

# The Syrian Regime Repeatedly Uses Cluster Munitions Against Residential Neighborhoods in and Around Idlib Governorate, Constituting War Crimes

Four Cluster Munition Attacks Documented Since the Start of the Last Offensive in December 2019, Two of Which Were Against Schools



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Thursday, February 27, 2020

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 and Methodology:

The Syrian regime and its Russian and Iranian allies have been wholly indifferent to dozens of rules of the law of war during their military operations, and we do not believe that any conflict has seen the same level and intensity of violations of international law in the modern age as seen in the Syrian conflict. In this context, we have noted the heavy and repeated use of cluster weapons, with the use of such weapons by the Syrian regime and its Russian ally now so routine that it barely even rouses any condemnation or comment. Although a total of 120 countries had signed the [Convention on Cluster Munitions](#) by 2018, with the international community celebrating the destruction of 99% of the reported stockpile of the cluster munitions, and the use of cluster munitions in various other nations worldwide having significantly fallen, the Syrian regime continues to use them repeatedly, showing indifference to the [condemnations of the UN General Assembly through several resolutions issued by a sweeping majority](#). According to the recent report by the Landmine and Cluster Muniton Monitor organization issued in August 2019, among the 75 countries that have not signed the Convention on Cluster Munitions, the Syrian regime constitutes a flagrant exception in using them, with the support of the Russian regime, as a permanent member of the UN Security Council, being the main reason for the Syrian regime's impunity. For this reason, the Syrian Network for Human Rights (SNHR) affirms that the Syrian regime has relied on cluster munitions as a tool to spread terror and fear in areas outside its control, contributing to the displacement and fleeing of residents, with the multiplier effects of these terrible weapons being evident in parents' fear that their children may touch or approach the remnants of these cluster munitions.



Since July 2012, the date of the first documented use of cluster munitions in Syria catalogued on the SNHR database, cluster munitions have been among the most prominent and frequently used types of weapons. The SNHR has documented and monitored the regular use of cluster munitions by the Syrian-Russian alliance forces, and has built a database dedicated to documenting instances of the deployment of this dangerous type of weapon, and we make sure to include reference to its use in all monthly and annual reports, and refer to the implications of this on vital properties and facilities and on children; the following link contains a number of reports cataloguing the incidents of the Syrian and Russian regimes' use of cluster munitions in Syria, which were recorded in our database, with each incident including details of the time, date and location of the attack, the toll of the dead and injured, and the types of munitions used; we were able to monitor most types of missiles and shells used and the type of submunitions in them, and to determine the number of these submunitions contained in every type of cluster munition, and therefore we have acquired a detailed understanding of the number of submunitions dispersed in these attacks in Syria, their distribution areas and the areas that were subjected to the largest scale of attacks. We built up this knowledge through relying on communicating with eyewitnesses and survivors of incidents, as well as through assembling a huge collection of photos and videos that we received whose authenticity we have checked and verified, in addition to other evidence:

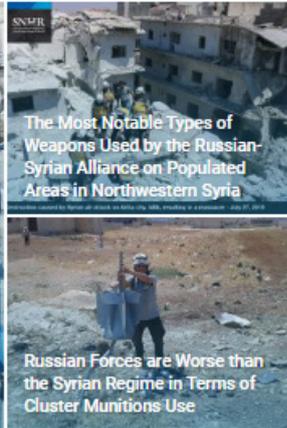
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## The Syrian Regime Is Most Likely Responsible for the Bombing of an IDP Camp in Idlib and the Killing of 11 Syrian Children

December 13, 2019



## The Most Notable Types of Weapons Used by the Russian-Syrian Alliance on Populated Areas in Northwestern Syria

Russian Forces are Worse than the Syrian Regime in Terms of Cluster Munitions Use



## Nearly 457 attacks by the Syrian and Russian Regimes Using Cluster Munitions were Documented, 24 of them since the Sochi Agreement

25 Civilians Killed as Government Forces Bomb Al Mayadeen City with Cluster Munition



## Cluster Munition Monitor 2016

September 1, 2016

More nations support ban on cluster munitions, but civilians continue to suffer (Geneva, 1 September 2016) – More states have joined the international treaty prohibiting...



## Russian Forces are Pouring Cluster Munition over Syria

July 22, 2016

No less than 54 Russian Cluster Attacks Recorded before the Cessation of Hostilities Statement SNHR has published a report entitled "Russian Forces are Pouring Cluster..."



## Four Years Harvest: The Use of Cluster Ammunition... That is Still...

March 30, 2015

The Cluster Ammunition Supplies Must be Destroyed the same as the Chemical Weapons First: Introduction The first time government forces used cluster ammunition according to...



## The Syrian Regime Is The Worst in The World in Cluster...

October 18, 2014

On Saturday, 16 August 2014, the Landmine and Cluster Munition Monitor for 2014 published a report about the use of cluster munitions in the...



## Cluster weapons must be destroyed as well

April 4, 2014

With the beginning of 2014, the Syrian regime has escalated unprecedentedly its use of the internationally-prohibited cluster bombs as if the Syrian regime was...



## Substitute the Use of Chemical Weapons by the Use of Cluster...

March 26, 2014

Ukairbat is located to the eastern countryside of Hama. The government forces have shelled it repeatedly lately with cluster munitions. The team of the Syrian...



## Government Forces Use Cluster Munitions in bombing Yabrud

March 13, 2014

The Syrian government is determined to continue using cluster munitions that remain in the land for decades after use and may continue to cause...



## Victims of Cluster Munitions in Syria

February 2, 2014

Despite of the fact that more than 112 of the world countries condemned, through a decision taken by the UN general Assembly, the Syrian...



## A weak reaction from the international community as the Syrian regime...

October 17, 2013

As the Syrian Network for Human Rights continues to report the daily violations in Syria carried out by the Syrian regime, we began documenting...



**Fadel Abdul Ghany, Chairman of the Syrian Network for Human Rights, says:**

“Because the Syrian regime has been immune from accountability due to its Russian ally’s status as a permanent member of the Security Council, the door is open for it to use whatever weapons it desires in an internationally prohibited manner against populated areas. The children and people of Syria have suffered hundreds of cases of limb amputation and disability because of the cluster munitions use by Syrian/Russian regime forces on a horrendous scale and intensity and over large areas; we are in the process of creating a comprehensive map illustrating the locations of all these uses of cluster munitions in order to warn civilians and children of their presence.”

**Methodology:**

The report highlights the terrible reality of the use of cluster munitions in the northwest region of Syria since the start of the recent military escalation which has affected several areas, villages and towns in the suburbs of Idlib and Aleppo, and has caused the displacement of hundreds of thousands of people since December 1, 2019, up to February 25, 2020. The report also includes the record of the use of cluster munitions by Syrian-Russian alliance forces since the first documented use of these munitions in July 2012 until February 25, 2020.

It should be noted that the SNHR has not documented any use of cluster munitions by other parties, such as the Kurdish-led Syrian Democratic Forces (the Democratic Union Party), the Extremist Islamist groups, or factions of the Armed Opposition, or the US-led coalition. The SNHR has relied on field researchers working with us, who helped to obtain direct testimonies from survivors, relatives of victims, relief workers and media activists, assisted by the extensive network of contacts we have built up through our nine years of work. This report contains three first-hand accounts that we’ve collected through speaking directly with witnesses or survivors, none of which are cited from any open sources. We explained the purpose of these interviews beforehand to the witnesses, who gave us permission to use the information they provided without us offering or giving them any incentives. Also, SNHR endeavors always to spare the witnesses the agony of remembering the violations as much as possible, providing assurances that we will conceal the identity of any witness who prefers to use an alias.



Our investigations included in this report confirm that the targeted areas were civilian, where we documented no military presence or armories belonging to factions of the Armed Opposition or to extremist Islamist groups before or during the attacks, and where Syrian Regime forces failed to issue any warnings to civilians prior to any of the attacks as required by international humanitarian law.

We also reviewed and verified the authenticity of the photos and videos we received showing unexploded submunitions and the remnants of incubators loaded with cluster munitions, as well as excluding many attacks where there was no visual evidence or photographs of the remnants of these weapons.

We retain copies of all the videos and photographs included in this report in a confidential electronic database and in hard disk backup copies. For more details, please see our general work [methodology](#).

This report only represents the bare minimum of incidents that we were able to document of the actual severity and magnitude of the violations that have occurred. Also, it doesn't include any analysis of the profound social, economic, and psychological ramifications of these events.

## **II. The Nature of Cluster Munitions and the Record of Their Use in Syria According to the Syrian Network for Human Rights' Database**

Cluster munitions consist of hollow weapons designed to explode into the air and disperse large numbers of bomblets or submunitions over a large area, with the modern types being dispersed across an area of approximately 2,500 square meters. Cluster munitions are launched either by ground platforms and artillery systems or by warplanes or helicopters. The number of munitions contained in each cluster bomb can range from several dozens to more than 600, the bulk of which are designed to explode on impact. These munitions are indiscriminate and inaccurate, and their precision can be affected by weather and other environmental factors. These munitions often fall far short of the intended military target and are dangerous in their implications, which extend far beyond the era of war and conflict. In addition to the victims killed as a result of the immediate explosion of cluster munitions at the time of the attack, between approximately ten and 40 percent of these munitions remain unexploded but live, posing a lethal danger. The SNHR asserts that hundreds of cluster munitions in Syria have effectively been turned into landmines that kill or maim civilians and inflict serious injuries, with hundreds of pieces of shrapnel penetrating the victims' bodies, and potentially leading to amputation of bodily organs, and rupturing of veins and arteries,



as well as inflicting injuries to the ears and eyes that can leave victims wholly or partially deaf or blind. We note that these remnants, which are still extensively widespread in Syria, constitute a major obstacle to the return of displaced persons and the movement of aid workers and Civil Defense rescue workers and their vehicles, as well as posing a threat to the process of reconstruction and development. Most dangerously of all, the munitions are often brightly colored and shiny, meaning they can attract the curiosity of children, making them the most vulnerable group. Over the past several years, the SNHR team has documented the intensive and frequent use of cluster munitions in most Syrian governorates, targeting dozens of cities and towns, including both residential and agricultural areas.

The SNHR has documented at least 492 cluster munition attacks since the first documented use of these munitions in July 2012 up to February 25, 2020. These attacks have been documented in the SNHR database through an accumulated documentation process, in which each incident is recorded with all the information we were able to obtain, such as location, date and time of attack, type of munitions used, and the resulting victims and injuries. The record of the attacks is distributed according to the perpetrator party as follows:

- **Syrian Regime forces:** 248
- **Russian forces:** 236
- **Russian/ Syrian attacks:** Eight

These cluster munition attacks launched by Syrian-Russian alliance forces between July 2012 and February 25, 2020, have resulted in the deaths of 1,030 civilians, including 382 children and 217 women (adult female).

We also documented the deaths of at least 357 civilians, including 107 children and 31 women (adult female), as a result of the explosion of munitions left from previous cluster munition attacks. Although it is difficult to determine the number of the injuries caused by cluster munition explosions, the Syrian Network for Human Rights estimates that approximately 4,350 civilians have been injured, many of whom have subsequently had to undergo amputation of limbs as result, meaning that they require prosthetic limbs and a series of rehabilitation and support operations.

### III. The Impact of Cluster Munitions Attacks on the Northwest Region of Syria

Before the recent military escalation, the northwest region of Syria had been a haven for hundreds of thousands of Syrian citizens who were previously displaced from their homes and other areas across Syria prior to the displacement of more people from the three former de-escalation zones, which were brought under the complete control of Russia and the Syrian regime in the last third of 2018; as a result of these operations, tens of thousands more people from the governorates of Homs, Hama and Damascus Suburbs were displaced to



the region. Statistics of the United Nations Office for the Coordination of Humanitarian Affairs show that the region includes more than 3.5 million Syrian citizens. The indiscriminate attacks and the use of improvised explosive devices and cluster munitions pose a major threat to the humanitarian situation in the Idlib region.

The military advantage in the use of cluster munitions lies in the fact that the delivery of a single explosive charge inflicts extreme damage on a very wide scale, although these munitions do not cause significant widespread material destruction, such as that inflicted by barrel bombs, Scud missiles and vacuum missiles, which can cause serious property damage, and ensure the killing and injury of as many people as possible in the surrounding area, particularly children.

Cluster munitions damage is not only limited to its direct impact on the lives of civilians, but also in relation to the after-effects in terms of damage to agricultural fields, residential buildings, water and sanitation systems, and other facilities essential to people's lives. The Syrian-Russian alliance forces aim in using cluster munitions to completely paralyze life in the areas under attack, with the areas targeted being effectively transformed into minefields due to the presence of hundreds of cluster submunition bomblets that failed to explode on the initial impact. These remnants remain active until they explode spontaneously or when they're triggered by anybody approaching them, meaning they can kill and maim dozens of innocent people. Meanwhile, civilians living in areas affected by cluster attacks will not be able to live in safety until the lethal bomblet remnants of these munitions in the areas around their homes, and in their streets, markets and farmlands are identified and completely cleared. Therefore, most of the residents of areas that are targeted by cluster attacks are subjected to forced displacement due to the impossibility of life and maintaining a feasible livelihood in these areas. In light of the bad weather conditions in the country recently, with heavy rain and snow, the process of clearing the areas of mines and bombs is becoming an even more urgent issue since the remnants will sink into the mud caused by the torrential rain, or be buried under the snow, making them completely hidden landmines impossible to locate and liable to be triggered inadvertently with catastrophic consequences. This makes it impossible to survive safely in these areas; making the cluster bombs one of the most prominent causes of forced displacement, along with the violent military attacks using various munitions and the military advance of Syrian-Russian alliance forces on the ground, which has affected more than 900,000 people since December 1, 2019, according to the United Nations Office for the Coordination of Humanitarian Affairs. The danger of cluster munition remnants will remain even if [IDPs consider returning to their areas](#), making these munitions an additional threat and an impediment to their possible return.

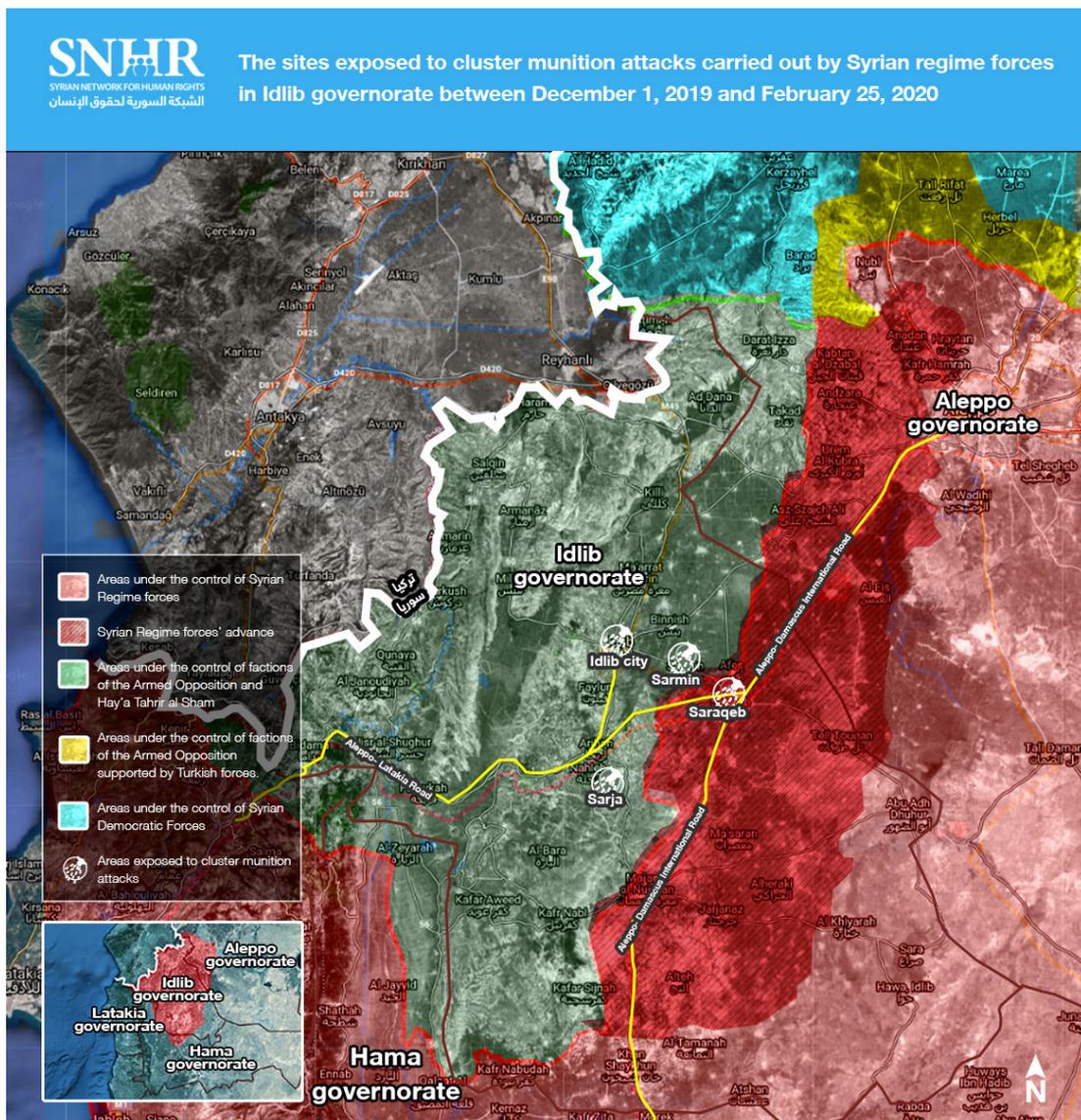


## IV. Cluster Munitions Attacks by Syrian Regime Forces During the Recent Military Campaign

The SNHR has documented at least four cluster munition attacks by Syrian Regime forces in Idlib governorate between December 1, 2019, and February 25, 2020; these attacks resulted in the deaths of 12 civilians, including seven children and two women (adult female), and injured 27 others, including two attacks which targeted educational facilities and caused injuries to students and teachers.

We have also documented the Syrian regime's increasing use of BM-30 SMERCH and BM-27 URGAN cluster munitions, mostly using these specific types - 9M55K- 9M27K- 9M27K1 - which are launched from stationary platforms. These munitions are characterized by the fact that the submunitions they contain, which can be of two types - 9N235 or 9N210 - are capable of large fragmentation.

The following map shows the sites exposed to cluster munition attacks between December 1, 2019 and February 25, 2020:

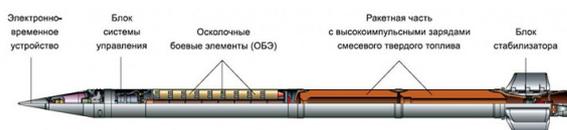


On Tuesday, December 31, 2019, at around 19:08, Syrian Regime forces used a missile launcher, which we believe was stationed in the suburbs of Abu al Duhour area, to fire two [9M55k missiles](#) loaded with 9N235 cluster munitions, targeting al Sharqi neighborhood of Saraqeb city, the International Road area; most of the submunitions exploded near al We-sal Bakery, the Saraqeb automatic telephone exchange and the Abdul Baset Bakir School, causing moderate material damage to these vital facilities. The city was under the joint control of faction of the Armed Opposition and Hay'at Tahrir al Sham at the time of the incident.

Design showing a 9N235 submunition launched from a 9M55k missile, which was found in Saraqeb city in the aftermath of the attack:



### A 9M55K missile loaded with 9N235 cluster munitions



A 9N235 submunition that was found in Saraqeb city in the aftermath of an attack by Syrian regime forces on December 31, 2019.



On Wednesday, January 1, 2020, at around 11:43, Syrian Regime forces used a missile platform, which we believe was stationed in Jabal Azan area in the southern suburbs of Aleppo, to launch a Tochka 9M79 missile loaded with 9N24 cluster munitions, which fell on al Sharqi neighborhood of Sarmin city in the eastern suburbs of Idlib; most of the submunitions spread in a civilian area that includes a school, a Sharia institute, and a shelter center for displaced families from the southern suburbs of Idlib; the shelling resulted in the deaths of 11 civilians, including seven children and two women (adult female), and injured at least 20 others.

Other submunitions also spread in the main market of Sarmin city and near al Ferdous Mosque and Othman bin Affan Mosque, with their explosion causing various instances of [material damage](#) to the [market facilities](#) and the two mosque buildings. The city was under the joint control of faction of the Armed Opposition and Hay'at Tahrir al Sham at the time of the incident.

The SNHR contacted Mr. Mu'aweya Hasan Agha<sup>1</sup>, a resident of Sarmin town in the eastern suburbs of Idlib, who told us: **“I was in my house in the south of the town when the attack occurred - it was around 11:45. I heard a loud explosion, followed by multiple, less powerful explosions, and by distinguishing the sound of successive explosions, I knew that it was bombardment with cluster bombs, because during the past years we were subjected to a lot of bombing and we became aware of their types by hearing their sounds. I arrived at the place within minutes and saw the casualties and injuries caused by the attack. I counted at least 12 injuries while a number of civilians died due to their severe injuries and their bodies were scattered everywhere. Among the injured was one of my relatives, who was working in a poultry store near Abdo Salameh School. I went to the store and saw him lying on the ground, so I immediately took him to hospital. A bit of shrapnel hit his leg and another hit his forearm, causing a forearm-bone loss, with another bit of shrapnel penetrating his chest.”**

Mu'aweya described to us the site of the attack, and said that the targeted place is a vital civilian area that includes many vital facilities, such as the Abdo Salameh School, to the west of which are residential buildings and a commercial market selling fabrics and food-stuffs: **“It was a vital and densely populated area, and the number of victims would have been much greater if the school administration had not dismissed the students and sent them home just 15 minutes before the attack for fear of a possible attack; despite that, not all students and teaching staff were safe from being injured, with two female teachers injured, one of whom died.”**

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<sup>1</sup> Via WhatsApp on February 20, 2020



Mu'aweya described the cluster submunitions that were strewn across the area: **“The size of each bomb is the size of the palm of the two hands when combined together, that is, they are large bombs and not small ones. According to what the townspeople told me, the cluster missile exploded in the sky and cluster bomblets spread over an area of at least 800 meters, which caused a large number of injuries.”** Mu'aweya confirmed that there were no military headquarters or other military facilities around or near the targeted site, adding that the nearest military headquarters is at least four km away from the city.

The SNHR also spoke with Ms. Hanadi<sup>2</sup>, one of the teachers injured in the attack. She recalled: **“On that day, the school administration decided to dismiss the students to their homes before the end of the official working time, and I waited with a colleague of mine in the schoolyard until it was completely empty of students; my six-month-old infant was with me. Then we heard the sound of the missile, which was not preceded by any sound of warplanes or even a warning from the observatories that usually warn us. I saw the missile explode in the sky and then I lost consciousness completely. I remained four days in the recovery room. I had a fracture in my right forearm, while another bit of shrapnel penetrated my chest injuring my left lung, and I was injured in the face and suffered a right thigh injury. I also had shrapnel of various sizes in my back and limbs; the doctors were able to take out some of it, while other bits remained in my body. My child was unharmed. He was sitting in his carriage, which protected him from the shrapnel, but my injury caused the death of my unborn baby, and my colleague, Safiyeh, who was with me, passed away.”**

Bilal Bayyoush told the SNHR<sup>3</sup> that he went to the site of the attack after hearing the sounds of explosions from Sarmin, which is about seven km away: **“I heard explosion sounds and could distinguish the rising smoke from the city. When I arrived, I saw bloodstains scattered everywhere, and the cars parked next to the school were badly damaged due to the explosion of cluster submunitions near them. The dead and the injured were taken to the hospital. I went there and saw horrific injuries and child victims. There was a little girl who lost her life and another child who was injured by shrapnel in the face that caused it to be deformed,”** Bilal said that he returned to the site of the attack in search of the remnants of the weapon: **“I saw the incubator that was loaded with cluster bombs, which was about four meters in length and had a circular diameter of about half a meter.”**

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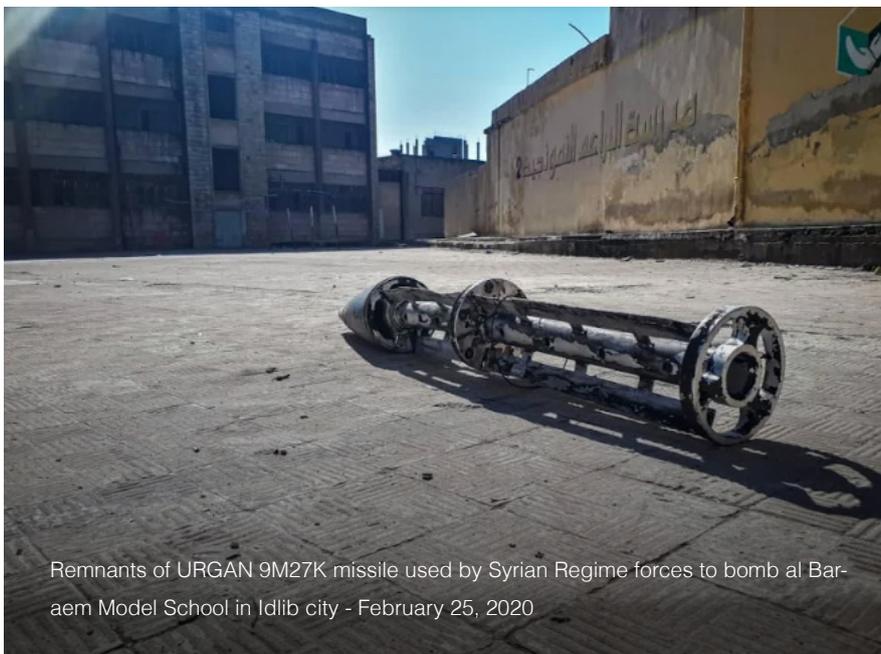
<sup>2</sup> Via WhatsApp on February 21, 2020

<sup>3</sup> Via WhatsApp on February 20, 2020



On Friday, January 10, 2020, between 23:11 and 23:47, Syrian Regime forces used a missile launcher to fire a number of Urgan 9M27K missiles loaded with [cluster munitions](#) on Sarja village in Jabal al Zaweya in the southern suburbs of Idlib. [The missiles](#) fell among civilian homes and on the outskirts of the village; as a result, [two civilians](#) were [injured](#). The area was under the control of factions of the Armed Opposition at the time of the incident.

On Tuesday, February 25, 2020, the Syrian regime used artillery and missile launchers to fire several shells and missiles, targeting Idlib city, the center of the governorate. Among these missiles, we were able to verify the presence of at least one missile loaded with [cluster munitions](#). The cluster missiles fell on al Thawra School, resulting in the death of a teacher, and injured five other people. The city was under the control of Hay'at Tahrir al Sham and Armed Opposition factions of the National Army at the time of the incident.



Remnants of URGAN 9M27K missile used by Syrian Regime forces to bomb al Baraem Model School in Idlib city - February 25, 2020

## V. Conclusions and Recommendations

1. The use of cluster munitions by Syrian Regime forces led by the commander of these forces, Lieutenant General Bashar al Assad, as well as their use by Russian forces, violates both the principles of distinction and proportionality in international humanitarian law and is considered a war crime.
2. The evidence contained in the incidents included in this report indicates that the use of cluster munitions was carried out by Syrian Regime forces, against civilian targets, not directed at serving any specific military purpose, and thus constitute war crimes.



3. The report issued by the delegates to the 2005 Summit states unanimously that each country had a responsibility to protect its population from crimes against humanity and war crimes. This responsibility entails the prevention of such crimes, the prevention of incitement to commit them by all possible means, and when the state clearly fails to protect its population from egregious crimes, or itself is committing such crimes as in the case of the Syrian regime, means that it is the responsibility of the international community to intervene to take protective measures in a collective, decisive and timely manner.

### **Recommendations:**

#### **Security Council:**

- The Security Council must adopt a special resolution banning the use of cluster munitions in Syria, similar to its prohibition on the use of chemical weapons, and include advice on how to remove the remnants of such dangerous weapons.
- Russia's permanent membership in the Security Council must not prevent the Council's efforts to hold Russia accountable; if it does so, the body will lose its remaining credibility.
- The use of cluster munitions by the Syrian regime threatens the security and safety of tens of thousands of members of Syrian society and the Security Council must immediately and urgently intervene to protect the Syrian people from the attacks by the ruling authority, which constitute war crimes.

#### **Human Rights Council and International Commission of Inquiry (COI):**

- Issue a statement condemning the use of cluster munitions by the Syrian-Russian alliance.
- Attend to the documentation of incidents indicating the use of cluster munitions by the Syrian-Russian alliance forces.
- Conduct extensive studies on the locations where Syrian-Russian alliance forces used cluster bombs to warn the peoples in these areas and expedite the clearance of unexploded ordnance. Thousands of hectares in Syria have been contaminated with cluster munition remnants, and the Syrian Network for Human Rights is ready to contribute to any such studies.

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

- Condemn the use of cluster munitions against Syrian society by the Syrian-Russian alliance forces, and pressure them to stop their repeated and continuous attacks, which indicate that they are the official policy of the Russian state.



- Refuse to consider the Russian government as a party to the dialogue and political transition in Syria if it continues to insist on committing widespread and systematic violations against the Syrian people; these could not be any clearer than the repeated use of cluster munitions which provides blatant evidence of its violations.

### **The Russian Government:**

- Immediately end the production of cluster munitions and stop using them in Syria, start destroying stockpiles, and accede to the Convention on the Prohibition of the Use of Cluster Munitions.
- Investigate all violations listed in this report, with the SNHR fully ready to assist and provide all the detailed evidence, and hold all those involved accountable.
- Publish detailed maps of locations where cluster munition attacks have been launched, provide these to the United Nations and inform the Syrian community about them, thus facilitating the disposal of unexploded ordnance.
- Compensate all affected members of Syrian society, in particular the victims and their families for all material and moral damage caused by these attacks.

### **High Commissioner for Human Rights:**

- Condemn the widespread and excessive use of cluster munitions against civilians in the Idlib region, and submit a letter to the UN Security Council in this regard.

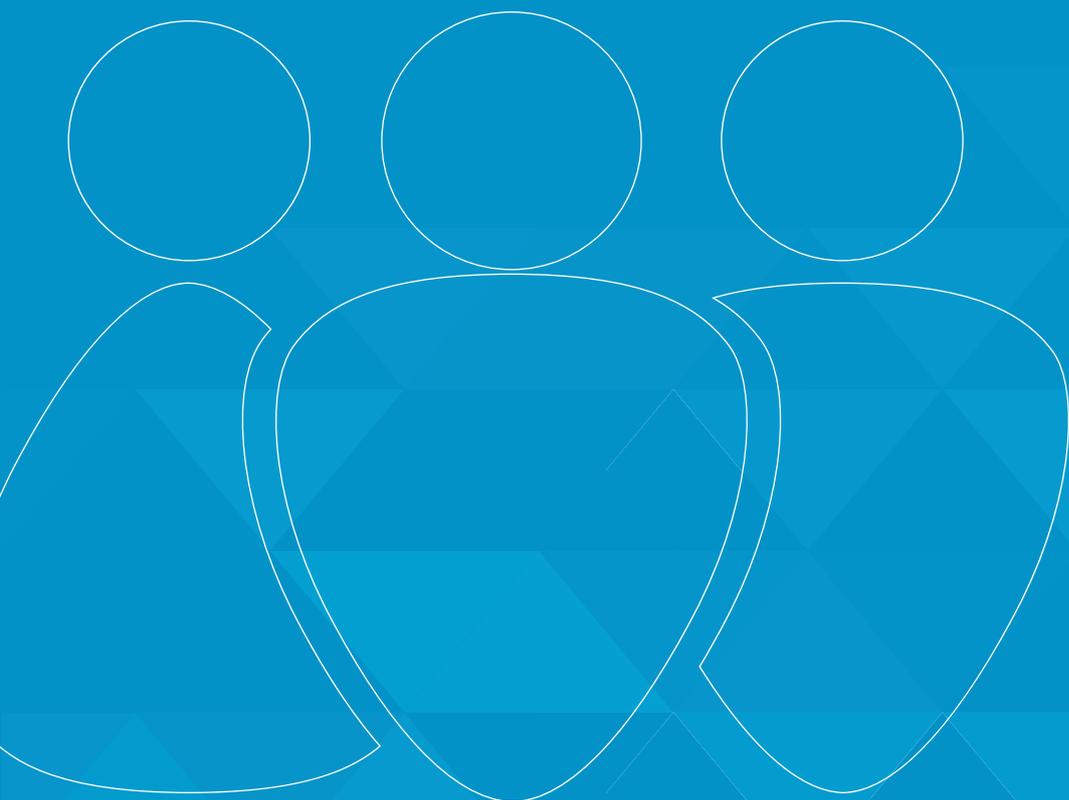
### **United Nations Children's Fund:**

- Condemn the Syrian regime and its allies targeting educational facilities, schools, and kindergartens in particular.
- Explain the danger of the Syrian regime and its Russian ally's use of cluster munitions on the children of the Syrian people today and in the future.

### **Acknowledgment and condolences**

We offer our sincere condolences to all the families of the victims and those affected whose names we have been able to identify and document, and our thanks to the families and local activists and the families of the victims, without whose cooperation we would have been unable to build such a database and issue this report.





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