

AMNESTY INTERNATIONAL BRIEFING



AI INDEX: MDE 24/037/2013
26 JULY 2013

SYRIA: CIVILIANS IN AL-BAYDAH AND BANIAS EXPOSED TO SUMMARY EXECUTIONS

The deliberate killing on 21 July of 13 civilians from the same family at their home in the village of al-Baydah, in the Tartus governorate, allegedly by pro-government forces, has raised grave concerns that the area's population may be at ongoing risk of summary executions for its perceived sympathies towards the armed opposition.

The killing left three men, four women and six children from the same family and reportedly one other civilian dead and took place in Wata al-Baydah, a farming community at the western edge of the village, shortly after pro-government forces clashed with opposition fighters nearby. The incident came less than three months after mass killings of civilians took place in al-Baydah and the city of Banias, north of al-Baydah, on 2 and 3 May respectively, during which at least 268 men, women and children were allegedly shot dead at close range by pro-government forces, believed to include members of the Syrian armed forces and/or a government-sponsored militia, the National Defence Forces (NDF).

The attacks raise serious concerns that civilians in al-Baydah and Banias, particularly those in the vicinity of opposition fighters, are being targeted as a deliberate tactic to forcibly displace as many civilians as possible in order to leave opposition fighters more exposed and without a local support base. The lack of accountability for the earlier killings, in the context of a situation of more generalized impunity for war crimes and crimes against humanity being committed in Syria, has contributed to the continuing risk of such attacks being perpetrated against the civilian population in the area.

Amnesty International urges the Syrian government to end immediately all extrajudicial executions, deliberate attacks on civilians, forced displacement of the civilian population and other serious violations of international humanitarian law and gross violations of human rights. It reminds the authorities that they are directly responsible for violations committed by government-sponsored militias such as the NDF.

Amnesty International reiterates its call to the Syrian government to immediately allow free and unhindered access to independent UN investigators and other international human rights organizations to investigate these and other killings that have taken place since the start of the unrest in March 2011.

Amnesty International urges the UN Security Council to refer the situation in Syria to the Prosecutor of the International Criminal Court so that war crimes and crimes against humanity such as those carried out in al-Baydah and Banias may be independently and impartially investigated and the perpetrators identified and brought to justice.

21 July killings in al-Baydah

The bodies of 13 members of the same family were found in Wata al-Baydah on the morning of Sunday 21 July. According to reports received by Amnesty International, those of the three men, all brothers, were found with bullet wounds outside their home and those of their female relatives and children, aged between two and 13, were found inside their home. The inside of the house was burned and it is unclear to Amnesty International if the women and children were killed before or as a result of the fire. A 14th civilian was also killed in a farm nearby.

Shortly before the incident, clashes had broken out between pro-government forces and opposition fighters who were hiding in Wata al-Baydah; at least three opposition fighters were killed while others fled. According to Amnesty International's information, the pro-government forces then searched the area and carried out the killings.

The family members killed are Osama Ali Fattouh, aged around 40, his wife, Leila Qaddour, aged around 34, and their four children, Hanadi Fattouh, aged around 13, Ali Fattouh, aged around 12, Yamen Fattouh, aged around six, and Maya Fattouh, aged around three; Leila Qaddour's mother, Fatima Fattouh, aged around 60, and her sister, Hanan Qaddour, aged around 23; Osama Ali Fattouh's brother Nidal Ali Fattouh, aged around 38, his wife Mays Obeid, aged around 27, and their two children Sou'ad Fattouh, aged around four, and Mohammed Fattouh, aged around two; and Osama and Nidal Ali Fattouh's brother, Ziyad Ali Fattouh, aged around 36. The man killed on his farm is Osama al-Assar.

The Fattouh family and Osama al-Assar were among those who remained in or returned to al-Baydah after the mass killings on 2 May that prompted many families to flee the village.

May 2013 killings in al-Baydah and Banias

Mass killings took place in al-Baydah on 2 May and Banias on 3 May. Research carried out by Amnesty International into the incidents found that pro-government forces were behind the deaths of at least 130 individuals in al-Baydah and 138 killed in Banias.

Amnesty International believes that civilians may have been targeted as a deliberate tactic to punish them for their perceived support or sympathies with the opposition fighters and forcibly displace as many civilians as possible in order to leave opposition fighters more exposed and without a local support base.

In the year leading up to the killings the Tartus governorate in which al-Baydah and Banias are located had experienced sporadic attacks by opposition fighters against government forces, as well as minor clashes between the two sides. President Bashar al-Assad has a large support base in the governorate, mainly coming from the Alawite community, to which President al-Assad belongs.

People perceived as opposed to the government, particularly men, were at risk of arrest and torture. Around 10 days before the 2 May killings, three men from Banias – Firas Yamaq¹, Mahmoud al-Zeer,² and Walid Tohoof³ – were reported to have died under torture while in the custody of Syrian intelligence services on 23 April, 24 April and 25 April respectively. These

deaths in custody heightened anti-government sentiment in areas of the Tartus governorate such as al-Baydah and Baniyas.

Amnesty International interviewed seven survivors of the killings in al-Baydah on 2 May and three survivors of the Baniyas killings on 3 May. All survivors were interviewed separately via Skype or by phone, some at length for several hours. What they described was the commission of extrajudicial executions on a mass scale. Amnesty International also studied videos and reviewed still images relating to the killings.

On the morning of 2 May 2013, it is reported that pro-government forces, guided by an opposition fighter in their custody, approached a hiding place for opposition fighters in al-Baydah in order to raid it. Clashes broke out between the pro-government forces and the opposition fighters, reportedly resulting in the killing of seven members of the pro-government forces.⁴

The pro-government forces sent reinforcements and residents of al-Baydah say they shelled the orchards surrounding al-Baydah, in which opposition fighters often sought shelter to avoid being arrested. Amnesty International was unable to determine the type of weapons used and if the shelling was indiscriminate in nature. According to opposition activists interviewed by Amnesty International, some opposition fighters were killed during the clashes in the village and others after retreating to these nearby orchards.

Amnesty International's research indicates that a large number of pro-government forces then stormed into the village and conducted house-to-house searches, shooting people at close range, looting furniture and shops, and setting houses on fire over a period of several hours. Survivors interviewed by Amnesty International, who had fled to nearby hills when pro-government forces entered the village, all gave consistent testimonies of finding unarmed men, women, and children shot dead inside their homes or against street walls when they returned to the village after sunset, shortly after the pro-government forces had left the village.

Video material and still images seen by Amnesty International show bodies of men, women and children lying inside buildings and in the streets. One video shows the bodies of four men scattered outside a shop and then, inside it, the bodies of some 19 men lying face down and wearing plain clothes, with some having had their shirts pulled up to their heads.⁵ The cameraman, who appears to be a government supporter, is heard at one point to say "brothers of a bitch", in response to which a man wearing a military uniform who is leaving the shop says, "These are brothers of shame". Residents of al-Baydah say the shop is known by its owner's name, Azzam al-Bayasi. A still image taken by activists after the pro-government forces left the village shows charred bodies in the same shop, suggesting that the pro-government forces had set them on fire.

Another video seen by Amnesty International shows women and children, including babies, from the Fattouh family, sitting motionless on sofas, slumped forwards, backwards or to the side; all appear to be dead.⁶ Amnesty International understands that they were sheltering in a basement at the time. Some children were sitting next to their mothers and one woman is seen slumped backwards on the sofa while still holding her toddler, also dead.

Pro-government media and the opposition blamed each other for the killings. In a televised news report entitled *Cleansing al-Baydah of terrorist groups*, the pro-government al-Ikhbariya Channel accused opposition fighters, whom it describes as “terrorists”, of carrying out attacks against the people of the village and showed footage shot from a distance of dead bodies crammed together next to a wall. The anchor provided commentary, saying: “Here they are dead after the Syrian Arab Army cleansed the village of al-Baydah of their terrorism.”⁷ The way the bodies were lying bunched together next to a wall is very similar to other video footage and still images from al-Baydah seen by Amnesty International showing corpses of people who appear to have been summarily killed.

Another video clip aired on the pro-government Sama Channel and seen by Amnesty International shows a bird’s-eye view of a square in al-Baydah shortly after Syrian troops had entered the village and taken control of it. A white van in the square was shown parked in front of a building as soldiers walked along. The same location photographed later after the mass killings had taken place shows four bodies of men lying in front of the white vehicle. At least three of these bodies had their shirts pulled up to cover their faces, a sign that they had been detained prior to being subjected to what seems to be summary executions. The ground under the bodies’ heads and shoulders is soaked with blood suggesting they had been shot in the head.⁸

Consistent testimonies and other information gathered by Amnesty International indicate that the perpetrators of the mass killings in al-Baydah were not opposition fighters but rather pro-government forces. Survivors of the al-Baydah killings interviewed by Amnesty International said they identified perpetrators as coming from nearby pro-government villages and towns from their accents. Most of them referred to the perpetrators as NDF members. A TV report by the Sama Channel shows interviews with pro-government forces standing on a hill overseeing al-Baydah, on 2 May 2013. One of them says: “Today we will finish off al-Baydah... the army and the National Defence [Forces] are ready.”⁹

Amnesty International’s research shows that there was a heavy security presence in Baniyas in the months preceding the mass killings in May, as well as during them. Interviews with activists and residents indicate the presence of at least 17 fixed checkpoints controlling the entrances and exits to the city and locations inside it, situated on main roads, side streets and roundabouts. Additionally, there were also at least two checkpoints that would be set up and dismantled from time to time. Also present in the city are offices belonging to the Syrian intelligence services and assembly points for the pro-government militia.

The fact that there was such a tight control of Baniyas by government forces supports the consistent testimonies gathered by Amnesty International that pro-government forces were responsible for the killings in Baniyas. The killings were on such a mass scale – at least 138 people, most of whom appeared to have been killed by bullets fired at close range – that they would have required a large number of perpetrators to spend considerable time conducting house-to-house searches.

The perpetrators of the killings in Baniyas carried out house-to-house searches, summarily killed scores of people in their homes and in the streets, looted properties and set fire to houses. They targeted a specific neighbourhood, Ras al-Naba’, where opposition fighters had

been active; opposition fighters were mainly based in Batraya, a hilly area in eastern Ras al-Naba'. Baniyas comprises at least 14 neighbourhoods, of which 11 are predominantly inhabited by Sunni Muslim residents, including Ras al-Naba', and three mainly by members of the Alawite community.¹⁰ The perpetrators must presumably have felt able to operate while exposed to the Syrian army-manned checkpoint located on the Ras al-Naba' bridge and pro-government forces snipers positioned in the al-Qooz neighbourhood, whose inhabitants are overwhelmingly loyal to President al-Assad and which oversees parts of Ras al-Naba'.

Amnesty International has been unable to establish whether it was the Syrian armed forces alone or the NDF alone or a combination of both that carried out the killings in al-Baydah and Baniyas. The NDF was reportedly formed in 2012 and draws its members from the local communities who are loyal to President al-Assad, particularly members of what are known as Popular Committees. The Independent International Commission of Inquiry on Syria, established in 2011 by the UN Human Rights Council, said in a report published on 4 June 2013 that "Evidence gathered indicates the perpetrators are government-affiliated militia", but that investigations were ongoing.¹¹

Research conducted by Amnesty International indicates that previous mass killings of civilians reportedly conducted by pro-government forces have been carried out in similar ways. Survivors of such killings interviewed in Lebanon in December 2012 and January 2013 told Amnesty International that in the attacks conducted on the Baba Amr neighbourhood of the city of Homs in March 2012 and on the Damascus suburb of Daraya in August 2012, government forces shelled the targeted areas forcing opposition fighters to leave. They then stormed in, conducted house-to-house searches, lined up men against walls in the streets and beat them up, sometimes opening fire at them. They would also loot houses and set fire to them.

Some testimonies described men being taken to a location such as a building under construction and being tortured there, including by being stabbed on different parts of their bodies and having construction material slammed against their bodies, including their heads, repeatedly until they died, or being shot at close range. Amnesty International has also seen video footage showing pro-government forces subjecting unarmed men to this kind of torture. Survivors indicated that both the armed forces and pro-government Shabiha militia were responsible for the torture and killings.

Testimonies on the May killings in al-Baydah

A survivor whose husband and two of whose sons were killed in Beit Mahmoud neighbourhood recounted to Amnesty International what she and her family experienced on 2 May:

"We were drinking coffee in the morning on the balcony when we heard the first shell explode... My husband said it was just a sound bomb to scare people. Then we heard another shell, then a third. So my husband said they might be conducting a raid and said it was better to take the kids to the lower floor, which we did.

"I told my husband to leave with my sons, because I was afraid that they [government forces] would harm them, but he said: 'Don't worry, we didn't do anything. If they come, we will

show them our IDs and they'll leave us alone.' My two nephews, one aged 14 or 15 and the other 17, were also at my house.

"At around 11:00, around 10 men wearing military uniform stood outside the house while another two came in, with one kicking the door that was anyway already open. He shouted: 'Give us your arms.' My husband replied: 'We don't have any weapons.' I told him: 'Just like you are serving the country, we have also served our country for many years' [in reference to her husband who was in the military]. The uniformed man then stabbed my husband with the bayonet in his back... I asked him, 'Why are you doing this to us? You seem to be from a good family. Don't make such mistakes!' He snapped at me: 'Shut up you bitch... By God, I will make you pregnant with four [babies].' I replied saying, 'Would you like someone to say this to your mother?' He then grabbed my son [aged 20] and admonished him: 'Why don't you defend your country? Do you go to protests?' My son told him: 'I never took part in any protest, my father does not allow us to.' The uniformed man just shot him in his shoulder and my son fell on the floor [still alive].

"They then ordered me to stand facing the wall. My 16-year-old son was afraid... He told them: 'Leave mum alive and kill us all. Just leave her alive.' So the uniformed man replied: 'Of course, I'll leave her alive Who will then cry over you?' And he hit my son's eye with the rifle butt. He then told me again that he would make me pregnant.

"They then dragged us all to the street. There were many other men from our neighbourhood standing there... Abd al-Rahman al-Shoghri and Abd al-Mon'em al-Shoghri were both shot in their legs... There were other men and their sons, all our neighbours, each of them shot somewhere... in their stomach, in the shoulder... drowning in their pain and made to kneel.

"I was ordered to stand facing the wall with my arms raised, and the uniformed man kept threatening that he would rape me... My beloved [elder son] was worried about me. He was shouting, 'Mum!' I shouted back: 'Don't worry about me! I will save myself.'

"A soldier then allowed me to escape and I went to Umm Mohammed al-Salam's house where all the women in the neighbourhood were forced to gather. I quickly changed the abaya I was wearing to disguise myself.

"After they shot all the men, they dragged some of their bodies away. I don't know where. After they left, I saw my husband's body near al-Thoraya Mosque, not far from where we live. I couldn't do anything to it, so I brought a carpet and covered him."

Another survivor recounted to Amnesty International how he survived being killed summarily on 2 May:

"I was with my brother and a friend at home nervous about the shelling and shooting taking place. Five members [of the armed forces] showed up at the house, dragged us outside and ordered us to face the wall and keep our heads down... Then the officer told the soldier, 'Execute them!' and walked away... The soldier did not kill us. He then told us, 'Run away!' We started running... and then they opened fire at us. I saw my brother and friend falling down. They were martyred. I did not stop running... and I passed by houses that were on fire...I was able to hide, but we couldn't bury the dead."

A third survivor witnessed a friend and another man from al-Baydah being subjected to summary execution on 3 May on the Latakia-Tartus highway as he was fleeing al-Baydah:

“When the killings happened on Thursday, I left al-Bustan neighbourhood where I live out of fear that the [government] forces would return to the centre of the town. No killings occurred inside my neighbourhood; it is near the Christians’ neighbourhood. But I was scared so I slept over at the home of my friend, Lou’ay Nammoura [a farmer aged around 23], who lives in Wata al-Baydah at the edge of the town... I thought it was safer. We woke up at around noon on Friday and we heard that the security forces had sent 15 vehicles to the town. So I told Lou’ay: ‘Let’s leave... Everyone has left the centre of the town and so the security might not find anyone there and therefore come to Wata al-Baydah... He told me that we’d have breakfast and then cross the highway to go to al-Kharab, which is a Christian village and therefore somewhere we thought would be safe.

“As we were crossing the highway, five or six men wearing military uniforms jumped on us out of nowhere... They dragged us to a checkpoint that was probably 200 or 300 metres away and threw us to the ground face down. There was already a worker they were holding there along with his son, who was probably aged 15... - Ghassan Hussein Qaddour who is from my al-Bustan neighbourhood. They told him: ‘Who do you prefer dies? You or your son?’ He replied: ‘Me.’ He was shot immediately. They just shot him, just like that, without replying to him. He fell on us... I was so scared, I was just below him. I heard them telling his son to leave and his son walked away.

“Then they came to us and started kicking us, hitting us with rifle butts on the head and back... stepping on us. I cannot describe it. They beat us so hard I thought I was going to die... Thank God I didn’t. They were swearing at us and just humiliating us.

“They then ordered us to stand up and brought a big two-litre-size bottle with petrol, poured it over Lou’ay and lit him on fire... Within seconds as he was falling, they shot him in the head and he collapsed. There was still a little amount of petrol left in the bottle so they poured it on me and lit me up... So I was on fire but not as badly as Lou’ay... One of them told the other they should bring more petrol from their vehicle, and as they walked towards the car, I started taking off my clothes and my jacket... Then I ran towards the woods, took off the rest of my clothes that had caught fire, my trousers, my shirt, everything except for my boxers. Then they started shooting at me... I kept running and running... Around every 10 metres I would throw myself on the ground for cover... Then I would gather myself, stand up and run again... I don’t know how I made it and reached safety... My family applied anti-burn cream all over my body. I couldn’t go to hospital to be treated there. They would have killed me. I was so distressed and couldn’t eat or drink anything. My family was worried about how distressed I was.”

A fourth survivor told Amnesty International:

“When the shooting stopped just after sunset, we made our way to the village slowly and cautiously... I reached the asphalt of al-Zawbe [an area located between al-Baydah and Wata al-Baydah], and there were bodies of two girls and a young man... I can’t figure out how old they were... As I was walking towards the village, I could see black smoke over Beit ‘Arous neighbourhood, located below al-Zawbe...”

A fifth survivor who gave his testimony to Amnesty International said:

“I went to Beit Mahmoud neighbourhood and saw four bodies, all lying dead, near al-Thoraya Mosque. I got up close to them and they were my uncle, Ahmed Mohammed al-Shoghri, aged 50. He was shot in the head... His two sons, Mohammed Ahmed al-Shoghri, aged 20, and Othman Ahmed al-Shoghri, aged 16... and our neighbour, Ahmed Mohammed Othman, probably aged 15. He’s in Class 9.”

A sixth survivor, who said he was a fighter, also described what he saw upon his return from hiding in nearby hills:

“We entered the village... The first dead bodies I saw were near a school by a river, just next to Beit ‘Arous neighbourhood... I did not enter this neighbourhood. Instead, I took the first turn upwards and there were around 10 to 15 bodies scattered here and there and in front of house doors... They were of different ages: youths, young men, elderly people... There were houses and shops that had been burned, vehicles charred and melted.

“Then I went to a mobile phone shop that belongs to ‘Azzam al-Bayasi... and there were dozens of charred bodies... There was a stench of grilled meat. Some of the guys and I tried to move the bodies, but it was difficult... At one point a man’s head, which was really badly burned, became severed from the rest of the body and came away in our hands.

“I then went with other guys to Beit Mahmoud neighbourhood and there we found families shot dead inside homes. One was of a woman shot dead as she was sitting on a sofa... She was leaning backwards and carrying her baby, probably just three to four months old, also dead.”

Testimonies on the May killings in Banias

A surviving resident of Ras al-Naba’ neighbourhood, who witnessed the killing of a family displaced from Aleppo on 3 May, recounted what happened to Amnesty International:

“During the shelling of Ras al-Naba’, my family and my neighbours gathered in one ground-floor room because we thought it was safer... Then, in the afternoon, we heard that the National Defence Forces were coming to the neighbourhood. We saw a young man with blood on his face running down the street. We asked him what had happened. He said they had killed his father, mother and sister in Hay al-Hawooz in Ras al-Naba’... He had survived. We were all terrified and women started crying... We didn’t know what to do. So we all stayed inside the house and locked the house door. We gathered in a bedroom, particularly the women and children, and some of the men – probably 10 of them – sat in the living room.

“After a bit, we heard loud banging on the main door. It was them. We didn’t open. Then they shot at it and stormed in... There were around 15 of them. There was another inside door and as they were banging, a family man said he would open it, because anyway they were able to break in easily. The moment he opened the door, they started beating him up and they ordered all the men to get out of the room.

“They took us [the men] to the street and ordered us to line up against a wall. They started beating us badly, swearing at us and calling my family names... One said, ‘Load the gun and

open fire!’ but an officer said, ‘Not all people should be treated the same way.’ They did not shoot at us. They took us to another street and there they tied our hands up... Then some of them wanted to kill us but another officer I know from the time before the conflict said, ‘Let them go! I know these people.’ Then he told us, ‘Go home immediately!’

“As I was walking back home, I saw a family that had been displaced from Aleppo and that had been staying in our neighbourhood... They were five young men and two boys – probably aged 10 and 15. There was also a woman – probably their mother. They were all crammed against the corner of a wall. Then they opened fire at them...None of the victims said a word before or during the shooting.

“Later, after the forces had left, there was a strong stench coming from their bodies. We checked on them at around 23:00 and they looked as if they had been burned. We went to their home to find their ID documents to know their names, and we found a driving licence for Abd al-Min’em al-Kadro, born in 1979, from Mare’ in Aleppo.”

A witness who was hiding when members allegedly belonging to the NDF were taking people out of their houses in Ras al-Naba’ described to Amnesty International what he saw:

“I could hear them banging loudly at the doors, shooting here and there, taking away furniture and burning the houses. I could hear them shouting at men and ordering them out. They would shout: ‘Come on you, come here!’

“So I remained silent and did not make any move... I then heard gunfire that was very close. I waited until I stopped hearing any voice to make sure they had all left... There was an eerie silence. I got out and went to the street... and there I was surprised to see six men lying motionless in the street. I went closer to the bodies. One was the cleaner, Ahmed Saqer; another was Samer Anees al-Zouzou, he owned a grocery shop; the third was Bassam Anees al-Zouzou, an electrician; then Kamal Jamal Wrayd, an employee in Tartus; and a man displaced from Aleppo, whose name is Mustafa Tabboush. The sixth man was lying face down and I was scared to move him around because if the troops came back, they would know that someone was alive.”

¹ <https://ar-ar.facebook.com/Martyrs.of.Freedom.AL.FY/posts/476417199094812>

² <https://www.facebook.com/photo.php?fbid=455880734492228&l=602f96f807>

³ <https://www.facebook.com/photo.php?fbid=456631907750444&l=ee400a71de>

⁴ <http://www.champress.net/index.php?q=ar/Article/view/19594>

⁵ <http://www.youtube.com/watch?v=y-f4L66ZIlw>

⁶ http://www.youtube.com/watch?v=Sr-8_fqFadg

⁷ <http://www.youtube.com/watch?v=nAxDuiMDGOA>, uploaded on YouTube on 3 May 2013.

⁸ http://www.youtube.com/watch?v=gx5_JBGILbM

⁹ http://www.youtube.com/watch?v=gx5_JBGILbM

¹⁰ The predominantly Sunni neighbourhoods are al-Corniche al-Janoobi, Souk al-Hal, al-Forn, al-Bazar, al-Qubayat, al-Ramle, al-Meedan, Ibn Khaldoun, Ras al-Naba', al-Meena (or al-Marfa') and al-Mahatta. The predominantly Alawite neighbourhoods are al-Qooz, al-Qosoor and al-Morooj.

¹¹ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 4 June 2013.