

**The use of barrel bombs and indiscriminate bombardment in Syria:  
the need to strengthen compliance with international humanitarian law**

**Statement by Mr. Paulo Sérgio Pinheiro  
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on the Syrian Arab Republic**

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*Mr. Ambassador,*

*Distinguished Members of the panel,*

*Ladies and Gentlemen,*

Since 2012, indiscriminate and disproportionate bombardments have been the primary cause of civilian casualties and mass displacement in the Syrian Arab Republic. A significant portion of documented civilian casualties have resulted from the use of explosive devices against targets located within densely populated areas. According to NGOs working on documentation, casualties from aerial strikes, ground shelling and explosions count for over 50% of total documented deaths in 2014, a substantial part of which are caused by barrel bombs.

Indiscriminate bombardments have also damaged homes, medical facilities, schools, water and electrical facilities, bakeries and crops. In many cases, shelling was conducted in support of on-going sieges imposed on restive localities and neighbourhoods, in particular by State forces in areas like Yarmouk camp in Damascus and Al-Waer neighbourhood in Homs city. Despite their largely different scales of involvement, all parties to the Syrian civil war, with no exception, have used heavy weaponry in their possession to target populated areas leading to civilian casualties. It is partly due to the fact that most active frontlines have been located inside urban centres where fighters of all belligerents have continued to operate among civilians, putting their lives at risk.

The scale and intensity of different parties' involvement have depended solely on their respective military capabilities. They have all used imprecise and unguided weapons, such as artillery shells, aerial bombs, makeshift rockets and different types of improvised explosive devices in their attacks. None has shown any willingness to spare civilian lives.

Indiscriminate bombardment of civilian populated areas has been a major component of the Syrian State forces strategy in the on-going conflict. Owing to their large and diverse military arsenal, they have launched extensive bombardment campaigns against sizeable populated areas under rebel control. Entire inhabited neighbourhoods and towns throughout the country have been subjected to months of brutal and indiscriminate shelling that caused civilian casualties and displacement of civilians.

Besides heavy artillery and strategic missiles, they have extensively relied on the Air Force to bombard localities with aerial bombs and air-to-surface missiles leading to the destruction of entire urban centres, in particular Homs, Aleppo and Damascus suburbs. Despite their proven ability to conduct information led and precise attacks on military objectives, they have continued to target these areas with imprecise and unguided ammunition.

Anti-Government armed groups, excluding ISIS and Jabhat Nusra, have also indiscriminately targeted populated areas to the extent of their capabilities. Even if it has never been part of

any strategy, since they don't have one, armed groups have also perpetrated such attacks when they had the required means.

They fired mortars, artillery shells and home-made rockets in a manner that made no distinction between civilian and military objectives, thereby committing unlawful attacks. They have also resorted to the use of improvised explosive devices in different circumstances endangering civilian lives.

While most indiscriminate shelling by rebels happened during attacks on military positions located within densely inhabited areas, many other bombardment incidents have intentionally targeted civilians either because of their alleged support to the Government or in retaliation of State forces attacks like recently in Damascus.

ISIS and Jabhat Al-Nusra have also shelled populated areas in indiscriminate way. The equipment looted in Syria, and later in Iraq by ISIS, enabled them to increasingly integrate indirect shelling into their tactical schemes such as in their offensives in Dayr Az-Zawr and Kobane.

However, the two terrorist armed groups have primarily relied on suicide bombings and Vehicle Borne Improvised Explosive Devices during their assaults on military targets located within localities, usually causing extensive damage and large number of casualties among civilians. A number of such attacks, such as in Homs city and Dayr Az-Zawr, which had civilians as their primary target, demonstrate their clear intent to spread terror among the civilian population.

The continued rise in documented IEDs, vehicle borne and roadside, particularly in Hama governorate, has resulted in high civilian casualties as they target civilians in densely populated areas and transit routes. Such conduct is in violation of international humanitarian law, and where attacks target civilians, amount to war crimes.

Besides conventional ammunition, the Syrian Air Force has increasingly employed a new type of makeshift aerial explosive devices, commonly called barrel bomb. Since it appeared in August 2012 in Homs governorate, it has been used throughout the country with devastating consequences for civilians and civilian objects in areas under rebels' control.

Owing to their high lethality and the significant level of damage they inflict to infrastructure, they allowed the Government forces to prevent rebels from consolidating their control over populations and territory, irreversibly disrupting normalcy under their authority.

The Syrian air force increasingly employed barrel bombs to reduce the cost of the protracted aerial campaigns while increasing its ability to extend them over more restive areas. It also allowed them to expand the fleet of aircraft used in assault operations to include transport helicopters.

The use of barrel bombs has been indiscriminate. In populated areas, the State forces treated clearly distinct military objectives and high concentrations of civilians, as a single military

objective. The use of barrel bombs in this context amounts to area bombardment, prohibited under international humanitarian law. The impact of the Government's campaign of barrel-bombing of civilian-inhabited areas, extends beyond mass civilian casualties.

In many cases, barrel bombs packed with explosives and scrap metal have produced the same effect as fragmentation bombs, primarily targeting personnel and causing large number of serious injuries, in particular during the campaign on Aleppo eastern neighbourhoods. Others constructed as rudimentary incendiary weapons, have caused superfluous injury and unnecessary suffering.

The barrel bombs also caused the collapse of buildings around their point of impact, leaving entire neighbourhoods in ruins. They further contributed to the mass displacement of civilians inside Syria and over its borders.

The information collected by the Commission strongly indicates that the manner in which the attacks were carried out, the timing and duration of the attacks demonstrates that the aim of the Government's campaign of barrel-bombing was to terrorise the civilian population present in the areas attacked, with the clear message that no civilian was safe anywhere at any time of the day or night. The use of barrel bombs in aerial campaigns against whole areas is in violation of international humanitarian law and in some cases, amounts to the war crime of targeting civilians.

The indiscriminate nature of the weapons, and their disproportionate use, means that in effect, the civilian population itself – most often in large towns and cities - has been the target of these attacks. The way this war has been fought, in urban areas with devastating explosive weapons, raises many questions. Even conventional explosive weapons are designed for open battlefields, rather than urban areas. The evidence we have collected over the last four years raises questions as to whether such bombs and explosives can be used to target military objectives in populated areas with enough accuracy and whether their effects can be limited as required by international humanitarian law. When talking about conventional explosive weapons - not just barrel bombs - the conversation has to be not just about the weapons themselves, but where and how they are used.

Thank you.