



They Died While They Were Playing Syrian Regime Forces Killed Children of Al Wa'er Neighborhood in Homs on the Third Day of Adha Eid

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I. Introduction:

Al Wa'er neighborhood, which's area is about 3 Km², is located in the west of Homs city and it is under the control of armed opposition groups. The neighborhood is inhabited by almost 12 thousand families; most of them are displaced from southern Homs and old Homs neighborhoods.

Government forces (army, security forces, local militias and foreign Shiite militias) have imposed a siege on the neighborhood since 10 October 2013. Government forces' checkpoints prohibit the entrance of any medication substances, food and fuel, except in rare situations under pressure and blackmail.

Al Wa'er neighborhood is surrounded several military points and centers: the Military Academy, the Military Hospital, the military forces that are stationed in the orchards of the neighborhood, and the Shiite armed militias who are centered in Al Mazraa' and Al Zarzoureyi towns.

In this report, we document the killing of children in a park in Al Wa'er neighborhood by government forces on the third day of Adha Eid. SNHR communicated with several activists and residents and conducted several interviews. We explained the goal of the interviews to the witnesses and were granted their consent to use the information they provide in this report. We verified the photos and videos we had received, and we kept copies of all the video clips and images used in this report.

Through careful examination of the photo and video evi-





dence, we concluded that the airstrikes have targeted purely civilian marketplaces void of any military or weapons depots neither during nor before the attack. The timing of the attacks and the areas targeted clearly show that pro-regime forces sought to cause as many civilian casualties and as much destruction as possible.

The information contained in this report represents the minimum size of the massacres and violations committed by regime forces. Also, it does not include the social, economic, and psychological impact of these violations.

The regime's aerial bombardment, displacement and destruction they cause are apparently aimed at thwarting the establishment of any governance model that may serve as a substitute for the government of the Assad regime.

The location of the park that was targeted by government forces:





II. Report Details:

On 26 September 2015, government artillery launched a surface-to-surface rocket on a park in Al Waer neighborhood that is under the control of armed opposition groups in Homs. The park which was crowded with more than 300 civilians is located on the street of Saint Peter and Paul Church next to the Islamic Orphanage. According to SNHR documentation, 28 individuals were killed, including 17 children and 4 women. Also, not less than 150 others were injured.

Hassan Al Asmar, head of a civil group in Al Wa'er neighborhood gave SNHR his testimony:

“Our group installed some equipment and games for children so that during the holiday of Eid Al Adha, they will play and have fun amid the siege we have been living through. My house is 800 meters away from the park and at 5 p.m. I heard a powerful explosion sound and I ran to the shelling location. The park was targeted with a surface-to-surface missile and I believe that it came from the Military Academy. When I arrived to the park, I saw bodies and body parts scattered all around. My car and the ambulance, the only available vehicles back then, transported as much as victims and injured people as it can. More than 45 victims of the most critical cases were transported to Al Bar Hospital that is under the control of government forces as also we took the injured individuals to the makeshift hospitals in Al Waer neighborhood.”

Kinana, is a female relief aid worker who gave SNHR her statement:

“I arrived to the shelling site few minutes after the bombardment. It was horrific. Women were screaming for their children, dead bodies and victims' body parts were scattered around. There were hundreds of individuals in the park as it was the only thing that reminded the children with Eid since the neighborhood was under siege. We transported injured people to Al Waleed Hospital and I saw dozens of them on the ground since there were not enough beds for ever body and several medical equipment were not available. The rest of the injured individuals, 44, were transported to Al Bar Hospital that is under the control of government forces and they were harassed on its checkpoints. I saw a child's





body in the morgue when one of his relatives was identifying him. His body was cut in half. It was horrific. Death and horror was the share of each child who thought of Eid, play and happiness that day.

Victims' Details.

I. Attachments:

- A video that depicts injured children due to government shelling:



- A video that depicts the children's park that was shelled by government forces:





- A video that depicts the aid of one of the injured people



II. Legal Conclusions and Recommendations:

- Legal Conclusions

1. The Assad regime flagrantly violated UN Security Council Resolution 2139, which calls for stopping of indiscriminate attacks that amount to a crime against humanity under Article VII of the Rome Statute.
2. We emphasize that these aerial attacks have targeted unarmed civilians, which constitutes a violation of the international human rights laws and a war crime under international laws and treaties
3. The aerial attacks contained in the report carried out by the Assad regime is considered as a violation of international humanitarian law as they deliberately targeted populated areas.
- 4-5- The scale of the systematic rocket frequent attacks, and the level of excessive force used in it confirms that they were issued with the consent of Assad, who bears full responsibly for these attacks.
6. The Assad regime is involved in crimes against humanity and war crimes against the Syrian people, as with whoever provides him with financial, political and military aid such as Russian, Iran, the Lebanese Hezbollah and the arms companies that supply it with weapons and ammunition. All these parties must be liable to criminal prosecution.
- 7- The Assad regime has laid a crippling siege on the people of Al Wa'er neighborhood, preventing the entry of humanitarian aid and medical supplies to the people in need. It also used starvation as a weapon of war, which constitutes a war crime under Article VIII of the Rome Statute.





- Recommendations:

- To the UN Security Council:

- The UN Security Council must take further action as a year has passed since the adoption of resolution No. 2139 without the Assad regime showing the least commitment to halting indiscriminate shelling, which has caused destruction and daily killings.
- It must put pressure on the Assad regime and its allies to stop supplying it with arms and military experts after its proven involvement in crimes against humanity and war crimes. It also must pass a resolution to condemn the sides that supply it with weapons.
- The Syrian file must be referred to the International Criminal Court and all those involved in war crimes and violations must be held accountable.
- The UN Security Council must establish peace and security and protect Syrian civilians and their heritage from looting, destruction and vandalism.
- It must expand the sanctions to include all pillars of the Assad and the Iranian regimes as they are directly involved war crimes and crimes against humanity.

- To the High Commissioner for Human Rights:

We call upon the High Commissioner for Human Rights to submit a report to the Human Rights Council Rights and other United Nations bodies about this massacre in particular and the massacres that followed.

The High Commissioner for Human Rights must demand the implementation of the recommendations contained in this report.

- To the international community:

- Given the divisions at the UN Security Council, measures must be made at the national and regional level to build coalitions to aid the Syrian people through protecting it from the daily killings, lifting the siege, and stepping up the relief aid.
- SNHR demands that the United Nations and the Security Council to implement the principle of “protecting civilians” (ICRtoP) / (R2P), adopted by the General Assembly in 2005. Syrian people should be protected from all perpetrators.
- Pressure must be put on the UN Security Council to refer the Syria file to the International Criminal Court.
- It must seek to achieve justice and accountability in Syria through the UN General Assembly and the Human Rights Council and the use of the principle of universal jurisdiction.

Acknowledgment

Our sincere thanks go to the local activists and citizens who contributed to this report.

