No Escape

Targeting Civilians Between Crossing Points

(Image) Aleppo: Bus carcasses used as protection against snipers - ICRC

August 22, 2022

Introduction

This is the second in a series of Syria Justice and Accountability Center (SJAC) reports identifying trends in violations by analyzing a large database of open-source videos, local and social media sources, and witness testimony collected by SJAC. The trends observed in these videos strongly support the conclusion that the Syrian government and allied forces have established patterns of intentionally targeting civilians and civilian objects contrary to the laws of war.

This report demonstrates that pro-government forces had a clear pattern of intentionally killing civilians at crossing points traveling into and out of government-controlled areas, violating the principle of distinction between combatants and non-combatants without any reasonable justification. This report thereby highlights the dangers faced by Syrian civilians when navigating the territorial fragmentation of the country created by competing armed factions following the outbreak of the Syrian conflict in 2011. As opposition, Kurdish, and extremeist forces took control over wide swaths of the country, areas that had once been tightly interconnected came to be divided by front lines, checkpoints, and siege cordons manned by rival factions. Pro-government forces routinely employed siege tactics against opposition-held areas, obstructing the entry of food, fuel, and medicine into densely populated towns and cities while regulating the passage of civilians into and out of these areas. Syrian civilians,

therefore, had to undertake dangerous crossings across these dividing lines to secure essential goods like food and fuel, meet basic needs related to health care and education, or permanently evacuate besieged areas. They undertook significant risks in doing so, including the possibility that they would be either arbitrarily detained at checkpoints and subsequently tortured or executed, or intentionally or unintentionally targeted by armed factions as they passed from one area of control to another. In many cases, including those discussed here, civilians were funneled through narrow crossing points where they were vulnerable to deliberate and systematic attacks by pro-government forces.

Readers should be aware that this report contains and cites documents that contain graphic images.
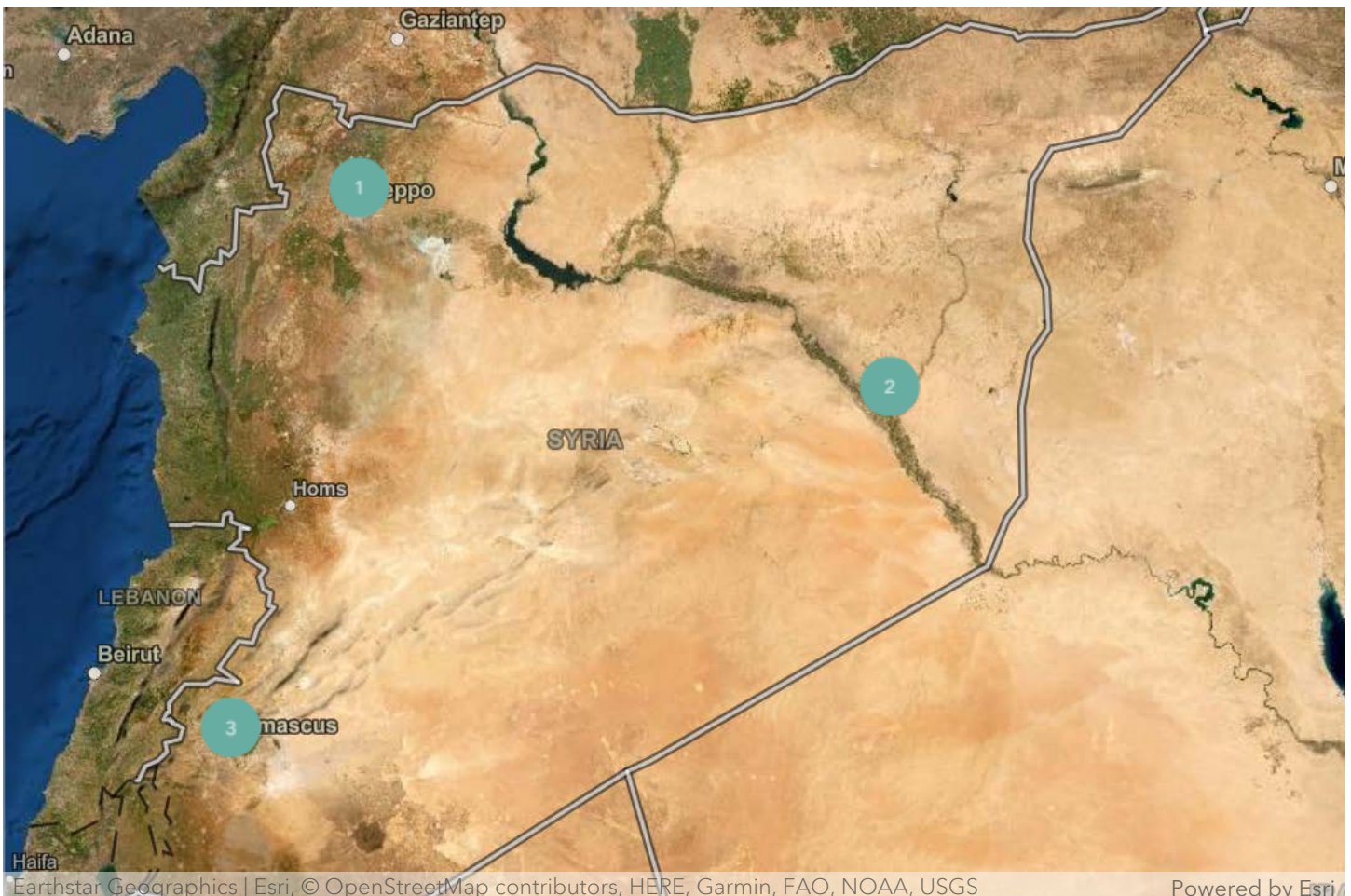
Incidents

This report focuses on three sites of well-documented violations by pro-government forces: ⊕ (1) Karaj al-Hajiz crossing in Aleppo, where pro-government forces routinely engaged in sniper attacks on civilians attempting to cross between opposition-held and government-held areas of the city; ⊕ (2) Deir Ezzor, where government-aligned forces, including the Russian Armed Forces, launched numerous air strikes on unofficial civilian river crossings used by civilians;

and ⊕ (3) Beit Sahem, where pro-government forces similarly besieged the city and used sniper and other attacks to target civilians attempting to flee. These incidents illustrate a broader pattern of pro-government forces deliberately targeting civilians at moments of extreme vulnerability – and without any reasonable justification – as they attempted to cross between government-held and opposition-held areas. In many cases, pro-government forces targeted civilians attempting to flee bombardment and siege conditions for which pro-government forces were specifically responsible.

Methodology

SJAC's Open-Source Intelligence (OSINT) Investigators studied incidents in which pro-government forces targeted civilians attempting to cross into and out of government-held areas in Syria between 2012 and 2017. The team used SJAC's data management software, Bayanat, to find and cluster information gathered from social media platforms, media outlets, and satellite imagery. Where possible, the team also reviewed testimony by witnesses who were able to corroborate details included in other source material and referenced orders found in SJAC's collection of Syrian government intelligence documents.

The investigators evaluated the documentation by cross-checking narrative accounts of these incidents from multiple sources against contemporaneous photographic and video evidence. Wherever possible, the investigators also cross-checked contemporaneous visual evidence against contemporaneous satellite imagery to confirm that evidence in fact originated from the alleged locations of the incidents.

For this report, only incidents for which a preponderance of the evidence supported each element were considered. New information was also processed according to SJAC's documentation analysis methodology and securely stored in Bayanat.[1]

This report will walk through a part of the process undergone when investigating each of the three selected cases. The findings in this report are based on publicly available material alongside testimony and Syrian government documents collected by SJAC. Allegations expressed below reflect what the investigators could deduce from such material. A higher standard of proof would need to be met to support a criminal

conviction should any of these cases be brought before a criminal court or tribunal.

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Karaj Al-Hajiz

Aleppo was split between government and opposition forces in 2012. Government and opposition-held areas were divided by checkpoints and crossings that civilians regularly traversed to secure basic needs including food and fuel. Open-source videos obtained by SJAC show that civilians crossing from opposition-held areas of Aleppo to government-held areas of that city were deliberately targeted by pro-government snipers. Karaj Al-Hajiz, located between the opposition-held neighborhood of Bustan al-Qaser and the government-held neighborhood of Al-Masharika, became a major crossing point in divided Aleppo and a site of repeated sniper attacks against civilians by pro-government forces.[2]
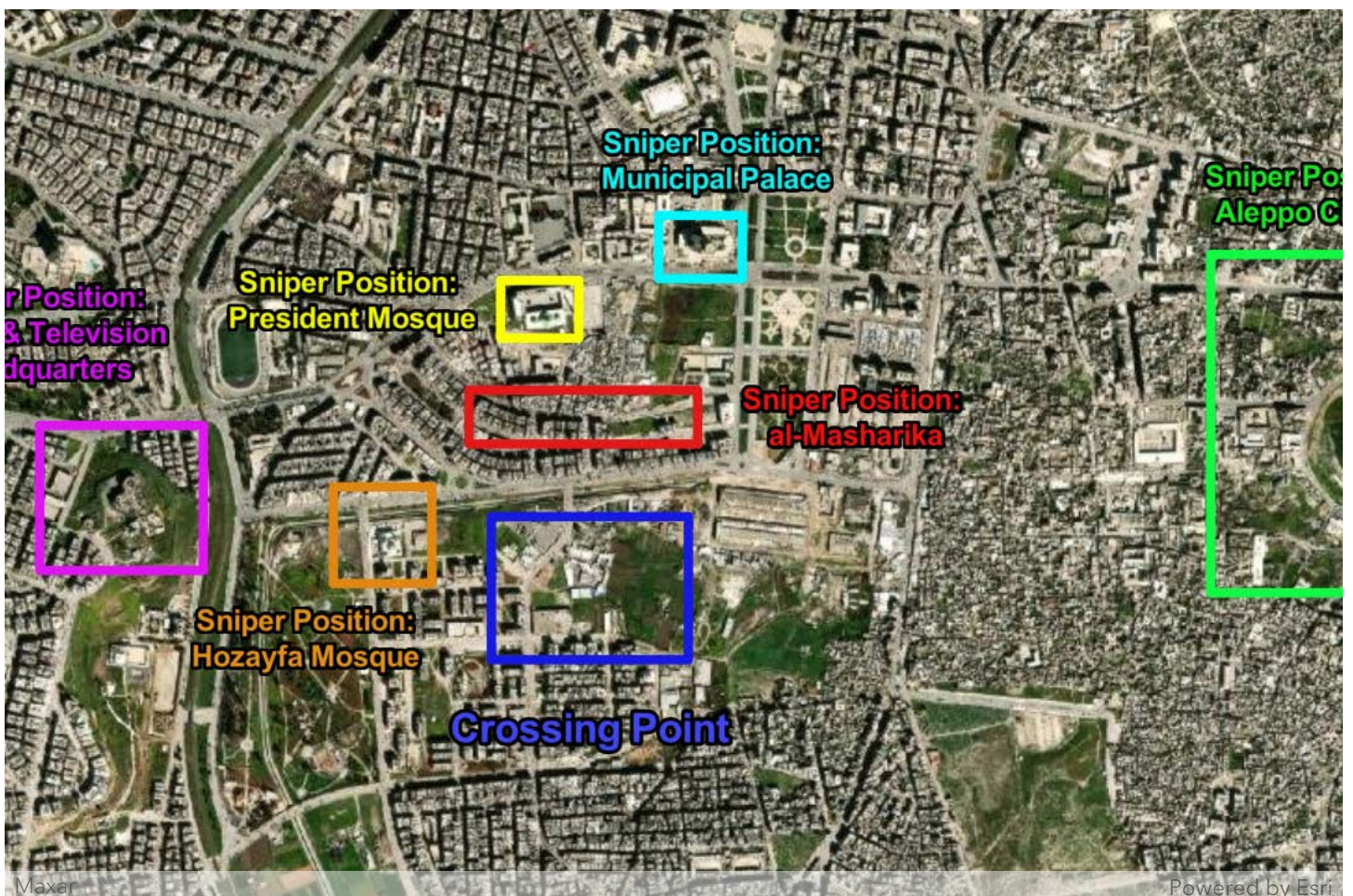

The Syrian Arab Red Crescent used this crossing for humanitarian purposes, including transporting sick and injured civilians to the hospital, removing dead bodies, and arranging prisoner exchanges. From October 2012 to May 2014, government forces allegedly posted snipers in numerous positions with a view of this crossing to deliberately shoot at civilians. These included the ⊕ Municipal Palace, ⊕ Aleppo Citadel, the ⊕ Radio and Television Headquarters, the ⊕ President Mosque, the ⊕ Hozayfa Mosque, and

civilian buildings overlooking the crossing in the
neighborhood of Al-Masharika.

Satellite image showing the crossing point as well as two
alleged sniper positions in **al-Masharika** and the **Hozayfa
Mosque**.
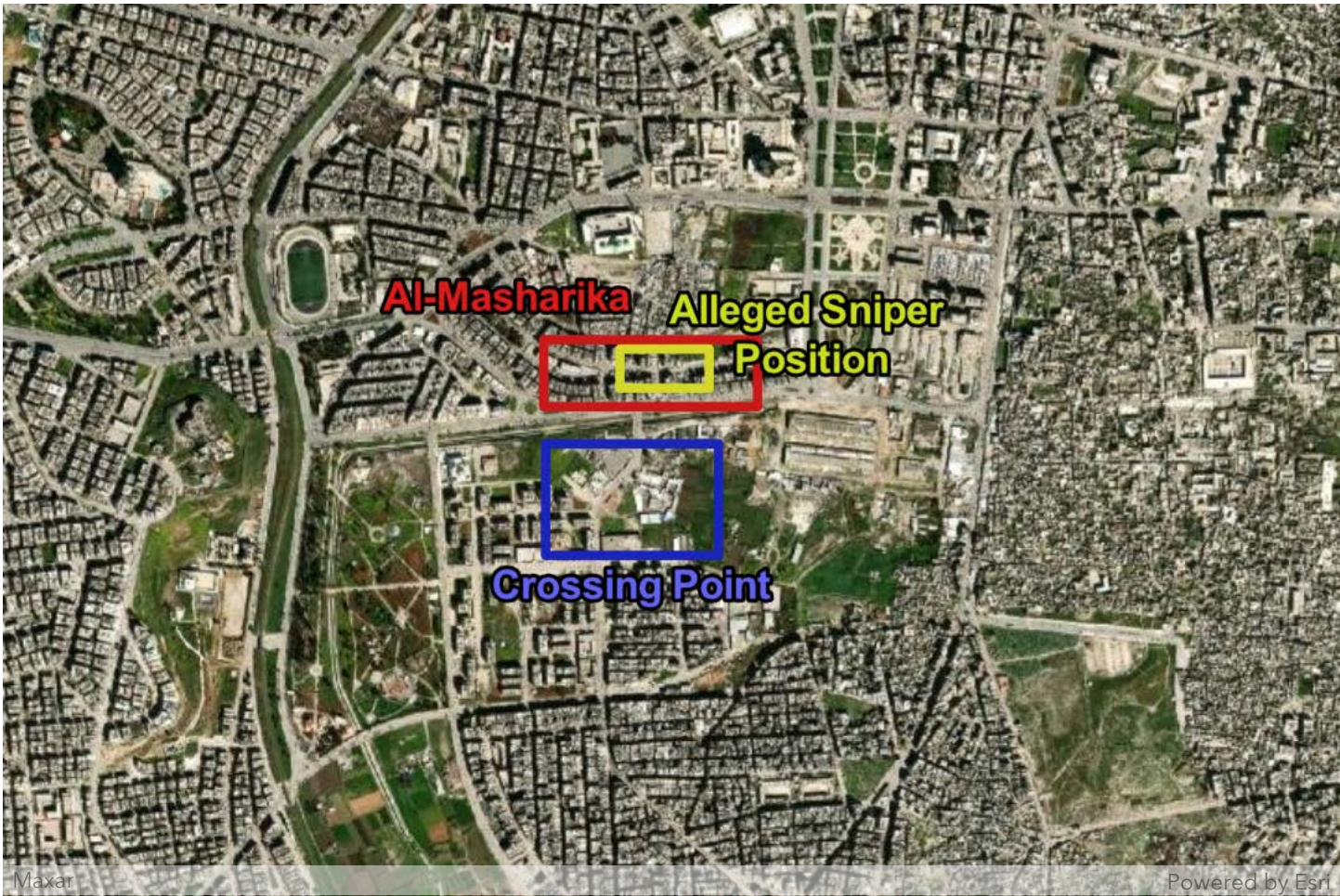
Alleged sniper position in Al-Masharika.

Investigation

Narrative accounts from both pro-government and pro-opposition fighters corroborate a pattern of sniper attacks by pro-government forces against civilians at Karaj Al-Hajiz. Contemporaneous video evidence matches the pattern outlined in these narrative accounts. Analysis of satellite imagery of this crossing point likewise corroborates the lines of fire from the alleged sniper positions listed in these narrative accounts, as well as the likely lines of fire from which civilians were shot or took cover in these videos. Taken together, these sources strongly indicate a pattern in which pro-government forces deliberately targeted civilians with sniper fire at Karaj Al-Hajiz between 2012 and 2014.

A government document obtained by SJAC, circulated by the Ministry of Defense's General Leadership of the Army and Armed Forces in November 2012 indicates that the government and armed forces were aware of sniper attacks against civilians near checkpoints throughout the country.[2]
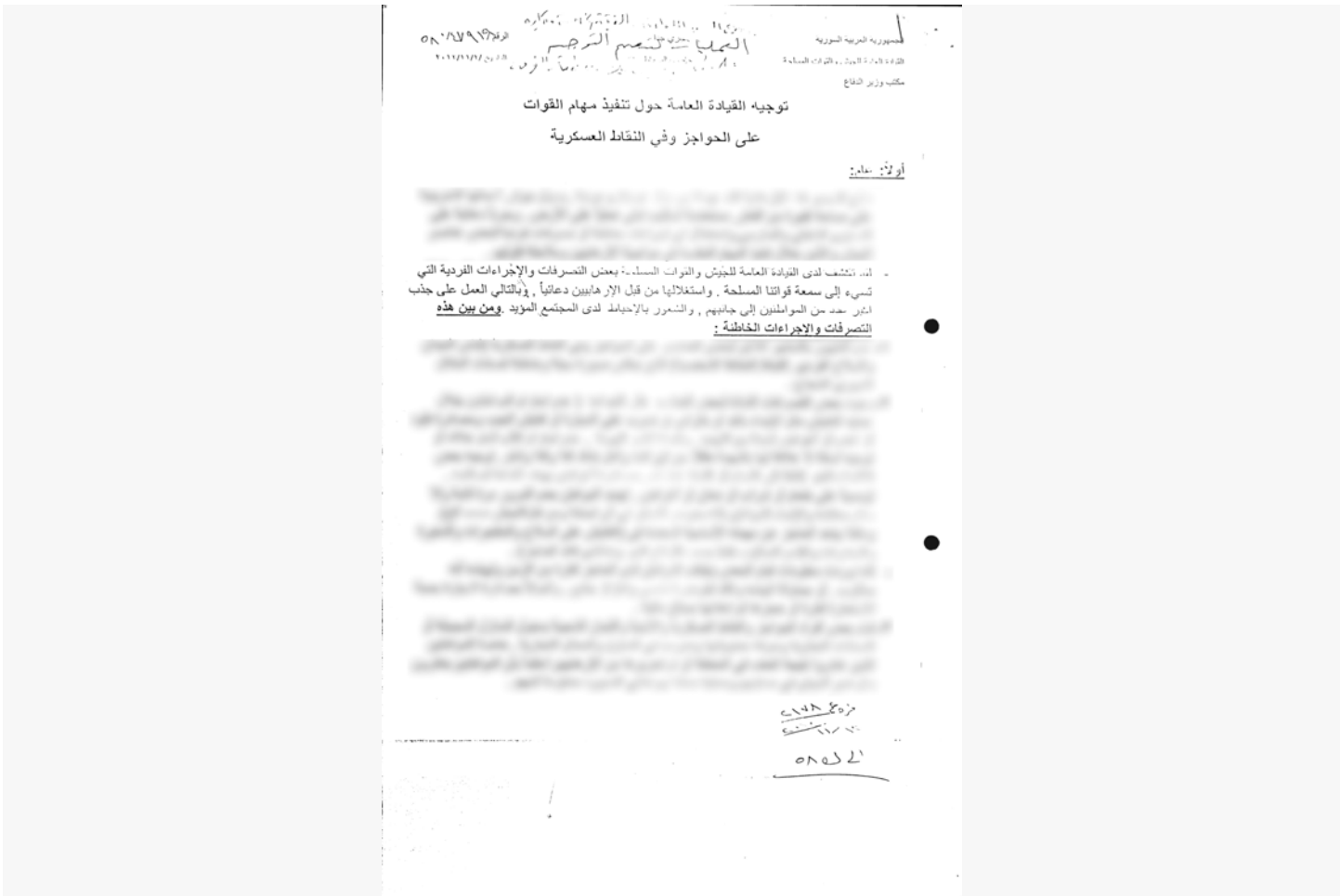
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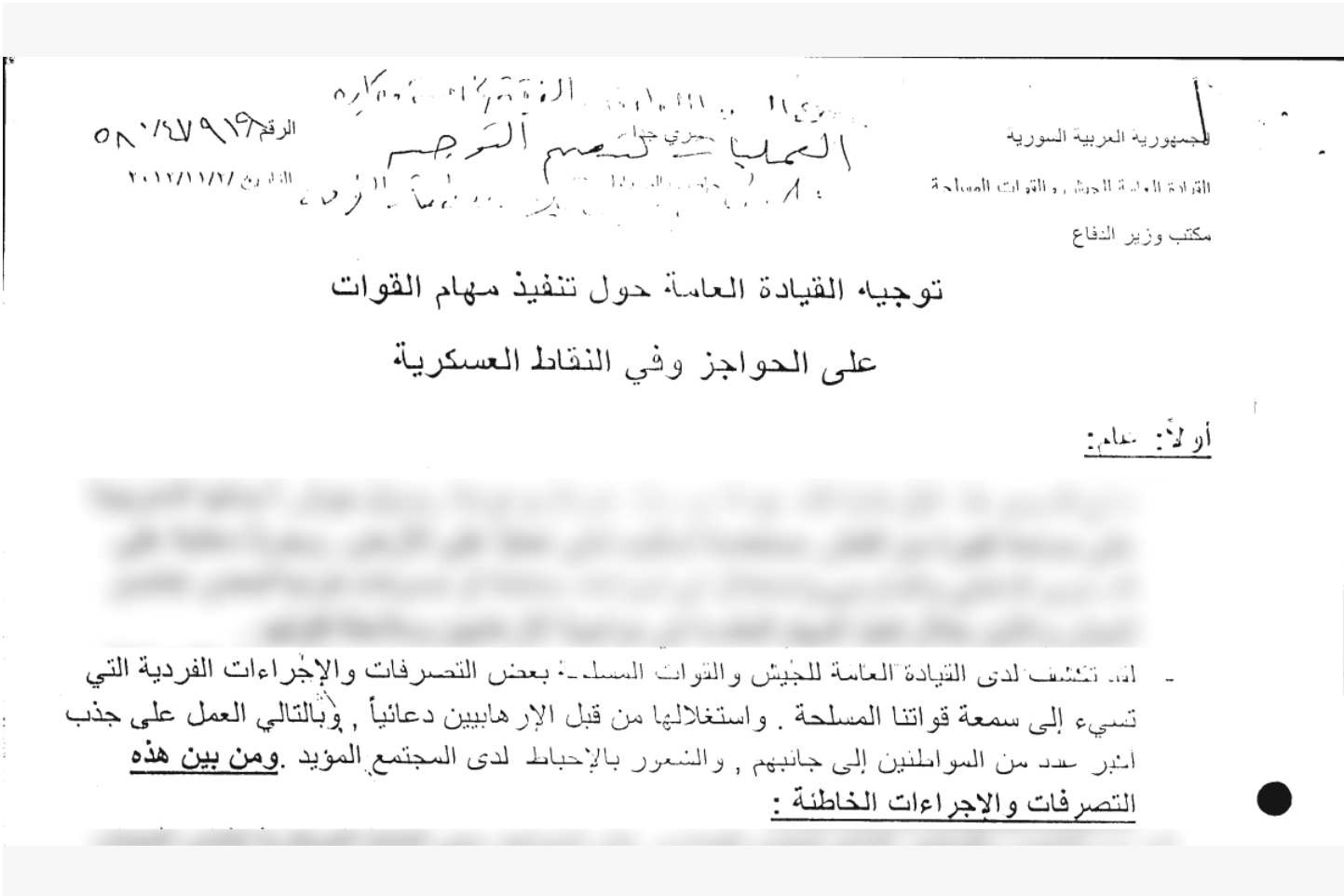
To the General Leadership Regarding the Execution of the Missions of Forces at Checkpoints and at Military Points.

First:

٥ـ لجوء بعض الأفراد ضمن الوحدة إلى تنفيذ رمايات قنص على المواطنين الأبرياء والمؤيدين في بعض المناطق (أطفال ونساء ورجال) وإصابتهم وأحياناً قتلهم , وهذا العمل الخطير والمطابق لعمل الإرهابيين يعتبر من أكبر الجرائم . ولا ينفذ إلا المندس ضمن الوحدة , الأمر الذي يؤدي إلى مخاطر كبيرة في المجتمع وما بين ... السوريين ,واستعمال ذلك من قبل الإرهابيين دعائياً ملموساً على الأرض , ولجوء المؤيدين إلى الإرهابيين للحماية والسير في صفهم

Certain individuals behaviors and actions have been discovered by the general leadership of the army and armed forces that damage the reputation of our armed forces, [which have been] exploited by terrorists in propaganda, and moreover in the attempt to attract more citizens to their side and to cause a feeling of frustration among loyal sections of society. Among these erroneous statements and actions:

- إن اصابة طفلة أو طفل أو امرأة أو رجل ... بحجة الرمي على إرهابي يعتبر عملا عشوائيا أو مقصودا ونتيجته سلبية في زمن روح بريئة و استغلال ذلك من قبل الإرهابيين في عملياتهم الدعائية وتحريض المواطنين وبالتالي ضمهم إلى شراذمهم علماً بأن القيادة العامة ستقوم بمقاضاة الرامي وقائده واحالتهم إلى ... غنيمة القتل عمداً و الازراء من المواطنين السرائين.

العماد فهد جاسم الفريح
نائب القائد العام للجيش والقوات المسلحة
وزير الدفاع

- إن اصابة طفلة أو طفل أو امرأة أو رجل ... بحجة الرمي على إرهابي يعتبر عملا عشوائيا أو مقصودا ونتيجته سلبية في زمن روح بريئة و استغلال ذلك من قبل الإرهابيين في عملياتهم الدعائية وتحريض المواطنين وبالتالي ضمهم إلى شراذمهم علماً بأن القيادة العامة ستقوم بمقاضاة الرامي وقائده واحالتهم إلى ... غنيمة القتل عمداً و الازراء من المواطنين السرائين.

Injuring a child, woman, or innocent man with sniper fire under the pretext of firing at a terrorist is considered an indiscriminate or intentional act. Its results are negative, both in taking an innocent life and in allowing the terrorists to exploit this in their propaganda efforts, as well as in inciting civilians [against the government] and thus bringing them into the terrorists' gangs. The general leadership will prosecute the sniper and his commander and send them to

court for interrogation on the charges of murder and harming loyal citizens.

العماد فهد جاسم الفريج

نائب القائد العام للجيش والقوات المسلحة

وزير الدفاع
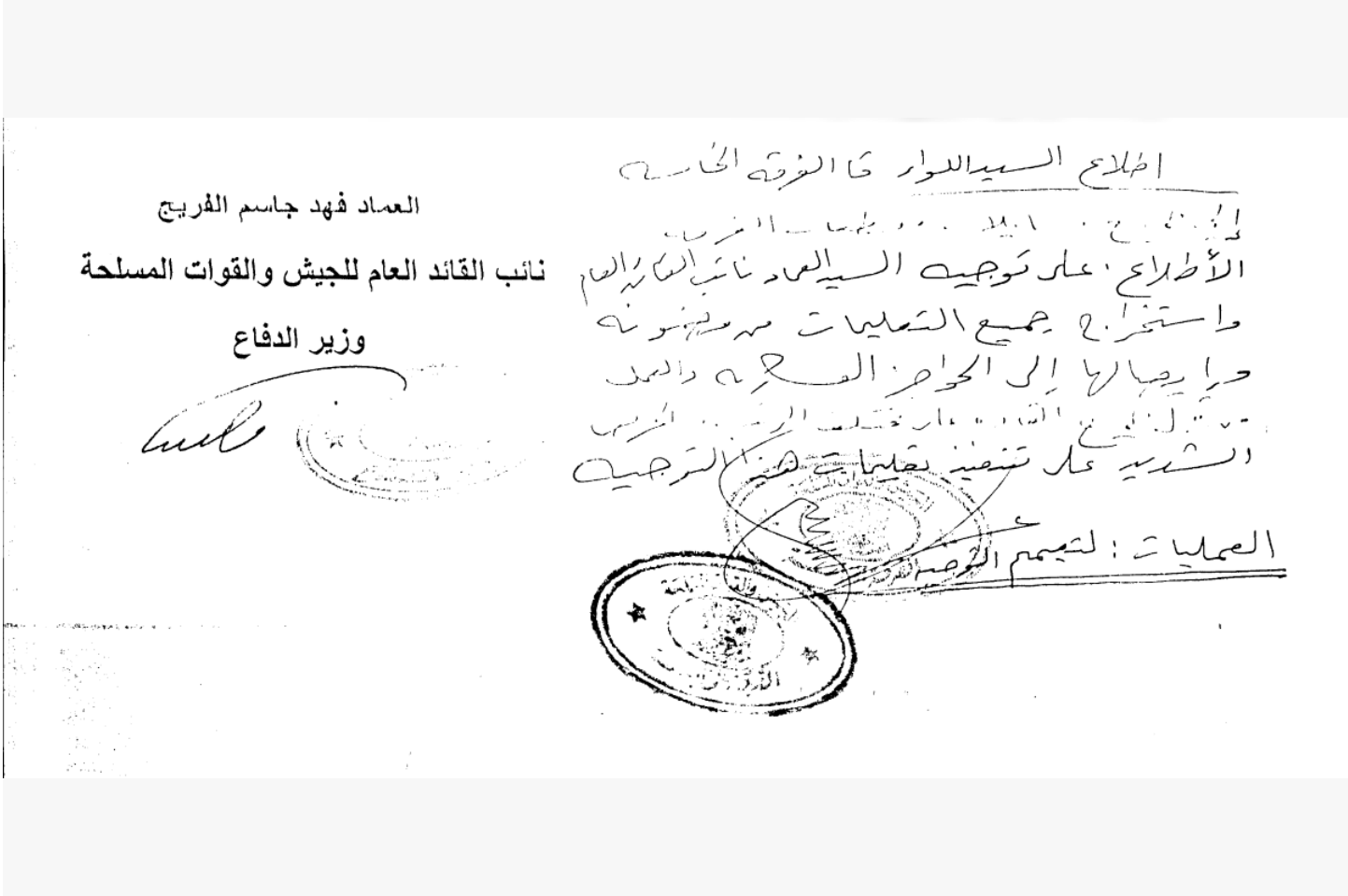
Major General Fahd Jasim al-Frayj

Deputy Commander-in-Chief of the Army and Armed Forces Minister of Defense

Indeed, Mu'in 'Izz Al-Din, a defector from pro-government forces serving in the Municipal Palace between 2012 and 2014, alleged in an interview with Orient News that Colonel Sa'id Lattouf ordered Air Force Intelligence snipers located on the roof of the Municipal Palace to fire on civilians crossing from opposition-held neighborhoods.[3]

This account is consistent with testimony obtained by SJAC from an opposition fighter affiliated with Suqur al-Sham who manned a checkpoint on the opposition-held side of Karaj Al-Hajiz. This fighter stated that he witnessed multiple incidents of pro-government snipers located on the roof of the Municipal Palace, the Radio and Television Headquarters, and civilian buildings in Al-Masharika. These snipers were firing on and killing civilians.

The Violations Documentation Center has identified 197 victims killed in sniper attacks in Karaj al-Hajiz between 2012 and 2014.[4]

Contemporaneous video evidence supports this broad pattern of sniper attacks by pro-government forces against civilians at this crossing. On June 19, 2013, a crowd of individuals gathered to cross from the opposition-held neighborhood of Bustan Al-Qaser to the government-held neighborhood of Al-Masharika. One civilian, identifiable by his blue shirt, joined a group of people ready to cross.
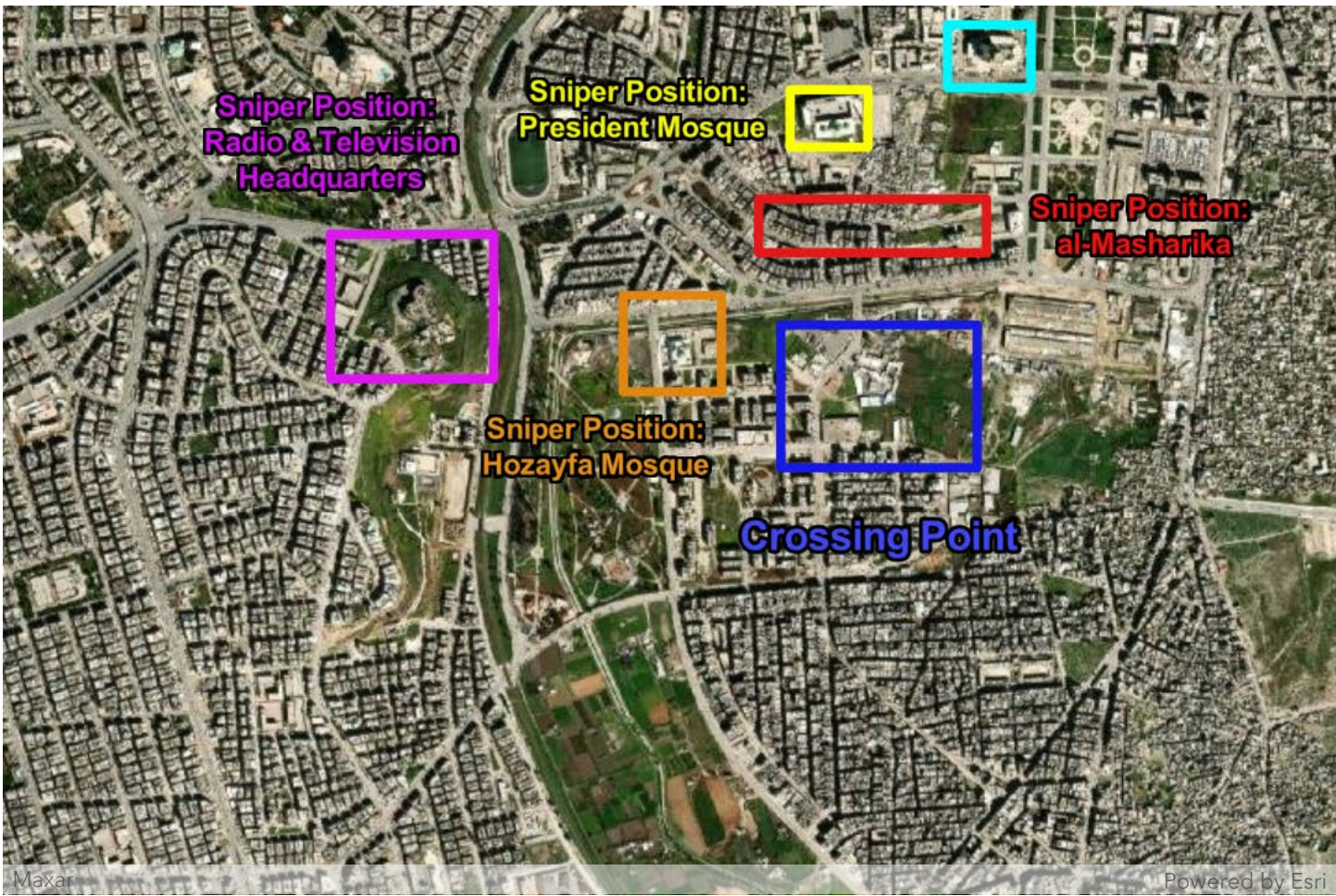
This group prepared to cross through an area exposed to at least three sniper nests in the ⊕ **President Mosque**, the ⊕ **Municipal Palace**, and ⊕ **al-Mahsarika**. The President Mosque (highlighted in yellow) is visible in this video.

Soon afterward, a single shot—characteristic of sniper fire—is audible in a video recording of this incident. Several seconds later, the man in the **blue shirt** appears incapacitated on the road. Other civilians begin running back to the opposition-held area and opposition fighters return fire on the government-held positions.[5]

Additional footage taken in the area shows civilians taking cover from alleged sniper positions and attempting to remove injured individuals from exposed areas following sniper attacks at this crossing. One such video from September 7, 2013 shows **two civilians taking cover** from sniper fire in an area of the crossing exposed to the Municipal Palace, Hozayfa Mosque, the President Mosque, and sniper positions located in civilian buildings in Al-Masharika. The **President Mosque (highlighted in yellow)** and the civilian buildings in **al-Masharika (highlighted in red)** are visible in this footage.[6]

This video was **recorded by opposition fighters** with whom these individuals had just spoken to and passed, suggesting that they are not taking cover from opposition positions. Instead, the exposure of this location to multiple government-held sniper positions indicates that they are taking cover from pro-government snipers.

Another such video uploaded to YouTube on March 27, 2014 shows an injured man and woman being removed from the crossing area following alleged sniper attacks.[7]

Comparison with satellite imagery indicates that the two buildings (**green** & **orange**) that appear in both stills correspond to buildings located in the crossing area.

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Deir Ezzor River Crossings

Starting in 2013, the bridges crossing the Euphrates River in Deir Ezzor Governorate were repeatedly targeted by multiple parties, beginning with the destruction of the suspension bridge in the city of Deir Ezzor in May of that year.[8] As bridges in Deir Ezzor Governorate progressively became unusable, the region's inhabitants began to use informal crossings to cross the Euphrates, generally employing small barges to convey people and cars across the river.

River Barge in Deir Ezzor province

In 2014, ISIS (the Islamic State of Iraq and Syria) forces took control of Deir Ezzor and placed a government-controlled pocket of Deir Ezzor City under siege. In 2017, pro-government forces, with Russian support, launched an offensive to break the ISIS siege on government-controlled areas of the city and retake the governorate.[9] Bombardment of settlements along the northern, ISIS-controlled side of the Euphrates caused civilians to flee across the river in large

numbers.[10] In September of that year, warplanes belonging to pro-government and allied forces, including Russian warplanes, began targeting these unofficial crossings in air strikes.

Damaged bridge (red), informal crossing (blue), and barges (yellow) at Al-Ashara from November 2017

Russian media claimed that these strikes targeted ISIS fighters.[11] But the extent of well-documented civilian casualties from these attacks suggests that they were indiscriminate. Although the presence of ISIS forces in the area rendered documentation by journalists and activists difficult, SJAC has identified 15 such strikes against civilian targets reported in local and social media between September and November 2017.

Investigation

A combination of narrative and visual evidence from local media and social media, cross-checked against satellite imagery, strongly suggest that between September and November 2017, government-aligned forces including the Russian Armed Forces indiscriminately bombarded informal river crossings used by civilians, resulting in civilian casualties. The pattern of the specific incidents investigated at Al-Boleel-Al-Sabha and Al-Boleel-Al-Dahleh corresponds to the broader pattern of indiscriminate airstrikes against unofficial river crossings in Deir Ezzor during this period.

In September 2017, during the government offensive against ISIS, warplanes launched airstrikes on river crossings in the area around Al-Boleel. On September 9, Boleel News alleged that Russian forces were dropping cluster bombs on the area, targeting the crossings at Al-Dahleh and Al-Sabha.[12]

On September 10, Boleel News uploaded a verbal account of a strike on the Al-Dahleh crossing to YouTube.[13] In this audio recording, Abdul Latif Al-Khalifa Al-Dabous mourns the death of his brother, Muhammad Al-Dabous, in the attack, and notes that he saw casualties in the river, including a woman who he attempted to rescue. Media reporting from the following day claimed that 19 civilians were killed in this attack and named the Russian air force as its likely perpetrator.

A video published online by the Russian media outlet Russian Spring on September 17, 2017 shows footage of airstrikes against crossings along the Euphrates River.[14]

Satellite imagery of the Al-Dahleh crossing corresponds to the location shown in this video, indicating that the airstrike appearing in the video above took place at this location.

On September 10, 2017, media reporting claimed that 30 civilians had been killed in a Russian air strike on the Al-Sabha river crossing.[15] Photos of the aftermath of an attack on the crossing were uploaded to Facebook by Boleel News on September 16, 2017.[16]

Visual evidence from this photograph corresponds to satellite imagery of the same location, corroborating that this image is indeed from this location.

Satellite imagery suggests a subsequent attack against the opposite bank of the same crossing between September 30 and October 1, 2017. A satellite image taken on September 30 shows activity on the crossing.

A second image, captured on October 1, 2017, shows a crater at the same location (red). This strongly suggests that a subsequent air strike targeted individuals gathered at this crossing.

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Beit Sahem

Beit Sahem is a small town located southeast of Damascus in the Markaz Rif Dimashq district, neighboring Babila to the west, Jaramana to the north, Aqraba to the east, and Sayyida Zaynab to the south. In mid-2013, government forces and allied militias imposed a siege on Beit Sahem and other areas south of Damascus, obstructing access to food, fuel, and medical care. After several months of siege and bombardment, a reconciliation committee—a group of local citizens assembled to manage relations with the government and its allies—negotiated the evacuation of hundreds of civilians into government-held territory via a crossing-point north of Beit Sahem on December 18, 2013.[17] Narrators of eyewitness videos (analyzed below) allege that pro-government forces opened fire on these civilians as they attempted to cross. The Violations Documentation Center in Syria claims that at least 45 civilians were killed and more than 100 were injured in this incident.[18]

Investigation

SJAC has compiled media sources and eyewitness videos that, taken together, strongly indicate that pro-government forces intentionally opened fire on civilians attempting to evacuate besieged Beit Sahem without provocation or justification on December 18, 2013. Satellite imagery confirms that the location where these were recorded matches the location named in media reporting. Contemporaneous media coverage indicates that the National Reconciliation Commission, a Syrian government body charged with managing relations with the inhabitants of opposition-held areas, promised residents of Beit Sahem that a crossing point out of the town would open in December 2013. On the basis of this promise, hundreds of civilians gathered at the checkpoint to evacuate the besieged town. Pro-government forces—which in this area included the Syrian Arab Army, Hezbollah, and the Abu Fadl al-'Abbas militia—employed sniper fire against civilians without warning or provocation.[19]

A video uploaded to the Local Council of Beit Sahem's media channel shows civilians attempting to cross into government territory under fire, which the narrator states came from government-held positions.[20] The closest government-held positions in December 2013 were located in Jaramana, to the immediate northeast

بيت سحم.لحظة خروج الأهالي و اطلاق قوات النظام النار عليهم
2013-12-18

of the road that civilians used to evacuate Beit Sahem. Therefore, this is the likeliest source of the gun fire.[21] An eyewitness account in opposition media likewise indicated that pro-government forces fired on this group of civilians from the direction of Jaramana.[22]

The video shows a damaged minaret, which matches that of the Muhammad al-Aqra'a mosque, located at the crossing point out of Beit Sahem.
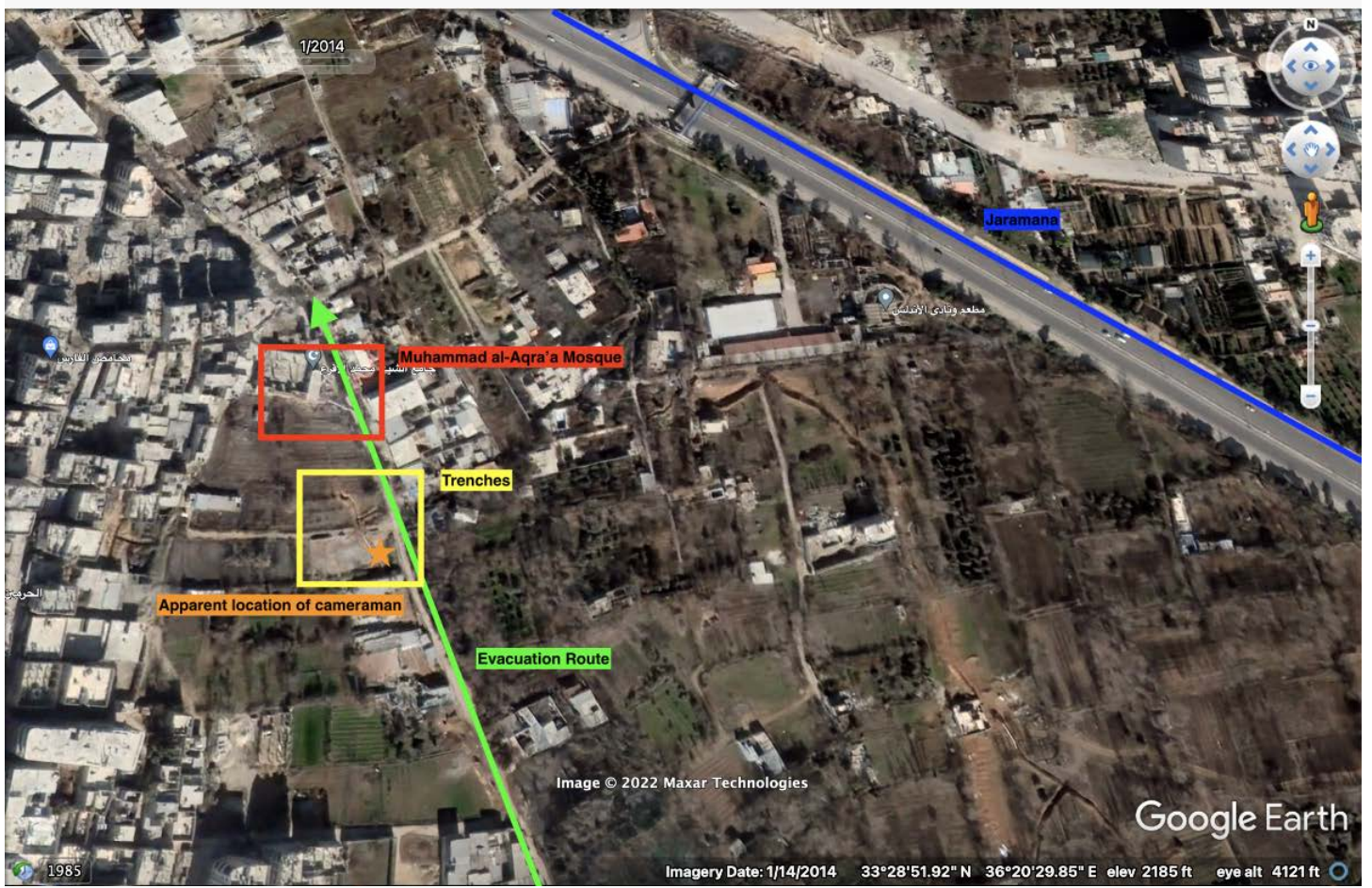
The **Mohammad al-Aqra'a mosque** is highlighted in red. The likely **location of the cameraman** filming this video is represented by an orange star. The **direction in which these civilians appear to be fleeing** is indicated by a green arrow. Jaramana, the **nearest government-held stronghold** and likely source of the attack, is outlined in blue.

Another video, also uploaded by the Local Council of Beit Sahem, shows opposition fighters evacuating civilians via a network of trenches. The narrator of this film alleges that pro-

government forces opened fire on these civilians at the crossing point out of Beit Sahem on December 18, 2013.[23]

These **trenches**, highlighted in yellow, appear in satellite imagery adjacent to the area in which this alleged attack occurred.

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Legality of Attacks on Civilians at Crossing Points

Attacks against Syrian civilians by any party to the conflict are violations of International Humanitarian Law (IHL) and may constitute war crimes and crimes against humanity.

An incident may amount to a war crime if it occurs within the context of an international or non-international armed conflict. In July 2012, the International Committee of the Red Cross (ICRC) officially classified the conflict in Syria as a non-international armed conflict between the Syrian government and armed opposition groups, the parties to which are obligated to respect IHL.[24]

As SJAC's investigation shows, the parties involved in these incidents failed to consider the presence of and the impact on civilians when waging attacks on crossing points.

A core tenet of IHL prohibits targeting civilians.[25] As such, parties to a conflict must attempt to distinguish between civilians and enemy combatants when planning and executing an attack. An attack is defined as an "act of violence against the adversary, whether in offence or in defense."[26] As SJAC's investigation shows, the parties involved in these incidents failed to consider the presence of and the impact on civilians when waging attacks on crossing points. Moreover, snipers intentionally targeted civilians. Taken together, the incidents described in this report may amount to war crimes.

The scope of liability for these war crimes is not limited to the snipers who intentionally targeted civilians at crossing points. Rather, superiors who planned, ordered, or failed to punish such violations may also be held criminally responsible for civilian deaths and other ill-treatment based on command responsibility.[27]

It should also be noted that some attacks on civilians at checkpoints occurred in the context of sieges. A "siege" is a military effort to surround and cut off an area, deny external access or departure, and obtain submission of that surrounded area.[28] Although siege warfare is not inherently unlawful, international law prohibits both the use of starvation as a method of warfare and the denial of safe

passage for civilians from besieged areas.[29] Targeting civilians as they attempted to leave besieged areas of Deir Ezzor and Beit Sahem denied Syrians passage to safety. These acts were part of a widespread or systematic attack against a civilian population perceived to politically affiliate with the opposition. Therefore, they may amount to crimes against humanity based on the persecution of an identifiable group, as well as other inhumane acts.[30]

At the time of writing, crimes committed in Syria do not fall within the jurisdiction of the International Criminal Court (ICC) because Syria is not a State Party to the Rome Statute. Nor is a Security Council referral to the Office of the Prosecutor probable given Russia's alliance with the Syrian government and its own commission of crimes in Syria. Furthermore, while Russia and Syria are state parties to the Geneva Conventions and evidence of their violations is plentiful, international humanitarian law lacks an enforcement mechanism.

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Conclusion

Throughout the Syrian conflict, government forces and their allies have displayed a pattern of failing to distinguish civilians from combatants. In the incidents examined in this report, government forces and their allies first rendered areas held by rival armed factions unlivable by systematically bombarding these areas and imposing sieges that cut them off from essential goods and services. As civilians attempted to cross out of these areas through narrow and vulnerable chokepoints—whether in order to meet their daily needs or as part of a negotiated evacuation—Syrian government and allied forces targeted them intentionally with sniper fire and targeted them indiscriminately with air strikes. The evidence collected in this report suggests that the Syrian government was aware of such incidents as early as November 2012, and either encouraged them or failed to prevent their recurrence.

The attacks documented in this report represent a portion of the incidents identified by SJAC's investigations team. They constitute serious human rights violations tantamount to war crimes. They also reflect the widespread and systematic nature of attacks on civilians by Syrian government and allied forces, particularly against communities that were not under Syrian government control, amounting to crimes against humanity. Like most crimes committed by state actors over

the eleven years of conflict, no venue is currently available for survivors of these attacks to seek accountability. If individual fighters, pilots, or certain members of leadership who gave orders to attack civilians are present in states exercising universal jurisdiction, these individuals could be investigated and prosecuted for war crimes. The most senior leadership, who also carry responsibility for this pattern of failing to distinguish civilians from combatants as well as creating the conditions that rendered these civilians so vulnerable to such attacks, will remain out of reach until the ICC is granted jurisdiction or a hybrid (or other) tribunal is created. Until this opportunity arises, SJAC will continue to document the realities facing Syrians, laying the foundation for future transitional justice efforts.

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Endnotes

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that there is currently a non-international (internal) armed conflict occurring
in Syria opposing Government Forces and a number of organised armed opposition
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to, Homs, Idlib and Hama). Thus, hostilities between these parties wherever
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