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Opposition fighters in Syria apparently executed civilians and others in their custody during an offensive in the Christian village of Sadad from October 21 to 28, 2013. Other civilians were also killed unlawfully by opposition sniper fire. Civilians killed by opposition shelling, as fighting between government and opposition forces in the village continued, may have been killed unlawfully.

During the offensive against government forces in Sadad, 100 kilometers northeast of Damascus, rebel fighters refused to allow residents of the village to leave their homes in areas with active fighting, residents told Human Rights Watch. In at least one case, fighters allegedly used a resident as a human shield. Residents also said that opposition fighters also stole personal items, and vandalized, stole, and damaged property in at least three churches of local and historical significance.

"Opposition fighters came into Sadad claiming they would not harm civilians, but they did just that," said Sarah Leah Whitson, Middle East director at Human Rights Watch. "There is no excuse for indiscriminate or targeted attacks against civilians or civilian sites."

Opposition fighters should never execute or directly target civilians or anyone in their custody or target civilian sites, including religious sites, Human Rights Watch said. They should take precautions to protect civilians from harm during operations in residential areas including by easing the way for residents to leave the area if they wish to. They should not subject civilians to additional risk by using them as human shields.

Opposition groups referred to the Sadad operation as part of the "Battle of God's Doors Do Not Shut" on social media sites, where several groups also announced their participation in the operation and released footage apparently showing their members fighting in Sadad. The groups involved in the operation include al-Maghaweer of the Dera' al-Islam battalion of the Free Syrian Army (FSA), Ahel al-Athar battalion of the FSA, Liwa al-Huq, Jabhat al-Nusra, al-Khadra' battalion, and the Islamic State of Iraq and Sham (ISIS). According to a post by al-Khadra'

battalion on Twitter, al-Khadra's leader commanded al-Khadra', ISIS, and Jabhat al-Nusra forces during the operation. Abu Ayham is the field commander of Dera' al-Islam.

In most cases, Human Rights Watch has not been able to establish which of the participating opposition groups were responsible for the abuses that Human Rights Watch documented. One resident told Human Rights Watch that fighters who identified themselves as Jabhat al-Nusra used him as a human shield, and Human Rights Watch observed graffiti damaging a church in Sadad apparently left by Liwa al-Huq, Jabhat al-Nusra, and Liwa al-Tawhid.

Human Rights Watch visited Sadad during an investigative mission to Syria with permission from the Syrian government and interviewed 10 residents and the mayor, Sleiman Khalil. Human Rights Watch also later spoke to three residents by phone. Human Rights Watch interviewed each resident separately in various locations in the village. The mayor was interviewed in the municipal offices. Except for the mayor himself during his own interview, no Syrian government officials were present during the interviews. The names of those interviewed have been changed for their safety.

Residents of Sadad said that armed opposition fighters entered their ancient village of 12,000 people on the morning of October 21, and battled government forces, who sent reinforcements to the village over the course of the next week. The village, which borders Qalamoon to the south, Mheen to the east, Hissya to the west, and an-Na`amiyah to the north, is one of the many residential areas affected by the ongoing fighting between government and opposition forces in the "Battle of God's Doors Do Not Shut."

Residents of Sadad said that over the week that opposition fighters were in the village, fighters mostly did not target or abuse residents, but that in some instances, they endangered and killed civilians and people in their custody and intentionally damaged and looted civilian sites, including churches. Rebel fighters forced residents to stay in areas with active fighting, allegedly used at least one resident as a human shield, and apparently executed residents and killed others with sniper fire. As opposition forces battled government forces in the village some residents were also killed by opposition shelling which may have been indiscriminate.

Human Rights Watch identified the names of 46 people from Sadad killed in the village during the weeklong operation. Forty-one of the dead were civilians, residents told Human Rights Watch, including 14 women and two children. Three of the dead were police officers, one a soldier in the reserves who was not currently serving, and another an off-duty soldier on home leave from his service, residents said. If correct, only the soldier on home leave and police - if participating in counterinsurgency operations- would have been combatants. In 22 of the 46 cases, Human Rights Watch spoke to residents who described how the other residents were killed. In the remaining cases, Human Rights Watch received the names of the dead from local church officials who coordinated the burials. Human Rights Watch received reports that Syrian government and opposition fighters also died in the course of fighting, but has not confirmed the number of those killed.

Human Rights Watch urges the UN Security Council to refer the situation in Syria to the International Criminal Court (ICC). An ICC referral would be a crucial first step toward achieving justice for victims of atrocities by all sides in Syria's armed conflict and would send a strong message that serious crimes will not be tolerated. Over the last two and a half years Human Rights Watch has extensively documented abuses by government and pro-government forces during ground operations including executions, indiscriminate shelling and sniper attacks, and the use of human shields. Human Rights Watch has also documented indiscriminate shelling, and executions and kidnapping by opposition forces during ground operations.

Currently, 64 countries, including six Security Council members, have expressed support for an ICC referral. Russia has described the effort to seek a referral as "ill-timed and

counterproductive." Security Council members such as the United States that have not yet supported an ICC referral should publicly do so, and should take all available steps to encourage Russia to drop its opposition, Human Rights Watch said.

"An ICC referral would strip all sides of their sense of impunity and make clear that abuses could land them behind bars in The Hague," Whitson said. "It's long past time for the Security Council to overcome the current stalemate on justice for the serious ongoing crimes in Syria."

For detailed accounts of the killings and other abuses, please see below.

The Villagers' Accounts

In interviews in Sadad on November 11, five residents and the mayor told Human Rights Watch that opposition fighters entered the village on October 21 at approximately 6:15 a.m. The mayor said that the fighters approached from the south, north, and east, and gained access after they set off two nearly simultaneous explosions at army checkpoints to the east and west, killing a number of government soldiers. In announcements on social media sites, some opposition groups said that the twin bomb attacks were suicide operations.

The mayor said that approximately 2,000 armed fighters, predominately Syrians, but also some foreigners from Libya, Chechnya, Saudi Arabia, and Qatar, entered the village on its three main roads in about 50 pickup trucks. They took control of the local police station and a political security facility, two government security buildings in the area.

Rebel fighters fanned out throughout the village, and, the mayor said, announced over a bullhorn that they meant the residents no harm. Soon Syrian army soldiers came from neighboring areas and entered Sadad to fight them. Throughout the following week, the rebels engaged government forces in battles from their positions in the village. On October 28, the rebels retreated from the village.

Apparent Executions

The mayor told Human Rights Watch that in the initial assault on the village, opposition fighters executed three police officers and one resident who was a reserve soldier, all of them unarmed and in the custody of opposition fighters. The mayor told Human Rights Watch that they were seized at approximately 6:30 a.m. on October 21 on their way from the municipal building, where they had met the mayor, to the police station. He said that he saw the officers get into the clearly marked municipal vehicle unarmed on their way to the police station.

A video Dera' al-Islam published on October 25 on its YouTube channel shows opposition fighters in Sadad with five dead bodies in civilian clothes bearing bullet wounds - people the videographer calls "the dogs of Bashar." The mayor identified four of them as the officers who were killed. The four bodies appear in the video lying in a row.

The position of their bodies appears to indicate that they were lined up and shot in the chest from approximately the same distance, and that the velocity of the shots had spun some of them around. The absence of blood splattered on the ground, except for immediately around the bodies, or any marks in the dirt, also suggests that the bodies had not been dragged or moved, but rather that the men were placed in a line and then shot. Further investigation is required to establish the exact circumstances of their deaths. Parties to a conflict who execute anyone, combatants or civilians, in their formal or effective custody, are guilty of war crimes, Human Rights Watch said.

The mayor and several residents also told Human Rights Watch that days after government forces pushed opposition fighters out of the village, residents followed a putrid odor to locate - and, with the help of the civil defense forces, retrieve - six corpses that someone had apparently thrown into a well. They identified the bodies as civilian residents from one family: Najla Mtanes al-Sheikh,

45; Fadi Sarkis Drouj, 16, and Ranim Sarkis Drouj, 18, Najla's sons; Mtanes Sleiman al-Sheikh, Najla's elderly father; Habbsa Nassif al-Sheikh, 75; and Maryam Nassif al-Sheikh, 90. The age of the three elderly residents and the presence of one child killed with his brother and mother, support the residents' claim that these family members were civilians. A neighbor who was present when the bodies were retrieved said the victims were blindfolded with their hands tied and had been shot in the head.

The neighbor told Human Rights Watch that before the rebels withdrew, he had been helping people leave the village. On October 24, he had called Najla, whose family was among the last to remain in a neighborhood under opposition control, to try to arrange her escape. He said she told him it would be impossible for her to leave because she had three elderly relatives with her. The next morning, when the neighbor called her again, there was no answer.

Later that day, Syrian government soldiers regained control of the central part of the village, where Najla and her family lived. The neighbor said he asked soldiers to check on Najla and her family, but the soldiers told him they saw no sign of them. The neighbor told Human Rights Watch that the well where the bodies were later found was four houses and about 25 meters away from where Najla and her family had lived.

Human Rights Watch visited the well and observed bloodstains on its inner and outer walls and what appeared to be two bullet markings on the interior wall of the well but did not locate any witnesses to the killings. Further investigation is required to establish who killed the family.

Endangering Civilians: Restrictions on Movement

The mayor of Sadad told Human Rights Watch that as soon as opposition fighters entered the village, he recognized that some of them were from neighboring villages. He said he began reaching out to local and international humanitarian agencies and community leaders, including Christian and Sunni Muslim religious leaders from neighboring areas, to try to negotiate a ceasefire to enable civilians to flee. A local Christian religious leader who participated in the negotiations also told Human Rights Watch attempts were made to negotiate a ceasefire.

But residents told Human Rights Watch that opposition fighters in some instances had stopped them from leaving their homes, with devastating consequences.

Antonious, who lives on the main road on the western side of Sadad, told Human Rights Watch that on the first day of the opposition offensive, he and his family stayed inside their home, listening to calls of "Allah Akbar" outside. The next day, he tried to convince the rebel fighters to allow him and his relatives to move to a safer area, but they refused, he said. Antonious said that on the third day, out of the sight of opposition fighters, he and his relatives used a ladder to climb over a small wall behind the house to go to his uncle's house, which seemed safer because it was off the main road. But around 3 or 3:30 p.m., he said, an enormous explosion sounded and the uncle's entire house collapsed. Human Rights Watch was unable to determine the cause of the explosion or whether it was due to an attack by opposition or government forces.

I was in the garden, so I was okay, but my mom, brother, dad, and my uncle's wife were all killed. My uncle was also in the garden ... Both the houses, ours and theirs, were gone ... After that, they let us go to a house [in a safer area] with other neighbors and there we stayed in the basement.

Jamil, who also lives with his family on the western side of Sadad, told Human Rights Watch that on October 21, opposition fighters surrounded and entered his neighborhood, positioned their rocket launcher 2 to 3 meters in front of his home, and told him that he and his family could not go anywhere because of ongoing fighting. On October 25, he said, his house caught fire after government forces shelled the opposition military position in front of his house. He and his relatives managed to escape, but the house was destroyed. After the attack, he said, opposition fighters transported his family and several of their neighbors to a safer area.

'Ala, who lives on the eastern side of Sadad, told Human Rights Watch that opposition fighters evicted his family from their home to occupy it. He said that enabled 16 family members to escape fighting, while the fighters forced their neighbors to stay put.

Under the laws of war, parties to a conflict must take all feasible precautions during military operations to minimize loss of civilian life and must, to the extent feasible, remove civilians under their control from areas where they are deploying their military forces.

Endangering Civilians: Alleged Use of a Human Shield

In at least one instance, opposition fighters allegedly seized a man from his house, apparently to use him as a human shield as they passed within range of a government sniper. The man, Fouad, lives with his wife and three young children near Mar Elias Church on Sadad's main road. He said that on October 26, three fighters who identified themselves as members of Jabhat al-Nusra came into his house and demanded his money, cell phone, and ID card.

His children were terrified, Fouad said. The fighters told everyone else to be quiet, and interrogated Fouad about his phone calls, apparently trying to assess whether he was contacting people to help the government. Fouad said one fighter redialed the last phone number Fouad had called - his sister - and told him not to say a word while the fighter determined who she was. Fouad said that as his mother, niece, wife, and three children looked on, the men told him to lie down and then hit him with their rifle butts. One of them said, "We kill Nasara [Christians]," Fouad said.

Later, Fouad said: "Two of them took me with them to walk down the street, walking on either side of me until we passed the [government] sniper, so he wouldn't shoot. And then they left me. When we were walking, the sniper didn't shoot at us."

Opposition fighters should not endanger civilians by restricting the ability to flee or by using them as human shields, Human Rights Watch said.

The use of human shields - using the presence of civilians to prevent the targeting of military objectives - is prohibited under international humanitarian law. Combatants who deliberately use civilians as human shields to deter attacks on their forces are responsible for war crimes.

Civilian Deaths from Sniper Shots, Shelling

Residents told Human Rights Watch that rebel sniper fire and indiscriminate shelling killed their family members and neighbors.

'Ala told Human Rights Watch that on October 25 or 26, a sniper in the opposition-controlled eastern section of Sadad killed his cousin, Jamil Asfour, 35, his uncle's wife, Shamsa al-Boufi, 65, and her mother, Fouda al-Boufi, in her 80s, as they tried to flee to a safer part of the village. He said that after Syrian government soldiers pushed the rebel fighters back, soldiers found the bodies with gunshot wounds in the eastern section of the village. A second relative who lives in the eastern section also told Human Rights Watch that these three family members had been killed by a sniper positioned there.

Another resident, Sarah, told Human Rights Watch that five people, including her son, were delivering food, unarmed, to besieged neighbors in the northern part of Sadad on October 25 when shelling killed three of the five, including her son. One of the survivors, who was injured, told her that the mortar shell that killed her son came from an opposition position, from which fighters were striking toward a government-controlled area in the north of the village. There were no government positions in their neighborhood, however.

Human Rights Watch spoke to one of the men injured in the strike, whose father had died in the attack. He said that on October 25, government soldiers passed through his neighborhood to search for fighters and reassure residents. After government forces were no longer in the area, at around 2:15 p.m., three shells landed in his neighborhood, one right after the other. He said that the third strike killed the three people delivering food, and injured him and a fifth person, and that after the attack, government soldiers came to the neighborhood and transported the dead and wounded to nearby hospitals. He gave Human Rights Watch the names of the dead and injured.

The absence of military targets in the area hit by shells fired by opposition forces reflects that their method of attack or the attacks themselves may have been indiscriminate, Human Rights Watch said. Combatants should only target military objects and should take precautions to not harm civilians.

Theft and Destruction of Property, Including at Religious Sites

Four Sadad residents told Human Rights Watch that fighters broke into their homes or cars and stole their property. Residents also described damage to several of the churches in Sadad. Human Rights Watch visited three churches that residents said were among the worst damaged.

Two residents said they saw opposition fighters enter Mar Theodore Church on October 25. When government forces retook the village, the residents said, items were missing from the church and it had damage that appeared intentional.

When Human Rights Watch visited the church on November 11, residents had already cleaned up much of the damage they described. Human Rights Watch observed a broken candelabra, and a broken door on a locked cabinet behind the church altar, where residents said a sound system had been stolen, leaving wires dangling. Human Rights Watch also saw two crowns intended to be worn by priests of the church that appeared to be intentionally flattened and bent in half. The residents also said that opposition fighters had stolen copper candlesticks and chalices, along with religious relics. Shelling - whose origin was unclear - also damaged the church roof, leaving the wooden ceiling visibly damaged.

In Mar Sarkis Church, which residents said is hundreds of years old, Human Rights Watch observed graffiti tags on the interior walls, some on the edges of the church's rare and renowned frescos. One tag read, "Saqr the Libyan passed through here freedom for Mheen [a nearby village]," a town where rebels were fighting the government. Others said, "Liwa al-Huq," "Jabhat al-Nusra," and "Liwa al-Tawhid," names of opposition groups, some of which announced their participation in the battle in Sadad. The glass on the doors to the church was shattered near the knobs, suggesting a forced entry.

In Mar Mikhael Church, Human Rights Watch observed bullet holes in the ceiling and walls, and in several religious paintings, in patterns suggesting vandalism rather than firefights. A resident told Human Rights Watch that he saw rebel fighters occupy the church, and showed Human Rights Watch some food and personal items he said they left behind. Human Rights Watch observed destroyed religious icons, pews with smashed wooden legs, seats, and backs, and the church's broken and empty collection box. A resident told Human Rights Watch that religious relics were also missing.

Under international humanitarian law, parties in an armed conflict have a responsibility not to intentionally attack religious buildings that are not being used for military purposes. They are prohibited from seizing, destroying, or willfully damaging religious buildings or institutions, and from theft, pillage, or vandalism directed against important cultural property. Pillaging and deliberate attacks on religious sites that are not military objectives are war crimes.

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