



‘NOWHERE IS SAFE FOR US’

UNLAWFUL ATTACKS AND MASS DISPLACEMENT IN
NORTH-WEST SYRIA

AMNESTY
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Cover photo: Ariha in southern Idlib, which was turned into a ghost town after civilians fled to northern Idlib, close to the Turkish border, due to attacks by Syrian government and allied forces.

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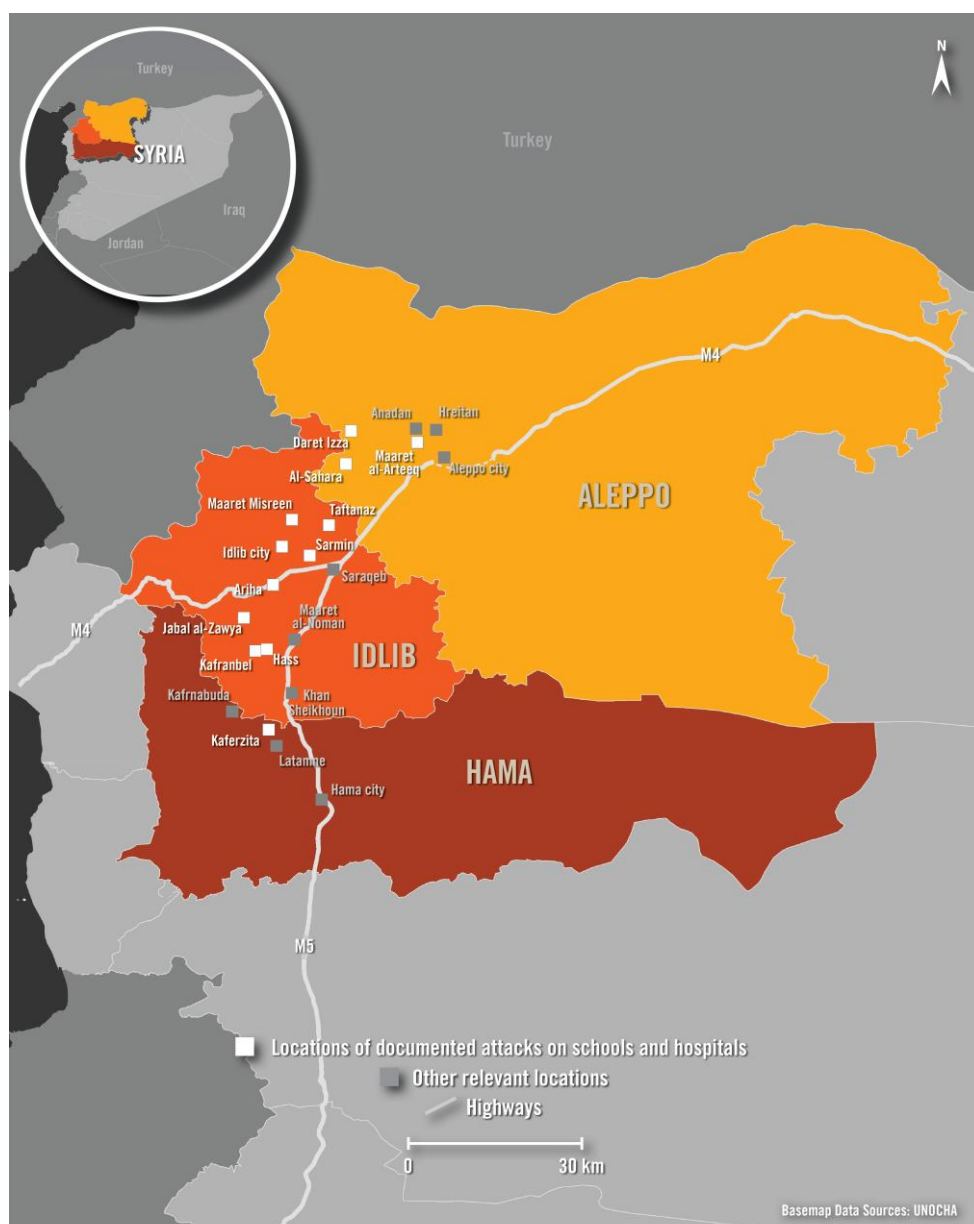
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MAP OF NORTH-WEST SYRIA



1. EXECUTIVE SUMMARY

Between December 2019 and March 2020, the Syrian government, backed by its ally Russia, subjected civilians in opposition-held areas in north-west Syria to a new wave of horrors. In an all-too-familiar pattern, attacks from the air and the ground repeatedly struck residential areas and crucial infrastructure. Yet even by the standards of this calamitous nine-year crisis, the resulting displacement and humanitarian emergency were unprecedented.

In towns and villages in Idlib and western Aleppo governorates, the barrage of attacks emptied out entire communities; the escalation was evidently a continuation of an offensive that began in April 2019 targeting the last pocket under the control of armed opposition groups. Cornered, and with nowhere left to go, civilians flooded already overstretched displacement camps, pitched tents in farms and schools, or ended up in the open in brutal weather. A strained humanitarian community struggled to meet overwhelming needs. And the international community, including the UN Security Council, once again remained largely paralysed as even the most basic humanitarian norms were politicized.

Amnesty International has examined the impact of the latest military offensive. The findings are based primarily on remote research conducted between January and April 2020. Researchers interviewed 74 people, including direct witnesses of attacks, displaced people who provided accounts of conditions in displacement, local and international aid workers and UN staff members. Researchers also reviewed videos and photographs, analysed satellite imagery and obtained logs of aircraft observations by flight spotters on the ground, as well as intercepted aircraft radio communication, to assess consistency with witness accounts. On 15 April 2020, Amnesty International sent letters summarizing its findings and requesting related information to the permanent missions of the Syrian and Russian governments to the UN in New York, as well as Hay'at Tahrir al-Sham, the largest coalition of armed groups in north-west Syria. No response had been received as of 4 May, when this report was finalized.

Amnesty International documented a total of 18 attacks on medical facilities and schools that happened between 5 May 2019 and 25 February 2020 in Idlib, north-western Hama and western Aleppo governorates. Of those, Syrian government forces carried out three ground attacks and two barrel bomb attacks. The remaining 13 attacks were air strike attacks: two by Syrian government forces, seven by Russian government forces, and four by Syrian or Russian government forces.

A doctor who survived one of the documented attacks – three air strikes in the vicinity of al-Shami hospital in Ariha on 29 January 2020 – told Amnesty International how the strikes flattened at least two residential buildings around the hospital, killed 11 civilians including one of his colleagues, and injured more than 30 others. “I felt so helpless. My friend and colleague dying, children and women screaming outside... We were all paralysed,” he said. “It took the civil defence two days to remove the bodies” from underneath the rubble of one the flattened buildings, he added. Based on corroborating witness statements and other credible information, particularly observations by flight spotters, Amnesty International concluded this unlawful attack was carried out by Russian government forces.

A teacher who witnessed an attack on a school in Idlib city on 25 February 2020 described to Amnesty International how a cluster munition explosion injured her and killed a student before her eyes. As soon as she had finished teaching the first period that day, the principal ordered everyone to evacuate the school due to a wave of attacks on the city. She and others who evacuated were walking past another nearby school when it was hit by a cluster munition. “A bomblet exploded close to my feet, blowing the flesh off... The pain was unbearable... Two students were walking in front of me. One died instantly and the other one, miraculously, survived... I know the sound of a cluster munition attack very well. You hear a series of small explosions. As if the sky were raining shrapnel instead of water,” she said. In total, three people were killed,

and five others injured. Amnesty International concluded this unlawful attack was carried out by Syrian government forces; it identified the remnant as a surface-fired, 220mm 9M27K cargo rocket, manufactured in Russia and transferred to the Syrian army, containing 9N210 or 9N235 cluster munitions, which are prohibited under international law.

Evidence shows that, in their entirety, the documented attacks by Syrian and Russian government forces entailed a myriad of serious violations of international humanitarian law. To name a few, the attacks were not directed at a specific military object and they violated the immunity from direct attack of civilians and civilian objects, as well as the special protection afforded to specific persons and objects, particularly medical facilities, medical personnel and children. These violations amount to war crimes. The attacks must also be viewed in the context of the well-established pattern of Syrian government forces targeting civilian infrastructure and civilians in areas under the control of armed opposition groups as part of a widespread and systematic attack on the civilian population, therefore constituting crimes against humanity.

The onslaught on residential areas and civilian infrastructure between December 2019 and early March 2020, when a ceasefire was reached, pushed close to 1 million people out of their homes and in the direction of the Turkish border. The vast majority of them were women and children. The UN described the resulting humanitarian crisis as the worst since the beginning of the conflict. Families converged on displacement camps that had already been packed to the brim; schools, abandoned sports facilities and other public buildings were turned into temporary shelters. Unable to afford exorbitant rents and down payments requested by property owners, many families also resorted to staying in unfinished buildings. At one point, the UN was reporting that tens of thousands of people were staying in the open in sub-zero temperatures.

Displaced families, many of whom have had to flee their homes several times over the past few years, described to Amnesty International the multiplicity of hardships and unsafe living conditions they faced in displacement. Many feared for the lives of their children amid credible reports of children freezing to death and families found dead of carbon monoxide poisoning in their tents. Many families were unable to find new sources of income and struggled to live off the limited food and cash assistance they were receiving from humanitarian organizations. Practically all those who spoke with Amnesty International described struggles due to minimal hours of electricity a day and inadequate sanitation conditions that undermined their inherent dignity and left them further exposed to disease. In some instances, displacement sites were subjected to attacks, further terrorizing residents; Amnesty International documented one such incident. A displaced woman who has three children and whose family was displaced twice in the past eight months said: “My daughter, who’s in first grade is always afraid... She asked me [after we were displaced]: ‘Why doesn’t God kill us?... Nowhere is safe for us.’”

In March and April 2020, after the ceasefire and the advent of the COVID-19 global pandemic, some of those who were displaced since December 2019 – an estimated 114,000 at the time of writing – returned to their original communities in Idlib and western Aleppo governorates. However, the vast majority of those who had fled the fighting remain in displacement. Many areas remain destroyed and uninhabitable. Civilians have also been fearful of returning to towns and villages that have been retaken or are at risk of being retaken by the government. There is a well-documented record of Syrian government forces arbitrarily arresting, torturing and forcibly disappearing civilians from opposition-held territories. During the latest escalation, too, there were credible reports of Syrian government forces unlawfully killing civilians and mutilating their bodies in towns they have retaken.

As such, the needs of those who live in displacement remain immense, including when it comes to shelter, food and sanitation, let alone longer-term necessities such as livelihood assistance and education. Even before the latest military escalation and mass displacement, the vast majority of those living in opposition-held areas in north-west Syria needed humanitarian aid, with relief organizations struggling with funding gaps. Amnesty International’s research shows how attacks by government forces and, to a lesser extent, interference by armed opposition groups have violated international humanitarian law and have undermined access to aid and crucial services. Government attacks caused massive interruptions in health and education services and displaced many humanitarian workers who were servicing their communities.

Humanitarian workers also said that in 2019 and to a lesser extent in 2020, Hay’at Tahrir al-Sham, the largest coalition of armed groups in north-west Syria, attempted to regulate the work of humanitarian organizations inside and outside camps through bureaucratic and financial measures. Since Hay’at Tahrir al-Sham, designated by the UN Security Council a “terrorist” group, expanded its control in north-west Syria, humanitarian organizations have been operating in an increasingly complex environment under pressure by donors and counter-terrorism regulations, but at the same time striving to honour their obligations and deliver independent and impartial assistance. Donors have been placing a disproportionate amount of the burden of mitigating the risk of aid diversion on humanitarian organizations, and at times have taken

measures such as cutting funding altogether to certain programmes, the latter action undermining the resilience of the community and causing a sense of stigmatization, humanitarians said.

The COVID-19 global health crisis is putting further pressure on the humanitarian response in a region where the health care system, battered by hostilities, is already struggling and far from equipped and where overcrowded displacement sites heighten the risk of transmission. Donors must ensure that a UN plan to prepare for and respond to a potential outbreak of the disease in north-west Syria receives the needed funds. All parties to the conflict must refrain from any actions that would impede rapid, impartial assistance.

Simply put, humanitarian assistance is needed more than ever in north-west Syria. Civilians cannot afford any interruptions in the provision of timely and sustained aid. Since it was established in 2014, the UN's cross-border aid mechanism has been key in ensuring that the massive needs of civilians in the area have been met. It is unrealistic to expect aid from within the country, which requires the authorization of a government that has a track record of curtailing assistance, to replace cross-border aid. As it is, inaction and piecemeal measures by the international community have facilitated all sorts of violations against civilians on a massive scale since the beginning of the Syrian crisis. The renewal of this crucial aid mechanism cannot continue to be politicized every time it is up for a vote in the UN Security Council. The council must ensure that the mechanism remains functional as originally envisaged in Security Council resolution 2165, meaning also reinstating the UN's ability to deliver aid through the al-Yarubiyah crossing point to north-east Syria, another region with overwhelming needs.

2. METHODOLOGY

This report is based on research conducted by Amnesty International between January and April 2020. It focuses primarily on the impact of the military campaign by the Syrian government and its allies in north-west Syria, in particular Idlib and western Aleppo governorates, between December 2019 and March 2020. It documents attacks carried out by Syrian government and allied Russian government forces on medical facilities and schools between January and February 2020 in Idlib and western Aleppo governorates and assesses their lawfulness. It also outlines, and provides additional recently obtained evidence and corresponding analysis related to, similar attacks in 2019 in Idlib and north-western Hama governorate that Amnesty International had previously documented and concluded were unlawful. Furthermore, it examines the displacement of civilians and humanitarian crisis that have resulted from this military campaign and how the actions of the Syrian government and the armed opposition group Hay'at Tahrir al-Sham have affected civilians' access to aid. Finally, it addresses concerns about the continuity of the UN cross-border aid mechanism, which has been critical to ensuring an effective humanitarian response in the region for years.

The research had to be undertaken outside Syria. On the one hand, the Syrian government has not allowed Amnesty International researchers to access areas that it controls since 2011. On the other, Amnesty International has not been able to visit areas of north-west Syria controlled by armed opposition groups. The organization has been unable to conduct research in Idlib and Aleppo governorates since 2013, mostly due to security concerns. However, on 11 March 2020, it requested permission from Turkish authorities to access Idlib from Turkey but received no response. The Syrian authorities also prevent the Independent International Commission of Inquiry on the Syrian Arab Republic (Commission of Inquiry), the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (International, Impartial and Independent Mechanism) and non-governmental human rights organizations from entering Syria.

Amnesty International researchers interviewed a total of 74 people. They included teachers, doctors, humanitarian workers from 13 local and nine international non-governmental organizations (NGOs), as well as six UN staff members from various agencies and offices. Interviewees included 27 people who had been displaced, a dozen of whom provided detailed accounts of conditions in displacement, and 16 people who had witnessed attacks by Syrian or Russian government forces. The vast majority of these interviews were conducted remotely by telephone, email or messaging applications; Amnesty International acknowledges that its sample does not therefore include members of displaced communities who do not have access to telecommunication services and electricity. In-person interviews were conducted in Beirut and New York. The names and detailed affiliation of interviewees have been withheld to protect their safety and confidentiality.

Amnesty International corroborated testimonies about air and ground attacks on schools and hospitals by examining satellite imagery and using its Digital Verification Corps, a network of volunteers trained in social media verification, to review and analyse open source videos and images related to documented attacks. Furthermore, the organization obtained logs of aircraft observations by flight spotters on the ground in north-west Syria, as well as intercepted aircraft radio communication transmissions between Russian and Syrian air force pilots and their controllers on the ground.¹ Amnesty International's weapons expert provided analysis of relevant open source evidence and photographs of weapon remnants obtained from witnesses, as well as the intercepted aircraft radio communication transmissions and logs of aircraft observations.

¹ Anonymous information on file with Amnesty International.

Amnesty International researchers reviewed reports by various UN agencies, including the Office for the Coordination of Humanitarian Affairs (OCHA), the World Health Organization (WHO), the UN Children's Fund (UNICEF), the Office of the High Commissioner for Human Rights (OHCHR) and the UN Refugee Agency (UNHCR), as well as the Commission of Inquiry. Also, researchers reviewed reports by international humanitarian organizations, compiled data and statistics from Syrian humanitarian organizations present in Idlib and corresponded with the Idlib Health and Education Directorates, the co-ordinating entities for these services in the governorate.

On 15 April 2020, Amnesty International communicated its key findings in letters addressed to the permanent missions of the Syrian and Russian governments to the UN in New York, as well as Hay'at Tahrir al-Sham, the largest coalition of armed groups in north-west Syria. No response had been received as of 4 May, when this report was finalized.

Amnesty International expresses its deep gratitude to the internally displaced people, activists, humanitarian and medical workers, teachers and UN staff who took the time to speak to us about their work and experiences.

3. BACKGROUND

Between 2012 and 2018, the Syrian government and various armed opposition groups regularly fought each other for control of territory in north-west Syria. Armed groups took control of the western part of Aleppo governorate by 2012, Idlib governorate by 2014² and the north-western part of Hama governorate by 2018.³ By 2019, following armed clashes between rival armed opposition groups, Hay'at Tahrir al-Sham, a coalition of armed groups associated with al-Qa'ida, including Jabhat Fateh al Sham (formerly known as Jabhat al-Nusra), consolidated its control over Idlib governorate, the western part of Aleppo governorate and the north-eastern part of Latakia governorate and shared military control of the north-western part of Hama governorate with the National Liberation Front, a coalition of armed groups supported by Turkey.⁴ In November 2017 Hay'at Tahrir al-Sham had already established what it called a "Salvation Government" to govern civilian affairs, local councils and courts in these locations.⁵

On 17 September 2018, Russia and Turkey met in the Russian city of Sochi and agreed to delay a Syrian government military offensive on Idlib and establish a 15km-wide "demilitarized zone" along the border between opposition and government-controlled areas.⁶ The deal included the deployment of joint Russian and Turkish patrols to ensure that armed groups and Syrian government forces remained outside of the designated zone. However, the demilitarized zone was not created.

On 30 April 2019, the Syrian government launched an offensive on north-western Hama, the last opposition stronghold in the governorate, and southern Idlib governorate.⁷ The Russian government, whose forces have been present in Syria since September 2015 providing military training and material support to Syrian

² With the exception of the two besieged towns of al-Foua and Kefraya, where the predominantly Shi'a Muslim inhabitants continued to be governed by the Syrian government until they were forcibly displaced in two batches on 15 April 2017 and 18 July 2018. See Al Arabiya, "Idlib almost under the full control of the Syrian armed opposition", 28 July 2015, bit.ly/1RsGRxM; Amnesty International, *'We leave or we die': Forced displacement under Syria's 'reconciliation' agreements* (Index: MDE 24/7309/2017, hereinafter: Amnesty International, *'We leave or we die'*); Al Jazeera, "Syria: Buses arrive to evacuate two rebel-besieged Shia towns", 18 July 2018, bit.ly/2Rsp7x8

³ Jeffrey Bolling, "Rebel Groups in Northern Aleppo Province", Institute for the Study of War, 29 August 2012, bit.ly/3aXdoOM; Barbara Surk, "Islamist fighters take army base as rebel forces make gains in Aleppo", Associated Press, 16 December 2012, bit.ly/3aXL52y The armed group that controlled most territory in Idlib governorate between 2014 and 2018 was the Army of Conquest, known in Arabic as Jaysh al-Fateh, which included Jabhat al-Nusra and Ahrar al-Sham Islamic Movement. Zaiton, "With the exception of Jund al-Aqsa... new formation in the Army of Conquest", 2 May 2016, www.zaitonmag.com/?p=13096 (in Arabic); Chris Tomson, "Breaking: ISIS agrees to surrender all its territory in rural Hama to the Syrian Army", Al Masdar News, 21 September 2017, bit.ly/2wrohtb; Syrian Observatory for Human Rights, "Hayyaat Tahrir al-Sham and the National Liberation Front arrest more than 40 people accused of 'collaborating with the regime to achieve reconciliation' and others on charges of 'ISIS cells'", 29 August 2018, www.syria-hr.com/en/?p=101308; Reuters, "Factbox: Who controls what in Syria?", 5 September 2018, reut.rs/2UTIZLu

⁴ Thomas Joscelyn, "Al Qaeda and allies announce 'new entity' in Syria", *Long War Journal*, 28 January 2017, bit.ly/2RnDQtd; Enab Baladi, "11 armed groups form 'National Liberation Front' in Idlib", 29 May 2018, www.enabbaladi.net/archives/231479 (in Arabic); Zulfikar Ali, "Syria: Who's in control of Idlib?", BBC, 18 February 2020, www.bbc.com/news/world-45401474; Syrian Observatory for Human Rights, "After 9 days of bloody clashes, Hayyaat Tahrir al-Sham with the 'jihadi' factions control about 80% of the area of what is left for the opposition factions within Syrian territory", 9 January 2019, www.syria-hr.com/en/?p=111974

⁵ Aymenn Jawad Al-Tamimi, "Idlib and Its Environs: Narrowing Prospects for a Rebel Holdout", The Washington Institute, February 2020, bit.ly/2wvBVLU; Shaam Network, "Agreement between Tahrir al-Sham and National Liberation Front end armed clashes... all of the liberated area affiliated to Salvation Government", 10 January 2019, bit.ly/3b6bFGo (in Arabic). The official website of the "Salvation Government" is available at syriansg.org/

⁶ Reuters, "Turkey, Russia agree borders of Idlib demilitarized zone", 21 September 2018, reut.rs/3a28TRT

⁷ Reuters, "Explainer: Why the war in Syria's Idlib escalated again", 9 May 2019, reut.rs/2JQseur

government forces, acknowledged taking part in the offensive in the form of conducting attacks on “terrorist” positions in Idlib governorate and countering attacks targeting its Hmeymim military air base.⁸

Between May and August 2019, three ceasefire proposals were announced by the Syrian government, all of which were rejected by Hay’at Tahrir al-Sham and the National Liberation Front.⁹

On 30 August 2019, the Syrian government unilaterally announced a ceasefire and suspension of attacks on Idlib governorate.¹⁰ By that time, the Syrian government had recovered control of the north-western part of Hama governorate and the town of Khan Sheikhoun in southern Idlib governorate.¹¹

Around mid-November 2019, armed clashes between parties to the conflict resumed. From 1 December 2019 until early March 2020, the Syrian government and its allies significantly escalated air and ground attacks on civilians and civilian objects in southern Idlib and western Aleppo governorates. On 9 January 2020, Turkey and Russia agreed to a 72-hour “humanitarian pause”, which went into effect on 12 January allowing the distribution of humanitarian aid.¹² On 15 February 2020, Syrian armed forces captured the Damascus-Aleppo highway, also known as M5, and began attacking the western part of Aleppo governorate.¹³ By 2 March 2020, the Syrian government had recovered control of Maaret al-Noman, Saraqeb and Kafranbel in southern Idlib governorate and Hreitan and Anadan in the western part of Aleppo governorate.¹⁴

On 27 February 2020, an air strike by the Syrian government killed 33 Turkish soldiers in Idlib.¹⁵ On 1 March 2020, in retaliation for the deaths, Turkey announced “Operation Spring Shield” against the Syrian government, attacking several military positions.¹⁶ On 5 March 2020, Russia and Turkey agreed to a ceasefire deal requiring them to halt armed clashes and carry out joint patrols on the Aleppo-Latakia highway, also known as M4.¹⁷

⁸ Agence France Presse, “Russia tested ‘over 200 new weapons’ in Syria: MP”, 22 February 2018, bit.ly/3c99vGu; Douglas Barrie, “Russian weapons in the Syrian conflict”, The International Institute for Strategic Studies, 8 May 2018, bit.ly/2UX2see; TASS, “Strikes against Idlib terrorists will continue, says Russian envoy”, 25 April 2019, tass.com/world/1055820; TASS, “Russian planes hit targets in Syria using only confirmed reconnaissance data – diplomat”, 23 May 2019, tass.com/world/1059790; TASS, “Russia’s Aerospace Force can use standard air bombs as precision weapons”, 18 June 2019, tass.com/defense/1064347; TASS, “Russian submarine, missile ships take part in naval parade in Syrian Tartus”, 28 July 2019, tass.com/society/1070736; TASS, “Hmeymim airbase’s defense systems destroy terrorists’ UAVs”, 11 August 2019, tass.com/defense/1072963; TASS, “Russian aviation expands patrol area in Syria”, 27 November 2019, tass.com/defense/1093111; Tom O’Connor, “Russia and Syria hold first navy drills together as they launch new assault”, *Newsweek*, 19 December 2019, www.newsweek.com/russia-syria-drills-new-offensive-1478351; TASS, “Russia cannot just sit and wait for further developments in Syria’s Idlib – diplomat”, 12 February 2020, tass.com/world/1119083; TASS, “Russia’s Su-24 bombers strike terrorists in Idlib”, 20 February 2020, tass.com/defense/1122499; *The Moscow Times*, “Russia Sends Warships as Turkish Troops Killed in Syria”, 28 February 2020, bit.ly/2UWn3zs

⁹ Reuters, “Amid lull in air strikes, rebels reinforce NW Syria frontlines”, 18 May 2019, reut.rs/34z8pl7; Al Masdar News, “Ahrar Al-Sham rejects ceasefire in northwestern Syria, vows to keep fighting”, 12 June 2019, bit.ly/2x8MtB0; Reuters, “Syrian media report ceasefire agreed in Idlib”, 1 August 2019, reut.rs/3aY06S1

¹⁰ BBC, “Syria war: Russia announces ceasefire in Idlib rebel stronghold”, 30 August 2019, bbc.in/2x8MDZ8

¹¹ Aymenn Jawad Al-Tamimi, “Idlib and Its Environs: Narrowing Prospects for a Rebel Holdout”, The Washington Institute, February 2020, bit.ly/3a2iyl8; Raja Abdulrahim, “Syrian Government Captures Strategic Town in Last Opposition Stronghold”, *The Wall Street Journal*, 20 August 2019, on.wsj.com/2VeWd4x

¹² Reuters, “Turkey says ceasefire will be implemented in Syria’s Idlib Jan. 12”, 10 January 2020, reut.rs/2Rq6iKO

¹³ VOA News, “Syrian Government Captures Last Stretch of Highway Between Damascus and Aleppo”, 15 February 2020, bit.ly/3c5DBuB

¹⁴ Al Masdar News, “Syrian Army continues advance in Idlib, seizes new town”, 29 January 2019, bit.ly/3e9l6r2; Reuters, “Turkish-backed rebels say they seized town in Syria’s Idlib in first advance”, 25 February 2020, reut.rs/2UWdTDh; Orhan Coskun and Suleiman Al-Khalidi; “Syrian government forces re-enter strategic town, Turkey vows to keep up strikes”, Reuters, 2 March 2020, reut.rs/3c1lzlK; Reuters, “Russia says rebel positions in Syria’s Idlib have merged with Turkish army posts”, 4 March 2020, reut.rs/2Ve1b1A; TASS, “Russian military police deployed to Syria’s Saraqib”, 2 March 2020, tass.com/defense/1125825

¹⁵ Reuters, “Attack in Syria’s Idlib killed 33 Turkish soldiers: Hatay governor”, 28 February 2020, reut.rs/2y5R8Dy

¹⁶ Sarp Ozer, “Turkey announces Operation Spring Shield in Idlib, Syria”, Anadolu Agency, 1 March 2020, bit.ly/3c6o4La

¹⁷ Reuters, “First Russian-Turkish patrol on Syrian highway cut short by protests”, 15 March 2020, reut.rs/39SShM5

4. ATTACKS ON MEDICAL FACILITIES AND SCHOOLS

“Is [President Bashar al-Assad] attacking us because we are providing medical treatment to human beings?”

Doctor, al-Shami hospital, March 2020.

On 17 February 2020, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, described the humanitarian situation in north-west Syria as “the biggest humanitarian horror story of the 21st century”, adding: “The violence in north-west Syria is indiscriminate. Health facilities, schools, residential areas, mosques and markets have been hit. Schools are suspended, many health facilities have closed.”¹⁸ His statement came against a backdrop of serious violations of international humanitarian law committed by the Syrian government and its allies in north-west Syria, including north-western Hama governorate, Idlib governorate and western Aleppo governorate, since the start of their offensive on 30 April 2019.¹⁹

These violations included air strikes and ground attacks, in some cases using internationally banned cluster munitions, on medical facilities, such as hospitals, specialized medical clinics and physiotherapy centres, and schools, some of which are used as shelters for internally displaced people. Between 30 April 2019 and 29 February 2020, 53 medical facilities and 95 schools were struck in attacks by government forces in the above-mentioned locations, according to local sources.²⁰ Many of the medical facilities that were attacked were on a deconfliction list managed by the UN; the list is part of a system through which relief groups in Syria share the locations of medical facilities and other humanitarian sites with Russian, Turkish and US-led coalition forces with the objective of preventing them being attacked.²¹

¹⁸ OCHA, *Under-Secretary-General for humanitarian affairs and emergency relief coordinator, Mark Lowcock: Statement on northwest Syria*, 17 February 2020, bit.ly/2JRLiZd

¹⁹ Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib* (Press release, 17 May 2019), bit.ly/2UTnQRE (hereinafter: Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019); UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57; UN Office of the High Commissioner for Human Rights (OHCHR), “UN human rights chief horrified by escalating humanitarian crisis in Syria”, 18 February 2020, bit.ly/2xcN7Nu

²⁰ Email correspondence with the Idlib Health Directorate, 11 March 2020; phone interview with Hurras Network, 23 March 2020.

²¹ “Deconfliction: The exchange of information and planning advisories by humanitarian actors with military actors in order to prevent or resolve conflicts between the two sets [of] objectives, remove obstacles to humanitarian action, and avoid potential hazards for humanitarian personnel. This may include the negotiation of military pauses, temporary cessation of hostilities or ceasefires, or safe corridors for aid delivery.” OCHA, *To Stay and Deliver: Good practice for humanitarian in complex security environments*, 2011, www.unocha.org/sites/unocha/files/Stay_and_Deliver.pdf, p. xiv.

In August 2019, UN Secretary-General António Guterres established a board of inquiry to investigate “incidents” that destroyed or damaged “facilities on the deconfliction list and UN-supported facilities” in north-west Syria.²² In April 2020, a summary of the conclusions reached by the board, which did not have the mandate to make “any findings of law or any recommendations regarding... legal liability”, was made public.²³ The board concluded that it was “highly probable” that “the Government of Syria and/or its allies” carried out three air attacks.²⁴ Two of these attacks involved fixed-wing aircraft only while the third involved fixed-wing and rotary-wing aircraft.²⁵ It was “plausible” the damage in a fourth incident “was attributable to the Government of Syria and its allies,” the board said, explaining it found it difficult to determine how the attack was delivered.²⁶ It added that, in one strike, a barrel bomb attack with a rotary-wing aircraft, it was “highly probable” Syrian forces acted alone.²⁷ It was “highly probable” a ground rocket attack it investigated was carried out by “armed opposition groups or by Hayat Tahrir al-Sham”, the board also said.²⁸

In its report released in March 2020, the Commission of Inquiry – whose mandate includes identifying those responsible with a view to them being ultimately held accountable – for the first time implicated Russia in direct involvement in unlawful attacks on civilian infrastructure in Syria amounting to war crimes.²⁹ Citing substantial evidence of two unlawful attacks in Idlib governorate on 22 July 2019 and 16 August 2019, the findings mirrored reporting on other attacks where responsibility was assigned to Russia by human rights organizations and news media, including *The New York Times*, which had obtained recordings of cockpit conversations between Russian fighter pilots and their ground control directly discussing individual strikes.³⁰

For its part, Amnesty International documented a total of 18 attacks on medical facilities and schools carried out between 5 May 2019 and 25 February 2020. The organization maintains that, of those, Syrian government forces carried out three ground attacks and two barrel bomb attacks from helicopters, while the remaining 13 attacks were launched by fixed-wing aircraft: two by Syrian government forces, seven by Russian government forces, and four by Syrian or Russian government forces.

Amnesty International’s investigation into attacks detailed in this report has led it to conclude that Syrian and Russian government forces have been responsible for serious violations of international humanitarian law in north-west Syria by intentionally directing attacks against civilians and civilian objects such as hospitals and schools, failing to distinguish between civilians and fighters, and using prohibited weapons in attacks that killed or injured civilians.³¹ These violations constitute war crimes. They are also part of a well-established pattern of Syrian government forces targeting civilians, medical facilities, schools, homes and other civilian infrastructure in areas controlled by opposition forces. These prohibited acts have been systematically carried out by the government in Idlib, Aleppo and other governorates in Syria, including Damascus Countryside, Daraa and Homs, in furtherance of the state’s policy to punish civilians in opposition-held areas.³² As such they form part of the state’s widespread, as well as systematic, attack against the civilian population and constitute crimes against humanity.³³

In addition, the Russian government has continued to provide invaluable military support to Syrian military operations despite evidence that its support is facilitating the commission of war crimes and crimes against humanity.

²² UN, “Secretary-General Establishes Board to Investigate Events in North-West Syria since Signing of Russian Federation-Turkey Memorandum on Idlib”, 1 August 2019, bit.ly/2UWRfL2

²³ UN Secretary-General, *Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents in northwest Syria*, 6 April 2020, bit.ly/2RyTqIR (hereinafter: UN Secretary-General, *Summary of the report of the Board of Inquiry*), para. 5. The board looked at seven attacks that took place between April and July 2019; the attacks were on four medical facilities, a school, a refugee camp and a centre for child-protection services. One of the incidents was dropped from the review because the board determined it did not fit within its mandate.

²⁴ UN Secretary-General, *Summary of the report of the Board of Inquiry*, paras 37, 73, 79.

²⁵ UN Secretary-General, *Summary of the report of the Board of Inquiry*, paras 36, 72, 78.

²⁶ UN Secretary-General, *Summary of the report of the Board of Inquiry*, paras 56 and 57.

²⁷ UN Secretary-General, *Summary of the report of the Board of Inquiry*, paras 48 and 49.

²⁸ UN Secretary-General, *Summary of the report of the Board of Inquiry*, paras 62 and 63.

²⁹ UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, paras 22-25.

³⁰ See, for example, Evan Hill and Christiaan Triebert, “12 Hours. 4 Syria hospitals Bombed. One Culprit: Russia”, *The New York Times*, 13 October 2019, nyti.ms/2R4FTSw; Evan Hill, Christiaan Triebert, Dmitry Khavin, Malachy Browne and David Botti, “‘Sent Candy’: Cockpit tapes show Russian pilots bombing Syrian civilians”, *The New York Times*, 1 December 2019, nyti.ms/2UMmnvd

³¹ International Committee of the Red Cross, *Customary International Humanitarian Law, Vol. 1: Rules* (hereinafter: ICRC, *Customary IHL Study*), Rules 1, 15, 20, 28 and 71; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (also known as Protocol II), Article 13(1).

³² For examples of the widespread, as well as systematic, nature of the government’s attack on the civilian population see, among other reports, Amnesty International, *‘We leave or we die’: Amnesty International, Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019; Amnesty International, *Syrian and Russian forces targeting hospitals as a strategy of war* (Press release, 3 March 2016), bit.ly/2KmGDia; Amnesty International, *‘Death everywhere’: War crimes and human rights abuses in Aleppo, Syria* (Index: MDE 24/1370/2015); Amnesty International, *‘Left to die under siege’: War crimes and Human Rights abuses in Eastern Ghouta, Syria* (Index: MDE 24/2079/2015).

³³ Rome Statute of the International Criminal Court, Article 7.

4.1 ATTACKS ON MEDICAL FACILITIES

According to the Idlib Health Directorate, which co-ordinates medical services in the governorate and oversees the work of medical facilities run by Syrian and international humanitarian organizations, Syrian government air and ground attacks or Russian government air attacks damaged or destroyed 10 medical facilities in Idlib and Aleppo between December 2019 and February 2020, killing nine medical and other staff.³⁴

Amnesty International documented a total of six attacks on five hospitals and a primary health care centre located in areas under the control of armed opposition groups, including Sarmin, Ariha and Taftanaz in Idlib, and Daret Izza in Aleppo, carried out between January and February 2020. Of those, two were air strike attacks by Russian government forces, and another two were air strike attacks by Syrian or Russian government forces. In addition, Syrian government forces carried out one attack by ground fire, and another by dropping unguided barrel bombs, a weapon used exclusively by Syrian government forces. The organization obtained testimonies from six doctors, a nurse and four administrative workers. It also verified and reviewed videos, photographs and satellite imagery that corroborated witness accounts. All the individuals interviewed told Amnesty International that there were no active front lines or other military objectives in the vicinity of the medical facilities struck.

In all six cases, witnesses told Amnesty International that the medical facilities had to shut down as a result of the damage and destruction incurred by the attacks and due to fear of new ones. Four out of the six medical facilities were operational at the time of the attacks, while the other two had been evacuated beforehand due to an escalation in hostilities. Afterwards, one of the medical facilities was relocated to northern Idlib close to the border with Turkey, and a second was relocated to Maaret Misreen, a town in northern Idlib, where it was thought it would be safe from attacks.

This section examines in detail attacks on three hospitals in January 2020: al-Shami hospital in Ariha, and al-Ferdous hospital and al-Kinana hospital in Daret Izza. It then summarizes attacks on three medical facilities in Sarmin and Taftanaz in February 2020. Finally, it provides an overview of attacks on medical facilities in Idlib and Hama governorate in 2019 that Amnesty International had documented in previous publications, providing additional recently obtained evidence and corresponding analysis related to these attacks.

AL-SHAMI HOSPITAL IN ARIHA

Between 10.30pm and 11pm on 29 January 2020, Russian government forces launched a series of three air strikes that appear to have targeted al-Shami hospital in Ariha, a town in central Idlib, striking residential buildings in its immediate vicinity. The hospital was on the UN deconfliction list. Ground spotter reports analysed by Amnesty International showed that only Russian aircraft were observed in Ariha's airspace between 10.22pm and 11.10pm, consistent with the time of the air strikes on al-Shami hospital according to witnesses' testimonies and verified open source videos and images.

Two doctors and an administrative worker present at the hospital at the time of the attack, as well as another doctor who visited the hospital a day after it, all told Amnesty International separately that warplanes launched multiple strikes in the vicinity of the hospital, causing significant material damage to the hospital and flattening at least two residential buildings. According to one of the doctors who survived the attack and Islamic Relief, the organization supporting the hospital, one doctor at the hospital and at least 10 civilians living in nearby residential buildings were killed and at least 35 civilians were injured in the attack.³⁵

The administrative worker who survived the attack told Amnesty International:

The attack happened while the medical staff were at the hospital. It was a normal day... The first strike was around 10.35pm. I was on the ground floor sitting at my desk as usual. I heard a warplane but only for a second and then the explosion happened. I didn't have time to hide... I went outside to see what had happened. After five minutes, the second strike happened. I didn't hear a warplane because everything happened very quickly. When the second strike was happening, I felt heat as if I

³⁴ Email correspondence with the Idlib Health Directorate, 11 March 2020.

³⁵ Phone interview, 20 February 2020; Ehab Khaled, "The director of al-Shami hospital dies in a Russian strike", Baladi News, 1 February 2020, bit.ly/2J5FcnB (in Arabic); Islamic Relief, *Islamic Relief-supported hospital hit in Idlib as latest escalation in Syria displaces thousands*, 1 February 2020, bit.ly/34RJy0

was in an oven. I was OK, but I saw the body of one staff member at the entrance. I called for help and two medical staff carried his body to the basement, but he didn't make it. The third strike happened around 15 minutes after the second strike.³⁶

A doctor who was present at the hospital at the time described the attack and its aftermath to Amnesty International in a separate interview:

The [first] explosion was east of the hospital; the entrance door of the hospital was blown off. [Then] another bomb fell west of the hospital... We ran towards the basement... A few minutes later, while we were all in the basement, another explosion happened... I heard people on the ground floor screaming. I went with my colleague and found the director of the hospital on the floor... I could hear children and women screaming outside. We could still hear warplanes, so we couldn't go out. We knew another strike would happen. I felt so helpless. My friend and colleague dying, children and women screaming outside... We were all paralysed. I am a humanitarian worker; my job is to help people, but we were constrained, devastated and paralysed. Is [President Bashar al-Assad] attacking us because we are providing medical treatment to human beings? The attack hit the residential buildings around us... After the third strike, which happened around 15 minutes after the second strike, we went out of the hospital. I saw a building around five floors high – as I remember – flattened. It took the civil defence two days to remove the bodies... Another building was also flattened.³⁷

Satellite imagery, videos and photographs analysed and reviewed by Amnesty International corroborate witness accounts, showing damage to three buildings in the immediate vicinity of the hospital (approximately 20-30m away in each case) and were consistent with the time frame of the attack.

Al-Shami hospital closed after the attack due to the damage to equipment in it and the advance of government forces into Ariha.



Satellite imagery taken on 19 December 2019 showing al-Shami hospital and its environs before the three air strikes that took place on 29 January 2020. @ DigitalGlobe

³⁶ Phone interview, 5 March 2020.

³⁷ Phone interview, 4 March 2020.



Satellite imagery taken on 3 February 2020 showing al-Shami hospital and its environs after the three air strikes that took place on 29 January 2020. Damage to adjacent buildings is visible in the orange squares. @ DigitalGlobe
The inset photographs, taken on 30 January 2020, show civil defence volunteers inspecting the remains of the building hit in the second and third air strike. @ Enab Baladi

AL-FERDOUS HOSPITAL AND AL-KINANA HOSPITAL IN DARET IZZA

At approximately noon on 17 February 2020, either Syrian or Russian government forces launched two air strike attacks on hospitals in Daret Izza, a town in western Aleppo. The first strike was on al-Ferdous hospital, injuring one staff member; the second, around 10 minutes later, hit al-Kinana hospital, causing material damage but no casualties. The two hospitals are around 300m apart.

Reports from ground spotters analysed by Amnesty International showed that an unspecified Russian fighter jet, a Syrian air force Yak-130 fighter jet, and a Su-24 fighter jet, of either Syrian or Russian forces, were all in the immediate airspace over Daret Izza between 11.04am and 12.43pm.

A doctor and an administrative worker at al-Ferdous hospital told Amnesty International in separate interviews that they were among around 40 staff and 20 patients, including some receiving kidney dialysis treatment, who were present at the hospital at the time of the first air strike.³⁸ The doctor added:

The paediatrics, obstetrics, gynaecology and kidney dialysis divisions were all providing services to people. We received a warning that a warplane was circling in the sky. We tried as much as possible to hide in the rooms which are not fortified but possibly safer than other places in the hospital. Around 11.50am we heard an explosion. The pressure broke doors and windows. A lot of dust filled the rooms... We immediately realized that the hospital was the target... The aftermath of the attack was horrible. Everyone panicked, but luckily, we didn't have a lot of patients in the hospital because people were afraid to go to hospitals knowing they're a target...³⁹

An administrative worker at al-Kinana hospital described the events of the day to Amnesty International:

We went to the hospital at 8.30am as usual... The Syrian government was not attacking Daret Izza so we didn't expect any attacks on the hospital... We were shocked around 12pm to hear an explosion. I stepped outside of my office and saw smoke... We were told that al-Ferdous hospital was targeted. I got scared... We all went down to a kind of basement; 70% of it is underground. Around 10 minutes later, our hospital was struck. We heard an explosion – walls shook, dust filled the room – and we

³⁸ Phone interviews, 4 and 13 March 2020.

³⁹ Phone interview, 4 March 2020.

heard windows shatter. We stayed in hiding until the warplane left the airspace. We had only one patient, who went into hiding with us. Nobody was injured.⁴⁰

Amnesty International reviewed videos and other open source material pertaining to the two attacks showing damage to the interior and exterior of both hospitals and found that they aligned with witness testimony.

Both al-Ferdous hospital and al-Kinana hospitals closed after the attacks due to the damage inflicted on their facilities, including medical equipment and generators.

MEDICAL FACILITIES IN SARMIN AND TAFTANAZ

On 4 February 2020, the primary health care centre in Sarmin, central Idlib, was attacked from the air by Russian government forces. According to the Union of Medical Care and Relief Organizations (Union des Organisations de Secours et Soins Médicaux, UOSSM), a Syrian humanitarian organization, the centre was hit around 10.15am.⁴¹ Ground spotter reports from 4 February 2020 reviewed by Amnesty International showed four instances of Russian aircraft circling over Sarmin between 9.15am and 10.46am, during which time the attack on the primary health care centre took place. In addition, there are no records of Syrian government aircraft flying over Sarmin at that time. Satellite imagery taken on 27 February 2020 shows destruction in the south-east corner of the primary health care centre consistent with photographs of the aftermath of the attack shared by hospital staff with Amnesty International.

Sarmin hospital, a separate medical facility nearby, sustained damage from ground fire by Syrian government forces, which most likely lasted over several days beginning on 4 February 2020. Due to fear of attack, the two medical facilities had been evacuated at the beginning of February 2020.⁴²

The next day, on 5 February 2020, at approximately 4.40pm, Syrian government forces dropped two unguided barrel bombs in the vicinity of al-Hikma hospital in Taftanaz, a town in northern Idlib. One landed around 30m north of the hospital, the other around 50m south-east of it. At the time of the attack, a medical team and two patients were present. Ground spotter reports on 5 February 2020 reviewed by Amnesty International showed that an Mi-8 helicopter, operated by Syrian government forces, was observed at 4.07pm at Hama military air base heading north, in the direction of Taftanaz. The same type of helicopter is then observed over Taftanaz between 4.26pm and 4.29pm, and again between 4.37pm and 4.40pm, during which time the attack on al-Hikma hospital took place. The attack caused material damage to the hospital, but no casualties. As a result, the hospital was relocated to Maaret Misreen in northern Idlib, where attacks in its vicinity later in February caused interruptions in its work.⁴³

ATTACKS ON MEDICAL FACILITIES IN 2019

Amnesty International documented a total of five air strike attacks on four hospitals that happened between 5 and 11 May 2019: two on Nabad al-Hayat hospital in Hass and one each on Kafranbel surgical hospital, al-Sham hospital in Kafranbel and Kaferzita surgical unit (also known as Kaferzita cave hospital). Of those attacks, one was carried out by Syrian government forces, three by Russian government forces, and one by Syrian or Russian government forces. All of these facilities are now out of service.

On 5 May 2019, Syrian and Russian government forces carried out multiple air strikes at around 10am and 2.40pm, destroying Nabad al-Hayat hospital in Hass, southern Idlib. There were no casualties. Three days beforehand, the hospital had been evacuated as a precaution after attacks intensified at the end of April 2019.⁴⁴ Ground spotter reports reviewed by Amnesty International showed only Syrian aircraft circling in the area at 9.41am and only a Russian aircraft circling in the area at 2.38pm. In intercepted radio communications between a Russian air force pilot and Russian ground control obtained by *The New York Times*, ground control is heard providing a pilot with geographic coordinates that match Nabad al-Hayat's location. At 2.38, the pilot reports to ground control that he has the "correction", to which the ground controller responds "three sevens". According to *The New York Times*, "correction" is a code indicating that the pilot has locked the target on his screen and "three sevens" is a code indicating approval to conduct the strike. At 2.40pm, the pilot says that he had "worked it", code for confirmation that he has released his weapon, according to

⁴⁰ Phone interview, 18 March 2020.

⁴¹ UOSSM, *Breaking: Four Medical Facilities Attacked Within 24 Hours in Idlib, Syria, Exodus Continues*, 5 February 2020, bit.ly/2VhsEPW

⁴² Phone interviews, 28 February, 2 March and 6 March 2020.

⁴³ Phone interview, 27 February 2020. See UOSSM, *Breaking: Four Medical Facilities Attacked Within 24 Hours in Idlib, Syria, Exodus Continues*, 5 February 2020, bit.ly/2VhsEPW

⁴⁴ Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019.

The New York Times.⁴⁵ While Amnesty International did not obtain audio recordings relevant to this specific attack on Nabd al-Hayat hospital, the organization obtained recordings of other intercepted radio communications between Russian air force pilots and their ground control discussing specific attacks that same day and on other days. The above-mentioned pattern of code words reported by *The New York Times* could be heard frequently. It is Amnesty International's assessment that the morning attack on Nabd al-Hayat hospital was carried out by Syrian government forces and the afternoon one by Russian government forces.

On 5 May 2019, at around 12pm, either Syrian or Russian government forces carried out four air strikes, causing severe damage to Kaferzita surgical unit (also known as Kaferzita cave hospital) in north-western Hama governorate and putting it out of service. There were no casualties.⁴⁶ Ground spotter reports reviewed by Amnesty International indicate that both Russian fighter jets and Syrian air force Su-22, Su-24 and Yak-130 fighter jets were in the airspace above Kaferzita between 12.25pm and 12.43pm, meaning that either government force could have been responsible.⁴⁷

On 5 May 2019, at around 5.30pm, government forces carried out multiple air strikes on Kafranbel surgical hospital, southern Idlib, destroying the first floor, where a pharmacy, offices and a storage and electricity room were located. The basement was severely damaged. The attack killed one patient and injured his brother, who was visiting.⁴⁸ Ground spotter reports reviewed by Amnesty International showed both a Russian fighter jet and a Syrian air force Su-24 fighter jet in the airspace over Kafranbel between 5.37pm and 5.49pm. Intercepted radio communications between a Russian air force pilot and Russian ground control obtained by *The New York Times* make a compelling case that the attack was carried out by the Russian air force. According to *The New York Times*, a Russian pilot is heard at 5.30pm saying that he had "worked it". He then reported carrying out three more strikes each about five minutes apart, at 5.35pm, 5.40pm and 5.48pm.⁴⁹

On 11 May 2019, between 12.30am and 1am, Russian government forces conducted two air strikes on al-Sham hospital in Kafranbel, putting it out of service. There were no casualties. Two days beforehand, the hospital had been closed as a precaution after attacks had intensified at the end of April 2019.⁵⁰ Based on ground spotter reports reviewed by Amnesty International, Russian fighter jets were observed over Kafranbel between 12.01am and 1.05am, consistent with the time of the attack reported by witnesses. No Syrian government aircraft was observed flying over Kafranbel between 12am and 9.51am. Amnesty International obtained recordings of intercepted radio communications between a Russian air force pilot and ground control during this period of time. Between 12.40am and 1.05am, the pilot is heard reporting to ground control twice that he has the "correction", to which the ground controller responds "three sevens" and the pilot in turn replies "worked it", indicating he has conducted the strike following approval.⁵¹

4.2 ATTACKS ON SCHOOLS

In January and February 2020, Syrian and Russian government forces attacked schools which were being used for educational purposes or as shelters for internally displaced people, in Idlib governorate and western Aleppo governorate, using air strikes and shelling. According to the Hurras Network (Syrian Child Protection Network), a Syrian non-governmental organization, 28 schools were subjected to air and ground attacks there during that period.⁵² Ten schools were attacked in one day alone, 25 February 2020, when at least nine civilians were killed.⁵³

⁴⁵ Evan Hill and Christiaan Triebert, "12 Hours. 4 Syria hospitals Bombed. One Culprit: Russia", *The New York Times*, 13 October 2019, nyti.ms/2R4FTSw

⁴⁶ Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019.

⁴⁷ A witness who spoke to Amnesty International about the 12pm attack said colleagues told him that day that the hospital was attacked again later in the afternoon after he had left. *The New York Times* analysed that second attack, which took place around 3.15pm, and concluded it was conducted by the Russian air force. Evan Hill and Christiaan Triebert, "12 Hours. 4 Syria hospitals Bombed. One Culprit: Russia", *The New York Times*, 13 October 2019, nyti.ms/2R4FTSw

⁴⁸ Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019.

⁴⁹ Evan Hill and Christiaan Triebert, "12 Hours. 4 Syria hospitals Bombed. One Culprit: Russia", *The New York Times*, 13 October 2019, nyti.ms/2R4FTSw

⁵⁰ Amnesty International, *Syria: Security Council must address crimes against humanity in Idlib*, 17 May 2019.

⁵¹ See again Evan Hill and Christiaan Triebert, "12 Hours. 4 Syria hospitals Bombed. One Culprit: Russia", *The New York Times*, 13 October 2019, nyti.ms/2R4FTSw

⁵² Phone interview, 24 March 2020.

⁵³ Save the Children, *Idlib, Syria: Casualties as ten schools hit in one during intense shelling*, 25 February 2020, bit.ly/2xfhUcE; Médecins Sans Frontières, *Horrific day of indiscriminate attacks on civilians in Idlib, Syria*, 26 February 2020, bit.ly/2RrP27Z; UNICEF, *Children and teachers killed as schools and kindergartens attacked in Idlib*, 26 February 2020, uni.cf/2UVZjLR

Amnesty International documented a total of seven attacks on six schools between January and February 2020. Of those, two were air strike attacks by Russian government forces, one was an air strike attack by Syrian government forces, and one was an air strike attack by Syrian or Russian government forces. In addition, Syrian government forces carried out one attack by barrel bombs, a weapon used exclusively by Syrian government forces, and two ground attacks, at least one of which involved cluster munitions.

This section examines in detail attacks on two of the 10 schools that were attacked on 25 February 2020. One of the schools was hit during school hours; the other was struck while it was in use as a shelter for internally displaced people from Maaret al-Noman and Kafranbel, amongst other locations. A summary of the four other attacks documented by Amnesty International is also provided.

AL-BARAEM SCHOOL IN IDLIB CITY

According to the accounts of three teachers and two relatives of students, on 25 February 2020, at around 9am, Syrian government forces struck the playground of al-Baraem school in the city of Idlib in Idlib governorate with a cluster munition. Three teachers were killed and at least five others injured.⁵⁴ Amnesty International geolocated, reviewed and verified images showing the remnant of the projectile that hit the school. Amnesty International's weapons expert reviewed images obtained from witnesses and identified the remnant as a surface-fired, 220mm 9M27K cargo rocket, manufactured in Russia and transferred to the Syrian army. It contains 9N210 or 9N235 cluster munitions, which are prohibited under international law.

The father of a 14-year-old boy who survived the attack told Amnesty International what happened on that day:

I dropped my son off at the school at 8am. At around 9am we heard explosions in Idlib city. I heard several explosions, so I went directly to his school without knowing what was being attacked. I found my son standing outside the school on the street because the principal had told all the students to leave the premises, but the teachers were still inside... I was told that teachers were injured, and one died instantly and then two teachers died from their injuries... The school suspended its operations for a week.⁵⁵

Two teachers and a student from Izz al-Din school for girls, around 150m away from al-Baraem school, were killed in the same attack; one teacher and one student were injured.⁵⁶ A teacher from that school told Amnesty International that the principal had dismissed students and teachers around 9am because Idlib city was under heavy bombardment; students and teachers were walking past al-Baraem school when the attack happened.⁵⁷ A woman told Amnesty International that her 17-year-old sister, a student at Izz al-Din school, was injured:

The incident impacted us a lot, psychologically and emotionally, because my sister was injured. She was injured in both legs. The toes on one of her feet were all amputated, and the doctors had to insert wires and screws to stabilize her other leg. We knew that schools, neighbourhoods and hospitals were a target, but we wanted her to continue her education.⁵⁸

A teacher told Amnesty International that she had been injured in the attack and had witnessed the death of one of the students:

During the night of 24 February, there were a lot of air strikes and ground shelling in Idlib city. Usually when there is bombardment at night, the school asks us not to go the next day, but for some reason that did not happen. We were only told to work emergency hours from 8am until 11.30am. Usually classes go on until 1pm... I arrived at 8am and taught the first class. Around 9am the director rang the bell and asked us to leave the school. We all quickly evacuated... We were all walking past [al-Baraem] school when it was hit with a cluster munition. A bomblet exploded close to my feet, blowing the flesh off. I am still in bed waiting for my surgery next week to graft on skin or

⁵⁴ Phone interview, 10 March 2020. See also Idlib Education Directorate, Facebook post on 27 February 2020, bit.ly/33DWh1D (in Arabic).

⁵⁵ Phone interview, 10 March 2020.

⁵⁶ See also Idlib Education Directorate, Facebook post on 27 February 2020, bit.ly/33DWh1D (in Arabic).

⁵⁷ Phone interview, 11 March 2020.

⁵⁸ Phone interview, 11 March 2020.

do something to help the skin grow again. The pain was unbearable. I felt heat as if my feet were burning. Two students were walking in front of me. One died instantly and the other one, miraculously, survived. I am sure it was a cluster munition because I heard several explosions. I know the sound of a cluster munition attack very well. You hear a series of small explosions. As if the sky were raining shrapnel instead of water.⁵⁹

MOUNIB KAMISHE SCHOOL IN MAARET MISREEN

Syrian or Russian government forces launched an air attack on Mounib Kamishe school in the town of Maaret Misreen in northern Idlib governorate on 25 February 2020. Two witnesses, a local activist and a humanitarian worker, who were less than 100m away from the school, told Amnesty International that two air strikes took place at around 4pm, one hitting the school directly and the other a nearby hospital. According to OHCHR, at least 11 civilians, including seven children, were killed and more than 40 civilians injured in the air strike on the school.⁶⁰

Amnesty International reviewed open source videos and other materials and found that they aligned with witness testimony. According to ground spotter reports reviewed by Amnesty International, at the time of the strike a Syrian air force Su-24 fighter jet was observed over nearby Binnish at 3.35pm and 3.53pm, and a Syrian air force Su-24 fighter jet was observed over Maaret Misreen at 3.56pm and 4pm. In addition, a Russian air force fighter jet was seen circling the nearby town of Sarmin at 3.54pm and 4.01pm. Therefore, it is Amnesty International's assessment that the attack was carried out by either Syrian or Russian government forces.

The activist told Amnesty International that she was at home when she heard an explosion:

I immediately went to the school, a few minutes after I heard the explosion. When I arrived at the school, I saw and heard women screaming for help. I saw an injured man walking around, bleeding from his head. I saw people evacuating a man who looked dead, although I could not be sure he was. There was another man carrying an injured child and calling for someone to help him. I went inside and saw a man injured in a bathroom. Rescue workers transferred him to the hospital... The classes where people lived were heavily damaged.⁶¹

The humanitarian worker, who was at work when the attack happened, described the event to Amnesty International:

The school is around 50m from my work. I heard the warplane in the air after the explosion... I went to the school, a few minutes after the attack. The weather was sunny, so women, children and men were sitting outside. I saw a man dead under a tree; one of his legs had been severed. He looked around 70 years old. I saw a child, around six years old, with an injury next to his eye, and an injured woman, young in age, being evacuated. I saw many people inside the school with injuries to their faces – I think because the windows had shattered over them.⁶²

The nearby hospital that was struck in the same incident, according to the witnesses, is the above-mentioned al-Hikma hospital, which had been located in Taftanaz, in southern Idlib, and was relocated to Maaret Misreen following a barrel bomb attack in its vicinity on 5 February 2020.⁶³

⁵⁹ Phone interview, 12 March 2020.

⁶⁰ UN Security Council, *Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2939 (2017), 2401 (2018), 2449 (2018) and 2504 (2020): Report of the Secretary-General*, 23 April 2020, UN Doc. S/2020/327 (hereinafter: *Implementation of Security Council resolutions: Report of the Secretary-General*, 23 April 2020).

⁶¹ Phone interview, 11 March 2020.

⁶² Phone interview, 18 March 2020.

⁶³ Phone interview, 27 February 2020.

OTHER ATTACKS ON SCHOOLS IN 2020

Amnesty International also documented the following air and ground attacks on schools in Idlib governorate and western Aleppo governorate in January and February 2020:

NAME OF SCHOOL	LOCATION	OVERVIEW
Zaher Bibars	Idlib city, central Idlib	On 25 February 2020, at around 8.40am, the school was struck, most likely by the Syrian air force. According to a witness, the attack injured at least three people. ⁶⁴ Satellite imagery taken on 27 February 2020 shows a large crater east of the school. Ground spotter reports show there were multiple Syrian air force fighter jets circling over the suburbs of Idlib between 8.22am and 9.03am; any of those aircraft could have carried out the strike.
Al-Sahara North	Al-Sahara, western Aleppo	On 15 February 2020, at around 7am, Russian government forces launched three air strikes on the school and its vicinity. The school, which was two storeys high, was flattened, and around 10 houses surrounding the school were destroyed, killing four people. ⁶⁵ Analysis of satellite imagery taken on 17 February 2020 corroborates photographs shared with Amnesty International showing the school building destroyed. Ground spotter reports reviewed by Amnesty International show Russian fighter jets loitering in the vicinity of the village between 6.18am and 6.22am. There are no records of Syrian government aircraft flying over the area during the time of the attack.
Maaret al-Arteeq South	Maaret al-Arteeq, western Aleppo	On 4 February 2020, at around 2pm, Russian government forces attacked the school from the air. Ground spotter reports reviewed by Amnesty International show Russian fighter jets in the airspace above the town between 12.35pm and 2.43pm. There are no records of Syrian government aircraft flying over the area during the time of the attack. Satellite imagery taken on 7 March 2020 appears to show a crater in the courtyard of the school, which is consistent with photographs shared with Amnesty International showing the aftermath of the attack. In a second attack around the same time, Syrian government forces hit the school from the ground. Photographs of the scene of the attack show the remains of at least two 122mm Grad rockets fired by Syrian forces. There were no casualties as the attacks happened after school hours. ⁶⁶
Ali al-Khateeb	Jabal al-Zawya, southern Idlib	On 28 January 2020, at approximately 3.30pm, a Syrian government helicopter dropped barrel bombs that hit the school. The aftermath of the attack was caught on camera; video images show the damage as well as the area surrounding the school, including a vehicle loaded with belongings and people who, according to a witness, were about to evacuate the area when the attack occurred. The school had been closed a few days earlier due to the intensification of attacks. ⁶⁷ Satellite imagery taken on 27 February 2020 shows damage to the building. Ground spotter reports reviewed by Amnesty International indicate that a Syrian Mi-8 helicopter was in the sky above Jabal al-Zawya between 3.30pm and 3.35pm.

⁶⁴ Phone interview, 10 March 2020.

⁶⁵ Phone interview, 10 March 2020.

⁶⁶ Phone interview, 10 March 2020.

⁶⁷ Phone interview, 10 March 2020.

INTERNATIONAL HUMANITARIAN LAW

International humanitarian law, which applies to all parties to an armed conflict, regulates the conduct of hostilities. One of its cardinal rules is that parties to the conflict must “distinguish between civilians and combatants” as well as “distinguish between civilian objects and military objects”.⁶⁸ To that effect, intentionally directing attacks against civilians not taking direct part in hostilities or against civilian objects are prohibited and are war crimes.⁶⁹ Also prohibited are “acts or threats of violence the primary purpose of which is to spread terror among the civilian population.”⁷⁰ The corollary of the rule of distinction is that “indiscriminate attacks are prohibited.”⁷¹ Indiscriminate attacks are those that are of a nature to strike military objectives and civilians or civilian objects without distinction, either because the attack is not directed at a specific military objective, or because it employs a method or means of combat that cannot be directed at a specific military objective or has effects that cannot be limited as required by international humanitarian law.⁷²

International humanitarian law also affords special protection to specific persons and objects, including medical personnel, medical units (including hospitals) and children. Facilities and personnel used solely for the purpose of providing medical care should be protected from attacks in all circumstances.⁷³ And children affected by armed conflict are entitled to special respect and protection. The UN Convention on the Rights of the Child, to which Syria is a party, requires states to “respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child”.⁷⁴

CRIMES AGAINST HUMANITY

Crimes against humanity are prohibited acts committed as part of widespread or systematic attack against a civilian population as part of a government or organizational policy. The Rome Statute of the International Criminal Court defines crimes against humanity as follows: “For the purpose of this Statute, ‘crime against humanity’ means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack...”⁷⁵ It lists 11 crimes, or “acts”, including “[m]urder” and “[p]ersecution against any identifiable group” on any “grounds that are universally recognized as impermissible under international law”, as well as “[o]ther inhumane acts”.⁷⁶ An “attack directed against any civilian population” is defined as “a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a state or organizational policy to commit such attack.”⁷⁷ The definition in the Rome Statute reflects to a large extent rules of customary international law binding on all states, regardless of whether or not a state is party to the Statute.⁷⁸

⁶⁸ ICRC, *Customary IHL Study*, Rules 1 and 7.

⁶⁹ ICRC, *Customary IHL Study*, Rules 1, 7 and 156.

⁷⁰ ICRC, *Customary IHL Study*, Rule 2; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (also known as Protocol I), Article 51(2); and Protocol II, Article 12(2).

⁷¹ ICRC *Customary IHL Study*, Rule 11; Protocol I, Article 51(4).

⁷² ICRC *Customary IHL Study*, Rule 12; Protocol I, Article 51(4)(a).

⁷³ ICRC, *Customary IHL Study*, Rules 25 and 28.

⁷⁴ ICRC, *Customary IHL Study*, Rules 135; Convention on the Rights of the Child, Article 38.

⁷⁵ Rome Statute of the International Criminal Court, entered into force 1 July 2002, Article 7(1).

⁷⁶ Rome Statute of the International Criminal Court, Article 7(1).

⁷⁷ Rome Statute of the International Criminal Court, Article 7(2)(a).

⁷⁸ For a description of customary international law on crimes against humanity, see Report of the International Law Commission: Sixty-seventh session (4 May - 5 June and 6 July - 7 August 2015), Chapter 7: Crimes against Humanity, UN Doc. A/70/10, p. 54: “The characterization of crimes against humanity as ‘crimes under international law’ indicates that they exist as crimes whether or not the conduct has been criminalized under national law.”

5. DISPLACEMENT AND HUMANITARIAN CRISIS

**“My daughter... asked me: ‘Why doesn’t God kill us?...
Nowhere is safe for us.’”**

Displaced woman, February 2020.

The scale and speed of displacement caused by the offensive launched by Syrian and allied Russian government forces in December 2019 was unprecedented. The UN estimates that 960,000 people were forced to leave their homes in order to flee bombardments between 1 December 2019 and 29 February 2020; entire areas have been left depopulated.⁷⁹ More than 80% of those displaced are women and children; many of the remaining men are older persons, persons with disabilities and members of other at-risk groups.⁸⁰ Many of these people have had to flee more than once already over the past years. They include families forcibly displaced from parts of the country where the government took back control of territory previously held by armed opposition groups after coercing them into “reconciliation” agreements following months of siege, starvation and unlawful attacks.⁸¹

The plight of civilians in displacement, including their deplorable living conditions, has been repeatedly invoked by UN officials and humanitarians in public remarks and speeches at the Security Council, including being described by the UN Secretary-General as a “man-made humanitarian nightmare”.⁸² Pushed into an ever-shrinking and crowded space that was already struggling to accommodate overwhelming existing needs, the newly displaced have faced immense shortages in shelter and the most basic of necessities amid harsh weather conditions.⁸³

Amnesty International’s documentation indicates that the mass displacement was the direct outcome of unlawful practices – such as the ones detailed in chapter four – by Syrian and allied Russian government

⁷⁹ UNHCR, *Cross-border Humanitarian Response Fact Sheet: North-west Syria: February 2020*, 30 March 2020, bit.ly/2KnZoBS; OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 10 – As of 12 March 2020*, bit.ly/2J1Gsbm (hereinafter: OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*). Prior to the latest escalation, the UN estimated that some 400,000 people were displaced between May and September 2019 as a result of the government’s campaign in the north-west that began in late April 2019. See OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 13 – as of 8 October 2019*, bit.ly/3dh98uT

Many of them were displaced again after the December 2019 escalation.

⁸⁰ OCHA, *Humanitarian Update: Syrian Arab Republic, Issue 09*, 10 March 2020, bit.ly/2QscqC0 (hereinafter: OCHA, *Humanitarian Update*, 10 March 2020).

⁸¹ See, for example, Amnesty International, *‘We leave or we die’*.

⁸² UN News, “UN chief appeals for end to Syria’s ‘man-made humanitarian nightmare’”, 21 February 2020, news.un.org/en/story/2020/02/1057861

⁸³ According to OCHA, 550,000 moved to the north-western parts of Idlib governorate, while 410,000 went in the direction of districts in northern Aleppo governorate. OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*.

forces. Furthermore, these same forces failed to prevent displacement by carrying out indiscriminate attacks that terrorized the population.⁸⁴



Satellite imagery from 18 January 2019 (on the left) shows 11 established camps – highlighted in orange – less than 5km east of the border with Turkey in Idlib, Syria. Satellite imagery from 11 March 2020 (on the right) demonstrates that the number of structures in the area around the 11 camps had expanded greatly during the 14 intervening months. © Planetscope

5.1 UNSAFE DISPLACEMENT CONDITIONS

Displaced families have ended up sheltering in different settings. In mid-March 2020, the UN reported that roughly a third of them were in camps and unsupervised tent encampments while close to 10% were staying in facilities like schools and mosques that had been turned into “collective shelters”.⁸⁵ Around another third of them had managed to secure rental accommodation or were living with host families, while close to 20% were staying in unfinished buildings.⁸⁶ Amnesty International interviewed a dozen civilians living in a variety of settings about their conditions in displacement; they spoke of hastily fleeing their homes in terror only to find new hardships and dangers after reaching “shelter”.

“We kept looking for tents [to buy] for 10 days,” said a journalist who fled alongside his extended family – 10 households – from Sarmin to a town in Idlib close to the Turkish border in early February. Their displacement was staggered over two days, during which seven of the relatives – two women and five children – were killed in an air strike.⁸⁷ The survivors could not find any affordable houses to rent. When they ultimately bought the 3m x 3m tents, they cost US\$210 each, an exorbitant amount for these families, who had been left with next to nothing. Preferring to stay away from the overcrowded camps to have a semblance of privacy, they pitched their 10 tents on a friend’s empty land and dug makeshift waste pits. They have been living without electricity, obtaining water from a local supplier every two to three days and, on an open flame, heating some of it to wipe their bodies clean in lieu of showering.

“A few nights ago... when I woke up in the morning, a glass of water in the tent was frozen solid... Life in a tent is very hard. We’re not used to this. It’s very difficult, especially with children,” the father of four said. “When I sleep, I put my infant between my legs to keep him warm.” He added that he stayed up until dawn to make sure his other young children did not kick off their covers in their sleep. While the family is lucky to have had a coal heater (several displaced people told Amnesty International many families have resorted to burning old clothes and shoes to keep warm), he said, it would have been a safety hazard to keep it on

⁸⁴ ICRC, *Customary IHL Study*, Rule 129, p. 461. In its report released on 2 March 2020, the Commission of Inquiry found that, in parts of southern Idlib, the nature of the government’s attacks in fact left civilians no option but to escape, surmising that there are “reasonable grounds” to maintain that these forces actively “intended to terrorize civilians, in an effort to depopulate the zone and accelerate its capture.” UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, para. 31.

⁸⁵ OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*.

⁸⁶ OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*. At one point, the UN was reporting that some 80,000 displaced people were huddled in open areas, including under trees, in subzero temperatures. See OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 8 – As of 13 February 2020*, bit.ly/2WzoXHH

⁸⁷ Phone interview, 24 February 2020. Amnesty International maintains the strike was unlawful.

overnight as they slept.⁸⁸ There have been several credible reports of children freezing to death and families found dead of carbon monoxide poisoning during the latest wave of displacement.⁸⁹

A former owner of a small eatery who was displaced with his family from Maaret al-Noman told Amnesty International this was their third displacement in six years. “But nothing was like the bombing on 19 December 2019; I don’t know how that night passed. Hundreds of [projectiles] were raining down [on us]; I don’t know how amid the fear and terror I escaped with my wife and kids,” he said.⁹⁰ He described their struggle after ending up living in a tent in a partially bombed sports facility turned collective shelter in Idlib city. Roughly 160 families share the space, which has four latrines – two for men, two for women – with broken taps, he said. The family received food baskets twice and a couple of hot meals a week, but it did not cover their needs.⁹¹ “My wife is pregnant, and I don’t know what I’m going to do... I have six children and no money,” he said. At the time of the interview, the family had been handed cash assistance ranging between US\$25 and US\$50 on four occasions since arriving at the camp two months prior.

“Yesterday, we were away from the tent and, when we came back, they said there was no more bread left,” he said. Another time, when he and his wife had taken his children to visit the home of relatives in order to bathe them there, they ended up missing a cash distribution. “There’s no place to shower. People clean themselves inside their tents. Some families visit relatives who have homes and shower there,” he said. The shelter receives two hours of power a day but only in a common yard; in the tent, they use candles or a torchlight when they manage to obtain batteries, he said. “A month ago, there was shelling next to the camp, around 100m away. My wife and children, everyone [in the camp], got really scared... We’re tired of the bombardment. We’re at the point of complete breakdown. When will this end?”⁹² A local monitoring group shared with Amnesty International a list of 20 displacement sites that were affected by such violence between mid-December 2019 and early March 2020; it included this shelter.⁹³ As detailed in the previous chapter, Amnesty International documented an attack that took place on 25 February 2020 on a shelter for displaced people, namely Mounib Kamishe school in Maaret Misreen. OHCHR reported that it had verified at least 11 incidents in which displacement sites were directly struck or impacted by attacks in their vicinity between December 2019 and March 2020, killing a combined total of at least 37 civilians and injuring at least 90 others.⁹⁴

In early May 2020, the UN reported that, following the 5 March ceasefire, some 114,000 people who had been displaced since 1 December 2019 “voluntarily returned” to their original communities in Idlib and western Aleppo governorates from where they had fled.⁹⁵ But the vast majority of those who were displaced by the fighting between December and March have not streamed back to their towns and villages en masse, irrespective of whether or not they were in areas that had been retaken by the government during the offensive. Many people remain worried about a renewal in hostilities; many services have been suspended; and wide-scale destruction has left large swathes of land uninhabitable.⁹⁶

Like other communities who have lived under opposition control, civilians have been fearful of persecution should they return to front-line areas that have been retaken or are at risk of being retaken by the government due to the well-documented record of government forces arbitrarily arresting, torturing and

⁸⁸ In mid-March, he was able to secure for himself and his immediate family an affordable place to rent that did not require several months paid upfront. The rent is a quarter of his monthly income. They have been receiving around two hours of electricity a day and purchasing water that is trucked in. Several members of his extended family have remained in the tents.

⁸⁹ See, for example, Vivian Yee and Hwaida Saad, “Syrian Children Freeze to Death. Bombs Rain Down. And ‘Nobody Cares’”, *The New York Times*, 26 February 2020, nyti.ms/3dh7wBB; Linah Alsaafin, “‘Breaking point’: Babies freezing to death amid Idlib push”, *Al Jazeera*, 18 February 2020, bit.ly/33xMaeB

In remarks to the press, Hanny Megally of the Commission of Inquiry said the freezing temperatures had claimed the lives of around 10 children. See UN News, “As children freeze to death in Syria, aid officials call for major cross-border delivery boost”, 2 March 2020, news.un.org/en/story/2020/03/1058451

⁹⁰ Phone interview, 2 March 2020.

⁹¹ The food basket included items such as rice, sugar, oil, lentils, bulghur and salt.

⁹² Phone interview, 2 March 2020.

⁹³ On file with Amnesty International.

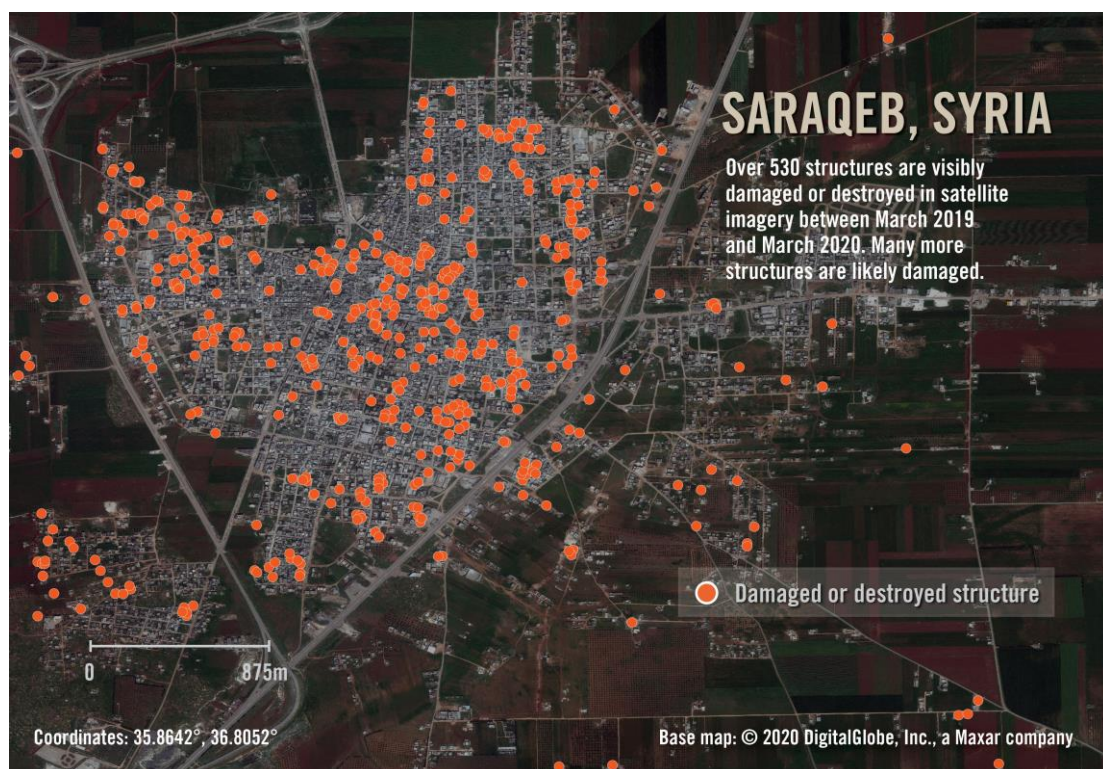
⁹⁴ *Implementation of Security Council resolutions: Report of the Secretary-General*, 23 April 2020; UN Security Council, *Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2939 (2017), 2401 (2018), 2449 (2018) and 2504 (2020): Report of the Secretary-General*, 21 February 2020, UN Doc. S/2020/141. The Commission of Inquiry also documented in its latest report – based on investigations conducted from 11 July 2019 to 10 January 2020 – two attacks on displacement sites in south and north Idlib in August and November 2019. UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, paras 24-26.

⁹⁵ According to the same UN report, “[a]n additional 21,000 people returned who had been previously displaced to these areas and then displaced again in the recent violence.” OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 13 – As of 1 May 2020*, bit.ly/3b4AF0B (hereinafter: OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*).

⁹⁶ See, for example, the satellite imagery analysis on page 26 showing the extent of damage in the town of Saraqeb in Idlib. Saraqeb was the site of intense fighting and changed hands more than once during the latest escalation, before ultimately being seized by government forces in early March 2020.

forcibly disappearing civilians with any association to opposition-held territories.⁹⁷ Before the ceasefire came into effect, videos and images had emerged online showing the actions of the Syrian army when it seized areas. One video that Amnesty International has concluded is credible appears to show soldiers abusing civilians who had returned to collect some belongings from a village in western Aleppo, forcing them at gunpoint to reveal names of fighters from their area.⁹⁸ Human Rights Watch said it received images showing how “government forces may have shot at civilians and despoiled their bodies in towns where the government retook control in Idlib and Aleppo governorates.”⁹⁹

As such, many have remained in the camps and other makeshift set-ups in displacement, including a woman who now has to commute 30km between the camp she currently lives in close to the border with Turkey and the town where she once lived and worked so she can keep her job with one of the aid organizations. “I have to go into debt to cover the expense of the daily trip; I use half my salary to pay the debt,” she said.¹⁰⁰ She keeps the rest to support the needs of her family – her husband and three children – who remain reliant on the food assistance distributed at the camp. When the family fled in January 2020, it was their second displacement in eight months. “My children [aged two, three and six] are traumatized from the sound of attacks,” she said. “My daughter, who’s in first grade is always afraid... She asked me [after we were displaced]: ‘Why doesn’t God kill us?... Nowhere is safe for us.’”¹⁰¹



Satellite imagery analysis showing structures assessed to have been damaged or destroyed in Saraqeb, Idlib, between March 2019 and March 2020. © DigitalGlobe

Residents of opposition-held areas in the north-west are essentially trapped, with nowhere left to go. Turkey, which is already home to 3.65 million Syrian refugees, has been largely preventing Syrians from crossing its border since 2015, with border guards shooting at asylum-seekers who resorted to smuggling routes.¹⁰²

⁹⁷ See, for example, UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, paras 68, 72, 73.

⁹⁸ See, for example, Elizabeth Tsurkov, Twitter post, 22 February 2020, twitter.com/elizrael/status/1231327564725149696?s=21

⁹⁹ Human Rights Watch, *Syria: Government forces apparently abuse civilians – People who don’t flee recaptures areas risk retaliation*, 16 March 2020, bit.ly/39zmfVb

¹⁰⁰ Phone interview, 20 March 2020.

¹⁰¹ Phone interview, 24 February 2020.

¹⁰² Furthermore, there has been a growing pattern of restrictive measures by Turkey against Syrian refugees in recent years, including illegal deportations. Turkey has borne a disproportionate responsibility for Syrians fleeing the conflict since 2011. In March 2016, the European Union (EU) and Turkey agreed on the much-criticized EU-Turkey Statement “to end the irregular migration from Turkey to the EU”, which

As of 1 May 2020, the UN was reporting that sites for internally displaced persons in north-west Syria were overflowing with residents and that there was a pressing need to expand them or open new ones.¹⁰³ Humanitarian organizations directly involved in the response on the ground told Amnesty International they faced immense challenges in that regard. Space to accommodate sites has been shrinking and it has been difficult to obtain the necessary authorization from and make arrangements with landowners to use more land.¹⁰⁴ Many landowners have been displaced themselves or have lost critical documentation during the war, and registering leases and deeds to meet donor standards has not been possible in the absence of functioning government offices. Some humanitarian workers also told Amnesty International their organizations have faced barriers obtaining permits to set up new camps in northern Aleppo governorate, where opposition-held areas have been under the effective control of Turkish authorities. Reporting by UN agencies and affiliates has also mentioned these same restrictions on the operations of humanitarian organizations involved in the provision of shelter.¹⁰⁵

In the meantime, the displaced continue to struggle as Syria's weakening currency and the resulting rising prices of food and fuel add to their woes.¹⁰⁶ It has contributed to what humanitarians term "negative coping mechanisms". Several displaced people told Amnesty International they have observed an increase in displaced children begging or trying to pick up menial jobs that put them at risk.¹⁰⁷ There have been particular concerns for women and girls. Several displaced families and humanitarian workers told Amnesty International eroding privacy in displacement sites has left many women experiencing conditions that undermine their inherent dignity. Interviews also indicated there is a growing practice of parents marrying off adolescent girls among displaced families. UN humanitarian reporting has specifically mentioned "incidents of exploitation and abuse of displaced women and girls by men in positions of power such as property owners, in exchange for cash or material assistance."¹⁰⁸

5.2 STRAINED HUMANITARIAN RESPONSE

Even before the latest military escalation and mass displacement, 2.8 million people, or 70% of the population, in north-west Syria required humanitarian assistance.¹⁰⁹ Humanitarian resources were already overstretched when the renewed government offensive put out of service many crucial facilities and displaced thousands of humanitarian workers involved in responding to the acute needs. Amnesty International interviewed 46 people, including staff of local and international humanitarian organizations and agencies, UN staff members, medical workers and teachers, to examine the challenges and obstacles facing the delivery of crucial aid and services.

Parties to the conflict, that is both government forces and armed groups, are obligated under international humanitarian law to allow and facilitate rapid and unimpeded passage of impartial humanitarian assistance to civilians in need.¹¹⁰ Relentless air and ground assaults by government forces on civilian areas and protected objects such as hospitals and schools, as addressed in chapter four of this report, and, to a lesser extent, bureaucratic impediments and interference by armed groups have undermined access to aid and services in the north-west, resulting in what has been described as the conflict's worst humanitarian crisis yet.¹¹¹

Although new displacement has stopped since the ceasefire was reached in early March 2020, the needs of the people who had been forced to leave their towns and villages, as well as others in the area, remain significant and are likely to stay that way for a long time given the scale of displacement and damage. As of early May, roughly 60% of the US\$500 million scaled-up UN humanitarian plan to respond to recent

included an EU pledge to disburse major funding for projects to support refugees in Turkey. See Human Rights Watch, *Turkey: Syrians being deported to danger*, 24 October 2019, bit.ly/2zPnkMp; Amnesty International, *Sent to a war zone: Turkey's illegal deportations of Syrian refugees* (Index: EUR 44/1102/2019); European Council, *EU-Turkey Statement*, 18 March 2016, bit.ly/2WqG4tt

¹⁰³ OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹⁰⁴ Phone interviews, February-March 2020.

¹⁰⁵ See OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*; REACH, *Northwest Syria – Situation Overview*, 16 March 2020, bit.ly/3a7GsTn

¹⁰⁶ See, for example, Alaa Nassar, "Price explosions exacerbate suffering in war-torn northwestern Syria", Syria Direct, 13 January 2020, bit.ly/2Unt8ne; Khaled al-Khateb, "Soaring fuel prices make Syrian winter even colder", Al-Monitor, 1 January 2020, bit.ly/33AMSHU

¹⁰⁷ Phone interviews, February-March 2020.

¹⁰⁸ OCHA, *Recent Developments in Northwest Syria – As of 12 March 2020*.

¹⁰⁹ OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Flash Update – As of 5 March 2020*, bit.ly/3bhDyLI
In this context, the UN uses "northwest Syria" to refer to Idlib, northern Hama, northern and western Aleppo and eastern Latakia governorates. See OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 13 – as of 8 October 2019*, bit.ly/2Utb2F

¹¹⁰ ICRC, *Customary IHL Study*, Rules 55-56.

¹¹¹ The scope of actions by armed groups examined in this section falls within opposition-held areas in the north-west. This report does not examine how their actions may have affected government-held areas in the north-west.

developments in the north-west had been raised.¹¹² The gap in funding, which predated the recent escalation, has left many vulnerable, humanitarian workers said, especially as they have had to shift most of their focus to emergency response.

The advent of the COVID-19 global pandemic added further strain on the humanitarian response. At the time of writing, there were confirmed cases and at least three fatalities in other parts of the country, but there were no reported cases in north-west Syria.¹¹³ Living conditions in displacement sites and the wider community have meant that humanitarian assistance – to ensure sanitation and other preventative measures – has become even more critical. In mid-April, the UN reported that an additional UN plan to prepare for and respond to a potential outbreak of the disease in north-west Syria – covering roughly a three-month period – had secured “only a limited fraction” of its US\$31 million target.¹¹⁴ Uncertainty resulting from the health crisis has further driven prices up – food prices in late March reached the highest levels recorded since 2011 – and caused a shortage in basic food items across the country.¹¹⁵

IMPACT OF ACTIONS BY GOVERNMENT AND ALLIES

At the height of the waves of displacement in February 2020 caused by the Syrian government’s military operations, several humanitarian workers told Amnesty International they were operating well beyond their resources. “There’s a maximum amount of assistance that we as a collective community can provide at any given time... At the moment, we’re pretty much at capacity... We can’t do much more,” said a senior humanitarian worker from a major international agency involved in relief operations inside Syria.¹¹⁶ Humanitarian actors were grappling with the size of the response at a time when their own staff were part of the displaced communities trying to find shelter and security; all of the organizations whose staff Amnesty International interviewed were affected in that regard. One local NGO specialized in programmes for children had half of its staff displaced; another organization lost one first responder in an attack that hit his house and a second in an attack that occurred while he was evacuating a health care centre.¹¹⁷ Some of the displaced humanitarian workers resumed work in displacement while others were no longer able to do so.

Health interventions have been widely impacted. In March, the WHO said that, in addition to hospitals that had to reduce their operations due to damage sustained in air strikes, more than 80 health facilities had stopped working altogether in Idlib and Aleppo governorates since 1 December 2019 due to security constraints or locations emptying of their residents.¹¹⁸ Only around a third of those facilities were able to relocate to the areas where the newly displaced had moved, according to the latest available data at the time of writing.¹¹⁹ These closures meant that “more than 133,000 medical outpatient consultations will not take place, nearly 11,000 trauma patients are not catered to and 1,500 major surgeries will not be performed as they normally would in the northwest in a cycle of four weeks.”¹²⁰

A humanitarian worker with knowledge of operations in a specialized hospital in Idlib told Amnesty International that, as a result of overwhelming demand, the facility had to resort to putting two children in one bed, despite that being against procedures.¹²¹ Moreover, some medical providers had to extend their assistance to areas beyond their typical responsibilities, for example distributing food and household items, to curtail the spread of diseases that could further burden their response. A senior humanitarian worker whose organization is specialized in medical assistance said, “We cannot only treat respiratory infections, we want also to prevent them.”¹²²

¹¹² OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹¹³ OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹¹⁴ OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Situation Report No. 12 – As of 17 April 2020*, bit.ly/3aASG68

Updated UN humanitarian reporting released in May indicated that planning and budgeting for this plan extending until the end of 2020 will see the plan’s target rise to a total of US\$162 million. See OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹¹⁵ OCHA, *Syrian Arab Republic: COVID-19, Humanitarian Update No. 8, As of 2 May 2020*, bit.ly/3bZR0TM; WFP Syria, *Situation Report #3: March 2020*, 31 March 2020, bit.ly/2KWryUN

¹¹⁶ Interview, New York, 27 February 2020.

¹¹⁷ Interviews February-March 2020.

¹¹⁸ OCHA, *Humanitarian Update*, 10 March 2020.

¹¹⁹ Health Cluster Turkey Hub, *Health Cluster Bulletin: March 2020*, 26 April 2020, bit.ly/3d7k6Cv

Interviewees explained to Amnesty International that it was not easy to relocate medical facilities to locations where displaced people sought refuge due to funding and logistical constraints.

¹²⁰ Health Cluster Turkey Hub, *Health Cluster Bulletin: March 2020*, 26 April 2020, bit.ly/3d7k6Cv

¹²¹ Phone interview, 25 February 2020.

¹²² Phone interview, 27 February 2020.

Parents, teachers and humanitarian workers involved in education sounded the alarm about the impact of persistent insecurity and displacement on children's access to education and associated interventions such as psychosocial support. There are close to 400,000 school-age children among those who have been displaced since December 2019.¹²³ More broadly, the north-west is said to have 1 million school-age children.¹²⁴ Save the Children and its partner the Hurras Network say that, between April 2019 and March 2020, 570 schools were damaged or deserted in Idlib alone, that is more than half of the governorate's formal schools.¹²⁵ More than 270 schools were being used as shelters for the displaced in northern Aleppo and Idlib governorates as of 1 May 2020, according to UN humanitarian reporting.¹²⁶

The overall environment has created a very difficult space for educators, who have to address the educational needs of children but at the same time also ensure their safety.¹²⁷ In some settings, such as displacement camps that are perceived to be more secure, they have responsibility for providing education to the thousands of students who have asked to be registered for schooling there; their families maintained that it was crucial not only for educational purposes, but also for the children's mental wellbeing and protection.¹²⁸ At the same time, educators have had to support more supplementary education interventions since the school year has been repeatedly interrupted and some families have decided to keep their children out of schools given how frequently they have been targeted. According to humanitarian workers and teachers, these challenges are compounded by the diversion of funding from the education sector to life-saving, emergency response.¹²⁹ "We can't neglect education any further; it's one way of protecting children. They will be off the streets. We call on donors to resume funding to education even if there are still large numbers of displaced people who need [emergency] assistance," said a senior humanitarian worker whose local organization focuses on education-related interventions.¹³⁰

Interventions that would have helped people have more sustainable sources of income have also been affected by the shift in funds. At least five organizations told Amnesty International they have had to suspend or significantly scale back "livelihood and resilience" projects – such as agriculture and livestock support – in favour of the delivery of immediate necessities like shelter and associated supplies.¹³¹ Denied access to agricultural lands that are now under the control of government forces or are being used as camps for internally displaced people, more and more people are becoming dependent on food baskets and cash assistance handed out by humanitarian organizations.

IMPACT OF ACTIONS BY HAY'AT TAHRIR AL-SHAM

As Hay'at Tahrir al-Sham, designated by the UN Security Council a "terrorist" group, expanded its control in the region, humanitarians faced an increasingly complex landscape as they strove to honour the humanitarian imperative and deliver independent and impartial assistance without running afoul of counter-terrorism regulations and donor agreements.¹³² Humanitarian organizations and agencies worked individually and together to further enhance their risk mitigation measures to avoid aid diversion, developed collective positions and worked closely with OCHA, the UN's humanitarian agency, to push back on attempts by the Hay'at Tahrir al-Sham-affiliated "Salvation Government" to interfere with their work and impose measures such as taxation that risked hindering it.¹³³

Dating back to 2018, Hay'at Tahrir al-Sham had attempted to impose taxation on various activities, including access to one of the crossing points with Turkey, prompting donors to temporarily suspend aid going through that particular crossing until humanitarian shipments were ultimately exempted from the fee.¹³⁴ In 2019, certain pockets of the population in Idlib and western Aleppo started rejecting some of the "Salvation

¹²³ "School-age" is used to mean between five and 17 years old. OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹²⁴ Save the Children, *Without school: The impact of attacks on education in North West Syria on children*, March 2020, bit.ly/2Wx20EZ

¹²⁵ 353 schools were rendered as such due to the operation between April and August 2019; 217 impacted from 1 December 2019 to 5 March 2020. Save the Children, "Idlib, Syria: Two schools a day damaged or abandoned during escalation in fighting", 16 March 2020, bit.ly/2WAQRml

¹²⁶ OCHA, *Recent Developments in Northwest Syria – As of 1 May 2020*.

¹²⁷ Phone interviews, February-March 2020.

¹²⁸ Phone interviews, February-March 2020.

¹²⁹ Phone interviews, February-March 2020.

¹³⁰ Phone interview, 27 February 2020.

¹³¹ Interviews, February-March 2020.

¹³² For more on Hay'at Tahrir al-Sham's designation, see UN Security Council Consolidated List, scsanctions.un.org/consolidated; and UN Security Council, *Resolution 2170 (2014)*, UN Doc. S/RES/2170 (2014).

¹³³ Interviews, February-March 2020.

¹³⁴ Interviews, February-March 2020. See also Ben Parker, "US and UK halt key Syria aid shipments over extremist 'taxes'", *The New Humanitarian*, 2 October 2018, bit.ly/2J9RmvJ; Reuters, "Some aid agencies halt use of Syrian border gate, citing jihadists' taxes on trucks", 4 October 2018, reut.rs/2Uf0unx

Government's" fiscal measures, including agriculture-related taxes, resulting in protests and a deadly incident.¹³⁵

Humanitarian workers from several organizations told Amnesty International that in 2019, and to a lesser extent in 2020, they faced attempts by the "Salvation Government" and its General Directorate of Humanitarian Affairs to regulate their work inside and outside camps.¹³⁶ These measures included attempts to solicit fees for various types of paperwork, a so-called "quality assurance down payment" on services in camps and attempts to impose certain suppliers and contractors on organizations.¹³⁷ "It's like whack-a-mole," said a senior humanitarian worker describing the situation, adding, "They [Hay'at Tahrir al-Sham] also back off very quickly. They know that the donors are serious."¹³⁸

Although, for the most part, humanitarian organizations and agencies have been able to negotiate away these restrictions, it is important to highlight them to underscore the difficult environment they operate in, the impact on civilians' access to aid and services, and the need for donors to share the burden of mitigating the risk of aid diversion. The very presence of Hay'at Tahrir al-Sham in the area prompted donors to cut funding to some programmes in the health and education sectors.¹³⁹ "This breaks the resilience of the community," said a senior Syrian humanitarian worker with an international agency, adding that it perpetuated a sense of stigmatization among communities.¹⁴⁰ The UN Special Rapporteur on extrajudicial, summary or arbitrary executions had argued that, by not exempting humanitarian work from anti-terrorism provisions, "[g]overnments are knowingly reducing the provision of life-saving aid to desperate people. Such responses to terrorism also risk unwittingly eroding a normative pillar of international law."¹⁴¹

¹³⁵ According to the Commission of Inquiry, in response to the protests, Hay'at Tahrir al-Sham fired a rocket in November on one of the towns that had led the resistance against its measures, killing three people. UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, para. 34.

¹³⁶ Interviews, February-March 2020.

¹³⁷ Amnesty International is withholding the details of the acts of interference in this section for the protection and security of the humanitarian workers and so as not to undermine their organizations' programmes.

¹³⁸ Interview, New York, 27 February 2020.

¹³⁹ Interviews February-March 2020. See also, for example, Save the Children, *Without school: The impact of attacks on education in northwest Syria on children*, March 2020; UN Human Rights Council, *Report of the Commission of Inquiry on the Syrian Arab Republic*, UN Doc. A/HRC/43/57, para. 33.

¹⁴⁰ Phone interview, 20 February 2020.

¹⁴¹ UN General Assembly, *Report of the Special Rapporteur of the Human Rights Council on extrajudicial, summary or arbitrary executions: Saving lives is not a crime*, 7 August 2018, UN Doc. A/73/314.

6. THREATS TO INTERNATIONAL AID

“The same party [to the conflict] that bombed medical facilities will then turn around and care about aid?”

Doctor from Idlib involved in the co-ordination of humanitarian assistance, February 2020.

In July 2014, the UN Security Council unanimously passed a resolution, which, among other provisions, authorized cross-border aid into north-west Syria and other parts of the country that were held by armed opposition groups at the time.¹⁴² The resolution created a mechanism for the UN and its implementing partners to provide assistance to these areas without requiring the consent of the Syrian government.¹⁴³ Initially approved for six months, the mechanism was subsequently renewed for 12 months, an annual extension that kept passing in the council until December 2019, when Russia and China vetoed a draft resolution tabled by Germany, Kuwait and Belgium.¹⁴⁴

After strenuous deliberations that highlighted how humanitarian assistance has been increasingly politicized in recent years, a resolution was passed on 10 January 2020 to extend the UN-facilitated delivery of aid, but only for six months.¹⁴⁵ The resolution also reduced the geographic scope of the mechanism by slashing from four to two the number of crossings named as delivery points. The reduction did not directly affect access to the north-west but had ramifications for aid in other regions, primarily the north-east, which remains heavily dependent on international assistance and where the impact of losing cross-border aid access through the al-Yarubiyah crossing point has been palpable amid the COVID-19 crisis.¹⁴⁶

¹⁴² UN Security Council, *Resolution 2165 (2014)*, UN Doc. S/RES/2165 (2014). There is no explicit definition of cross-border aid delivery under international law, but the term has come to be used by the UN and its partners to refer to “the provision of assistance from third states”. See OCHA, the Oxford Institute for Ethics, Law and Armed Conflict and the Oxford Martin Programme on Human Rights for Future Generations, *Cross-border relief operations – A legal perspective*, bit.ly/3btm2EG (hereinafter: OCHA and others, *Cross-border relief operations*).

¹⁴³ Humanitarian actors have resorted to cross-border aid delivery for a variety of reasons pertaining to security, access and administrative restrictions by authorities. In the case of Syria, a combination of these factors has been at play. International humanitarian law rules relevant to relief operations require the consent of the affected state “in the majority of situations”. There are differing legal views and interpretations on the issue of consent in general and whose is required specifically in the context of non-international armed conflicts such as Syria’s. At any rate, the rules necessitate that consent should not be arbitrarily withheld. See ICRC, *Customary IHL Study*, Rule 55; Guiding Principles on Internal Displacement, Principle 25(2), UN Doc. E/CN.4/1998/53/Add.2. A UN Security Council resolution – whether adopted under Chapter V or VII of the UN Charter – creates binding obligations that override consent issues altogether. In February 2014, the Security Council unanimously adopted resolution 2139, imposing unqualified, binding obligations on parties to the conflict in Syria with regards to allowing relief operations across conflict lines and borders. For more on cross-border aid and legal discussions including over resolution 2139, see OCHA and others, *Cross-border relief operations*. With violence escalating, the humanitarian situation worsening and demands made in resolution 2139 not being heeded, the council passed resolution 2165 five months later, explicitly authorizing cross-border and cross-line aid and setting up the associated mechanisms.

¹⁴⁴ UN, *Security Council rejects 2 draft resolutions authorizing cross-border, cross-line humanitarian access in Syria*, 20 December 2019, bit.ly/2wDNwZ8

¹⁴⁵ UN Security Council, *Resolution 2504 (2020)*, UN Doc. S/RES/2504 (2020). See UN, *Avoiding midnight deadline, Security Council extends authorization of cross-border aid delivery to Syria, adopting resolution 2504 (2020) by recorded vote*, 10 January 2020, bit.ly/2Uh6Mok

¹⁴⁶ Human Rights Watch, *Syria: Aid restrictions hinder Covid-19 Response: UN should Reauthorize Assistance from Iraq; Damascus Should Allow Passage*, 28 April 2020, bit.ly/3cSzJxi

The government of Syria and its allies in the Security Council, in particular Russia, have argued that circumstances on the ground have changed since 2014, that aid to opposition-held areas can be delivered sufficiently from within the country (emanating from regions under the government's control) and that the cross-border mechanism had failed to prevent aid diversion to "terrorist" groups.¹⁴⁷ This aggressive push has raised serious concerns about the future of international aid and whether the current mechanism, without which the UN cannot be directly involved in managing and delivering assistance, will be renewed.

UN 'MUSCLE'

Amnesty International interviewed 29 people about the importance of the cross-border mechanism and what would happen in the event it does not get renewed. Interviewees included six UN staff members with knowledge of or direct involvement in the humanitarian response in Syria as well as staff of local and international organizations and agencies engaged in aid operations.¹⁴⁸ Without exception, they all said any dismantling of the current system would have dire consequences for the provision of timely aid in an area where needs are staggering. In March 2020, close to 1,500 trucks of aid – truck deliveries being one metric of the size of UN assistance – crossed from Turkey to north-west Syria, a monthly record since the mechanism was put into operation in 2014.¹⁴⁹ While assistance entering the north-west does not only come through the UN – commercial channels are also widely used by local and international NGOs – the mapping, co-ordination and facilitation structure in place since UN Security Council resolution 2165 came into effect has been crucial to the delivery of efficient, sustained and principled aid, interviewees said.¹⁵⁰

Many local Syrian organizations rely heavily on direct UN funding and material assistance to support projects and services that are at the heart of the humanitarian response in the north-west, such as ones delivering health care and education.¹⁵¹ UN agencies procure – on a large scale – items such as medicine, which NGOs use to complement their supplies to ensure continuity of operations. If the UN is removed from the equation and the task of co-ordinating and supporting the humanitarian response through various actions such as procurement and managing grants is then passed on to larger NGOs, "there's no way one or two or three NGOs can absorb all that. The muscle it requires exceeds what any NGO is able to do," said a UN official involved in co-ordinating the response.¹⁵²

Humanitarian workers expressed particular concern about the provision of immunizations, which is exclusively supported by UNICEF and the WHO. And while food does enter the territory through regular commercial purchases, the assistance of the World Food Programme (WFP) to millions is critical, especially in light of the economic crisis and soaring prices. In March 2020, the WFP provided food assistance to around 1.8 million people in the north-west, its second consecutive record for the largest number of beneficiaries ever reached in a single month in the area.¹⁵³ A vacuum created by the UN's departure would also further expand the control of Turkey, a party to the conflict, over the provision of aid in the north-west. As it is, Turkey heavily regulates the licensing and registration of NGOs who use the Turkish city of Gaziantep as a hub from which to operate across the border in Syria, and it restricts humanitarian operations in areas in the north-west that have come under its effective control.

AID CHANNELLED THROUGH DAMASCUS

Though not without imperfections, cross-border aid is the most direct, cost-effective and secure route to deliver assistance to the north-west. The expectation that aid from government-controlled territories across conflict lines – which would necessitate government authorization and facilitation – could or would fulfil needs in the north-west is far from realistic, interviewees said. More than one described the notion as "farcical".¹⁵⁴ "The same party [to the conflict] that bombed medical facilities will then turn around and care about aid?... The same party that doesn't care that displaced people are in the open with no shelter?" said a doctor from Idlib involved in humanitarian co-ordination.¹⁵⁵ More substantively, he, and practically all other interviewees, pointed to the government's record of restricting aid operations irrespective of their modalities.

A UN report looking at alternative modalities for delivering aid to the north-east after the January resolution curtailed the area's access to cross-border assistance, offered a view of what delivery to that region from

¹⁴⁷ UN, "Avoiding midnight deadline, Security Council extends authorization of cross-border aid delivery to Syria, adopting resolution 2504 (2020) by recorded vote", 10 January 2020.

¹⁴⁸ Including representatives of international agencies who are based in Damascus and are engaged in deliveries from within the country.

¹⁴⁹ OCHA, *Syrian Arab Republic: Recent Developments in Northwest Syria, Flash Update – As of 2 April 2020*, bit.ly/2JRleMC

¹⁵⁰ Interviews February-March 2020.

¹⁵¹ Interviews February-March 2020.

¹⁵² Phone interview, 6 March 2020.

¹⁵³ WFP Syria, *Situation Report #3: March 2020*, 31 March 2020, bit.ly/2KWryUN

¹⁵⁴ Interview, New York, 6 March 2020.

¹⁵⁵ Phone interview, 18 February 2020.

within the country has been like.¹⁵⁶ It noted that, while the “cross-line operation” (that is access to aid from within the country) has improved, “a number of significant restrictions” remain, particularly when it comes to medical items.¹⁵⁷ Aside from restrictions imposed by local authorities within the north-east, “[t]rucks moving to the north-east often face bureaucratic impediments as they exit government-controlled areas... [and there have been] reports from agencies that trucks have been held at checkpoints for up to five days,” the report said. The government has also repeatedly turned down the WHO’s requests to deliver medical supplies to the north-east by land from Damascus, instead suggesting – and approving – the costlier air freight alternative. The approval process, the report said, typically takes three to four months.¹⁵⁸

In April, a second report released by the UN, further noted that cross-line deliveries to the north-east from Damascus have failed to make up for the gap in medical assistance which the UN used to deliver through the al-Yarubiyah border crossing before the January resolution resulted in that coming to an end. For example, only 31% of the hospitals and other medical facilities that used to be supported through cross-border aid received the necessary supplies, the report said.¹⁵⁹ Separately, humanitarian workers relayed to Amnesty International reports of other restrictions, including how organizations delivering aid from Damascus to the north-east are barred by the government from interacting with local authorities in the north-east or providing aid through them.¹⁶⁰

“Everything [takes] very long, is very burdensome and is tightly controlled,” said a UN staff member formerly based in Damascus describing the provision of aid from within the country.¹⁶¹ He and others explained that the access picture was rather complex, owing to the multiple entities whose approval is required and to the government deliberately taking a fragmented approach in dealing with aid providers. This has created an environment of inconsistencies and “randomness”.¹⁶² Damascus-registered agencies and organizations faced differing experiences, regulations and outcomes regardless of which government-approved national partner they went through — the Syrian Arab Red Crescent (SARC) or Syria Trust for Development, run by the first lady, Asma al-Assad.¹⁶³ Interviewees said the degree of access and required security approvals differed from one location to another and varied depending on the nature of the intervention; some requests took months to be approved, while others received no response whatsoever. The ability to meaningfully assess needs on the ground and to independently monitor the impact following the delivery of aid is heavily curtailed.

In theory, a combination of cross-border and cross-line aid operations is the goal, but practical complications persist. Interviewees pointed out that SARC, so far the main entity that implements the cross-line convoy system, is mostly not accepted by residents in opposition-held areas due to a perception among these communities that it is influenced and infiltrated by the government. It is among the reasons why cross-line aid to opposition-held areas in the north-west has rarely come to fruition.¹⁶⁴ Moreover, the cross-border mechanism and the UN-facilitated system built around it are about more than just convoys; they enable the sustained delivery of intensive humanitarian programmes and services that go well beyond the capacity of SARC.

A related concern is that, if aid were to be centralized through Damascus, the government would likely not engage humanitarian actors who have been delivering assistance in opposition-held areas supported by the cross-border mechanism and who have built the network of services on which the north-west has subsisted for years. These actors have been essentially “blacklisted” by the government, interviewees said, particularly warning about the persecution of local humanitarian workers. One organization cited the example of its own staff who operated in an area previously under opposition control; when the government recaptured the area, members of their staff were detained, including one who remains forcibly disappeared.¹⁶⁵

¹⁵⁶ North-east Syria is split administratively between different authorities. The area is predominantly run by the Syrian Democratic Forces, a Kurdish-led alliance of armed groups, in co-ordination with the Syrian government. An incursion by Turkey in October 2019 put it in effective control of key cities. See, for example, Michael Safi, “What is the situation in north-eastern Syria”, *The Guardian*, 14 October 2019, bit.ly/2QK0oCc

¹⁵⁷ UN Security Council, *Review of alternative modalities for the border crossing of Ya’rubiyah: Report of the Secretary-General*, 21 February 2020, UN Doc. S/2020/139 (hereinafter: *Review of alternative modalities for the border crossing of Ya’rubiyah: Report of the Secretary-General*, 21 February 2020), paras 35 and 36.

¹⁵⁸ *Review of alternative modalities for the border crossing of Ya’rubiyah: Report of the Secretary-General*, 21 February 2020, paras 37 and 38.

¹⁵⁹ *Implementation of Security Council resolutions: Report of the Secretary-General*, 23 April 2020, para. 32.

¹⁶⁰ Interviews, February–March 2020.

¹⁶¹ Phone interview, 5 March 2020.

¹⁶² Interviews, February–March 2020. Amnesty International is withholding details for the safety and protection of interviewees and their humanitarian programmes.

¹⁶³ Interviews, February–March 2020.

¹⁶⁴ Interviews, February–March 2020. SARC has offices in opposition-held areas in the north-west, but its operations there are limited. In March 2020, two of SARC’s offices in Idlib governorate were raided by armed men who seized relief items and vandalized property. International Committee of the Red Cross (ICRC), *Syria: Humanitarian aid workers and property must be respected and protected*, 15 March 2020, bit.ly/35r3inb

¹⁶⁵ Interview, location withheld, 28 February 2020.

MONITORING AND RISK MANAGEMENT

UN humanitarian officials stress that there is a thorough risk management system that has been put in place to avert aid diversion in the north-west. The Undersecretary for Humanitarian Affairs described the aid mechanism in northern Syria as one of the “most closely scrutinized aid delivery systems” in the world. In remarks to the Security Council, he recounted witnessing first-hand “monitors climbing into trucks, opening boxes and cutting into bags of rice.”¹⁶⁶

In a 2018 report reviewing the mechanism, the UN detailed measures taken to also ensure “end-use monitoring”. Managed remotely, these included innovations such as “geotagging and time-stamping photographs, and in some cases providing real-time video streams of distribution points.”¹⁶⁷ It acknowledged that instances of small-scale irregularities had been identified, but stated that there was no “systemic diversion” and that transparent reporting and accountability mechanisms were in place.¹⁶⁸ The report stressed that the level of vetting was on a par with or even surpassed that regarding the delivery of aid from within Syria and similar high-risk operations in the world.¹⁶⁹

This reputational guarantee the UN mechanism provides has boosted donors’ confidence, interviewees told Amnesty International. As mentioned in chapter five, interviewees further stressed the importance of the role the UN plays in fronting engagement with armed groups to ensure that the integrity of the aid is not undermined, which has also been key in addressing donors’ concerns.

¹⁶⁶ UN, “Mandate renewal for cross-border assistance mechanism critical to help millions of Syrian civilians, top official tells Security Council”, 14 November 2019, bit.ly/3dxhr63

¹⁶⁷ UN Security Council, *Review of the United Nations cross-border operations: Report of the Secretary General*, 19 June 2018, UN Doc. S/2018/617 (hereinafter: *Review of the United Nations cross-border operations: Report of the Secretary-General*, 19 June 2018), para. 39.

¹⁶⁸ *Review of the United Nations cross-border operations: Report of the Secretary-General*, 19 June 2018, paras 47-49.

¹⁶⁹ *Review of the United Nations cross-border operations: Report of the Secretary-General*, 19 June 2018, para. 49.

7. CONCLUSION AND RECOMMENDATIONS

Almost 10 years into the crisis, the Syrian government, with the support of Russia, continues its deliberate policy of terrorizing the civilian population with the aim of recapturing territory held by armed opposition groups. Its latest offensive on Idlib and western Aleppo governorates has been carried out with utter disregard for civilian lives and fundamental rules of international humanitarian law, which has been the hallmark of the government's military strategy throughout. This has resulted in new levels of displacement and civilian misery.

The evidence examined in this report shows that Syrian and Russian government forces targeted medical facilities and schools. These acts amount to war crimes. The incidents documented represent a fraction of the attacks on civilians and civilian infrastructure in north-west Syria between December 2019 and March 2020, which have killed many civilians and rendered entire areas uninhabitable. Amnesty International has demonstrated in the past, and in this report, that there is sufficient evidence to conclude that these acts form part of the Syrian government's systematic, as well as widespread, attack on the civilian population and constitute crimes against humanity.

Close to a million people had no option but to flee towards areas close to the Turkish border. Cornered in an ever-shrinking space, these civilians continue to suffer intolerable living conditions as the humanitarian response remains overstretched well beyond its capacity. Timely and sustained assistance is needed more than ever. As such, Amnesty International strongly urges the UN Security Council to ensure that the UN's cross-border aid mechanism remains intact. While this report has focused on the situation in the north-west, the research and analysis presented in it also show an urgent need to reinstate cross-border access for humanitarian aid to the north-east.

TO THE SYRIAN GOVERNMENT

Amnesty International calls on the Syrian government to comply with its obligations under international human rights law and to respect and ensure respect for international humanitarian law, in particular to:

- End indiscriminate and disproportionate attacks, including the use in populated areas of imprecise explosive weapons with wide area effects, such as barrel bombs;
- End direct attacks on civilians and civilian objects, such as medical facilities, schools and residential homes;
- End the use of prohibited weapons, such as cluster munitions;
- Allow and facilitate unhindered humanitarian access to UN agencies and their implementing partners to deliver food, fuel, medicines and medical supplies to civilians in need across Syria, including opposition-held areas in northern Syria, through cross-border and cross-line aid operations;
- Streamline regulations and establish a transparent, timely and accessible process for humanitarian agencies and organizations applying for permits to implement humanitarian programmes across the country;

- Allow free and unrestricted movement of civilians into and from northern Syria; and allow civilians who wish to leave the area freedom to do so without threat or constraint;
- Respect the right of civilians to live where they wish and allow civilians who have been displaced to return to their homes safely, in dignity and voluntarily based on free, informed, individual choice;
- Provide full co-operation and unhindered access to the Independent International Commission of Inquiry on the Syrian Arab Republic, the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (International, Impartial and Independent Mechanism) and non-governmental human rights organizations, to investigate all allegations of violations of international human rights law, violations of international humanitarian law and crimes under international law;
- Comply, fully and immediately, with the provisions of relevant UN Security Council resolutions – including resolutions 2139 and 2165 – related to respect for international humanitarian law and human rights.

TO ARMED OPPOSITION GROUPS

Amnesty International calls on Hay'at Tahrir al-Sham and other armed opposition groups engaged in the conflict in northern Syria to comply fully with their obligations under international humanitarian law, in particular to:

- Allow unhindered humanitarian access to UN agencies and their implementing partners to deliver food, fuel, medicines and medical supplies to civilians in need in north-west Syria;
- Refrain from interfering in the work of humanitarian agencies and organizations through acts that undermine the quality of assistance or make it susceptible to suspension, such as introducing new fees and imposing contractors on humanitarian actors inside and outside camps for internally displaced people;
- Facilitate the provision of educational services and associated interventions by humanitarian actors inside and outside camps for internally displaced people;
- End the use of imprecise explosive weapons such as rockets in populated areas;
- End direct attacks on civilians and civilian objects, such as residential areas and refugee camps;
- Remove from the ranks anyone suspected of ordering or committing violations of international humanitarian law;
- Allow free and unrestricted movement of civilians into and from northern Syria; and allow civilians who wish to leave the area freedom to do so without threat or constraint;
- Comply, fully and immediately, with the provisions of relevant UN Security Council resolutions – including resolutions 2139 and 2165 – related to respect for international humanitarian law and human rights.

TO THE RUSSIAN GOVERNMENT

Amnesty International calls on the Russian government to comply with its obligations under international human rights law and to respect and ensure respect for international humanitarian law, in particular to:

- End indiscriminate attacks and direct attacks on civilians and civilian objects, such as medical facilities, schools and residential homes;
- Take all feasible precautions to minimize harm to civilians, including giving effective advance warnings of impending attacks to the civilian population;
- Provide accurate public information on all strikes carried out, including detailed information on location, target, delivery system and weapons used;
- Report in a detailed, timely, public and transparent manner on strikes resulting in civilian deaths or injury and damage to civilian property and infrastructure;

- Ensure independent, impartial and effective investigations are conducted into credible allegations of violations of international humanitarian law, including those documented in this report and publicly report on the findings of such investigations;
- Ensure that the Syrian government respects its obligations under international humanitarian law and international human rights law;
- Pressure the Syrian government to provide unhindered humanitarian access to UN agencies and their implementing partners to deliver food, fuel, medicines and medical supplies to civilians in need across Syria;
- Refrain from actions in the UN Security Council that block attempts to investigate attacks against civilians and civilian infrastructure or to ensure unhindered access for impartial humanitarian relief;
- Ensure that the Syrian government allows free and unrestricted movement of civilians into and from northern Syria; and allow civilians who wish to leave the area freedom to do so without threat or constraint;
- Ensure that the Syrian government allows displaced civilians to voluntarily and safely return to their homes.

TO THE TURKISH GOVERNMENT

Amnesty International calls on the Turkish government to comply with its obligations under international human rights law and to respect and ensure respect for international humanitarian law, in particular to:

- Allow civilians wishing to flee the hostilities in Idlib to do so safely by permitting them to seek asylum in Turkey;
- Maintain sufficient, appropriately located, secure and regular border crossing points open for Syrians fleeing the conflict;
- Ensure unhindered humanitarian access to UN agencies and their implementing partners to deliver food, fuel, medicines and medical supplies to civilians in need in north-west and north-east Syria.

TO THE UN SECURITY COUNCIL

Amnesty International calls on the permanent and non-permanent members of the UN Security Council to:

- Ensure the renewal, for a period of at least 12 months, of the UN's cross-border aid mechanism for north-west Syria and reauthorize cross-border access to the north-east via the al-Yarubiyah border crossing, as envisaged in UN Security Council resolution 2165, thereby allowing UN humanitarian agencies and their implementing partners to deliver food, medicines, medical supplies and other essential aid to civilians in need, including in areas under the control of armed opposition groups;
- Demand unhindered access to Syria for the Commission of Inquiry on Syria, the International, Impartial and Independent Mechanism and non-governmental human rights organizations;
- Impose targeted sanctions against those responsible for war crimes and crimes against humanity in violation of UN Security Council resolution 2139;
- Refer the situation in Syria to the Prosecutor of the International Criminal Court.

TO DONOR STATES

Amnesty International calls on donor states, including the USA, UK and European Union member states, to:

- Strongly support the continuation of the UN cross-border aid mechanism in north-west Syria and call for reinstating it in the north-east through the al-Yarubiyah border crossing;
- Increase financial assistance to humanitarian programmes in north-west Syria to help respond to the growing needs of displaced persons and the wider community in accordance with priorities outlined by humanitarian actors, including the COVID-19 preparedness and response plan; and ensure that funding is timely, predictable, sustainable and in support of immediate and longer-term needs;
- Ensure that funding complies with obligations under international humanitarian law and is based on needs; refrain from selective targeting based on concerns about territorial control; and reverse

decisions that have not taken this into account, particularly those impacting the education sector in opposition-held areas in north-west Syria;

- Acknowledge the complexity of operating in north-west Syria in areas under the control of armed groups designated as “terrorist” by the Security Council and recognize that attempts to regulate humanitarian actors are likely to continue; and accept that the responsibility to mitigate the risk of aid diversion must be shared with humanitarian actors implementing the response and commit to that rather than placing the burden entirely on them;
- Work closely with implementing humanitarian partners to identify ways to respond to possible breaches of counter-terrorism regulations without having to suspend programmes altogether, rescind funding, or interrupt crucially needed assistance as long as partners report these potential violations in a transparent and timely manner;
- Facilitate the ability of implementing partners to continue strengthening their due diligence and risk mitigation measures pertaining to aid diversion, including by supporting local organizations to build their capacity;
- Ensure that the UN humanitarian agency, OCHA, continues to play its critical role in acting on behalf of humanitarian organizations by fronting negotiations with local authorities in opposition-held areas in north-west Syria aimed at addressing interference attempts and ensuring principled assistance;
- Make further disbursements under the EU-Turkey Statement of March 2016, while insisting on Turkey’s respect for international law, in particular the prohibition of *refoulement*.

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CONTACT US



info@amnesty.org



+44 (0)20 7413 5500



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‘NOWHERE IS SAFE FOR US’

UNLAWFUL ATTACKS AND MASS DISPLACEMENT IN NORTH-WEST SYRIA

In a renewed push to capture the last areas controlled by armed opposition groups, the Syrian government, backed by its ally Russia, has carried out a wave of attacks causing not only civilian deaths and injuries and wide-scale damage to civilian infrastructure, but also unprecedented mass displacement.

Based on 74 interviews, satellite imagery, aircraft observation logs and intercepted aircraft radio communication, Amnesty International has documented unlawful attacks on hospitals and schools in Idlib and western Aleppo governorates by Syrian and Russian government forces, as well as the resulting humanitarian crisis, described by the UN as the worst since the conflict started. Testimonies collected illustrate the horrors civilians experienced as they fled to inadequate displacement sites with limited access to food, water, medicine and other essentials. The research also shows that Hay'at Tahrir al-Sham, the largest coalition of armed groups in the north-west, interfered in humanitarian organizations' work.

Civilians in north-west Syria are at further risk if a crucial UN mechanism to deliver humanitarian relief from across the border with Turkey is not renewed. The UN Security Council must ensure this mechanism remains intact. All parties to the conflict must end unlawful attacks and ensure unimpeded access to impartial humanitarian relief.