



Independent International Commission of Inquiry established pursuant to resolution A/HRC/S-17/1
and extended through resolution A/HRC/Res/19/22

24 May 2012

Periodic Update

I. Introduction

1. Established pursuant to Human Rights Council resolution S-17/1 and extended through resolution A/HRC/19/22, the Independent International Commission of Inquiry on the Syrian Arab Republic is requested to periodically update the Council on gross violations of human rights as well as on casualty figures resulting from the conflict. This Update focuses on incidents that have occurred since March 2012 and is based on 214 interviews conducted during two investigative missions, one in March and the other in April 2012, as well as on interviews conducted more recently in Geneva. The Syrian Government has not yet afforded access to the Commission to undertake investigations inside the Syrian Arab Republic.

2. The Commission remains extremely concerned about the human rights situation in the country where gross violations continue unabated in an increasingly militarized context, despite the parties to the conflict having reached agreement on the Joint Special Envoy's "six-point plan". Most of the serious human rights violations documented by the Commission in this Update were committed by the Syrian army and security services as part of military or search operations conducted in locations known for hosting defectors and/or armed persons, or perceived as supportive of anti-government armed groups. The army employed the wide range of military means, including heavy shelling of civilian areas. The Commission received several accounts that anti-government armed groups are also committing human rights abuses.

3. A series of explosions that have inflicted a heavy toll on human life in Damascus, Idlib, Aleppo and elsewhere were reported. The Commission condemns the indiscriminate nature of these attacks and deplores the loss of life that has resulted.

4. Also of grave concern are the displacement of civilian populations, both within the Syrian Arab Republic and across its international borders, combined with the widespread pillaging and burning of homes; the tightly controlled security environment resulting in restrictions on the fundamental freedoms of movement, speech and association; and the systematic denial, in some areas, of the basic requirements of human life such as food, water and medical care.

5. The Commission has taken note of the intensity of the violence in the Syrian Arab Republic as well as the increasingly organized nature of armed groups in some areas.

II. Commission's findings

• Casualties

6. The Commission received numerous reports of casualties resulting from incidents across the country. In line with its methodology, the Commission reports the deaths only of those persons about which it has first-hand information through individual interviews that its members conducted. In the Commission's figures, no distinction is made between civilians and fighters, nor are injured persons included in the count. The Commission, through 214 interviews of victims and witnesses of events since its February 2012 report to 10 May 2012 was able to confirm 207 deaths.

7. The Commission also received from the Government lists of victims from the ranks of police, military and security forces. According to these lists, a total of 478 police officers and 2,091 individuals from the military and security forces were killed between 29 March 2011 and 20 March 2012. Without access to the Syrian Arab Republic, the Commission is not in a position to confirm these figures.

• Violations by the Syrian Government Forces

8. Since the Commission's earlier reports, the situation in the Syrian Arab Republic has become increasingly militarized. Whereas Government forces had previously been responding primarily to demonstrations, they now face armed and well-organized fighters – bolstered by defectors who joined them. The violations recorded by the Commission reflect this shifting context, occurring most often during large scale, military attacks on specific locations known for hosting defectors and/or armed persons who were escorting some of the demonstrations or perceived as supporting the "Free Syrian Army" (FSA). Demonstrations, with or without "armed protection," continued to be a trigger for the Government's heavy handed response. On occasion, collective punishment appears to be motivating the Government's action.

Unlawful Killings

9. Despite the human rights imperative to employ lethal force only as a last resort to protect life, state security forces continued to use lethal force against anti-government demonstrations in Idlib, Homs, Aleppo, Hama, Damascus and Dar'a and in numerous villages throughout the country. The Commission recognizes that many such protests were accompanied by armed groups, who have described their role as providing protection for the demonstrators. The resulting clashes were deadly for demonstrators, members of these armed groups and security forces alike, yet too-often civilians bore the brunt of the violence.

10. Other unlawful killings took place during government military operations undertaken to weed out defectors, anti-government armed groups, their families, and other opponents perceived to be supporting anti-government armed groups. A clear pattern emerged during the reporting period. Based on a list of wanted persons and their families, an attack on a village or neighborhood would be preceded by a blockade of its primary roads. Often a warning was issued to "hand over" - usually with a deadline - the wanted defectors or organizers of anti-government protests. If the village knew or could anticipate the raid in advance, the members of anti-government armed groups and the males of those locations would hide or evacuate women, children and elderly. If caught without warning, the civilians would either brave the checkpoints and potential arrest at the blockaded entrances, or remain at home and brave the house searches. If the fighters had not fled prior to the military advance, a clash ensued in the village. Anyone seen trying to leave the

area by avoiding the blockades were presumed to be members or supporters of anti-government armed groups and were shot. The armed forces usually left the villages in the evenings, and civilians would subsequently return. Examples of this pattern include the villages Taftanaz (March/April), Kili (early March, 6 April), Ein Larouz (3-12 March), Sermin (21 March). Similar incidents were also recorded in other villages during this period (Hirtan, Mar'e, Latamna) that the Commission was unable to corroborate.

11. Accounts indicated that the security forces used precise shelling to target small opposition strongholds as well as indiscriminate shelling - dropping shells among residential areas and in neighborhoods suspected of harboring opposition fighters or supporters. After the shelling, security forces would enter the area, position snipers on rooftops, often on school buildings, and conduct house-to-house searches. Repeated accounts of extra-judicial killings in this context were also received. Fighters in anti-government armed groups were killed after being captured or wounded. In some particularly grave instances, entire families were executed in their homes – usually the family members of those opposing the government such as the family members of Colonel Raid Al Asaad.

12. An indicative case of a new pattern since the last report was on 9 May 2012 when a demonstration of around 200-300 students took place on Aleppo University campus. Shortly after political security, air force intelligence, army and some shabiha elements surrounded the campus, the number of student protesters grew to over a thousand. Government forces then fired tear gas at the students and live ammunition in the air. They then entered the campus and, in an operation that lasted most of the night, began arresting students, ultimately detaining approximately 200. During the raid they allegedly threw one student from the fourth floor. According to sources interviewed by the Commission, between two and five students were killed. Currently the campus and university are open but with very few students present and the military are stationed inside at multiple checkpoints.

Torture, ill-treatment and arbitrary arrest

13. First hand reports of arbitrary arrest and torture continued to be received. Government forces reportedly arrested those identified previously by local informers as supporters and/or family members of anti-government armed groups, or organisers of anti-government protests or simply protestors. One man told the Commission that he was arrested in Aleppo in April after being found in possession of a large sum of money. His captors accused him of trafficking for the anti-government armed groups. They allegedly beat him severely and applied electric shocks to his legs. They released him a week later without charge and without his money.

Violations of children's rights

14. Children continue to suffer in the context of the on-going events in the Syrian Arab Republic. They are frequently among those killed and injured during attacks on protests and the bombardment of towns and villages by state forces. The Commission recorded an incident where several people were allegedly executed in Taftanaz in April 2012, when that village was raided by Government forces. There were five people under 18 among the deceased. Additionally, specific reports of children being killed by snipers arose in two separate villages in Idlib (January and March 2012). In areas where anti-government armed groups hold sway, boys older than 14 years are reportedly targeted as members of such groups. Children, including boys as young as 10 years of age, detained by State forces, repeatedly indicate that they are tortured to admit that older male members of their family are "Free Syrian Army" soldiers or supporters.

15. Wounded children have been unable to seek treatment due to fears of being perceived as anti-government armed groups' supporters or for fear of being beaten in health facilities. Children have died due to a lack of adequate health care during Government blockades. Some, including those injured as a result of torture, have been willfully denied medical care.

16. Accounts were recorded that primary and secondary schools have been targeted by state forces. In March 2012, a school in Atarib, Aleppo governorate, was occupied with tanks on its grounds and snipers positioned on its roof. In the same month, another school in a nearby village was burnt down, allegedly because its headmaster was rumored to be associated with anti-government armed groups. In early April 2012, a village school in Hama governorate was occupied by state forces which used it as a command post, again putting snipers on its roof.

• **Abuses committed by 'anti-government armed groups'**

17. Although the international human rights legal regime operates primarily vis-à-vis states, the Commission has documented abuses of human rights in the Syrian Arab Republic irrespective of the perpetrator.

Unlawful killing

18. The Commission has received multiple reports of the extra-judicial executions of members of the army and security forces, suspected informers and/or collaborators captured by anti-government armed groups. Two such incidents occurred in Homs in April 2012. In corroborated statements taken from anti-government fighters, the Commission recorded instances where members of Government forces perceived to have committed crimes – for example, by participating in the shelling of civilian areas – were executed or captured. A defector who fought in the ranks of Al Farouk Brigade "FSA") in Homs city stated that members of the government forces, including what he claimed were three Iranian snipers, were summarily executed after they apparently confessed. One anti-government armed group fighter also admitted that he and his associates had killed Government soldiers when the captives refused to join them.

19. In a recent development in Homs, members of the anti-government armed groups reported that their captives had been judged in front of anti-government armed group military commanders as well as community and religious leaders (a Shura Council). However, the Commission has not been able to obtain a consistent account of a trial process or the extent of any adherence to fair trial standards. In some locations, such as Jabal al Zawiya and Deir Sinbal, make-shift prisons have reportedly been set up.

Use of Improvised explosive devices

20. The Commission has taken note of an increased use of improvised explosive devices (IEDs) by anti-government armed groups. Interviewees described to the Commission how, in April 2012, they had put nails inside pipes with explosive powder and a fuse. Others described the use of gas and fertilizer to create homemade bombs. One anti-government armed group fighter explained to the Commission how his group had planted mines that destroyed army tanks near the village of Abdita in December 2011. Other interviewees described their role in trafficking supplies for such explosives.

Torture and ill-treatment

21. The Commission has received information indicating that Syrian security forces or their alleged supporters caught by the anti-government armed group have confessed under torture. Many of the video recordings of alleged incidents show those captured with signs of physical abuse, including bruising and bleeding. Two Iranians, held in late January 2012 and released in late April 2012, later made public statements about physical abuse suffered, including the breaking of bones, during their captivity. A defector who joined the “FSA” recently also reported that the “FSA” used torture, which has in some instances led to the death of the captive.

Kidnapping and hostage taking

22. The Commission has recorded instances of anti-government armed groups abducting civilians and members of the government forces. The apparent motivation is to enable prisoner exchanges, but one fighter told the Commission that they sometimes call families and seek ransom to purchase weapons. The Commission recorded examples in Homs in April, 2012, and in Idlib, in March 2012.

Children’s rights

23. The Commission received corroborated evidence that anti-government armed groups often have been using children as medical porters, messengers and cooks, for units in the field, and delivery of medical supplies to field hospitals. In May 2012, Commission staff met multiple children involved in these activities who were regularly traversing the Turkish/Syria border. Four of these had been injured by sniper fire in a mission to Hama in mid-March 2012.

• Explosions

24. In the period preceding this Update, the Syrian Arab Republic suffered a series of large explosions in which scores of civilians were killed. The explosions appear to be by suicide bombers or by explosives hidden in vehicles and detonated remotely. The Commission has compiled the list below based on open sources it deems credible and whose information is consistent with other material on hand.

- May 10 2012, two large explosions in Damascus’ Qazaz neighborhood killed 55 people;
- May 9 2012, an explosion as a UN convoy passed near Dar’a wounded six soldiers of the Syrian Government escort troops;
- April 30 2012, twin explosions near daybreak close to a government compound in the city of Idlib killed 20 people, most of them from the security services;
- April 27 2012, a bomb near a mosque of Al-Meidan neighborhood of Damascus killed 11 people;
- March 18 2012, a car bomb killed three people in Aleppo; and
- March 17 2012, two bombs apparently aimed at an intelligence service office and a police headquarters killed 27 people in Damascus.

The Commission was not able to ascertain those responsible for these criminal acts.