truck came under fire as they and other relatives were fleeing Taftanaz on the morning of 3 April. Family members who were in the vehicle told Amnesty International that as they heard news that the army was coming into Taftanaz from the south, the family piled into the vehicle and tried to leave from the north, towards Aleppo. One of them said:

*"Just as we were turning into the main road I saw a tank ahead, maybe 200 metres away. It fired a volley of bullets at our vehicle. We were the only car on the road at that moment and they could see very clearly that it was a civilian vehicle full of women and children."*

The bullets hit the cabin, and the elderly couple sitting at the front took most of the fire. Badrah was shot in the head and abdomen and died shortly after. 'Ali was shot in the chest and neck and died a few days later. Their son, who was driving, was shot three times, in the face and in the shoulder. His 10-year-old daughter was shot in the thigh. The other family members who were sitting in the back of the truck were not harmed. One of the family members in the vehicle told Amnesty International:

*"When the tank fired at us we ran away from the car into a building but the tank kept shooting at us, even though they could see we were women and children. After a while they left and we could move again, but by then my grandparents were dead."*

Another family trying to flee Taftanaz the same morning had a lucky escape when their pick-up vehicle came under fire from what family members believe was a machine-gun in a helicopter flying overhead. A 23-year-old woman, who was injured in the shooting, told Amnesty International:

*"As the army was coming in, I and my sisters and sisters-in-law and the children all got into my father's pick-up truck to go somewhere safe out of town. Many other residents were also fleeing and there were helicopters shooting from above, and just as we were leaving town I was shot in the thigh; probably it was from the helicopter as there was no army in the area. It was terrifying especially because my baby boy was sitting on my lap and it was lucky that the bullet missed him."*

Tha'er Shilly, a 20-year-old construction worker, was shot dead as he stood next to a friend who was filming the army incursion in Taftanaz on 3 April. It was around midday and they were around 50 metres from the soldiers:

*"He was just standing, was not holding anything in his hands that could be mistaken for a weapon and I was filming with my phone, which is very small. A soldier appeared in the street below. He could see us clearly and could see that we were just filming. He took aim and fired. Tha'er was hit in the abdomen and died immediately."*

The same day, two young women were injured by shrapnel from a tank shell that exploded near their home in Taftanaz. One of them told Amnesty International:

*"We were standing in front of the house; it was about 11am. We had got scared when we heard shelling and went outside. A shell hit the roof and exploded. I thought my right leg had been blown off; it was lacerated all over, and my sister was also injured in the legs and lower back."*

Anas Nadim Hijazi, aged 20, was killed when he was hit by shrapnel from a tank shell fired from a distance as the army was approaching Hazzano in the morning of 5 April. Neighbours and relatives told Amnesty International that he was crossing the road in front of his house with his older brother, when he was struck by shrapnel from a tank shell which exploded nearby. His brother was not hurt. The family home and the shop underneath were burned later that day.

Residents of 'Anadan told Amnesty International that on the morning of 5 April Syrian armed forces, which had been surrounding the town since the previous day, fired tank shells and shot indiscriminately into the town, from outside the town and from helicopters flying overhead. Tens of civilians were injured. Residents said that a large group of soldiers stationed around the town had deserted during the night and that the indiscriminate shelling of the town might have been in reprisal for the desertions. A resident noted:

*"The deserters could not have come into the town as it was surrounded by tanks. It seems that the shelling and shooting was intended to frighten the population, and indeed many fled in the early morning."*

Among the injured was a 15-year-old girl who was injured in the back by shrapnel. Doctors who treated her told Amnesty International that she had sustained lacerations and deep wounds.

Another victim, a construction worker in his mid-forties, told Amnesty International:

*"I was by the door of a building near my home in the south-eastern side of town when I was struck by a large piece of shrapnel in my left leg. I was walking with crutches because I had not yet recovered from injuries to my right leg sustained as a result of indiscriminate shooting during a previous incursion, on 27 February."*

A 50-year-old man was shot in both legs with large calibre munitions and sustained deep wounds which doctors said might result in the amputation of one of his legs. He told Amnesty International:

*"In the morning of 5 April, when I saw that the army was coming into town, I worried about my*



*parents who are very old and live alone on the other side of town and I decided to go to them. I crossed the town on foot and when I was very near my parents' house I was shot in both legs from a nearby army position. I collapsed and as I lay on the ground, the army kept shooting in my direction. It took me two hours to crawl the short distance to my parents' home. Once there my parents called doctors but none could reach the area because of the continuous indiscriminate shooting. My father pleaded with the soldiers to allow my evacuation but they refused. I remained at my parents' house, unable to get any care until the following night, after the army left the area."*

On 9 April, Amir Ahmad 'Assaf, a 15-year-old schoolboy and cousin of the seven members of the Sakran family who were killed and burned in their home (see above) in Tell Rif'at, was shot dead. A family member told Amnesty International that the soldiers had withdrawn from the town but continued to shoot from the outskirts and the boy was killed by a single shot to the forehead as he was on his way to the bakery.

Many men, particularly youths, told Amnesty International that they do not leave their villages for fear of being detained at army checkpoints or shot at on the road.

On 12 May, soldiers shot 21-year-old 'Abdallah Al-Khalil as he was on his way home on his motorbike near Kafr 'Awaid, in Jebel al-Zawiyah. Another young man who was travelling with him on the motorbike and who managed to flee to safety said that his companion was initially injured and fell to the ground, and that soldiers then seized him and repeatedly shot him in the head.



Basem Martini was shot while trying to help injured people in Idlib city. He died shortly afterwards. ©Private

Several people told Amnesty International that they had come under fire while rescuing or attempting to rescue the wounded during army incursions.<sup>17</sup>

Basem Martini, a 33-year-old father of two, was killed on 10 March at about 11am as he was rescuing injured people in Idlib city. One of his sisters told Amnesty International:

*"The army came into the city from the south, near our home and as soon as Basem heard shooting and shelling he went out to help rescue the injured. He managed to rescue two injured people and to drive them to a field hospital each time. The third time he returned to the street to pick up a third wounded he was shot. The bullet went in through the car door and struck Basem in the left side, went through his abdomen and exited from the right side. He somehow managed to drive home but died shortly after. We could not bury him for three days because of the heavy fire."*

One of his friends, who had been in the same street also trying to rescue the wounded, told Amnesty International that both he and Basem had been targeted by snipers. Basem narrowly avoided being shot on the previous trip, whereas his friend was struck but got away with minor injuries. He said:



*"Snipers directed a lot of fire at us as we tried to rescue the wounded. There were wounded or bodies I could not get to because of the fire so I was trying to drag a wounded man from behind the corner of a building for cover but suddenly there was a lot of fire directed at me; the bullets were whizzing past. I got injured, but luckily not seriously, but Basem came back for one more wounded and he was hit."*

## 4. WANTON DESTRUCTION OF HOMES AND PROPERTY

**“The army came into our villages and fired at us with tanks and helicopters and burned and destroyed our homes.”**

Resident of Jebel al-Zawiyah area, speaking to Amnesty International in mid-May 2012



A burned-out family home in Jebel al-Zawya. ©Amnesty International

In every town visited by Amnesty International that had witnessed military incursions or operations, the army caused a level of gratuitous damage beyond anything that could possibly have been caused by clashes with armed opposition groups. Homes were struck by tank shells, seemingly fired indiscriminately, often when only women, children and elderly people were inside and when no armed confrontations were taking place in the vicinity. Houses were systematically burned down, in an obviously deliberate manner. Residents' committees in the towns and villages visited by Amnesty International had documented more than 1,500 homes, shops and other properties that were completely or partially burned down, destroyed or otherwise damaged.<sup>18</sup> The figures tallied with what Amnesty International observed on the ground. Most of the damage was to houses that had been burned down.

Amnesty International examined scores of burned houses in all the towns visited and found incontrovertible evidence that they had been set on fire deliberately. There was no damage from shelling, excluding the possibility that exploding munitions had caused the fires. Indeed,

there was relatively little damage resulting from clashes in any of the towns visited.

The manner in which the arson attacks were carried out indicates premeditation. Incendiary devices were used, causing intense fires, even where there had been little flammable material in the houses. The damage was overwhelming – wall-to-wall and floor-to-ceiling – indicating that the fires were fed by highly flammable chemicals. The troops must have brought with them incendiary devices that served no other purpose than to start fires.



A burned-out field hospital in Sarmin. ©Amnesty International

Field hospitals, most of them small facilities for emergency care, were targeted wherever they were discovered by the army. Amnesty International saw field hospitals that had been burned down in Deir Sinbol, Idlib city, Sarmin, Saraqeb, Taftanaz, and 'Anadan. Mosques acting as field hospitals were also shelled in Sarmin and Taftanaz.

In Anadan, north of Aleppo, all of the town's medical facilities and seven pharmacies were

burned down or looted and trashed during army incursions between 5 and 9 April 2012. When Amnesty International visited the town at the end of May, some of the burned or damaged medical facilities and pharmacies had reopened in other premises or were being repaired. One of the doctors told Amnesty International:

*"We have no hospital in the town and the medical facilities consisted of three clinics: one specializing in emergencies, one in fractures and one in internal surgery. In addition, a field hospital with operating equipment and facilities had been set up months before to cope with the additional casualties wounded in army attacks. When the army invaded the town on 5 April all these facilities were burned down and looted. The medical store which contained supplies for the field hospital was ransacked and everything was taken. We have had to start from scratch again."*

The owner of one of the pharmacies which was completely burned down told Amnesty International:

*"When the army invaded the town I fled, like most other people in the town, and when I came back the following day, after the army withdrew, I found that all that was left of my pharmacy were charred walls. Not a single item was left; all I found was a pile of ashes. At first I thought that my pharmacy had been burned down just because it is on the main road, where the tanks passed, but then I learned that other pharmacies and medical facilities were also burned and destroyed."*

Also in Anadan, a sewing workshop belonging to three young women was burned down. The



One of the pharmacies that was burned out in 'Anadan.  
©Amnesty International

girls' aunt told Amnesty International:

*"The girls' father is dead and their mother is ill. The workshop was the sole source of income for the girls and their sick mother. The sewing machines and all the material has been destroyed; now they have nothing left."*

Some, possibly many, of the homes that were burned down or otherwise targeted belonged to activists not involved with the armed opposition or to people who had become fighters with the opposition. In many cases, the owners of the burned or destroyed houses were away at the time of the attacks. In other cases, families were ordered out of their homes before the buildings were set on fire.

In al-Lej, a village in Jebel al-Zawiyah, a woman told Amnesty International that in the early morning of 9 March soldiers burned her home and the homes of her husband's relatives, seemingly in reprisal for her husband's anti-government activities:

*"Soldiers came to my home, at about 7am on 9 March. I was with my baby and my husband's parents. They asked for my husband and when I said I did not know where he was, they took his parents out and one of the soldiers told me: 'When you see your son burning, you will tell me where is your husband'. They poured a liquid in the bedroom and set fire to it. I was petrified. They then took me and my baby out of the house and said they would take me to prison and my baby to an orphanage. They asked where my parents-in-law's house was and took me there and made me walk in front of them to go into the house. They searched the house and then set fire to it."*

In the same village Amnesty International saw three other houses and several shops belonging to other members of the family that had all been burned to the ground.

In al-Bashariya in Jebel al-Wastani, a mother of five showed Amnesty International her burned down home and said:

*"When the soldiers came, on 8 April, I was alone with my five children. They told me to go out and I refused but they threatened to kill my child so I had no choice but to take the children and leave the house. We stood outside watching the soldiers burn our house. We could not take anything; we were left with nothing other than the clothes on our back. Everything is gone, the children's schoolbooks, absolutely everything. Whatever we have was given to us by kind relatives and friends."*

Also in al-Bashiriya, the family of a young man, Khaled Yaseen 'Abd al-Qader, who was killed on 8 April, told Amnesty International that on the same day soldiers came and burned down the entire family compound, which was home to three families. When Amnesty International visited, in early May, the family was living in part of the burned down house. Khaled's mother said:

*"In one day I lost the two things that were dearest to me, my son and my home. I don't mind the discomfort but it breaks my heart that my children and my grandchildren have to live like this."*

In Idlib city, scores or even hundreds of homes were burned during and after the 10-11 March incursion, including on 16 April. Most of the owners were too scared to be seen showing their burned homes to Amnesty International. They gave their accounts elsewhere and then either drove past and showed the burned homes from a distance, or got someone else to point them out.

A woman whose house was looted, ransacked and burned on 11 March told Amnesty International that the only possibility for reporting the attack to

the authorities was to say that it had been carried out by "armed groups". She said:

*"The neighbours saw it was Military Intelligence members who attacked my house. It was the middle of the day and there were tanks and soldiers and security forces members everywhere in the area; how on earth could this have been the doing of armed groups? So I did not lodge a*



A burned apartment building in Idlib city. ©Amnesty International



Graffiti left by soldiers in Idlib city stating: "Assad – or we will burn down the country". ©Amnesty International

*complaint."*

A woman whose husband had been in detention since 10 March and whose house was subsequently struck by tank shells and damaged beyond repair, told Amnesty International on 25 April that the previous night soldiers and members of Military Intelligence had gone to the house of her relatives and threatened to burn it down if the owner did not give himself up.

Another woman, whose husband and brother were arrested from their home on 26 April, told Amnesty International that the members of the security forces who carried out the arrest told her to expect her house to be burned down if her husband and brother did not provide information (presumably about suspected opposition activities).

A young woman whose grandmother's apartment was burned down on 11 April told Amnesty International:

*"My brothers are with the thuwwar [armed opposition] but the soldiers burned down my grandmother's house, one floor above ours. I think they probably wanted to burn our home and got it wrong."*



Burned and looted shops in 'Anadan. ©Amnesty International

Some of the damage in Idlib city and other towns was the result of deliberately reckless actions, notably driving tanks through walls even if there was enough space on the road for the tanks to pass without causing damage. The owner of a shop in Idlib showed Amnesty International footage of his shop being destroyed by a tank. The tank had simply cut the corner



and destroyed most of the shop. The roads on both sides of the corner are sufficiently wide for tanks to pass without causing damage. He said:

*"It was completely unnecessary, I think they behaved like that just because nobody stopped them and they know they don't have to be accountable to anyone."*

The burning and destruction was evident everywhere Amnesty International went. In Taftanaz, a family showed Amnesty International their burned home. The owner of the house, a mother of six, described to Amnesty International how soldiers ill-treated and threatened her and her children before burning her house down on 4 April 2012.

*"A group of about 15 soldiers dressed in green camouflage came in and asked for my husband. They kept asking about weapons and I kept telling them we don't have weapons in the house but they threatened to kill me and my children if my husband didn't come home. One pointed his rifle at my head, made me kneel and put his foot on my neck. They said if I didn't tell them where the weapons were they would burn the house. One of them said that if I gave my ring they would not burn the house. He took my ring and then they burned the house."*

Elsewhere in Taftanaz, her sister-in-law's home was burned and four houses belonging to her husband's brothers, were blown up.

A 58-year-old medical technician had his home and clinic burned down on 4 April in Taftanaz while he was working at the local hospital. He told Amnesty International:

*"I went to work at the hospital on 3 April and remained there overnight because there were no doctors in the hospital. There is only one doctor in Taftanaz and he was not there. There is no surgeon in the town so I do the stitching and many other tasks. On 4 April I was trying to call home but there was no reply and I presumed that my wife and the children had gone to stay with relatives because of the situation. Then people told me my house had been burned down. I did not imagine it could be this bad. The savings of my whole working life were in this house. Now there is nothing left."*



A baby sleeping in the burned-out home of a family in Taftanaz. ©Amnesty International

In Saraqeb, a tailor's shop belonging to an activist was burned down in the afternoon of 26 March. His relative who lived upstairs said that she saw soldiers get out of a tank and throw a small shell or device into the entrance of the shop, which rapidly caught fire. She took her children and left her home for fear that the fire would spread upstairs.

Majida Qaddour, a widow in her late sixties, whose home in Hazzano was burned down on 5 April, told Amnesty International:

*"The soldiers came and took me and my two daughters out of the house without even giving us time to take anything. I was shaking with fear. I don't know why they came to my house. I just live with my two daughters, and there are no men in the house; what on earth could they have against us?"*

The same day, also in Hazzano, a retired police officer had his house burned down. Pointing to the piles of ashes, he told Amnesty International:

*"I worked for the state for my whole life and I put all my savings into this house. Fourteen of us lived here, me and my wife and my sons and daughters and the children of my married sons. Now absolutely everything is gone. I have nothing other than these clothes I am wearing. They also burned the house next door which belongs to my brother's widow. My brother died three years ago and his wife lived in the house with her six children aged between 17 and 6 years old."*



Inside one of the burned-out homes in Hazzano. ©Amnesty International





A burned-out shop in Sarmin. ©Amnesty International

## 5. TORTURE AND ARBITRARY DETENTION

### “I would rather die than go back to prison.”

A released detainee from Jebel al-Zawiyah, who spent 62 days in detention before being released without charge

Detainees – overwhelmingly men and boys – are routinely tortured to force them to make incriminating “confessions” – such as possession of weapons or involvement with the armed opposition. Their horrific accounts are illustrated by broken bones, missing teeth, deep scars and open wounds from electric shocks, and from severe beatings and lashings with electric cables and other implements.

The detainee from Jebel al-Zawiyah quoted above spoke to Amnesty International four days after his release. He still had open wounds and had lost two teeth as a result of beatings. He said:

*“I was interrogated about six times, and before most sessions I was suspended from the top of the door by my wrists, which were handcuffed behind my back, and with my toes barely touching the ground. They left me in that position for between one and two hours each time. At every session I was beaten with electric cables and plastic tubes. A lot of the beating was on the soles of the feet and the lower legs.*

*“The beating and the pain was so intense that at times I felt I was going to die and in fact I wished I would die, to end the pain. My hands and feet and ankles were swollen like balloons and I could not walk for days and had to be held up by other detainees to go to the toilet.”*

The overwhelming majority of detainees released in recent weeks and months who spoke to Amnesty International said that they had been tortured repeatedly during interrogation, by methods documented previously by the organization with the exception of electricity applied through a metal bed frame. Many of the released detainees displayed wounds and injuries consistent with their accounts.

A 61-year-old man suffering from diabetes, a heart condition and other ailments, was arrested on 3 April from his home in the Idlib area and held for four weeks before being released without charge. A beating on the first day of detention broke his hip, but he was given no medical care throughout his detention. He told Amnesty International:

*“The soldiers took me from my home to an empty space outside town and beat me savagely. They kicked me repeatedly in the hip and kidney area and broke my hip. As I could not move any more they picked me up and threw me in the back of the car, like a sheep. For the whole*

*four weeks I was detained, I received no medical care for my broken hip nor did they give me the diabetes and blood pressure medicines. I had taken the medicines with me when they arrested me but they never gave them to me in detention.*

*"After four weeks they said they would release me if I walked from one side of the room to the other, about six metres. I could not even take a single step. They released me anyway. Doctors have told me that before they can even begin to treat my broken hip my leg will have to be kept in traction for at least two months, because the fracture was left untreated for so long. But do not worry about me, please do something about those who are still detained; they are being brutally tortured and are suffering terribly."*

There are frequent reports of detainees dying in custody as a result of torture and/or because of a lack of medical care. Amnesty International has received the names of over 390 individuals reported to have died in custody since February 2011, compared to an average of four to five in the decade before the unrest broke out. The scale of this pattern of serious abuse cannot be investigated in detail as detainees are held cut off from the outside world, with no access to their families or to lawyers, during the initial period of interrogation, and no human rights organizations are allowed access to detention centres or prisons in Syria.<sup>19</sup>

A first year law student told Amnesty International that his cousin Ahmad, aged 45, who was arrested with him and five others on 16 February, died in detention:

*"We were taken to the Military Intelligence headquarters in Idlib city and were put in a room measuring about five by four metres with about 120 other detainees. We were so crowded we could not move.*

*"We were tortured during interrogation sessions, lasting two to four hours. I was made to kneel on the floor with my hands cuffed behind my back and was beaten very hard on the sole of the feet for a long time. I could not see what they used because I was blindfolded; it was some sort of cable or whip; it made a hissing noise.*

*"At the same time they were kicking and punching me on my back, chest, head, everywhere. They wanted me to confess that I had weapons, and that I know where there are weapons in my village, but I don't know anything about this.*

*"My cousin Ahmad was one of the first to be interrogated on the second day. He was in a terrible state and could hardly move when he came back from interrogation. He was again taken to interrogation on the fourth day and he must have died on that day because he never came back to the cell."*

Ahmad's family told Amnesty International that they found his body in the morgue of Jisr al-Shughur 20 days later, having been tipped off by a hospital worker that there was an unclaimed body of a detainee who had been brought in by Military Intelligence. They said his body was bruised and his ribcage had been crushed.

Methods of torture described to Amnesty International by these former detainees include (in order of frequency of reporting):

- Severe beatings and lashing, especially on the back, the soles of the feet and other parts of the body, with thick electric cables (several described four electric cables braided together), lashes, plastic/rubber hoses, wooden sticks, iron bars and a variety of other implements.
- The *shabeh* torture method - forcing detainees into prolonged and painful stress positions. Most often, this involved the detainee being suspended from the top of a door or from a pulley by handcuffs holding the detainee's hands bound together behind his back, with the tip of the toes barely touching the ground. In other cases, it involved detainees being made to stand with one leg raised and/or with the hands raised for long periods.
- Being given electric shocks with prods or live cables, on the toes, ears, temples, lips, tongue, genitals, nipples and other parts of the body. Some detainees said they had been made to lie on a metal bed which was then wired so as to give them electric shocks all over the body.
- Being made to lie face-down, with one or more torturers pushing the detainee's back down with their feet and at the same time pulling the detainee's limbs up, so as to increase pressure and pain in the lower back.
- "The tyre" (*dulab*): using a vehicle tyre to hold the detainee's hand and legs immobilized in uncomfortable positions and beating the detainee.
- Being prevented from going to the toilet.
- Having chunks of beard, fingernails, toenails and pieces of flesh pulled off with pliers.
- Sexual abuse, including rape with bottles and sticks.

In addition to the torture, all described being held in conditions that amounted to cruel, inhuman and degrading treatment, including sleep and food deprivation, denial of medical care, being held in bug-infested and extremely crowded rooms (with not enough room to lie down), having no access to showers/washing facilities or changes of clothes, and being kept locked-up with no access to fresh air or natural light around the clock for weeks or months.

A man in his late fifties who was released in late April after three weeks in detention told Amnesty International:

*"I never thought I could survive in such filth. Every day two or three times a day I took off my undershirt and spent one or two hours removing and killing the lice from it."*

Several days after his release, his body was still covered in bites and sores from the bug-infested detention centre.

Other former detainees who were held in other detention centres gave similar accounts.

Most of the detainees interviewed had been held in Idlib city all or most of the time. Some had been transferred from one place to another, including Idlib city, Damascus, Homs and Aleppo. All said they had not been allowed visits by relatives or others or any communication with the outside world or any access to a lawyer while detained by the various security agencies. Only

some of the detainees who were transferred to central prisons were allowed family visits.

Most of the detainees had been released on bail and others had the charges against them dropped. All said that some of their co-detainees were subjected to worse torture, especially those against whom there was evidence of involvement in opposition activities, including involvement with the armed opposition.

Most said that they had thumb-printed or signed statements without being allowed to read them. They were then brought before the military police or the criminal security and/or before a judge before being released. They described the hearing before the judge as extremely brief. Virtually all said they had not felt able to tell the court about the torture they had suffered. The few who said they had told the judges about the torture and shown them their wounds said the judges did not ask them for further details or otherwise address their complaints.

A former detainee held by the Military Intelligence for two months (10 days in Ma'arat al-No'man and 50 days in Idlib city) told Amnesty International:

*"On the last day before my release I was taken to the Military Police in Idlib city, where they took my photographs and fingerprints. Then I was taken to a judge in the court [Qasr al 'Adala]. The judge saw the state I was in - I had open wounds and scars on my hands, wrists, lower legs and feet which were visible. I was barefoot and dirty. He did not look and did not ask about my treatment. He just asked about the accusations [that I had weapons] and I told him that this was false and that I had signed papers without being allowed to read them. I did not tell him that I had been tortured because I was afraid that I would be tortured again. The hearing with the judge lasted only a few minutes. After, I was released."*

According to consistent accounts from released detainees, the pre-release hearings before judges appear to be a mere formality to rubber-stamp the release of detainees once the various security agencies have decided that they no longer want to hold them. Decisions to hold or release detainees appear to be made by the security agencies holding the detainees, with the judiciary playing no role in the matter until the security agencies have decided whether to release or bring them to trial. There appears to be no oversight or supervision by the judiciary or other bodies over the detention by the various security agencies of thousands of people, who have no access to lawyers and no way of effectively challenging their detention.

Many families told Amnesty International that they have no information about the fate and whereabouts of their relatives who were detained, but have since disappeared in detention. Some families have received news informally, from released detainees who told them they were detained with their relatives. Others have had no news at all and have no way of knowing if their relatives are alive or dead.

Lawyers in the Idlib and Aleppo areas have told Amnesty International that it is not possible for them to inquire about fate of detainees so long as they are being held by the various security agencies. A lawyer from a town north of Aleppo told Amnesty International:

*"So long as detainees are held by the security and military agencies, we lawyers are powerless to help them because if we complain or ask we can ourselves be targeted, and in any case even when we have tried, we have not succeeded. The only exceptions are cases of people who are*

*well known or well connected. In such cases it is possible to obtain information and to get the detainees released – usually through the payment of hefty bribes”.*

Several detainees who were recently released in the Aleppo area told Amnesty International that they had been released upon payment of up about 20,000 Syrian pounds for release of bail and about 80,000 Syrian pounds or considerably more for release without even being brought before a judge.

Such secrecy surrounding the fate of those arrested amounts to enforced disappearance – when a state refuses to acknowledge that a person has been detained, or to reveal the whereabouts or fate of a detainee who has been taken into custody by state security forces. Enforced disappearance is a crime under international law and facilitates a range of other violations, including torture and extrajudicial execution.

## 6. APPLICABLE INTERNATIONAL LAW

Over recent months, the situation in parts of Syria, including in the areas examined in this report (Aleppo and Idlib governorates, including the Jebel al-Wastani and Jebel al-Zawiyah areas, but excluding Aleppo city), appears to have evolved into a non-international armed conflict to which international humanitarian law (the laws of war) applies alongside international human rights law. In the towns and villages in which Amnesty International conducted its research for this report, and in other parts of the country, there have been protracted armed confrontations between government security forces and armed opposition groups. The fighting appears to have reached the minimum level of intensity and the parties to have the minimum level of organization required for the existence of an armed conflict of a non-international character.<sup>20</sup>

The armed opposition groups that operate in the Idlib area comprise deserters from the armed and security forces as well as armed civilians, and generally identify themselves as part of the Free Syrian Army (FSA). There appears to be some degree of communication and co-ordination between groups, including through FSA local military councils in different towns and villages. While the ability of these groups to exercise control over territory is limited, they have been able to launch sustained and concerted military operations and to do so in a manner that indicates the existence of a command structure and an ability to plan, carry out and co-ordinate operations, including tactical retreats.

It should be emphasized that the cases of deliberate killings and most of the instances of destruction of homes and properties by Syrian forces that are documented in this report would constitute violations of international law, and in many cases crimes under international law, regardless of whether there is an armed conflict. Amnesty International's research into human rights violations by Syrian security forces since March 2011 shows that they have been carried out as part of a widespread, as well as systematic, attack on the civilian population and therefore constitute crimes against humanity. Given that the serious violations documented in this report have been committed in what appears to be an armed conflict, many of them would also constitute war crimes.

### INTERNATIONAL HUMANITARIAN LAW

International humanitarian law contains the rules and principles that seek to protect primarily those who are not participating in hostilities, notably civilians, but also certain combatants, including those who are wounded or captured (*hors de combat*). It sets out standards of humane conduct and limits the means and methods of conducting military operations. Its central purpose is to limit, to the extent feasible, human suffering in times of armed conflict.

Syria is a state party to the four Geneva Conventions of 12 August 1949 and its Additional Protocol relating to the Protection of Victims of International Armed Conflicts (Protocol I). Article 3 Common to the four Geneva Conventions applies to all parties to non-international armed conflicts. Many of the specific rules included in these and other international humanitarian law treaties – and all the rules cited in this report – form part of customary

international humanitarian law and are thus binding on all parties to any conflict, including Syrian armed and security forces and non-state armed groups.<sup>21</sup> Violations of many of these rules may amount to war crimes.

A fundamental rule of international humanitarian law is that parties to any conflict must at all times “distinguish between civilians and combatants”, especially in that “attacks may only be directed against combatants” and “must not be directed against civilians.”<sup>22</sup> A similar rule requires parties to distinguish between “civilian objects” and “military objectives”. These rules are part of the fundamental principle of “distinction”.

For the purposes of distinction, anyone who is not a member of the armed forces of a party to the conflict is a civilian, and the civilian population comprises all persons who are not combatants.<sup>23</sup> Civilians are protected against attack unless and for such time as they take a direct part in hostilities.<sup>24</sup> (In this report, Amnesty International uses the term “civilians” to refer to civilians who are not taking a direct part in hostilities.)

Civilian objects are all objects (that is, buildings, structures, places, and other physical property or environments) which are not “military objectives”, and military objectives are “limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose partial or total destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage.”<sup>25</sup> Civilian objects are protected against attack, unless and for such time as they become military objectives because all of the criteria for a military objective just described become temporarily fulfilled.<sup>26</sup> In cases of doubt whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling, or a school, is being used for military purposes, it is to be presumed not to be so used.<sup>27</sup>

Intentionally directing attacks against civilians not taking direct part in hostilities, or against civilian objects (in the case of non-international conflicts, medical, religious or cultural objects in particular), is a war crime.<sup>28</sup> The principle of distinction also includes a specific rule that “acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.”<sup>29</sup>

The corollary of the rule of distinction is that “indiscriminate attacks are prohibited”.<sup>30</sup> Indiscriminate attacks are those that are of a nature to strike military objectives and civilians or civilian objects without distinction, either because the attack is not directed at a specific military objective, or because it employs a method or means of combat that cannot be directed at a specific military objective or has effects that cannot be limited as required by international humanitarian law.<sup>31</sup>

International humanitarian law also prohibits disproportionate attacks, which are those “which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.”<sup>32</sup> Intentionally launching an indiscriminate attack resulting in death or injury to civilians, or a disproportionate attack (i.e. knowing that the attack will cause excessive incidental civilian loss, injury or damage) constitutes a war crime.<sup>33</sup>

The destruction of property is prohibited, unless required by imperative military necessity.



Pillage is likewise prohibited.<sup>34</sup>

International humanitarian law applicable in non-international armed conflicts also provides fundamental guarantees for civilians as well as fighters or combatants who are captured, injured or otherwise rendered unable to fight (*hors de combat*). Between them, common article 3 of the 1949 Geneva Conventions and customary international humanitarian law include the following rules: murder is prohibited; humane treatment is required; discrimination in application of the protections of international humanitarian law is prohibited; torture, cruel or inhuman treatment and outrages on personal dignity (particularly humiliating and degrading treatment) are prohibited, as are enforced disappearance, the taking of hostages, and arbitrary detention. No one may be convicted or sentenced except pursuant to a fair trial affording all essential judicial guarantees. Collective punishments are also prohibited.<sup>35</sup> Depending on the particular rule in question, many or all acts that violate these rules will also constitute war crimes.<sup>36</sup>

## INTERNATIONAL HUMAN RIGHTS LAW

International human rights law, including civil, cultural, economic, political and social rights, applies both in peacetime and during armed conflict and is legally binding on states, their armed forces and other agents. It establishes the right of victims of serious human rights violations to remedy, including justice, truth and reparations.

Syria is legally bound by its obligations under these international treaties, as well as by relevant customary international law. Syria is a party to some of the major international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); and the Convention on the Rights of the Child (CRC) and its Optional Protocol on the involvement of children in armed conflict.

The International Court of Justice as well as the UN Human Rights Committee have affirmed that international human rights law applies in time of armed conflict as well as peacetime. Some treaties, such as the ICCPR, allow states to temporarily “derogate from” some (but not all) specific provisions (ie aspects of some rights may be modified in their application or limited) in situations of armed conflict and other emergencies, but only to the extent strictly required by the exigencies of the particular situation and without discrimination.<sup>37</sup> Syria has not formally derogated from its obligations under the ICCPR or other human rights treaties.

Of particular relevance to this report are Syria's international human rights law obligations related to the right to life, the prohibition of torture and other ill-treatment, the prohibition of enforced disappearance, and the prohibition of arbitrary detention.<sup>38</sup> These rights cannot be derogated from under any circumstances.

Syrian forces have also violated economic and social rights. The ICESCR does not allow for derogation, even in times of armed conflict or other emergency, and allows for only those limitations “as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic

society". As its Committee has made clear, any limitations must be proportionate and "the least restrictive alternative must be adopted where several types of limitations are available."<sup>39</sup>

The conduct of Syrian government forces in the areas examined in this report have breached Syria's obligation to respect, protect and promote the right to an adequate standard of living, including adequate food and housing;<sup>40</sup> and the enjoyment of the highest attainable standard of physical and mental health.<sup>41</sup> Actions that were aimed towards or were likely to result in the destruction or impairment of infrastructure necessary for the enjoyment of those rights, such as field hospitals, are violations for which Syria can be held responsible.

With respect to the right to housing, certain actions – namely the widespread destruction of homes – may constitute unlawful forced evictions, a breach of Article 11 of the ICESCR. The UN Committee on Economic, Social and Cultural Rights defines "forced evictions" as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection."<sup>42</sup> The Committee includes among such evictions those resulting from "armed conflicts, internal strife and communal or ethnic violence."<sup>43</sup> Similarly, the unlawful destruction of businesses contravenes the right to an adequate standard of living.

Certain violations, such as torture and enforced disappearance, amount to crimes under international law and states are required to make such violations a criminal offence in domestic legislation. States are also obliged to bring to justice those responsible for these and other serious violations, including extrajudicial executions.

Syria is a state party to the International Covenant on Civil and Political Rights (ICCPR) and acceded to the Convention against Torture on 19 August 2004. Consequently, the Syrian authorities are obliged to prevent torture; investigate whenever there are reasonable grounds to suspect acts of torture and other ill-treatment have occurred; bring those responsible to justice; and provide reparation to victims.

Syrian law fails to provide an absolute prohibition of torture as required under Article 1 of the Convention against Torture, although there are some provisions for protection from torture or other ill-treatment. Article 53(2) of the new Syrian Constitution approved by a referendum on 27 February 2012 states that: "No one may be tortured or treated in a humiliating manner, and the law shall define the punishment for those who do so". The Penal Code provides that: "[a]nyone who batters a person with a degree of force that is not permitted by law in a desire to obtain a confession for a crime or information regarding it..." can be sentenced from three months to three years in prison. This definition of the crime of torture falls well short of the definition of the crime in international law.

However, Amnesty International is not aware of any prompt, thorough, independent and impartial investigation established by the Syrian authorities to look into any of the cases of torture reported since March 2011. Nor is it aware of the prosecution of any individuals for their alleged role in ordering or administering torture. Amnesty International is aware of only two of the many cases of reported deaths in custody since mid-March 2011 for which the authorities announced that they had opened an investigation, and in both cases the investigations appeared deeply flawed.<sup>44</sup>

Moreover, Syrian law effectively grants immunity from prosecution to members of security forces. Since 1950, members of Military Intelligence and Air Force Intelligence have been granted immunity from prosecution for crimes committed in the course of exercising their duties except in cases where a warrant is issued by “the general leadership of the army and military forces”.<sup>45</sup> In 1969, immunity was granted to members of State Security for crimes committed while exercising their duties except in cases where its director issues a warrant.<sup>46</sup>

In 2008, immunity similar to that granted to members of the Military Intelligence and Air Force Intelligence was given to Political Security, as well as police and customs officials, with the same exception for cases where the “general leadership of the army and military forces” issues a warrant.<sup>47</sup> In other words, no cases can be brought against members of the security services except where special permission is given by their own or military leaders.

Torture and other ill-treatment are generally most prevalent during pre-trial detention and especially in incommunicado detention. As a state party to the ICCPR, Syria is also obliged to prevent arbitrary arrest and detention and to allow anyone deprived of their liberty an effective opportunity to challenge the lawfulness of their detention before a court (Article 9 of the ICCPR). It must ensure that those arrested are promptly informed of any charges against them. Those charged must be brought before the judicial authorities within a reasonable time. Articles 104(1) and 104(2) of the Syrian Code of Criminal Procedure sets 24 hours as the limit for bringing a suspect before a judicial authority; failure to do so renders him or her legally entitled to immediate release. According to Article 105 of the same code, if the detainee is kept in custody for more than 24 hours without having appeared before a judge, the authority holding him or her is acting arbitrarily and is liable to prosecution for the crime of deprivation of personal liberty, punishable by imprisonment for one to three years, as stipulated by Article 358 of the Penal Code. Similarly, according to Article 72(2) of the Code, suspects are guaranteed the right to contact their lawyers at any time and in private, except in cases of espionage.

Between March 1963 and April 2011, a state of emergency was in force in Syria, which had the effect of cancelling out legal provisions which, if implemented, would have afforded some protection against arbitrary arrest and torture. The state of emergency legislation gave wide powers and authority for the detention of individuals for offences which are not defined and which could violate their rights to freedom of expression, movement, association and assembly. In addition, the state of emergency legislation gave explicit powers to the security forces to allow them to by-pass ordinary laws by implementing preventative detention for non-specific periods. It gave wide-ranging special powers to the various branches of the security forces outside any judicial control. Thousands of people were reported to have been arbitrarily arrested and detained, kept in prolonged incommunicado detention without access to legal counsel, not brought before a judge or judicial authority to challenge their detention, and denied visits from their families during which time many were tortured. Many were apparently subjected to enforced disappearance: the government denied that they were detained and any knowledge of their whereabouts, although in some cases it later appeared that detainees were sentenced to death after summary trials over several years and may have been executed in secret.<sup>48</sup>

Since the lifting of the state of emergency in April 2011, the situation has not improved. One of the first subsequent actions of the government was to pass a new law – Legislative Decree

No. 55 of 21 April 2011 – extending the maximum period of detention without charge to 60 days. The same law permits the police to pass their powers of arrest and detention to any other agency they see fit to do so, thereby enabling the multiple security and intelligence agencies to continue their decades-long practices of arbitrary arrest followed by torture and other ill-treatment. From the information that Amnesty International has received, even the 60-day limit on detention without trial appears to be ignored in many cases, leaving detainees at further risk of torture or other ill-treatment.

## INTERNATIONAL CRIMINAL LAW

Individuals, whether civilians or military, can be held criminally responsible for certain violations of international humanitarian law and of human rights law. All states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute genocide, crimes against humanity and war crimes, as well as other crimes under international law such as torture, extrajudicial executions and enforced disappearances.

Grave breaches of the Geneva Conventions and Additional Protocol I and most other serious violations of international humanitarian law are war crimes. Definitions of these crimes are included in the Rome Statute. The list of war crimes in Article 8 of the Rome Statute of the International Criminal Court basically reflected customary international law at the time of its adoption, although they are not complete and a number of important war crimes are not included.

According to the Rome Statute, certain acts, if directed against a civilian population as part of a widespread or systematic attack, and as part of a state or organizational policy, amount to crimes against humanity. Such acts include, among others, murder, extermination, enslavement, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law, torture, rape and other sexual crimes, and enforced disappearances.

Many of the violations by Syrian forces which are documented in this report constitute crimes against humanity and/or war crimes, notably the extrajudicial executions and the wanton burning and other destruction of a large number of homes and properties. Other violations in this report that could constitute crimes against humanity or war crimes include pillage and indiscriminate and disproportionate attacks.

All governments have a duty to investigate and prosecute crimes against humanity,<sup>49</sup> including by exercising universal jurisdiction over the crimes.<sup>50</sup>

Amnesty International welcomes the decision of the independent international Commission of Inquiry to deposit with the UN High Commissioner for Human Rights information to assist “future credible investigations by credible authorities”. Such authorities include national police and prosecutors, but information should be provided only subject to guarantees of fair trial without the death penalty.

## 7. CONCLUSIONS AND RECOMMENDATIONS

**“Is the world just going to keep watching and do nothing until we’ve all been killed?”**

Resident of Jebel al-Zawiyah area, north-west of Hama, speaking to Amnesty International in mid-May 2012

This report contributes to the mounting evidence that Syria is responsible for gross violations of human rights on a massive scale, amounting to crimes under international law. The numbers of people killed and injured alone cannot adequately convey the suffering and despair of the victims and survivors. The men, women and children who have watched helplessly as their loved ones were killed in cold blood or taken away to a fate unknown are asking why the international community has abandoned them.

The Syrian government's efforts to shield itself from scrutiny by blocking access to international media and human rights organizations have failed to obscure the human rights catastrophe that is unfolding. Local human rights defenders and citizen journalists have taken great risks – and in many cases paid a very high price – to report the violations.

Despite the obstacles imposed by the Syrian authorities, Amnesty International, the UN independent international Commission of Inquiry and others have been able to independently investigate allegations of violations and to conclude that the Syrian government is responsible for mass violations amounting to crimes against humanity. Amnesty International has made numerous recommendations to the Syrian authorities – both since the start of the unrest in 2011 and before – which, if implemented, would do much to curtail the practices the organization has documented in such detail in this report. However, it is manifestly evident that the Syrian government has no intention of ending, let alone investigating, these crimes. Victims and their relatives are left without justice or reparation.

The international community has before it ample, credible documentation of the scale and gravity of violations committed. The UN Security Council squandered over a year in political wrangling, during which the government responded to mass protests that were largely peaceful with unlawful killings, torture, enforced disappearance and arbitrary detention. As the Security Council dithered the situation deteriorated – in at least some regions – to the brink of civil war. The Security Council has belatedly taken action. But it urgently must strengthen this initiative with effective measures to stop violations and crimes and ensure justice and accountability.

To this end, Amnesty International makes the following recommendations:

#### TO THE GOVERNMENT OF SYRIA

- End extrajudicial executions; the indiscriminate and disproportionate use of force – including indiscriminate fire in densely populated civilian areas; arbitrary arrests; enforced disappearances; and torture and other ill-treatment, and make clear to all government forces and militias that such violations will not be tolerated.
- Release all those arbitrarily arrested and those detained for taking part in peaceful demonstrations or expressing dissent, and register those being released and the circumstances of release. Pending release, ensure that detainees are allowed regular visits from their families and lawyers and are given adequate medical care.
- End attacks on medical facilities and personnel and ensure that those requiring it can promptly and safely access necessary medical attention and health care.
- Co-operate fully with the UN observer mission and grant monitors access to all places of detention.
- Provide full co-operation and unimpeded access to the independent international Commission of Inquiry to investigate all alleged crimes under international law and violations and abuses of international human rights law.
- Invite and facilitate prompt access to the UN Special Rapporteur on extrajudicial, summary, or arbitrary executions, as well as other relevant UN Special Procedure mandate holders, in order for them to carry out independent investigations into alleged crimes under international law and other serious human rights violations and abuses.
- Allow international human rights monitors and humanitarian agencies prompt and unfettered access to Syria.

#### TO THE UN SECURITY COUNCIL

- Ensure that the UN observer mission has an adequately resourced and strong human rights component with the mandate and capacity to monitor, investigate and publicly report on all human rights abuses.
- Ensure that human rights monitors have the capacity to protect victims and witnesses. Monitors must be provided with necessary logistical and other support, including protection, so that they can travel to all areas of Syria and visit all places of detention.
- Refer the situation in Syria to the Prosecutor of the International Criminal Court for investigation of crimes under international law, including crimes against humanity.
- Immediately impose an arms embargo on Syria with the aim of stopping the flow of weapons to the Syrian government, and establish an effective mechanism to monitor compliance.
- Request that any country considering supplying arms to the armed opposition should have

in place the necessary mechanisms to ensure the material supplied is not used to commit human rights abuses and/or war crimes.

- Implement an asset freeze against President Bashar al-Assad and others who may be involved in ordering or perpetrating crimes under international law.
- Demand that Syria grant prompt and unfettered access to the independent international Commission of Inquiry, humanitarian and human rights organizations, and to international media.

#### TO ALL GOVERNMENTS

- Accept a shared responsibility to investigate and prosecute crimes against humanity and other crimes under international law committed in Syria or anywhere in the world. In particular, seek to exercise universal jurisdiction over these crimes before national courts in fair trials and without recourse to the death penalty.
- As part of this shared responsibility, establish joint international investigation and prosecution teams to investigate crimes under international law committed in Syria to improve the effectiveness of investigation, improve the chances of arrest and co-ordinate prosecutions.

#### TO THE GOVERNMENTS OF CHINA AND THE RUSSIAN FEDERATION

- In the absence of an international arms embargo, to halt immediately transfers to the Syrian government of all weapons, munitions, military, security, and policing equipment, training and personnel.

# ENDNOTES

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<sup>1</sup>“U.N. human rights spokesman Rupert Colville said 49 children and 34 women were among those killed, while fewer than 20 people had died in bombardment. ‘What is very clear is that this was an absolutely abominable event that took place in Houla, and at least a substantial part of it were summary executions of civilians - women and children,’ Colville said.” Khaled Yacoub Oweis, *Families herded “like sheep” to die in Houla massacre* Reuters, 30 May 2012. <http://uk.reuters.com/article/2012/05/30/us-syria-crisis-houla-idUSBRE84T1BH20120530>

<sup>2</sup> Key dates in 2012 of army incursions in the areas covered in this report are: Idlib area: Sarmin 27 February and 22-23 March, Saraqeb 24-28 March, Taftanaz 3-4 April. Idlib city 10-11 March, armed confrontation, with the army remaining in the city thereafter. Jebel al-Zawiyah and Jebel al-Wastani areas: Sinnaqra 16 February, ‘Ain al-Arous, al-Muazzara, al-Lej and surrounding areas 7-9 March, Bsamas 23 February and 7 April, al-Bashiriya and surrounding areas 8 April. North of Aleppo: Anadan, 5-6 April, Tel Reafa’ at 9 April.

<sup>3</sup> On 8 May 2012, Jakob Kellenberger, the Head of the ICRC, said in a press conference that the ICRC had concluded that there is a non-international armed conflict in Homs and Idlib governorates. Reuters, Homs, *Idlib qualified as civil war, ICRC president says*, <http://www.reuters.com/article/2012/05/08/syria-redcross-idUSL5E8G87KJ20120508>.

<sup>4</sup> These recorded deaths of named individuals are in several categories, namely: unarmed civilians killed by state security forces and shabiha; unarmed civilians killed by opposition armed groups; unarmed civilians killed in disputed or unclear circumstances; and members of armed opposition groups, nominally under the umbrella name of the FSA, killed by the state security forces and *shabiha*. The majority of the victims are men, with around 400 deaths of women recorded and more than 600 children, mostly male.

The lists of recorded deaths do not include members of the security forces killed, whether as a result of being shot for refusing to obey orders to shoot at protestors or as a result of attacks by armed opposition forces. On 15 December 2011 Amnesty International wrote to the Syrian authorities requesting information on the names and circumstances of deaths of members of the security forces, of armed groups and of civilians but by the time of writing in late May 2012 had not received a reply. The organization notes that the Commission of Inquiry stated it had received from the Syrian authorities “lists of victims from the ranks of police, military and security forces” with a total of 2,569 names but that the Commission of Inquiry was “not in a position to confirm these figures”.

There are numerous challenges in accurately documenting such deaths, including difficulties in obtaining death certificates and other documents, and reports that families are pressured to state that “armed terrorist gangs” were responsible for the death of their relatives, who had in fact been killed by government forces. As a result, Amnesty International acknowledges that the true figures may be much higher and that the proportion percentage of males and females killed may differ from the figures presented above.

<sup>5</sup> <http://www.un.org/en/peacekeeping/missions/unsmis/>

<sup>6</sup> [http://www.un.org/en/peacekeeping/documents/six\\_point\\_proposal.pdf](http://www.un.org/en/peacekeeping/documents/six_point_proposal.pdf)



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<sup>7</sup> <https://www.un.org/en/peacekeeping/missions/unsmis/facts.shtml>, accessed 28 May 2012

<sup>8</sup> See for example <http://www.vdc-sy.org/>. Its managers estimate the names of those they have been able to document represent around 40% of those actually held. Some 300 of the detainees named are women and girls.

<sup>9</sup> A purported copy of the report was leaked, but it was not possible to establish whether it was indeed the same text as that submitted by the monitors.

<sup>10</sup> <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69.pdf>

<sup>11</sup> [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear\\_en\)/09ABF4B6CEC822A6C1257A00003D2B22?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/09ABF4B6CEC822A6C1257A00003D2B22?OpenDocument)

<sup>12</sup> For previous Amnesty International reports documenting serious human rights violations, including some which amount to crimes against humanity, see Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh*, Index: MDE 24/029/2011, <http://www.amnesty.org/en/library/info/MDE24/029/2011/en>, Amnesty International, *Deadly detention: Deaths in custody amid popular protests in Syria*, Index: MDE 24/035/2011, <http://www.amnesty.org/en/library/info/MDE24/035/2011/en>, Amnesty International, *Health crisis: Syrian government targets the wounded and health workers*, Index: MDE 25/059/2011, October 2011, <http://amnesty.org/en/library/info/MDE24/059/2011/en>, Amnesty International, *The long reach of the mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home*, Index: MDE 24/057/2011, October 2011, <http://www.amnesty.org/en/library/info/MDE24/057/2011/en> and Amnesty International, *"I wanted to die": Syria's torture survivors speak out*, Index: MDE 24/016/2012, March 2012. Other human rights organizations such as Human Rights Watch have collected similar evidence.

<sup>13</sup> Other female relatives who were present in the house at the time, who Amnesty International interviewed separately, corroborated the description of events.

<sup>14</sup> According to former co-detainees interviewed by Amnesty International.

<sup>15</sup> Mulazim awwal (Lieutenant)

<sup>16</sup> About US \$675.

<sup>17</sup> See the most recent report by the international humanitarian organization Medecins Sans Frontiere (MSF – Doctors Without Borders) at: [http://www.msf.org.uk/MSF\\_surgical\\_team\\_in\\_Syria\\_20120515.news](http://www.msf.org.uk/MSF_surgical_team_in_Syria_20120515.news)

<sup>18</sup> Idlib city: scores of houses burned but no figures available; Sarmin: 318 houses and 87 shops burned or destroyed; Saraqeb: 101 houses burned, completely or partially, 11 houses destroyed, 46 houses partially destroyed; Taftanaz: some 490 houses burned or destroyed; Hazzano: 22 houses destroyed, 177 houses partially destroyed, 437 rooms and 16 shops burned; Killi: 164 houses burned, 11 houses destroyed; al-Bashiriya: 145 households suffered deliberately inflicted damage to their homes and property, including partial or complete burning of 94 houses and other property, shelling, vandalism and looting, burning of vehicles, and killing of large numbers of animals (cows and sheep); Mashamshan: 24 houses and other property burned; 'Ain al-'Arous: 24 houses and other properties burned; Kafr 'Awaid: more than 15 houses burned; al-Lej: five houses and several shops burned and animals killed; Kafr Mid: seven houses burned; Muwazzara and Deir Simbol: several properties burned observed but no figures available; 'Anadan: 170 houses and 150 shops burned completely or partially, including seven pharmacies, which were completely burned, 150 houses and 97 shops trashed or damaged by shelling

and 37 houses and 45 shops looted; Tell Rif'at: some 600 houses and shops wholly or partially burned or otherwise damaged.

<sup>19</sup> In September 2011 the International Committee of the Red Cross (ICRC) was allowed to visit Damascus Central Prison, and in early May 2012 announced that it had agreement for a visit to Aleppo Central Prison between 14 and 23 May and was pushing for access to other detention centres (see John Heilprin, Associated Press, *Annan warns Syria at risk of civil war*, 8 May 2012, [http://www.google.com/hostednews/ap/article/ALeqM5iZZr7\\_Eiam3c79GZwyC9W8fA2A2g?docId=9171eb659cd74cb5bdaf421eba7dea17](http://www.google.com/hostednews/ap/article/ALeqM5iZZr7_Eiam3c79GZwyC9W8fA2A2g?docId=9171eb659cd74cb5bdaf421eba7dea17)). It is believed to have had no access to detention centres where detainees are held during the first few weeks (or even months) when they are under interrogation – including detention centres run by Military Intelligence, State Security, Air Force Intelligence, and others.

<sup>20</sup> Based on relevant treaties including CA3 and APII and international jurisprudence, the ICRC has identified indicative factors for minimum level of intensity of fighting and of organization of the parties. Factors indicating intensity include: the number, duration, and intensity of individual confrontations; the type of weapons and other military equipment used; the number and calibre of munitions fired; the number of persons and types of forces partaking in the fighting; the number of casualties; the extent of material destruction; and the number of civilians fleeing combat zones. Indicative factors for assessment of organization include: the existence of a command structure and disciplinary rules and mechanisms within the armed group; the existence of headquarters; the ability to procure, transport and distribute arms; the group's ability to plan, coordinate and carry out military operations, including troop movements and logistics; its ability to negotiate and conclude agreements such as cease-fire or peace accords; etc. See International Committee of the Red Cross, 31st International Conference of the Red Cross and Red Crescent, International Humanitarian Law and the challenges of contemporary armed conflicts, 31IC/11/5.1.2, October 2011, pg. 8. <http://www.icrc.org/eng/assets/files/red-cross-crescent-movement/31st-international-conference/31-int-conference-ihl-challenges-report-11-5-1-2-en.pdf>

<sup>21</sup> Red Cross study, Customary International Humanitarian Law: Volume 1: Rules, J-M Henckaerts and L Doswald-Beck, eds, 2005 ("ICRC Customary IHL Study").

<sup>22</sup> ICRC Customary IHL Study, Rule 1; see also Protocol I, article 48 and Protocol II, article 12(2).

<sup>23</sup> ICRC Customary IHL Study, Rule 5; see also Protocol I, article 50.

<sup>24</sup> ICRC Customary IHL Study, Rule 6; see also Protocol I, article 51(3); Protocol II, article 13(3).

<sup>25</sup> ICRC Customary IHL Study, Rules 8 and 9; Protocol I, article 52.

<sup>26</sup> ICRC Customary IHL Study, Rule 10.

<sup>27</sup> Protocol I article 52(3). See also ICRC Customary IHL Study, pages 34-36.

<sup>28</sup> ICRC Customary IHL Study, Rule 156, pages 591,593,595-598. See also Rome Statute of the ICC, articles 8(2)(b)(i) and (ii) and 8(2)(e)(i)(ii)(iv) and (xii). See also discussion in ICRC Customary IHL Study, page 27.

<sup>29</sup> ICRC Customary IHL Study, Rule 2; see also Protocol I, article 51(2) and Protocol II articles 12(2).

<sup>30</sup> ICRC Customary IHL Study, Rule 11; Protocol I, article 51(4).

<sup>31</sup> ICRC Customary IHL Study, Rule 12; Protocol I, article 51(4)(a).

<sup>32</sup> ICRC Customary IHL Study, Rule 14; Protocol I, articles 51(5)(b) and 57.

<sup>33</sup> ICRC Customary IHL Study, Rule 156, pages 599-601.

<sup>34</sup> ICRC Customary IHL Study, Rules 50 and 52.

<sup>35</sup> Customary IHL Study, Rules 87-105.

<sup>36</sup> ICRC Customary IHL Study, Rule 156, pages 590-603.

<sup>37</sup> International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territories, 9 July 2004, paragraph 104; Human Rights Committee, General Comment no 31, paragraph 11.

<sup>38</sup> ICCPR, Articles 2, 6, 7, 9.

<sup>39</sup> Committee on Economic, Social and Cultural Rights, General Comment 14: The Right To The Highest Attainable Standard of Health (Article 12), Para. 29. Adopted at the twenty-second session (2000).

<sup>40</sup> ICESCR, Article 11.

<sup>41</sup> ICESCR, Article 12.

<sup>42</sup> Committee on Economic, Social and Cultural Rights, General Comment 7, Forced evictions, and the right to adequate housing (Sixteenth session, 1997), UN Doc. E/1998/22, annex IV at 113 (1997), para. 4.

<sup>43</sup> Committee on Economic, Social and Cultural Rights, General Comment 7, op cit, para. 7.

<sup>44</sup> See the cases of Hamza Ali al-Khateeb and Sakher Hallak in the Amnesty International report, *Deadly Detention: Deaths in custody amid popular protests in Syria*, Index: MDE 24/035/2011, published in July 2011.

<sup>45</sup> Legislative Decree No. 61 of 27 February 1950, Article 53.

<sup>46</sup> Legislative Decree No. 14 of 25 January 1969, Article 16.

<sup>47</sup> Legislative Decree No. 69 of 30 September 2008, Article 1.

<sup>48</sup> See Amnesty International, *Syria: Briefing to the Committee against Torture*, Index: MDE 24/008/2010, April 2010, <http://www.amnesty.org/en/library/info/MDE24/008/2010/en>

<sup>49</sup> See, for example: UN Principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity (1973 UN Principles of International Co-operation), adopted by the General Assembly in Resolution 3074 (XXVIII) of 3 December 1973, para. 1: "crimes against humanity, wherever they are committed, shall be subject to investigation and the persons against whom there is evidence that they have committed such crimes shall be subject to tracing, arrest, trial and, if found guilty, to punishment". See also: Rome Statute, Preamble: "it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes".

<sup>50</sup> See Amnesty International: *Universal Jurisdiction: the duty of states to enact and implement legislation*, Chapter 5, Crimes against humanity: the legal basis for universal jurisdiction, Index: IOR 53/008/2001.



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