

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

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Annex II: Human Rights Watch Letters to the Governments of Syria and Russia

August 17, 2020

Mr. Ali Haidar
Minister of State
National Reconciliation Affairs
Al-Sabeh Bahrat Square
Damascus, Syria

HUMAN
RIGHTS
WATCH

HRW.org

Dear Minister Ali Haidar,

I am writing on behalf of Human Rights Watch, an international nongovernmental human rights advocacy organization whose work involves investigating and documenting human rights abuses in over 90 countries across the world, including Syria.

Human Rights Watch has conducted research on ground and air attacks in Idlib governorate, and we plan to publish a report with our findings in the coming weeks. I am writing to seek your response to several questions, set out below. In the interests of thorough and objective reporting, we would be grateful if you could provide us with a reply by September 7 so that we can reflect your views and comments in our forthcoming report.

We have documented 46 ground and air attacks conducted by the Syrian-Russian military alliance that directly or indirectly hit or damaged civilian objects and infrastructure in Idlib between March 2019 and March 2020. Most of the attacks were in and around four main population centers: Ariha, Idlib city, Jisr al-Shughour, and Maarat al-Nu'man. Two attacks were in Maarat Misreen, 10 kilometers north of Idlib city, and four attacks were in four camps for displaced people near the towns of Dana, Hass, and Sarmada. In total, the 46 strikes killed at least 224 civilians and wounded 561 others, according to reports from witnesses, family members of victims, residents, local authorities, and healthcare and rescue workers. Injuries ranged from severe physical injury, which may have cost the victim a limb, to fragmentation wounds and others associated with the effects of blasts.

The strikes Human Rights Watch documented damaged 12 health care facilities, two ambulances, 10 schools, and a preschool, forcing many to shut down, in some cases permanently. At least five markets, four camps housing

displaced people, four residential neighborhoods, two industrial areas, one prison, a church, a football stadium, and the office of a nongovernmental organization (NGO) were also damaged during the attacks.

Human Rights Watch found that these attacks revealed a pattern of disregard for the laws of war and repeated apparent war crimes, that may amount to crimes against humanity. The attacks also seriously impaired enjoyment of the rights to health, education, and an adequate standard of living, including access to housing and food.

Human Rights Watch interviewed 113 victims and witnesses to the attacks, health care and rescue workers, teachers, local authorities, and experts on the Syrian and Russian militaries. Human Rights Watch also examined dozens of satellite images and verified 550 photographs and videos that were taken at the relevant locations and posted during or just after the attacks.

Please find in the attached Annex details of each of the 46 attacks we documented, including the area of the attack, the civilian object that was damaged, and the approximate time and date of the attack. For each attack, we would appreciate answers to the following questions in as much detail as possible, as well as any other information that will shed light on the attack and subsequent investigations:

1. Is the Syrian military aware of an attack that occurred at the given time in the given location?
2. Did the Syrian military conduct the attack described?

If yes:

3. What was the intended target of the attack? Was the target hit?
4. Did the Syrian military have information about enemy combatants being present in the area prior to the attack? If there were combatants, how many were estimated to be in the area?
5. Did the Syrian military have information about military objectives present in the area of the attack? If there were military objectives, what was their nature, use or purpose? What was the expected military advantage?
6. Was the attack on a pre-planned target or was it carried out as a target of opportunity or as close air support for troops on the ground?
7. Before conducting the attack, what steps did the Syrian military take to ascertain whether there were civilians or civilian buildings and objects in the area? Was there any intelligence shared from the ground – or from outside sources – that helped make this determination?
8. Was the military aware that there were civilians or civilian buildings and objects in the target area? If so, in the military's assessment, how many civilians were in the area?
9. What precautions did the Syrian military take to minimize civilian harm, including casualties and damage to civilian objects?

10. Has the Syrian military investigated the impact this attack had on civilians or civilian buildings and objects in the area, including civilian casualties? If so, what were the findings? On what information did you base these findings?
11. Please explain the processes, if any, by which civilians harmed by the strike can submit claims for compensation or so-called “condolence” payments.

If no:

12. Who conducted the attack?
13. Was the Syrian military involved in providing information, intelligence, or equipment that was used in the attack?
14. Were Syrian military officers or agents of the Syrian government involved in the coordination of the attack, including but not limited to airspace deconfliction?
15. Was the Syrian military part of the planning or preparation to carry out this attack?
16. Did Syrian military forces exercise any decision-making authority over the attack?
17. Who had final authority to authorize the attack?
18. Was the Syrian government debriefed about the attack? At what levels?
19. Has the Syrian military investigated the impact this attack had on civilians or civilian buildings and objects in the area, including civilian casualties? If so, what were the findings? On what information did you base these findings?

In addition to these questions, we would like to know if the Syrian armed forces have a policy of conducting investigations into strikes which resulted in large numbers of civilian casualties, regardless of whether evidence suggests violations of the laws of war. If so, how does the process work and are the findings made public?

Human Rights Watch has identified four other individuals who bear command responsibility for the actions of Syrian military forces in the Idlib area between March 2019 and March 2020:

- Syria’s President and Commander-in-Chief of Syria’s armed forces, Bashar al-Assad;
- Syria’s Minister of Defense and second in command of Syria’s armed forces, Lieutenant General Ali Abdullah Ayoub;
- Syria’s air force commander, Major General Ahmed Balloul.

Have any steps been taken by these individuals or other individuals in the military chain of command to address violations of international humanitarian law and/or other criminal acts associated with the military operations in the Idlib area from March 2019 to March 2020?

We would be pleased to reflect the responses that you provide in our report if they are received by September 7, unless you prefer that they remain confidential.

Thank you in advance for considering our request. Should you have any questions or comments, please feel free to reach out to my colleague Sara Kayyali at [REDACTED]

All the best,

Ida Sawyer
Acting Crisis and Conflict Director

Kenneth Roth, Executive Director

Deputy Executive Director

Michele Alexander, Development and Fundraising

Emma Daly, Media (Acting)

Barbara Pirto, Operations (Acting)

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HUMAN
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HRW.org

August 17, 2020

Sergey Viktorovich Lavrov

Minister of Foreign Affairs of the Russian Federation

Smolenskiy Bul'var, 32/34,

Moscow, Russia, 119002

Re: Russian Military Operations in Idlib, Syria

Dear Minister Sergey Lavrov,

I am writing on behalf of Human Rights Watch, which as you know, is an international nongovernmental human rights advocacy organization whose work involves investigating and documenting human rights abuses in over 90 countries across the world, including Syria and Russia.

We appreciate the dialogue we have had with the Foreign Ministry on Syria.

Human Rights Watch has carried out research on ground and air attacks in Idlib governorate in northwestern Syria, and we plan to publish a report on our findings in the coming weeks. I am writing to seek your response to several questions regarding this research, set out below. In the interests of thorough and objective reporting, we would appreciate if you could provide us with a reply by September 7 so that we can reflect your views and comments in our forthcoming report.

We have documented 46 ground and air attacks conducted by the Syrian-Russian military alliance that directly or indirectly hit or damaged civilian objects and infrastructure in Idlib between March 2019 and March 2020. Most of the attacks were in and around four main population centers: Ariha, Idlib city, Jisr al-Shughour, and Maarat al-Nu'man. Two attacks were in Maarat Misreen, 10 kilometers north of Idlib city, and four attacks were in four camps for displaced people near the towns of Dana, Hass, and Sarmada. In total, the 46 strikes killed at least 224 civilians and wounded 561 others, according to reports from witnesses, family members of victims, residents, local authorities, and health care and rescue workers. Injuries ranged from severe physical injury, which may have cost the victim a limb, to fragmentation wounds and others associated with the effects of blasts.

The strikes Human Rights Watch documented damaged 12 healthcare facilities, two ambulances, 10 schools, and a preschool, forcing many to shut down, in

some cases permanently. At least five markets, four camps housing displaced people, four residential neighborhoods, two industrial areas, one prison, a church, a football stadium, and the office of a nongovernmental organization (NGO) were also damaged during the attacks.

Human Rights Watch found that these attacks revealed a pattern of disregard for the laws of war and repeated apparent war crimes, that may amount to crimes against humanity. The attacks also seriously impaired enjoyment of the rights to health, education, and an adequate standard of living, including access to housing and food.

Human Rights Watch interviewed 113 victims and witnesses to the attacks, healthcare and rescue workers, teachers, local authorities, and experts on the Syrian and Russian militaries. Human Rights Watch also examined dozens of satellite images verified 550 photographs and videos that were taken at the relevant locations and posted during or just after the attacks.

Please find in the attached Annex details of each of the 46 attacks we documented, including the area of the attack, the civilian object that was damaged, and the approximate time and date of the attack. For each attack, we would appreciate answers to the following questions in as much detail as possible, as well as any other information that will shed light on the attack and subsequent investigations:

20. Is the Russian military aware of an attack that occurred at the given time in the given location?
21. Did the Russian military conduct the attack described?

If yes:

22. What was the intended target of the attack? Was the target hit?
23. Did the Russian military have information about enemy combatants being present in the area prior to the attack? If there were combatants, how many were estimated to be in the area?
24. Did the Russian military have information about military objectives present in the area of the attack? If there were military objectives, what was their nature, use or purpose? What was the expected military advantage?
25. Was the attack on a pre-planned target or was it carried out as a target of opportunity or as close air support for troops on the ground?
26. Before conducting the attack, what steps did the Russian military take to ascertain whether there were civilians or civilian buildings and objects in the area? Was there any intelligence shared from the ground – or from outside sources – that helped make this determination?
27. Was the military aware that there were civilians or civilian buildings and objects in the target area? If so, in the military's assessment, how many civilians were in the area?
28. What precautions did the Russian military take to minimize civilian harm including casualties and damage to civilian objects?

29. Has the Russian military investigated the impact this attack had on civilians or civilian buildings and objects in the area, including civilian casualties? If so, what were the findings? On what information did you base these findings?
30. Please explain the processes, if any, by which civilians harmed by the strike can submit claims for compensation or so-called “condolence” payments.

If no:

31. Who conducted the attack?
32. Were Russian military forces involved in providing information, intelligence, or equipment that was used in the attack?
33. Were Russian military officers or agents of the Russian government involved in the coordination of the attack, including but not limited to airspace deconfliction?
34. Were Russian forces part of the planning or preparation to carry out this attack?
35. Did Russian forces exercise any decision-making authority over the attack?
36. Who had final authority to authorize the attack?
37. Were Russian officials debriefed about the attack? At what levels?
38. Has the Russian military investigated the impact this attack had on civilians or civilian buildings and objects in the area, including civilian casualties? If so, what were the findings? On what information did you base these findings?

In addition to these questions, we would like to know if the Russian armed forces have a policy of conducting investigations into strikes which resulted in large numbers of civilian casualties, regardless of whether evidence suggests violations of the laws of war. If so, how does the process work and are the findings made public?

We understand that the individuals who commanded the Russian grouping of forces in Syria from March 2019 to March 2020 are:

- Colonel-General **Sergei Vladimirovich Surovikin** (from at least March 2019 until April 10, 2019);
- Colonel-General **Andrei Nikolaevich Serdyukov** (from April 10, 2019 until September 2019);
- Lieutenant-General **Alexander Yuryevich Chaiko** (from September 2019 until at least April 2020).

Have the individuals who commanded the Russian grouping of forces in Syria from March 2019 to March 2020 taken any steps to address violations of international humanitarian law and/or other criminal acts associated with the intervention in Syria from March 2019 to March 2020? Have other high-level officials in the chain of command done so? If so, when and by whom?

We would be pleased to reflect the responses that you provide in our report if they are received by September 7, unless you prefer that they remain confidential.

Thank you in advance for considering our request. Should you have any questions or comments, please feel free to reach out to my colleague [REDACTED]

Sincerely,

Ida Sawyer
Acting Crisis and Conflict Director