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Briefing note on sieges across Syria

INTRODUCTION

The armed conflict raging in Syria continues to have a catastrophic effect for millions of the country's citizens. At least 2.6 million have fled the country as refugees, severely impacting Syria's neighbouring states, and at least 6.5 million others are internally displaced inside Syria. Three and a half million people living in hard-to-reach areas are among 9.3 million in need of humanitarian assistance inside Syria. Hundreds of thousands of people are living in areas that have been under siege.

The armed conflict has been marked by war crimes, crimes against humanity and widespread gross human rights abuses by all sides, particularly forces loyal to the government of President Bashar al-Assad, and shocking disregard for the lives of civilians. This is as much the case for a series of sieges as it is for other actions of the government's security forces. Most of the inhabitants of the besieged areas are civilians, including women and children, to whom all military forces are obligated to afford protection under international humanitarian law (IHL, the laws of war). Despite this, government forces have deliberately attacked civilian objects, including objects indispensable to the survival of the civilian population such as power stations and the water supply infrastructure. They have blocked access by those besieged to food, water and medical transfers from outside. These measures, taken together, amount to collective punishment of the civilian population of the besieged areas, and in some cases amount to starving civilians by depriving them of objects indispensable to their survival: both of which are war crimes. Government forces also continue to shell and bomb those within the besieged areas, causing numerous civilian casualties. Such bombardments have included both direct attacks on civilians and civilian objects and indiscriminate attacks resulting in death and injury to many civilians, and so amount to war crimes.

This briefing sets out Amnesty International's latest information on five of the sieges that have been imposed by government forces in the context of the crisis and continue to be enforced: on Yarmouk to the south of Damascus, Moadamiya, Daraya and Eastern Ghouta in the Damascus Countryside governorate; and the Old City of Homs. It also includes information on three of the sieges imposed by opposition armed groups: on Aleppo Central Prison in Aleppo city; and Kobani, Zahraa and Nobel in the Aleppo Countryside governorate.

SOURCES

This briefing is based on information that Amnesty International has obtained from a wide range of sources. These include current and former residents of besieged areas, including medical

workers; human rights activists; representatives of international agencies with a presence in Syria; and a range of other public information sources.

Amnesty International's recommendations, addressed to the parties to the conflict in Syria and to the international community at large, are contained in the last section of this briefing.

DAMASCUS AND DAMASCUS COUNTRYSIDE

YARMOUK

Yarmouk, an area of about 2km² square located some 8km south of the centre of Damascus, has been continuously under siege by government forces since December 2012. Before the conflict, Yarmouk was a densely-populated residential area in which lived some 180,000 Palestinian refugees and several hundred thousand Syrian nationals. Most of these residents fled from Yarmouk in the first months of the siege, before government forces, assisted by armed pro-government militia, tightened their blockade and took control over all main entry and exit points in July 2013. Since then, Yarmouk's remaining inhabitants, estimated at some 20,000, mostly civilians, have been exposed to extreme and unrelenting hardship. The surrounding government forces have repeatedly bombarded Yarmouk using heavy weapons and aircraft, and subjected its inhabitants to starvation, denial of medical care and shooting by snipers. In a report of 10 March 2014 (*Squeezing the life out of Yarmouk: War crimes against besieged civilians*),¹ Amnesty International listed the names of 194 residents, all said to be civilians, whose deaths were a direct result of the ongoing siege. By 11 April 2014, Amnesty International had recorded at least 51 further such deaths, including 24 from shelling, 18 due to starvation, five due to lack of adequate medical care (two dying of wounds after shelling, two after food poisoning) and two individuals who were shot dead by snipers. From 22 February 2014 to 11 April 2014 Amnesty International also received reports of the deaths of 15 individuals from Yarmouk while in the custody of government forces.

Government authorities have allowed a number of much-needed but inadequate food deliveries into Yarmouk since 18 January 2014. From that date until 1 April 2014, the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), which provides protection and assistance to some 5 million Palestinian refugees across Syria, Lebanon, Jordan, the West Bank and the Gaza Strip, stated that it had delivered 10,708 food parcels. Government permission for such humanitarian aid supplies, however, is granted infrequently and arbitrarily. From 31 March to 6 April 2014, for example, the Syrian government withheld authorisation for UNRWA to take food aid to Yarmouk, and provided no explanation for its refusal.

On 5 April 2014, UNRWA stated: 'Since 1 March and due to prolonged periods with no access, UNRWA's average daily distribution rate has dropped to only 83 food parcels per day, leaving thousands of families without regular access to food and other essential supplies.'

Syrian government forces have detained scores of Yarmouk residents; they include at least 12 medical workers, one of whom died in detention. Six others are victims of enforced disappearance; their fate is unknown. At least two other medical workers have been killed inside Yarmouk, one as a result of shelling by government forces, which has also caused extensive damage to hospitals. Very few medical workers now remain in the besieged area, and medical supplies are all but exhausted.

Within Yarmouk, residents have been reduced to eating grass and other plants, including bird's foot trefoil, and some have resorted to killing and eating cats and dogs.

Armed opposition groups linked to the Free Syrian Army (FSA) initially took up positions within Yarmouk but they mostly departed and were replaced by Jabhat al-Nusra and the Islamic State of Iraq and al-Sham (ISIS). Most Jabhat al-Nusra and ISIS fighters had left Yarmouk by around the beginning of 2014, as part of a multi-party agreement under which it was expected that the Syrian authorities would lift the siege when certain conditions were met. Hundreds of individuals were evacuated during an ensuing period of relative calm. But Syrian government forces did not lift the siege, Jabhat al-Nusra and ISIS fighters re-entered Yarmouk and fighting, including bombardment of the area by government forces, continued.

DARAYA

Daraya, a town about 10km south-west of Damascus, has been under siege by government forces since November 2012. Before the conflict, it had a population of around 250,000, but those now within the besieged area are estimated to number about 8,000, mostly civilians. With neighbouring Moadamiya it is located close to several important Syrian military and security bases and agencies, notably the Mezza military airport, Air Force Intelligence (AFI), the army's 4th Division, and the Republican Guard. AFI, the Republican Guard and the 4th Division are said to be involved in enforcing the siege.

Amnesty International has documented arrests and enforced disappearances of peaceful political activists (many of whom are reportedly held by AFI²) from Daraya since the current crisis began in March 2011 – after which date local human rights have told Amnesty International that they have the names of 3,847 residents of the town who have been arrested, many of whom were subsequently released. Others went into hiding to avoid arrest. During peaceful demonstrations against the government, demonstrators handed flowers and water bottles to the police to declare their pacific intentions and symbolize their opposition to police violence against peaceful protesters.

Sources within Daraya report that fighters belonging to three FSA brigades (Shuhadaa al-Islam, Sa'ed Bin Abi Saqqas and al-Meqdad Bin Amro) remain within the area under siege but ISIS and Jabhat al-Nusra are not present. Government forces that attacked Daraya in August 2012 committed mass killings of 862 civilians, according to the local council of Daraya. Opposition fighters re-took the town in November 2012 but since then it has been under siege, without electricity and repeatedly subjected to indiscriminate attacks by government forces.

Government forces have fired cluster munitions, which are inherently indiscriminate, into Daraya on several occasions.³ They have also repeatedly bombarded the town using weapons, including barrel and other unguided air-dropped bombs and artillery shelling that should never be used in the vicinity of populated civilian areas. Sources within Daraya say that reconnaissance aircraft appear to look for signs of life, following which military helicopters appear and drop barrel bombs. In the first three months of 2014, Syrian military forces dropped over 350 barrel bombs on Daraya,⁴ according to some of the remaining residents. Amnesty International has received a list from contacts inside Daraya with information on 30 deaths attributed to barrel bombing of the town. Those killed include seven members of the Said Suleyman family, five of whom were children, on 30 January 2014.

According to sources who remain in Daraya, no food or other aid has been allowed into the town since the siege began although a small amount of food was smuggled in during a short truce in January 2014 by people from neighbouring Moadamiya following a cease fire there from 25 December 2013. Soon after, Syrian government forces intensified their bombardment of Daraya and also the road between Daraya and Moadamiya.

Amnesty International has received reports of individuals being shot dead while trying to escape from Daraya. In one such case, according to human rights activists from Daraya, Radinah Walid Haidar, a 24-year-old mother of three, was shot dead by a government forces sniper on 20 November 2012 while holding her month-old baby in her arms.

Many people in Daraya are said to be able to grow some foodstuffs and the local council is active and assists in food provision. Still, six deaths, including a girl of 15, have been reported due to lack of medical supplies and equipment, and some malnutrition. There is said to be particular need for fluids for intravenous therapy, locally referred to as 'serum' and medicines for chronic illnesses.

MOADAMIYA

Moadamiya, like neighbouring Daraya, lies close to major government military installations. It has been under siege by government forces, said to include the army's 4th Division, since April 2012 although the siege was tightened in November 2012. Government forces cut electricity and water supplies to the town and have used aircraft to attack civilian objects, such as domestic water tanks and the public water supply and hospitals, several of which are reported to have been destroyed. Government forces have also attacked and damaged or destroyed some 13 mosques and 22 schools through shelling, the firing of missiles, and bombing by aircraft or helicopters. A chemical weapons attack on 21 August 2013 is alleged to have caused over 80 deaths.

Moadamiya had a population of around 80,000 before the armed conflict. Many fled, and the besieged population is now down to around 25,000, including some 15,000 children, 5,000 women and 3,000 men above 50 years old, according to local activists.

Of 1,500 people reported killed in attacks to date, 105 were children and 125 were women.

By March 2013, this agricultural area ran out of its own stored foods. People are said to be surviving on tree leaves, wild grass, grape leaves and herbs. There is a scarcity of flour, bread and milk and many mothers are unable to breast-feed.

Activists told Amnesty International that a dozen individuals have died from starvation and that medicine is running out; in particular, there are no longer any anaesthetics or suture materials to treat the injured.

Snipers are reported to target those trying to flee.⁵

On 13 October 2013, 3,500 civilians were evacuated via the Syrian Arab Red Crescent (SARC) and the International Committee of the Red Cross (ICRC) and a further 5,000 on 15 and 29 October 2013. A local truce was agreed on 25 December 2013 but a local activist says many men are still held, despite being reportedly having been given guarantees for their release by

the Syrian authorities.

According to several individuals from Moadamiya, despite opposition fighters giving up their heavy arms as part of the local truce, the siege has only been briefly and partially eased by government forces. Since March 2013, according to the UN Secretary-General's March 2014 report to the UN Security Council (UNSC) on implementation of Resolution 2139, the UN submitted 15 requests to the Syrian government to bring aid to the area. In March 2014 permission was granted but administrative and other obstacles meant that no convoys went to the area. On 17 March 2014 a convoy reached a government checkpoint where it was informed that medical supplies were not allowed to enter. On 18 March 2014 the convoy tried again but was only allowed to go to government-held areas.

EASTERN GHOUTA

Duma is one of several towns in the besieged Eastern Ghouta region to the east of Damascus. According to the UN, some 160,000 people live in the besieged area, although two local activists have told Amnesty International that at least 300,000 people live in Duma itself.

Snipers reportedly target people fleeing the area. Government forces have repeatedly denied entrance of medical supplies. According to a resident, the Syrian Army has used chemicals to destroy crops. Government forces have used cluster munitions, which are inherently indiscriminate, in this region.⁶

Government forces tightened the siege in July 2013 when rebels lost control of two entrances. In March 2014, however, government forces allowed two UN aid convoys to enter Duma; they carried a total of 1,400 food parcels, plus some other items but, according to one resident, this was sufficient to meet only a fraction of people's needs.

OLD CITY OF HOMS

Some 2,000 civilians, from what had been tens of thousands of residents, are said to remain in the area that has been besieged by government forces since February 2012. Members of opposition armed groups, including Jabhat al-Nusra, are believed to remain within the besieged area.

Of 1,500 individuals evacuated in February and March 2014, some 150 reportedly continue to be detained by government forces at a 'screening facility'.

Conditions inside the Old City are said to be very poor. A local activist there told Amnesty International that eight people have died from starvation. A YouTube clip of the Dutch Jesuit, Father Francis Van der Lugt, who lived in Homs for many years and was killed by unidentified gunmen in the Old City on 7 April 2014, in which he speaks of the siege, also shows signs which contain messages (in Arabic) stating: '8 deaths from starvation', '100 urgent surgery cases needed' and '250 families on the brink of death by starvation'.⁷

Many are ill and there are scarce medical services in the one field hospital. The local activist said that people are eating plants, some which are poisonous, cats and mice.

ALEPPO CENTRAL PRISON

According to sources⁸, there are several thousand mostly criminal prisoners and detainees,

including dozens of women, held in this fortified government prison, which is held by Syrian government forces but surrounded by opposition armed groups, including Ahrar al-Sham and Jabhat al-Nusra.

Some 800 deaths of prison inmates are reported to have occurred since July 2012, but only a small minority as a direct result of the siege by opposition armed groups that began in July 2013. Most prisoners' deaths are said to be due to summary killings by officers and guards, torture and other ill-treatment, and untreated illnesses, such as tuberculosis. Others are said to have been caused by starvation, attributed to both the prison authorities and more recently the siege. Others have died as a result of attacks by Ahrar al-Sham and Jabhat al-Nusra, including, most probably, the 6 February 2014 suicide attack apparently carried out by a British national.

A protest by prisoners against their worsening conditions on 23 July 2012, before the current siege began, was brutally quelled by government security forces; according to a former inmate, security forces killed 16 prisoners, three others died under torture and 10 were subjected to enforced disappearance.

The former detainee told Amnesty International that government forces also used prisoners as 'human shields' when opposition armed groups attacked the prison in March 2013 and situated a machine-gun post in a room immediately above a cell housing political prisoners. He said three detainees were killed by opposition shelling and more than 40 others died due in further fighting on 23 May 2013.

In May 2013, detainees received no food for two days and for the following two months were given flour but no meat, vegetables or fruit, and inmates had to burn prison blankets in order to make fires to bake bread, according to the former detainee.

According to the sources, prison authorities again withheld all food from prisoners for three days in July 2013, and reportedly took severe reprisals against those who complained, summarily killing six and torturing 16 others to death. In around August 2013, with SARC's assistance, it was agreed between the Syrian government, prison authorities and the armed opposition groups besieging the prison to allow in food for the prisoners and to release some detainees. According to the former detainee and a Syrian human rights organization, however, much of the food allowed in was confiscated by prison guards, who then 'sold' it to inmates at inflated prices.

The opposition armed groups then prevented further foodstuffs entering the besieged prison, where conditions worsened. In September/October 2013, some 50 detainees reportedly died as a result of eating contaminated food, while more than 100 others died from tuberculosis or other illnesses apparently contracted in prison, with still others dying under torture.

The former detainee told Amnesty International that he did not know of any medicines or other medical supplies being brought in to treat prisoners, despite the many illnesses, injuries and the rising death toll.

ZAHRAA AND NOBEL IN ALEPPO COUNTRYSIDE

Some 40-45,000 people are reported to have been enduring at least partial siege conditions in these towns north-west of Aleppo for more than one year due to the actions of Ahrar al-Sham, Jabhat al-Nusra and other non-state armed groups.

Opposition fighters have cut electricity lines and water-supply pipes to the towns and have prevented the entry of humanitarian aid, although in January 2014 SARC was able to arrange access to 5,000 children who received polio vaccinations.

Opposition groups allege that the besieged area contains many government soldiers and has been used as a military base by government troops and allied fighters with the Lebanese armed group Hizbullah, from which to attack neighbouring areas. A representative from the National Coalition of Syrian Revolution and Opposition Forces (SNC), a coalition of opposition groups, has called for a neutral observer to visit the besieged area to assess the status and needs of those within it.

On 27 March 2014, according to video clips posted online, fighters belonging to the Liwa al-Tawhid armed group fired 130mm artillery shells into Zahraa; which, given the imprecise nature of the weapon and the many civilians in the area, this may have amounted to an indiscriminate attack.⁹

In April 2014, Amnesty International received information from two sources indicating that the siege had been at least partially lifted, with residents now able to travel by road both to and from Afrin and Azaz; as yet, however, Amnesty International has been unable to verify this.

KOBANI (AYN AL-ARAB IN ARABIC) IN ALEPPO COUNTRYSIDE

Kobani, a town in northern Aleppo governorate situated close to Syria's border with Turkey, has been under siege by ISIS fighters since July 2013. The siege has been tightly enforced since December 2013. The town came under the control of the People's Protection Units (YPG) of the Democratic Union Party (PYD), a Kurdish political party, in July 2012; since then, the number of its inhabitants is reported to have doubled to around 600,000 due to an influx of civilians displaced from other areas of fighting.

ISIS forces blockade the town on three sides, while the Turkish border, which is mostly closed to entry and exit, lies on the town's northern side. ISIS has reportedly severed the town's electricity supply lines and blocked the entry of food. Two small hospitals continue to function within the besieged area but they cannot handle serious cases. A local activist told Amnesty International that eight deaths have been recorded as a result of the unavailability of medicine to treat rabies and scorpion and snake bites, while at least two people have died due to lack of medicine to treat liver disease; and four have died from vascular conditions for which no doctors were present to provide treatment.

A man named Mohammed Sheikh Junaid is reported to have been detained by ISIS forces on 29 March 2014 for taking food into Kobani, then tortured and killed.

In early April 2014, the Turkish authorities opened the border on at least two days to permit aid to be taken into Kobani from Turkey and patients requiring urgent medical attention to be evacuated from Kobani to Turkey.

RECOMMENDATIONS TO THE GOVERNMENT OF SYRIA

- Immediately end the armed sieges of civilian areas and allow unfettered access by independent humanitarian agencies to assist the civilians suffering in those areas by providing food, water, medicines and medical aid, and by safely evacuating the sick, elderly, families with children and other civilians who lack shelter or wish to leave the area.
- Cease immediately all indiscriminate shelling or other bombardments by Syrian government forces or those assisting them, in recognition that indiscriminate attacks and direct attacks on civilians or civilian objects (such as hospitals and schools) are war crimes. In particular, end the use of unguided air-dropped bombs (including barrel bombs) and artillery shelling in the vicinity of densely populated civilian areas; and end the use of cluster munitions in all circumstances.
- End all attacks on medical and other humanitarian workers and instruct all military and security personnel to afford them appropriate protection at all times.
- Release, immediately and unconditionally, all persons detained solely on account of their political opinions, identity or legitimate exercise of freedom of expression or other human rights, and ensure that all other detainees are released without delay if they are not charged and brought to trial fairly and promptly, and without resort to the death penalty.
- Allow free and regular access to all places of detention by representatives of international organizations with appropriate expertise as a means of ensuring the safety of detainees, including their protection against torture and other ill-treatment in custody.
- Ensure that all deaths in detention and allegations of torture are independently investigated, thoroughly, promptly and impartially, and that all military, security and other personnel against whom there is evidence of torture or other serious abuse are removed from their positions and are brought to justice in fair trials without delay.
- Ensure that anyone suspected of ordering or committing war crimes or crimes against humanity is removed from the ranks and promptly brought to justice in proceedings that conform to international fair trial standards.
- Provide full co-operation and unimpeded access to the independent international Commission of Inquiry to investigate all alleged crimes under international law and violations and abuses of international human rights law.
- Allow international humanitarian agencies prompt and unfettered access to Syria, including across borders and across conflicts.

RECOMMENDATIONS TO ALL ARMED OPPOSITION GROUPS IN SYRIA

- End sieges of civilian areas and allow unfettered access by independent humanitarian agencies to assist the civilians in need; and facilitate the safe evacuation of the sick, elderly,

families with children and other civilians who wish to leave the area.

- Respect at all times the prohibition in international humanitarian law on direct attacks on civilians, indiscriminate attacks, summary killing of captives and torture, and ensure that all detainees, including captured government soldiers, are treated humanely and all times.
- End the use of artillery shelling in the vicinity of densely populated civilian areas.
- End all attacks on humanitarian workers and instruct all fighters to afford them appropriate protection at all times.
- Remove from the ranks any individual suspected of ordering or committing serious violations of international humanitarian law.

RECOMMENDATIONS TO THE UN SECURITY COUNCIL

- Refer without delay the situation in Syria to the Office of the Prosecutor of the International Criminal Court in order that the Court is authorized to initiate an immediate investigation into the alleged commission of war crimes and crimes against humanity by the Syrian government and by opposition forces.
- Act on its declared intention in Security Council resolution 2139 to take further steps in case of failure by the parties to comply with the call to immediately lift the sieges of civilian areas, among other measures, by imposing sanctions – including a travel ban and asset freeze – on persons suspected or believed to be responsible for non-compliance with the resolution.

¹ <http://www.amnesty.org/en/library/asset/MDE24/008/2014/en/c18cfe4d-1254-42f2-90df-e0fce7c762fc/mde240082014en.pdf>

² Fears grow for Syrian activists as deaths in custody increase, 13 September 2011 at <https://www.amnesty.org/en/news-and-updates/fears-grow-syrian-activists-deaths-custody-increase-2011-09-13>

³ *Maher's story - a boy trapped in the siege of Daraya*, 3 December 2013 at <http://www.amnesty.org.uk/blogs/campaigns/mahers-story-boy-trapped-siege-daraya>; Human Rights Watch, *Technical Briefing Note: Use of Cluster Munitions in Syria*, 4 April 2014 at <http://www.hrw.org/news/2014/04/04/technical-briefing-note-use-cluster-munitions-syria>

⁴ See youtube video clips purporting to show barrel bombs hitting Daraya: <https://www.youtube.com/watch?v=FYnxbjyxFtY> and <https://www.youtube.com/watch?v=pJnb68KNzRM> received by Amnesty International from individuals in Daraya.

⁵ Youtube clip dated 6 April 2014 forwarded by local activists purportedly showing surgery on a 15-year-old boy who was shot in the head by a sniper on the edge of town at https://www.youtube.com/watch?feature=player_embedded&v=YEBbnHGcpUI

⁶ Human Rights Watch, *Technical Briefing Note: Use of Cluster Munitions in Syria*, 4 April 2014 at <http://www.hrw.org/news/2014/04/04/technical-briefing-note-use-cluster-munitions-syria>

⁷ Youtube clip, published 22 January 2014, at <https://www.youtube.com/watch?v=LliVyiEHJQE#t=85>

⁸ Including, for example, an advanced copy of a Violation Documentation Centre in Syria (VDC) report entitled *تقرير خاص حول سجن حلب المركزي* ('Special report on Aleppo Central Prison'), expected to be released in April 2014.

⁹ Youtube clip, published 26 March 2014, at <https://www.youtube.com/watch?v=l1ZhWQPqd1o&feature=youtu.be>