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I. Forty Years of Impunity Culminated in the Return of Rifaat al Assad, the Most Prominent Person Involved in Committing Crimes against Humanity in Hama City in 1982

February carries painful memories for the Syrian people, with February 2022 marking the forty-year anniversary of another horrific massacre by the Syrian regime, then led by Hafez al Assad, in Hama city in 1982, with the massacre continuing throughout the month. Syria is still ruled by the same family that committed that unspeakably horrific massacre, the single most horrendous massacre in Syria's recent history in terms of its short duration, its concentrated nature against the people of one city, and its failure to distinguish between civilians, combatants, women, and children, with the city witnessing dozens of mass killings of entire families.

Despite the enormity of the human and material losses inflicted, this massacre did not receive any attention from the United Nations, or the regional or international communities that could be considered commensurate with the scale of the disaster that befell Syrian society. In this report, we are trying to convey some of the magnitudes of this disaster. Whilst we emphasize that the Syrian Network for Human Rights (SNHR) work is primarily concerned with documenting violations that occurred after the outbreak of the popular uprising in March 2011, we also believe that commemorating the massive atrocities and massacres that preceded it and whose impact continues to resonate to the current date is a vital aspect of uncovering the truth, defending victims' rights and exposing the perpetrators of violations. This commemoration is more especially important when we note that, to date, none of the United Nations' agencies have made any reference to the 1982 Hama massacre, while international human rights organizations have failed to acknowledge, document, or issue any special reports on the historic evil of the Hama massacre, with this apparent willful blindness enabling the massacre's perpetrators, first and foremost Rifaat al Assad, to escape any punishment for killings, enforced disappearances, and looting, and to enjoy a long, untroubled life, along with his children, living in obscene luxury and extravagance, in total impunity, at the expense of the unimaginable suffering of the city's residents, who were robbed, in addition to seeing many of their homes and shops completely destroyed.

In recent years, we have tried to meet with as many survivors of the Hama massacre and victims' family members as possible, obtaining many photos and large amounts of information from those we've managed to trace, often relying on open sources, and to interview. However, the length of time that's passed, the shameful lack of regional and global media coverage, the lack of any independent local media to cover the events, let alone any independent national judiciary, due to the Syrian regime's dominance over the state's three powers, have all made documentation of this massacre a complex process. In this report, we present what we have been able to document, in preparation for expanding on the issue in future reports, collecting more data on the victims who were killed and forcibly disappeared in that massacre. Accordingly, all the

statistics contained in this report are merely estimates rather than concrete data on all victims, although these are based to a great degree on the available data. For example, while we have collected data confirming that approximately 3,762 persons from Hama city were forcibly disappeared, we are confident, given the difficulties we face in documentation, some of which are listed above, that this number is only a small part of the real total of forcibly disappeared persons, whom we estimate at 17,000. The same assessment applies to the death toll; while we have data confirming the deaths of nearly 7,984 civilians, our estimates indicate that, in reality, between 30,000 and 40,000 civilians were killed in this massacre.

We also have strong indications that the vast majority of those forcibly disappeared were killed by Syrian regime forces; as always, however, the regime has refused to acknowledge its crimes or its victims in Hama, has refused to carry out any investigation into the massacre, and has continued to forcibly disappear Syrian citizens up to the present day in order to increase the intimidation and decades-long suffering of the Syrian people.

This report is limited to analyzing the human rights and legal dimensions of the massacre, with SNHR again emphasizing that the information included represents only what we have been able to document, rather than reflecting the magnitude of the heavy material losses, looting, sexual violence, and psychological and social repercussions suffered by the city's people.

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

“The anniversary of the February 1982 Hama massacre, in which the Syrian regime killed tens of thousands of the city's people and disappeared tens of thousands more, coincides with the return of Rifaat al Assad to Bashar al Assad in Syria; Rifaat al Assad is now the main suspect in the massacre following the death of Hafez al Assad, who headed the army and armed forces at the time. This is a genuine and damning embodiment of the culture of total impunity, and it is shameful that there is not even one UN document documenting the massacre and demanding that the fate of tens of thousands of victims be revealed and the perpetrators held accountable. The United Nations has a duty to correct its historical mistake.

II. Hafez al Assad's Dominance over the Constitution, the Media, Parties, and Political Life Paved the Way for the Hama Massacre with No Reaction from Society or the Opposition

The Ba'ath Party seized power in Syria in a bloody military coup in March 1963, with the Party's military committee overthrowing President Nazim al Qudsi and his democratically elected government, which was headed by Khaled al Azm. The military wing of al Ba'ath Party then took power, and the military covenant began by declaring a state of emergency through military order No. 2 on March 8, 1963, as well as issuing a series of "legislative decrees" aimed at eliminating its political opponents and intimidating Syrian society. The most important of these decrees are the laws of withdrawal of civil rights, protection of the objectives of the revolution, and resistance to the socialist regime, as well as the issuance of a series of temporary exclusionary constitutions, and the establishment of a group of special military courts, in addition to the banning of all independent media,¹ retaining only those media mouthpieces speaking on the regime's behalf, namely al Ba'ath newspaper, first published in 1946, and al Thawra newspaper, launched after the Ba'ath Party coup in 1963; this title was chosen because the regime called its military coup the "March 8th Revolution", with the newspaper established to reflect this narrative.

A few years later, in 1970, Hafez al Assad seized power in Syria. He was a member of the military commission that carried out the March 1963 coup and came to power after having other members of the military commission arrested and killed. Even after seizing power, Hafez was unsatisfied by the amount of authority he exerted through repression and restriction of fundamental rights and freedoms, military courts, and the crushing of the free press; in 1973, he even issued a new constitution that violated the fundamental spirit of constitutions and laws² and opposed the most basic principles of human rights. Through this new constitution, Hafez al Assad gave himself limitless power, appointing himself the head of the executive power with all its powers, as well as commander of the army and armed forces, and supreme head of the judiciary through the presidency of the Supreme Judicial Council, in addition to dominating the legislative authority, giving himself the right to issue legislative decrees even during the sessions of the People's Assembly. The constitution stipulated that the Ba'ath Party to which Hafez al Assad belonged was the sole legitimate party qualified to lead the state as well as Syrian society, and made membership of al Ba'ath Party and its affiliated organizations (Revolutionary Youth, Ba'ath Vanguard, Student Union, Women's Union, etc.) a mandatory condition for appointment to government positions. Hafez al Assad further tightened his absolute authority over the country's security and military apparatus by appointing family members and his most fervent ideological loyalists.

¹ Legislative Decree No. 4 of 1963 issued by the Syrian People's Assembly, canceling the privilege of newspapers and periodical publications and sealing off and shutting down their printing places, <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=16478&RID=1&Last=6&First=0&CurrentPage=0&VId=1&Mode=1&Service=1&Loc1=0&Key1=&SDate=&EDate=&Year=1963&Country=&Num=&Dep=1&>

² Human Rights Library at the University of Minnesota, Constitution of the Syrian Arab Republic issued on March 13, 1973, http://hrlibrary.umn.edu/arabic/Syria_Con1973.html

In view of the subsequent absolute dominance over all political life by the Assad regime and the lack of any hope for reform or change of power, a protest movement began in 1979 led by scientific professional unions (lawyers, doctors, engineers), which announced strike action at the beginning of 1980 demanding freedoms and an end to the state of emergency. Hafez al Assad responded to this with the dissolution of trade unions, the arrest of their leaders, the amendment of their labor laws, and the appointment of pro-Ba'ath trade unionists.

Hafez al Assad's absolute domination over the Syrian state was based on the regularly updated state of emergency, a network of irregular courts, and the regime's total control over the three powers, as well as over the security forces, the army, and trade unions, and the outlawing of free media, all of which paved the way for the massacre of Tadmur prison in 1980, and then the massacre of Hama in 1982. The regime's repression meant there were barely any domestic condemnations or repercussions, and virtually no international reaction, with this lack of any reaction more especially noteworthy and shameful given the vast size of the disaster that occurred.

III. The Most Notable Violations Committed by Syrian Regime Forces in Hama City in February 1982, Some of Which Constitute Crimes against Humanity

The Syrian regime mobilized army and security forces and imposed some form of a siege on Hama city at the end of January 1982, a few days before the massacre began, stationing some forces stationed inside the city. The forces accused of committing the massacre were:

Defense Companies (Defense Brigades): With its members numbering about 12,000 at that time, the Defense Companies, led by Rifaat al Assad, were the main force that participated in the Hama massacre. Part of their forces was stationed inside Hama city, based in the Party Preparation School, the Teachers' Union headquarters, the Municipal Stadium, the Institute of Popular Culture, and the areas of al Qal'a and al Jarajma, while the majority of the forces were engaged in besieging the city.

Special Unit forces: These forces, together with their heavy weapons such as tanks and artillery, surrounded the city, and have been stationed ever since 1980 in the vicinity of Mharda Dam³ near the city.

Party brigades: These were civilians armed and trained to fight by the regime, mostly members and affiliates of the Arab Ba'ath Socialist Party, who were distributed in several areas within and around the city. (Later called Shabbiha.)

Military Security Branch forces: These forces were stationed in al Saboniyeh neighborhood.

General Intelligence forces (State Security): These forces were stationed in al Sharia neighborhood.

³ Mharda Dam is located in the northern part of Mharda town in the western suburbs of Hama governorate.

Political Security Branch forces: These forces were stationed in Tareeq Halab (Aleppo Road) neighborhood.

47th Tanks Brigade forces: This brigade was located in Jabal Ma'arin, 7 km from Hama city. The residents of the surrounding area noted the mobilization of additional force members to this brigade, which included at the time three battalions of tanks in various forms, each battalion containing 31 tanks, along with the infantry battalion supported by approximately 31 armored personnel carriers, in addition to artillery companies, anti-aircraft, and surface-to-air missiles. The 47th Tanks Brigade was led at the time by Colonel Nadim Abbas.

The attack also saw the participation of:

Al Seraa Brigades (Conflict Brigades): These brigades were among the main forces that participated in the bombings, intrusions, and killings. At that time, their membership numbered approximately 4,500, with the brigades equipped with an arsenal of field weapons. These brigades were led at the time by Adnan al Assad.

21st Airdrops Regiment: The 21st Airdrops Regiment carried out at least 46 airdrops in Hama city during the first and second weeks of February 1982, using helicopters, some of which targeted public and private hospitals in the city, as well as civilian homes.

21st Mechanic Brigade: "Mecha 21" and the 3rd Armored Division. Both were led at that time by the Defense Brigades.

After completing the deployment of reinforcements and assembling a large number of troops and military equipment outside and inside the city, nearly 20,000 personnel from various former forces began bombing Hama city at around 20:15 on the evening of Tuesday, February 2, 1982, led by Rifaat al Assad. Prior to the bombing and incursion, the regime forces tightened the siege on the city, cutting off all water, electricity, and communications. The authorities' pretext for all this mobilization and the vast numbers of troops deployed was the claim that they were there to eliminate a few hundred gunmen affiliated with the Muslim Brotherhood, although the real total of these gunmen, according to our estimates, did not exceed dozens, some of whom had entered into an armed conflict with the authorities, while a few dozen of them hiding among civilians from Hama city. Armed clashes took place between Syrian regime forces and Muslim Brotherhood elements in different neighborhoods of the city, but Syrian regime forces attacked neighborhoods indiscriminately, by shelling them with artillery and machine guns, while the forces stationed inside the city carried out killings, looting, and sexual violence, failing to distinguish between gunmen and civilians. After a few hours of clashes inside the city, indiscriminate shelling began largely from cannons, tanks, and aircraft that fired on various neighborhoods of the city. During the first day of the attack, Syrian regime forces destroyed nearly 79 mosques, three churches, and archaeological and historical areas in part or in full, killed and injured large numbers of people, in addition to arresting hundreds of residents of the city, without presenting any charges, and executed some of them by firing squad in the streets.

During the bombings and clashes, thousands of civilians in the city ran to hide in the basements of the multi-story buildings and tried to escape and leave the city on foot at night. A small number, no more than a few hundred, managed to escape towards villages adjacent to the city or into the open. Many survivors told us that on that first night they saw dozens of corpses that had been dumped in the streets, so many they had to clamber over them in order to escape.

We spoke with Ms. Aliaa Koujan,⁴ a 65-year-old lady from Wadi al Hawarna neighborhood in Hama city, who was 25 at the time of the attack. Aliaa lost two of her brothers and 11 other members of her relatives during the February 1982 massacres. She told us:

“When the bombing began, we hid in an inner room in our house, which was built of mud and stone in the old style. When the bombing intensified, one of the shells fell on the house and destroyed part of it. My mother then told us that we had to flee towards our relatives in a village in Homs. So we just put on our shoes and went out in the clothes we were wearing. It was dark and was about 1 a.m., with only the women and young males going out, while my two young brothers stayed in the house. We were five women and seven children, the oldest of whom was 11 years old, then we ran between the alleys all night until we left Hama city towards Homs on foot and arrived at the village at about nine in the morning the next day. As we fled between the alleys, we saw dozens of corpses and heard the moans of the wounded. I will never forget that night in my life and it is still in my memory. Most of our family who didn’t leave the city were killed or arrested, and we have not heard anything about them ever since.”

⁴ By meeting her at her place of residence in Turkey on January 23, 2022.

After the violent shelling, the tank storming phase began. Tanks of the 47th Brigade entered the city on the morning of Wednesday, February 3, with some carrying out roaming patrols through the city, while others were stationed at certain points, and began shelling houses and neighborhoods. Syrian regime forces also positioned several mortars and missile launchers on top of the high buildings in the city center to bombard the surrounding neighborhoods, mainly the neighborhoods of al Hader area. Muslim Brotherhood gunmen clashed with Syrian regime forces from some houses, exposing the residents of these neighborhoods to the risk of shelling, arrest, and looting. The shelling and clashes continued non-stop until Friday, February 5.

We spoke with Mr. Abdul Latif al Barazi,⁵ from al Dabbagha neighborhood in Hama city, a witness and survivor who was 18 years old at the time. He told us:

“After two days of shelling and clashes, we tried to look through the holes in the walls and doors at the street to see what was happening outside. We were completely cut off from the world, and we could hear the voices of the soldiers and the army in front of the doors and in the streets screaming, cursing, and blaspheming. I remember trying to look from the corner of our house window overlooking the main street in al Dabbagha and I was shocked by the horror of the scene. The street was full of military personnel and all the shops were open, broken, and looted. They were looting food to eat and stealing what they found in front of them and then burning the shops. Most of the houses and buildings on the street opposite our house were destroyed or a shell or missile had fallen on them. During these two days, they stormed the houses next to the street only, killing their owners or gathering them in the shops as well. All this had happened while the real invasion into the neighborhood had not yet begun, as the al Dabbagha area and the market behind it turned into a bloodbath on Friday.” Abdul Latif told us that on Friday, February 5, the regime forces gathered about 30 civilians in several shops in al Dabbagha and burned them, burning the people alive, as well as burning the Souq al Tawil. Abdul Latif was able to survive the raids and searches only because of his young age at the time and because his mother gave all her gold jewelry and money to the regime personnel who entered to search their house.

⁵ By meeting him at his place of residence in Turkey on January 1, 2022.



We spoke with Mr. Abdul Latif al Barazi, from al Dabbagha neighborhood in Hama city, a witness and survivor who was 18 years old at the time. He told us:

We spoke with Mr. Azzam al Abaisi,⁶ 62, a witness and survivor. He told us:

“On the fourth day of the massacre, the regime forces besieged the neighborhood where I lived, which is the Janoub al Mal’ab neighborhood, then stormed it and killed the men, children, and the elderly in front of their homes. The regime forces killed thousands of



civilians in just 8 hours. When we left our homes the next day, we saw the bodies all around the streets, and we were unable to hospitalize the wounded because the neighborhood was surrounded by soldiers, and the corpses remained in the streets for at least a week, before they were collectively removed by the regime forces after that. Thirteen of my relatives were killed on that day, while the bombing included seven to eight neighborhoods of the city, with no stone spared from the bombing, while body parts were scattered all over. The regime forces then began a campaign of random arrests, and only those who managed to escape outside the city survived, and I was one of them, as we walked about 35 kilometers with women, children, and elderly people.” Mr. Abaisi added that the residents of the besieged neighborhoods supported each other greatly during the siege, as food and medicine ran out in those neighborhoods, so people shared their stocks, and the families that managed to escape left all their stocks of food and medicine to the remaining families before leaving.

⁶ By meeting him at his place of residence in Turkey on February 3, 2022.

On Friday, February 5, regime forces began incursions into the neighborhoods of Aseida, al Zanbaqi, Tareeq Halab, al Sakhana, al Shamaliya, and al Keilaniya, and regime tanks completed the destruction begun by the shelling over the previous days, killing dozens of civilians inside their homes. Similar incursions also took place in the neighborhoods of al Dabbagha, Souq al Tawil, al Bayad, al Mal'ab and al Shajara.



Photos showing the destruction of al Keilaniya neighborhood in Hama city. Al Keilaniya neighborhood, which was considered one of the city's most renowned historical and archaeological neighborhoods, was the main center of its economic, social and cultural life, with its population in 1982 being at least 10,000 people, most of whom died as a result of the military operations that targeted the neighborhood and its residents





Al Keilaniya neighborhood in Hama city before 1982. The source of the footage is a video recording of the BBC



The remains of al Keilaniya neighborhood in Hama city after 1982, showing the construction of the Afamia al Sham Hotel within the neighborhood

Many survivors told us about the deliberate killings of wounded people, and about the targeting of entire families, including women, children, and young people, simply because some of their other family members belonged to the Muslim Brotherhood, in addition to looting the contents of houses, and then burning them, as well as scrawling hateful graffiti slogans with strong undertones of sectarian cleansing repeatedly on the walls of buildings in the city.



One of the phrases that regime troops wrote on the walls of the city. We believe that the photo was taken in Bab al Balad area in Hama city.

This brutal violence by the authorities, and the introduction of the sectarian dimension, prompted the Muslim Brotherhood to appeal to residents through loudspeakers to join in the fight against the Syrian regime in a religious context, with some of the young people of the city who had not been members of the Muslim Brotherhood joining the gunmen to defend their homes and families.

On Saturday, February 6, Syrian regime forces carried out airdrops in some areas, specifically on Tareeq al Daheriya, parts of Tareeq Halab, al Qal'a area, al Hamidiya neighborhood, and the vicinity of the National Hospital. We have obtained multiple testimonies from former residents of these areas, all of whom told us that airdrops were accompanied by vile, sadistic acts, such as using bladed weapons to slaughter civilians in grotesque ways, including cutting open the stomachs of pregnant women.

We spoke with Ms. Fatima al Hasan⁷, a nurse who was working in the National Hospital in Hama city at the time of the attack. She told us:

"I was a nurse and worked in the Internal Medicine Department of the National Hospital on the day of the attack. We were prevented from returning to our homes after the end of our work time, so we stayed in the hospital while we heard the sounds of clashes and bombing. After two or three days - I don't exactly remember because of my intense fear at the time, which continues until today - an airdrop took place on the rooftop of the hospital, and the troops entered all the rooms of the hospital and killed all the patients in it; one of the women was pregnant and a patient was being treated in the hospital, so they slit open her stomach and took out the child and killed him, then killed her by slaughtering her with a bladed weapon. The number of wounded civilians arriving in the hospital alive was very small because the army forces were deployed around the hospital, and when they saw a wounded person entering the hospital, the troops would follow and kill him inside the hospital in front of us. They were forcing us to only treat the wounded among them [the military forces]." After

⁷ We contacted her via phone on February 6, 2022.

ten days, Fatima fled Hama city with her family towards Aleppo city and has remained there to this day, as she does not want to return to her city due to the psychological repercussions of the trauma she suffers from until today.

Shelling, incursions, and clashes continued in various neighborhoods of the city until Monday, February 8, the day when Syrian regime forces took control of the market area (in neighborhoods south of al Assi River). This control was accompanied by many barbaric reprisals, with residents of al Dabbagha neighborhood telling us about the horrific massacre in the neighborhood in which dozens were killed. There were multiple similar massacres in Souq al Tawil, where Syrian regime forces gathered dozens of civilians in front of the doors of shops and then shot them in cold blood before looting then burning dozens of shops. Syrian regime forces also blew up al Assi Clock Tower in the city center, meaning that the regime's revenge extended to the city's civilians and historic monuments, and was not limited to attacking and robbing dissidents and looting homes.

We spoke with Ms. Fawzeyah al Ilwani,⁸ from Bostan al Sa'ada neighborhood in Hama city, and a survivor and witness to the massacre. She told us:

"When the shelling started, we hid inside our house like the other residents, and as a result of the bombing, parts of the house collapsed on us, and my sister was injured and we could not help her. We stayed hidden for a week, during which we did not eat anything. Then, the forces began to search the rest of the neighborhood and they took us out and gathered us near al Qal'a (the castle), women, children, and men. The scene was like the Day of Resurrection, with most of the neighborhood destroyed above the heads of its residents. I had a gold bracelet that they stole from me. Then, they took my husband, his brother, and two nephews with more than 15 men and children and put them inside a military vehicle. This was the last time we saw them. They told us at the time that they would only interrogate them." Ms. Ilwani told us that she received information a month after the massacre that the regime forces had executed all the people they took from the neighborhood at that time near Hama city in Srayhin area, but they were unable to retrieve their loved ones' bodies.

On Tuesday, February 9, after taking control of the Market area, Syrian regime forces focused their shelling on another part of the city, al Hader area, and the neighborhoods north of al Assi River. Syrian regime forces began to storm al Bashouriya neighborhood, detaining entire families, then killing them by firing squad; these included the families of al Dabbagh, al Amin, Mousa, al Qyasa, al Azm, al Shaqaqi, al Kilani, al Samsam, Tayfour, al Turkmani, al Shuqfa, and many others.

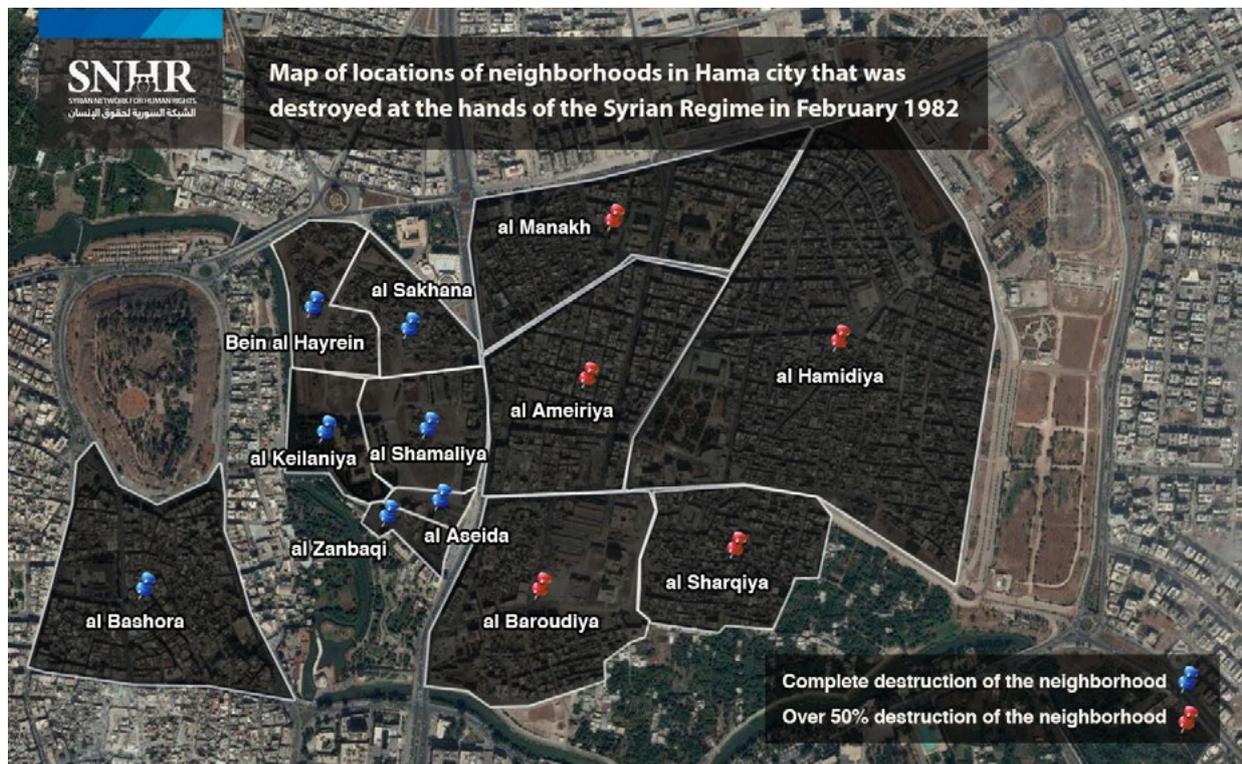
On Wednesday, February 10, regime forces stormed al Ameiriya and al Manakh neighborhoods in al Hader area, carried out brutal massacres like the rest of the neighborhoods they entered, and then began storming the neighborhoods of al Baroudiya, al Keilaniya, al Hamidiya, al Sharqiya and al Shamaliya, where clashes continued until February 23. Syrian regime forces followed their scorched earth policy of total destruction, and virtually none of the residents of those neighborhoods survived.

⁸ We contacted her via phone on February 6, 2022.

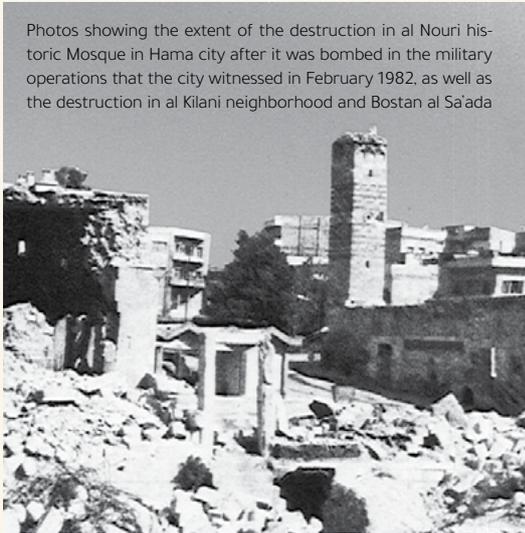
Regime forces continued with their persecution and identity-based killings until Sunday, February 28; while some forces around the city began to return to their military barracks, and many military checkpoints remained inside the city, however, individual killings and liquidations continued until mid-March 1982.

This military campaign against Hama city resulted in the deaths of 40,000 civilians, with nearly 17,000 people remaining missing up to the current day. We do not know the number of deaths among the gunmen of the Muslim Brotherhood and Syrian regime forces. Many of the city's neighborhoods were destroyed, including historic monuments, with the neighborhoods of al Keilaniya, al Aseida, al Shamaliya, al Zanbaqi, and Bein al Heirin being destroyed almost completely, along with about 80% of the neighborhoods of al Baroudiya, al Bashouriya, al Hamidiya, al Amiriya, and al Manakh, while the rates of destruction in the other neighborhoods ranged from 25% to 50%.

Map showing the location of the most notable neighborhoods destroyed by Syrian regime forces in February 1982 in Hama city



Dozens of mosques were completely or partially destroyed, either because of the shelling or due to the bombings, most notably:



Photos showing the extent of the destruction in al Nouri historic Mosque in Hama city after it was bombed in the military operations that the city witnessed in February 1982, as well as the destruction in al Kilani neighborhood and Bostan al Sa'ada

Al Sharqi Mosque in al Sharqiya neighborhood; Sheikh Ibrahim Mosque in al Dabbagha neighborhood; Zawiet al Sharbati in Jouret Hawa area; al Afandi Mosque in Burhan Market in al Hader area; Souk al Shajara Mosque; Sheikh Ilwan Mosque in al Eleileyat neighborhood; al Ashqar Mosque in Souk al Tawil; al Muhsinin and al Ihsan Mosque in al Bayad neighborhood; Omar Ibn al Khattab Mosque in al Sakhana neighborhood; al Manakh neighborhood Mosque; Sheikh Muhammad al Hamed Mosque in al Mahatta neighborhood; al Serjawi Mosque in al Jarajma neighborhood; al Arba'in Mosque

in al Kilani neighborhood; al Kabir Mosque in al Madina neighborhood; al Shuhadaa Mosque in al Sabouniya neighborhood; al Madfan Mosque in al Assi Square; al Hraki Mosque in Bein al Heirin neighborhood; and Sheikh Dakhel Mosque in Bab al Qebli neighborhood. Similar devastation was also unleashed on the city's churches.



Hama city remained under siege throughout February, with a widespread curfew imposed on its residents. The families of the forcibly disappeared told us that they had learned of their loved ones being held in multiple detention centers such as those controlled by the 47th Brigade, and Hama Military Airbase. The Syrian regime had also transformed a number of schools and factories into detention facilities and transported many of those detained in military cars and trucks to undisclosed locations, with the fate of some 17,000 of these men, women, and children still unknown.

Most prominent victims of the February 1982 killings in Hama



Abdullah al Hallaq

Abdullah al Hallaq, a 72-year-old cleric from Hama city, was shot dead by Syrian regime forces in February 1982 in front of his house in Souk al Tawil neighborhood in Hama city.

Zeyad Abdul Razeq, from Hama city, was burned alive by Syrian regime forces in February 1982, along with his wife and two-year-old child, in al Dabbagha neighborhood in Hama city.

Bashir Murad, the Mufti of Hama city, from Bab al Balad neighborhood in Hama city, was burned alive by Syrian regime forces in February 1982 along with a group of his family members. We note that nine members of his family, who were all scholars of the Islamic faith, were executed previously.

Saleh Abdul Qader al Kilani and his son Fawaz, from Hama city, aged 52 and 21 respectively, were killed by being deliberately run over by a Syrian regime tank in February 1982 in al Bashoura neighborhood in Hama city.

Abdul Rahman al Khalil, a blind 80-year-old Islamic scholar, from Hama city, was killed by Syrian regime forces in February 1982 inside his house in al Hader area of Hama city; he was killed by a grenade being thrown at him.



Husam al Din Abdul Mu'in Mefтах

Husam al Din Abdul Mu'in Mefтах, was a 19-year-old first-year dentistry student from Hama city. Syrian regime forces shot him dead on Wednesday, February 3, 1982, along with his father Abdul Mu'in and his uncle Mahmoud, after they were taken to a shoe store belonging to their family, and their bodies were burned along with those of a group of other detainees.



Hussein Khaled al Masri

Hussein Khaled al Masri, from Tareeq Halab neighborhood in Hama city, was born in 1929. Syrian regime forces shot him dead in front of his house in the neighborhood on Monday, February 8, 1982.



Faisal Abdul Qader Saraqebi

Faisal Abdul Qader Saraqebi, from al Baraziya neighborhood in Hama city, born in 1952, was shot dead by Syrian regime forces in February 1982 in Hama city.

Ms. Hayat Jamil al Amin, from al Bashoura neighborhood in Hama city, died with three of her children after Syrian regime forces had cut off both her hands, in a basement where she was hiding with about 45 civilians, mostly children and women, most of whom were shot dead in the basement of the building in a massacre known as al Bashoura neighborhood massacre on February 9, 1982.

The most notable forcibly disappeared persons after the killings in Hama city in 1982**Hussein Khalouf**

Hussein Khallouf, a doctor from Hama city, was arrested by Syrian regime forces in 1982 and taken to an undisclosed location.

**Asaad Muhammad Nour al Kurdi**

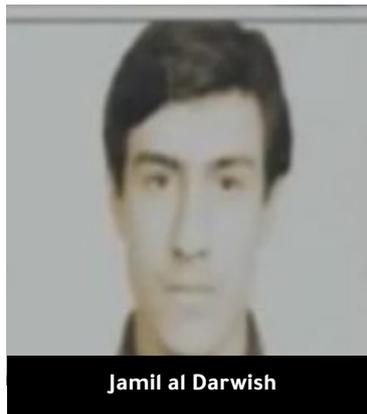
Asaad Muhammad Nour al Kurdi, a fourth-year student at the Faculty of Economics at the University of Aleppo, from Hama city, was arrested by Syrian regime forces in 1982 while he was on his way from Hama city to his university in Aleppo city, and taken to Tadmur Military Prison in the suburbs of Homs governorate.

**Abdul Karim Mustafa Ruwaiha**

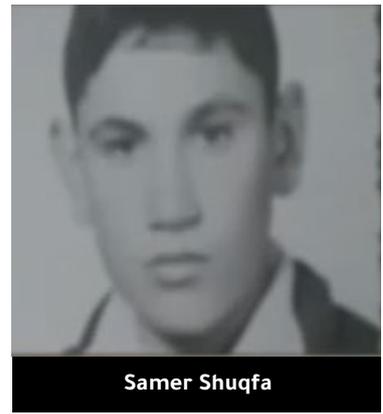
Abdul Karim Mustafa Ruwaiha, from Hama city, born in 1956, who had qualified as an assistant engineer, was arrested by Syrian regime forces on Sunday, February 7, 1982, and taken to the Second Industrial High School in Hama city.

**Muhammad Hayan Mustafa Ruwaiha**

Muhammad Hayan Mustafa Ruwaiha, a tenth-grade high school student from Hama city, born in 1966, was arrested by Syrian regime forces on Sunday, February 7, 1982, and taken to the Second Industrial High School in Hama city.

**Jamil al Darwish**

Jamil al Darwish, a 17-year-old boy from Hama city, was arrested by Syrian regime forces in 1982, and taken to Tadmur Military Prison in the suburbs of Homs governorate.

**Samer Shuqfa**

Samer Shuqfa, a child from Hama city, born in 1964, was 17 years old at the time of his arrest by personnel from the Syrian regime's Political Security Force in 1982 in Hama city. He was taken to Tadmur Military Prison in Homs governorate.

**Muhammad Abdul Waheb**

Muhammad Abdul Waheb, a judge from Hama city, was arrested by Syrian regime forces in 1982 and taken to an undisclosed location.

**Adeeb al Kilani**

Adeeb al Kilani, a Sheikh from Hama city, was arrested by Syrian regime forces in 1982 and taken to an undisclosed location.

**Hamdouh Ahmad Khabbaziya**

Hamdouh Ahmad Khabbaziya, from Hama city, born in 1950, was arrested along with his brother by Syrian regime forces in 1982 and taken to Tadmur Military Prison in the suburbs of Homs governorate.

**Bassam Irwani**

Bassam Irwani, from Hama city, born in 1950, was arrested by the Syrian regime's State Security Force personnel in 1982 and taken to Tadmur Military Prison in the suburbs of Homs governorate.

IV. The Most Prominent of the Figures Involved in the Killings, Enforced Disappearances, Looting, and Destruction in February and March 1982 in Hama City

Under international law, states are responsible for violations committed by members of their armed forces, or by persons or entities authorized by the states, and must open investigations and commit to paying full compensation to survivors and victims' families for harm and loss.

There is also a responsibility on individuals, commanders, and subordinates. Commanders bear responsibility when they issue orders that violate international law, allow those violations to occur, fail to hold subordinates to account when they act on their own initiative, and when they do not prevent violations despite knowing these have been or will be committed.

The Rome Statute of the International Criminal Court strengthens these elements of responsibility⁹ and extends them to include crimes against humanity committed in peacetime or war, and war crimes. The law holds military commanders as well as other superiors, including civilians, responsible for this¹⁰.

The Syrian regime is very centralized, and undertakings involving huge military operations cannot be carried out without the knowledge and approval of the regime's head, at that time Hafez al Assad, who was also the Commander-in-Chief of Syria's Army and the Armed Forces. In addition, the Hama massacre spanned nearly a whole month, and, therefore, it is impossible for Hafez al Assad and the leaders of the army and security services not to have heard of it. Not only did the Syrian regime fail to prevent violations or punish those commissioning them, however; instead, the evidence and testimonies clearly show that the regime was wholly responsible and engaged in giving orders to commit killings, liquidations, arrests, enforced disappearances, and torture, with this responsibility ranging from planning to direct execution. Moreover, international law clearly states that the subordinates also bear responsibility even if they are carrying out the orders of higher ranks, and there are no exceptions in the case of genocide or crimes against humanity. Over the subsequent four decades, the Syrian regime has not launched a single investigation, nor held even one of those involved in the massacre, no matter how lowly his rank, accountable for any of the violations that occurred. Indeed, instead of investigating and punishing the perpetrators of these heinous crimes, the Syrian regime promoted and rewarded dozens of those involved in the Hama massacre because they had demonstrated strong loyalty to the Syrian regime.

⁹ The Rome Statute of the International Criminal Court, Article 25.
<https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

¹⁰ The Rome Statute of the International Criminal Court, Article 28.
<https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

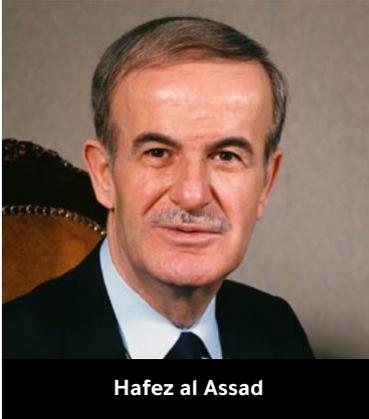
¹¹ The Rome Statute of the International Criminal Court, Article 33.
<https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

¹¹ The Rome Statute of the International Criminal Court, Article 33.
<https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

The SNHR believes that the crimes committed by the Syrian regime in Hama city over an entire month were committed as part of a widespread and systematic attack against the civilian population, and therefore constitute crimes against humanity under customary international law and the Rome Statute of the International Criminal Court, which states that "Attack directed against any civilian population means a course of conduct involving the multiple commission of [acts amounting to crimes against humanity such as murder] against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack."¹²

Certainly, the perpetrators of the Hama massacre were aware of their crimes because these continued over a period of a whole month, specifically targeting residential neighborhoods, with the victims of this slaughter including unarmed children, women, and young people, including detainees. All available data indicates that Hafez al Assad, his brother Rifaat and other officials, ordered a murderous campaign against the people of Hama city and allowed the violations to be committed, as well as failing to stop any of them or to punish any of the perpetrators. Although there were cases in which Muslim Brotherhood gunmen resorted to violence, the violence used by the Syrian regime government was completely disproportionate to the threat posed by any Muslim Brotherhood assailants. In addition, Legislative Decree No. 14 issued on January 15, 1969, stipulates that no legal action can be taken against an employee of the General Intelligence Department for crimes they have committed during the execution of the specified duties except by virtue of an order to pursue issued by their director!

The following is a list of the most notable individuals bearing individual criminal responsibility for crimes against humanity in the 1982 Hama massacre:



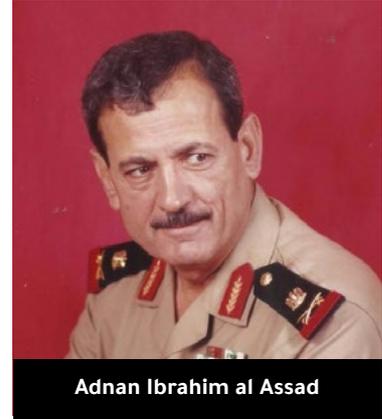
Hafez al Assad

Hafez Ali Suleiman al Assad
The President of the Syrian Arab Republic (1971-2000), from al Qerdaha city in the suburbs of Latakia governorate, born in 1930, was announced dead on June 10, 2000.



Rifaat al Assad

Rifaat Ali Suleiman al Assad
Then the Vice-President for National Security Affairs, born in 1937, from al Qerdaha city in the suburbs of Latakia governorate, he was a member of al Ba'ath Party's Regional Command and Commander of the Defense Brigades until 1984. He was deported from Syria in accordance with an agreement with his brother, Hafez al Assad, and returned to Syria at the beginning of October 2021.



Adnan Ibrahim al Assad

Adnan Ibrahim al Assad
Born in 1943, the half-brother of Hafez al Assad, from Qerdaha city in the suburbs of Latakia governorate, now a retired Major General, served as the commander of al Seraa Brigades formed in 1973, which played a key role in the massacres committed in Hama city in February 1982.

**Mustafa Abdul Qader Tlass**

Mustafa Abdul Qader Tlass
An officer with the rank of General, from al Rastan city in the suburbs of Homs governorate, Tlass, born in 1932, held the position of Minister of Defense, Deputy Commander-in-Chief of the Syrian Army and Armed Forces, and Deputy Prime Minister from 1972 until 2004. Mustafa Tlass is considered one of the main officials responsible for the massacres committed in Hama city in February 1982 as Minister of Defense at that time. His death was announced on June 27, 2012.

**Hikmat al Shehabi**

Hikmat al Shehabi
An officer with the rank General, from al Bab city in the suburbs of Aleppo governorate, born in 1931, al Shehabi held the position of Deputy Chief of the Military Security Division from 1968 to 1971. In April 1971, he was appointed head of the Military Intelligence Division, before being appointed as Chief of Staff of the Syrian Army, serving in that position from 1974 to 1998. Al Shehabi was among the officers who were part of the security committee responsible for the military operations that took place in Hama city in February 1982. His death was announced on March 5, 2013.

**Ali Hasan Saqer Aslan**

Ali Hasan Saqer Aslan
An officer with the rank of General, from Jabla city in the suburbs of Latakia, born in 1932, Aslan previously held the position of Chief of Staff of the Syrian Army and remains a member of the Central Committee of the Syrian regional branch of the Arab Socialist Ba'ath Party. Aslan was among the officers who were part of the security committee for the military operations that took place in Hama city in February 1982. In 2003, he was appointed as an advisor to the Presidency of the Republic, and he was honored by the regime's current president, Bashar al Assad, on Thursday, June 24, 2021, with the Order of Merit of the Excellent Class inside the Republican Palace.

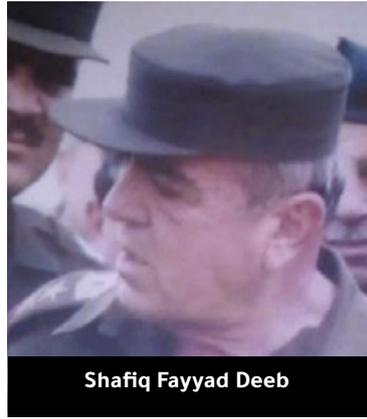
**Walid Hamdoun**

Walid Hamdoun

A Brigadier General, from Hama city, born in 1936, Hamdoun held several positions, including serving as a member of the National Command, and Deputy Prime Minister for Services Affairs in the government of Abdul Raouf al Kasm from 1984 until 1985, and as the Governor of Damascus Suburbs. Hamdoun, who died in 2006, was among the officers who participated in the planning operations for the storming of Hama city in February 1982.

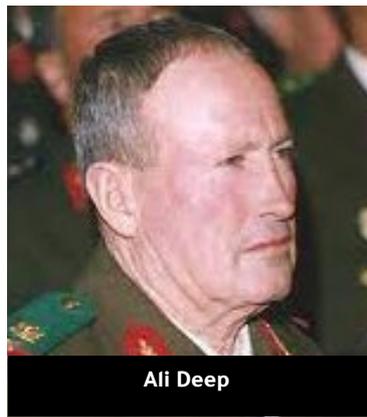
Wajih Yahya Mahmoud

In 1982, Mahmoud was a lieutenant in the 47th Tanks Brigade, eventually being promoted to Major General before retiring. In 2013, he was appointed Head of the Security and the Military Committee in Latakia governorate. Wajih Mahmoud participated in the military operations that targeted Hama city in February 1982.

**Shafiq Fayyad Deeb**

Shafiq Fayyad Deeb

An officer of the rank of General, from Ein al Arous village of al Qerdaha city in the suburbs of Latakia governorate, born in 1937, Shafiq had volunteered for the Syrian army forces, taking over the command of the 1st Division in early 1970. His forces played a prominent role in the 1982 Hama massacre. He was announced dead on Thursday, October 8, 2015.

**Ali Deeb**

Ali Deeb

Deeb, a Major-General born in 1941, from Ein al Arous village of al Qerdaha city in the suburbs of Latakia governorate, was a commander in Rifaat al Assad Defense Brigades in 1982, as a Lieutenant-Colonel. He was discharged from service in 2003 and his death was announced on August 9, 2019.

**Walid Abaza**

Walid Abaza

A lieutenant colonel, from al Ghassaniya village in the suburbs of Quneitra governorate, born in 1949, Abaza headed the Political Security branch in Hama city between 1978 and the beginning of the 1990s, after which he moved to Damascus city to take over as Deputy Director of the Political Security Division, and then Secretary of the Branch of the Arab Socialist Ba'ath Party in Quneitra governorate. In March 2011, Walid Abaza was a retired officer, whom the Syrian regime returned to military service after the start of the popular uprising by assigning him to establish auxiliary forces of volunteers to fight alongside the official forces that supported Syrian regime forces in suppressing the protests. His death was announced on October 14, 2017.



Muhammad Khaled Harba

Muhammad Khaled Harba
A former professor of geography at Damascus University, who was appointed Governor of Hama in 1982 and served as Interior Minister from 1987 to 2001, from Hama city, he's currently a professor at Naif Arab University for Security Sciences in Riyadh, Saudi Arabia.

Muhammad al Khouli,

a Major General, who was head of Air Force Intelligence in 1982, played a prominent role in carrying out the 1982 Hama city massacre.

Ali Haidar,

a Brigadier General, Commander of Special Units that participated in the 1982 Hama city massacre.

Mustafa Ayyoub,

a Lieutenant Colonel who moved between the State Security and Political Security branches in Hama city in 1982.

Ibrahim al Mahmoud,

a Major who participated in investigations and torture in the State Security and Political Security branches in 1982.

Muhammad Raafat Nassif,

a Major in the State Security Branch in 1982.

Yahya Zidan,

a Colonel, an officer in the Defense Brigades, was appointed in 1982 as Head of the Military Security branch in Hama city.

Muhammad al Khatib,

a Major, was an investigator at the State Security Branch in Hama city in 1982.

Nadim Abbas,

a Colonel, served as Commander of the 47th Tanks Brigade in Hama city in 1982.

Fouad Ismail, a Colonel,

Commander of the 21st Mechanic Brigade in 1982.

Ryad Eisa,

a Lieutenant Colonel in the Defense Brigades and a participant in the 1982 Hama city massacre.

Suleiman Mustafa,

a Lieutenant Colonel in the Defense Brigades and a participant in the 1982 Hama city massacre.

Mu'in Nassif,

a Major in the Defense Brigades and a participant in the 1982 Hama city massacre.
Muhammad Yasmin, a Major in the Defense Brigades and a participant in the 1982 Hama city massacre.

V. The United Nations' Shameful Disregard for the Massacre Is an Insult to the Victims, Helping Extend Its Traumatic Impact, and the UN Secretary-General Must Issue a Statement on the Hama Massacre and Apologize to Its Victims

It is unacceptable and incomprehensible to find that a humanitarian disaster on the staggering scale of the 1982 Hama massacre is not even documented in the United Nations' records; this mass slaughter, which lasted for nearly a month, was not a small or short-lived tragedy, over within an hour, but a long and terrible event whose dark impact resounds to this day. In May 1982, three months after the massacre, the UN Economic and Social Council issued a resolution requesting that the Human Rights Commission (the precursor to the Human Rights Council) appoint a special rapporteur to report on arbitrary or summary executions around the world;¹³ in May of the following year 1983, the Economic and Social Council issued two resolutions based on the requested report,¹⁴ but, unfortunately, even then, nothing was said about the 1982 Hama massacre or Syria, despite the thousands of arbitrary executions that occurred. In addition, the rapporteur did not even send a commission of inquiry to Hama, instead treating one of the worst mass atrocities of the modern age as if nothing had happened.

The failures of the Economic and Social Council and the Human Rights Commission have still not been remedied, despite the founding of the Human Rights Council and the Office of the High Commissioner for Human Rights. In addition, no United Nations Secretary-General, nor any Human Rights Commissioner, has even referred in passing to that horrific massacre or even demanded that the fate of tens of thousands of forcibly disappeared Syrians be revealed and that the perpetrators of the violations be held accountable.

The people of Hama city have suffered doubly, as well as being betrayed thrice over, firstly through the unspeakable atrocities committed by the Syrian regime led by Hafez al Assad; secondly by the failure of the international community and the Security Council to condemn this heinous massacre, an omission echoed by the near-total lack of any political reaction by the first world's democratic states, who turned a blind eye at the time and ever since, despite the fact that the month-long massacre could have been stopped or alleviated, and thirdly by the absence of any reaction from the UN, human rights bodies or regional and global media, at the time or since. Moreover, most of what has been written or broadcast about this terrible massacre has once again betrayed the victims and ignored their suffering in favor of repeating the Syrian regime's false narrative of the event and the blatant self-justifying lies, best known for its brutal repression. Despite the world being well aware of the Syrian regime's nature, the account given of the 1982 Hama massacre in media worldwide has invariably been that perpetuated by the regime, while disregarding its victims and turning a deaf ear to the accounts of hundreds of survivors and victims' relatives.

¹³ United Nations, Economic and Social Council, Resolution No. 29 of 1982.

¹⁴ United Nations, Economic and Social Council, Resolution No. 24 of 1983.
United Nations, Economic and Social Council, Resolution No. 36 of 1983.

VI. Conclusions and Recommendations

Legal conclusions:

- The SNHR believes that the violations committed by the Syrian regime in Hama city over a full month were committed as part of a widespread and systematic attack against the civilian population, and therefore constitute crimes against humanity under customary international law and the Rome Statute of the International Criminal Court.
- Syrian regime forces violated many provisions and principles of international human rights law, including extrajudicial killing, by directing orders to the security services to kill and injure as many residents of Hama city as possible.
- The Syrian regime not only failed to protect the Syrian people from killing, rather, it was the perpetrator and commissioner of the killing. It is a highly centralized regime and the security services, the army, or other bodies cannot act without direct orders.
- The Syrian authorities have not conducted any serious investigations into these attacks, for which the Syrian leadership, both military and political, bear responsibility, as they did not prevent the attacks and did not punish those responsible. Rather, the widespread repeated nature of the attacks indicates that they could only have been the actions of a state policy ordered directly by the highest levels of the Syrian leadership, which implicates them in more crimes against humanity and war crimes.
- Muslim Brotherhood gunmen in Hama bear responsibility for the violations they committed, in particular taking shelter in civilian neighborhoods, which posed a danger to these neighborhoods and their residents. This culpability, however, in no way absolves the attacking party, the Syrian regime, of its responsibility to distinguish between civilians and combatants¹⁵ and to use force in a proportional manner,¹⁶ rather than in the manner that occurred.
- When the state clearly fails to protect its population from crimes of atrocity, or itself commits such crimes, as in the case of the Syrian regime, this means that it is the responsibility of the international community to intervene and to take protective measures in a collective, decisive and timely manner.¹⁷

¹⁵ ICRC, Customary International Humanitarian Law, Rule 1.

https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule1

¹⁶ ICRC, Customary International Humanitarian Law, Rule 14.

https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule14

¹⁷ United Nations, General Assembly, 2005 World Summit Outcome, para. 139.

<https://undocs.org/en/A/RES/60/1>

Recommendations:

To the United Nations:

- The Secretary-General of the United Nations and the High Commissioner for Human Rights should remember and commemorate the 1982 Hama massacre, as a bloody event that constituted a milestone in impunity, especially after the return of the main perpetrator, Rifaat al Assad to Bashar al Assad in Syria.
- The United Nations must apologize to the victims and their families for its abject failure in not documenting the massacre or condemning its perpetrators, and must correct this shameful omission by calling on the Syrian authorities to work to reveal the fate of nearly 17,000 Syrian citizens from Hama city who have been forcibly disappeared since 1982.

To the international community and the UN Security Council:

- The failure to deter the Syrian regime from committing the massacre, despite its military buildup, enabled it to kill and disappear this huge number of Syrians.
- Ignoring the massacres committed in the first days of February was considered to be a tacit means of giving a green light to the Syrian regime to commit more massacres.
- Acknowledge the international community and the Security Council's abject failure to protect civilians in Hama, try to correct this historical mistake by working to hold the Syrian regime accountable, and seek to reveal the fate of the missing.
- The failure to punish the Syrian regime for the 1982 Hama massacre has enabled it to spread intimidation and repression in all Syrian governorates for decades.
- The impunity granted to all the perpetrators of the heinous atrocities carried out in the 1982 Hama massacre encouraged Bashar al Assad to pursue the same tactic against those involved in the popular uprising in March 2011 and ever since, reassuring him that he would enjoy impunity, as he has continued to do.

To the Human Rights Council and the Office of the High Commissioner for Human Rights:

- Correct the historical mistake of the Economic and Social Council and the Human Rights Commission and issue a statement condemning the Hama massacre and its perpetrators and demanding the disclosure of the fate of the 17,000 people still missing since then, and the payment of compensation for the victims.

Thanks and Condolences

We would like to thank the victims' families and relatives who contributed effectively to this report. If it were not for their contributions and cooperation with us, we would not be able to complete this report to such an exhaustive level. In addition to this, we extend our most heartfelt condolences to the victims' families.



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