

Government Forces continue targeting hospitals in Syria

Prepared by Syrian Network for Human Rights

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Subject: Government forces shelled the medical assembly of Bait Saham village.

Introduction:

Bait Saham: 3 km south of Damascus, its population almost 15.667 people.

Location map:

The methodology of this report based on the investigations conducted by SNHR's team with number of residents and activists.

It contains the testimonies of two eyewitness from the residents documented in the report, in addition to news and pictures from cooperative activists inside the city.

The incident's details

Testimony of Media activist known as Abo Hasan in Bait Saham, he talked to SNHR:

You can communicate with the witness by Skype account: [freedom.sekeer4](#)

“ Before the sunset in five minutes almost 4:40 pm, I heard the sound of Helicopter followed by two huge explosion sounds, first we thought that it came out of surface to surface missile, later it shows that it caused by barrel bomb”

“ the medical assembly building consists of three floors that slop down because of the shell-ing, most walls either cracks or pushed almost 10 cm from their place, of course most of the ceilings are greatly cracked, this destruction could be largest, but the assembly are well supported”

Testimony of Sham: doctor in the assembly, he talked to SNHR:

“ Usually at 4:30 pm my shift in one of the near hospital of Bait Saham, I heard the sound of explosion and went to the medical assembly, shelling was by barrel bombs, the destruction was very huge, all the medical assembly sections are almost entirely destroyed: laboratory, clinics, ambulance, recovery, Obstetrics and Gynecology”

“ shelling the medical assembly is a real disaster for the people in that area, where that assembly covers the medical needs of Bait Saham town in addition to displaced people from Hujaira, Boida, Sbina, and even part of Yald and Babila town, shelling led to two injuries of medical staff, but thanks God they were mild injuries”

Pictures and attachments:

Video document the huge destruction caused by barrel bomb shelling:

http://youtu.be/cWkQkp_WtjQ

<http://youtu.be/94lHTj25DtY>

<http://youtu.be/QZvJJegCYXM>

Video document the lab destruction:

<http://youtu.be/JHSQzsgquO4>

Video documents moment of shelling barrel bomb on Wadi area of Bait Saham

<http://youtu.be/XWcx0UH4vHw>

Picture document the destruction in the medical assembly:

<https://drive.google.com/?tab=mo&authuser=0#folders/0B9dF5VO4iR18TU1fYkxFeS1PeVU>

Most prominent rules violated by government forces in attacking hospitals

According to International Humanitarian Law: It is a war crime deliberately to attack a hospital or other medical unit, whether civilian or military. It is also unlawful to use a hospital in direct support of a military operation—to convert one wing of the hospital into an ammo dump, for example. (Indeed, hospitals that are misused in this manner lose their legal protection.)

Medical personnel in general may not be attacked; but at the same time it is unlawful to use medical facilities, or related equipment such as ambulances, as camouflage or protection for military personnel, or as a shield for military forces.

Government forces also did not distinguish between civilian objects and military objectives and launched indiscriminate attacks and violated Customary IHL in this regard.

Violate 35 of customary international humanitarian law, which states:

Rule 35. Directing an attack against a zone established to shelter the wounded, the sick and civilians from the effects of hostilities is prohibited.

According to rule 156 of customary international humanitarian law, which states:

Rule 156. Serious violations of international humanitarian law constitute war crimes.

Legal Conclusions:

1. Syrian network for human rights emphasize that the shelling of the hospital was randomly and aimed against civilian targets, so the shabieha and Government forces violated international human rights law that protects the right of life. in addition that it has committed in non-international armed conflict so it tantamount to war crimes and had all the elements
2. SNHR considered shelling accompanied to killings is a war crime,
Syrian Government Armed Forces committed these extensive systematic crimes in non international armed conflicts , so it is considered as a war crimes
- 3- Syrian government by killing and targeting civilians violated both International Human Rights Law and International Humanitarian Law

Recommendations

Human Rights Council :

1. Considering attacks that occurred in Syria on the hospitals as violation of basic human rights that affect his sanctities and dignity.
2. Denounce violations committed by Syrian Government's Armed Forces against hospitals , and document those attacks
3. Pressure on the Syrian Government's Armed Troops and formally request to stop its violations against hospitals
4. Hold alias and supporters of the Syrian Government's Armed Troops (support with weapons and gear) to take clear positions on those violations and make diplomatic and political pressure to stop and end these violations

Arab League :

1. Denounce violations against hospitals , and document those attacks:
2. Pressure regionally and internationally to make effective decisions in this regard Pressure on the Syrian regime to stop systematic and deliberate violations against hospitals
3. Demand the states that can effect on Alassad regime to make it stop deliberate and widespread violations against hospitals.

Security Council :

1. Denounce violations against hospitals , and criminalized those attacks
2. Issue a binding decision against Syrian regime to stop all violations, specifically against hospitals.
3. Security Council should referred the situation in the Syrian Arabic Republic to the Prosecutor of the International Criminal Court for investigation