

# The Syrian Regime Uses Chemical Weapons Again in Latakia and the United States, France, Britain and the Civilized Countries of the World Must Fulfill Their Promises

Immediate Intervention Must Be Made Through an International Coalition to Protect Civilians in Syria Like the NATO Intervention in Kosovo

# SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

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## I. Introduction

Over a year has passed since the chemical attack launched by the Syrian regime on Douma city in Damascus Suburbs governorate on April 7, 2018, in which the Syrian Network for Human Rights (SNHR) documented the deaths by suffocation of 39 civilians, including 10 children and 15 women (adult female), as well as documenting respiratory and neurological symptoms in another 550 people. The world was again shocked by the images and video clips filmed at the sites that suffered the chemical attacks. Despite this, the Syrian regime continues to challenge the international community and to dare to again use chemical weapons.

To defend the Syrian regime's use of chemical weapons and to encourage it to continue using chemical weapons, the Russian state vetoed a draft resolution on the formation of a commission of inquiry on the use of chemical weapons on April 10, 2018, the twelfth time that the Russian state used its veto in favor of the Syrian regime concerning the use of chemical weapons and perpetration of other gross violations constituting crimes against humanity and war crimes. It is unacceptable that this veto can override an issue that poses a threat to the security of humankind such as the use of chemical weapons.



The reaction of the international community following the 2018 chemical weapons attack was timely, with American, British and French forces bombing three sites in Syria supporting the Syrian regime's chemical weapons program on April 14, 2018; their response, however, was limited solely to this action. As a result, the Syrian regime and its Russian ally were ultimately victorious again, seizing control over the Eastern Ghouta region in return for three extremely limited airstrikes on locations that did not weaken the Syrian regime's ability to continue to commit horrendous violations, or force it to rethink its use of chemical weapons, with the regime reassured that any reaction to use of such weapons would be limited at most to ineffectual airstrikes which wouldn't restrict its ability to perpetrate further crimes. The US coalition's action also wasn't followed by any political steps to create a roadmap aimed at ending the Syrian conflict and moving towards real political, pluralistic and democratic change that could achieve stability and justice.

**Fadel Abdul Ghany, Chairman of SNHR, says:**

“The US president, the French president and the British Prime Minister have threatened the Syrian regime that if chemical weapons are used again, there will be a decisive response. The Syrian regime has indeed again been proven to be involved in using chemical weapons, the only regime on the planet that still uses chemical weapons, and Syrian society is still waiting for these leaders to fulfil the promises made, and to hold the Syrian regime to account in a serious and effective way.”

## II. The Responsibility to Protect Civilians in Syria

For eight years, the Syrian regime has committed grave crimes and violations against Syrian civilians. It has also consistently failed to respond to any of the demands of the International Commission of Inquiry on the Syrian Arab Republic, or to those of the High Commission for Human Rights, or even to Security Council resolutions. The Security Council, which was supposed to take collective measures and action under Article 41 and 42 of the Charter of the United Nations, also failed because of the immunity granted by Russia to the Syrian regime, with Russia routinely using its veto in the case of the Syrian regime, which not only failed to abide by the responsibility for the protection of civilians, but committed the most egregious violations against them, reaching the level of crimes against humanity, and extermination within detention centers through torture.



In its report issued in December 2001, the International Commission on Intervention and State Sovereignty stressed that: “The Security Council should take into account in all its deliberations that, if it fails to discharge its responsibility to protect in conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of that situation”

Such conscience-shocking situations are exactly what have continued to happen in Syria, not only in the form of one massacre or one violation but in industrial-scale killings and torture, sexual violence, enforced disappearances, the use of chemical weapons and barrel bombs, and besieging civilians. The list of crimes against humanity perpetrated by the Syrian regime and its allies goes on. The Security Council has signally failed to assume its responsibilities in the Syrian case, despite the Syrian Network for Human Rights, international organizations and UN commissions of inquiry crying out for action by the Security Council many thousands of times. In this context, the International Commission on Intervention and State Sovereignty affirmed in the same report: “it would be impossible to find consensus, in the Commission’s view, around any set of proposals for military intervention which acknowledged the validity of any intervention not authorized by the Security Council or General Assembly. But that may still leave circumstances when the Security Council fails to discharge what this Commission would regard as its responsibility to protect, in a conscience-shocking situation crying out for action. It is a real question in these circumstances where lies the most harm: **in the damage to international order if the Security Council is bypassed or in the damage to that order if human beings are slaughtered while the Security Council stands by.”**

### **III. The First Documented Use of Chemical Weapons by the Syrian Regime Since the Last Attack on Douma City**

On Sunday, May 19, 2019, at around 08:00, the SNHR team documented the first attack by the Syrian regime using chemical weapons since the attack on Douma city in Damascus Suburbs governorate in April 2018. On this occasion, Syrian Regime forces stationed in the Jeb al Ahmar area to the south of al Kbaina village in the eastern suburbs of Latakia, used a missile launcher to fire three missiles loaded with poison gas which targeted a base used by Hay’at Tahrir al Sham on a hill in the southwestern outskirts of al Kbaina village, resulting in the injury of four of Hay’at Tahrir al Sham’s fighters, who exhibited symptoms of breathing difficulty, redness of the eyes and tearing.



The chemical attack on al Kbaina village came in the context of a military advance on the villages of the eastern suburbs of Latakia and as part of a military campaign launched by the Syrian-Russian alliance since April 26, 2019, on the Idlib de-escalation zone (consisting of parts of the governorates of Hama, Idlib, Aleppo and Latakia), which is the last de-escalation zone outside the control of Syrian Regime forces. We have discussed the details of this campaign and the most notable violations resulting from it in [a previous report](#).

The SNHR obtained [a copy of a report issued](#) by the Idlib Health Directorate from Dr. Munzer al Khalil. The report explains the condition of the injured who were treated in one of the hospitals of the Directorate, noting that the symptoms shown by the injured are consistent with exposure to toxic substances. The report also indicated that the medical staff who treated the injured reported smelling a chlorine-like odor emanating from the clothing of the injured while providing first aid to them.

SNHR contacted Mustafa Hallaq<sup>1</sup>, a fourth-year student at the Faculty of Human Medicine, who works as an anesthesiologist at the Jisr al Shoghour Hospital in the western suburbs of Idlib. He told us: **“The injured reached the hospital where I work at about 9:15 am. The medics told us by phone that the injured had been bombarded with poison gas, so we took precautions and followed the safety measures for this type of shelling before they arrived.”**

Mustafa said that the hospital received four injured individuals between the ages of 18 and 28, who were fighters based at a military point on a hill in al Kbaina village in the eastern suburbs of Latakia: **“We began to deal with these injuries, and we first decontaminated them outside the hospital by stripping their clothes and washing the bodies of the injured with water, then we brought them in to the ambulance room”** Mustafa described the symptoms he observed in the injured: **“They suffered from severe cough, wheezing and rales [rattling] in the chest, oropharynx burn, vomiting, difficulty breathing, red eyes and tearing. All of these symptoms confirm that a chemical attack took place and [indicate] exposure to toxic gases. We provided oxygen to all of the injured; one of them had long-term chronic asthma, which made his situation less stable than the rest of the injured, and the proportion of oxygen saturation he had was SPO2 66%. We injected the injured with 200 mg of hydrocortisone, and when they began to feel better, we transferred them to the care of another hospital. “**

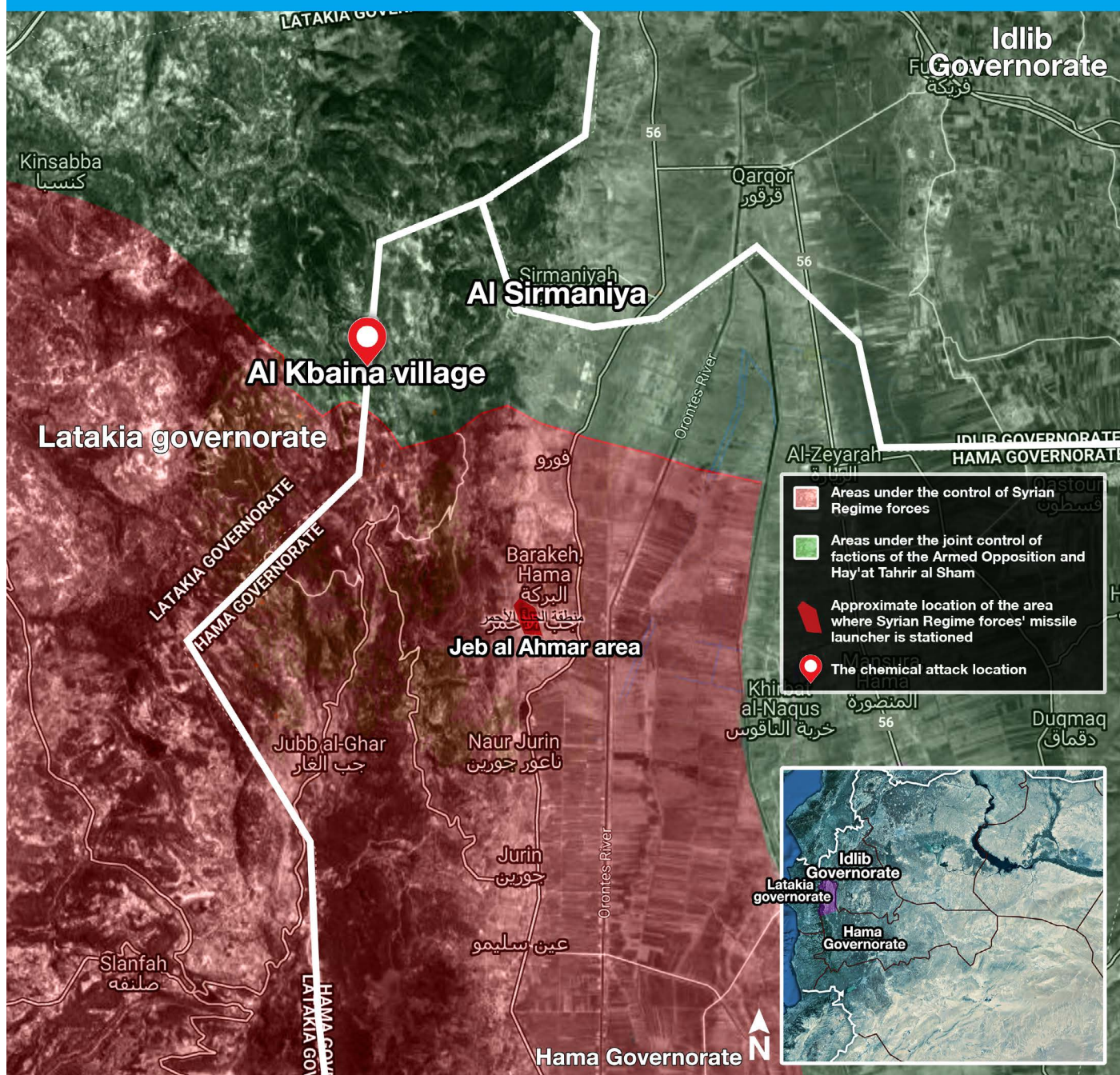
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<sup>1</sup> We contacted him via WhatsApp on May 22, 2019



Mustafa said that 15 minutes after the arrival of the injured he felt a chest constriction and severe itchiness all over his body, adding, **“despite the precautions we have taken, I had a simple minor injury. This evidence indicates that the injured suffered a bombing with poison gas.”** Mustafa further said that the injured whose treatment he supervised told him that they were able to distinguish a chlorine smell right after the attack, **“They told me that they were attacked with a number of shells. Their sound was heard at the time of its launch, but the explosion did not make a strong noise, unlike the conventional shells, which they’re often exposed to; then a smell like that of household chlorine leaked out. “**

Map showing the location of the chemical attack launched by Syrian Regime forces on al Kbaina village in the eastern suburbs of Latakia on May 19, 2019, and the approximate location of the area where the missile launcher that carried out the attack is stationed



#### **IV. Due to the International Community's Weakness, the Syrian Regime Has Used Chemical Weapons 217 Times According to the Syrian Network for Human Rights' Database**

The latest chemical attack on al Kbaina village has been added to the 216 previously documented chemical weapons attacks carried out by Syrian regime forces in Syria since 2011 listed on SNHR's database. This means that the total number of chemical attacks documented on the SNHR's database has now reached approximately 222 between December 23, 2012, the date of the first use of chemical weapons in Syria to be documented by the SNHR, and May 20, 2019. These attacks are distributed according to the perpetrator party as follows:

- The Syrian regime: 217 chemical attacks, mostly in the governorates of Damascus Suburbs and Idlib.
- ISIS: Five attacks, all in Aleppo governorate.

These attacks resulted in the deaths of at least 1,461 individuals, recorded on our lists by name and in detail. All of the victims who died in attacks carried out by the Syrian regime are categorized as follows:

- 1,397 civilians, including 185 children, and 252 women (adult female).
- 57 Armed Opposition fighters.
- Seven Syrian regime prisoners of war who were being held in an opposition prison.

The chemical attacks also injured at least 9,889 individuals, categorized as follows:

- 9,757 were injured following attacks by the Syrian regime.
- 132 were injured following attacks by ISIS.

[The following link](#) contains reports documenting the particulars of chemical attacks that we have worked on, include the full details of the incidents we were able to document, such as timing and location of the attacks, weather conditions, tolls of deaths and injured casualties, the types of weapon used, contact with eyewitnesses, survivors of incidents and a large number of photographs and videos that we have received, which we examined and verified, along with other evidence. We can assert, therefore, that the Syrian regime's use of chemical weapons is clearly a recurring pattern that amounts to crimes against humanity, in addition to each such attack being a war crime.



## V. Conclusions and Recommendations

- By using chemical weapons in al Kbaina village, the Syrian regime has again violated customary international humanitarian law, which prohibits the use of chemical weapons in any situation, and secondly has undoubtedly breached the Chemical Weapons Convention that was ratified by the Syrian government in September 2013, which requires the prohibition of the use of toxic gases and the destruction of any such materials, and thirdly breaches all relevant Security Council resolutions, in particular resolution numbers 2118 of 2013, 2209 of 2015, and 2235 of 2015. The use of chemical weapons also constitutes a war crime according to the Rome Statute of the International Criminal Court.
- The Syrian regime's use of weapons of mass destruction against the Syrian people will remain an egregious and historic disgrace for the international community due to its failure to punish the perpetrator of the attack, even in the form of economic sanctions, which the United Nations failed to impose against the Syrian regime in response to its crimes, despite the simplicity of such action. This shows the alarming magnitude of the deterioration of the international system; it is imperative that the international community rectify this imbalance and impose economic and military sanctions against the Syrian regime, which remains determined to commit crimes amounting to crimes against humanity.

### **Recommendations:**

#### **Security Council:**

- The Syrian regime has repeatedly violated three UN Security Council resolutions, all of which refer to Chapter VII.
- The four other permanent members should pressure the Russian government to stop its support for the Syrian regime which uses chemical weapons, and should expose its involvement in this regard.
- The Security Council should take additional and practical measures after repeated violations of all Security Council resolutions by the Syrian-Russian-Iranian alliance forces.

#### **Human Rights Council:**

- The Human Rights Council should shed more light on the use of chemical weapons by the Syrian regime.

#### **Independent International Commission of Inquiry (COI):**

- The International Commission of Inquiry should immediately investigate this attack, as well as the bombing incidents that preceded and followed it, and identify those involved.





### **International, Impartial and Independent Mechanism (IIIM):**

- The IIIM should study the attack in this report and those detailed in previous reports, and the Syrian Network for Human Rights is ready to cooperate and provide further evidence and details.

### **Organization for the Prohibition of Chemical Weapons:**

- Under its new mandate, the Organization for the Prohibition of Chemical Weapons must identify those responsible for the attack on al Kbaina village and for other chemical attacks, and thus help to hold the Security Council and the international community – primarily the allies of the Syrian regime - to greater accountability, and must rule out any consideration of any kind of relationship with a regime that uses weapons of mass destruction against civilians in the modern age before the eyes of the world at large.

### **European Union and the United States of America:**

- Support the International Impartial Mechanism established by General Assembly resolution 71/248 of December 21, 2016, and open the courts of local states which have the principle of universal jurisdiction, and prosecute war crimes committed in Syria.

### **International Community:**

- States should demonstrate greater solidarity against the Syrian regime, which is the main and most prominent user of chemical weapons of this century to date, and must act seriously and collectively to apply strict, deterrent, genuine and immediate sanctions.
- There is an imperative need for the creation of a humanitarian alliance aimed at protecting Syrian civilians from chemical weapons and barrel bombs, because without any such protection Russia will continue to obstruct the Security Council and to use its veto with impunity, as well as a similarly urgent need for immediate humanitarian intervention to protect the Syrian people, similar to the NATO intervention to protect civilians from killings and ethnic cleansing in Yugoslavia, an intervention approved by the International Court of Justice which did not see it as contrary to international law or UN Security Council Resolution 1244 of 1999, especially since we are once again referring to gross violations, crimes against humanity and war crimes committed by the ruling power against the people.



### **Russian Government:**

- Stop using the veto to protect the Syrian regime involved in crimes against humanity and war crimes, including the use of chemical weapons.
- Stop blocking the referral of the situation in Syria to the International Criminal Court.

### **Friends of the Syrian People:**

- Supply areas exposed to poison gas in Syria (in light of the inability of the Security Council to stop attacks) with protective masks; the Syrian Network for Human Rights estimates that at least 20,000 protective masks are needed in those areas, as well as equipment to remove the effects of chemical contamination.

### **Acknowledgments**

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