



Polisen

Protokollbilaga

Aklnr
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Signerat av
Cecilia Hector

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2023-08-04
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Enhet
Nationella Operativa Avdelningen, Krigsbrott i UtrS NOA **Arkiv/Åkl. ex**

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5000-K622888-18

Personer i ärendet

Förtursmål Nej	Beslag	Målsägande vill bli underrättad om tidpunkt för huvudförhandlingen Nej
Ersättningsyrkanden		Tolk krävs
Misstänkt (Efternamn och förnamn) Hamo, Mohammed		Personnummer 19581020-0559
Brott		Förhandsgodkännande enligt RB 48:10 Nej
Misstänkt har delgivits information om att förenklad delgivning kan komma att användas av polis och tingsrätt (skriftligt överlämnad vid ett personligt sammanträffande).		
Misstänkt har delgivits information om att tillgänglighetsdelgivning kan komma att användas av tingsrätt (skriftligt överlämnad vid ett personligt sammanträffande).		
Underrättad om slutförd förundersökning / utredning enligt RB 23:18a 2023-08-04, muntlig underrättelse		Yttrande senast (rådrum) 2023-11-15
		Resultat av slutunderrättelse Ingen erinran
Försvare Kilman, Mari, förordnad 2021-12-07		
Underrättad om slutförd förundersökning / utredning 2023-08-04, muntlig underrättelse		Yttrande senast (rådrum) 2023-11-15
		Resultat av slutunderrättelse Ingen erinran

Notering

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Polisen
Swedish Police

Date 15 November 2022

1 (1)



Registration number

Swedish Police Authority
National Operations Department
Cecilia Hector

5000-K622888-18

Urgent request regarding the 11th Division

In request "Sweden_Hamo_20180911" page 2, as we understand, there has been a conversation between the person of interest and CIJA.

We kindly ask for information how the conversation has taken place;

- From when is the conversation?
- Has there been a personal meeting?
- If not; is the conversation by WhatsApp, phone or other communication media?
- Do you have a separate memo over the conversation?

This request concerns an ongoing investigation regarding the 11th Division in Syria. All information that CIJA needs to keep confidentially should therefore not be shared with the Swedish War Crimes Unit.

Yours Sincerely,
Cecilia Hector



With the financial support from the Prevention of and Fight against Crime Programme of the European Union
European Commission - Directorate-General Home Affairs
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Reference: CIJARCT20221115_838
Registration Number: 5000-K622888-18
Date: 4 April 2023



Request for Assistance: Communication Details

On 15 November 2022, the Commission for International Justice and Accountability (“CIJA”) received a follow-up request for assistance from the Swedish War Crimes Unit (“the Unit”) regarding information provided in a CIJA report.¹ In particular, with regards to a conversation held between a CIJA investigator and Brigadier General Mohammed Hamo, the Unit requested the following contextual details:

- the date of the conversation;
- whether any personal meetings with the person of interest were held and, if not, by what means of communication the conversation was conducted; and
- whether any record of the conversation exists.

The conversation in question was held in-person in April 2015. It was an informal conversation arranged to introduce the person of interest to CIJA’s mandate and to seek his consent for a formal interview. His personal details and some basic information regarding his service with the Syrian Regime were provided, but he then refused to be interviewed and, accordingly, CIJA did not conduct an interview or make a record of the conversation. Furthermore, please note that additional details regarding this conversation cannot be obtained from the relevant investigator, who tragically lost his life during the earthquake of 6 February 2023.

Confidentiality Notice: The information provided in this report, as well as any documents provided in conjunction with this report, are intended solely for the addressee(s). The information is confidential and may not be disclosed to any other Party without the prior written consent of CIJA.

¹ CIJA Report “Sweden_Hamo_20180911”.



Polisen
Swedish Police

REQUEST

Date 24 February 2023

1 (1)



Registration number 5000-K622888-18

Swedish Police Authority
National Operations Department
Cecilia Hector

Request regarding the 11th division in Homs

Swedish Police, under the direction of the National Public Prosecution Department, conducts a preliminary investigation regarding the Head of the Armament Branch within the 11th division.

In request from 16 of April 2020, we kindly asked for the report:

1. *Violations of the law of the Armed Conflict by the Syrian Armed Forces in connection with Military Operations in Homs, October 2011-March 2012.*

This request primarily applies to the report in its entirety.

Alternatively, we ask for the following chapters;

II.C Governorate and operational level institutions. Page 46-113

III Contextual Elements. Page 114-141

IV Crime Base. Page 142-182

This request concerns an ongoing investigation regarding Homs, Syria. All information that needs to be kept confidentially should therefore not be shared with the Swedish War Crimes Unit.

Yours sincerely,
Cecilia Hector



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Follow-up Request for Assistance: Documentation

On 24 February 2023, the Commission for International Justice and Accountability (“CIJA”) received a follow-up Request for Assistance from the Swedish War Crimes Unit (“the Unit”) regarding the transmission of CIJA’s analytical product for use in its ongoing investigation. In particular, the Unit identified the following analytical topics of interest:

- Governorate and operational-level institutions in Homs;
- Contextual elements of criminality in Homs; and
- Crimes allegedly committed in Homs by the Syrian Regime¹ and affiliated entities.

These topics are discussed in the following report, which can be used by Unit in support of its investigation.

¹ This report uses the term “Regime” to refer to, inter alia, the Syrian President, the Central Crisis Management Cell (“CCMC”), the National Security Bureau (“NSB”), the Baath Party, the four principal security agencies - Military Intelligence Department (“MID”), Air Force Intelligence Directorate (“AFI”), General Intelligence Directorate (“GID”) and Political Security Department (“PSD”), the security committees, the joint investigation committees, the military and civilian police forces, the Army and Armed Forces, the governors, and their agents.

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I. Homs Governorate and Operational-Level Institutions

Homs Security Committee

A critical security body utilised by the Regime from the beginning of the current conflict was the governorate-level Security Committee. These long-standing Baath Party institutions brought together representatives from the various political, security, police, and military organisations within the governorates in order to discuss, plan and coordinate security matters and to disseminate information, decisions, intelligence and instructions to respective security bodies.

The Security committees provided an important mechanism by which the Regime could implement plans and allow for the passage of information and instructions emanating from the national leadership. They facilitated a flow down and between the various security bodies and their respective chains of command, enabling coordination between the various security bodies at the governorate level and resulting in the implementation of a coherent response to developing security situations. These coordination meetings were complementary to the existing formal chains of command operating between the various security agencies, the police and the military structures of the Syrian Army and Armed Forces.

Security committees were not a new phenomenon within the current Syrian conflict. Documentary analysis indicates that security committees operated well before the current crisis erupted in the spring of 2011.² Documentation from or relating to the operation of security committees attests that the local Baath Party Secretary normally chaired these bodies, with representation from other political leadership figures (normally, the Governor), the heads of the various security agency branches, the police and military figures. These individuals would formally meet to discuss security-related matters, to take decisions on a wide array of security-related topics, to pass decisions and instructions from higher levels, and to disseminate instructions to lower levels. Minutes would be taken and decisions recorded.

Analysis of documentation from different governorates indicates that the work of the security committees not only involved obvious security matters but additionally included the passing of

² Minutes of Meeting of the Deir-ez-Zor Security Committee, 25 May 2010, SYR.D0080.051.006-013 (the minutes of the Deir-ez-Zor Security Committee on 25 May 2010 show an identical structure and process to that operating a year later, when the security situation in the area had significantly changed).

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political messages, decisions taken on appointments, and other more localised affairs. In essence, the work of the security committees was as much about gathering information on all aspects of society and maintaining control in the governorates as well as being a forum for the resolution of specific security matters.

Documentation in CIJA's possession reveals that from the beginning of the current crisis, at the governorate level, security committees were linked to two critical national-level security bodies, the NSB and the CCMC.

The NSB was a long-standing security body which pre-dated the current conflict and consisted of the Head of the NSB and the heads of the four principal security agencies (Military Intelligence, General Intelligence, Air-Force Intelligence, and Political Security). The NSB was officially part of the Baath Party Regional Command and was both a coordinating body for the sharing of intelligence among the various agencies as well as a decision-making body. Furthermore, the NSB represented a means by which the national leadership could be informed of significant security issues. Security committees were directly connected to the NSB.³

Unlike the NSB, the CCMC was very much an *ad hoc* body, established as a direct response to the current conflict. The CCMC became the highest-level security body of the Regime from March 2011 (when it was established) until July 2012, when a bomb was detonated during a meeting, killing a number of its members. Unlike the NSB, the CCMC consisted of a far wider security group than just the heads of the security agencies. In fact, the Head of the NSB and the four heads of the security agencies were members of both the NSB and the CCMC. Other members of the CCMC included the Minister of Defence, the Minister of Interior, and the Chairman of the CCMC. The CCMC was created in direct response to the early demonstrations and developing crisis as well as a realisation that the security issues faced by the Regime demanded the engagement and coordination of all security bodies, not just the powerful security agencies. The CCMC was linked to the President and, for the period of its existence, it was the senior-most security decision-making

³ See e.g. Communication from Military Intelligence Branch 243 to Military Intelligence Sections and Detachments, 18 January 2011, SYR.D0043.002.009 (noting a circular from the Head of the Military Intelligence Department which itself referenced a circular from the NSB that had been passed to the security committees in the governorates regarding the 'distribution of security sectors', how they were to be covered by the security apparatus and the responsibility of each body in its sector).

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body of the Regime; the key body in passing decisions down through its members and the NSB for action and receiving information and reports from subordinates.

Documented examples note the active involvement of the CCMC with the governorate-level security committees. This included explicit references to reports from the security committees transmitted to the CCMC and subsequently discussed at CCMC meetings. Reports or instructions would then be issued in response, including through the NSB chain.⁴

In exactly the same manner as in other areas, Homs Governorate had a functioning and active security committee. Although documentation specifically related to this particular body is more limited than in other areas, materials in the possession of CIJA indicate that it was functioning from early in the current conflict. It likewise appears to have been assembled in the same manner as in other governorates with representation from the key governorate-level security agency branches and political personalities from the area. One of the early references to the functioning of the Homs Security Committee and that it reported to the CCMC is noted in a report, dated 14 April 2011, on the security situation in the country from the CCMC. According to this reference, the Homs Security Committee confirmed that:

...pre-emptive measures will be taken in order to prevent any negative demonstrations happening next Friday. It was recommended to track and arrest rioters in Baba Amro, Jawrat al-Arais, Bab al Sabaa and al-Ashirah⁵

Documentation from other governorates notes that the local Secretary of the Baath Party Branch was normally the Head (or Chairman) of the Security Committee. This Baath Party link was one of the important processes by which instructions and information could be disseminated to the security committees from the highest levels of government (*i.e.*, the CCMC/NSB).⁶ One important

⁴ See *e.g.* Minutes of Meeting of the Security Committee for Rural Damascus Governorate, 7 August 2011, SYR.P0001.001.049-050; Communication from the Chairman of the CCMC to the Head of the NSB and members of the CCMC, 18 July 2011, SYR.P0001.001.108; Communication from the NSB to the Assistant Regional Secretary of the Baath Party, 26 January 2012, SYR.P0001.001.005-011; Communication from the Rural Damascus Branch of the Baath Party, 15 August 2011, SYR.P0001.001.057; Communication from Tartous Branch of the Baath Party, 15 October 2011, SYR.P0001.001.061; Minutes of Meeting of the CCMC on 23 July 2011, 24 July 2011, SYR.P0001.001.070-072.

⁵ CCMC report on the security situation in the country on 12 April 2011, 12 April 2011, SYR.E0001.006.064-067.

⁶ See *e.g.* Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 25 March 2011, SYR.D0080.051.090-094; Minutes of Meeting of the Rural Damascus Governorate Security Committee, 7 August 2011, SYR.P0001.001.049-050 (both noting the Secretary of the Baath Party as chairing the meeting).

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reference highlighting this link was a document sent from the Head of the NSB in August 2011. It indicated that, as a result of a CCMC meeting the previous day, the following tasks would be implemented: security bodies were to launch joint military-security operations in the governorates; individuals from identified groups (funders of demonstrators, members of local coordination committees, media activists, etc.) were to be arrested; once cleared, areas were to be secured with loyalist supporters; formal investigation committees were to be established in governorates to interrogate arrestees; names of wanted individuals were to be circulated; and the NSB was to be kept informed of arrestees on a daily basis. This critical document was sent to the Secretaries of the Baath Party branches in Hama, Damascus, Deir-ez-Zor, Homs, Idleb and Dar'a governorates, for action by the various security, police and military bodies. The content aside, this document highlights the role of the Baath Party Branch Secretaries in the governorates as being a focal point for the security committees in receiving and disseminating information from senior levels (in this case, the NSB which was communicating the details of CCMC discussions). It is additionally of note that the Secretary of the Baath Party Branch in Homs was included on the distribution of this document.⁷ Witness evidence relating to Homs indicates that the Secretary of the Baath Party Branch in Homs in 2011 was Sobhi Harb.⁸

The Governor was an important member of the Security Committee; in Homs, this position changed in 2011. Testimony indicates that the Governor of Homs was initially Muhammad Eyad Ghazal, who was dismissed from this position in early April 2011 after the demonstrations began in the governorate. Later, in an apparent attempt to defuse the situation in Homs, the Governor was arrested and some form of judicial process was recommended against him.⁹ A retired Major

⁷ Communication from NSB to Secretaries of the Baath Party Branches (heads of Security Committees), 6 August 2011, SYR.D0043.004.094.

⁸ CCMC report on the security situation in the country on 3 May 2011, 3 May 2011, SYR.E0001.006.020-023. *See also* Witness Interview SYR.WGC.002.

⁹ Minutes of Meeting of the CCMC on 24 August 2011, 25 August 2011, SYR.E0001.015.015-016.

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General named Ghassan Mustapha Abdulal replaced Ghazal on 21 April 2011, according to Presidential Decree 159.¹⁰ Abdulal himself was replaced later in the conflict.¹¹

Although the Secretaries of the Baath Party Branches in the governorates were important in linking the CCMC/NSB and higher levels of the Regime to the governorate-level security apparatus, the national-level heads of the various security agencies could additionally utilise their own organisational structures to pass down the same instructions and directives. These structures concomitantly served as a vehicle for the transmission of reports and returns from the field to higher headquarters. As a result, the governorate-level security agency branch heads were the critical members of all security committees. It was the security agency branches which were able to provide the information, manpower, facilities and equipment to mount and sustain security operations in the area and, ultimately, execute the instructions disseminated from the senior Regime leadership.

Furthermore, the security agencies served as a vehicle through which directives, tasking, reporting and information could be passed up and down the chain. As a result, the security agencies passed such information to their governorate-level branches, and their subordinate sections and detachments, for implementation.¹² As later observed in Homs, the security agency branches were in a position to pass information and intelligence to the Army and Armed Forces which were, on the basis of the information received, able to launch operations.¹³

In an analysis of documentation from different areas, the branch heads of the various security agencies would attend the governorate Security Committee meetings, whereas district-level

¹⁰ See e.g. Voltaire Network, Britons urged to leave Syria; new Homs governor appointed; and students protest in Damascus, Homs and Dar'a, 21 April 2011, at <http://www.voltairenet.org/article169593.html> (retrieved on 20 April 2016); Syrian Days, President Al-Assad swears in new Governor of Homs, 21 April 2011, at http://www.syriandays.net/?page=show_det&select_page=2&id=373 (retrieved on 20 April 2016) (Both noting that Abdel Aal was a retired Major General in the late 1960s and had previously worked in a military formation in Homs. Abdul Aal was from Lattakia Governorate but had settled in Homs after retirement).

¹¹ Witness Interview SYR.WGC.002.

¹² Report from Military Intelligence Branch 294, 14 December 2011, SYR.D0006.008.006 (disseminating to other Military Intelligence branches (including Branch 261 in Homs) a list with names of individuals who were to be searched for and, if found, sent to Military Intelligence Branch 227).

¹³ Letter from the Head of Military Intelligence Branch 261 to the 18th and 11th Divisions, 2 September 2011, SYR.D0124.024.001 (even though the intelligence concerns Idleb); Letter from Military Intelligence Branch 261 to all military units in the Central Region, 31 March 2012, SYR.D0124.008.001 (distributing the decision of the deputy military commander in Homs, see Letter from Air Force Intelligence Branch in the Central Region to the General Security Chief in Homs, 20 March 2012, SYR.D0124.008.002).

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Security Committee meetings would be attended by the heads of subordinate detachments or sections responsible for those districts. The Police Commander, a Military Police representative and military commanders were often present at these meetings.¹⁴

Following the pattern in other governorates, it is assessed that in Homs Governorate the heads of the various Governorate security agency branches attended the Homs Security Committee meetings. The following security agency branches were located in Homs Governorate:

- Military Intelligence Branch 261¹⁵ – Head of Branch Brigadier General Muhammad Zamrini.¹⁶
- Air-Force Intelligence in the Central Region – Head of Branch Staff Brigadier General Jawdat As'ad Ahmad (acting)¹⁷ followed by Staff Brigadier General Sayel As'ad Daoud (acting)¹⁸ then Staff Brigadier General Yahya Muhammad Wahbi (acting).¹⁹
- General Intelligence (State Security) Branch 318²⁰ – Head of Branch Brigadier General Hassan Makhlof²¹ and later Brigadier General Firas Al-Hamed.²²

¹⁴ See e.g. Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 10 June 2011, SYR.D0080.051.189-191 (noting the attendance of security, military, police and military police personnel); Minutes of Meeting of the Tell Abiad District Security Committee, 12 June 2011, SYR.D0043.003.446-448 (the meeting was chaired by the Secretary of the Baath Party Division and the heads of the security agency branches were present).

¹⁵ See e.g. Letter from Military Intelligence Branch 261 to all military units in the Central Region, 31 March 2012, SYR.D0124.008.001.

¹⁶ Witness Interview SYR.WGC.002. See also Council Implementing Regulations (EU) No 843/2011 of 23 August 2011 implementing Regulation (EU) No 442/2011 concerning restrictive measures in view of the situation in Syria, at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2011:218:FULL&from=EN> (retrieved on 21 April 2016).

¹⁷ Fax from the Head of the Air Force Intelligence Branch in the Central Region, 27 December 2010, SYR.D0088.007.016, See also Intelligence Report from the Acting Commander of the Air Force Intelligence Branch in the Eastern Region, 2 February 2010, SYR.D0125.113.007; Fax from the Air Force Intelligence Branch in the Eastern Region, 27 December 2010, SYR.D0088.007.016. See further Council Implementing Regulation (EU) No 673/2012 of 23 July 2012 implementing Article 32(1) of Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, at <http://goo.gl/TW8E7j> (retrieved on 21 April 2016).

¹⁸ Report from the Acting Commander of the Air Force Intelligence Branch in the Central Region, 20 March 2012, SYR.D0124.008.002; Letter from the Air Force Intelligence Branch in the Central Region, 1 April 2012, SYR.D0124.023.006; Letter from the Air Force Intelligence Branch in the Central Region to the General Security Chief in Homs, 13 April 2012, SYR.D0124.023.004. See also Witness Interview SYR.WGA.820.

¹⁹ Report from the Acting Commander of the Air Force Intelligence Branch in the Central Region, 18 May 2012, SYR.D0124.012.003. See also Letter from the Air Force Intelligence Branch in the Central Region to the General Military and Security Chief in Homs, 31 May 2012, SYR.D0124.015.002.

²⁰ Circular from General Intelligence Branch 255, 27 March 2011, SYR.D0003.114.003 (requesting the arrest of individuals in a specific vehicle who should be taken to General Intelligence Branch 318 in Homs).

²¹ Witness Interview SYR.WGA.703.

²² Witness Interviews SYR.WGA.754; SYR.WGA.777. See also Council Implementing Regulation (EU) No 673/2012 of 23 July 2012 implementing Article 32(1) of Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012R0673&from=EN> (retrieved on 21 April 2016).

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- Political Security Branch – Head of Branch Colonel Muhammad Ammar Sardini²³ then Brigadier General Husam Luqa.²⁴

The Police Commander in the governorates was a notable presence on the Security Committees. The Police Commander was responsible for the activity of the various police units in and reported through the police chain to the Minister of Interior.²⁵ In Homs Governorate, the Police Commander was General Ali Al-Boudie, who was later replaced by General Hamid Al-Merie.²⁶

The minutes of a number of Security Committee meetings in other governorates, which are in the possession of the CIJA, give some insight into the conduct of the meetings themselves. For instance, they were chaired by the Secretary of the Baath Party Branch and were normally opened by a recitation of the Baath Party slogan, followed by a review of previous minutes. Following this was a presentation of submitted reports and individual presentations by security bodies and other representatives and general security discussions. These would give an overview of the situation, often followed by suggestions for future tasks. The Chairman would then summarise the situation and agree on the adoption of decisions.²⁷

The tasks of the security committees were extremely varied, but their overall function was to coordinate the general security response in a particular governorate or district. Detailed tasks included coordinating the mobilisation of Baathist, popular and loyalist support;²⁸ meeting with

²³ Sardini was Head of the Political Security Branch in Homs in 2011 but was replaced by Husam Luqa in either late 2011 or early 2012. Sardini was moved to become Head of the Political Security Branch in Ar-Raqqa. *See* Letter from the Political Security Branch in Homs to the Head of the Political Security Department, 2 November 2011, SYR.D0077.184.001-006, at SYR.D0077.184.002-004; Letter from the Political Security Branch in Ar-Raqqa to the Head of the Political Security Department, 11 March 2012, SYR.D0077.030.003-004.

²⁴ Letter from the Political Security Branch in Homs to the the Head of Political Security Branch in Ar-Raqqa, 24 February 2012, SYR.D0077.017.008; Letter from the Political Security Branch in Homs to the General Military and Security Chief in Homs, 29 May 2012, SYR.D0124.017.004; Letter from the Head of the Political Security Branch in Homs to the General Military and Security Chief in Homs, 10 June 2012, SYR.D0124.019.004; Letter from the Head of the Political Security Branch in Homs to the General Military and Security Chief in Homs, 13 June 2012, SYR.D0124.009.001; Letter from the Head of the Political Security Branch in Homs to the General Military and Security Chief in Homs, 19 June 2012, SYR.D0124.012.009. *See also* Witness Interview SYR.WGC.002.

²⁵ Witness Interview SYR.WGA.817.

²⁶ Witness Interview SYR.WGC.002.

²⁷ *See e.g.* Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 3 April 2011, SYR.D0080.051.102-104.

²⁸ Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 25 March 2011, SYR.D0080.051.090-094 (referencing the mobilisation and use of Baathists in order to deal with protesters in mosques); Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 30 March 2011, SYR.D0080.051.095-099 (referencing that it has been decided to hold a meeting with the heads of popular organisations and unions on

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tribal and local leaders;²⁹ organising security tasks and operations;³⁰ dealing with protests and demonstrators;³¹ implementing plans for the arrest of demonstrators and wanted individuals;³² as well as establishing checkpoints.³³ Although direct documentary references from the Homs Security Committee are more limited than some other areas, it is clear that they carried out many of these same very functions.

Like the other security committees in Syria, the Homs Security Committee was linked to the highest levels of the Regime through its relationship with the CCMC and the NSB. Many of the CCMC minutes, although not specifically referencing the Security Committee as the source, clearly indicate that they received routine information and detailed reports on the security situation in the various governorates and that this reporting was expected.³⁴ Minutes and documents from the CCMC indicate that reports were sent from Homs to them informing on the situation in the Governorate.³⁵ Some of the reports reference requests or suggested plans and operations which the Homs Security Committee had sent upwards for authorisation.³⁶ Others note that the CCMC took decisions directly related to military-security operations in Homs and tasked the Security

Thursday 31 March 2011 in order to elaborate a detailed plan, according to which, our comrades will be appointed in the sections).

- ²⁹ CCMC report on the security situation in the country on 24 April 2011, 24 April 2011, SYR.E0001.006.182-185; CCMC report on the security situation in the country on 23 May 2011, 23 May 2011, SYR.E0001.006.158-160; CCMC report on the security situation in the country on 26 May 2011, 26 May 2011, SYR.E0001.006.180-181.
- ³⁰ Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 8 June 2011, SYR.D0080.051.194-195 (referencing proposals for utilising the military in the area and dispersing demonstrators).
- ³¹ Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 11 May 2011, SYR.D0080.051.225-227.
- ³² Minutes of Meeting of the Deir-ez-Zor Governorate Security Committee, 3 April 2011, SYR.D0080.051.102-104.
- ³³ Minutes of the Meeting of Deir-ez-Zor Security Committee, 30 March 2011, SYR.D0080.051.095-099 (referencing discussions on the issue of checkpoints).
- ³⁴ Many of the reports in the possession of CIJA from the CCMC list a summary of the security information in each governorate and, in most of these documents, Homs is also included indicating that the CCMC were receiving information from the Governorate. This is illustrated by the minutes of meeting of the security committees, being sent to the NSB and likely forwarded on to the CCMC from there. It would seem very likely that this process was also followed by the Homs Governorate Security Committee. *See* Minutes of Meeting of the As-Sweida Governorate Security Committee, 11 October 2011, SYR.P0001.001.053-056.
- ³⁵ Many of the documentary references from the CCMC in the possession of CIJA are reports on the security situation in the country and most reference an update on the situation in Homs. *See e.g.* CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.
- ³⁶ *See e.g.* Minutes of Meeting of the CCMC on 20 July 2011, 21 July 2011, SYR.E0001.015.003-004; Minutes of Meeting of the CCMC on 13 August 2011, 14 August 2011, SYR.P0001.001.090-092.

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Committee to execute these particular tasks.³⁷ Furthermore, key high-level personnel, some of whom were members of the CCMC and the NSB, visited the Governorate on a number of occasions and personally met with members of the Homs Security Committee.³⁸ Taken together, these references clearly indicate a functioning reporting chain from the Homs Security Committee to the highest levels of the Regime.

Minutes and documents from the CCMC indicate that the Homs Security Committee provided reports to the CCMC on the general security situation in the Governorate as well as information on meetings with local dignitaries and community groups from both sides. On 11 May 2011, for example, the Security Committee and senior Regime figures met with “partisan commands, and heads of popular organisations and unions”, noting that they would have a responsibility in confronting the “conspiracy targeting the party and the state.”³⁹ On 23 May, the Security Committee met with representatives from the areas of Bab Tadmour, Bab Dreib, Bab Al-Sbaa, Karm Al-Zeitoun, Al-Marija and discussed their demands.⁴⁰

In terms of the chronology of the conflict, it is assessed that *initially* the Homs Security Committee was the most important security body in Homs in leading the security response to the upsurge of anti-Regime demonstrations which began around March 2011. It is important to note that the Homs Security Committee was not solely a reporting body but was also involved in planning, suggesting and receiving direct instructions concerning active security operations in the Governorate. The Security Committee appears to have assumed this role from the very beginning of the conflict.

An early example, referenced in the minutes of a CCMC meeting held on 12 April 2011, noted the Homs Security Committee had confirmed that “pre-emptive measures” would be taken in order to

³⁷ See e.g. CCMC Decision No. 3413, 18 July 2011, SYR.E0001.017.001.

³⁸ See e.g. CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063 (noting that the Assistant Regional Secretary of the Baath Party who was also at that time Chairman of the CCMC visited Homs); CCMC report on the security situation in the country on 19 October 2011, 19 October 2011, SYR.E0001.015.020-021 (noting the visit of the Minister of Interior and the Head of the NSB to Homs).

³⁹ CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.

⁴⁰ CCMC report on the security situation in the country on 23 May 2011, 23 May 2011, SYR.E0001.006.158-160.

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prevent a demonstration taking place the following Friday; in fact, it recommended to “track and arrest rioters in Bab Amr, Jawrat Al-Arais, Bab Al-Sbaa, and Ashirah.”⁴¹

According to a report dated 19 April 2011, the Homs Security Committee was actively involved at the time of a particular protest “at the location of the new clock” in Homs. This large-scale protest (a CCMC reference stated initially 5,000 people had taken part, with around 1,000 remaining in the area of the Clock Tower into the early hours of the morning of 19 April) ended when security forces fired on the demonstrators, clearing the area.⁴² A 19 April CCMC report referencing the incident indicated they were aware of the action and referenced that a “shooting took place and the security forces dispersed the protesters, some of whom were arrested.” According to the above-mentioned report, eight individuals had died and eleven were injured (six police officers and five civilians). The report noted additionally:

The Security Committee gathered with Comrades Dr. Yaser Houriya, member of the Regional Command, and Imad Mounir Adanof at 11:30. It was stressed that gatherings in public squares (the old and new clock locations – the square of Khaled bin Al-Walid Mosque) are not allowed. The abidance of not shooting any protesters unless in self-defence was also stressed.⁴³

It is of note that the Homs Security Committee was aware of this incident and that senior national leadership representatives were present. Moreover, it appears very likely that representatives from the senior levels of the Regime were sent to assist with or even to head the Homs Security Committee. Dr. Yaser Houriya was a member of the Baath Party Regional Command and *Imad Mounir Adanof* was, at the time, a Deputy Chief of Staff of the Army and Armed Forces (one of the deputies to the Chief of Staff of the Army, the Chief of Staff himself being subordinate only to the Minister of Defence/Deputy Commander-in-Chief of the Army and the President).⁴⁴

⁴¹ CCMC report on the security situation in the country on 12 April 2011, 12 April 2011, SYR.E0001.006.064-067.

⁴² YouTube video in CIJA’s evidentiary collection, SYR.A0041.591.001.

⁴³ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133.

⁴⁴ Asharq Al-Awsat, the US “Treasury” Includes the Syrian Defence Minister and Two Senior Officials on the Sanctions List, 31 March 2012, at <http://archive.aawsat.com/details.asp?section=4&article=670554&issueno=12177> (retrieved on 21 April 2016). See also Witness interviews SYR.WGA.577; SYR.WGA.627.

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The very fact that such high-level persons were present in the Governorate with members of the Security Committee is of significance, and it is possible that the Head of the Homs Security Committee was later an individual from the military or security apparatus who had been sent from Damascus to take charge of this body. A pattern of dispatching national representatives to Homs was to be repeated as the situation deteriorated in the proceeding months.

On 27 April, Dr. Houriya, Sobhi Harb and the Governor met with “leaders from the party divisions and popular organisations” in Al-Qusayr district. The purpose was to meet “with the popular dignitaries and the religious leaders and focused on nipping the sedition and countering the conspiracy.”⁴⁵ On 1 May 2011, the CCMC reported that the Homs Security Committee, Dr. Houriya and *Imad* Adanof met with representatives from Ar-Rastan (a city some 25 km north of Homs) regarding an incident on Friday 29 April 2011 in which twenty-two people had been killed and a number wounded during a demonstration.⁴⁶ It was agreed that blood money would be given “in order to diffuse tension and avoid rendering Ar-Rastan a new demonstration hub or another Dar’a, and in order to ensure that the international road will not be cut off.”⁴⁷ On 3 May 2011, the Chairman of the Homs Security Committee, Sobhi Harb, and the Governor met with prominent figures in Ar-Rastan to “familiarise themselves with the situation in the city,” but the meeting was suspended following the intervention of young protesters.⁴⁸

Aside from holding meetings with locals to discuss the situation whilst reporting on these consultations, the Homs Security Committee concomitantly organised security forces to confront the opposition in all of its forms. All suggestions for plans and security operations were passed to the CCMC with a request for approval. Initially, some of these requests were for authorisation to take measures to suppress demonstrations and rioters.⁴⁹

⁴⁵ CCMC report on the security situation in the country on 27 April 2011, 27 April 2011, SYR.E0001.006.182-185.

⁴⁶ CCMC report on the security situation in the country on 29 April 2011, 29 April 2011, SYR.E0001.006.194-199 (noting that there was a large demonstration in Ar-Rastan where the international highway was cut off. It reported that there was “an exchange of fire” between the Army and demonstrators in Ar-Rastan and that four civilians were killed).

⁴⁷ CCMC report on the security situation in the country on 1 May 2011, 1 May 2011, SYR.E0001.006.014-016.

⁴⁸ CCMC report on the security situation in the country on 3 May 2011, 3 May 2011, SYR.E0001.006.020-023.

⁴⁹ CCMC report on the security situation in the country on 12 April 2011, 12 April 2011, SYR.E0001.006.064-067.

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On 5 May 2011, the “Central Region Command Committee alongside the Security Committee” met with “popular prominent figures” to discuss measures for the restoration of security. The CCMC report noted that measures were agreed during this meeting and it was proposed that an agreement be given the chance to be implemented; however, upon breaching it “all options” were to be considered and, if necessary, “swiftly implemented.”⁵⁰

At the same time that meetings were held in an attempt to reduce some tensions with the demonstrators and opposition activists, discussions were conducted to mobilise loyalist groups, preparing them to confront the very same demonstrators. On 11 May 2011, not long after the clock tower shootings and the Ar-Rastan killings referenced above, a high-level meeting took place in Homs involving the Assistant Regional Secretary of the Baath Party (Muhammad Said Bekheitan, who was concurrently the Head of the CCMC), Yaser Houriya (a Member of the Baath Party Regional Command), Major General Hassan Turkomani (Former Minister of Defence and member, later Head, of the CCMC), members of the military ‘Regional Command’ (most likely the Central Region Command, the military command which covered Homs governorate), members of the local partisan commands, and heads of popular organisations and unions. On 8 June 2011, a reference in a CCMC report on the security situation noted that the Secretary of the Baath Party (Sobhi Harb) met with members of the secretaries of departments, heads of organisations, workers’, peasants’ and youth syndicates “dedicated to ensuring the necessary preparations during the expected demonstrations on Friday 10/6.”⁵¹

In essence, this meeting engaged individuals from the national-level leadership (CCMC and Baath Party structures), governorate military and security representation (the Central Region Command) as well as local loyalist groups and organisations. The clear purpose of this meeting was to organise loyalist groups into a cohesive body with the intention of using them when necessary to break up planned anti-Regime demonstrations. The CCMC report on this meeting noted that:

It was affirmed that Baathist comrades should be highly responsible to be able to face the great conspiracy which is threatening our country and party. It was affirmed that communication-dialogue committees will be formed to communicate with the people, and that the city will be divided into sectors, each supervised by a leading branch member. It was also made sure that the

⁵⁰ CCMC report on the security situation in the country on 5 May 2011, 5 May 2011, SYR.E0001.006.028-031.

⁵¹ CCMC report on the security situation in the country on 6 June 2011, 6 June 2011, SYR.E0001.008.019-021.

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party department is present where it is needed and has the needed number of human resources to split up demonstrators every Friday, and on Saturdays if need be.⁵²

It is of note that the day after this high-level meeting, the CCMC referenced in their summary of the security situation in Homs that there had been an operation involving the Army and security forces and they had:

... carried out their task of pursuing the vandalising elements in (Baba Amro-Jawrat Al-Arais) neighbourhoods and left these neighbourhoods after successfully accomplishing their mission amidst a sense of relief among the residents.⁵³

As the situation in Homs deteriorated through the summer months of 2011, the Homs Security Committee both received instructions for and suggested to the CCMC decisions for more aggressive and larger security operations (undoubtedly because the demonstrations were not abating and the growth and activity of armed opposition groups which were beginning to target Regime security personnel).⁵⁴ As an example, on 17 July 2011, the CCMC met and “[a]fter an examination of the security situation, the current and expected developments of events and appropriate working methods to tackle the situation...” tasked:

- ... the Security Committee in Homs Governorate to execute the following:
- conduct inspection in the neighbourhoods that need to be urgently inspected;
 - start immediately from the Eastern neighbourhoods and arrest the wanted persons;
 - search for the perpetrators of crimes and hand them over to the Judiciary.⁵⁵

The Head of the NSB (Hisham Ikhtiar) was to supervise, monitor and provide assistance for the execution of the task and the decision was to be disseminated to all ‘competent bodies’ for its execution. A few days after this, it is clear that the Homs Security Committee had drafted a plan

⁵² CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.

⁵³ CCMC report on the security situation in the country on 12 May 2011, 12 May 2011, SYR.E0001.006.068-070.

⁵⁴ CCMC report on the security situation in the country on 1 June 2011, 1 June 2011, SYR.E0001.008.004-006 (noting that five police officers were attacked with stones and sharp objects while on duty in Al-Khalidiya); CCMC report on the security situation in the country on 3 June 2011, 3 June 2011, SYR.E0001.008.010 (noting that two military personnel were killed and twenty-one police, security and military personnel wounded in Homs Governorate).

⁵⁵ CCMC Decision No. 3413, 18 July 2011, SYR.E0001.017.001.

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which required review and authorisation from the national level. A reference in the CCMC minutes of a meeting on the 20 July 2011 suggests that the security situation (in general and in Homs city, in particular) was reviewed and “suggestions submitted by the Homs Governorate Security Committee were examined.” It was decided to:

Task comrade the Head of the National Security Bureau and comrade the Minister of the Interior to meet with the Homs Governorate Security Committee to discuss their suggestions submitted on 20/7/2011 on the ground, arrive at and proceed with implementing the best decisions, and identify the actual needs of military units necessary for completing all missions.⁵⁶

It was additionally decided to raise the number of riot police in the Governorate. The decisions and planning clearly intended for some direct security operation (or ‘inspection’ operation as they were often referred to) to be carried out which later appeared to be initiated.⁵⁷ On 24 July 2011, the CCMC assigned the Head of the NSB and the Minister of Interior to visit Homs Governorate and “discuss the plan of the Security Committee aimed at addressing the security situation” and “to study the possibility of launching dialogue with societal figures to achieve security and stability and complete the implementation of the inspection plan of the Governorate's neighborhoods.”⁵⁸ A few days after this visit, the CCMC reported that an inspection operation was underway in Karm Al-Zeitoun and Jub Al-Jundali neighbourhoods of Homs City,⁵⁹ and, on 1 August 2011, it was stated that an inspection campaign had been carried out in Al-Bayada neighbourhood in which forty-one individuals were arrested.⁶⁰

The period of late July/early August 2011 is of particular relevance, as it was marked by a significant ratcheting up of the Regime’s security response in cracking down on the opposition groups and protesters. This period witnessed the growing coordination of all security bodies, a nation-wide approach to the suppression of all opposition, the widespread deployment of the

⁵⁶ Minutes of Meeting of CCMC on 20 July 2011, 21 July 2011, SYR.E0001.015.003-004.

⁵⁷ CCMC report on the security situation in the country on 21 July 2011, 21 July 2011, SYR.E0001.005.022-023 (noting an inspection operation in of Bab Al-Sibaa and Al-Marija).

⁵⁸ Minutes of Meeting of the CCMC on 23 July 2011, 24 July 2011, SYR.E0001.015.005-007.

⁵⁹ CCMC report on the security situation in the country on 29 July 2011, 29 July 2011, SYR.E0001.005.024-025.

⁶⁰ CCMC report on the security situation in the country on 1 August 2011, 1 August 2011, SYR.E0001.001.003-005.

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Syrian Army, and the systematic targeting of all opposition activity (demonstrators, supporters, coordinators, funders, media activists as well as armed groups).

On 5 August 2011, the CCMC met and discussed issues to better coordinate the work of the security agencies in dealing with the security situation throughout the country. Meeting participants highlighted poor coordination and information-sharing between agencies (including the results of investigations). According to the CCMC, this lack of inter-agency cooperation was prolonging the events, increasing “human and material losses” and allowing “armed gangs to keep conducting acts of looting, plunder, killing and intimidating citizens.”⁶¹ In essence, the CCMC appeared to believe that the security situation was not being resolved adequately.

The following day, the NSB passed instructions to governorate-level Secretaries of the Baath Party Branches (*i.e.*, the heads of the governorate security committees including Homs) based on the CCMC discussions. The NSB instructed the security committees to conduct daily joint military-security campaigns, to arrest wanted individuals from clearly targeted groups (including those wanted for crimes of vandalism, murder, assaulting citizens and their property, those attacking government departments, participants in demonstrations, members of coordination committees and those utilising the media to “tarnish the image” of Syria). The governorates were to set up joint investigation committees (including in Homs) with representatives from all security agencies and criminal security branches. These representatives would investigate all those arrested during inspection campaigns. Information on those arrested was to be fed to the Head of the NSB in daily reports.

Not long after these key decisions were taken and disseminated by the national leadership, during a meeting of the CCMC on 13 August 2011, a “request” from the Homs Security Committee was specifically discussed. Although the exact nature of the request was not clarified, it seems most likely that it concerned specific security operations in the area. The Homs Security Committee had been tasked with launching joint military-security operations only a week earlier and on 13 August, the CCMC specifically decided that the heads of the security agencies were to visit the “hottest zones” (presumably including Homs) in order to lead the security agency branches on the ground.

⁶¹ Communication from NSB to Secretaries of the Baath Party Branches, 6 August 2011, SYR.D0043.004.094.

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The heads were to “propose measures to control the situation in the governorates once the army implements its mission” and a general task was issued at this CCMC meeting to track down “terrorists,” “instigators” and “violators” and take measures to uncover coordination committees and “leaders on the ground.”⁶²

As well as reporting to and receiving instructions from the CCMC/NSB, documentation notes that the Homs Security Committee received visits from key high-level Regime personnel (in particular from members of the CCMC/NSB). These visits occurred with some regularity from the very beginning of the conflict and became a notable feature as the security situation deteriorated.

As noted above, in early April 2011, Homs Governorate saw the active engagement of individuals from the CCMC, military leadership and Baath Party Regional Command. On 19 April 2011, Dr. Yaser Houriya (Baath Party Regional Command) and *Imad Mounir Adanof* (then a Deputy Chief of Staff of the Army and Armed Forces) visited the Governorate.⁶³ They were additionally reported to have attended a meeting in Ar-Rastan a number of days later.⁶⁴ On 11 May, a high-level meeting, discussing the organisation of loyalist supporters, took place in Homs, involving the Assistant Regional-Secretary of the Baath Party (Muhammad Said Bekheitan, who was at the time concurrently the Chairman of the CCMC), Yaser Houriya and Major General Hassan Turkomani (Former Minister of Defence and member, later Chairman, of the CCMC).⁶⁵

As the situation deteriorated in Homs, there appeared an even greater engagement of individuals from the national leadership, including visits by key members of the NSB and the CCMC, and this was formalised in a decision of the CCMC on 17 July 2011. This decision indicated that, having studied the security situation and the work practices needed to deal with developments, the following measures were to be implemented in the Governorate:

Commanders, heads of committees, and heads of security agencies shall visit the governorates according to priority, assist their elements, and boost their

⁶² Minutes of Meeting of the CCMC on 13 August 2011, 14 August 2011, SYR.E0001.015.011-012.

⁶³ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133.

⁶⁴ CCMC report on the security situation in the country on 29 April 2011, 29 April 2011, SYR.E0001.006.194-199.

⁶⁵ CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.

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morale. Comrade Head of the National Security Bureau shall supervise the implementation after notifying competent authorities.⁶⁶

Almost immediately following this decision, at a CCMC meeting on 20 July, after specifically reviewing the security situation in Homs it was agreed that the Head of the NSB (Hisham Ikthiyar) and the Minister of the Interior (Muhammad Al-Shaar) would meet with the Homs Security Committee to discuss propositions they had submitted in order to “arrive at and proceed with implementing the best decisions, and identify the actual needs of military units necessary for completing all missions.” During this meeting, it was agreed to increase the number of personnel involved in “anti-riot missions” in Homs.⁶⁷ In essence, the CCMC appeared to be directly engaging senior figures to better assist the Security Committee in conducting the security operations in Homs Governorate.

Three days later the CCMC met again. The minutes of this meeting specifically reference the importance of the heads of the security agencies in visiting their subordinate branches as well as discussions on checkpoints which had been established in cities. The minutes note the following:

The importance of heads of central security agencies visiting governorates for the purpose of following up the work of their branches, ensuring accurate implementation of missions, and tracking goals which shall be reached as per the plan set up by comrade Head of the National Security Bureau, was stressed.

At the conclusion of the meeting, meeting attendees decided to:

- (1) Assign Comrade Head of the National Security Bureau and comrade Minister of Interior to visit the Homs governorate and discuss the plan of the Security Committee aimed at addressing the security situation; and to study the possibility of launching dialogue with societal figures to achieve security and stability and complete the implementation of the inspection plan of the governorate’s neighbourhoods.
- (2) Assign heads of security agencies to visit the governorates to follow up the missions implemented by branches, each as per their relevant competences, and supervise the goals and the arrest of wanted subjects according to the plan set up by comrade Head of National Security Bureau. Comrade Head of the National Security Bureau should present the outcomes of implementation during the next meeting.⁶⁸

⁶⁶ CCMC Decision No. 3415, 18 July 2011, SYR.P0001.001.109.

⁶⁷ Minutes of Meeting of the CCMC on 20 July 2011, 21 July 2011, SYR.E0001.015.003-004.

⁶⁸ Minutes of Meeting of the CCMC on 23 July 2011, 24 July 2011, SYR.E0001.015.005-007.

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This period is of some importance to the extent it appears to mark the start of a gradual shift in strategy by the regime in relation to Homs and the Security Committee's lead role in dealing with the situation there. From the beginning of the conflict until around July-August 2011, the Security Committee seemed to have a pre-eminent role in dealing with the crisis in the Governorate. During this period, the Security Committee was in no manner operating in isolation from the senior leadership (it reported regularly to the CCMC/NSB, requested authorisation for security activities and visits from the national level were made to Homs). Yet, the Security Committee appeared to have more of the leading role during this initial period. From August 2011 onwards, however, the minutes of the CCMC note an apparent change both in the militarisation of the response (for example, more regular joint military-security operations and the increasing involvement of the army) and the *direct* engagement of high-level members of the CCMC/NSB charged with taking command security forces in Homs. The Security Committee did not cease to function in any way; in fact, it continued to recommend security operations in Homs but the *seniority* of its role appeared to diminish somewhat as high-level Regime officials were appointed to deal with the situation in the Governorate.

From around July/August onwards, regular references in CCMC documents note the visit of senior Regime figures to Homs Governorate to initially supervise, assist, report or oversee security operations in the area. On 13 August 2011 the CCMC referenced in the minutes of a meeting held during the day that they had reviewed the security situation and decisions taken at the previous meeting and discussed "the requests of the Security Committee in Homs" (although the minutes do not make clear the exact nature of the requests). Of note, however, was a reference indicating that senior members of the security agencies had visited key governorates and there were discussions on the "results of the visit of heads of security agencies to hot-zone governorates" and the importance of continuing these visits, and their positive effects. Crucially, the minutes note decisions to:

- Assign heads of security agencies to visit the hottest zones to lead the branches of agencies on the ground. They shall propose measures to control the situation in the governorates once the army implements its mission.

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- Assign ministers to visit hot-zone governorates according to priority to meet with the people and provide help.⁶⁹

The meeting commissioned the Head of the NSB to prepare a study about the structure of the security apparatus more generally. An inference can be drawn from this particular meeting (reinforced by the earlier August directives) to the effect that the senior Syrian leadership were dissatisfied with the lack of success in dealing with the security situation, generally, and felt it was important to take more of a role in leading the security operations.

Reinforcing this position were further decisions taken at a CCMC meeting on 24 August. The minutes of this particular meeting note an initial evaluation by the CCMC of the situation in Homs and the implementation of procedures and measures to “strengthening the cordoning of the city.” It is unclear if these measures to control the city had come about as a result of the Security Committee’s “requests” referenced during the earlier 13 August 2011 meeting, but a security operation in the city was clearly underway. At the end of the meeting, key decisions were taken in relation to operations in the Governorate:

3. Pursuing the plan developed to control the situation in the city of Homs and forming a Joint Investigation Committee in the city. The Committee should deliver the results of its investigations immediately to security agencies for timely utilisation.
4. Assigning comrade Head of the Political Security Department to the governorate of Homs to lead the work of the security branches on the ground and to contribute to the successful implementation of the plan developed to control the situation in the governorate of Homs.⁷⁰

The Joint Investigation Committee was the same body that the security committees had been instructed to establish in every governorate in early August 2011.⁷¹ The Head of Political Security at this time was Major General Muhammad Dib Zeitoun (a member of both the CCMC and the NSB). It is of note that the reference was for Zeitoun to lead the work of the “security branches” (rather than the police and the Army) in order to contribute to implementing the plan to control the Governorate. A later CCMC meeting likewise referenced the role of Zeitoun in monitoring the implementation of plans in Homs.⁷² Again the inference was that there needed to be a senior-level

⁶⁹ Minutes of Meeting of the CCMC on 13 August 2011, 14 August 2011, SYR.E0001.015.011-012.

⁷⁰ Minutes of Meeting of the CCMC on 24 August 2011, 25 August 2011, SYR.E0001.015.015-016.

⁷¹ Communication from NSB to Secretaries of the Baath Party Branches, 6 August 2011, SYR.D0043.004.094.

⁷² Minutes of Meeting of the CCMC on 3 September 2011, 4 September 2011, SYR.E0001.015.017-018.

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national figure to better coordinate the work of the security branches in the Governorate to the satisfaction of the national leadership.

The 24 August 2011 meeting referenced a decision to postpone the launch of “communications and dialogue” until after “armed individuals” were subdued and calm had returned to the city and Governorate. It is of note that there was additionally a reference to the positive impact of the arrest of the former Homs Governor.

Despite the apparent involvement of the Head of Political Security, the continued work of the Homs Security Committee in recommending plans to the national leadership and security operations that were being implemented, the situation in Homs was not being satisfactorily resolved. In October 2011, the Head of the NSB and the Minister of Interior again visited Homs. The reference to this visit in the minutes of an 18 October CCMC meeting marks an important period in which the regime significantly restructured its personnel and security approach to concentrate on Homs.

It is important to observe that during the 18 October CCMC meeting the outcome of the visit by the Head of the NSB and Minister of Interior was discussed, along with “downturns that led to a delay in solving the crisis in the Governorate.” Moreover, the minutes note a general reference (discussion) to the “futile results” of circulars, oral and written orders, adding that orders were not being implemented on the ground. According to the minutes, orders “pertaining to solving the crisis, decent behaviour with citizens, abidance by regulations and laws, investigating violators and taking legal measures against them” were discussed during this meeting.⁷³

The meeting conclusions included tasking the Head of the NSB to prepare a study:

... on the tangible issues in Homs and the best ways to solve these, and on how to set limits for violations and take the needed measures to isolate armed individuals from the welcoming environment in coordination with prominent figures, as well as ways to win the latter over.⁷⁴

Critically, the CCMC decided to draft:

⁷³ Minutes of Meeting of the CCMC on 18 October 2011, 19 October 2011, SYR.E0001.015.020-021.

⁷⁴ Minutes of Meeting of the CCMC on 18 October 2011, 19 October 2011, SYR.E0001.015.020-021.

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... a memorandum by order of the President clarifying the main downturns which led to the exacerbation of the crisis and delayed the finding of sound solutions. It will also comprise effective suggestions to swiftly end the crisis.⁷⁵

What followed from this meeting is particularly significant to this analysis. Critically, the Chairman of the CCMC changed, with Muhammad Said Bekheitan being replaced by Major General Hassan Turkomani (a former military officer and prior Minister of Defence). The minutes of the CCMC meeting on 22 October strike a notable change in narrative and focus, with a heavy emphasis on how work was to proceed in the upcoming period. The minutes include a reference to Turkomani providing instructions on the work plan:

... next phase, whereby the issues and problems would be meticulously and objectively studied, every issue would be soundly analysed, solution-oriented conclusions would be reached, decisions would be taken, recommendations would be raised to Mr. President for ratification and measures for their accurate implementation would be taken.⁷⁶

New working mechanisms were to be initiated including monitoring, assistance and follow-up and intervention when “dysfunctions” were noticed. The importance of “binding security agencies to fully and seriously implement the tasks” was recorded as well as the positive effect of fieldwork. Importantly, discussions covered the need for the CCMC, itself, to move to some areas “for a day or two” to study the field situation and “radically solve the problems.”⁷⁷

The Head of the NSB again presented a report on the situation in Homs. This concerned:

... a report on how to tackle the situation in Homs and the tangible issues on all levels. He presented the measures which should be implemented by comrades as well as by security agencies in order to solve the crisis. He also spoke of downsides ensuing from the implementation of different tasks, which should be avoided.⁷⁸

A series of decisions were taken, including the establishment of new work mechanisms to “impose control on all security agencies, military units, partisan comrades and organisations.” The CCMC was to carry out field visits to “supervise the implementation of tasks in the governorates;

⁷⁵ Minutes of Meeting of the CCMC on 18 October 2011, 19 October 2011, SYR.E0001.015.020-021.

⁷⁶ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023.

⁷⁷ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023.

⁷⁸ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023.

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crosscheck the received reports and to have a clear picture of the situation; and amend the plans and implemented measures.”

Taken as a whole, this particular session marked a significant tightening of authority by the CCMC under the leadership of Turkomani. It evidently demonstrated the Regime leadership’s view that what was required to resolve the escalating situation were new, stricter work practices to grip the security situation in all the governorates, alluding to the necessary improvements in the command and reporting system to achieve this. As part of this approach, the direct and personal engagement of the CCMC was required. From this period onwards, the role of the security committees became less evident, with the further engagement of senior Regime figures and the implementation of a new security function in Homs, that is, the Homs Military and Security Chief.

The security committees did not disappear or stop functioning, nor did they cease to have an important role in the Governorate, but clearly the senior Regime supplemented the functioning of the security committees with a more direct oversight of their work. Accordingly, an additional security body (the Homs Military and Security Chief) was established to directly command military and security operations from some point in late 2011. On 26 October, the position of the security committees was clarified in a discussion at the CCMC. The minutes of this meeting reference:

The role and importance of implementing decisions made by security committees were examined, and a commander was nominated to be in charge of supervising the implementation of these decisions by security agencies and military units according to the content of each decision.⁷⁹

The meeting reinforced the positive impact of “the presence of some or all” of the CCMC members in some governorates to observe the security situation, provide assistance to resolve “errors made.” Critically, the CCMC decided to appoint a senior figure as they had discussed to command the security forces in Homs. The minutes note that they appointed:

... comrade Major General Head of the Political Security Department *to command security agencies and armed forces units present in the governorate of Homs* [emphasis added], and vesting him with full powers to take the necessary legal measures against any offender or anyone who acts with laxity.

⁷⁹ Minutes of Meeting of the CCMC on 26 October 2011, 27 October 2011, SYR.E0001.015.028-29.

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In essence, the Head of Political Security (Major General Muhammad Dib Zeitoun), who had been tasked in September to lead the work of only the “security branches,”⁸⁰ was now tasked to command all security forces in Homs Governorate - a clear expansion of his role which set him above the Homs Security Committee, thereby confirming the reduced role of the latter.

Not long after this decision, the CCMC itself (or members of it) appears to have visited Homs (as had been discussed and agreed in the meeting on 22 October). In a report of 30 October on the security situation in Homs, it was noted that between 0800 and 1500 on the same day, the CCMC had convened several meetings, attended by the Baath Party Branch Secretary and the Governor (both members of the Homs Security Committee), with the members of the “Communication Committee,” the neighbourhood committees, the leaders of “party divisions,” the leaders of the popular organisations, professional associations and religious leaders.⁸¹ What is additionally of importance was that the day prior an inspection operation in the neighbourhood of Baba Amro had been undertaken (*i.e.*, security operations were underway at the very time the CCMC members were visiting).⁸² A further inspection operation (or a continuation of the October one) was noted on 2 November 2011. A CCMC report on the security situation of that day noted:

At 0630 on 02/11, security, police and army forces conducted an investigation and search operation in (Baba Amro neighbourhood and affiliated farms).⁸³

Despite the engagement of senior leadership individuals in Homs governorate, the Security Committee continued to function, not least making recommendations for operations in Homs. On 22 November, the CCMC met and discussed two propositions from the Homs Security Committee. One was to establish a checkpoint on a particular road and the other involved:

Examining the request of the Homs Governorate Security Committee to conduct a large-scale operation in Baba Amro city district, affirming the implementation of successful small-scale quality operations after collecting full and accurate information about the targets and stressing the importance

⁸⁰ Minutes of Meeting of the CCMC on 3 September 2011, 4 September 2011, SYR.E0001.015.017-018.

⁸¹ CCMC report on the security situation in the country on 31 October 2011, 31 October 2011, SYR.E0001.011.016-019.

⁸² CCMC report on the security situation in the country on 30 October 2011, 30 October 2011, SYR.E0001.011.012-015, at SYR.E0001.011.012-013 (noting that at “0600 on 29/10 an investigation and search campaign was launched in the neighbourhoods of Baba Amro, and Joret Al-Arais”).

⁸³ CCMC report on the security situation in the country on 2 November 2011, 2 November 2011, SYR.E0001.011.009-011.

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of making implementers understand the concept of small-scale quality operations and of properly preparing implementing groups.

This proposition for the checkpoint was specifically agreed to, as it was an important decision to task the Comrade Deputy Commander of the Armed Forces (Minister of Defence) who was assigned to propose suitable commanders for operations in the governorates of “Idleb – Hama – Homs...etc.”⁸⁴

The Homs Military/Security Chief

The period around the appointment of Hassan Turkomani as the Head of the CCMC in October 2011 was a pivotal point which resulted in more direct engagement by the national leadership in leading operations in Homs. Attesting to this observation, the following aspects particularly marked this phase: a significant tightening of the monitoring and reporting processes, the direct engagement of senior leadership figures in providing reports to the CCMC on the situation in Homs, visits to the area by high-level officials, and the directing of security operations in the Governorate.

As noted previously, the role and position of the Homs Security Committee changed over the course of 2011 and, critically, a new governorate-level security official, the Homs Military and Security Chief, was appointed to command the security forces in the Governorate at some point in the latter part of the year.⁸⁵ This particular position most likely was an attempt to better coordinate security operations in the governorate, especially in response to the growing armed opposition, particularly as the role of the Army in conducting operations increased from the autumn of 2011 onwards. In appointing the Homs Military and Security Chief, the Regime brought together the military and security bodies in the Governorate in order to better respond to the crisis. More specifically, this inter-agency merging was intended to improve the flow of intelligence and information coming from the security branches to the Army units in the Governorate, allowing them to respond more efficiently and capitalise on the military forces in key operations.

⁸⁴ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.E0001.015.046-048.

⁸⁵ References in documentation are sometimes varied, including ‘general military and security official’, security and military official’. For the purposes of this document, the English word ‘Chief’ has been used in the translation of the Arabic word [مسؤول / *mass’oul*] instead of the literal translation of ‘official’.

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Three periods from the beginning of the crisis in March 2011 onwards are notable, during which senior military-security personnel outside of the Security Committee were directly involved in operations in Homs. These were as follows:

- Early in the crisis with the engagement of Major General Mounir Adanof with the Homs Security Committee.
- As a result of the CCMC tasking the Head of the Political Security Department, Major General Muhammad Dib Zeitoun, to command the security and military forces in Homs in October 2011.
- As a result of the changes in military commanders triggered by a review conducted by the Minister of Defence in November 2011 (as directed by the CCMC).

In relation to the first period, documentary evidence notes the involvement of Major General Munir Adanof (Deputy Chief of Staff of the Syrian Army and Armed Forces) in Homs from April 2011.

It is known that in April 2011, Adanof was physically present in Homs and evidently linked to the Security Committee around the critical time of the Clock Tower killings in April. The CCMC were aware of this particular incident, knew that a shooting had taken place, that the security forces had dispersed the protesters and that some had been arrested (it was reported in a CCMC report that eight people had died and eleven were injured – six police officers and five civilians). The same report, dated 19 April, indicated that Dr. Yasser Houriya (a member of the Baath Party Regional Command) and Munir Adanof were present in the Governorate and involved in a meeting related to the incident. The CCMC report on that day stated:

The Security Committee gathered with Comrades Dr. Yasser Houriya, member of the Regional Command, and Imad Mounir Adanof at 11:30. It was stressed that gatherings in public squares (the old and new clock locations – the square of Khaled bin Al-Walid Mosque) are not allowed. The abidance of not shooting any protesters unless in self-defence was also stressed.⁸⁶

It is unclear whether Adanof had been sent to Homs specifically as a result of the clock tower incident or whether he had been there for some time previously. A second reference in the CCMC notes that Adanof remained in Homs in early May 2011. On 1 May 2011, the CCMC reported again that the Homs Security Committee, Dr. Houriya and Major General Adanof had met with

⁸⁶ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133.

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representatives from Ar-Rastan in relation to another incident two days earlier in which twenty-two people had been killed and a number wounded during a demonstration. It was agreed that blood money would be given in order to diffuse the prevailing tensions.⁸⁷

Witness testimony in the possession of CIJA suggests that Adanof had been sent to Homs as either a senior military commander (*i.e.*, to command the military forces in the area)⁸⁸ and/or to act as a member of the Security Committee.⁸⁹ The fact that he was present at all in the Governorate at this specific time (bearing in mind he was a Deputy Chief of Staff of the Army and Armed Forces and a senior ranking officer) is of some significance. It is important to note that witness testimony around this time notes a senior security officer (Major General Ali Younes, a Deputy to the Head of the General Intelligence Department under Ali Mamluk) had been sent to Homs to head the Security Committee.⁹⁰

The fact that senior Damascus-based security and military officers were sent to Homs indicates that the regime had deemed the situation in Homs so severe they needed additional senior military and security presence. It is very much possible that the regime, recognising the situation was deteriorating in Homs and (or alternatively) in reaction to the shooting of demonstrators at the Clock Tower, appointed a senior security official to take charge of the security agencies and the Security Committee (Younes), dispatching Adanof to take charge of the military forces in the Governorate. If this was the case, it is assessed as unlikely that Adanof was the first Military *and* Security Chief but, more likely, he served in a limited capacity as the senior military commander during the spring and summer months of 2011.

⁸⁷ CCMC report on the security situation in the country on 29 April 2011, 29 April 2011, SYR.E0001.006.014-016 (noting that there was a large demonstration in Ar-Rastan where the international highway was cut off. It reported that there was “an exchange of fire” between the Army and demonstrators in Ar-Rastan. It also noted that four civilians were killed in Ar-Rastan).

⁸⁸ Witness Interviews SYR.WGC.512 (noting that Adanof was the “campaign commander” in the spring of 2011 in Homs); SYR.WGA.627 (indicating that Adanof, along with the 18th and 11th Division commanders supervised an operation in Baba Amro in May 2011).

⁸⁹ Witness Interview SYR.WGA.627 (noting that Adanof was a member of the Homs Security Committee).

⁹⁰ *See e.g.* Witness Interviews SYR.WGA.820 (indicating that Younes had been appointed as Head of the Security Committee in Homs around 20 April 2011); SYR.WGA.797 (stating that Younes was the first Head of the Homs Security Committee).

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Witness testimony points to him being removed from his position in Homs because he favoured a more conciliatory approach.⁹¹ Irrespective of the reason, Adanof was not in a senior position in Homs at the end of 2011.

In relation to the second period, analysis of documentary materials reveals that Major General Muhammad Dib Zeitoun, Head of the Political Security Department, was tasked by the CCMC to take command of all security forces in Homs in October 2011. A review of the CCMC minutes and decisions surrounding this decision is instructive.

On 22 October 2011, the meeting of the CCMC, chaired by Hassan Turkomani (who had recently taken over as the Head of the CCMC), discussed a wide-ranging series of issues. Turkomani provided detailed instructions on the plan for the “next phase” of their work. He stressed that problems would be meticulously and objectively studied, every issue would be “soundly analysed,” solution-oriented conclusions would be reached, decisions would be taken, recommendations would be raised to the President for ratification and measures for the accurate implementation of decisions would be taken. New work mechanisms, related to monitoring and assistance, were presented and it was stressed that implementation of decisions and plans would be followed by “intervention” when dysfunctionality was noted.⁹²

Importantly, the discussions centred on the weaknesses of the security apparatus more generally as well as the importance of binding security agencies to “fully and seriously implement” the tasks from the CCMC. The positive effect of fieldwork was studied at the meeting and the need of the CCMC to move to some crisis areas “for a day or two to study the field situation and radically solve the problem” was highlighted. The Head of the NSB gave a presentation on ways to tackle the situation in Homs and tangible issues “on all levels.”

At the end of this meeting, attendees agreed upon a series of measures, including conducting a comprehensive “adjustment and meticulous analysis of the tasks which were previously implemented” in order to come up with effective solutions to existing problems and clearly setting the “goals” which were to be reached. To execute such measures, the new work mechanisms were

⁹¹ Witness Interviews SYR.WGA.577; SYR.WGA.627.

⁹² Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023.

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to be implemented and controls would be in place for all “security agencies, military units, partisan comrades, and organisations.”

Although it may seem somewhat innocuous, the CCMC personnel were tasked with carrying out field visits to supervise the implementation of tasks in the governorates, crosschecking received reports in order to have a clear picture of the situation on the ground and to amend plans as necessary. Circulars, as well as personal and written orders, were not to be considered sufficient. Tasks were to be clearly specified and “implementing elements” were to set work plans, monitor their implementation, and periodically file follow-up reports.

The Head of the NSB was assigned to set and draft clear orders to be given to security agencies, specifying the issues and the ways to deal with them, and follow up the implementation of orders on a daily basis. The CCMC was to intensify its meetings and a strategy to implement tasks and “solve the crisis” was to be established.

The clearly articulated message from this particularly important meeting was of a CCMC, under new chairmanship, attempting to rectify a deteriorating situation and grip the security response. They attempted to do this by significantly improving the reporting process, relying more on personal visits from the highest levels of the Regime, tightening the CCMC’s control on the security apparatus and assigning significant security tasks to the Head of the NSB.

As part of the changes in the security structures, on 26 October, a further CCMC meeting moved inexorably towards placing a “commander” in a position to supervise the work of the governorate security committees. The minutes of this meeting reference:

The role and importance of implementing decisions made by security committees were examined, and a commander was designed to be in charge of supervising the implementation of these decisions *by security agencies and military units* according to the content of each decision.⁹³

Seemingly indicating that the CCMC had begun to implement its own decision of 22 October concerning field visits, the meeting reinforced the positive impact of “the presence of some or all” of the CCMC members in some governorates to observe the security situation and provide

⁹³ Minutes of Meeting of the CCMC on 26 October 2011, 27 October 2011, SYR.E0001.015.028-029 [emphasis added].

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assistance to resolve errors made.” The clear message from the meeting was that senior-level leaders from the Regime were beginning to be far more engaged in the direct oversight of operations in the troublesome governorates.

In relation to Homs, critically the minutes of the 26 October 2011 specifically referenced a decision to appoint Major General Muhammad Dib Zeitoun, the Head of the Political Security Department, to “command security agencies and armed forces units present in the governorate.” In reference to the importance of his work, it charged him with full powers to take the necessary legal measures against ‘any offender’ or anyone who acted with ‘laxness’, most probably meaning individuals who were not assertive enough in implementing the requisite security measures to deal with the problems in the Governorate.

The initial discussions within the CCMC meeting of 26 October 2011 centred on placing a “commander” above the security committees in order to *supervise* their decisions. This would suggest a somewhat narrower role than commanding all the security and military forces in the governorates.

However, when the key decision was taken at the same meeting (at least with regard to Homs), the CCMC placed Zeitoun in *command of the security and military forces* in the Governorate. The implication from the meeting was Zeitoun was appointed as the overall commander for all security operations in Homs and therefore may indeed have been the first Homs Military and Security Chief even if it did not say so formally. The decision, in effect, made him the CCMC’s *representative* in Homs (following on from the CCMC’s decision to have a presence in the Governorate) with a military officer later being appointed as the Military and Security Chief reporting, in turn, to Zeitoun. A small number of witnesses referred to Zeitoun being present in Homs or attending meetings with Assef Shawkat (a CCMC member and, as of September 2011, Deputy Minister of Defence) in 2011-2012. Some make reference to him being present at the Safir Hotel in Homs, in a space which was used as some kind of operations room.⁹⁴

Decisions taken by the CCMC in November 2011 suggest that the decision to appoint Zeitoun as the “commander of the security and military forces in Homs” did not necessarily mark the formal

⁹⁴ See e.g. Witness Interviews SYR.WGA.723; SYR.WGA.815; SYR.WGA.695.

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establishment of the position of a Homs Military and Security Chief. More likely, he was the CCMC's representative in Homs at that point and, later on, a military officer was appointed as the Military and Security Chief.

The third and arguably most important period in regard to the appointment of the Military and Security Chief pertains to the appointment of a senior military officer (rather than security officer) to the position in or around late November 2011. Available documentation suggests that this came about as a result of wider changes which occurred within the ranks of the Army and security agencies in the autumn of 2011.

It is clear that the period from late August 2011 was a significant one for the Regime, marked by a serious escalation in the crisis, a downward spiral of violence spreading throughout the country and the growth of the armed opposition. However, this period saw a hardening of the security response, a drive for better coordination between security agencies and the Army and Armed Forces, and a significant ratcheting up of security measures and operations taken to deal with crisis. This included the steady engagement of the Army and Armed Forces (as opposed to predominantly security agencies) in conducting operations to tackle the opposition and armed elements.

Although many of the decisions taken from August onwards were operational in nature or dealt with a drive to better coordinate, share or communicate material, it is evident that the senior leadership was not unwilling to make personnel changes (including at the senior level) if it deemed as much to be necessary.

On 8 August 2011, there were significant changes in the senior leadership of the Army and Armed Forces. The Minister of Defence/Deputy Commander-in-Chief, *Imad* Ali Habib Mahmoud, was replaced by Major General Dawoud Abdallah Rajiha, who had been the Chief of Staff.⁹⁵ In essence, Rajiha was simply promoted to the top position in the Army and Armed Forces. One of

⁹⁵ Currently, the earliest identified reference to Rajiha as Minister of Defence is dated 21 August 2011. See Circular from the Operations Commission, 21 August 2011, SYR.D0071.026.009; Circular from the Operations Commission, 21 August 2011, SYR.D0069.029.001. The last reference to Mahmoud in that position is from 2 August 2011. See Circular from the Operations Commission, 2 August 2011, SYR.D0018.071.004-005. Open source materials indicate that the change occurred on 8 August 2011. See Asharq Al-Awsat, Ex-Syrian DefMin Opposition to Hama crackdown led to firing – Sources, 9 August 2011, at <https://eng-archive.aawsat.com/theaawsat/news-middle-east/ex-syrian-defmin-opposition-to-hama-crackdown-led-to-firing-sources> (retrieved on 24 February 2023).

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Rajiha's deputies (*i.e.*, Deputy Chief of Staff), Major General Fahd Jasam Al-Freij was promoted to the Chief of Staff position.⁹⁶ Another officer, Major General Ali Abdullah Ayoub, was appointed to be a Deputy Chief of Staff, replacing Rajiha.⁹⁷ Such organisational changes across the highest levels of the Army and Armed Forces at such a critical time are assessed by the CIJA as having been unusual.

The next significant change at the national level was the replacement of the Chairman of the CCMC in late October, with Hassan Turkomani (a former Minister of Defence and member of the Baath Party Regional Command) taking over from Muhammad Said Bekheitan (also a member of the Regional Command, a Baath Party functionary and not a military or security officer).

In late November, an important series of discussions and decisions in the CCMC indicated that the leadership felt there was a need to replace individuals who were deemed to have been incompetent in the execution of their duties.

On 19 November 2011, a discussion took place within the CCMC regarding the "positive effect of replacing or transferring some heads of the sections and the security and police apparatus who had fallen short of fulfilling their professional duties."⁹⁸ As a result of this exchange, the Head of the NSB and the Minister of Interior were tasked to prepare a list with the names of heads of agencies or sections which needed "for the common good" to be transferred and replaced and to submit this list to the CCMC.

Two days later, this process was expanded into the Army and Armed Forces. On 21 November the CCMC discussed:

... the positive effect of appointing military commanders known to be competent and experienced in the conduct of operations, especially in the hot governorates, authorised to direct all officials and heads of civilian, military and security agencies in the area. To study the importance of coming up with innovative solutions which will help put an end to the crisis.⁹⁹

⁹⁶ Communication from the Organisation and Administration Department to the Infantry Academy, 22 August 2011, SYR.D0017.027.001 (signed on behalf of *Imad* Fahd Jasam Al-Freij, forwarding an administrative instruction dealing with the punishment of an officer).

⁹⁷ Appointment Order from the Officers Affairs Administration, 10 August 2011, SYR.D0063.010.008.

⁹⁸ Minutes of Meeting of the CCMC on 19 November 2011, 20 November 2011, SYR.E0001.015.043-045.

⁹⁹ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.P0001.001.074-076.

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The Minister of Defence (Major General Dawoud Rajiha) was tasked to propose “the appropriate commanders to take control of operations in the hot governorates: Idleb, Hama, Homs, etc.”

This particular decision is of critical significance in understanding the command and control of subsequent operations in Homs. The national leadership clearly believed there was a need to centralise control in the Governorate and place the command of all security agencies in the hands of a competent and operationally experienced military officer. It is clear that two days later Major General Rajiha did as he had been tasked on the 23 November, when the CCMC instructed him to issue orders granting the “command with the permission to lead the operations in the tense governorates.”¹⁰⁰

These decisions resulted in the formal appointment of the Military and Security Chief in Homs; and, from late November/early December, a senior military officer held this position. Although it is very possible that senior regime figures visited and/or had a presence in Homs and directed operations, from this date onwards it was the Homs Military and Security Chief who exercised operational command over all military and security units in Homs Governorate under the authority of the CCMC representatives (*e.g.*, Muhammad Dib Zeitoun and Assef Shawkat).

It should be noted that the establishment of a position akin to the Military and Security Chief was not limited to Homs Governorate and documentary materials in the possession of the CIJA indicate that similar bodies were established in other governorates at various times. These included Dar’a,¹⁰¹ Hama¹⁰² and Idleb.¹⁰³ The Regime concluded that, in the troublesome governorates, the establishment of a structure which brought the security and military bodies under the authority of a single commander was necessary to effectively tackle the growing instability.

Concerning the specific individuals who held the position of the Homs Military and Security Chief in late 2011 and into February 2012 (the time of the build-up to and operations in Baba Amro),

¹⁰⁰ Minutes of Meeting of the CCMC on 23 November 2011, 24 November 2011, SYR.P0001.001.110-111.

¹⁰¹ Report from General Intelligence Branch 315 in Dar’a to the Major General Commander of the Security Group in Dar’a Governorate, 1 August 2011, SYR.D0065.023.057.

¹⁰² Report from the Joint Investigation Committee in Hama to the Security and Military Chief in Hama Governorate, 2012, SYR.E0002.001.001.

¹⁰³ Letter from the Military Committee in Idleb to Military Intelligence Branch 271, 22 September 2011, SYR.D0175.009.022.

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documentary and other analysis points to *Imad* Ali Abdullah Ayoub,¹⁰⁴ the Deputy Chief of Staff of the Army and Armed Forces.

A small number of documents currently in CIJA's possession are addressed to the Homs Military and Security Chief and dated March 2012. These documents confirm that Ayoub held this position. The earliest documentary reference, currently at the CIJA's disposal, indicating Ayoub as the Homs Military and Security Chief is dated 13 March 2012. A document sent from the General Intelligence Branch 318 (Homs) on this day is addressed to the "*Imad* Deputy Chief of the General Staff of the Army and Armed Forces – Homs Governorate Security and Military Official." The document concerns intelligence on an explosive device, which had been found in Hama, recommending that the information be sent to Army units and security agencies for their protection. The document was sent first to the Chief's Assistant (the Security Official in Homs Governorate), who supported the recommendation, and then signed by *Imad* Deputy Chief of Staff who approved that it be disseminated. Although the document does not mention him by name, one of the Deputy Chiefs of the General Staff was Ali Ayoub at this time.¹⁰⁵

On 28 March 2012, another document specifically identified Ali Ayoub in the address block as the Military and Security Chief. A report from the Homs Military Intelligence Branch (Branch 261), this document served to relay information from the 4th Division Security Officer concerning armed opposition activity in Ar-Rastan. The document was addressed to "*Imad* Ali Abdullah Ayoub, Deputy Chief of Staff - Homs Military and Security General Chief."¹⁰⁶

Another document dated 10 April 2012 referenced Ali Ayoub as the Homs Military and Security Chief. This document gave an indication of his role and authority. The document was again sent from Military Intelligence Branch 261 to Ayoub. It dealt with intelligence about armed opposition activity in the Al-Warsha neighbourhood in Bustan al-Diwan in Homs and concerned itself with two pick-up trucks used by the armed opposition, details where a mortar was being fired from and the location of a restaurant which was being used by the armed opposition to treat wounded. The

¹⁰⁴ Ayoub had been a Major General but on promotion to Deputy Chief of Staff was given the rank *Imad* which likely equates to Lieutenant General.

¹⁰⁵ Report from General Intelligence Branch 318 to the Homs Security and Military Chief, 13 March 2012, SYR.D0124.027.005.

¹⁰⁶ Report from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 28 March 2012, SYR.D0124.013.004.

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information was sent with a suggestion that it be circulated among security and Army units in order for them to “act accordingly.” The report was first seen by the “Security Chief, Assistant to the Military Commander,” who expressed an opinion on the proposal from Branch 261 and that Ayoub “kindly approves.” Ayoub signed the document, indicating his final opinion and decision.¹⁰⁷ This document gives a clear indication of the role of the Military and Security Chief (*i.e.*, that security agency branches would submit information and intelligence to him with suggestions for action but that it was for the Homs Military and Security Chief to authorise such action).

Imad Ali Abdullah Ayoub held the position of Homs Military and Security Chief from around late November 2011 through to the spring of 2012 (at least until May). As noted above, the earliest document currently in the possession of the CIJA referencing Ayoub in the position is dated 13 March 2012,¹⁰⁸ although witness testimony indicates he was in this position before this date¹⁰⁹ and most likely was appointed after the key CCMC decisions of November 2011. Ali Ayoub was later replaced as the Homs Military and Security Chief by Major General Naim Jasem Suleiman, the Chief of Staff of the 3rd Corps.¹¹⁰

In relation to the function of the Homs Military and Security Chief, it is clear that this was a critical and significant position. He was evidently the key link between the Governorate-level security agency branches and the military units conducting operations in Homs (the 11th Division, 18th Division and Special Forces units).

The Homs Military and Security Chief received information and intelligence from all the key security agency branches in Homs Governorate, the Air Force Intelligence Branch in the Central

¹⁰⁷ Report from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 10 April 2012, SYR.D0124.020.004.

¹⁰⁸ Report from General Intelligence Branch 318 to the Homs Security and Military Chief, 13 March 2012, SYR.D0124.027.005.

¹⁰⁹ Witness Interviews SYR.WGA.632; SYR.WHA.527.

¹¹⁰ *See e.g.* Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Military and Security Chief, 18 May 2012, SYR.D0124.012.003; Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Military and Security Chief, 31 May 2012, SYR.D0124.015.002; Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Military and Security Chief, 29 June 2012, SYR.D0124.016.001; Letter from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 28 May 2012, SYR.D0124.019.006; Letter from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 22 May 2012, SYR.D0124.021.002.

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Region,¹¹¹ Military Intelligence Branch 261,¹¹² General Intelligence Branch 318,¹¹³ and the Homs Political Security Branch.¹¹⁴

It is not clear where the Homs Military and Security Chief operated from or the exact size and nature of his staff, but it is apparent that he had a senior assistant who had the authority to receive and disseminate materials from the various security agency branches indicating some kind of communications facilities and the staff and headquarters to be able to conduct his work. An analysis of the small number of documents in the possession of CIJA which were sent to the Homs Military and Security Chief (mainly dated March to June 2012) gives some indication of the process by which information was used.

It is evident that all the Governorate security agency branches were in a position to send reports to the Chief. While this material covered a broad scope, it often centred on the activity of the opposition groups in Homs and Ar-Rastan. The reports would be dispatched directly under the respective branch's signature block and addressed specifically to the Homs Military and Security Chief.¹¹⁵

Often, the security agency branches would make suggestions or recommendations for action but, critically, it would be the Chief who would give the final approval for action. In essence, it was the Homs Military and Security Chief who enjoyed the authority to authorise any action taken on the basis of the information provided to him.

The intelligence and security reports would be sent first to the Chief's Assistant, who would agree or offer further suggestions for action, before being sent to the Chief for the final decision. Two boxes (or signature blocks) would be placed on the original intelligence reports where the Chief

¹¹¹ See e.g. Report from the Air Force Intelligence Branch in the Central Region to the Homs Security Chief, 28 May 2012, SYR.D0124.027.002-003.

¹¹² See e.g. Report from Military Intelligence Branch 261 to the Homs General Security and Military Chief, 19 May 2012, SYR.D0124.010.003.

¹¹³ See e.g. Report from General Intelligence Branch 318 to the Homs Security and Military Chief, 14 March 2012, SYR.D0124.025.003.

¹¹⁴ See e.g. Report from the Political Security Branch in Homs to the General Military and Security Chief, 7 June 2012, SYR.D0124.021.006.

¹¹⁵ See e.g. Report from General Intelligence Branch 318 to the Homs Security Chief, 19 May 2012, SYR.D0124.022.003.

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and the Assistant would sign or offer further comments. Often the boxes would simply be signed with the phrase “authorised” although on other occasions further comments could be added.

As an example, on 28 March 2012, Military Intelligence Branch 261 reported they had received information from various sources that a defected officer was operating in an area within Homs. Branch 261 proposed that the information be circulated to all military units, to improve monitoring and set up ambushes where this officer and opposition activity identified in the report were operating. The report was clearly read by both the Assistant and the Homs Military and Security Chief. The Assistant suggested that the proposal be approved and there should be a reliance on military units “and bombardment” (presumably meaning artillery) in order to deal with the issue. This was passed to the Chief, who approved and signed the document.¹¹⁶

Ultimately, the documents would be sent to military units for action, this being the most important function of the Homs Military and Security Chief. The intelligence being provided was not simply background information but was to be actioned by the military units deployed in the Homs area. Military Intelligence Branch 261 was often the conduit by which information would be circulated down to military units. As an example, on 28 May 2011, Branch 261 sent the Homs Military and Security Chief a report about the activity of international monitors in Hama, Homs, and Idleb who were meeting with “terrorists to acquire photos, maps, charts, and laser CDs showing security and military locations and airports in some cities.” Branch 261 suggested that the information be circulated to military units. This was approved by the Homs Military and Security Chief with an instruction that the NSB be informed.¹¹⁷ Subsequently, Branch 261 disseminated the report to the military units noting the Chief’s decision.¹¹⁸

Even though the documents in CIJA’s possession are limited, they do provide insight into the type and variety of activities which the security agency branches were reporting on to the Homs Military

¹¹⁶ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 28 March 2012, SYR.D0124.024.004.

¹¹⁷ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 28 May 2012, SYR.D0124.019.006.

¹¹⁸ Communication from Military Intelligence Branch 261, 23 June 2012, SYR.D0124.019.005 (cover letter forwarding SYR.D0124.019.006).

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and Security Chief. Such activities included issues concerning checkpoints,¹¹⁹ arrest tasks,¹²⁰ and confronting armed groups,¹²¹ as well as transmitting information between branches.¹²²

Some of the documents indicate the sources which were being used to gather the information in order to keep the Chief informed. Taken together, these references point to a good detail of the activity inside the opposition areas. Reports reference various sources which were being exploited as well as the ability of the Regime to monitor telephone calls in the opposition areas.¹²³ In one reference, dated 18 April 2012, Military Intelligence Branch 261 informed the Homs Military and Security Chief about a telephone call between two individuals in Homs. The report stated:

The first is named Abu Al-Barra' and the second is unidentified (works as an anchor for Al-Jazeera channel). Abu Al-Barra' was informing the latter that the city was subject to heavy bombardment, on an average of one shell every five minutes and around 20 missiles. He said that the attacks targeted Al-Khalidiya neighbourhood and Jawrat Al-Shiyah and that the missiles were either the Iranian or Russian Raad because the trajectory of the missile could be heard. He also informed him that 18/04/2012 coincides with the anniversary of the first massacre to take place, the Homs Square, the first massacre of the events. It was also said that around 150 bodies were rotting in the national hospital due to electricity cut-off, and around 1000 bodies were in the neighbourhoods of Jawrat Al-Shiyah, Al-Qarabis, Al-Qusur, and

¹¹⁹ See e.g. Letter from Military Intelligence Branch 261 to the 11th and 18th Armoured Divisions, 19 June 2012, SYR.D0124.014.001-003 (forwarding a memorandum); Letter from the Political Security Branch in Homs to the Homs General Military and Security Chief, 13 June 2012, SYR.D0124.009.001; Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Security and Military Chief, 16 June 2012, SYR.D0124.006.004.

¹²⁰ See e.g. Letter from the Political Security Branch in Homs to the Homs General Security and Military Chief, 7 June 2012, SYR.D0124.021.006; Communication from General Intelligence Branch 318 to the Homs Security Chief, 27 June 2012, SYR.D0124.010.005.

¹²¹ See e.g. Letter from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 6 July 2012, SYR.D0124.010.009.

¹²² See e.g. Letter from Military Intelligence Branch 261 to the 11th Division, 18th Division, 554th Regiment, 53rd Regiment, and 41st Regiment, 11 June 2012, SYR.D0124.027.001-003 (forwarding Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Security Chief, 28 May 2012, SYR.D0124.027.002-003); Letter from Military Intelligence Branch 261 to the Homs General Security and Military Chief, 19 May 2012, SYR.D0124.021.004.

¹²³ See e.g. Letter from Military Intelligence Branch 261 to 11th Division, 18th Division, 554th Regiment and 441st Regiment, 21 April 2012, SYR.D0124.008.005 (forwarding Letter from General Intelligence Branch 318 to the Homs Security and Military Chief, 3 April 2012, SYR.D0124.008.006); Letter from General Intelligence Branch 318 to the Homs Security and Military Chief, 21 March 2012, SYR.D0124.006.003.

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old Homs. These should be taken away before the arrival of the monitors and attention should be drawn to this issue.¹²⁴

Branch 261 suggested that the report be circulated to all military units through Branch 261 to “take the necessary measures.” The Homs Military and Security Chief agreed and the reports were duly circulated to the 11th and 18th Divisions and the 41st and 554th Special Forces Regiments.

Importantly, a small number of references indicate clearly that the intelligence being provided to the Homs Military and Security Chief was used for targeting purposes.

Although dated after the attack on Baba Amro, a series of documents at CIJA’s disposal are useful examples of how the decision making and targeting process worked, placing the Homs Military and Security Chief at the centre of the decision-making process. This is observed in a series of three documents emanating from information provided by General Intelligence Branch 318 in Homs.

On 19 May 2012, Branch 318 submitted a report to the Homs Military and Security Chief providing information on a building in Ar-Rastan which was apparently being used by armed groups. Additionally, it noted a series of houses where “some armed gangs” had allegedly moved. The Branch proposed to the Homs Military and Security Chief that the information in the report should be circulated to all security agencies and army units through Military Intelligence Branch 261 and to “consider these locations targets to be processed.” The Homs Military and Security Chief agreed to the suggestion.¹²⁵

General Intelligence Branch 318 disseminated the decision to Military Intelligence, Air Force Intelligence and Political Security requesting that Military Intelligence Branch 261 disseminate it to the military units considering “these targets to be addressed” and to implement the decision of the Homs Military and Security Chief.¹²⁶ As instructed, on 4 June 2012, Branch 261 disseminated

¹²⁴ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 18 April 2012, SYR.D0124.020.001; Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 2 May 2012, SYR.D0124.020.002.

¹²⁵ Report from General Intelligence Branch 318 the Homs Security Chief, 19 May 2012, SYR.D0124.022.003.

¹²⁶ Communication from General Intelligence Branch 318 to the other Homs Security Agency Branches, 28 May 2012, SYR.D0124.022.002.

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the decision to the military commander of the Ar-Rastan Sector (through the 11th Division) referencing the Homs Military and Security Chief's decision and to "act accordingly."¹²⁷

A small number of documents illustrate that the Homs Military and Security Chief was able specifically to authorise the use of artillery from the units under his command.

On 28 March 2012, a report was sent from Military Intelligence Branch 261 to the Homs Military and Security Chief, indicating they had received information about an officer who had defected, who was giving order "to Salafist" groups in Homs in order to divert Army units in one location so that an attack could be launched in another place. The Branch suggested that the information be circulated and it be used to launch ambushes. The Chief's Assistant suggested approval be given but that there should be a reliance on military units and "bombardment" in order to deal with the issue. The Homs Military and Security Chief approved the suggestions.¹²⁸

On 27 June 2012, Military Intelligence Branch 261 sent a report to the Homs Military and Security Chief with information on a number of defected officers living in a multi-story house in Ar-Rastan. According to the report, the second floor was being used as a field hospital. To the north of the building, it was reported that there was a kindergarten and a vegetable market. Another reference in the report concerns a house that was being used a weapons store as well as another house where a defected officer was allegedly staying. Branch 261 recommended that forces in the area use this information. The Assistant recommended to "accurately locate the location and bombard it immediately" and the Homs Military and Security Chief instructed:

The commander of the Ar-Rastan sector, determine the location of the place and strike with artillery immediately.¹²⁹

In another document, Military Intelligence Branch 261 sent information to the Homs Military and Security Chief on various houses and locations in Ar-Rastan where they indicated armed men were residing and there was a suspected explosives manufacturing facility was located (apparently a dispensary). The Branch proposed that the Ar-Rastan sector commander be informed " through

¹²⁷ Report from Military Intelligence Branch 261 to the Commander of the Ar-Rastan Sector, 4 June 2012, SYR.D0124.022.001.

¹²⁸ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 28 March 2012, SYR.D0124.024.004.

¹²⁹ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 27 June 2012, SYR.D0124.013.002.

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the committee operations office and attacking those locations with the artillery.” The Homs Military and Security Chief agreed and tasked the Ar-Rastan commander to determine the locations and attack them with artillery. The report, referencing the Chief’s decision, was later sent to the 11th Division.¹³⁰

In summary, the establishment of the Homs Military and Security Chief was a critical position in the operational command of military and security units in Homs from late November 2011 onwards. The appointment of this senior-level military commander allowed for the operational command and tasking of the key security and military units in the Governorate (e.g., the security agency branches, the 11th and 18th Divisions and the other military units deployed to Homs) to deal with the growing security problems. It was this official that oversaw the operations in the lead-up to and during the Baba Amro operation in February 2012.

The Syrian Army 3rd Corps

Overview

The key military units operating in Homs Governorate in 2011 and 2012 principally involved elements of the Army’s 3rd Corps, in particular those from the 18th and 11th Armoured Divisions, elements of Special Forces and, most likely, dedicated artillery units from the Corps.

The 3rd Corps was the central military formation which covered both Homs and Hama governorates and it consisted of a series of subordinate formations. These included the 11th and 18th Armoured Divisions;¹³¹ the 17th Infantry Division;¹³² the 64th Artillery Regiment;¹³³ and a number of other anti-tank, independent or supporting units.¹³⁴

¹³⁰ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 26 June 2012; SYR.D0124.008.003; Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 6 July 2012, SYR.D0124.008.004.

¹³¹ See e.g. Letter from the 18th Armoured Division to the Infantry Academy, 9 October 2011, SYR.D0017.089.069; Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029.

¹³² List of Deceased of the 93rd Armoured Brigade, 14 October 2011, SYR.D0043.003.030.

¹³³ Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029, at SYR.D0090.001.028; Letter from Military Intelligence Branch 261 to the Homs General Military and Security Chief, 19 May 2012, SYR.D0124.010.003.

¹³⁴ See e.g. Note from the 168th Anti-Tank Regiment to the Infantry Academy, 9 January 2011, SYR.D0019.092.008; Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029, at SYR.D0090.001.028.

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The Commander of the 3rd Corps in 2011 was Major General Talal Tlas.¹³⁵ Tlas was later replaced by Major General Wajih Yahya Mahmoud, who was the Commander of the 18th Division during 2011 into 2012. Witness testimony indicates that the change of command took place in early 2012.¹³⁶ The Chief of Staff of the 3rd Corps was Major General Naim Jasem Suleiman, who later became the Homs Military and Security Chief.¹³⁷

In a similar manner to all the major commands of the Army and Armed Forces, the 3rd Corps Command had a series of staff branches which supported the Corps Commander, allowing him to exercise command and control of the subordinate formations. This included operations, communications, artillery, engineering, armaments and technical affairs.¹³⁸

The headquarters of the 3rd Corps were located in Damascus, rather than Homs Governorate itself. The fact that the Corps covered Homs and Hama governorates, while the 17th Corps was deployed in the Ar-Raqqa area, may have contributed to the senior leadership's decision to establish the position of the Homs Military and Security Chief to assume command of all units in the Governorate from late 2011 onwards.

The precise operational role of the 3rd Corps Commander/Command during the military operations in Homs in 2011 and 2012 remains to be fully assessed, in particular, in the period after the establishment of the Homs Military and Security Chief.

18th Armoured Division

The 18th Armoured Division was one of two armoured divisions in the 3rd Corps. It was based predominantly in Homs city and the surrounding area and was one of the key units conducting operations during 2011 and 2012.

¹³⁵ Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029. *See also* Witness Interviews SYR.WGA.623; SYR.WGA.627.

¹³⁶ Witness Interviews SYR.WGA.632; SYR.WGA.577.

¹³⁷ Letter from the Air Force Intelligence Branch in the Central Region to the Homs General Security and Military Chief, 16 June 2012, SYR.D0124.006.004.

¹³⁸ Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029.

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The Commander of the 18th Division changed during the period of 2011–2012. Major General Wajih Yahya Mahmoud commanded the Division through the whole of 2011¹³⁹ but was promoted to command the 3rd Corps in early 2012. Wajih Mahmoud was replaced as the Commander of the 18th Division by Major General Jamil Ibrahim.¹⁴⁰ Some ambiguity remains as to who was appointed as the Deputy Commander of the 18th Division.

The 18th Division comprised a series of subordinate brigades and regiments, including the following units:

- a. 120th Mechanised Brigade - This Brigade was commanded by Brigadier General Aqel Salama with the Deputy Commander being Brigadier General Muhammad Mahmoud.¹⁴¹ The Head of the Artillery Branch of the 120th Brigade was Colonel Muhammad Abboud.¹⁴²
- b. 131st Armoured Brigade¹⁴³ - This Brigade was based east of Homs governorate (potentially east of Al-Sayed village and north of Al-Furqlus).¹⁴⁴ The 131st Brigade was commanded by Brigadier General Ahmad Shebli.¹⁴⁵
- c. 134th Armoured Brigade¹⁴⁶ - The commander of this Brigade (as at October 2011) was Staff Brigadier General Youssef Abdulkarim Ismail.¹⁴⁷

¹³⁹ Witness Interviews SYR.WGA.632; SYR.WGA.725 (the witnesses use the name *Ibrahim* instead of *Mahmoud* but it is apparently the same individual). *See also* Letter from the Commander of the 18th Division, 9 October 2011, SYR.D0017.089.069.

¹⁴⁰ Witness Interviews SYR.WGA.632; SYR.WGA.627.

¹⁴¹ Telegram from the Police Command in Homs to the Police Command in Ar-Raqa, 13 October 2011, SYR.D0088.010.005; List of Soldiers Assigned to Training Courses, 26 December 2011, SYR.D0019.011.007 (identifies a Major from the 120th Brigade of the 18th Division); Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029, at SYR.D0090.001.027. *See also* Witness Interviews SYR.WGA.623; SYR.WGA.632; SYR.WGA.656; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527.

¹⁴² Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029, at SYR.D0090.001.027

¹⁴³ Administrative Annex for Training or Evaluation, 19 March 2011, SYR.D0090.001.025-029, at SYR.D0090.001.029; Witness Interviews SYR.WGA.618; SYR.WGA.627; SYR.WGA.632; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527; SYR.WGC.507.

¹⁴⁴ Witness Interview SYR.WGA.618.

¹⁴⁵ Witness Interviews SYR.WGA.627; SYR.WGA.714.

¹⁴⁶ Witness Interviews SYR.WGA.623; SYR.WGA.632; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527.

¹⁴⁷ Letter from the 134th Armoured Brigade to the 18th Armoured Division, 8 October 2011, SYR.D0017.089.070.

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- d. 167th Armoured Brigade¹⁴⁸ - This Brigade had its headquarters allegedly on the road between Homs and Palmyra (Tadmor) approximately 42 km east of Homs, close to the village of Al-Furqlus and 6 km north of the Al-Shaiyrat airbase.¹⁴⁹ The Brigade Commander (as of October 2011) was Staff Brigadier General Muhammad Ali Hamdan. Witnesses conflict somewhat on who was the Deputy Commander. One witness indicated that this position was held by Staff Brigadier General Talal Ibrahim¹⁵⁰ with another indicating that Ahmad Mansour was the Deputy Commander and Talal Ibrahim as the Chief of Staff of the Brigade.
- e. 125th Artillery Regiment – commanded by Brigadier General Saleh Fneish until February 2012 when he was replaced by Brigadier General Suleiman Al-Ali.¹⁵¹ This was allegedly an independent artillery and anti-tank regiment.¹⁵²

Like all other divisions in the Army and Armed Forces, the 18th Division Command consisted of various staff branches (echoing the structure of the 3rd Corps). These were specialist branches headed by senior officers whose function was to advise the Commander of the Division in their specialist fields and to ensure the execution of the Commander's orders and instructions and maintain the effective running of the Division as a whole. These staff branches included artillery, communications, engineering, armour, reconnaissance, and logistics. The Head of the Artillery Branch of the 18th Division was allegedly Brigadier General Suheil Dib.¹⁵³

It is not yet clear where the headquarters of the 18th Division were located. Some witnesses claimed that the Division was generally located south-east of Homs city. Some place it on the Homs-Farqala road,¹⁵⁴ with others placing it some 7-8 km from the city on the Homs-Tadmor road near the village of Fairouzah.¹⁵⁵

A detailed analysis of the communications within the 18th Division headquarters has been undertaken. Some CIJA witnesses have been able to provide insight into this area. One witness indicated that the Division utilised landline and radio communications systems.¹⁵⁶ At the brigade

¹⁴⁸ Witness Interviews SYR.WGA.623; SYR.WGA.632; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527; SYR.WGC.507.

¹⁴⁹ Witness Interviews SYR.WGA.623; SYR.WGA.632; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527; SYR.WGC.507.

¹⁵⁰ Witness Interviews SYR.WGA.623; SYR.WGA.632; SYR.WGA.714; SYR.WGA.725; SYR.WHA.527; SYR.WGC.507.

¹⁵¹ Witness Interviews SYR.WGA.627; SYR.WGA.632; SYR.WGA.714.

¹⁵² Witness Interview SYR.WGC.507.

¹⁵³ Witness Interview SYR.WGA.623.

¹⁵⁴ Witness Interview SYR.WGA.623.

¹⁵⁵ Witness Interviews SYR.WGA.714; SYR.WGC.507.

¹⁵⁶ Witness Interview SYR.WGA.632.

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level, a witness from the 120th Brigade stated that they had utilised wired landline and a military router for communications. Each battalion commander within the Brigade was allocated a three- or four-digit number, allowing them access to the system. The BRC 77 radio was additionally used.¹⁵⁷ A former member of the 167th Brigade stated that the commander received telephone calls on a dedicated military line. Using this line, calls would come in and be logged and passed along to the commander.¹⁵⁸

Some witnesses have referred to the use of the TETRA communications system, a secure radio system (walkie-talkie) used by the Army and Armed Forces. One witness indicated that the TETRA system was introduced after the 525th Battalion of the 120th Brigade was deployed to Homs.¹⁵⁹ A former member of the 131st Brigade explained that the device worked over long distances and was set to communicate over three channels. The first channel was for the Minister of Defence and the headquarters (Joint Command), the second was for the Division and the Brigade and the third was for the sector work.¹⁶⁰ An additional witness stated that the armoured vehicles had been equipped with a special communications system in order to coordinate forces in action.¹⁶¹

One document in the possession of the CIJA mentions the use of the TETRA communications system more widely throughout key Syrian army units (including the 18th Division). Although this document is dated 27 May 2012 and was sent from an Electronic Security Brigade operating in the north of the country, it clearly indicated that the 18th Division (as well as the 11th Division and 17th Division) operated the TETRA communications system and secure calling-codes were used for the particular units on the system.¹⁶²

In relation to reports and reporting, a former member from the Armament Branch of the 18th Division claimed generically that reports were sent *via* incoming and outgoing mail on a daily, weekly or monthly basis. The reports would normally contain divisional plans, operations and activities. The same witness mentioned that the Armament Branch would issue weekly reports on ammunition consumption, reserves in warehouses, and ammunition needs. Similarly, the Head of

¹⁵⁷ Witness Interview SYR.WGA.656.

¹⁵⁸ Witness Interview SYR.WGC.507.

¹⁵⁹ Witness Interviews SYR.WGA.656; SYR.WGA.627; SYR.WGA.632.

¹⁶⁰ Witness Interview SYR.WGA.618.

¹⁶¹ Witness Interview SYR.WGA.656.

¹⁶² Instruction from the 2nd Electronic Security Brigade, 27 May 2012, SYR.D0002.199.001-005.

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the Artillery Branch would send reports on ammunition consumption to the Armament Administration in Damascus as well as updates on weapons taken by defectors.¹⁶³ Another witness from the Division Command revealed that he was writing monthly reports on the combat readiness to the Division Commander and other senior officers at the Operations Room.¹⁶⁴

A former member of the Command of the 167th Brigade stated that all mail coming into the Brigade (regardless of its origin) was logged into a book and given a number, the purpose of the correspondence was recorded, who sent it and to whom it was directed. Once it was logged, the piece of mail was sent to the Brigade Commander. According to the witness, all incoming mail was seen by the Brigade Commander. Once he would see the correspondence, it was either dealt with directly, by him personally, or forwarded to the appropriate recipient. All outgoing correspondences, most of which was seen by the Brigade Commander, were given numbers and the destinations were recorded in a logbook. All correspondences in and out of the 167th Brigade were in paper form, and not by email or electronic means.¹⁶⁵

The witness recalled that the Brigade Commander typically met with the officers of the Brigade on an as-needed basis, but addressed all members of the Brigade at least once a week during a parade. Typically, the Commander would advise the soldiers on the training they could anticipate. The witness specified that these types of meetings ceased after the beginning of the revolution.¹⁶⁶

A former member of the Artillery Branch of the 131st Brigade stated that there was no formal reporting system in the Brigade. However, the same witness observed that the commander of a checkpoint would personally contact the Division Commander, the Division Command and the Head of Operations in the Brigade when it was required to report.¹⁶⁷

Orders within the Division were disseminated by means of direct meetings, oral instructions and in written form. A witness from the 120th Brigade indicated that orders were conveyed either orally

¹⁶³ Witness Interview SYR.WGA.632.

¹⁶⁴ Witness Interview SYR.WGA.714.

¹⁶⁵ Witness Interview SYR.WGC.507.

¹⁶⁶ Witness Interview SYR.WGC.507.

¹⁶⁷ Witness Interview SYR.WGA.627.

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at battalion level or by means of landlines. The witness noted that the Divisional Commander would personally hold meetings in which he disseminated tasks.¹⁶⁸

Another witness in the Division Command indicated that the 18th Division Commander would hold a morning conference as well as meetings with checkpoint and other commanders in the Division headquarters. These would involve giving a status update (in particular at checkpoints, developing new plans and identifying targets for bombardment). The Commander would also pass on instructions during his visits to checkpoints deployed in the different neighbourhoods of Homs. Less important orders would be disseminated by mail.¹⁶⁹

A witness from the 525th Battalion of the 120th Brigade indicated that orders at checkpoints were given orally, directly to the checkpoint commanders.¹⁷⁰ He mentioned that before the Brigade had been deployed to Homs, the officers were given orders at secret meetings at the 120th Brigade headquarters. During these meetings, the officers were shown maps, over which missions were explained and tasks assigned. The witness stated that in June 2011 he attended a secret meeting headed by the Division Commander who ordered the 525th Battalion be deployed between the school on Al-Sitteen Street and Deir Al-Baalba; their mission was to prevent the passage of persons through the area.¹⁷¹ Soldiers from the 131st Brigade were assigned tasks personally at the office of the Commander.¹⁷²

In terms of operations, elements of the 18th Division are known to have had a number of key tasks including the establishment, manning and operating the checkpoints in Homs, undertaking raids and inspection operations and participation in the Baba Amro operation in the early part of 2012.

It is evident from a number of witness and documentary references that the 18th Division was responsible for manning and operating a number of checkpoints in the Homs city area.¹⁷³ One reference in the minutes of a CCMC meeting indicated that the 18th Division provided manpower

¹⁶⁸ Witness Interview SYR.WGA.656.

¹⁶⁹ Witness Interview SYR.WGA.632.

¹⁷⁰ Witness Interview SYR.WGA.656 (giving examples of such orders while he was serving at the Cairo Checkpoint).

¹⁷¹ Witness Interview SYR.WGA.656.

¹⁷² Witness Interviews SYR.WGA.618; SYR.WGA.549.

¹⁷³ Report from Military Intelligence Branch 261 to the Homs Military and Security Chief, 11 June 2012, SYR.D0124.021.004 (containing a general reference to military checkpoints, particularly in the Talbisseh, As-Saan, and Deir Baalaba areas).

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for the checkpoints in Homs, including in Baba Amro. A report, dated 3 December 2011, on the security situation in the Governorate confirmed the desertion of “a Captain from the 18th Division with sixteen elements who were deployed to a Baba Amro checkpoint.” The Captain in question apparently took his individual weapon, two machineguns, communication devices, and ammunition, and headed to an unknown location.¹⁷⁴ The CCMC were notified that two conscripts from the 18th Division had deserted from a security checkpoint in Bayada city district.¹⁷⁵

A witness from the 131st Brigade indicated that they were tasked by the “General Command of the Army” to man the five main checkpoints in the eastern sector of Homs (from Al-Sitteen Street to the Al-Abbasiin neighbourhood) at the onset of the events.¹⁷⁶ Each checkpoint was equipped with one BMP and one BRDM vehicle, with about thirty soldiers in official uniforms. The commander of this mission was Lieutenant Colonel Muhammad Darbouli from Homs, who was accompanied by Colonel Adel Salama, an Alawite from Lattakia.¹⁷⁷

The checkpoint at the Consumer Establishment in Baba Amro neighbourhood was manned by personnel from the 18th Division.¹⁷⁸ The Head of the Artillery Branch of the 131st Brigade stated that “in the beginning” (the precise temporal parameter being unspecified) the Consumer Establishment checkpoint in Baba Amro was commanded by a Colonel from 18th Division command named Muhammad Saleh who was subsequently replaced by Haitham Qarhali.”¹⁷⁹ Residents often repeated that Colonel Saleh Saqr from the 18th Division commanded the checkpoint.¹⁸⁰ One witness recalled that Colonel Saleh Saqr, from the Division’s operation room, and Captain Abdelrazzaq Al-Murr, commander of the infantry company of the 131st Brigade, had

¹⁷⁴ CCMC report on the security situation in the country on 3 December 2011, 3 December 2011, SYR.E0001.011.030-037.

¹⁷⁵ Report from the Minister of Interior to the CCMC, 2 February 2012, SYR.E0013.007.145-154.

¹⁷⁶ Witness Interviews SYR.WGA.618; SYR.WGA.627; SYR.WGA.549.

¹⁷⁷ Witness Interview SYR.WGA.618.

¹⁷⁸ Witness Interview SYR.WGA.623.

¹⁷⁹ Witness Interview SYR.WGA.627.

¹⁸⁰ Witness Interviews SYR.WGA.638; SYR.WGA.633; SYR.WGA.779 (stating that Saleh was a Brigadier General); SYR.WGA.765; SYR.WGA.767; SYR.WGA.708; SYR.WGA.755 (stating he was named Wahid Saqr); SYR.WGA.549 (stating that Colonel Saleh Saqr was assigned by the 18th Division’s Commander to Baba Amro, but did not specify to what position); SYR.WGA.627 (stating his name was Colonel Muhammad Saleh from the 18th Division); SYR.WGA.585; SYR.WGC.503.

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been assigned by the Division Commander to go to Baba Amro and establish checkpoints, although it is not clear which checkpoints they set up nor is it known how the witness knew of the details.¹⁸¹

A witness indicated that the personnel at the Consumer Establishment checkpoint consisted of about seventy soldiers from the 131st Brigade, twenty-five elements from Political Security and a platoon of thirty-one personnel from the Special Forces platoon of the 52nd Regiment. The checkpoint was equipped with two BMP vehicles and one Shilka anti-aircraft vehicle. The soldiers were equipped with personal small-arms weapons. The same witness indicated that they additionally manned the Al-Sakne checkpoint in Kafr Aya and the Al-Iddikhar checkpoint. The witness stated that Captain Aiman Al-Marr from 18th Division allegedly operated a sniper at Al-Sakne checkpoint.¹⁸² Another witness indicated that the 167th Brigade participated in the establishment of a number of checkpoints along with other units from 18th Division.¹⁸³

The Al-Zir roundabout checkpoint was allegedly manned by the 120th Brigade of the 18th Division as was the Cairo Roundabout checkpoint. There were twenty-five soldiers from the different battalions of the 120th Brigade at the Cairo Roundabout checkpoint and a witness indicated that the checkpoint targeted residential areas without differentiating between military and civilian targets whenever a random bullet or stone hit the checkpoint. The witness likewise recalled that a Shia element working at the checkpoint called Alaa Asfar shot a pregnant woman who was passing the street in January 2012.¹⁸⁴

One witness indicated that the purpose of the checkpoints was to ensure that all the people and vehicles passing through were checked. The checkpoints were located on the main and secondary roads in each neighbourhood, excluding the pro-Regime Alawite neighbourhoods. The smallest checkpoints were equipped with one BMP and about fifteen soldiers, while the largest had about four BMPs, T62 tanks and forty armed soldiers.¹⁸⁵

CIJA has a number of references at the operational level indicating precisely which units and formations of the 18th Division conducted which tasks in 2011 and 2012.

¹⁸¹ Witness Interview SYR.WGA.549.

¹⁸² Witness Interview SYR.WGA.627.

¹⁸³ Witness Interview SYR.WGA.527.

¹⁸⁴ Witness Interview SYR.WGA.656.

¹⁸⁵ Witness Interview SYR.WGA.714

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It is known that military units in the Homs area conducted a series of inspection operations, raids or sweeps into Homs throughout the period and as the 18th Division was one of the key units in the area, they were most likely engaged in these. A small number of references do make specific reference to operational level activity. The first main references indicating the engagement of the 18th Division in inspection operations came during an operation in May 2011. A CCMC report on 12 May 2011 confirmed that in Homs there had been an operation involving the army and security forces and they had:

... carried out their task of pursuing the vandalising elements in (Baba Amro-Jowrat Al-Araies) neighbourhoods and left these neighbourhoods after successfully accomplishing their mission amidst a sense of relief among the residents.¹⁸⁶

Although this particular documentary reference does not indicate which units had participated in the operation, witness evidence indicates that the units that participated in this operation were infantry battalions from the 120th Brigade and the 134th Brigade (both 18th Division units). Elements of two brigades from 11th Division allegedly participated in addition to the 52nd Regiment. The operation lasted for eight hours and was supported by security personnel from all branches (Political Security, Military Security and General Intelligence). This particular witness specified that the operation was supervised by the Commander of the 18th Division (Wajih Mahmoud), Mounir Adanof, the Commander of the 11th Division (a Druze from Al-Mahmoud family), as well as the Commander of the 52nd Regiment (Ghassan Dayoub).¹⁸⁷

Another witness indicated that elements of the 131st Brigade participated in an operation in Baba Amro in the beginning of June 2011, in accordance with instructions from the “command”. The witness additionally claimed that the security agency branches had been heavily involved in decision-making regarding the deployment of forces from the 18th Division at this time.¹⁸⁸ A further witness indicated that one armoured and one full “Shilka” battalion from the 131st Brigade participated in the “storming” of Baba Amro, led by the Commander of the “Shilka” Battalion,

¹⁸⁶ CCMC report on the security situation in the country on 12 May 2011, 12 May 2011, SYR.E0001.006.068-070.

¹⁸⁷ Witness Interview SYR.WGA.627.

¹⁸⁸ Witness Interview SYR.WGA.714.

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Colonel Sami Al-Hasan, along with Colonel Adel Salama, although the witness was unclear on the date of this operation.¹⁸⁹

In relation to the operation against Baba Amro in early 2012, a witness stated that the 167th Brigade participated in the operations in Baba Amro which began in the year and lasted for about six months. This witness further indicated that the involvement of the Brigade was mainly confined to the encirclement and establishment of checkpoints as well as house raids. The witness claimed that Staff Colonel Hashem Hasan shelled Homs, although it is unclear what position this officer held, when exactly this was or exactly how the witness was aware of this information.¹⁹⁰

CIJA analysis indicates that the 18th Division was very much involved in this activity.

One witness who was present at the 18th Division Command stated that during Ramadan in 2011 (*i.e.*, August) Homs was targeted with shelling. The shells were fired from 130 mm cannons. Brigadier General (or possibly Colonel) Suhail Hassan, an officer from the Artillery Branch of the 18th Division provided the coordinates while Major Hasan Shahin, an Alawite from Tartous who served in Operations Branch of the 18th Division, was firing.¹⁹¹

A former 2nd Lieutenant from the Armament Branch of the 18th Division Command stated that the Division Command targeted the neighbourhoods of Homs, particularly Baba Amro with artillery, rocket-propelled grenades and missiles.¹⁹² The witness indicated that they had “counted” large numbers of missiles which had been fired into the neighbourhood of Homs by the 18th Division, until he deserted the army (he indicated more than 15,000 “missiles” but it is unclear how exactly he estimated this number and whether he meant artillery shells as well as missiles). The witness additionally stated that the targets included the Baba Amro, Jawrat al-Shiyah and al-Khaldiya neighborhoods. He further indicated that orders were passed after the visit of the Minister of Defence Jasam Al-Frej¹⁹³ from Hama to the Division along with his deputy Ali Ayoub who was

¹⁸⁹ Witness Interview SYR.WGA.618; SYR.WGA.627 (indicating that Sami Al-Hassan was Commander of 131st Brigade’s Shilka Battalion).

¹⁹⁰ Witness Interview SYR.WHA.527.

¹⁹¹ Witness Interview SYR.WGA.714.

¹⁹² Witness Interview SYR.WGA.632.

¹⁹³ It is possible that the witness was confused over the details here as Fahd Jasam Al-Frej was not appointed to be Minister of Defence until July 2012 (*i.e.*, after the Baba Amro attack). He was appointed as Chief of Staff of the Army and Armed Forces in August 2011.

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always present at the headquarters of the 18th Division where he would arrive on his private helicopter.

Another witness stated that the Commander of the Artillery Battalion, Lieutenant Colonel Firas Al-Ali gave instructions to shell Homs with artillery on the basis of instructions from the Division Command.¹⁹⁴ He also stated that an officer from the anti-tank battalion, 2nd Lieutenant Adham Saqar, was supervising the shelling operations of the battalion in the neighbourhoods of Homs from the area of Al-Makhram employing rocket launchers and artillery in response to orders received from the Division Commander as well as the Deputy Chief of Staff of the Army and Armed Forces, Ali Ayoub.¹⁹⁵

A witness, a former commander of a battalion in the 167th Brigade, stated that he was aware artillery shelled the neighbourhood indiscriminately and the witness has never heard of civilians being warned to leave the area before an attack. This same witness stated that he had been present at the 18th Division Command during the attack on Baba Amro. The artillery battalions of the Division deployed eight 130 mm and 122 mm guns, all of which were aimed at Baba Amro neighbourhood. At the beginning of the storming of Baba Amro, the neighbourhood was shelled using heavy artillery under the supervision of the Head of the Artillery Branch of the Division, Brigadier General Suheil Dib, Colonel Raji Dira (an officer of the Artillery Branch) and Lieutenant Colonel Maan Ali (Chief of Staff of the Artillery Battalion in the 167th Brigade). In addition to forces from the 18th Division, elements from other units, including the 15th Division, 5th Division, 4th Division and Republican Guards, were allegedly used.¹⁹⁶

A former member of the 167th Brigade of the 18th Division claimed that the Brigade had artillery capabilities and recalled hearing that the 125th Artillery Regiment was established with its guns aimed at Baba Amro.¹⁹⁷ A witness, former member of the 64th Regiment (not a unit of the 18th Division, but an independent artillery regiment of the 3rd Corps), was stationed in Shinshar and saw five 130 mm calibre guns and two rocket launchers prepared at emplacements within the

¹⁹⁴ Witness Interview SYR.WGA.527 (stating that the Commander of the Artillery Battalion told him about this issue).

¹⁹⁵ Witness Interview SYR.WGA.527 (not specifying how the witness knew this).

¹⁹⁶ Witness Interview SYR.WGA.623.

¹⁹⁷ Witness Interview SYR.WGC.500.

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Regiment on 7 February 2012. From these points, he then witnessed the shelling of Baba Amro which began on 8 February.¹⁹⁸ A further witness from the Artillery Section of the 131st Brigade stated that the Head of the Missiles Battalion of the 3rd Corps (Staff Colonel Shaaban Aoudi) was transferred to the 18th Division and he:

... along with Head of the Artillery Branch of the Division Brigadier General Nabih in addition to the officers of the Artillery Branch of the Division and the commanding officers of the Corps were the first to start bombing Baba Amro.¹⁹⁹

According to this particular witness, it was stated that 240 mm mortars had been used in the shelling of Baba Amro.²⁰⁰

Regime loyalist groups, Popular Committees and paramilitary forces

Although the Regime predominately utilised the formal security structures (such as the CCMC/NSB, the security agencies, the Army and Police) to suppress anti-Regime demonstrations and organisations and to confront the armed groups, the mobilisation and use of pro-Regime loyalist or paramilitary groups was an important feature of the Regime's security response.

Investigating such organisations is often notoriously complex. Evidence in the possession of the CIJA, nonetheless, clearly indicates that pro-Regime paramilitary groups were mobilised, utilised, worked with or were folded into the formal security apparatus from the very outset of the current conflict. The evidence further shows such groups were routinely used in security operations which included the suppression of demonstrations, the guarding of facilities, employment on checkpoints and operationally securing territory taken back from the opposition control.

Before outlining some of this evidence, it is worth highlighting one important issue of etymology. The term routinely utilised to reference such paramilitary groups is *shabiha*. This has become a common (often vague and, at times, even lazy) appellation used to define an array of bodies which included pro-Regime paramilitary groups, mobilised loyalists, members of Popular Committees, Baath Party members, village defence forces, Alawite, Shia or tribal groups, armed gangs and criminals.

¹⁹⁸ Witness Interview SYR.WGA.545.

¹⁹⁹ Witness Interview SYR.WGA.627.

²⁰⁰ Witness Interview SYR.WGA.627.

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As a term, *shabiha* has generated something of its own momentum within the Syrian conflict, has been adopted by the opposition (and media outlets) as a contemptuous description of many Regime groups and has developed a somewhat catch-all status which does not always assist in the understanding of such defined groups. As one recent study notes, the use of the name *shabiha*:

As a descriptive term it is of little value, obfuscating rather than shedding light on the complex and evolving nature of Assad's civilian militias. The indiscriminate labelling of any or all pro-government fighters as *Shabiha* has in fact served to conceal the extraordinary diversity of the paramilitary groups fighting for Assad.²⁰¹

This report is not the forum for an analysis of the term *shabiha*, its genesis or meaning but it is a phrase which is utilised by some CIJA witnesses and therefore cannot be completely avoided. For the purposes of this report, however, the use of the word *shabiha* will be predominantly limited to any direct references in contemporaneous documents or to the literal expression which witnesses themselves have used to describe what they believed to be loyalist or pro-Regime groups which were not directly (or formally) part of the regular security forces.

As noted above, evidence in the possession of CIJA clearly indicates that pro-Regime loyalists and paramilitary groups were mobilised and utilised from the very early stages of the conflict. The use of loyalist supporters would appear to have been seen in the first instance as a means of detecting opposition activity. In essence, the supporters were utilised as something akin to additional "eyes and ears" for the Regime and, correspondingly, were controlled by the security agencies. On 2 March 2011, for example, a directive from Military Intelligence Branch 243 (responsible for Deir- ez-Zor and Ar-Raqqa governorates) to its subordinate sections and detachments stated:

You are instructed to mobilise and streamline the work of all security agents, informers, sources, Baath Party sub-divisions, popular organizations, leaders of National Progressive Front parties and all friends who should be put on a state of high alert to detect any graffiti, publications or gatherings within their areas of responsibility. They are required to report such incidents and give the matter their utmost attention.²⁰²

²⁰¹ Lund, Aron, "Chasing Ghosts, The Shabiha Phenomenon" in *The Alawis of Syria: War, Faith and Politics in the Levant*, Kerr, Michael and Larkin, Craig (eds), Hurst and Company, London, 2015.

²⁰² Instruction from Military Intelligence Branch 243, 2 March 2011, SYR.D0043.004.250. See also Instructions from Military Intelligence Branch 243, 8 March 2011, SYR.D0043.004.243; Instructions from Military Intelligence Branch 243, 12 March 2011, SYR.D0043.004.237.

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As the demonstrations and opposition activity spread, however, the Regime intensified the activity of many loyalist supporters and groups. Their role was enhanced from simply being used as a means of reporting or intelligence gathering but were additionally mobilised or placed on a high alert,²⁰³ their activity streamlined²⁰⁴ and they were engaged directly in the monitoring of mosques,²⁰⁵ opposition activity and reporting on or confronting the actions of the opposition.²⁰⁶

The specific groups directly referenced in documents in the possession of CIJA and used by the Regime are of note. They include Baathist loyalists (who were already part of a well-structured Baath Party organisation), trade unionists, student groups, local “popular organisations,” partisan organisations, community leaders and influential dignitaries. In essence, the Regime displayed a willingness to use any organisation which was deemed loyal for the purpose of assisting in security tasks, in particular, the suppression of opposition activity.

The Baath Party was clearly able to provide the most convenient and effective structure from which to draw upon and Baathist loyalists became quickly (and heavily utilised) by the Regime in tackling the demonstrations as they grew in size and intensity.

The Baath Party already had a functioning organisation with Party branches, divisions and subdivisions. Documents identify that this Party structure was put to good use by local and governorate security committees allowing them to more easily mobilise pro-Regime Baathist members,²⁰⁷ organise their activity²⁰⁸ and control areas where demonstrations were taking place. In Deir-ez-Zor, the minutes of the Security Committee make regular references to the mobilisations and

²⁰³ Minutes of Meeting of the Tell Abiad District Security Committee, 30 March 2011, SYR.D0043.004.214 (instructing that Baathist comrades, popular organizations and community leaders were to be placed in on a state of high alert and they were instructed to keep an eye on the situation in order to detect any “attempts to security”).

²⁰⁴ Report from Military Intelligence Detachment in Tell Abiad to the Head of Military Intelligence Branch 243, 8 April 2011, SYR.D0043.005.107.

²⁰⁵ Instruction from Military Intelligence Branch 243, 31 March 2011, SYR.D0043.004.210 (instructing subordinate detachments and sections to active and supportive members of Party organisations should be mobilised and “urged to be present at mosques in large numbers”).

²⁰⁶ See e.g. Instruction from Military Intelligence Branch 243 to all Sections and Detachments, 6 April 2011, SYR.D0043.004.203.

²⁰⁷ Minutes of Meeting of the Deir-ez-Zor Security Committee, 4 May 2011, SYR.D0080.050.003.

²⁰⁸ Instruction from the Baath Party Branch in Aleppo, 14 June 2011, SYR.D0097.048.010 (relating to “armed Baathist faction” course).

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activity of Baath Party activists in confronting demonstrations in the Governorate. As an example, on 23 March 2011, the minutes note:

We ordered our comrades in the Party's sections, popular organizations and the trade unions to continue and strengthen the guarding of the headquarters. Also, to watch any suspicious activities and to immediately report and face them. It is also important to watch the rumours and to find out their sources. We distributed our comrades in mosques, with an average of 200 comrades in one mosque to deal with any case which can incite sedition inside mosques.²⁰⁹

As well as the Baath Party, it is important to note that the Regime established a new organisation, the Popular Committees, with which to assist in confronting the opposition. Popular Committees were, most likely, formed around the end of March 2011, utilising the Baath Party apparatus and, to a significant part, its pro-Regime members.

In many ways, the Popular Committees were simply another formalised organisation within the wider Baath Party itself under the instruction and tutelage of the local security committees, security agencies and police. On 28 March 2011, for example, the Commander of Al-Hasakeh Police issued an administrative order, based on a decision by the Security Committee of Al-Hasakeh of the same day. The Security Committee decision required the establishment of the formation of "Popular Committees in all sectors" that were to include members of all segments of community such as "notables and patriots who have social influence." The heads of certain police districts were assigned with forming the Popular Committees "through coordination with Baath party comrades, secretaries of departments and groups and security bodies." The tasks given to the Popular Committees were clearly of an operational nature and related to dealing with potential protests, guarding and protecting property from opposition activity and gathering information. The administrative order indicated that Popular Committees were tasked with:

- (a) Dealing with negative gatherings with the aim of solving any problem or meeting the demands of such gatherings in coordination with the police command.
- (b) Preserving public and private property from any tampering by people with ill intent and informing police units deployed in the committees' sector of any observations.

²⁰⁹ Minutes of Meeting of the Deir-ez-Zor Security Committee, 25 March 2011, SYR.D0080.051.090-094.

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Around the same time, in Deir-ez-Zor and Ar-Raqqa governorates, Popular Committees were established under the aegis of Military Intelligence whilst also utilizing the Baath Party apparatus. On 11 April 2011, Military Intelligence Branch 243 (the branch which covered both governorates) issued an instruction to all its sections and detachments tasking them to:

... mobilise members of the Baath Party in every district and form the so-called Popular Committees in every district so as to protect towns and defend public departments as well as confront anti-government elements and criminal gangs. Such committees should be supervised by partisan subdivisions and divisions in the said districts, and their work shall be streamlined by the Security Committee in the districts and under your personal supervision in coordination with Baath party officials.²¹⁰

The emphasis was that the Popular Committees were to be formed to defend pro-regime areas, confront opposition activity,²¹¹ were to be established from Baathist loyalists utilising the Baath Party architecture and were to be supervised by the security committees with oversight from the security and senior Baath Party apparatus.

The existence of the Popular Committees was not hidden by the Regime and was, in fact, acknowledged directly by President Bashar al-Assad in a public address on 20 June 2011 where he stated that Popular Committees had been established by young people to protect the country.²¹²

It is evident that the security committees (both at the local and governorate level) were important in both supervising the work of the Baathist loyalists,²¹³ Popular Committees and pro-Regime groups. In Deir-ez-Zor, for example, the minutes of the Governorate Security Committee of 15 April 2011 note a presentation by the Chairman of the Security Committee on the mobilisation of various groups in the area (including Baath Party members, popular organisations and labour groups) with the task of preventing activity (i.e., demonstrations) “which might take place in mosques, public squares and public gardens” and to contain individuals who may be engaged in

²¹⁰ Instruction from Military Intelligence Branch 243, 11 April 2011, SYR.D0043.005.100.

²¹¹ See e.g. Report from the Military Intelligence Detachment in Tell Abiad to Military Intelligence Branch 243, 14 April 2011, SYR.D0043.004.191 (noting that “Popular and Partisan Committees” were to be deployed to Friday prayers in all the district’s mosques).

²¹² Speech by President Bashar Al-Assad, 20 June 2011, SYR.D0123.003.001-022.

²¹³ Minutes of Meeting of the Tell Abiad District Security Committee, 16 May 2011, SYR.D0043.004.161 (noting the importance of having Baathists guarding public buildings).

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this activity. He additionally briefed that “Popular Committees made up of our comrades were also formed in all neighbourhoods and villages in the Governorate for the same reason.”²¹⁴

In Homs Governorate, the authorities mobilised loyalist and partisan groups apparently in the same manner as in other governorates. On 27 April 2011, Dr. Yaser Houriya (a member of the Baath Party Regional Command), Sobhi Harb (Chairman of the Homs Security Committee) and the Homs Governor met with “leaders from the Party divisions and the popular organisations” in Al-Qusayr district. The purpose of this engagement was to meet “with the popular dignitaries and the religious men and focused on nipping the sedition and countering the conspiracy.”²¹⁵

On 5 May 2011, the “Central Region Command Committee alongside the Security Committee” met with “prominent popular figures” to discuss measures for the restoration of security. The “Central Region Command Committee” most likely referenced the main military command in Homs and Hama governorates (the Central Region Command).²¹⁶

On 11 May 2011, not long after the notorious Clock Tower shooting of demonstrators in Homs city and the shooting of protesters in Ar-Rastan, a high level meeting took place in Homs involving the Assistant Regional Secretary of the Baath Party (Muhammad Said Bekheitan, who was concurrently the Chairman of the CCMC at the time), Yaser Houriya (a Member of the Baath Party Regional Command), *Imad* Hassan Turkomani (Former Minister of Defence and member, later Chairman, of the CCMC), members of the military Regional Command, members of the local partisan commands, and heads of ‘popular organizations’ and unions. The CCMC report of this meeting notes:

It was affirmed that Baathist comrades should be highly responsible to be able to face the great conspiracy which is threatening our country and party. It was affirmed that communication-dialogue committees will be formed to communicate with the people, and that the city will be divided into sectors, each supervised by a branch member. It was also made sure that partisan department is present where it is needed and has the needed numbers of

²¹⁴ Minutes of Meeting of the Deir-ez-Zor Security Committee, 15 April 2011, SYR.D0080.051.118-119.

²¹⁵ CCMC report on the security situation in the country on 27 April 2011, 27 April 2011, SYR.E0001.006.182-185.

²¹⁶ CCMC report on the security situation in the country on 5 May 2011, 5 May 2011, SYR.E0001.006.028-031.

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human resources to split up demonstrators every Friday and on Saturdays as needed.²¹⁷

Following this, on 8 June 2011, a reference in a CCMC report on the security situation noted that the Secretary of the Baath Party in Homs (Sobhi Harb) met with members of the secretaries of departments, heads of organisations, workers, peasants and youth syndicates “dedicated to ensuring the necessary preparations during the expected demonstrations’ on Friday 10/6.”²¹⁸

In terms of the tasks the pro-Regime groups were set, as referenced above, evidence indicates that initially their work began as akin to low-level intelligence gatherers for the Regime security apparatus. As the situation deteriorated, however, in many governorates they very quickly took on active operational security roles including the suppression of demonstrations, the guarding of key facilities, employment on checkpoints and the securing of territory taken back from the opposition control.

One well-documented function was the engagement (in cooperation with the security agencies and police) of Baathists, Popular Committees and pro-Regime groups in suppressing demonstrations. This occurred either by the direct engagement of these groups when demonstrations were underway, or by deploying loyalist supporters to mosques in anticipation of protests.

CIJA possesses numerous documentary references to this activity, but a simple example from Deir-ez-Zor is useful to highlight the coordinated nature of this type of activity. On 7 May 2011, the Governorate Security Committee in Deir-ez-Zor met and agreed to the deployment of forty “Baathist comrades” to the area surrounding a mosque (most likely in anticipation of a protest). This group of Baathists were to be led by a Baath Party Division Secretary. The group was to have the “support of security patrols and the presence of the neighbourhood Popular Committees.” It was moreover agreed that the remaining Party and security apparatus was to be on alert and ready to “intervene as necessary.”²¹⁹ This simple reference highlights many of the issues surrounding the use of loyalist groups by the Regime including the role of the Security Committee (and those who constituted it) in the decision-making process, the use of Baathist loyalists to secure the mosque and confront any potential opposition activity, the utilisation of the Baath Party divisional and

²¹⁷ CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.

²¹⁸ CCMC report on the security situation in the country on 6 June 2011, 6 June 2011, SYR.E0001.008.019-021.

²¹⁹ Minutes of Meeting of the Deir-ez-Zor Security Committee, 7 May 2011, SYR.D0080.051.200-201.

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local structures, the separate (but linked) role of the Popular Committees and the coordination and support with the regular security forces to intervene if required. In essence, a coordinated effort to confront the opposition.²²⁰

As the security situation throughout the country began to deteriorate and the armed opposition grew, the role of the Popular Committees, Baathists, pro-Regime groups and loyalist supporters become more militarised. As well as actively confronting protesters, other security tasks given to such groups included guarding facilities with documented references noting the guarding of Baath Party premises²²¹ and Popular Army Command weapons depots.²²² One document from the Aleppo area noted the involvement of the local Popular Committee at a checkpoint arresting a group of individuals in a vehicle that contained some bombs and handing the individuals over to a Special Forces unit located in the area.²²³

Critically, however, the paramilitary groups were given the wider task in assisting in controlling territory once retaken from the opposition. One key instruction in August 2011 issued by the CCMC is of significance in highlighting the role that pro-Regime groups were given in this regard. On 5 August 2011 the CCMC met and discussed efforts to address the deteriorating security situation throughout the country. It highlighted poor coordination and information sharing between agencies as a major cause for prolonging the events, increasing “human and material losses” and allowing “armed gangs to keep conducting acts of looting, plunder, killing and intimidating citizens.”²²⁴ In essence, the CCMC determined that efforts to resolve the security situation were inadequate.

The following day, the NSB passed instructions to governorate-level secretaries of the Baath Party (i.e., the heads of governorate security committees, including Homs) based on the prior CCMC discussions. The NSB instructed the security committees to conduct daily joint military/security operations, to arrest wanted individuals from clearly targeted groups, and to establish joint

²²⁰ Witness Interviews SYR.WGA.759; SYR.WGA.848; SYR.WGA.726; SYR.WGA.786; SYR.WGA.742.

²²¹ Communication from the Martyr Muhammad Shahada Department of the Aleppo Branch of the Baath Party to the Commands of the Party Divisions, 22 May 2011, SYR.D0097.078.011.

²²² Circular from the Operations Commission, 21 August 2011, SYR.D0071.026.009.

²²³ Report from the 46th Special Forces Regiment, undated, SYR.D0098.001.008 (while the document is undated it refers to an event that occurred on 31 July 2012).

²²⁴ Communication from the NSB to Secretaries of the Baath Party Branches and Heads of Security Committees, 6 August 2011, SYR.D0043.004.094.

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investigation committees. Critically, the CCMC/NSB instructed that, after the launching of such security operations, where areas had been “cleansed of wanted persons,” control was to be maintained in cooperation with the pro-Regime loyalist groups. The instruction specifically noted:

Once each sector has been cleansed of wanted persons, you are requested to keep control of such a sector through scheduling security and partisan presence in it in cooperation with the neighbourhood’s committee, people’s organisations, dignitaries and influential pro-regime people, so that wanted persons can no longer seek shelter in such a sector.

In essence, this key instruction demanded that pro-Regime groups (clearly meaning Popular Committees, Baathists, loyalists, defence groups and pro-Regime supporters generally) were to be used, alongside security bodies, to control territory recaptured by Regime forces. It is known that this particular CCMC/NSB instruction was acted upon and disseminated, not only through the Security Committee but throughout the security infrastructure - clearly emphasising its importance.²²⁵

Later documentary references reinforce the important role the pro-Regime groups were to play in the security response of the Regime, the necessity for coordination with the regular security bodies and the engagement of the national level command in constantly encouraging the joint nature of the security effort. On 22 October 2011, for example, the CCMC instructed that new working mechanisms were to be established in order to impose controls on “all security agencies, military units, partisan comrades and organisations.”²²⁶ The CCMC report on the security situation in the country on 31 October 2011 observed that the CCMC itself had convened a meeting in Homs with members of pro-Regime groups (including “neighbourhood committees, leaders of Party divisions, the leaders of popular organisations, professional associations and religious leaders”).²²⁷ On 3 February 2012, a circular from the NSB, referencing a CCMC meeting two days previously noted that the Minister of Interior was to undertake a visit to Aleppo to:

supervise and oversee the reorganization of the work carried out by police units and members with security systems, Popular Committees and Party members, in addition to carefully examining areas of heated situations in the

²²⁵ Instruction from Military Intelligence Branch 243, 8 August 2011, SYR.D0043.003.286; Instruction from the Political Security Department to the Heads of All Governorate Branches, 16 August 2011, SYR.D0077.191.001.

²²⁶ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023.

²²⁷ CCMC report on the security situation in the country on 31 October 2011, 31 October 2011, SYR.E0001.011.016-019.

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cities, towns and villages of Aleppo, taking the necessary measures, coordinating the work between different sectors and joint patrols and examining the security situation and working methods with the Security Committee of the Governorate.²²⁸

One important document from late February 2012 clearly notes that, by this time, Baathist loyalists were being actively utilised for security operations alongside security and military formations. In addition, these loyalists had been included in Popular Army formations. In some cases, however, security agency branches were arresting them. On 27 February 2012, the NSB sent a letter to the Head of the Political Security Department indicating that:

Comrades in the Party branches received instructions to carry out security missions in order to guard the party headquarters and public facilities and to contribute to confronting the terrorists along with the security forces and army units, they were included in the popular army formations. However, some of the security branches arrested these comrades. Therefore please make sure that the security and military checkpoints pay attention and do not oppose them.²²⁹

The fact the NSB was engaged in resolving this issue indicates clearly that loyalists were being integrated into the Popular Army. The further observation that members of these groups were to be allowed to undertake their work unopposed is significant.

In a combat instruction from the Commander of the Northern Region dated 8 February 2012, which concerned the establishment of a number of checkpoints on the Aleppo-Idleb route, the Commander specifically referenced that coordination with the Popular Committees in the neighbouring villages was to be conducted by security personnel only from Military Intelligence Branch 290 (responsible for Aleppo Governorate).²³⁰

In summary, giving the pro-Regime paramilitary groups the clearly defined role and responsibility (authorised from the highest levels of the Regime) of assisting in the control of territory is critical to understanding why references to such groups (*shabiha*, as they are often referenced by witnesses) were noted as being present during or after operations undertaken by the security forces. This is an issue directly relevant to operations undertaken in Homs (and Baba Amro in particular)

²²⁸ Circular from the NSB, 3 February 2012, SYR.D0077.030.007.

²²⁹ Letter from the NSB, 27 February 2012, SYR.D0087.056.012.

²³⁰ Combat instruction from the Commander of the Northern Region Command, 8 February 2012, SYR.D0012.003.002-004.

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where, as highlighted later in this report, paramilitary groups (again, often referenced by witnesses as *shabiha*) were identified as being present and committing offences after neighbourhoods that had been earlier secured by regular forces.²³¹

II. Contextual Elements

Overview

With the outbreak of protests across Syria from early 2011 onwards, the Regime commenced the monitoring of protests and issued a series of instructions calling for the arrest of demonstrators. Between February and July 2011, the Regime pursued a policy of suppression through the arrest and detention of protesters and, increasingly, armed violence.

From August 2011 onwards, these policies were significantly escalated with the launch of countrywide security-military campaigns calling for the systematised arrest and detention of all actual or perceived Regime opponents across multiple governorates, including Homs. This heightened crackdown failed to restore Regime control over Homs or to halt the emergence of the organised armed opposition. Over the latter part of 2011, military-security operations gradually evolved into fully fledged military incursions. Shelling intensified over the course of November and December 2011, as the Free Syrian Army (“FSA”) increased in organisational strength and capacity and began to launch their own operations into several districts within Homs.

By late 2011, the deteriorating security situation in Homs came to the attention of the United Nations and led to the deployment of an Arab League Monitoring Mission in December 2011.

In February 2012, a significant military offensive against opposition-held neighbourhoods of Homs, in particular Baba Amro, was launched, aimed at regaining control of the areas. This was achieved by the Syrian Army and Armed Forces, at significant cost to human life, by early March 2012.

²³¹ Witness Interviews SYR.WGA.726; SYR.WGA.742; SYR.WGA.759; SYR.WGA.786; SYR.WGA.816; SYR.WGA.848; SYR.WGA.849.

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Escalation And Militarisation of the Crisis in 2011

Before examining the conduct which CIJA believes to be criminal in nature, it is useful to provide a month-by-month contextual overview of the military activity in Homs Governorate over the time period relevant to this report.

February-March 2011

From February 2011, popular protest in Syria began to manifest in mass demonstrations. As these demonstrations grew in number and intensity, so the reaction of the Regime and its security forces became increasingly repressive and violent.

In response to burgeoning protests throughout the country, the NSB called for the growing unrest to be investigated in many governorates, including Homs, and sought to arrest demonstrators throughout the entire country.²³² The situation deteriorated rapidly thereafter, with the first protests, which were peaceful in nature, occurring in Baba Amro in late March 2011.²³³

April 2011

The Regime's response to these demonstrations was heavy-handed. During a major security crackdown in the town of Ar-Rastan, Homs Governorate, in the second half of April 2011, security forces shot at the crowds and killed some eighteen protesters.²³⁴ Another incident of particular notoriety occurred in the early hours of the morning of 19 April 2011, when more than a thousand demonstrators gathered for a peaceful protest at the so-called New Clock Tower Square close to Al-Khalidiya neighbourhood.²³⁵ According to witnesses, the organisers actively dissuaded demonstrators from bringing weapons into the square.²³⁶ Around midnight, [REDACTED] announced to the gathered crowd that Regime representatives had informed him demonstrators would be removed by force if they did not leave voluntarily.²³⁷ A few hours later, the assembled

²³² See e.g. Communication from the Head of NSB to the Head of the Political Security Department, 9 March 2011, SYR.D0084.086.001-004 (listing twenty-nine separate instances for the month of February of writings and graffiti critical of the Regime appearing on the walls of schools, mosques, public and private buildings in several parts of the country, including Damascus, Homs, Deir-ez-Zor, Al-Hasakeh, Dar'a and Ar-Raqqa).

²³³ Witness Interviews SYR.WGA.762; SYR.WGA.633; SYR.WGA.637; SYR.WGA.721; SYR.WGA.637.

²³⁴ See Witness Interview SYR.WGC.511.

²³⁵ Witness Interviews SYR.WGA.761; SYR.WGC.511; SYR.WGA.742; SYR.WGA.810; CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133.

²³⁶ Witness Interviews SYR.WGA.760; SYR.WGA.759; SYR.WGA.810.

²³⁷ Witness Interviews SYR.WGA.721; SYR.WHA.585; SYR.WGC.511; SYR.WGA.717; SYR.WGA.763; SYR.WGA.759; SYR.WGA.810.

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forces opened fire on those who had remained in the square.²³⁸ Religious leaders who remained to treat the wounded and to tend to the dead were summarily executed.²³⁹ The following morning, on 19 April 2011, bodies were removed with wheel-loaders and dump trucks.²⁴⁰ The blood of the dead and wounded was washed away with water hoses.²⁴¹

High-level Regime officials were made aware of this incident in a CCMC report dated 19 April 2011.²⁴² The report stated that 5,000 protesters had gathered at the New Clock Tower calling for a sit-in protest.²⁴³ At around 0215 hours on 19 April 2011, most demonstrators had left the square, yet around 1,000 others remained.²⁴⁴ The document further stated that security forces arrested some protestors and shot at others, resulting in eight killed and eleven wounded, including six police officers.²⁴⁵

Witnesses interviewed by CIJA blame a number of units for the incident. According to one witness, the operation was carried out under the direction of the Head of the Homs Military Intelligence Branch (Branch 261).²⁴⁶ Another witness stated the Police Commander of Homs had attempted to negotiate the dispersal of the protesters but, after being rebuffed, gave the command to achieve this aim by any measure necessary.²⁴⁷

Far from quelling the opposition movement, this heavy-handed Regime response resulted in further escalation of the protests. At the end of April 2011, the first clashes took place between

²³⁸ Witness Interviews SYR.WGA.667; SYR.WHA.585; SYR.WGA.742; SYR.WGA.706; SYR.WGA.785; SYR.WGC.511; SYR.WGA.678; SYR.WGA.696; CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133, at SYR.E0001.006.131 (stating that gunfire was used by the security forces to disperse the protesters and some of them were arrested). *See also* Violations Documentation Center, at <https://tinyurl.com/47828vf9> (retrieved on 24 February 2023) (listing twelve individuals killed by shooting in Homs on 18 and 19 April 2011).

²³⁹ Witness Interview SYR.WGA.678.

²⁴⁰ Witness Interview SYR.WGA.761; SYR.WGA.667; SYR.WGA.696; SYR.WGA.706; SYR.WGA.759.

²⁴¹ Witness Interviews SYR.WGA.787; SYR.WGA.761; SYR.WGA.810.

²⁴² CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133, at SYR.E0001.006.131.

²⁴³ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133, at SYR.E0001.006.131.

²⁴⁴ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133, at SYR.E0001.006.131.

²⁴⁵ CCMC report on the security situation in the country on 19 April 2011, 19 April 2011, SYR.E0001.006.129-133, at SYR.E0001.006.131. It is not clear whether this refers to the incident at the Clock Tower square only, or to all incidents in the Governorate on that day.

²⁴⁶ Witness Interview SYR.WGA.678.

²⁴⁷ Witness Interview SYR.WGA.678.

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Baba Amro residents and Regime security forces.²⁴⁸ Participants attending a demonstration around the same time claimed that demonstrators were shot at from the Kafr Aaya checkpoint, injuring at least five civilians and killing others.²⁴⁹ Armed individuals who had previously carried weapons to protect protesters responded by shooting at the checkpoint.²⁵⁰ Forty persons injured from clashes at Kafr Aaya checkpoint were treated at Al-Jilani Mosque for gunshot wounds and six died at the first aid point.²⁵¹

Within a few weeks, the Army and Armed Forces had besieged the town and proceeded to shell it for several days.²⁵² Both military and security forces then entered the town, setting up checkpoints and arresting scores of people, during which many more civilians were killed by Regime snipers.²⁵³

May 2011

As the situation continued to deteriorate, high-ranking officials were periodically sent from the military and security services in Damascus in order to take charge of the Homs Security Committee. The Homs Security Committee initially attempted to maintain order by way of mediation. For example, on 1 May 2011, the CCMC reported that members of the Homs Security Committee, Dr. Yaser Houriya²⁵⁴ and *Imad* Mounir Adanof, a Deputy Chief of Staff of the Army and Armed Forces, had met with representatives from Ar-Rastan in relation to an incident which had occurred there on 29 April 2011 in which twenty-two people had been killed during a demonstration.²⁵⁵ It was agreed that blood money would be paid “in order to diffuse tension and

²⁴⁸ Witness Interview SYR.WGA.721.

²⁴⁹ Witness Interviews SYR.WGC.511 (stating that 14 Baba Amro residents were killed during this incident); SYR.WGA.726; SYR.WGA.740; SYR.WGA.653 (stating that three personnel from the checkpoint refused to fire at demonstrations and the responsible officer from Political Security killed the three personnel).

²⁵⁰ Witness Interviews SYR.WGA.653; SYR.WGA.695.

²⁵¹ Witness Interview SYR.WGC.510.

²⁵² Witness Interviews SYR.WGA.676; SYR.WGA.775; SYR.WGA.653; SYR.WMA.134; SYR.WGA.653. However, *see* Witness Interview SYR.WMA.135 (stating that the FSA did not enter Baba Amro until August 2011).

²⁵³ Witness Interview SYR.WGC.001. It appears that this incident was discussed in a meeting of the Homs Security Committee *See* CCMC report on the security situation in the country on 1 May 2011, 1 May 2011, SYR.E0001.006.014-016, at SYR.E0001.006.014 (mentioning 19 protesters killed; a number that might rise to 22).

²⁵⁴ A member of the Baath Party Regional Command.

²⁵⁵ CCMC report on the security situation in the country on 29 April 2011, 29 April 2011, SYR.E0001.006.194-199 (noting that there was a large demonstration in Ar-Rastan where the international highway was cut off, reporting on “an exchange of fire” between the Army and demonstrators in Ar-Rastan, noting that four civilians were killed in Ar-Rastan).

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avoid rendering Ar-Rastan a new demonstration hub or another Dar'a, and in order to ensure that the international road will not be cut off."²⁵⁶ Mediation continued in Ar-Rastan on 3 May 2011, when the Head of the Homs Security Committee, Sobhi Harb, met with prominent figures in Ar-Rastan in order to "learn of the situation in the city." The meeting failed to improve popular sentiment and was eventually broken up by young protesters.²⁵⁷

When this approach failed, veiled threats were issued to the public. A CCMC report from 5 May 2011 details how the "commanding committee in the central region"²⁵⁸ met with "popular prominent figures" and hinted that failure to implement an agreement for the restoration of order would justify "all options" be "swiftly implemented."²⁵⁹

In early May 2011, demonstrators killed nine security agency personnel manning the Kafr Aaya checkpoint, after an armoured vehicle at the checkpoint opened fire on civilians.²⁶⁰ On the same day, Regime forces entered the neighbourhood with tanks, armoured vehicles, and established additional checkpoints at various intersections.²⁶¹

On 11 May 2011, a high-level meeting took place in Homs involving Muhammad Said Bekheitan,²⁶² Yaser Houriya,²⁶³ Major General Hassan Turkomani,²⁶⁴ members of the military Regional Command,²⁶⁵ local partisans and heads of popular organisations and unions. The clear purpose of the meeting was to organise local loyalist groups into a cohesive body and to use them, whenever necessary, to break up planned anti-Regime demonstrations. The CCMC report for this meeting "affirmed that Baathist comrades should be highly responsible to be able to face the great conspiracy which is threatening our country and party."²⁶⁶

²⁵⁶ CCMC report on the security situation in the country on 1 May 2011, 1 May 2011, SYR.E0001.006.014-016.

²⁵⁷ CCMC report on the security situation in the country on 3 May 2011, 3 May 2011, SYR.E0001.006.020-023.

²⁵⁸ The "commanding committee in the central area" may be a reference to the Army and Armed Forces' Central Region Command responsible for Homs and Hama governorates.

²⁵⁹ CCMC report on the security situation in the country on 5 May 2011, 5 May 2011, SYR.E0001.006.028-031.

²⁶⁰ Witness Interviews SYR.WGA.785; SYR.WGA.695; SYR.WGA.742; SYR.WGC.511 (naming one of the officers killed).

²⁶¹ Witness Interview SYR.WGA.637.

²⁶² Bekheitan was Assistant Regional Secretary of the Baath Party and Chairman of the CCMC at the time.

²⁶³ Houriya was a member of the Baath Party Regional Command.

²⁶⁴ Turkomani is the former Minister of Defence, member of the CCMC and its Chairman from 19 October 2011.

²⁶⁵ This likely refers to the Central Region Command, the military command that covered Homs Governorate.

²⁶⁶ CCMC report on the security situation in the country on 11 May 2011, 11 May 2011, SYR.E0001.006.061-063.

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On the following day, military and security forces conducted an operation in Baba Amro and Jawrat Al-Arais.²⁶⁷ Witness SYR.WGA.695 stated that the operation began when Regime troops dressed in uniforms and carrying personal weapons arrived in the main square of Baba Amro in a convoy of armoured vehicles. According to witness SYR.WGA.764, a number of these troops were affiliated with the 18th Division which proceeded to shell the area.²⁶⁸ During the operation, the soldiers arrested residents of the neighbourhood and looted private property.²⁶⁹ Utilities such as electricity, telecommunications, and water were cut off²⁷⁰ and the first aid point established at Al-Jilani Mosque was shut down.²⁷¹ According to a CCMC report dated 12 May 2011, military and security forces had “carried out their task of pursuing the vandalizing elements in [Baba Amro and Jawrat al-Arais] neighbourhoods and left these neighbourhoods after successfully accomplishing their mission amidst a sense of relief among the residents.”²⁷²

In mid-May 2011, the Regime strengthened its grip on the situation by establishing checkpoints at various locations surrounding Baba Amro. Checkpoints were set up at the Basel Stadium (known as Al-Malaab),²⁷³ Brazil Street,²⁷⁴ Jisr Al-Joura,²⁷⁵ areas south of Baba Amro separating it from Kafr Aaya and Sultaniyeh,²⁷⁶ and the centre of the neighbourhood at the General Consumer

²⁶⁷ CCMC report on the security situation in the country on 12 May 2011, undated, SYR.E0001.006.068-070, at SYR.E0001.006.069.

²⁶⁸ Witness Interviews SYR.WGA.740 (stated he heard explosions in Baba Amro during this operation); SYR.WGA.764; SYR.WGA.633.

²⁶⁹ Witness Interviews SYR.WGA.695; SYR.WGA.779; SYR.WGA.766; SYR.WGA.775; SYR.WGA.765; SYR.WGA.694; SYR.WGA.740; SYR.WGA.767; SYR.WGA.778; SYR.WGA.804 (stating that the operation also encompassed Jober).

²⁷⁰ Witness Interviews SYR.WGA.695; SYR.WGA.765.

²⁷¹ Witness Interviews SYR.WGC.510; SYR.WGA.637; SYR.WGC.511; SYR.WGA.680; SYR.WGC.505; SYR.WGA.695. *See also* CCMC report on the security situation in the country on 26 April 2011, 26 April 2011, SYR.E0001.006.175-179, at SYR.E0001.006.177.

²⁷² CCMC report on the security situation in the country on 12 May 2011, undated, SYR.E0001.006.068-070.

²⁷³ Witness Interviews SYR.WGA.695; SYR.WGC.505; SYR.WGA.782; SYR.WGA.783; SYR.WGA.504; SYR.WGA.524; SYR.WGA.663; SYR.WGA.634; SYR.WGA.803; SYR.WGA.807.

²⁷⁴ Witness Interviews SYR.WGA.500; SYR.WGA.512; SYR.WGA.513; SYR.WGA.515; SYR.WGA.775; SYR.WGC.505; SYR.WGA.782; SYR.WGA.504; SYR.WGA.508; SYR.WGA.512; SYR.WGC.510; SYR.WGA.766; SYR.WGA.783; SYR.WGC.511.

²⁷⁵ Witness Interviews SYR.WGA.503; SYR.WGA.500; SYR.WGA.512; SYR.WGA.513; SYR.WGA.721; SYR.WGA.695; SYR.WGA.782; SYR.WGA.783; SYR.WGA.508; SYR.WGA.515; SYR.WGA.528; SYR.WGA.807.

²⁷⁶ Witness Interviews SYR.WGA.504; SYR.WGA.503; SYR.WGA.516; SYR.WGA.517; SYR.WGA.653; SYR.WGA.695; SYR.WGA.783; SYR.WGA.637; SYR.WGA.723; SYR.WGA.680; SYR.WGA.740; SYR.WGA.506; SYR.WGA.528; SYR.WGA.812.

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Establishment building.²⁷⁷ Armoured personnel carriers²⁷⁸ and tanks²⁷⁹ were stationed at some of these checkpoints and the troops positioned there were armed with machine guns.²⁸⁰ There were several smaller checkpoints in the farmlands to the west of Baba Amro, known as Basatin Baba Amro.²⁸¹

During the year, intermittent clashes occurred at these checkpoints²⁸² which were suppressed, once again, by a combination of security forces and military forces from the 18th Division.²⁸³ Witnesses stated that Regime checkpoints looted private property, harassed, detained and physically abused civilians. Civilians were also shot from checkpoints, as were residences and private businesses, with some hearsay accounts of sexual violence.²⁸⁴

²⁷⁷ Witness Interviews SYR.WGA.503; SYR.WGA.508; SYR.WGA.516; SYR.WGA.517; SYR.WGA.653; SYR.WGC.505; SYR.WGA.783; SYR.WGA.803; SYR.WGA.805; SYR.WGA.807; SYR.WGA.812.

²⁷⁸ Witness Interviews SYR.WGA.503; SYR.WGA.529; SYR.WGA.531; SYR.WGA.672; SYR.WGA.740; SYR.WGA.695; SYR.WGA.752; SYR.WGA.676; SYR.WGA.633; SYR.WGA.627;; SYR.WGA.535; SYR.WGA.809.

²⁷⁹ Witness Interviews SYR.WGA.503; SYR.WGA.529; SYR.WGA.531; SYR.WGA.672; SYR.WGA.723; SYR.WGA.726; SYR.WGA.663. This is corroborated by several videos. *See* SYR.A0159.150.001; SYR.A0159.100.001; SYR.A0159.099.001.

²⁸⁰ Witness Interviews SYR.WGA.503; SYR.WGA.529; SYR.WGA.531; SYR.WGA.672; SYR.WGA.663.

²⁸¹ Witness Interviews SYR.WGA.695; SYR.WGC.505; SYR.WGA.504; SYR.WGA.508; SYR.WGA.662; SYR.WGA.807.

²⁸² Witness Interviews SYR.WGA.653; SYR.WGC.510; SYR.WGA.663.

²⁸³ Witness Interviews SYR.WGA.672 (Political Security participation); SYR.WGA.742 (Political Security participation); SYR.WGA.627 (Political Security participation); SYR.WGA.812 (Political Security participation); SYR.WGA.723 (Military Intelligence participation); SYR.WGA.618 (Military Intelligence and Air Force Intelligence participation); SYR.WGA.760 (stating that members of General Intelligence were involved). Additionally, several witnesses recall the involvement of military forces. *See* Witness Interviews SYR.WGA.618; SYR.WGA.633; SYR.WGC.510; SYR.WGA.627 (stating that his name was Colonel Muhammad Saleh from 18th Division); SYR.WGA.637; SYR.WGA.752; SYR.WGA.689 (stating that Azzam Al-Masri commanded forces of the 18th Division, but did not mention if he led a checkpoint.); SYR.WGA.812; SYR.WGA.638; SYR.WGA.779 (stating that he was a Brigadier General), SYR.WGA.740; SYR.WGA.765; SYR.WGA.767; SYR.WGA.708; SYR.WGA.755 (stating that it was Wahid Saqr, but does not state the division); SYR.WGA.549 (stating that Colonel Saleh Saqr was assigned by 18th Division's commander to Baba Amro, but does not specify to what position); SYR.WGA.784; SYR.WGA.585; SYR.WGC.503.

²⁸⁴ Witness Interviews SYR.WGA.726; SYR.WGA.768 (stating that an individual was abused for three hours and another individual was shot in the head by sniper fire while walking by the Consumer Establishment checkpoint); SYR.WGA.783; SYR.WGA.634 (stating that checkpoints "humiliated" people"); SYR.WGA.740; SYR.WGA.678; SYR.WGA.689; SYR.WGA.708; SYR.WGA.661; SYR.WGA.652; SYR.WGA.784 (stating that an individual was arrested and "insulted" near the Consumer Establishment); SYR.WGA.767 (naming three brothers and another individual detained by the Consumer Establishment checkpoint), SYR.WGA.585; SYR.WMA.133 (stating that some people detained at checkpoints are still missing); SYR.WGA.539; SYR.WGA.782 (naming an individual killed by sniper fire from Consumer Establishment checkpoint); SYR.WGC.504; SYR.WGA.676; SYR.WGA.707 (stating that Consumer Establishment checkpoint killed an individual, but does not clarify how); SYR.WGA.766; SYR.WGA.769; SYR.WGA.529.

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June 2011

Since protests continued in Homs throughout April and May 2011, local youths decided to take up light arms and attempt to protect demonstrators from the security forces.²⁸⁵ In mid-2011, the armed demonstrators formed into fighting groups, often organised by family.²⁸⁶ These eventually formed into Al-Farouq Battalions, which protected the neighbourhood from all sides.²⁸⁷ The main fighting “fronts” where witnesses who fought among the opposition operated were at (1) the border between Baba Amro and Inshaat,²⁸⁸ (2) the railway to the East,²⁸⁹ (3) Basatin Baba Amro,²⁹⁰ (4) the North-West area of Baba Amro, referred to as Al-Hakoura,²⁹¹ (5) the border between Baba Amro and Sultaniyeh,²⁹² (6) in the east at Jawrat Al-Arais,²⁹³ (6) around the Battalion headquarters in Al-Majdara alley.²⁹⁴

One witness stated that he was selected by the Homs Directorate of Religious Endowments to participate in a meeting with the President. This meeting took place in June 2011. The witness told Al-Assad about the situation in Baba Amro, specifically, the use of force by the security forces.²⁹⁵

²⁸⁵ Witness Interviews SYR.WGA.740; SYR.WGA.785 (stating that he saw armed demonstrators during May protests); SYR.WGC.510 (stating that demonstrators regularly carried arms in August and September 2011); SYR.WGA.662; SYR.WGA.730.

²⁸⁶ Witness Interview SYR.WGC.506.

²⁸⁷ Witness Interview SYR.WGA.661. *See also e.g.* Witness Interviews SYR.WGA.730; SYR.WGA.665; SYR.WGA.657; SYR.WGA.742; SYR.WGA.715.

²⁸⁸ Witness Interviews SYR.WGA.540; SYR.WGA.689; SYR.WGA.531; SYR.WGA.525.

²⁸⁹ Witness Interview SYR.WGA.540, SYR.WGA.661.

²⁹⁰ Witness Interviews SYR.WGA.536; SYR.WGC.506.

²⁹¹ Witness Interviews SYR.WGA.718, SYR.WGA.689; SYR.WGC.504.

²⁹² Witness Interview SYR.WGA.689.

²⁹³ Witness Interview SYR.WGA.689.

²⁹⁴ Witness Interview SYR.WGA.689.

²⁹⁵ Witness Interview SYR.WGA.680.

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In June 2011, military operations against protesters continued, resulting in the deaths of several individuals.²⁹⁶ At the same time, Regime forces commenced the sporadic aerial bombardment of Baba Amro.²⁹⁷

July 2011

By early July 2011, an organised armed opposition had emerged in Homs which was engaging the Regime forces on a regular basis.²⁹⁸ As a result, the Homs Security Committee sought and received CMCC approval for larger and more aggressive security operations.²⁹⁹ For example, on 17 July 2011, the CCMC convened and “[a]fter an examination of the ... appropriate working methods to tackle the situation...” directed the Security Committee in Homs Governorate to “conduct inspections in the neighbourhoods ...; start[ing] immediately from the Eastern neighbourhoods and [to] arrest ... wanted persons; search for the perpetrators of crimes and hand them over to the Judiciary.”³⁰⁰ The Head of the NSB was ordered to supervise, monitor and provide assistance for the execution of the task, and the decision was disseminated to all “competent bodies” for its execution.

From the minutes of subsequent CCMC meetings on 20 and 23 July 2011, it can be discerned that the Head of the NSB and the Minister of the Interior were directed to continue to liaise with the Homs Governorate Security Committee³⁰¹ in order to “complete the implementation of the inspection plan of the Governorate's neighbourhoods.”³⁰²

²⁹⁶ See CCMC Report on the security situation in the country on 9 June 2011, 9 June 2011, SYR.E0001.008.029-031, at SYR.E0001.008.029. Several witnesses further claimed that a large massacre occurred at the Clock Tower Square in Homs in June 2011, killing 800-900 individuals. See Witness Interviews SYR.WGA.678; SYR.WGA.520; SYR.WGA.696. However, no reports of such a large massacre can be found in open-source materials which refer only to a smaller incident in April 2011, described above. See e.g. Human Rights Watch, “Syria: Rising Toll in Homs”, 2 July 2011, available at <https://www.hrw.org/news/2011/07/02/syria-rising-toll-homs> (retrieved on 22 January 2016); Human Rights Watch, “We Live as in War”, 11 November 2011, available at <https://www.hrw.org/report/2011/11/11/we-live-war/crackdown-protesters-governorate-homs-syria> (retrieved on 22 January 2016). See also Witness Interviews SYR.WDA.563; SYR.WGA.548; SYR.WGA.506; SYR.WGA.637.

²⁹⁷ Witness Interviews SYR.WDA.563; SYR.WGA.548; SYR.WGA.506; SYR.WGA.637.

²⁹⁸ Witness Interview SYR.WGA.779.

²⁹⁹ CIJA believes that this development was dictated by the failure to check the demonstrations and the growth of armed opposition groups which were beginning to target Regime security personnel.

³⁰⁰ CCMC decision No. 3413, 18 July 2011, SYR.E0001.017.001.

³⁰¹ Minutes of Meeting of the CCMC on 20 July 2011, 21 July 2011, SYR.E0001.015.003-004.

³⁰² Minutes of Meeting of the CCMC on 23 July 2011, 24 July 2011, SYR.E0001.015.005-007.

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According to witness SYR.WGA.769 (a resident of Baba Amro) and other witnesses,³⁰³ a large operation was then conducted in Baba Amro and the surrounding farmlands to root out dissidents. This operation included the looting of homes, and the arrest of individuals, including that of the witness for sixty days.³⁰⁴ Another witness was at home when a Brigadier General and Lieutenant Colonel from the security forces entered his house and checked if he was a wanted person.³⁰⁵ Other witnesses present in the neighbourhood at the time reported that the campaign resulted in the deaths of civilians and included arrests and home raids, looting, and shelling from tanks.³⁰⁶ Armed opposition fighters engaged Regime forces in combat during this operation.³⁰⁷

At the end of July 2011, an extensive military-security operation was launched in Baba Amro, with shelling from Air Force Intelligence positions in the east of the Governorate.³⁰⁸ Additionally, on 31 July 2011, the CCMC reported a large inspection and investigation campaign being conducted in Al-Bayyada, in the north of Homs city, with 122 arrests.³⁰⁹

By the end of July 2011, senior officials from the highest level of the Regime had been deployed to Homs and tasked with de-escalating the situation. Assef Shawkat and Rafiq Shahada of the Military Intelligence Department held meetings with representatives of Baba Amro neighbourhood and demanded that residents stop demonstrating.³¹⁰

³⁰³ Witness Interviews SYR.WGA.706; SYR.WGA.774 (naming an individual who was detained and is still missing); SYR.WGA.780 (naming six individuals who were killed in detention); SYR.WGA.723; SYR.WGA.789 (stating that ten civilians were killed by personnel from the 4th Division, identifying one by name and four by family name); SYR.WGA.679; SYR.WGA.779; SYR.WGA.778.

³⁰⁴ Witness Interview SYR.WGA.769.

³⁰⁵ Witness Interview SYR.WGA.776.

³⁰⁶ Witness Interviews SYR.WGA.706; SYR.WGA.774 (naming an individual who was detained and is still missing); SYR.WGA.723; SYR.WGA.789 (stating that ten civilians were killed by personnel from the 4th Division, identifying one by name and four by family name); SYR.WGA.780 (naming six individuals who were killed in detention); SYR.WGA.679; SYR.WGA.779; SYR.WGA.778.

³⁰⁷ Witness Interviews: SYR.WGA.723; SYR.WGA.779; SYR.WGA.742. *See also* CCMC report on the security situation in the country on 19 July 2011, 19 July 2011, SYR.E0001.005.016-017, at SYR.E0001.005.016.

³⁰⁸ Witness Interview SYR.WGA.679.

³⁰⁹ CCMC report on the security situation in the country on 31 July 2011, 31 July 2011, SYR.E0001.005.008-011, at SYR.E0001.005.009.

³¹⁰ Witness Interviews SYR.WGA.730; SYR.WGA.777 (identifying Rafiq Shahada as Head of the Military Intelligence Department from early 2013 onwards). *See also* BBC, Bashar al-Assad's inner circle, 30 July 2012, at <http://www.bbc.com/news/world-middle-east-13216195> (retrieved on 29 January 2016) (identifying Major General Rafiq Shahada as the previous Head of Military Intelligence in Homs); Council Implementing Decision 2011/515/CFSP of 23 August 2011 implementing Decision 2011/273/CFSP concerning restrictive measures against Syria, at <http://goo.gl/jiHkPe> (retrieved on 29 January 2016) (an EU sanctions list of 23 August 2011 stating that Shahada was at the time Head of Military Intelligence Branch 293 (Internal Affairs) in Damascus

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August 2011

The Regime attributed its failure to control the countrywide crisis to poor coordination and information sharing between agencies. According to the CCMC, these logistical obstacles were increasing “human and material losses” and allowing “armed gangs to keep conducting acts of looting, plunder, killing and intimidating citizens.”³¹¹

Consequently, on 5 August 2011, Hisham Ikhtiyar, the Head of the NSB, issued a five-point instruction to the local Baath Party secretaries (heads of security committees) in Hama, Damascus, Deir-ez-Zor, Homs, Idleb and Dar’a governorates, ordering them to:³¹²

- a. Launch daily joint security-military campaigns by all security branches to raid the hiding places of, and arrest, persons wanted for the crimes of vandalism, murder and assaulting citizens and their property, and attacking government departments;
- b. Establish and maintain control of all sectors once they have been cleansed of wanted persons;
- c. Establish Joint Investigation Committees at the governorate level, to be comprised of representatives of all the security agencies and the local Criminal Security branch. Interrogate and investigate those arrested. The results of these investigations were to be sent to all security branches so that they can be used to identify and arrest new targets and members of local coordination committees;
- d. Submit daily reports to the NSB on the results of the search campaigns;
- e. Periodically supply the NSB with the names of security agents who are irresolute or unenthusiastic in confronting armed gangs, and those who undermine the work of the security agencies.³¹³

and ranked as Brigadier General). According to media reports, Shahada got into a dispute with the Head of the Political Security Department in March 2015, leading to the death of the Head of the Political Security Department and the removal of Shahada as Head of the Military Intelligence Department. *See e.g.* Carnegie Endowment for International Peace, The Death of Rustum Ghazaleh, 30 April 2015, at <http://goo.gl/YgwxwJ> (retrieved on 29 January 2016).

³¹¹ Communication from the Head of NSB to the Secretaries of Baath Party Branches in Hama, Damascus, Deir-ez-Zor, Homs, Idleb and Dar’a Governorates , 6 August 2011, SYR.D0043.004.094.

³¹² Communication from the Head of NSB to the Secretaries of Baath Party Branches in Hama, Damascus, Deir-ez-Zor, Homs, Idleb and Dar’a Governorates, 6 August 2011, SYR.D0043.004.094 (noting that this was formulated in response to “laxness” of the security bodies in handling the crisis, as well as the weak coordination and cooperation among these bodies in carrying out ongoing investigations).

³¹³ Communication from the Head of Military Intelligence Branch 243 to the Branch’s detachments, 8 August 2011, SYR.D0043.003.286.

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These instructions were repeated in an NSB circular, dated 6 August 2011, which was addressed to six governorates, including Homs, but was in fact disseminated to all the governorates in the country and throughout all security agencies.³¹⁴

On 7 August 2011, the Minister of Interior implemented these instructions by ordering the establishment of riot police units in the governorates, positioning five battalions in Homs tasked with the maintenance of public order and security.³¹⁵

As mentioned above, a significant personnel change took place on 8 August 2011, when the Minister of Defence and Deputy Commander-in-Chief of the Syrian Army and Armed Forces, *Imad* Ali Habib Mahmoud, was replaced by Major General Dawoud Abdallah Rajiha who had formerly been the Chief of Staff of the Army and Armed Forces.³¹⁶ In essence, Rajiha was moved to the top military position. Following the promotion, one of Rajiha's deputies, *Imad* Fahd Jasam Al-Freij, replaced him as Chief of Staff,³¹⁷ and another officer, Major General Ali Abdullah Ayoub, was appointed to the position of Deputy Chief of Staff.³¹⁸

Several witnesses stated that, from early August 2011, numerous attacks and other joint military-security operations were launched in Baba Amro.³¹⁹ The CCMC further intensified its response by commissioning the national heads of the security agencies to go to the particularly tense areas in order to "lead the forces on the ground once the Army had completed its tasks."³²⁰ Due to the

³¹⁴ Circular from the Head of the NSB to the Secretaries of the Baath Party Branches in Aleppo, Damascus, Rural Damascus, Deir-ez-Zor, Homs, Idleb, Dar'a, 6 August 2011, SYR.D0043.004.091. *See also* Minutes of Meeting of the Rural Damascus Security Committee, 7 August 2011, SYR.P0001.001.049-050, at SYR.P0001.001.049.

³¹⁵ Decision from the Minister of Interior, 10 August 2011, SYR.D0104.033.005. *See also* Communication from the Head of Political Security Department to the Heads of Political Security Branches in Rural Damascus, Homs, Tartous, Deir-ez-Zor and Al-Hasakeh, 12 August 2011, SYR.D0080.107.001 (page damaged, preventing detailed identification of the sender; noting that shortly after, Political Security Branches in Rural Damascus, Homs, Tartous, Deir-ez-Zor and Al-Hasakeh received information on a group of opposition activists attempting to purchase ammunition and weapons in the name of a farming company).

³¹⁶ *See e.g.* Order by the Military Justice Administration, 9 June 2011, SYR.D0017.026.001-002 (identifying *Imad* Dawoud Abdallah Rajiha as Chief of Staff of the Army and Armed Forces).

³¹⁷ Communication from the Organisation and Administration Department to the Infantry Academy, 22 August 2011, SYR.D0017.027.001 (signed on behalf of *Imad* Fahd Jasam Al-Freij; dealing with the punishment of an officer).

³¹⁸ Appointment Order by the Officers Affairs Administration, 10 August 2011, SYR.D0063.010.008.

³¹⁹ Witness Interviews SYR.WGA.760; SYR.WGA.744; SYR.WGA.765; SYR.WGA.767; SYR.WGA.769; SYR.WGA.772; SYR.WGA.755.

³²⁰ Minutes of Meetings of the CCMC on 13 August 2011, 14 August 2011, SYR.P0001.001.090-092, at SYR.P0001.001.092.

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limited success of the crackdown, the CCMC issued instructions recommending “improv[ing] the level of work and preparedness ... by planting sources and informers within the ranks of armed groups and coordination committees and follow[ing] well-studied and planned security methods in conducting missions secretly in order to achieve the objective and desired results [and] fully comply[ing] with the plans drafted by security committees and implement[ing] them accurately and secretly, calling delinquents to account and rewarding agents who succeed in conducting their missions accurately.”³²¹

On 24 August 2011, the CCMC re-evaluated the situation in the tense governorates.³²² For Homs, it was decided to “form [a] Joint Investigation Committee in the city, which should deliver the results of its investigation immediately to the security forces so they can benefit from them simultaneously.”³²³ Muhammad Dib Zeitoun, the Head of the Political Security Department, was thus instructed to travel to Homs Governorate to “lead the security apparatus in the field, and to contribute to the implementation of the plan which was made to control the situation.”³²⁴

By the end of August 2011, Regime forces had surrounded the neighbourhood of Baba Amro with approximately 1,000 troops.³²⁵ This was followed by a four-day clash, killing around eighty Regime personnel and fifteen FSA personnel, after which the members of the FSA withdrew to Al-Qusayr, an area neighbouring Baba Amro.³²⁶

September 2011

September 2011 was marked by further armed incursions into Baba Amro by Regime forces. Around this time, the opposition began re-forming from family structures into Al-Farouq Battalions.³²⁷ These incursions invariably entailed home inspections and arrests, and were

³²¹ Communication from the Head of Military Intelligence to the Heads of Military Intelligence Branches, 2 September 2011, SYR.D0043.004.079 (forwarding information on the meeting of the CCMC held on 19 August).

³²² Minutes of Meeting of the CCMC on 24 August 2011, 25 August 2011, SYR.P0001.001.125-126, at SYR.P0001.001.125.

³²³ Minutes of Meeting of the CCMC on 24 August 2011, 25 August 2011, SYR.P0001.001.125-126, at SYR.P0001.001.125.

³²⁴ Minutes of Meeting of the CCMC on 24 August 2011, 25 August 2011, SYR.P0001.001.125-126, at SYR.P0001.001.126.

³²⁵ Witness Interview SYR.WGA.653.

³²⁶ Witness Interview SYR.WGA.653.

³²⁷ Witness Interviews SYR.WMA.134; SYR.WGA.653.

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frequently accompanied by the use of heavy weaponry such as tanks, BMPs (armoured personnel carriers) and armoured vehicles.³²⁸ During these operations, several individuals were killed and arrested, and electricity and communication lines were cut off throughout the neighbourhood.³²⁹ During this period, several civilians were killed by snipers in numerous locations, but most frequently, close to the Consumer Establishment checkpoint.³³⁰

In one operation, on the morning of 7 September 2011, approximately twenty-three individuals were killed.³³¹ In another operation on 20 September 2011, two women were killed by gunfire,³³² and at least seven Regime soldiers were killed.³³³

October 2011

After another visit by the Minister of Interior and the Head of the NSB to Homs, the CCMC, once again, reached the conclusion that not enough was being done to stem the crisis. Accordingly, on 18 October 2011, and pursuant to the instructions of the President himself,³³⁴ the Head of the NSB was ordered to formulate concrete proposals for “isolat[ing] armed individuals from the welcoming political environment in the area.”³³⁵ The presidential intervention seems to have had a significant effect: Muhammad Said Bekheitan, the Chairman of the CCMC, was replaced by the more hawkish Major General Hassan Turkomani (a former military officer and prior Minister of Defence).

On 22 October 2011, at the first CCMC meeting over which he presided, Hassan Turkomani adopted a decidedly more decisive approach than his predecessor.³³⁶ A series of decisions were then taken, which included the creation of new work mechanisms to “impose control on all security

³²⁸ Witness Interview SYR.WGA.704.

³²⁹ Witness Interview SYR.WGA.704.

³³⁰ Witness Interview SYR.WGA.783.

³³¹ See Human Rights Watch, Syria: Security Forces Remove Wounded from Hospital, Interfere in Work of Red Crescent in Homs, at <https://www.hrw.org/news/2011/09/08/syria-security-forces-remove-wounded-hospital> (retrieved on 1 February 2016).

³³² Witness Interview SYR.WGA.695.

³³³ Witness Interview SYR.WGA.678 (also stating that the campaign was led by “security forces”).

³³⁴ Minutes of Meetings of the CCMC on 18 October 2011, 19 October 2011, SYR.E0001.015.020-021, at SYR.E0001.015.020.

³³⁵ Minutes of Meetings of the CCMC on 18 October 2011, 19 October 2011, SYR.E0001.015.020-021, at SYR.E0001.015.020.

³³⁶ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023, at SYR.E0001.015.022 (also signalling increasing cooperation with Russia).

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agencies, military units, partisan comrades and organizations.” The CCMC was to carry out field visits to “supervise the implementation tasks in the governorates; crosscheck the received reports and to have a clear picture of the situation; and amend the plans and implemented measures.”³³⁷ This significant turning point in the handling of the crisis in Homs is demonstrated during the next meeting of the CCMC on 26 October 2011, which signalled the closer engagement of the CCMC and the NSB in the security situation, and a decisive shift from past tactics.³³⁸ During this meeting, Major General Muhammad Dib Zeitoun was appointed to “command security agencies and armed forces units present in the Governorate” and was given full authority to take necessary legal measures against “everybody who commits mistakes or is negligent.”³³⁹

On 29 October 2011, the CCMC discussed an investigation and search campaign which had been launched in Baba Amro and Jawrat Al-Arais, killing five civilians and injuring seventeen.³⁴⁰ A witness interviewed by CIJA recalled a large inspection mission by military and security forces in Baba Amro around this date, during which homes were inspected and individuals were arrested if weapons were found in their houses.³⁴¹ The witness further stated that an officer entered the witness’s house with a radio communications device. While it is unclear whether this officer directed these operations, or merely listened to radio communications, the witness was aware that snipers and tanks were being directed. Due to intense resistance from opposition fighters and gunfire overheard by the witness, contact with many of the snipers was lost, leading to the withdrawal of Regime troops.³⁴²

³³⁷ Minutes of Meeting of the CCMC on 22 October 2011, 23 October 2011, SYR.E0001.015.022-023, at SYR.E0001.015.023.

³³⁸ Minutes of Meeting of the CCMC on 26 October 2011, 27 October 2011, SYR.P0001.001.078-080, at SYR.P0001.001.078-079.

³³⁹ Minutes of Meeting of the CCMC on 26 October 2011, 27 October 2011, SYR.P0001.001.078-080, at SYR.P0001.001.079.

³⁴⁰ CCMC report on the security situation on 30 October, 30 October 2011, SYR.E0001.011.012-013, at SYR.E0001.011.013. On 31 October 2011, the CCMC convened in Homs in the presence of the Homs Governor, and met also with “the communication committees, the syndicates, [and] the popular and party committees”. See CCMC report on the security situation on 31 October, 31 October 2011, SYR.E0001.011.016-019, at SYR.E0001.011.017.

³⁴¹ Witness Interviews SYR.WGA.744; SYR.WGA.742.

³⁴² Witness Interviews SYR.WGA.744; SYR.WGA.779.

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By the end of October 2011, units of the 167th Brigade had supplemented units of the 18th Division in Homs.³⁴³

November 2011

On 2 November 2011, a CCMC report refers to a military and security mission conducted in Baba Amro and the surrounding farms, where clashes between Army and opposition fighters occurred, killing several opposition fighters including seven combatant casualties and thirteen injured soldiers.³⁴⁴ Following this clash, over a hundred residents of Baba Amro were arrested and taken to the Basel Stadium.³⁴⁵ On the same day, the CCMC decided to “[withdraw] tanks and carriers currently deployed in cities to barracks or to nearby assembly areas.”³⁴⁶ After a four-day battle, the neighbourhood was besieged, preventing basic necessities from entering Baba Amro, and with around 200 soldiers and military vehicles stationed at Al-Nakhla checkpoint (near Brazil Street in Baba Amro).³⁴⁷ This mission was concluded with another search campaign and the arrest of twelve individuals.³⁴⁸

Several witnesses stated that, at some point in November 2011, Assef Shawkat, Deputy Minister of Defence, visited Baba Amro where he met representatives of the armed opposition and voiced a threat to the effect that the Regime would destroy them if they did not give up armed combat.³⁴⁹ The Governor of Homs, Yaser Houriya, and Sobhi Harb met with members of the opposition and delivered similar threats.³⁵⁰ Based on these field visits, the CCMC sought to determine “the work direction in the upcoming phase [in] the Governorate of Homs.”³⁵¹

³⁴³ Witness Interview SYR.WGC.507.

³⁴⁴ CCMC report on the security situation in the country on 3 November 2011, 3 November 2011, SYR.E0001.011.009-011, at SYR.E0001.011.010; Witness Interviews SYR.WGA.695; SYR.WMA.134. The Violations Documentation Center in Syria lists one civilian dead in Baba Amro on 2 November 2011, at <https://tinyurl.com/mv9jrwe3> (retrieved on 24 February 2023).

³⁴⁵ Witness Interviews SYR.WGA.695; SYR.WMA.134.

³⁴⁶ Minutes of Meetings of the CCMC on 2 November 2011, SYR.P0001.001.084-086, at SYR.P0001.011.085.

³⁴⁷ Witness Interview SYR.WGA.695. Other witnesses probably refer to the same operation occurring around Eid, which was at the beginning of November. *See e.g.* Witness Interviews SYR.WGA.704; SYR.WGA.760; SYR.WGA.775; SYR.WGA.637; SYR.WGA.773; SYR.WGA.701.

³⁴⁸ CCMC report on the security situation in the country on 8 November 2011, 8 November 2011, SYR.E0001.011.051-054, at SYR.E0001.011.052; Witness Interview SYR.WGA705 (mentioning seven individuals who were abused and urinated on and later transferred to Political Security Branch in Homs).

³⁴⁹ Witness Interviews SYR.WGA.695; SYR.WMA.134.

³⁵⁰ Witness Interview SYR.WGA.695 (The witness did not specify the kind of threat. However, from the context of the statement, it seems that this means a threat of armed violence).

³⁵¹ Agenda of the CCMC Meeting on 12 November 2011, 12 November 2011, SYR.E0001.014.014.

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On 9 November 2011, the CCMC reviewed the “conditions in the tense places (Homs, Hama, Idleb...)” and stated that “innovative working methods should be adopted with a focus on sniping, concealing the entering of forces into neighbourhoods, using smoke shells and concealing the direction of attacks.”³⁵²

As a result of a CCMC meeting held on 14 November 2011, the field commanders of the Central Region and Idleb were summoned to Damascus to prepare a plan to restore “security and state prestige” in Homs.³⁵³ The CCMC decided to create an “operations room” in Homs and other governorates.³⁵⁴

The following day, the Regime attempted, but failed, to re-take Baba Amro from opposition forces.³⁵⁵ This was followed by a CCMC meeting on 19 November 2011, during which members considered “replacing or transferring some heads of security and police sections or agencies who had fallen short of fulfilling their professional duties.”³⁵⁶ For this very purpose, the Head of the NSB and the Minister of Interior were tasked with preparing a list with the names of security agency heads which needed to be replaced “for the common good.”³⁵⁷

On 21 November 2011, the CCMC assigned Hisham Ikhtiyar, at time Head of the NSB, and Minister of Interior Muhammad Al-Shaar with the task of equipping security agencies in Homs and other “hot governorates” with “armoured anti-riot vehicles” and “patrols with pick-up cars equipped with machine guns which will help to secure the effectiveness necessary to pursue and arrest the armed men and the terrorists.”³⁵⁸

At the same meeting, the CCMC tasked the Minister of Defence with proposing suitable commanders for the conduct of operations.³⁵⁹ This specific decision is of critical significance in

³⁵² Minutes of Meeting of the CCMC on 9 November, 9 November 2011, SYR.P0001.001.103-105, at SYR.P0001.001.103.

³⁵³ Agenda of the CCMC Meeting on 12 November 2011, 12 November 2011, SYR.E0001.014.014.

³⁵⁴ Minutes of Meeting of the CCMC on 14 November, 15 November 2011, SYR.P0001.001.146-148, at SYR.P0001.001.148.

³⁵⁵ Witness Interview SYR.WGA.709.

³⁵⁶ Minutes of Meeting of the CCMC on 19 November 2011, 20 November 2011, SYR.E0001.015.043-045.

³⁵⁷ Minutes of Meeting of the CCMC on 19 November 2011, 20 November 2011, SYR.E0001.015.043-045.

³⁵⁸ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.E0001.015.046-048, at SYR.E0001.015.046.

³⁵⁹ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.E0001.015.046-048, at SYR.E0001.015.047.

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understanding the command and control of subsequent operations in Homs. At this point in time, the national leadership had clearly started to believe there was a need to centralise control in the Governorate and place the command of all security agencies in the hands of a competent and operationally experienced military officer.³⁶⁰

Additionally, the CCMC examined “the request of the Homs Governorate Security Committee to conduct a large-scale operation in Baba Amro [...], affirming the implementation of successful small-scale operations after collecting full and accurate information about the targets and stressing the importance of making implementers understand the concept of small-scale quality operations and of properly preparing implementing groups.”³⁶¹ The Minister of Defence was instructed to “issue special orders to appoint the commanders to lead the operations in the tense governorates.”³⁶²

Only a few days later, on 27 November 2011, a search and inspection campaign was executed in Al-Khalidiya, a neighbouring area of Baba Amro, resulting in the arrest of sixteen individuals and the confiscation of hand grenades. In the process, a number of Army troops were killed and injured.³⁶³ Further protests, armed clashes and kidnappings ensued over the course of the following three days.³⁶⁴

December 2011

Throughout December 2011, protests in Baba Amro continued and the neighbourhood was subjected to shelling, sniper attacks and sweep inspections, resulting in the death of several individuals, armed clashes with security and military forces, and kidnappings.³⁶⁵ On 2 December

³⁶⁰ Minutes of Meeting of the CCMC on 23 November 2011, 24 November 2011, SYR.P0001.001.110-111.

³⁶¹ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.E0001.015.046-048, at SYR.E0001.015.048.

³⁶² Minutes of Meetings of the CCMC on 23 November 2011, 24 November 2011, SYR.P0001.001.110-111, at SYR.P0001.001.111.

³⁶³ CCMC report on the security situation in the country on 27 November 2011, 27 November 2011, SYR.E0001.011.200-205, at SYR.E0001.011.201-202.

³⁶⁴ CCMC report on the security situation in the country on 1 December 2011, 1 December 2011, SYR.E0001.011.024-028, at SYR.E0001.011.025-026.

³⁶⁵ Witness Interview SYR.WGA.509; CCMC report on the security situation in the country on 25 December 2011, 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.183; CCMC report on the security situation in the country on 25 December 2011, 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.184; CCMC report on the security situation in the country on 27 December 2011, 27 December 2011, SYR.E0001.011.193-199, at SYR.E0001.011.195-196; CCMC report on the security situation in the country on 24 December 2011, 24 December 2011, SYR.E0001.011.176-180, at SYR.E0001.011.177; CCMC report on the

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2011, a search operation conducted in Tall Kalakh resulted in thirty-five individuals being shot as well as the confiscation of military equipment.³⁶⁶ As this search campaign continued until the next day, armed clashes at checkpoints were reported.³⁶⁷ On 4 December 2011, protests and armed clashes in the Governorate occurred; allegedly, individuals were killed “while trying to plant explosives.”³⁶⁸

Previously, on 2 November 2011, the League of Arab States adopted a resolution containing a plan of action, which it requested the Syrian Government to fully implement.³⁶⁹ Subsequently, the Council of the League decided both to impose sanctions on high-level Syrian officials³⁷⁰ and to deploy an observer mission to Syria.³⁷¹ The mission comprised civilian and military experts from Arab countries who were tasked with verifying the implementation of the provisions of the Arab plan of action to resolve the Syrian crisis and to protect Syrian civilians.³⁷² More particularly, the observer mission had the following mandate:

- a. monitoring and observation of the cessation of all violence by all sides in cities and residential areas;
- b. verifying that Syrian security services and so-called *shabiha* gangs do not obstruct peaceful demonstrations;
- c. determining the release of those detained in the current incidents;

security situation in the country on 28 December 2011, 28 December 2011, SYR.E0001.011.207-212, at SYR.E0001.011.208-209.

³⁶⁶ CCMC report on the security situation in the country on 3 December 2011, 3 December 2011, SYR.E0001.011.030-037, at SYR.E0001.011.032-033.

³⁶⁷ CCMC report on the security situation in the country on 4 December 2011, 4 December 2011, SYR.E0001.011.038-041, at SYR.E0001.011.039.

³⁶⁸ CCMC report on the security situation in the country on 5 December 2011, 5 December 2011, SYR.E0001.011.043-049, at SYR.E0001.011.044-046.

³⁶⁹ League of Arab States Council Resolution 7436, 2 November 2011. *See* Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at <http://goo.gl/XZHAK> (retrieved on 28 January 2016).

³⁷⁰ League of Arab States Statement, 3 December 2011, at <https://www.sipri.org/node/2810> (retrieved on 29 January 2011).

³⁷¹ League of Arab States Council Resolution 7439, 16 November 2011, *see* Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at <http://goo.gl/XZHAK> (retrieved on 28 January 2016). On 19 December 2011, the Syrian government and the League of Arab States signed a protocol providing for the establishment and deployment of the Mission, *see* Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at <http://goo.gl/XZHAK> (retrieved on 28 January 2016), at para. 4.

³⁷² League of Arab States Council Resolution 7439, 16 November 2011. *See* Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at <http://goo.gl/XZHAK> (retrieved on 28 January 2016).

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- d. confirming the withdrawal of the military presence from residential neighbourhoods in which demonstrations and protests occurred or were occurring; and
- e. assessing Syrian government accreditation of Arab and international media organisations, ensuring that those organisations are allowed to move freely in all parts of Syria.

The Head of the Observer Mission arrived in Syria on 24 December 2011 and met with Regime officials to agree on logistical and security arrangements.³⁷³

Despite this, the CCMC decided to continue “the implementation of operations even with the presence of Arab League observers, in order to establish the State’s rule over its territories and to secure the country and population.”³⁷⁴

The Regime intensified its programme of searching for and arresting wanted individuals between 23 and 27 December 2011. According to witness accounts, the Regime attempted to invade Baba Amro in late December 2011, prior to the Observer Mission’s arrival, with 10,000 soldiers and twenty tanks which shot into the neighbourhood, apparently at random. However, the residents of Baba Amro were able to repel the attack.³⁷⁵ The Consumer Establishment checkpoint in Baba Amro was concomitantly besieged by the FSA and the Regime lost control over most of the neighbourhood.³⁷⁶ Forty-three individuals were arrested on the first day of this operation, weapons were confiscated and numerous opposition fighters were killed.³⁷⁷ Several of the victims were killed by shelling, indicating that this operation constituted far more than a search and arrest

³⁷³ Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at <http://goo.gl/XZHAK> (retrieved on 28 January 2016), at para. 9.

³⁷⁴ Minutes of Meeting of the CCMC on 21 November 2011, 22 November 2011, SYR.E0001.015.046-048, at SYR.E0001.015.048.

³⁷⁵ Witness Interview SYR.WGA.726 (The witness stated that residents of Baba Amro managed to prevent the attack and seized two BMPs. This could mean, that the neighbourhood was defended by armed opposition, and not by residents spontaneously taking up arms); SYR.WGA.617 (stated that two battalions from the 15th Division were deployed to Homs in December 2011, however he did not specify when they participated in the invasion of Baba Amro).

³⁷⁶ Witness Interviews SYR.WGA.723; SYR.WGA.637; SYR.WGA.765 (although the witness stated that this occurred on 25 December 2011); SYR.WGA.764 (although the witness stated that this occurred in November 2011 already).

³⁷⁷ CCMC report on the security situation in the country on 24 December 2011, 24 December 2011, SYR.E0001.011.176-180, at SYR.E0001.011.177; CCMC report on the security situation in the country on 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.183; CCMC report on the security situation in the country on 27 December 2011, 27 December 2011, SYR.E0001.011.193-199, at SYR.E0001.011.195-196; CCMC report on the security situation in the country on 28 December 2011, 28 December 2011, SYR.E0001.011.207-212, at SYR.E0001.011.208-209.

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operation and, in fact, included shelling by tanks and anti-aircraft guns.³⁷⁸ On 24 December 2011, several further search and inspection operations were carried out throughout Homs Governorate, and forty-six individuals were arrested in Baba Amro, Sultaniyeh and Jobber.³⁷⁹ In addition, kidnappings and armed clashes with security and military forces were reported.³⁸⁰

On 27 December 2011, the Head of the Arab League Observer Mission and ten observers entered Homs for a preliminary visit of the city, including Baba Amro and Al-Khalidiya, interrupting the Regime's ongoing search campaign.³⁸¹ In Baba Amro, the Mission observed an exchange of gunfire between the Army and opposition fighters in the neighbourhood.³⁸² The Head of the Mission spoke to unnamed Regime officials and asked them to "withdraw all military vehicles from the city, put an end to acts of violence, protect civilians, lift the blockade and provide food."³⁸³ Another visit to Homs followed the next day.³⁸⁴

Build-up to and Outbreak of Hostilities in 2012

January 2012

Following the failure of the December negotiations, the Regime positioned artillery batteries in areas surrounding Baba Amro.³⁸⁵ Artillery was positioned at, among other locations: (i) the 64th Regiment headquarters and Shinshar south of Baba Amro,³⁸⁶ (ii) Al-Waer Military Academy to

³⁷⁸ CCMC report on the security situation in the country on 23 December 2011, 23 December 2011, SYR.E0001.011.165-169, at SYR.E0001.011.166.

³⁷⁹ CCMC report on the security situation in the country on 25 December 2011, 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.183. It is also confirmed that on 24 December 2011, the former Head of the Baath Party Branch in Homs and his wife were killed. *See* Witness Interview SYR.WGA.796; CCMC report on the security situation in the country on 25 December 2011, 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.184.

³⁸⁰ CCMC report on the security situation in the country on 25 December 2011, 25 December 2011, SYR.E0001.011.182-186, at SYR.E0001.011.184.

³⁸¹ Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at paras. 12, 14. *See also* Witness Interview SYR.WGA.503.

³⁸² An individual was allegedly shot dead on 28 December 2011, in front of the Arab League Observer Mission, at http://www.vdc-sy.info/index.php/en/details/martyrs/5750#.Vqjd9_krLmg (retrieved on 27 January 2016). Two other individuals were shot in Baba Amro on the same day, at <http://goo.gl/uC7Hm9> (retrieved on 27 January 2016).

³⁸³ Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at para. 15.

³⁸⁴ Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24 December 2011 to 18 January 2012, at para. 16.

³⁸⁵ Witness Interview SYR.WGA.695.

³⁸⁶ Witness Interviews SYR.WGA.786; SYR.WGA.780; SYR.WGA.508; SYR.WGA.510; SYR.WGA.518; SYR.WGA.653; SYR.WGA.815; SYR.WGA.545.

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the North,³⁸⁷ (iii) pro-Regime villages to the West,³⁸⁸ and (iv) Maskana and University City to the South-East.³⁸⁹ Baba Amro neighbourhood was shelled from these locations sporadically throughout January 2012.³⁹⁰ This build-up included the establishment of several additional checkpoints in and around Baba Amro.³⁹¹

On 5 January 2012, several armed clashes and protests occurred throughout the Governorate.³⁹² Jober, another neighbourhood of Homs close to Baba Amro, was allegedly “almost completely destroyed” by Regime shelling in January 2012.³⁹³

CIJA interviewed a 2nd Lieutenant who had formerly served in the Armament Branch of the 18th Division. This witness was able to describe how the Commander of the 18th Division gave commands for Baba Amro to be targeted with artillery, rocket-propelled grenades and missiles. According to his evidence, 15,000 shells were fired at the different neighbourhoods in Homs, including Baba Amro, Al-Khalidiya, and Joura Al-Sheiakh.³⁹⁴

³⁸⁷ Witness Interviews SYR.WGA.786; SYR.WGA.713; SYR.WGA.509; SYR.WGA.778; SYR.WGA.807; SYR.WGA.812; SYR.WGA.815.

³⁸⁸ Witness Interviews SYR.WGA.509; SYR.WGA.778; SYR.WGA.628; SYR.WGA.502; SYR.WGA.537; SYR.WGA.807; SYR.WGA.812; SYR.WGA.815.

³⁸⁹ Witness Interviews SYR.WGA.509; SYR.WGA.719; SYR.WGA.780; SYR.WGA.502; SYR.WGA.508; SYR.WGA.510; SYR.WGA.653; SYR.WGA.512; SYR.WGA.515; SYR.WGA.518; SYR.WGA.815.

³⁹⁰ Witness Interview SYR.WGA.695.

³⁹¹ Witness Interview SYR.WGA.543.

³⁹² CCMC report on the security situation in the country on 6 January 2012, 6 January 2012, SYR.E0001.013.018-022, at SYR.E0001.013.019.

³⁹³ Witness Interview SYR.WGA.705 (The witness was not present during the operation and moved there with his family in the beginning of 2012 only).

³⁹⁴ Witness Interview SYR.WGA.632.

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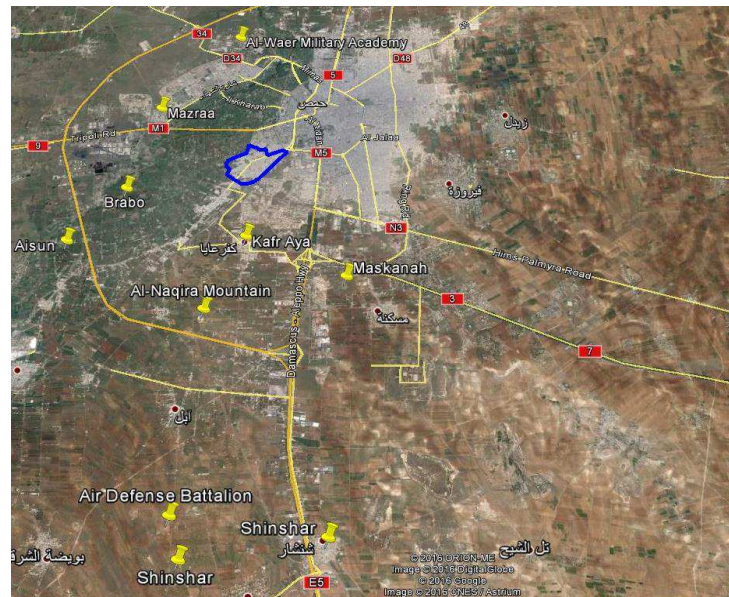


Figure 1 Artillery Positions (marked in yellow) around Baba Amro neighbourhood (marked in blue)³⁹⁵

According to a CCMC report, the Arab League visited Homs on 18 January 2012 and met with injured soldiers and arrestees as well as individuals benefitting from an amnesty decree.³⁹⁶ The Arab League monitors met additionally with the Governor of Homs.³⁹⁷ Throughout January 2012, CCMC reports continued to refer to armed clashes and kidnappings, the discovery of dead bodies, and continuing demonstrations across the governorate.³⁹⁸ A CCMC report also indicates that most schools in Homs were closed, military equipment was destroyed and armed individuals routinely

³⁹⁵ CIJA work product based on records of interviews with witnesses.

³⁹⁶ CCMC report on the security situation in the country on 18 January 2012, 18 January 2012, SYR.P0001.001.166-174, at SYR.P0001.001.168.

³⁹⁷ CCMC report on the security situation in the country on 18 January 2012, 18 January 2012, SYR.P0001.001.166-174, at SYR.P0001.001.168-170.

³⁹⁸ CCMC report on the security situation in the country on 19 January 2012, 19 January 2012, SYR.P0001.001.312-320, at SYR.P0001.001.314-316; CCMC report on the security situation in the country on 20 January 2012, 20 January 2012, SYR.P0001.001.283-293, at SYR.P0001.001.286-287; CCMC report on the security situation in the country on 21 January 2012, 21 January 2012, SYR.P0001.001.304-311, at SYR.P0001.001.306-307; CCMC report on the security situation in the country on 22 January 2012, 22 January 2012, SYR.P0001.001.321-329, at SYR.P0001.001.323-325; CCMC report on the security situation in the country on 24 January 2012, 24 January 2012, SYR.P0001.001.294-302, at SYR.P0001.001.296-297; CCMC report on the security situation in the country on 25 January 2012, 25 January 2012, SYR.E0001.013.119-123, at SYR.E0001.013.121-122; CCMC report on the security situation in the country on 25 January 2012, 25 January 2012, SYR.E0001.013.093-097, at SYR.E0001.013.094; CCMC report on the security situation in the country on 26 January 2012, 26 January 2012, SYR.P0001.001.207-216, at SYR.P0001.001.210-211; CCMC report on the security situation in the country on 27 January 2012, 27 January 2012, SYR.P0001.001.153-165, at SYR.P0001.001.156-158; CCMC report on the security situation in the country on 29 January 2012, 29 January 2012, SYR.P0001.001.330-340, at SYR.P0001.001.333-335; CCMC report on the security situation in the country on 27 January 2012, 27 January 2012, SYR.E0001.021.002-006, at SYR.E0001.021.003.

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attacked checkpoints in a number of neighbourhoods and locations throughout Homs, leading to six Army and security personnel being injured.³⁹⁹

When the Arab League monitors left the area in January 2012, the Regime reinforced checkpoints around Baba Amro, intensifying the siege placed on the civilian residents.⁴⁰⁰ Consequently, water, electricity, food, medical supplies, and other necessities were cut off from the neighbourhood.⁴⁰¹

February-March 2012

During February 2012, the shelling of Homs, including Baba Amro, intensified markedly. This systematic and daily bombardment of the neighbourhood was executed from multiple directions.⁴⁰² According to the UN Commission of Inquiry, Baba Amro was subjected to a particularly intense barrage on 2 February 2012.⁴⁰³ The CCMC report of 4 February 2012 neither mentions any large-scale military offensive in Homs nor refers to any incidents in Baba Amro, specifically.⁴⁰⁴ Beyond this date, CCMC documentation on the security situation in Homs ceases.

Of the civilian deaths in Homs in February 2012, most are alleged to have been caused by the indiscriminate shelling of residential areas and civilian infrastructure (schools, state hospitals, shops, mosques, houses and apartment buildings).⁴⁰⁵ CIJA has interviewed one witness who described how shells struck the only operational field hospital in Baba Amro, killing patients and

³⁹⁹ CCMC report on the security situation in the country on 31 January 2012, 31 January 2012, SYR.E0001.013.119-124, at SYR.E0001.013.121.

⁴⁰⁰ Witness Interviews SYR.WGA.695; SYR.WGA.718; SYR.WGA.700; SYR.WGA.803; SYR.WGA.804; SYR.WGA.807.

⁴⁰¹ Witness Interviews SYR.WGA.653; SYR.WGA.509; SYR.WGA.511; SYR.WGA.534; SYR.WGA.524; SYR.WGA.807; SYR.WGA.818; SYR.WGA.662; SYR.WGA.510; SYR.WGA.804; SYR.WGA.803; SYR.WGA.700; SYR.WGA.718; SYR.WGA.695; SYR.WGA.503 (stating that before the siege tightened, checkpoint personnel could be bribed to smuggle in goods).

⁴⁰² Witness Interviews SYR.WGA.786; SYR.WGA.652; SYR.WGA.672; SYR.WGA.788; SYR.WGA.713; SYR.WGA.689; SYR.WGA.741. *See also* The Guardian, "Battle for Baba Amro – timeline," 1 March 2012, at <http://www.theguardian.com/world/2012/mar/01/battle-baba-amr-timeline-syria> (retrieved on 1 February 2016); Human Rights Watch, "Syria: New Satellite Images Show Homs Shelling," 2 March 2012, at <https://www.hrw.org/news/2012/03/02/syria-new-satellite-images-show-homs-shelling> (retrieved on 2 February 2016). *See further* Witness Interview SYR.WGA.545 (a former member of the 64th Regiment stating– that the Regiment was stationed in Shinshar where five 130 mm calibre mortars and two rocket launchers deployed on 7 February 2012).

⁴⁰³ Witness Interviews SYR.WGA.501; SYR.WGA.689; SYR.WGA.719 (corroborating this date).

⁴⁰⁴ CCMC report on the security situation in the country on 4 February 2012, SYR.E0001.020.015-019, at SYR.E0001.020.016.

⁴⁰⁵ Commission of Inquiry, A/HRC/21/50, 16 August 2012, at para. 91. *See also* Witness Interviews SYR.WGA.765; SYR.WGA.778; SYR.WGA.707.

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medical staff.⁴⁰⁶ A doctor from Baba Amro informed CIJA that, by February 2012, there were six to seven mobile aid stations operating in Baba Amro and two permanent field hospitals.⁴⁰⁷ Another witness described how, on 22 February 2012, at least two shells struck the Baba Amro Media office, located close to the opposition Military Council of the neighbourhood, injuring and killing many of its occupants, including two foreign journalists.⁴⁰⁸

During this sustained attack, two ceasefires were negotiated in order for the Red Crescent to enter Baba Amro. During the first visit, some severely wounded individuals were evacuated from the field hospital.⁴⁰⁹ Attesting to these conditions, witnesses recalled being scared to go with the Red Crescent, as they feared they would be taken prisoner by the Regime.⁴¹⁰

Baba Amro remained under constant siege. Essential food and medical supplies had to be smuggled through tunnels⁴¹¹ which were also targeted by Regime shelling since they were used by both civilians and, so it was believed, the FSA to flee the neighbourhood.⁴¹² In some instances,

⁴⁰⁶ Witness Interview SYR.WGA.700. *See also* Witness Interviews SYR.WGA.672; SYR.WGA.676 (stating that one of the functioning field hospitals was hit and stopped functioning due to shelling).

⁴⁰⁷ Witness Interview SYR.WGC.505.

⁴⁰⁸ Witness Interviews SYR.WGA.676; SYR.WGA.500; SYR.WGA.700; SYR.WGA.672. *See also* Witness Interview SYR.WGA.700 (stating two female foreign journalists were injured). One of the injured journalists is Edith Bouvier. *See* Witness Interview SYR.WGC.505. *See also* Commission of Inquiry, A/HRC/21/50, 16 August 2012, at para. 91. The foreign journalists killed were Marie Colvin and Remi Ochlik.

⁴⁰⁹ Witness Interview SYR.WGC.511. A second visit from the Red Crescent allegedly took place on 19 or 29 February 2012, and the injured foreign journalist was evacuated. *See* Witness Interview SYR.WGC.505. This is also corroborated by open-source reports. *Ssee e.g.* The World Post, Syria Crisis: Evacuation of Wounded From Homs Begins, ICRC Says, 24 February 2012, at http://www.huffingtonpost.com/2012/02/24/syria-crisis-evacuation-wounded_n_1299772.html (retrieved on 2 February 2016).

⁴¹⁰ Witness Interviews SYR.WGC.510; SYR.WGC.511. Another witness also stated that the vehicles of the Red Crescent were believed by some to be equipped with tracking devices, allowing for the Regime to locate the field hospital. *See* Witness Interview SYR.WGC.505.

⁴¹¹ Witness Interviews SYR.WGA.500; SYR.WGA.511; SYR.WGA.513; SYR.WGA.515; SYR.WGA.501; SYR.WGA.746; SYR.WGA.652; SYR.WGA.695; SYR.WGC.508.

⁴¹² Witness Interviews SYR.WGA.501; SYR.WGA.783; SYR.WGA.652; SYR.WGA.695; SYR.WGA.746. Another witness recalled a situation where six individuals passing through a sewer tunnel were drowned when the Regime turned on the water. The witness did not however specify who the victims were, nor how he knew about this event. *See* Witness Interview SYR.WGA.689.

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Regime forces shot and killed those trying to escape.⁴¹³ The Army combed Baba Amro, building by building, purportedly “searching every basement and tunnel for arms and terrorists.”⁴¹⁴

After twenty-seven days of sustained shelling, the Regime took control of Baba Amro. It was then, by most accounts, that some of the worst killings and summary executions occurred.⁴¹⁵ These incidents are examined in more detail below. Several witnesses interviewed by CIJA stated that President Bashar Al-Assad himself had come to Baba Amro in late February or early March 2012 to take stock of the conduct of operations in the area.⁴¹⁶

III. Crime Base

Evidence collected to date by CIJA indicates that grave violations of international criminal and humanitarian law were perpetrated by Regime forces in neighbourhoods of Homs city both during and in the aftermath of hostilities in early 2012.

The military offensive in Baba Amro neighbourhood and its surrounding areas throughout the month of February 2012 included the sniping and shelling of civilians by units of the Army and Armed Forces. There is ample evidence of massacres of men and boys by irregular units associated with the Regime. These massacres appear to have taken place in late February and early March 2012, following the withdrawal of the FSA, and coincided with significant levels of sexual violence directed against both males and females. This attack entailed widespread damage to civilian objects and caused an estimated 80 percent of the population to flee.

⁴¹³ Witness Interview SYR.WGA.680 (stating that a large number of residents of Baba Amro fled the neighbourhood). One of these attempts occurred in the first week of the attacks on the neighbourhood, whereupon about 1,000 individuals fled. *See* Witness Interviews SYR.WGA.782; SYR.WGA.500; SYR.WGA.695. Another group seems to have sought to leave around the 15th day of the military operations. *See* Witness Interview SYR.WGA.729. *See also* Witness Interview SYR.WGA.711.

⁴¹⁴ The Independent, “Syria’s rebels fear they face massacre as troops close in on Homs,” *The Independent*, 2 March 2012, at <http://goo.gl/i3scjA> (retrieved on 4 February 2016).

⁴¹⁵ Witness Interview SYR.WGA.765; SYR.WGA.737; SYR.WGA.760. *See also* UN High Commissioner of Human Rights, Geneva/Homs executions, 2 March 2012, at <https://www.unmultimedia.org/tv/unifeed/asset/U120/U120302b/> (retrieved 3 February 2016).

⁴¹⁶ Witness Interviews SYR.WGA.633; SYR.WGA.638; SYR.WGA.651; SYR.WGA.664; SYR.WGA.593; SYR.WGA.594. This is also corroborated by videos in CIJA’s evidentiary collection. *See* SYR.A0002.943.001; SYR.A0003.483.001.

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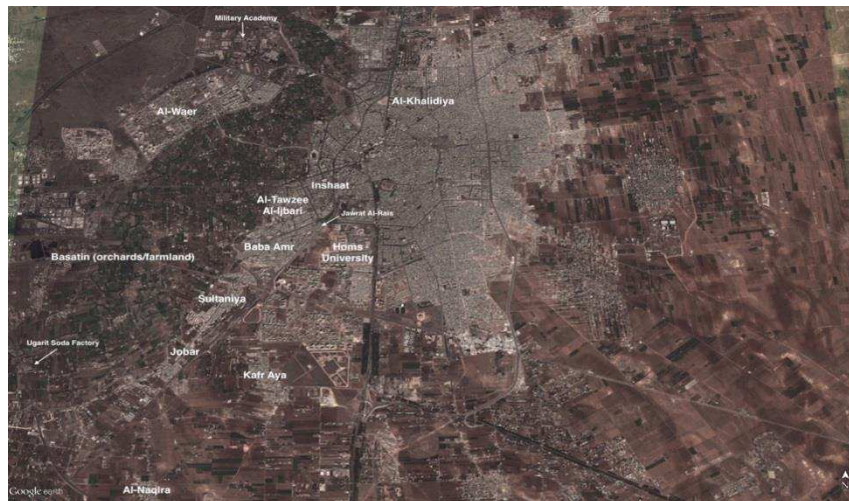


Figure 2 Satellite image of the neighbourhoods of Homs

Unlawful Killings

Sniping of civilians

The Regime employed the widespread use of snipers, who were stationed at various locations in Baba Amro neighbourhood throughout the relevant period.⁴¹⁷ Sniping was also described by witnesses in neighbourhoods throughout Homs.⁴¹⁸ By February 2012, sniping in Baba Amro was so intense and hazardous for ordinary citizens that corpses were left lying unburied in the streets.⁴¹⁹

Throughout 2011, Regime forces positioned snipers in strategic locations in Baba Amro neighbourhood, restricting the movement of its residents.⁴²⁰ Snipers were placed on high buildings, such as the youth dormitories,⁴²¹ the Hanadi towers,⁴²² Al-Umara tower,⁴²³ buildings in Inshaat,⁴²⁴ as well as at Regime checkpoints.⁴²⁵

⁴¹⁷ Witness Interviews SYR.WGA.700; SYR.WGA.778; SYR.WGA.718; SYR.WGA.765; SYR.WGA.504.

⁴¹⁸ Witness Interviews SYR.WGA.656; SYR.WGA.655.

⁴¹⁹ Witness Interviews SYR.WGA.818; SYR.WGA.738; SYR.WGA.524; SYR.WGA.718; SYR.WGA.515. *See also* a video in the CIJA's evidentiary collection, SYR.A0096.416.001.

⁴²⁰ Witness Interviews SYR.WGA.676; SYR.WGA.627; SYR.WGA.632; SYR.WGC.506; SYR.WGA.524; SYR.WGA.795; SYR.WGA.738; SYR.WGA.531; SYR.WGA.805.

⁴²¹ Witness Interviews SYR.WGA.503; SYR.WGA.508; SYR.WGA.500; SYR.WGA.718; SYR.WGA.765; SYR.WGA.504; SYR.WGA.700; SYR.WGA.709.

⁴²² Witness Interviews SYR.WGA.531; SYR.WGA.782; SYR.WGA.652; SYR.WGA.752; SYR.WGA.710; SYR.WGC.508; SYR.WGA.766; SYR.WGA.768; SYR.WGA.504.

⁴²³ Witness Interviews SYR.WGA.531; SYR.WGA.504.

⁴²⁴ Witness Interviews SYR.WGA.700; SYR.WGA.710.

⁴²⁵ Witness Interviews SYR.WGA.782; SYR.WGA.627; SYR.WGA.694; SYR.WGC.506; SYR.WGA.744; SYR.WGA.656; SYR.WGA.809; SYR.WGA.729 (noting that sniping frequently originated from regime positions at or near checkpoints around the neighbourhood). *See also* Violations Documentation Center in Syria,

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The primary location of Regime checkpoints encircling the city included the Basel Stadium, known as Al-Malaab, in the West;⁴²⁶ Brazil Street in the north-east, separating Baba Amro from Inshaat;⁴²⁷ the Al-Jawra bridge, separating Jawrat Al-Arais and Baba Amro;⁴²⁸ areas south of Baba Amro, separating it from Kafr Aaya and Sultaniya;⁴²⁹ and the centre of the neighbourhood at the General Consumer Establishment building.⁴³⁰ There were several smaller checkpoints around the borders of Baba Amro, including in the farmlands west of Baba Amro known as Basatin Baba Amro.⁴³¹

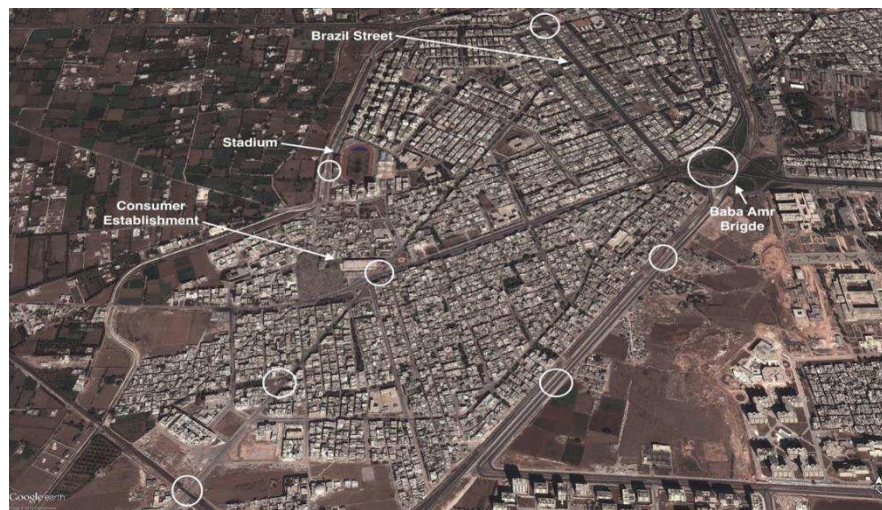


Figure 3 Checkpoints around Baba Amro, February 2012 (circled)⁴³²

at <http://www.vdc-sy.info/index.php/en/details/martyrs/5870> (retrieved on 28 April 2016) (describing an individual killed by sniping at the Brazil checkpoint on 2 January 2012).

⁴²⁶ Witness Interviews SYR.WGA.695; SYR.WGC.505; SYR.WGA.782; SYR.WGA.783; SYR.WGA.504; SYR.WGA.524; SYR.WGA.663; SYR.WGA.634; SYR.WGA.803; SYR.WGA.807.

⁴²⁷ Witness Interviews SYR.WGA.500; SYR.WGA.512; SYR.WGA.513; SYR.WGA.515; SYR.WGA.775; SYR.WGC.505; SYR.WGA.782; SYR.WGA.504; SYR.WGA.508; SYR.WGA.508; SYR.WGA.512; SYR.WGC.510; SYR.WGA.766; SYR.WGA.783; SYR.WGC.511.

⁴²⁸ Witness Interviews SYR.WGA.503; SYR.WGA.500; SYR.WGA.512; SYR.WGA.513; SYR.WGA.721; SYR.WGA.695; SYR.WGA.782; SYR.WGA.783; SYR.WGA.508; SYR.WGA.515; SYR.WGA.528; SYR.WGA.807.

⁴²⁹ Witness Interviews SYR.WGA.504; SYR.WGA.503; SYR.WGA.516; SYR.WGA.517; SYR.WGA.653; SYR.WGA.695; SYR.WGA.783; SYR.WGA.637; SYR.WGA.723; SYR.WGA.680; SYR.WGA.740; SYR.WGA.506; SYR.WGA.528; SYR.WGA.812.

⁴³⁰ Witness Interviews SYR.WGA.503; SYR.WGA.508; SYR.WGA.516; SYR.WGA.517; SYR.WGA.653; SYR.WGC.505; SYR.WGA.783; SYR.WGA.803; SYR.WGA.805; SYR.WGA.807; SYR.WGA.812.

⁴³¹ Witness Interviews SYR.WGA.672; SYR.WGA.695; SYR.WGC.505; SYR.WGA.504; SYR.WGA.508; SYR.WGA.662; SYR.WGA.807.

⁴³² CIJA work product based on records of interview with Witness SYR.WMA.135 (SYR.WGC.505).

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Baba Amro residents were regularly targeted by snipers while going about their daily business.⁴³³ The following examples involving sniper attacks, drawn from the accounts of a number of eyewitnesses, are illustrative of their impact on civilians in the neighbourhood:

- In August 2011, witness SYR.WGA.772 was travelling along the neighbourhood railway tracks with [REDACTED], when the latter was shot by a sniper;⁴³⁴
- In September 2011, witness SYR.WGA.718 witnessed Regime snipers near the youth dormitories shoot [REDACTED] in the chest. Due to the intensity of the sniper fire, [REDACTED]'s body remained lying in the street for three hours before it could be removed;⁴³⁵
- In November 2011, witness SYR.WGA.710 saw [REDACTED] killed by sniper fire originating from the Hanadi tower in Inshaat neighbourhood;⁴³⁶
- In January 2012, witness SYR.WGA.700 saw [REDACTED] and [REDACTED] shot by sniper fire, once again originating from the youth dormitories. Also shot from the same location was witness SYR.WGA.709's neighbour [REDACTED] (an eleven-year-old boy) who suffered a shoulder injury;
- In January 2012, two boys aged seven and thirteen, respectively, were shot and wounded by snipers positioned somewhere near Al-Jober checkpoint;⁴³⁷
- Witness SYR.WGA.809 helped victims of snipers reach field hospitals.⁴³⁸ One victim to whom he tended was [REDACTED] who was targeted by a sniper while riding his motorcycle and fatally wounded in the head;⁴³⁹

⁴³³ Witness Interview SYR.WGA.744.

⁴³⁴ Witness Interview SYR.WGA.772.

⁴³⁵ Witness Interview SYR.WGA.718.

⁴³⁶ Witness Interview SYR.WGA.710. *See also* Violations Documentation Center, at <http://www.vdc-sy.info/index.php/ar/details/martyrs/16505> (retrieved on 29 March 2016) (profile of an individual killed on 4 November 2011).

⁴³⁷ Witness Interview SYR.WGA.809.

⁴³⁸ Witness Interview SYR.WGA.809.

⁴³⁹ Witness Interview SYR.WGA.809.

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- In February 2012, witness SYR.WGA.594 was permanently disabled by snipers shooting from the tower of the old mosque in Baba Amro. Shortly before this incident, witness SYR.WGA.515 saw a Regime sniper shoot a prisoner who had been held by Al-Farouq Battalions and coerced into retrieving a body from the street;
- On 6 February 2012, witness SYR.WGA.700 saw [REDACTED] felled by a sniper positioned in the youth dormitories.⁴⁴⁰ A week later, on 14 February 2012, the same witness saw [REDACTED] shot in the head at the Badiya girls' school by sniper fire originating from Al-Khansa Garden Tower in Inshaat neighbourhood.⁴⁴¹

In addition to these eyewitness accounts, CIJA has collected numerous indirect reports of sniping incidents. Witness SYR.WGA.805, for example, frequently participated in funeral preparations for residents of Baba Amro who had succumbed to sniper fire. While preparing the body of [REDACTED] for burial, the witness learned that the woman's death had been caused by sniper fire originating from the University campus to the east of Baba Amro.⁴⁴² On different occasions, the witness was informed that three individuals⁴⁴³ and a young child⁴⁴⁴ had all been killed by sniper fire.⁴⁴⁵

Contemporaneous Regime documentation shows that sniping was an envisaged part of the Regime's response to the crisis in Homs. On 9 November 2011, the CCMC discussed the escalating situation in Homs, indicated the need for a more effective response to it, and specifically endorsed as part of this approach a "focus on sniping."⁴⁴⁶ This document does not mention the desired targets of sniping and, thus, whether legitimate or illegitimate military tactics were then envisaged. Nor does the document contain precautionary measures to prevent the targeting of

⁴⁴⁰ Witness Interview SYR.WGA.700. *See also* video in CIJA's evidentiary holdings, SYR.A0096.416.001.

⁴⁴¹ Witness Interview SYR.WGA.700.

⁴⁴² Witness Interview SYR.WGA.805.

⁴⁴³ Witness Interview SYR.WGA.805. *See also* Violations Documentation Center (profiles of individuals killed in Baba Amro on 13 May 2011 and 23 December 2011), at <http://goo.gl/uAwZON>; <http://goo.gl/mrlmUR> (both retrieved on 29 March 2016).

⁴⁴⁴ Witness Interview SYR.WGA.805.

⁴⁴⁵ *See e.g.* Witness Interviews SYR.WGA.729; SYR.WGA.752; SYR.WGA.782.

⁴⁴⁶ Minutes of Meeting of the CCMC on 9 November 2011, 9 November 2011, SYR.E0001.015.036-038, at SYR.E0001.015.036.

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civilians in a built-up area. The document does, however, clearly demonstrate that far from being unaware of the existence of sniping in Homs, the CCMC had directed that this occur.

The evidence further indicates that units of the Army and Armed Forces were deployed as snipers to Homs. A former member of the 18th Division stated that officers in the Signal unit of the 167th Brigade were assigned as snipers in Baba Amro at some point prior to August 2012.⁴⁴⁷ In addition, former Regime members and residents of Baba Amro reported that the checkpoints were led by a combination of security and military forces.⁴⁴⁸ Residents from Baba Amro were able to identify and name Azzam Al-Masri of the 18th Division as a commander of checkpoints around the neighbourhood,⁴⁴⁹ along with Colonel Saleh Saqr, likewise of the 18th Division, as the commander of the central checkpoint at the General Consumer Establishment, a shopping centre.⁴⁵⁰

Shelling of residential areas and protected establishments

To fully establish the means and methods of attack utilised by the Regime, artillery and ballistic analysis or similar forms of specialised investigative expertise beyond the scope of CIJA's capacity may have value. Evidence in CIJA's possession, including some contemporaneous Regime documentation, nonetheless shows that civilians – including women, children, the elderly and disabled – were killed and gravely injured as a result of shelling by elements of the Army and Armed Forces, including units from the 3rd Corps.

In particular, Baba Amro neighbourhood and its environs, including Al-Khalidiya, were subjected to indiscriminate shelling by Regime forces throughout February 2012.

⁴⁴⁷ Witness Interview SYR.WHA.527.

⁴⁴⁸ See Witness Interviews SYR.WGA.672 (Political Security); SYR.WGA.742 (Political Security); SYR.WGA.627 (Political Security and military forces); SYR.WGA.812 (Political Security); SYR.WGA.723 (Military Intelligence); SYR.WGA.618 (Military Intelligence, Air Force Intelligence, and military forces); SYR.WGA.760 (General Intelligence); SYR.WGA.633 (military forces); SYR.WGC.510 (military forces).

⁴⁴⁹ Witness Interviews SYR.WGA.637; SYR.WGA.752; SYR.WGA.689 (stated Azzam Al-Masri commanded forces of the 18th Division, but did not mention if he led a checkpoint); SYR.WGA.812.

⁴⁵⁰ Witness Interviews SYR.WGA.638; SYR.WGA.779 (stated he was a Brigadier General); SYR.WGA.740; SYR.WGA.765; SYR.WGA.767; SYR.WGA.708; SYR.WGA.755 (stated it was Wahid Saqr, didn't state division); SYR.WGA.549 (stated Colonel Saleh Saqr was assigned by 18th Division's commander to Baba Amro, but did not specify to what position); SYR.WGA.627 (stated his name was Colonel Muhammad Saleh from 18th Division); SYR.WGA.784; SYR.WGA.585; SYR.WGC.503 (SYR.WGA.506); SYR.WGA.633 (noting that Saqr was later replaced by another officer).

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There are clear indications that this shelling operation was carried out by elements of the Army and Armed Forces, often in close coordination with the senior-most members of the Regime. For example, one witness, who was present at the 18th Division Command, stated that Homs was shelled during Ramadan in 2011 (*i.e.*, August 2011). He identified Brigadier General (or possibly Colonel) Suhail Hassan, an officer from the Artillery Branch of the 18th Division, as allegedly providing the coordinates for this attack, while a Major Hasan Shahin, an Alawite from Tartous who served in the Operations Branch of 18th Division, presided over the firing.⁴⁵¹ A former 2nd Lieutenant from the Armament Branch of the 18th Division Command indicated that the 18th Division had bombarded the neighbourhood of Homs with “more than 15,000 missiles,” although the basis of this estimate is unknown, as are the types of munitions utilised during the attack. Although the witness stated that Baba Amro, Jourat Al-Shiyah and Al-Khalidiya neighbourhoods were targeted, he could not identify what, if any, military targets were fired on within these neighbourhoods. The witness nonetheless indicated that orders to attack these neighbourhoods were communicated after the visit by Minister of Defence Fahd Jasam Al-Frej, ⁴⁵² who was accompanied by Deputy Ali Ayoub, the Homs Military and Security Chief.

Another witness stated that the commander of an artillery battalion, Lieutenant Colonel Firas Al-Ali, gave instructions to shell Homs with artillery on the basis of instructions from the 18th Division Command.⁴⁵³ CIJA does not yet possess operational orders or other forms of evidence which indicate the particular objectives of this attack. However, an officer from the anti-tank battalion, 2nd Lieutenant Adham Saqar, allegedly supervised the battalion’s shelling operations in the Homs neighbourhoods from the area of Al-Mukhram Al-Fuqani, directing the use of rocket launchers and artillery pursuant to orders issued by the 18th Division Commander and the Chief of Staff of the Army and Armed Forces Ali Ayoub.⁴⁵⁴

⁴⁵¹ Witness Interview SYR.WGA.714.

⁴⁵² It is possible that the witness was confused over the details here as *Imad* Fahd Jasam Al-Frej was not appointed to be Minister of Defence until July 2012 (*i.e.*, after the Baba Amro attack). He was appointed as Chief of Staff of the Army and Armed Forces in August 2011. *See* Communication from the Organisation and Administration Department to the Infantry Academy, 22 August 2011, SYR.D0017.027.001 (signed on behalf of *Imad* Fahd Jasam Al-Frej, forwarding an administrative instruction dealing with the punishment of an officer).

⁴⁵³ Witness Interview SYR.WHA.527.

⁴⁵⁴ Witness Interview SYR.WHA.527.

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At least one instance of shelling was preceded by threats emanating from senior-most elements of the Regime. One such threat was issued during a meeting between representatives of the Baba Amro community and the Regime in Damascus, which was attended by a witness interviewed by CIJA.⁴⁵⁵ At this meeting, the late Deputy Commander-in-Chief and Minister of Defence Assef Shawkat, a CCMC member specifically dispatched by that body to Homs, allegedly instructed the people of Baba Amro to stop demonstrating in return for the Regime's lifting of the siege over the neighbourhood.⁴⁵⁶ Assef Shawkat added that if this condition was not met, the neighbourhood would be shelled.⁴⁵⁷

Another witness reported that Assef Shawkat had travelled to Baba Amro in November 2011 in order to negotiate with neighbourhood representatives.⁴⁵⁸ There, he purportedly demanded that all opposition fighters surrender their weapons and allow Regime security forces to enter the neighbourhood.⁴⁵⁹ If they refused to do so, Assef Shawkat indicated that the Regime would destroy the armed resistance "over the heads of the residents."⁴⁶⁰

a. Baba Amro

In early 2012, the Regime bombarded Baba Amro with rockets, shells and mortar rounds fired by artillery and tank units. According to witness interviews and contemporaneous audio-visual footage, the most intense shelling took place in February 2012 and continued throughout the month.⁴⁶¹ According to a witness in the neighbourhood at the time, about 225 shells struck the neighbourhood daily.⁴⁶² Residents of Baba Amro and adjacent areas at this time describe civilian deaths and injuries, destruction of homes and the large-scale evacuation of the neighbourhood as a result of this shelling.

⁴⁵⁵ Witness Interview SYR.WMA.135 (SYR.WGC.505).

⁴⁵⁶ Witness Interview SYR.WMA.135 (SYR.WGC.505).

⁴⁵⁷ Witness Interview SYR.WMA.135 (SYR.WGC.505).

⁴⁵⁸ Witness Interview SYR.WMA.134.

⁴⁵⁹ Witness Interviews SYR.WGA.680; SYR.WGA.807; SYR.WGA.695.

⁴⁶⁰ Witness Interviews SYR.WGA.695; SYR.WGA.807; *see also* Witness Interview SYR.WMA.134.

⁴⁶¹ *See* Witness Interviews SYR.WGA.508; SYR.WGA.510; SYR.WGA.525 *See also* videos in the CIJA's evidentiary holdings, showing the shelling of Baba Amro in February 2012, SYR.A0314.030.001; SYR.A0314.187.001; SYR.A0313.540.001; SYR.A0313.449.001; SYR.A0313.453.001.

⁴⁶² Witness Interview SYR.WGA.700.

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According to eyewitnesses, Regime forces deployed tanks,⁴⁶³ rocket launchers,⁴⁶⁴ cannons (130/122 mm),⁴⁶⁵ and mortar shells (80/120 mm),⁴⁶⁶ during the attack.⁴⁶⁷ Residents indicated that the use of artillery was particularly intense. At one point, the 18th Division based at the Air Defence Academy in Maskana attacked Baba Amro with rocket launchers firing at the rate of seven missiles a minute.⁴⁶⁸ Another witness stated that a curfew was in force and any movement after curfew was responded to with shelling.⁴⁶⁹

Witnesses provided some information identifying individual commanders of artillery units and the heads of artillery branches in Baba Amro.⁴⁷⁰ It is clear that the 18th Division led the use of artillery over the course of the Baba Amro operation in Homs.⁴⁷¹

CIJA has mapped known Regime artillery positions during its Homs operations, based on information provided by insider witnesses and others present in the city at the time. These positions included:

- The train station (Al-Mahatta, Baba Amro),⁴⁷²
- The pro-Regime village of Aisun (near Kherbet Tin Noor, Homs Governorate);⁴⁷³
- Mbarkiyeh, where shells were fired from Gvozdikas;⁴⁷⁴
- Brabo (near Kherbet Tin Noor, Homs Governorate);⁴⁷⁵

⁴⁶³ Witness Interviews SYR.WGA.663; SYR.WGA.720.

⁴⁶⁴ Witness Interview SYR.WGA.695.

⁴⁶⁵ Witness Interview SYR.WGA.623.

⁴⁶⁶ Witness Interview SYR.WGA.529.

⁴⁶⁷ Witness Interview SYR.WGC.504; SYR.WGA.765.

⁴⁶⁸ Witness Interview SYR.WGA.719.

⁴⁶⁹ Witness Interview SYR.WGA.663.

⁴⁷⁰ For example, a witness from the Artillery Branch of the 131st Brigade stated that the Head of the Missiles Battalion of the 3rd Corps (a Staff Colonel Shaaban Aoudi) was transferred to the 18th Division. *See* Witness Interview SYR.WGA.627 (also noting that 240mm mortars were used to shell Baba Amro). *See also* Witness Interviews SYR.WGA.663 (identifying Brigadier General Suheil Zib as a member of the 18th Division, along with Brigadier General Raji Dira, the Head of the Artillery Branch in the Division Command, and Colonel Maan Ali, the Chief of Staff of the Artillery Battalion in the 167th Brigade).

⁴⁷¹ Witness Interview SYR.WGA.623 (noting that personnel of the 15th Division, 5th Division, 4th Division and Republican Guard were also involved in the operations in Baba Amro).

⁴⁷² Witness Interviews SYR.WGA.799; SYR.WMA.135.

⁴⁷³ Witness Interview SYR.WGA.809; SYR.WGA.799; SYR.WGA.689; SYR.WGA.782.

⁴⁷⁴ Witness Interview SYR.WGA.799.

⁴⁷⁵ Witness Interviews SYR.WGA.680; SYR.WGA.653; SYR.WGA.502; SYR.WGA.510.

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- Shinshar;⁴⁷⁶
- The Military Academy in Al-Waer;⁴⁷⁷
- Mazraa Homs;⁴⁷⁸
- The Artillery Battalion in Maskana.⁴⁷⁹

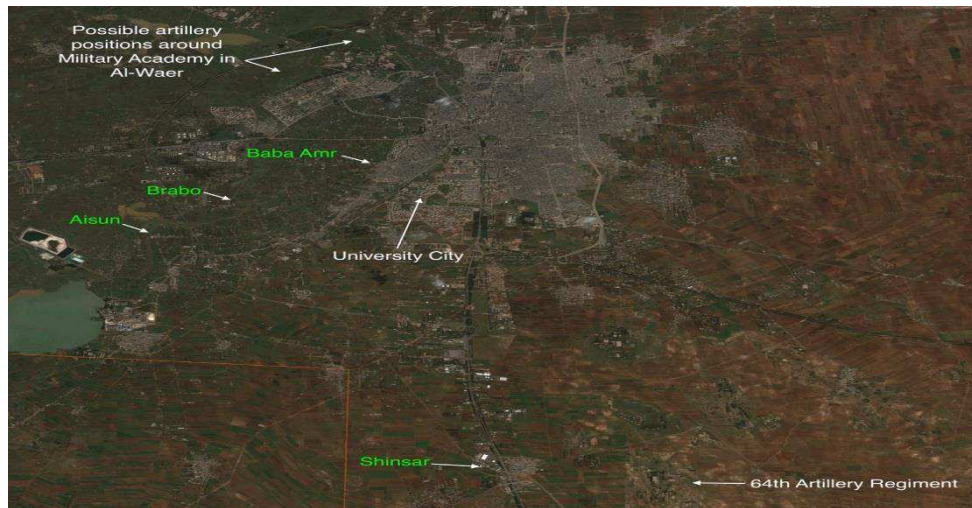


Figure 4 Artillery positions (marked in yellow) around Baba Amro neighbourhood⁴⁸⁰

CIJA has sought, to the extent possible, to exclude the presence of nearby military objectives in relation to all shelling incidents it describes. It is clear from the intensity of combat in Baba Amro and surrounding neighbourhoods, and other evidence obtained regarding the strength and organisation of opposition forces, that Baba Amro and surrounding neighbourhoods contained both military and civilian objects in February 2012.

One legitimate military objective in Baba Amro of which CIJA is aware is the headquarters of the FSA Al-Farouq Battalion, deep in the heart of the neighbourhood.

⁴⁷⁶ Witness Interviews SYR.WGA.792; SYR.WGA.799; SYR.WGA.778; SYR.WGA.782.

⁴⁷⁷ Witness Interviews SYR.WGA.792; SYR.WGA.799; SYR.WGA.782.

⁴⁷⁸ Witness Interviews SYR.WGA.792; SYR.WGA.778.

⁴⁷⁹ Witness Interviews SYR.WGA.719; SYR.WGA.778; SYR.WGA.782.

⁴⁸⁰ CIJA work product based on records of interview with witnesses.

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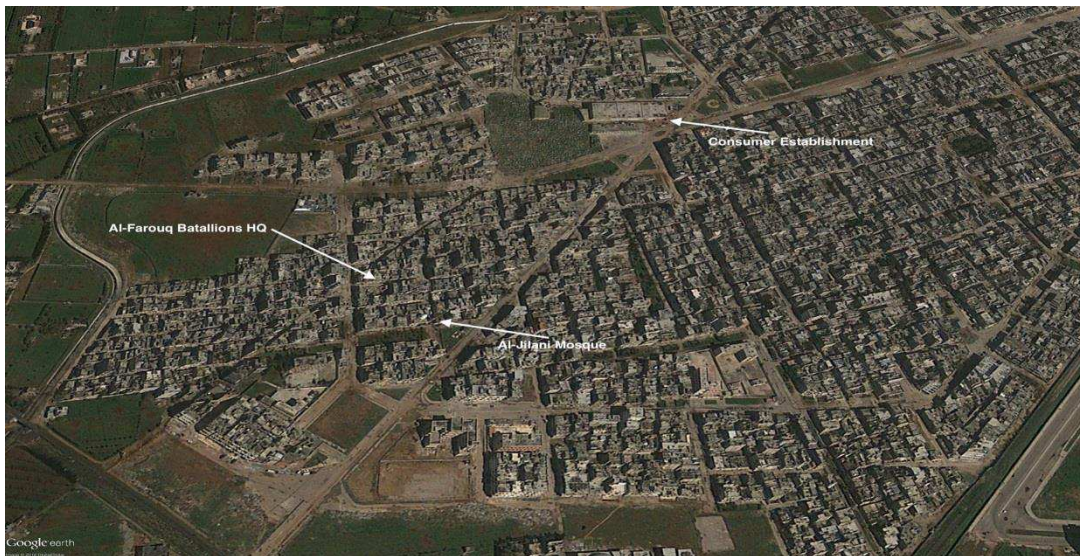


Figure 5 Location of Al-Farouq Battalion HQ in Baba Amro⁴⁸¹

Witness interviews and Regime documentation indicate that combatants were among the casualties of combat during this period.⁴⁸² Other evidence concerning adult male casualties and deaths resulting from the February shelling concern individuals whose civilian or combatant status is unable to be conclusively determined.⁴⁸³ While considerable progress has been made toward an understanding of the course and tactical tempo of the February 2012 operation to date, a comprehensive picture of troop movements and the location of all military objectives in Baba Amro during this period has yet to emerge.

⁴⁸¹ CIJA work product as indicated on a map by Witness SYR.WGC.504.

⁴⁸² See e.g. CCMC report on the security situation in the country on 31 January 2012, 31 January 2012, SYR.E0001.013.119-124, at SYR.E0001.013.121 (indicating that armed individuals attacked Regime checkpoints in a number of locations throughout Homs, leading to six Army and security personnel being injured); Report from the Minister of Interior on the events on 5 February 2012, 5 February 2012, SYR.P0001.001.257-268, at SYR.P0001.001.260 (referring to seven dead combatants). See also Witness Interview SYR.WGA.816 (stating that bodies of opposition fighters killed due to shelling were among those brought to Sultaniya for burial during this period).

⁴⁸³ Witness Interview SYR.WGA.710 (stating [REDACTED] was killed by shelling in Baba Amro on 17 February); SYR.WGA.700 (stating [REDACTED] was killed by a shell that fell close to Al-Arid Street on 17 February); SYR.WGA.809 (stating [REDACTED] was injured by a shell fired from the direction of Aisun - a village close to Kherbet Tin Noor - on 6 February); SYR.WGC.508; SYR.WGC.508 (stating a civilian named [REDACTED] was killed when a shell hit his home); SYR.WGA.765 (stating that [REDACTED] was killed by a mortar shell that landed at the Joudi Centre near the Thaher Birbus School on 21 February 2012, among others).

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A former battalion commander in the 167th Armoured Brigade, who was interviewed by the CIJA, stated that artillery was, in fact, used to shell Baba Amro indiscriminately.⁴⁸⁴

Civilians and protected objects such as hospitals and medical personnel were attacked during this operation. The field hospitals on Jawrat Al-Arais and Al-Arid street suffered significant damage.⁴⁸⁵

A witness stated that, on the first day of the main Regime attack on Baba Amro, he saw the field hospital located on Al-Arid street being shelled.⁴⁸⁶ One person was killed during this attack and four hospital guards injured.⁴⁸⁷ According to another witness, a doctor was injured when the Jawrat Al-Arais field hospital was hit.⁴⁸⁸ The main field hospital was moved to Beit Zaib Street but continued to be heavily shelled, resulting in the deaths of two individuals.⁴⁸⁹ On 18 February 2012, Regime forces fired again at the field hospital with six 120 mm mortar shells, but it was not hit.⁴⁹⁰ Shells landing near the hospital resulted in civilian casualties; for instance, one landed in front of the hospital, killing three people and injuring a reporter.⁴⁹¹

A CIJA witness alleged that Regime forces were fully aware of the existence of the field hospital and of its protected status.⁴⁹² Although the field hospital was not marked with the conventional Syrian Red Crescent insignia, this was allegedly on the advice of the Syrian Red Crescent itself, whose representatives had warned that the Regime would deliberately target the hospital if it were so marked.⁴⁹³ Over the course of February 2012, the Red Crescent was allowed to visit the hospital twice; on the second visit, the delegation could only get within 100 metres of the hospital due to the destruction of the roads and the amount of rubble in the vicinity.⁴⁹⁴

⁴⁸⁴ Witness Interview SYR.WGA.623 (further stating that he was unaware of civilians being warned to leave the area before the shelling commenced.)

⁴⁸⁵ Witness Interviews SYR.WGA.652; SYR.WGA.700.

⁴⁸⁶ Witness Interview SYR.WGA.700 (placed the first day of the assault at 1 February 2012).

⁴⁸⁷ Witness Interview SYR.WGA.700.

⁴⁸⁸ Witness Interview SYR.WGA.652.

⁴⁸⁹ Witness Interview SYR.WGC.510. Regarding the location of the field hospital *see* Witness Interviews SYR.WGC.505 (location shown on map by witness); SYR.WGA.806.

⁴⁹⁰ Witness Interview SYR.WGC.504 (SYR.WGA.661).

⁴⁹¹ Witness Interview SYR.WGA.816. *see also* a YouTube video dated 6 February 2012, where an injured individual recalls the events, at <https://goo.gl/z3qcm9> (retrieved on 28 February 2016).

⁴⁹² Witness Interview SYR.WGC.505.

⁴⁹³ Witness Interview SYR.WGC.505.

⁴⁹⁴ Witness Interview SYR.WGC.511.

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There is also evidence that medical personnel were targeted during and after the bombardment of Baba Amro. According to a witness who was a surgeon in the hospital, the home in which doctors working at the Al-Barri first aid point took breaks between surgeries in Baba Amro was hit at least six times by rocket and artillery fire between 2 and 12 February 2012.⁴⁹⁵ Following the withdrawal of the FSA from the neighbourhood, the Regime forces burnt the field hospital, along with the doctors' homes.⁴⁹⁶

Many other civilians, including children, were killed as a result of the shelling in Baba Amro.⁴⁹⁷ For example, in February 2012, on one of the first days of shelling, twelve people were killed, including children and women.⁴⁹⁸ Similarly, four women from a single family were killed after a rocket hit their house.⁴⁹⁹ In a separate incident, a witness described retrieving the bodies of three women and four children from a multi-story residential building in Inshaat which had been shelled.⁵⁰⁰ Another witness recounted an instance when a rocket hit a family home in the neighbourhood, killing two women and four children, whose bodies were dismembered by the blast.⁵⁰¹ A further witness recalled the death of an eleven-year-old child and the amputation of the legs of another child, both as a result of shelling.⁵⁰² Another witness described seeing many children at the field hospital who were injured as a result of the shelling in February 2012.⁵⁰³ On 18 February 2012, a shell hit the house of a man in Baba Amro, killing him.⁵⁰⁴

The bombardment of the neighbourhood resulted in considerable damage to dwellings. One witness stated that his home had been hit on 15 February 2012 while his entire family was inside, forcing him to leave the neighbourhood.⁵⁰⁵ Another witness stated that the entire first floor of his

⁴⁹⁵ Witness Interview SYR.WGC.510.

⁴⁹⁶ Witness Interview SYR.WGC.511.

⁴⁹⁷ Witness Interviews SYR.WGA.773; SYR.WGA.819; SYR.WGA.766; SYR.WGA.809; SYR.WGA.740 *see also* Witness Interviews SYR.WGA.737; SYR.WGA.707. *see further* videos in CIJA's evidentiary holdings, SYR.A0314.749.001; SYR.A0314.515.001; SYR.A0314.276.001; SYR.A0314.288.001; SYR.A0314.293.001.

⁴⁹⁸ Witness Interview SYR.WGA.773.

⁴⁹⁹ Witness Interview SYR.WGA.846.

⁵⁰⁰ Witness Interview SYR.WGA.819.

⁵⁰¹ Witness Interview SYR.WGA.740.

⁵⁰² Witness Interview SYR.WGA.766. *See also* a video in CIJA's evidentiary collection corroborating these accounts, SYR.A0471.088.001.

⁵⁰³ Witness Interview SYR.WGA.809.

⁵⁰⁴ Witness Interview SYR.WGA.707.

⁵⁰⁵ Witness Interview SYR.WGA.709.

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home had been destroyed on 3 February 2012.⁵⁰⁶ On 2 February 2012, the home of another witness was hit by four shells.⁵⁰⁷ A further witness stated his home was hit prior to 12 February 2012, damaging the upper levels, whereas another stated that his brother's home had been shelled on two different occasions during which both men's families were inside.⁵⁰⁸

By the end of February 2012, an estimated 70 percent of Baba Amro had been destroyed, rendering the neighbourhood virtually unfit for human habitation.⁵⁰⁹ According to witnesses, the Al-Hakoura district of Baba Amro was completely destroyed as a result of the bombardment.⁵¹⁰ Hundreds of civilians were allegedly killed in Al-Hakoura and buried beneath the rubble of their homes.⁵¹¹ The area was completely evacuated as a result.⁵¹² Other areas of the neighbourhood that were subjected to intense shelling included Al-Majdara, approximately 60 percent of which was destroyed,⁵¹³ as well as Jober, which was almost entirely demolished,⁵¹⁴ and Al-Joura (Jawrat Al-Arais).⁵¹⁵

Dual-use objectives such as the Sariku Tunnel, which served both as an opposition and humanitarian supply and escape route, were additionally targeted by Regime shelling campaigns, resulting in civilian casualties.⁵¹⁶ On 25 February 2012, sixty civilians fleeing Baba Amro through the tunnel were killed when it was shelled.⁵¹⁷

Finally, the evidence suggests other (likely civilian) objects were damaged by the shelling. For example, the Baba Amro Media Centre on Al-Majdara Street was hit during the second week of the shelling of Baba Amro, injuring two foreign female reporters.⁵¹⁸ According to witness accounts, the cemetery was hit; since residents could no longer bury their dead there, burials were

⁵⁰⁶ Witness Interview SYR.WGA.779.

⁵⁰⁷ Witness Interview SYR.WGA.710.

⁵⁰⁸ Witness Interview SYR.WGA.700.

⁵⁰⁹ Witness Interviews SYR.WGA.709; SYR.WGA.719.

⁵¹⁰ Witness Interviews SYR.WGA.663; SYR.WGA.652; SYR.WGA.502; SYR.WGA.708; SYR.WGA.719.

⁵¹¹ Witness Interview SYR.WGA.708.

⁵¹² Witness Interviews SYR.WGA.795; SYR.WGA.806 (stated his son and his family left the neighbourhood after a shell hit their home).

⁵¹³ Witness Interview SYR.WGA.795.

⁵¹⁴ Witness Interview SYR.WGA.705.

⁵¹⁵ Witness Interview SYR.WGA.529.

⁵¹⁶ Witness Interview SYR.WGA.501.

⁵¹⁷ Witness Interview SYR.WGA.501.

⁵¹⁸ Witness Interviews SYR.WGA.700; SYR.WGA.676.

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moved to Jober, Homs.⁵¹⁹ Prior to the Regime's entry into the neighbourhood at the end of the offensive, residents of Baba Amro removed dead bodies and buried them in Sultaniya.⁵²⁰

b. Al-Khalidiya

At the beginning of 2012, it became apparent that the Regime had started sporadically shelling residential areas in Al-Khalidiya. Eyewitnesses interviewed by CIJA stated that the Regime targeted Al-Khalidiya with heavy weaponry for the first time in early February 2012.⁵²¹ According to these first-hand accounts, mortar rounds were fired from the Police Command⁵²² as well as from the pro-Regime Alawite neighbourhoods of Karam Shimshim,⁵²³ Al-Zahra,⁵²⁴ Al-Nazha,⁵²⁵ Al-Sabil,⁵²⁶ the Homs Citadel (Qalaa Homs)⁵²⁷ and Akrama,⁵²⁸ as well as from Al-Bayada neighbourhood after it fell to the Regime.⁵²⁹ Rockets were launched from the Military Academy in Al-Waer neighbourhood.⁵³⁰

⁵¹⁹ Witness Interviews SYR.WGA.769; SYR.WGA.689.

⁵²⁰ Witness Interview SYR.WGA.773.

⁵²¹ Witness Interviews SYR.WGA.655; SYR.WGA.650; SYR.WGA.651; SYR.WGA.840; SYR.WGA.646.

⁵²² Witness Interviews SYR.WGA.646; SYR.WGA.651.

⁵²³ Witness Interviews SYR.WGA.646; SYR.WGA.651.

⁵²⁴ Witness Interviews SYR.WGA.646; SYR.WGA.640.

⁵²⁵ Witness Interviews SYR.WGA.646; SYR.WGA.640.

⁵²⁶ Witness Interviews SYR.WGA.646; SYR.WGA.651.

⁵²⁷ Witness Interview SYR.WGA.646.

⁵²⁸ Witness Interviews SYR.WGA.646; SYR.WGA.640.

⁵²⁹ Witness Interviews SYR.WGA.646; SYR.WGA.651.

⁵³⁰ Witness Interviews SYR.WGA.646; SYR.WGA.640; SYR.WGA.651.

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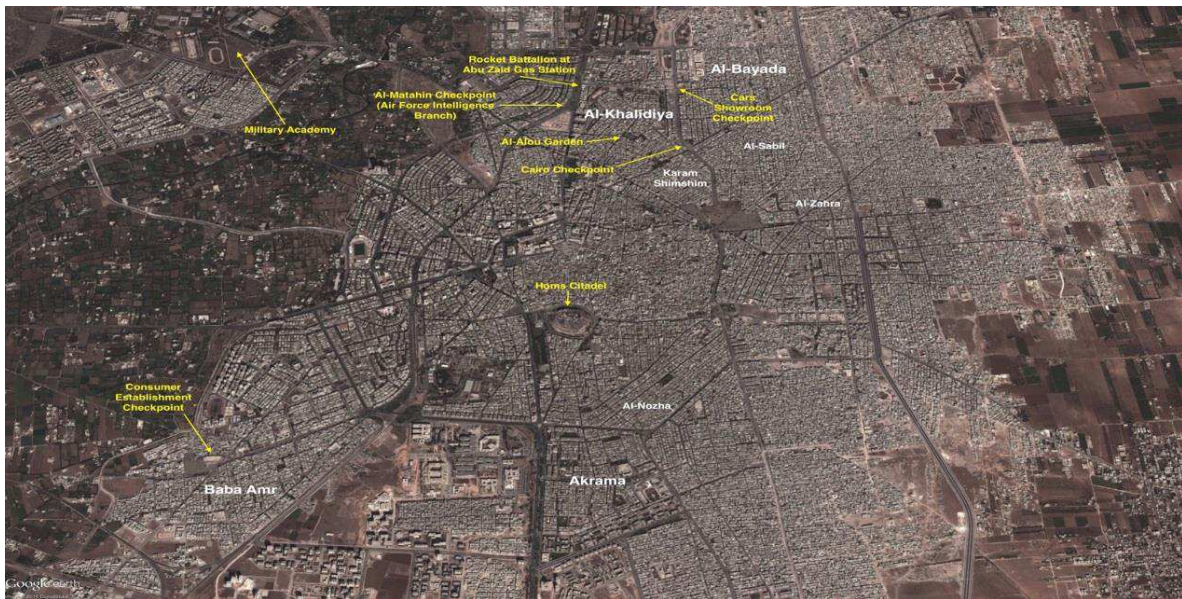


Figure 6 Artillery positions around Al-Khalidiya neighbourhood⁵³¹

Attesting to this frequent shelling, one witness who resided in Al-Khalidiya remembered an occasion when 200 shells were fired in a single day.⁵³² Another witness who was present in this neighbourhood in early 2012 stated that the intensity of shelling varied considerably, between ten to twenty shells within an hour and 900–1,000 shells (a rate of at least fifteen mortars per minute).⁵³³

On 3 February 2012, the Regime shelled Al-Alou Garden and the surrounding area in Al-Khalidiya, apparently in response to the defection of members of the 18th Division to opposition groups operating in Al-Khalidiya, causing serious injury and death to several civilians. Witnesses interviewed by CIJA include opposition fighters and Regime insiders who stated that an opposition group took over the Cairo Roundabout checkpoint on 3 February 2012 after the defection of the 18th Division soldiers who operated it.⁵³⁴

In response to the rejection of a demand that the defectors surrender, the Regime attacked a neighbourhood, resulting in death and injury to civilians and damage to civilian objects. Eyewitnesses state that the shelling came immediately after local opposition groups, led by the late

⁵³¹ CIJA work product based on records of interviews with witnesses.

⁵³² Witness Interview SYR.WGA.640.

⁵³³ Witness Interview SYR.WGA.646.

⁵³⁴ Witness Interviews SYR.WGA.664; SYR.WGA.650; SYR.WGA.655.

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Abu Ali Askar and [REDACTED], overran the military checkpoint at Cairo Roundabout on 3 February 2012.⁵³⁵ The defectors – led by 2nd Lieutenant Abu Taim – joined the opposition groups and headed to Al-Alou Garden to fire their guns in celebration.⁵³⁶ The defectors then went to the home of Abu Ali Askar, some 75 m east of Al-Alou Garden.⁵³⁷ A witness stated that the Head of the General Intelligence Branch in Homs (Branch 318), Colonel Firas Al-Hamed, phoned one of the opposition leaders and demanded the defectors be handed over.⁵³⁸ He threatened to shell Al-Khalidiya if he did not comply.⁵³⁹ Word spread among the residents of Al-Alou Garden that the Regime was planning to shell the area, inducing many to leave.⁵⁴⁰ A short time later, between approximately 2000 and 2130 hours, the Regime shelled Al-Alou and the surrounding area.⁵⁴¹ Between three and nine mortar shells landed in and around Al-Alou Garden, where people had gathered for an anti-Regime demonstration.⁵⁴²

Although some opposition fighters and the 18th Division defectors were among those in attendance, the vast majority of the casualties of this 3 February 2012 attack were civilians, including women and children.⁵⁴³ The first shells fell on Al-Huda Street, south-west of Al-Alou Garden, hitting a family home on Al-Huda Street and killing a father and his 10 year old son.⁵⁴⁴ Another witness stated that a shell struck Al-Huda street, killing six people. The victims included two of his cousins, who were inside the spice shop, and a man in front of his home, whose wife and four children were likewise wounded.⁵⁴⁵

Shortly after, another shell exploded a few meters away on the same street, killing one and wounding two others.⁵⁴⁶ A house, located north of Al-Taqwa Mosque was hit, resulting in the

⁵³⁵ Witness Interviews SYR.WGA.842; SYR.WGA.851; SYR.WGA.840; SYR.WGA.646.

⁵³⁶ Witness Interviews SYR.WGA.840, SYR.WGA.646; SYR.WGA.843; SYR.WGA.850.

⁵³⁷ Witness Interview SYR.WGA.842.

⁵³⁸ Witness Interview SYR.WGA.842.

⁵³⁹ Witness Interview SYR.WGA.842.

⁵⁴⁰ Witness Interviews SYR.WGA.842; SYR.WGA.840.

⁵⁴¹ Witness Interviews SYR.WGA.850; SYR.WGA.645; SYR.WGA.646; SYR.WGA.842; SYR.WGA.851.

⁵⁴² Witness Interviews SYR.WGA.664 (three shells); SYR.WGA.655; SYR.WGA.651 (two to three shells); SYR.WGA.669; SYR.WGA.851; SYR.WGA.842; SYR.WGA.646 (twenty-five shells).

⁵⁴³ Witness Interviews SYR.WGA.850; SYR.WGA.851; SYR.WGA.651.

⁵⁴⁴ Witness Interviews SYR.WGA.850; SYR.WGA.840.

⁵⁴⁵ Witness Interview SYR.WGA.851.

⁵⁴⁶ Witness Interviews SYR.WGA.850. *See also* SYR.WGA.851. Hearsay accounts also indicates that the next shell caused the death of a young man, [REDACTED] (age 24). The subsequent shell fell amidst a group of residents gathered around the crater created by the first shell and killed five people, including [REDACTED] (age 52). *See* Witness Interview SYR.WGA.850.

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death of two individuals.⁵⁴⁷ A number of named individuals attending the protest were killed by shells, including [REDACTED],⁵⁴⁸ [REDACTED],⁵⁴⁹ [REDACTED],⁵⁵⁰ [REDACTED],⁵⁵¹ [REDACTED],⁵⁵² [REDACTED],⁵⁵³ [REDACTED],⁵⁵⁴ and [REDACTED].⁵⁵⁵ There is no evidence to suggest that any of the victims were directly participating in hostilities at the time of the attack.

The total number of civilian casualties of the 3 February 2012 shelling of Al-Khalidiya is unclear, but various witnesses confirmed that between seven and fifty persons were killed.⁵⁵⁶

Regime documentation makes reference to this attack, acknowledging that it incurred a number of casualties, although the exact number of civilians among this tally is difficult to discern.⁵⁵⁷ Witnesses stated that between forty and 100 persons were injured during the 3 February shelling, including an individual who was hit by shrapnel while evacuating bodies.⁵⁵⁸ Similarly, another individual was injured in his back while aiding injured demonstrators and later died from his

⁵⁴⁷ Witness Interviews SYR.WGA.850 (stated two persons were killed from [REDACTED] family). *See also* Witness Interview SYR.WGA.851 (stated the hit did not cause any fatalities, only material damage); SYR.WGA.840 (corroborated that they hit the [REDACTED] house and provided names).

⁵⁴⁸ Witness Interviews SYR.WGA.655; SYR.WGA.651. *See also* Violations Documentation Center, at <https://archive.vn/VBsBD> (retrieved on 1 March 2023) (profiling an individual who was killed on 4 February 2012 in Al-Khalidiya).

⁵⁴⁹ Witness Interview SYR.WGA.655.

⁵⁵⁰ Witness Interview SYR.WGA.655.

⁵⁵¹ Witness Interview SYR.WGA.651.

⁵⁵² Witness Interview SYR.WGA.651.

⁵⁵³ Witness Interview SYR.WGA.840.

⁵⁵⁴ Witness Interview SYR.WGA.840.

⁵⁵⁵ Witness Interview SYR.WGA.651.

⁵⁵⁶ Witness Interviews SYR.WGA.840 (claimed only thirteen civilians were killed); SYR.WGA.842 (claimed seven civilians were killed); SYR.WGA.650. Victims of the attack were buried in Tall Nasr cemetery on 4 February according to both witnesses and Regime documentation in the possession of the CIJA.

⁵⁵⁷ Report from the Minister of Interior to the CCMC, 4 February 2012, SYR.P0001.001.227-238, at SYR.P0001.001.233; Witness Interviews SYR.WGA.645; SYR.WGA.646; SYR.WGA.840. Witnesses who attended the mass funeral stated that opposition fighters and people killed on other dates were also among the forty or so coffins filmed, which suggests that the true number of civilian deaths was toward the lower end of the range given. An opposition fighter stated he saw women and children among the corpses. *See* Witness Interviews SYR.WGA.840; SYR.WGA.842; SYR.WGA.647. *See also* Violations Documentation Center, naming six child victims, at <http://goo.gl/oQ4nF4>; <http://goo.gl/tNzvs9>; <http://goo.gl/AKQ0x0>; <http://goo.gl/zyd0JJ>; <http://goo.gl/XfF1KR>; <http://goo.gl/QWdWGq> (all retrieved on 28 April 2016).

⁵⁵⁸ Witness Interview SYR.WGA.851; SYR.WGA.650.

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wounds.⁵⁵⁹ At least seven individuals, including a mother and her son, suffered serious injuries.⁵⁶⁰ The attack also caused extensive damage to Al-Alou Garden and the surrounding area.⁵⁶¹

Witnesses indicated that artillery fire came from the area around the Air Force Intelligence Branch in Al-Qusour neighbourhood.⁵⁶²

Although opposition fighters acknowledged that they launched three to five RPGs toward the Air Force Intelligence Branch at Al-Qusour from a position in Al-Khalidiya in retaliation for the Al-Alou shelling attack, the evidence suggests that the approximately thirty-one individuals killed on that date were instead casualties of the Regime's bombardment of Al-Alou on the evening of 3 February 2012.⁵⁶³ There is no indication from the Regime documentation or insider interviews of any action taken in response to this incident, or that it was ever investigated by the Regime.

Killings in the aftermath of the February 2012 attack

After the conclusion of the February 2012 operation, Regime forces, often assisted by pro-Regime paramilitaries, conducted post-offensive sweeps in Baba Amro neighbourhood from approximately 28 February 2012 onwards.⁵⁶⁴ In the course of these raids, the remaining residents of Baba Amro were subjected to widespread looting, arrests, killings and sexual violence.⁵⁶⁵ Residential buildings were burned, including the field hospital and the homes of medical

⁵⁵⁹ Witness Interview SYR.WGA.651.

⁵⁶⁰ Witness Interview SYR.WGA.851 (indirect).

⁵⁶¹ Witness Interviews SYR.WGA.840; SYR.WGA.850; SYR.WGA.851 (corroborating video evidence showing craters caused by shells, which landed in the middle of the garden).

⁵⁶² Witness Interviews SYR.WGA.645 (hearsay); SYR.WGA.850 (hearsay); SYR.WGA.851 (hearsay); SYR.WGA.664; SYR.WGA.647

⁵⁶³ See e.g. Report from the Minister of Interior to the CCMC, 4 February 2012, SYR.P0001.001.227-238, at SYR.P0001.001.233 (referring to an attack by unidentified men in the course of which RPGs and mortar shells were deployed against Al-Khalidiya neighbourhood. According to the report, at least thirty-one persons were killed among whom were women and children). See also Witness Interview SYR.WGA.842.

⁵⁶⁴ Witness Interviews SYR.WGA.740; SYR.WGA.528; SYR.WGA.816; SYR.WGA.771; SYR.WGA.752; SYR.WGA.503; SYR.WGA.720 (stating Air Force Intelligence and *shabiha* committed a mass killing together).

⁵⁶⁵ Witness Interviews SYR.WGA.672 (stating that [REDACTED] and [REDACTED] were killed by military forces and that [REDACTED] was shot, injured, and detained); SYR.WGA.760 (stating that he heard such reports from an individual who was shot in Baba Amro post-offensive and detained at Al-Waer hospital); SYR.WGA.768; SYR.WGA.818 (stating that bodies of people with identity cards from Baba Amro were discovered in Al-Houla after residents were escorted from neighbourhood by the Regime. Victims included: [REDACTED], [REDACTED], [REDACTED], and [REDACTED] family members); SYR.WGA.689 (stating that victims who were stabbed and killed in or around Baba Amro included [REDACTED], [REDACTED] and their children, [REDACTED] and his family, [REDACTED] and family, [REDACTED], and someone from [REDACTED] family); SYR.WGA.594; SYR.WGA.748; SYR.WGA.766; SYR.WGA.719. See also SYR.A0003.593.001.

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personnel.⁵⁶⁶ When opposition forces and community leaders finally returned to Baba Amro neighbourhood, they discovered the charred and mutilated remains of many civilians.⁵⁶⁷ The evidence suggests that the number of those murdered in these incidents totalled approximately 1,200 individuals. Witness SYR.WGA.680 recalled seeing four large refrigerated trucks at Homs Military Hospital crammed with corpses, with more bodies lying in the vicinity.⁵⁶⁸ He further claims to have assisted in the burial of approximately 450-470 of an estimated total of 1,050 victims,⁵⁶⁹ most of whom the Regime photographed and stored on a compact disc which was used for identification purposes after the offensive.⁵⁷⁰

Warehouse massacres

In early March 2012, groups of local residents were detained by Regime forces and local pro-Regime paramilitaries in several warehouses in and around Homs city and executed in a series of massacres.⁵⁷¹ Among the locations where these executions occurred were:

- the Ugarit soda-water warehouse;⁵⁷²
- the Shufan warehouse;⁵⁷³ and
- the Mandarin soft drink warehouse and the Samba ice-cream warehouse.⁵⁷⁴

⁵⁶⁶ Witness Interview SYR.WGA.806; SYR.WGA.748; SYR.WGA.735; SYR.WGA.715; SYR.WGC.511 (indirect).

⁵⁶⁷ Witness Interviews SYR.WGA.696 (stating that this happened several months after the Regime's withdrawal); SYR.WGA.717; SYR.WGA.760.

⁵⁶⁸ Witness Interview SYR.WGC.517 (SYR.WGA.680). Satellite imagery dated approximately ten days after the witness saw this possibly confirms the presence of four trucks parked on the grounds of the Homs Military hospital.

⁵⁶⁹ Witness Interviews SYR.WGA.680 (SYR.WGC.517); SYR.WGA.721 (stating that there were 1,366 bodies total and that SYR.WGA.680 brought 450 back to Baba Amro); SYR.WGA.633 (stating that SYR.WGA.680 received 492 bodies).

⁵⁷⁰ Witness Interview SYR.WGC.517 (stating that the burial committee copied a list prepared by the Homs Police Department of individuals identified from this CD by families who came looking for their missing relatives).

⁵⁷¹ Witness Interviews SYR.WGA.764; SYR.WGA.694; SYR.WGA.742; SYR.WGA.752 (stating that the event took place around January); SYR.WGA.771; SYR.WGA.765; SYR.WGA.803; SYR.WGA.740; SYR.WGA.765 (naming multiple victims of this massacre).

⁵⁷² Witness Interview SYR.WGA.740; SYR.WGA.704; SYR.WGA.853.

⁵⁷³ Witness Interviews SYR.WGA.752; SYR.WGA.799; SYR.WGA.503.

⁵⁷⁴ Witness Interviews SYR.WGA.713; SYR.WGA.771 (these massacres were apparently perpetrated by Shia militias wearing military uniforms without unit markings but bearing red or green bands on the shoulders. Some had "Ya Husein" written on these bands).

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a. Ugarit Warehouse Massacre

Witnesses describe mass killing incidents at the Ugarit Soda Warehouse as well as in a neighbouring vegetable produce storage facility. These two buildings are located in close proximity to each other by Qatina Lake and the Asi (Orontes) River.

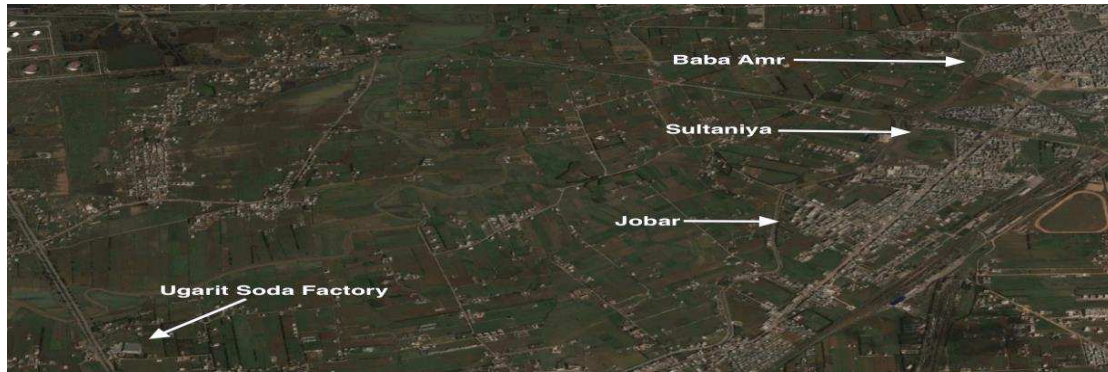


Figure 7 Satellite image showing the location of the Ugarit Soda Factory⁵⁷⁵



Figure 8 Satellite image showing the locations of the Ugarit Soda Factory and the vegetable produce storage warehouse⁵⁷⁶

Witnesses indicated that pro-Regime militia detained and killed men at the vegetable produce refrigerators belonging to the [REDACTED] family on 26 February 2012.⁵⁷⁷ A witness who lived by the building saw militia escorting detained men by minibus to the [REDACTED] family's refrigerated storage facility, and placing what appeared to be explosive wire in the building.⁵⁷⁸ He

⁵⁷⁵ CIJA work product based on records of interviews with Witnesses SYR.WGA.740; SYR.WGA.821; SYR.WGC.515 (as identified on a map).

⁵⁷⁶ CIJA work product based on records of interviews with Witnesses SYR.WGA.740; SYR.WGA.821; SYR.WGC.515 (as identified on a map).

⁵⁷⁷ Witness Interview SYR.WGA.821; SYR.WGA.853; SYR.WGA.855.

⁵⁷⁸ Witness Interview SYR.WGA.853 (stating that "shabiha" were identified by markings with the writing "Ya Hussein" on the forehead).

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then heard an explosion and saw cement blocks from the refrigerated storage building fall on his own home.⁵⁷⁹ After the explosion, several witnesses saw corpses and rubble when they ventured to the building.⁵⁸⁰

In a separate incident several days later, pro-Regime militia gathered about sixty men and boys from the Baba Amro area and detained them in the Ugarit Warehouse.⁵⁸¹ According to a witness who spoke to eyewitnesses and survivors of the massacre, the militia, who were dressed in black uniforms, shot the entire group, killing all but two men who survived under the other bodies.⁵⁸²

After the shooting, military forces arrived.⁵⁸³ The soldiers argued with the militia over the incident, with the latter saying “[y]ou focus on your work, and stay out of mine.”⁵⁸⁴ During the heated exchange, the two survivors managed to escape to a shed attached to the warehouse.⁵⁸⁵ After the exchange with the soldiers, the militia returned to the storage area to “finish off” the injured.⁵⁸⁶ Trucks were then used to remove the bodies.⁵⁸⁷

b. Shufan Warehouse Massacre

According to survivors and other witnesses, a massacre was carried out by Regime forces and pro-Regime militia on or around 1 March 2012; the massacre took place at the Shufan cement storage warehouse in the Sultaniya district of Homs.⁵⁸⁸ At the warehouse, Army and Armed Forces personnel gathered mainly men between 15 and 50 years of age, along with a few women and children.⁵⁸⁹ The captives were brought to the Shufan shops and their identity cards inspected.⁵⁹⁰

⁵⁷⁹ Witness Interview SYR.WGA.853.

⁵⁸⁰ Witness Interviews SYR.WGA.853 (stating he saw the body of a 12-year-old boy); SYR.WGA.821; SYR.WGA.855. *See also* Witness Interviews SYR.WGA.740; SYR.WGA.696; SYR.WGA.514.

⁵⁸¹ Witness Interview SYR.WGA.740. *See also* Witness Interview SYR.WGA.853.

⁵⁸² Witness Interview SYR.WGA.740.

⁵⁸³ Witness Interview SYR.WGA.740.

⁵⁸⁴ Witness Interview SYR.WGA.740.

⁵⁸⁵ Witness Interview SYR.WGA.740.

⁵⁸⁶ Witness Interview SYR.WGA.740.

⁵⁸⁷ Witness Interview SYR.WGA.740.

⁵⁸⁸ Witness Interviews SYR.WGA.752; SYR.WGA.503 (stating 2 March 2012); SYR.WGA.799; SYR.WGA.711 (indicating 28 February 2012); SYR.WGA.848 (stating it was perpetrated by Popular Committees in coordination with the Army).

⁵⁸⁹ Witness Interviews SYR.WGA.848; SYR.WGA.503 (stating it was only men). *See also* Witness Interviews SYR.WGA.799; SYR.WGA.703; SYR.WGA.752.

⁵⁹⁰ Witness Interviews SYR.WGA.709; SYR.WGA.752; SYR.WGA.799.

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According to one witness, the Army handed over the arrestees to personnel of the Popular Committees.⁵⁹¹

An eyewitness who was hiding in a gas tank while Regime forces gathered people at the Shufan shops stated that sixteen people had been killed and most of the victims were from the [REDACTED] family.⁵⁹² Other witnesses recall being told by survivors that a car arrived during the identity card inspection and the men who got out carried out the shooting shortly thereafter.⁵⁹³

A survivor who managed to hide in the Shufan facility told one witness that he saw one of the men, who was dressed in civilian clothing, argue with the military officer inspecting identity documents.⁵⁹⁴ The man then shot at everyone in the shops, although the officer gathering identity cards tried to prevent this.⁵⁹⁵

Among the victims of this massacre were two members of the [REDACTED] family, one member of the [REDACTED] family, and member(s) of the [REDACTED] family.⁵⁹⁶ Another survivor of the incident, [REDACTED], told a witness he had been shot five times after being gathered with men and women in the Shufan district.⁵⁹⁷

That evening, a witness went to the Shufan shops and saw the aftermath of the massacre. He found the bullet-riddled body of 15-year-old [REDACTED] from Baba Amro, as well as thirty-five identity cards.⁵⁹⁸ The floor of the building was covered with blood, and there were traces of flesh and bullet holes on the walls.⁵⁹⁹

A survivor recounted to a witness that, after the captives entered the warehouse, they were ordered to face away from the door. An order to shoot was then heard.⁶⁰⁰ The survivor, hiding under bodies,

⁵⁹¹ Witness Interview SYR.WGA.848.

⁵⁹² Witness Interview SYR.WGA.512.

⁵⁹³ Witness Interviews SYR.WGA.752; SYR.WGA.503; SYR.WGA.799.

⁵⁹⁴ Witness Interview SYR.WGA.799.

⁵⁹⁵ Witness Interview SYR.WGA.752.

⁵⁹⁶ Witness Interview SYR.WGA.503.

⁵⁹⁷ Witness Interview SYR.WGA.502 (The survivor, [REDACTED], later drowned while attempting to flee to Turkey).

⁵⁹⁸ Witness Interview SYR.WGA.799 (claiming to have found identity cards belonging to a person from the [REDACTED] family, five individuals from [REDACTED] family, two individuals from [REDACTED] family, three individuals from [REDACTED] family, one individual from [REDACTED], [REDACTED], [REDACTED] and [REDACTED] families).

⁵⁹⁹ Witness Interview SYR.WGA.799. *See also* Witness Interview SYR.WGA.834.

⁶⁰⁰ Witness Interview SYR.WGA.848.

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saw the men who perpetrated the shooting, who were dressed entirely in black, walking over the dead. He hid under the bodies until the following morning.⁶⁰¹

c. Mandarin Soft Drink and Samba Ice-Cream Warehouse Massacres

On or around 28 February 2012, Regime forces and pro-Regime militia gathered men over the age of fifteen from among families escaping from Basatin Jober, Baba Amro and Sultaniya in the Mandarin (soft drink) warehouse and a nearby ice-cream factory warehouse and summarily executed them.⁶⁰² These warehouses were located on the Bahara Qatina road 200 to 300 meters from Jober, Homs.⁶⁰³ These massacres were perpetrated by Shia militias who wore military uniforms. Witness testimony confirms that these military uniforms did have unit markings, including red or green bands on the shoulders.⁶⁰⁴ Many victims were killed with knives while others were shot in the head.⁶⁰⁵

Home raid massacres

In late February 2012, after regaining control of Basatin Jober and Basatin Baba Amro, Regime forces and pro-Regime militias raided homes, murdering and arresting inhabitants.⁶⁰⁶ Many of these individuals were from a number of extended families who lived in the area, including the [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] families.⁶⁰⁷

⁶⁰¹ Witness Interview SYR.WGA.848.

⁶⁰² Witness Interviews SYR.WGA.771; SYR.WGA.713; SYR.WGA.853 (victims included workers of the Samba factory; [REDACTED] and someone from the [REDACTED] family).

⁶⁰³ Witness Interview SYR.WGA.713.

⁶⁰⁴ Witness Interview SYR.WGA.713 (some had “*Ya Husein*” written on the bands; a conventional indicia of a Shia sect).

⁶⁰⁵ Witness Interview SYR.WGA.771; SYR.WGA.853.

⁶⁰⁶ Witness Interviews SYR.WGA.532 (SYR.WGA.770); SYR.WGA.530; SYR.WGA.792; SYR.WGA.705; SYR.WGA.721; SYR.WGA.633; SYR.WGA.672.

⁶⁰⁷ Witness Interviews SYR.WGA.830; SYR.WGA.827; SYR.WGA.711; SYR.WGA.804; SYR.WGA.792 (victims included twenty-five members of the [REDACTED] family); SYR.WGA.705 (victims included thirty-five members of the [REDACTED] family); SYR.WGA.721; SYR.WGA.633 (victims included twenty-eight members of the [REDACTED] family and four members of the [REDACTED] family); SYR.WGA.520; SYR.WGA.584; SYR.WGA.672; SYR.WGA.806; SYR.WGA.778.

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a. Basatin Baba Amro

From 27 to 29 February 2012, many members of the [REDACTED] and other families were massacred in Basatin Baba Amro.⁶⁰⁸ The victims lived in houses on farmlands west of Homs city close to Aisun, Kherbet Tin Noor, across the al-Asi (Orontes) river.⁶⁰⁹

According to witness accounts, the killings were carried out by pro-regime militias, with some witnesses alleging that the perpetrators belonged to a Shia militia from Mazraa and Aisun, Kherbet Tin Noor, Homs led by the Al-Kinar family.⁶¹⁰ Three days after the massacres, forces commanded by Major Osama Al-Hasan Abu Ali belonging to the 18th Division, arrived and established a checkpoint in the area.⁶¹¹

Two witnesses who were in Basatin Baba Amro at the time of the killings described seeing Regime elements – some in military uniform and some in civilian clothing – raiding homes and shooting inhabitants. Witness SYR.WGA.532 stated that she was at home on 29 February 2012 when soldiers entered her house, accompanied by a man dressed in civilian clothing.⁶¹² After searching the witness's home and using a radio device to seek further instructions, the men immediately turned the witness's father-in-law against the wall and the individual wearing civilian clothing shot him with a Russian rifle seven times in the back.⁶¹³ The witness's husband and brother-in-law pleaded for their lives, but were shot and killed.⁶¹⁴ The men threatened to kill the witness like they killed "these terrorists," but she managed to successfully plead for her life.⁶¹⁵ According to the witness, the men then moved to her uncle's house and similarly shot and killed her uncle.⁶¹⁶

⁶⁰⁸ Witness Interviews SYR.WGA.501; SYR.WGA.784; SYR.WGA.765; SYR.WGA.778; SYR.WGA.792; SYR.WGA.705; SYR.WGA.721; SYR.WGA.633; SYR.WGA.520; SYR.WGA.584; SYR.WGA.672; SYR.WGA.806; SYR.WGA.521; SYR.WGA.536 (stating victims included [REDACTED], [REDACTED], two people from [REDACTED] family, six other individuals from [REDACTED] family, one from [REDACTED] family).

⁶⁰⁹ Witness Interviews SYR.WGA.501; SYR.WGA.770.

⁶¹⁰ Witness Interviews SYR.WGA.770 (SYR.WGA.532); SYR.WGA.516; SYR.WGA.552; SYR.WGA.638 (stated that the Al-Kinar family is also known as the Darwish family).

⁶¹¹ Witness Interview SYR.WGA.530.

⁶¹² Witness Interview SYR.WGA.770 (SYR.WGA.532).

⁶¹³ Witness Interview SYR.WGA.532 (SYR.WGA.770) (alleging that the instructions received in response were "act based on your knowledge.")

⁶¹⁴ Witness Interview SYR.WGA.532 (SYR.WGA.770).

⁶¹⁵ Witness Interview SYR.WGA.770 (SYR.WGA.532).

⁶¹⁶ Witness Interview SYR.WGA.770 (SYR.WGA.532) (stating that other victims in Basatin Baba Amro included [REDACTED], [REDACTED] and his two sons, [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]).

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Witness SYR.WGA.530, the second survivor of the killings, saw 150-200 “personnel of security groups” entering the Basatin farmlands from the direction of Aisun (Jisr al-Bouari).⁶¹⁷ Among these personnel were older officers who wore military uniforms without insignia which should have indicated to which unit they belonged. They wore masks on their faces and had accents from the areas of Mazraa and Aisun.⁶¹⁸ The witness heard gunshots, after which masked men came to the witness’s home and threatened to shoot the witness. The witness recalled that the masked men were prevented from doing so by others in the same group.⁶¹⁹ Next, an older man in military uniform with an “Alawite accent” and wearing a helmet entered the house. He stated they avoided death on that day, but he could do nothing for them subsequently.⁶²⁰

Other witnesses learned later that their relatives had been killed. After he left Baba Amro on 22 February 2012, witness SYR.WGA.784 learned from his mother that sixteen members of his family had been killed in Basatin Baba Amro.⁶²¹

Witnesses provided varying accounts of what happened to the bodies after the killings. One witness indicated that he learned the bodies had been taken to the Homs Military Hospital and were later returned to relatives all bearing bullet holes in the head.⁶²² Others report discovering the bodies in their homes with bullet wounds on the heads and bodies and the right-hand index finger cut off each victim.⁶²³

Witness SYR.WGA.532 stated that the families buried their dead relatives in Jober in the evenings following the killings.⁶²⁴ She stated that the Army later came, exhumed the graves and moved the bodies, and that the witness still did not know the final resting place of her husband and other

⁶¹⁷ Witness Interview SYR.WGA.530.

⁶¹⁸ Witness Interview SYR.WGA.530.

⁶¹⁹ Witness Interview SYR.WGA.530.

⁶²⁰ Witness Interview SYR.WGA.530.

⁶²¹ Witness Interview SYR.WGA.784. Other witnesses who also learned about their relatives’ deaths after the fact corroborated that many members of this family were killed. *See* Witness Interviews SYR.WGA.778 (stating that fourteen members of the family were killed by men dressed in black and armed with sabres and naming a number of victims); SYR.WGA.798 (stating that victims included [REDACTED] and his wife and children); SYR.WGA.806 (stating victims included [REDACTED]); SYR.WGA.501 (listing nine victims including [REDACTED], [REDACTED], their wives and children, and members of the [REDACTED] family); SYR.WGA.503 (victims included [REDACTED] and the wife and baby of another identified person).

⁶²² Witness Interview SYR.WGA.784.

⁶²³ Witness Interviews SYR.WGA.530 (stating victims included [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED]); SYR.WGA.520.

⁶²⁴ Witness Interviews SYR.WGA.532 (SYR.WGA.770). *See also* SYR.WGA.853.

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relatives.⁶²⁵ A witness who returned to the neighbourhood on or around 15 March 2012 saw a mass grave in Basatin which had been emptied of bodies.⁶²⁶

Four witnesses who passed through Basatin Baba Amro indicated that in the aftermath of the killings, they discovered and helped remove bodies.⁶²⁷ Another witness went to the location with an opposition group after hearing about a mass killing and saw twenty bodies with gunshot wounds, most of whom were from the [REDACTED] family.⁶²⁸ Another witness, after surviving a mass killing himself in late February 2012 and escaping to Basatin Baba Amro, found approximately eight dead bodies in the first home he entered.⁶²⁹

Witnesses who fought with the Al-Farouq Battalions also discovered bodies in Basatin Baba Amro after the battalions withdrew from Baba Amro.⁶³⁰

b. Basatin Jober

On or around 28 February 2012, when Regime forces entered Baba Amro following the withdrawal of the armed opposition, many members of [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] families were massacred.⁶³¹ Some residents of Basatin Jober stated that their family members were arrested throughout the last two weeks of February 2012, and their fate remains unknown.⁶³²

Killings took place in the area south-west of Homs, in farmlands close to Jober known as Basatin Jober, which neighbours Basatin Baba Amro.⁶³³ A witness alleged that pro-Regime paramilitaries, in coordination with Regime forces, perpetrated these massacres, although the witness did not state

⁶²⁵ Witness Interview SYR.WGA.532 (SYR.WGA.770).

⁶²⁶ Witness Interview SYR.WGA.552.

⁶²⁷ Witness Interviews SYR.WGA.529 (stating that he saw the body of [REDACTED]); SYR.WGA.521; SYR.WGA.672; SYR.WGA.724.

⁶²⁸ Witness Interview SYR.WGA.672.

⁶²⁹ Witness Interview SYR.WGA.724.

⁶³⁰ Witness Interviews SYR.WGA.536 (claiming to have discovered the bodies of [REDACTED], [REDACTED], two people from [REDACTED] family, six other individuals from [REDACTED] family, and one from [REDACTED] family); SYR.WGA.729.

⁶³¹ Witness Interviews SYR.WGA.711; SYR.WGA.804; SYR.WGA.637 (stating this occurred in mid-February); SYR.WGA.706; SYR.WGA.717; SYR.WGA.633 (stating victims included twenty-three members of the [REDACTED] family, eleven members of the [REDACTED] family and five members of [REDACTED]); SYR.WGA.750 (stating victims included children of [REDACTED] and children of [REDACTED]).

⁶³² Witness Interviews SYR.WGA.830; SYR.WGA.749.

⁶³³ Witness Interviews SYR.WGA.711; SYR.WGA.528.

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how he knew this.⁶³⁴ In late February 2012, witnesses present in Basatin Jober saw forty men in uniforms, some of which were entirely black, while others had red, yellow and green stripes and others wore civilian clothing with masks.⁶³⁵ Witness SYR.WGA.821 was at home on 21 February 2012 when a group of men in a mix of civilian and military uniforms, some with yellow markings on their shoulders, entered his home.⁶³⁶ He referred to the group as *shabiha*, who remained in the region until the witness evacuated the area in late February 2012.⁶³⁷ On 27 February 2012, witness SYR.WGA.830 was at home when seven men entered in full military uniforms, some in civilian clothing with yellow, red and green stripes, others with Special Forces insignia, and the remainder wearing headbands with the writing “*Ya Ali*”. Two were speaking Farsi.⁶³⁸

One witness saw forces wearing military uniforms enter a home belonging to members of [REDACTED] extended family.⁶³⁹ After hearing gunshots, the witness learned that three people had been killed; [REDACTED] and his two wives, [REDACTED] and [REDACTED]. He later saw relatives bury all three individuals.⁶⁴⁰ The Regime forces then returned and inquired who had buried the bodies.⁶⁴¹ Other witnesses recount that they learned “*shabiha*” and Regime forces took bodies of victims belonging to other families from the area to an unknown location.⁶⁴²

Three witnesses describe being subject to home raids in Basatin Jober in late February 2011, which resulted in the arrest of family members and neighbours.⁶⁴³ One of the witnesses was questioned about her husband, his profession and colleagues, to which she replied that he worked as a doctor in a clinic in Baba Amro. The men then took her husband away, stating that he needed to be

⁶³⁴ Witness Interview SYR.WGA.711.

⁶³⁵ Witness Interviews SYR.WGA.827; SYR.WGA.828; SYR.WGA.830.

⁶³⁶ Witness Interview SYR.WGA.821.

⁶³⁷ Witness Interview SYR.WGA.821.

⁶³⁸ Witness Interviews SYR.WGA.830 (stating that she heard names of these men including Alaa, Abu Haidar, Wael, Suleiman, and Suleiman). *See also* Witness Interview SYR.WGA.713 (describing similar militia who used the markings “*Ya Husein*” around the Basatin Jober area). Generally, witnesses indicated that coloured ribbons worn on the shoulder of uniforms or black clothing corresponded with branches of the Syrian Army and Armed forces, security agencies or other armed groups operating in Syria.

⁶³⁹ Witness Interview SYR.WGA.749.

⁶⁴⁰ Witness Interview SYR.WGA.749.

⁶⁴¹ Witness Interview SYR.WGA.749.

⁶⁴² Witness Interviews SYR.WGA.528 (stating that victims included [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]).

⁶⁴³ Witness Interviews SYR.WGA.827 (naming a number of men who were taken away); SYR.WGA.830 (indicating another individual who was arrested and whose fate remains unknown); SYR.WGA.830 (naming a number of others who were detained and are still missing).

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investigated about providing treatment for opposition fighters. He is still missing.⁶⁴⁴ A further witness who helped to bury [REDACTED] family members saw Regime forces return to Basatin Jober after the killings and arrests and take away the remainder of the men and their family members.⁶⁴⁵ It is unclear if any members of the [REDACTED] family have survived.⁶⁴⁶

Several other witnesses learned of the massacre as well as other abuses, including rape, and saw bodies of the victims.⁶⁴⁷ Witness SYR.WGA.711's family members were killed by pro-Regime militia and Regime personnel while evacuating Baba Amro toward Jober.⁶⁴⁸ Although he did not personally witness these killings, he later identified the bodies of his family members when they were returned by the Regime to witness SYR.WGA.680.⁶⁴⁹ The bodies were highly disfigured and therefore identified by their clothing and possessions.⁶⁵⁰ Witness SYR.WGA.711 recognised eleven individuals among the bodies that he saw.⁶⁵¹ Another witness discovered fifteen burned bodies piled on top of each other, while others heard from residents that they found the burnt bodies of their relatives, or bodies which appeared to have been shot and stabbed.⁶⁵²

Escape route killings

Civilians escaped the February 2012 offensive by crossing through Basatin Baba Amro, west of the neighbourhood, or through the Sariku Water Tunnel.⁶⁵³ Some civilians trying to escape were intercepted by Regime forces or pro-Regime militias; the whereabouts of these individuals remains

⁶⁴⁴ Witness Interview SYR.WGA.830.

⁶⁴⁵ Witness Interview SYR.WGA.749.

⁶⁴⁶ Witness Interviews SYR.WGA.749. *See also* Witness Interviews SYR.WGA.750 (stating thirty people from [REDACTED] family were missing at the time the incident was recounted to the CIJA, including children and women); SYR.WGA.746.

⁶⁴⁷ Witness Interviews SYR.WGA.804; SYR.WGA.746.

⁶⁴⁸ Witness Interview SYR.WGA.711.

⁶⁴⁹ Witness Interview SYR.WGA.711.

⁶⁵⁰ Witness Interview SYR.WGA.711.

⁶⁵¹ Witness Interview SYR.WGA.711 (naming ten members of the [REDACTED] family and an individual from the [REDACTED] family).

⁶⁵² Witness Interviews SYR.WGA.804 (stating the bodies belonged to [REDACTED] family members); SYR.WGA.746; SYR.WGA.771 (identifying a number of victims from the [REDACTED], [REDACTED] and [REDACTED] families); SYR.WGA.706 (stating he found forty bodies belonging to [REDACTED] family members); SYR.WGA.717 (stating bodies belonged to [REDACTED] and [REDACTED] family members).

⁶⁵³ Witness Interviews SYR.WGA.500; SYR.WGA.663; SYR.WGC.507; SYR.WGA.652.

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unknown.⁶⁵⁴ Many civilians fleeing the area left through Regime checkpoints, primarily Al-Naqira, south of Jobar.⁶⁵⁵

Multiple witnesses describe incidents in which fleeing civilians were abducted from Al-Naqira checkpoint and killed.⁶⁵⁶ According to one witness, a civilian who passed through the checkpoint in late February 2012, the checkpoint was located near the mosque in Al-Naqira. Soldiers and snipers were positioned in a manner which forced civilians to walk directly into the checkpoint or risk being shot.⁶⁵⁷

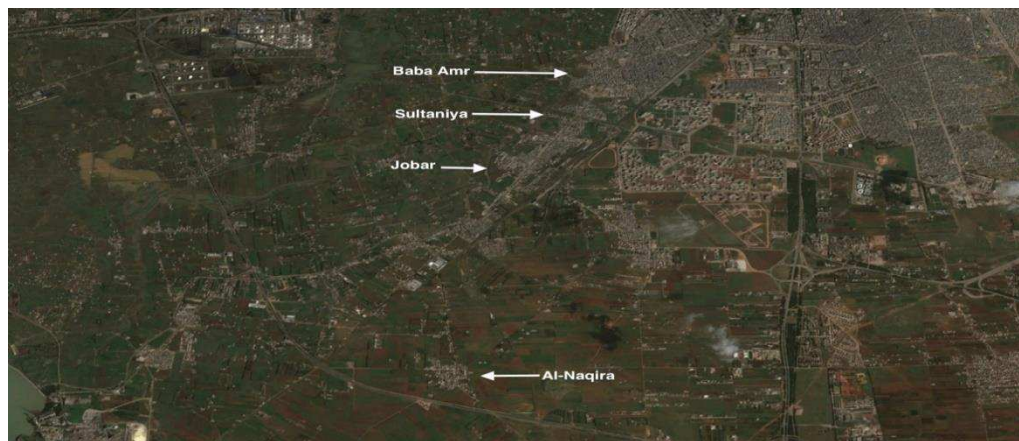


Figure 9 Satellite image of location of Al-Naqira in relation to Homs neighbourhoods of Baba Amro, Sultaniya and Jobar

⁶⁵⁴ Witness Interviews SYR.WGA.816; SYR.WGA.504 (naming a number of missing individuals); SYR.WGA.638 (naming other missing individuals).

⁶⁵⁵ Witness Interviews SYR.WGA.500; SYR.WGA.663; SYR.WGA.713; SYR.WGA.708; SYR.WGA.819.

⁶⁵⁶ Witness Interview SYR.WGA.780; SYR.WGA.740; SYR.WMA.135 (SYR.WGC.505) (stating Regime forces kidnapped sixty-three people); SYR.WGA.502 (a mass killing of civilians occurred in Marj Elqata).

⁶⁵⁷ Witness Interview SYR.WGA.503.

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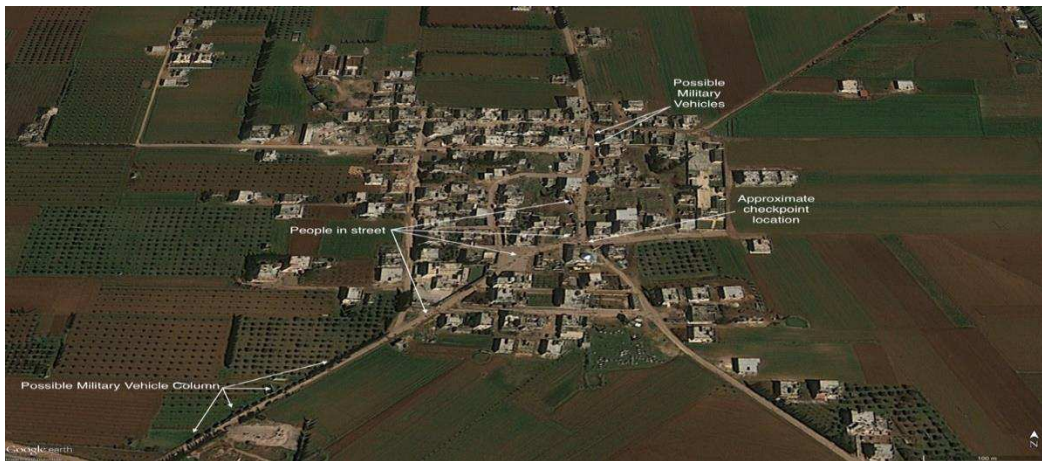


Figure 10 Satellite image of Al-Naqira, dated 5 March 2012

Two witnesses saw individuals arrested at the checkpoint. One was personally arrested along with nineteen other people on 1 March 2012 and taken to the Air Force Intelligence Branch.⁶⁵⁸ Another witness, however, heard from residents of Al-Naqira that Regime personnel at the checkpoint were “State Security” personnel.⁶⁵⁹ Yet another saw personnel at the checkpoint inspecting identity cards and arresting and transferring a group to an unknown location by bus.⁶⁶⁰

One witness learned that the Regime used nine buses from Al-Naqira checkpoint to transfer civilians, and some of the buses took civilians to the village of Al-Tannula, where they were subsequently killed.⁶⁶¹ The witness saw the bodies of the victims after they were returned to their relatives.⁶⁶² The bodies had either gunshot wounds to the head or had been beaten with blunt objects.⁶⁶³ Other witnesses heard about the Al-Tannula incident and learned that people they knew were among those either killed or missing.⁶⁶⁴ Another witness identified a further individual who

⁶⁵⁸ Witness Interview SYR.WGA.710.

⁶⁵⁹ Witness Interview SYR.WGA.500 (as they allegedly wore black clothing with red scarves marked “State Security”)

⁶⁶⁰ Witness Interview SYR.WGA.502.

⁶⁶¹ Witness Interview SYR.WGA.780; SYR.WGA.740 (stating that the arrestees were taken to Alawite villages); SYR.WMA.135 (SYR.WGC.505) (the arrestees were taken to an Alawite village, Marj Elqata); SYR.WGA.502 (a mass killing of civilians occurred in Marj Elqata). *See also* George Kadar, “Syria and Post-Revolution Demographics,” *Al-Jazeera*, 8 August 2012, at <http://goo.gl/HWajYF> (retrieved on 25 February 2016).

⁶⁶² Witness Interview SYR.WGA.780.

⁶⁶³ Witness Interview SYR.WGA.780 (identifying three members of the [REDACTED] family and two members of the [REDACTED] family).

⁶⁶⁴ Witness Interviews SYR.WGA.694; SYR.WGA.500; SYR.WGA.766 (naming three victims who went missing after trying to pass through the checkpoint); SYR.WGA.500 (naming other victims); SYR.WGA.513.

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had been arrested at Al-Naqira and was believed to be missing until the detainee paid a bribe to a militia member for his release.⁶⁶⁵

Other killings of civilians

After Al-Farouq Battalions withdrew from Baba Amro at the end of February 2012, Regime forces entered the neighbourhood and its surroundings, arresting and killing residents.⁶⁶⁶

On or around 14 March 2012, men in Baba Amro were gathered and held at the Consumer Establishment. Some were summarily executed.⁶⁶⁷ Witnesses learned from relatives of the identity of victims or had relatives who were killed in the incident. Some of the men who were held at the Consumer Establishment were subsequently transferred to security agency branches, whereas Regime forces executed others and burned their bodies.⁶⁶⁸ Witness SYR.WGA.805, however, was told that relatives of people who had been arrested were instructed to retrieve the bodies from the Homs Military Hospital.⁶⁶⁹

A similar event took place at a wedding hall in Baba Amro. Civilian residents of Baba Amro had sought refuge in the Al-Ziraai wedding hall during the February 2012 bombardment of the city.⁶⁷⁰ Witness SYR.WGA.737 learned that Regime forces had committed a mass killing at the Al-Ziraai wedding hall on 1 March 2012. Others from the hall were arrested and taken to security agency branches.⁶⁷¹ Many victims were barely 14 years old.⁶⁷²

Witness SYR.WGA.724 was arrested in Sultaniya after the February 2012 Baba Amro offensive and taken by Air Force Intelligence troops, along with other detainees, to Qatina Road in the direction of Baba Amro.⁶⁷³ Upon arrival, the troops opened fire and killed about 104 people.⁶⁷⁴ Subsequently, a car with Red Crescent insignia arrived and someone from the vehicle called out to see who remained alive. Armed personnel came out of the vehicle and killed three people who

⁶⁶⁵ Witness Interview SYR.WGA.694.

⁶⁶⁶ Witness Interviews SYR.WGA.724; SYR.WGA.768; SYR.WGA.672.

⁶⁶⁷ Witness Interviews SYR.WGA.740; SYR.WGA.805; SYR.WGA.816.

⁶⁶⁸ Witness Interviews SYR.WGA.740; SYR.WGA.805; SYR.WGA.816.

⁶⁶⁹ Witness Interview SYR.WGA.805.

⁶⁷⁰ Witness Interview SYR.WGA.737.

⁶⁷¹ Witness Interview SYR.WGA.737.

⁶⁷² Witness Interview SYR.WGA.737.

⁶⁷³ Witness Interview SYR.WGA.724.

⁶⁷⁴ Witness Interview SYR.WGA.724.

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had indicated they were alive.⁶⁷⁵ The witness pretended to be dead throughout the incident and in the evening fled towards Basatin Baba Amro.⁶⁷⁶

Witnesses indicated that “*shabiha* gangs” gathered and killed people in residential buildings in and around Baba Amro.⁶⁷⁷ Some were killed when these militias blew up buildings with explosives.⁶⁷⁸ Witness SYR.WGA.501 opined that Regime elements killed civilians based on information found on their identity cards.⁶⁷⁹ Victims of these incidents included people from the [REDACTED], [REDACTED], and [REDACTED] families.⁶⁸⁰

Sexual and Gender-Based Violence

The evidence indicates a pattern of sexual violence perpetrated by Regime forces and pro-Regime paramilitary groups in connection with military operations in Homs during and after February 2012. At least sixty witnesses describe sexual and gender-based violence perpetrated during and in the aftermath of military operations in Baba Amro and surrounding neighbourhoods in February and March 2012. Offences of this nature, which were committed against men, women and girls, were particularly prevalent at checkpoints,⁶⁸¹ during home raids,⁶⁸² and at other locations during and following search and sweep operations in the aftermath of the offensive.⁶⁸³

The forms of sexual violence described by witnesses encompass a range of forms of sexual assault, including sexual harassment, forced nudity, rape, and threats of rape. Some instances of rape

⁶⁷⁵ Witness Interview SYR.WGA.724.

⁶⁷⁶ Witness Interview SYR.WGA.724.

⁶⁷⁷ Witness Interviews SYR.WGA.740; SYR.WGA.523; SYR.WGA.501.

⁶⁷⁸ Witness Interviews SYR.WGA.821; SYR.WGA.523.

⁶⁷⁹ Witness Interview SYR.WGA.501.

⁶⁸⁰ Witness Interview SYR.WGA.501. Other witnesses later learned that their family members were executed during the post offensive sweeps in Baba Amro. *See e.g.* Witness Interviews SYR.WGC.505 (SYR.WMA.135); SYR.WGA.523; SYR.WGA.547; SYR.WGC.501; SYR.WGA.735.

⁶⁸¹ Witness Interviews SYR.WGA.678; SYR.WGA.689; SYR.WGA.740; SYR.WGA.795; SYR.WGA.818; SYR.WGA.839.

⁶⁸² Witness Interviews SYR.WGA.584; SYR.WGA.585; SYR.WGA.628; SYR.WGA.638; SYR.WGA.673; SYR.WGA.676; SYR.WGA.689; SYR.WGA.694; SYR.WGA.704; SYR.WGA.705; SYR.WGA.707; SYR.WGA.708; SYR.WGA.717; SYR.WGA.724; SYR.WGA.730; SYR.WGA.742; SYR.WGA.746; SYR.WGA.752; SYR.WGA.756; SYR.WGA.761; SYR.WGA.763; SYR.WGA.765; SYR.WGA.766; SYR.WGA.786; SYR.WGA.792; SYR.WGA.802; SYR.WGA.803; SYR.WGA.804; SYR.WGA.815; SYR.WGA.818; SYR.WGA.831; SYR.WGA.836; SYR.WGA.838; SYR.WGA.848; SYR.WGC.513.

⁶⁸³ Witness Interviews SYR.WGA.519; SYR.WGA.633; SYR.WGA.672; SYR.WGA.679; SYR.WGA.713; SYR.WGA.720; SYR.WGA.726; SYR.WGA.729; SYR.WGA.742; SYR.WGA.756; SYR.WGA.765; SYR.WGA.769; SYR.WGA.778; SYR.WGA.787; SYR.WGA.783; SYR.WGA.792; SYR.WGA.805; SYR.WGA.806; SYR.WGA.834.

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involved multiple perpetrators or forcing family members to watch and, in some instances, commit rape against their relatives of the opposite gender. There is also evidence of perpetrators audio-visually recording instances of sexual violence. Witnesses named six direct perpetrators of rape and other forms of sexual violence. Three insider witnesses attributed responsibility for acts of sexual violence to members of their units.⁶⁸⁴ Two other witnesses gave accounts of trials conducted by opposition forces in the field of persons charged with acts of sexual violence.

Many witnesses attested to the serious impact of sexual violence upon victims.⁶⁸⁵ In several instances, sexual violence was threatened or used as a punishment for refusal to hand over wanted family members.⁶⁸⁶ The extent of the crimes indicates that these acts were widespread within Baba Amro and the surrounding areas. Evidence of similar incidents outside the immediate geographic and temporal scope of this report additionally suggests that sexual violence was prevalent throughout the Homs Governorate in 2011 and 2012.⁶⁸⁷

Checkpoints

Numerous witnesses report instances of sexual violence at checkpoints throughout the second half of 2011 and beginning of 2012.⁶⁸⁸ Witness SYR.WGA.678, who worked as a bus driver transporting detainees, stated that personnel on checkpoints managed by elements from Homs Military Intelligence Branch and Air Force Intelligence Branch on occasion bragged about how they would arrest women and girls from Baba Amro at these checkpoints and rape them.⁶⁸⁹

⁶⁸⁴ Witness Interviews SYR.WGA.628; SYR.WGA.792; SYR.WGA.802.

⁶⁸⁵ For example, according to witness SYR.WGA.787, girls as young as 9 years old were impregnated. Reports of pregnancies following rape during the February and March 2012 events in Baba Amro (and subsequent abortions in some cases) were described by witnesses SYR.WGA.805, SYR.WGA.720, SYR.WGA.756, SYR.WGA.787, SYR.WGA.804 and SYR.WGA.805.

⁶⁸⁶ Witness Interviews SYR.WGA.676; SYR.WGC.517 (SYR.WGA.580).

⁶⁸⁷ See e.g. Witness Interviews SYR.WGA.652 (reporting of rape conducted by members of 4th Division in Zabadani and of two girls who were raped and subsequently killed with their bodies left on display in Al-Bayada); SYR.WGA.768 (report of sexual violence in Al-Nazihin); SYR.WGA.649 (report of women being used as a human shield in Karm Al-Zeitoun in March 2013).

⁶⁸⁸ Witness Interviews SYR.WGA.678; SYR.WGA.689; SYR.WGA.740; SYR.WGA.795; SYR.WGA.818; SYR.WGA.839. Incidents described in the UN Commission of Inquiry report corroborate CIJA's findings as to sexual and gender-based violence at checkpoints at the relevant times. See UN Human Rights Council, 3rd Report of the independent international commission of inquiry on the Syrian Arab republic, 15 August 2012, A/HRC/21/50, Annex IX, at para. 8 (an interviewee stated that as his family fled Homs city, along with other residents of Baba Amro neighbourhood, they were stopped at a checkpoint. Eight girls were detained and subsequently raped).

⁶⁸⁹ Witness Interview SYR.WGA.678.

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At Kafr Aaya checkpoint, witness SYR.WGA.740 indicated that a soldier tried to grab the breast of a university student from Baba Amro and pulled her shirt asking, “What are you hiding under the shirt?”⁶⁹⁰ On a separate occasion, another woman on a micro-bus was frisked by a soldier, who touched her breasts. When she started screaming, the officer who was in charge boarded the bus and slapped the woman in front of the other passengers.⁶⁹¹ Witness SYR.WGA.795 directly witnessed a man being subjected to forced nudity and beating at Kafr Aaya checkpoint in June 2011.⁶⁹² Witness SYR.WGA.689 also described an “emigrant” military element who harassed women by touching them.⁶⁹³ Witness SYR.WGA.818 named Abu Sumer – a member of a Popular Committee – as responsible for the security personnel at the Kafr Aaya checkpoint. According to the witness, Abu Sumer was likewise involved in the infliction of sexual violence against residents passing through the checkpoint.⁶⁹⁴

Home raids

A clear pattern of sexual and gender-based violence during home raids carried out by Regime personnel and pro-Regime paramilitary groups is also discernible. At least thirty-five witnesses described accounts of threats of rape, rape and sexual assaults, which allegedly occurred during home raids carried out by Regime forces and/or pro-Regime militia in the neighbourhoods of Baba Amro,⁶⁹⁵ Al-Basatin,⁶⁹⁶ Jawrat Al-Arais,⁶⁹⁷ Al-Sultaniya,⁶⁹⁸ Al-Shimas⁶⁹⁹ and Jober.⁷⁰⁰

⁶⁹⁰ Witness Interview SYR.WGA.740.

⁶⁹¹ Witness Interview SYR.WGA.740.

⁶⁹² Witness Interview SYR.WGA.795.

⁶⁹³ Witness Interview SYR.WGA.689.

⁶⁹⁴ Witness Interview SYR.WGA.818. *See also* Witness Interview SYR.WGA.839 (recalling a Warrant Officer from the Political Security Branch in Homs nicknamed Abu Ibrahim, who was allegedly in charge of the Consumer Establishment checkpoint. The same witness stated that a woman called Umm Nabil routinely brought women and girls to the checkpoint for Abu Ibrahim).

⁶⁹⁵ Witness Interviews SYR.WGA.584; SYR.WGA.585; SYR.WGA.628; SYR.WGA.638; SYR.WGA.676; SYR.WGA.689; SYR.WGA.694; SYR.WGA.704; SYR.WGA.707; SYR.WGA.708; SYR.WGA.717; SYR.WGA.724; SYR.WGA.756; SYR.WGA.761; SYR.WGA.763; SYR.WGA.766; SYR.WGA.786; SYR.WGA.792; SYR.WGA.802; SYR.WGA.803; SYR.WGA.804; SYR.WGA.815; SYR.WGA.818; SYR.WGA.831; SYR.WGA.836; SYR.WGA.838.

⁶⁹⁶ Witness Interviews SYR.WGA.730; SYR.WGA.746.

⁶⁹⁷ Witness Interview SYR.WGA.765.

⁶⁹⁸ Witness Interviews SYR.WGA.705; SYR.WGA.752; SYR.WGA.848.

⁶⁹⁹ Witness Interview SYR.WGA.673.

⁷⁰⁰ Witness Interview SYR.WGA.742.

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Witness SYR.WGA.676 was told that when Regime forces entered homes in Baba Amro during the siege in February 2012 looking for wanted persons they often threatened to rape the women present if they did not cooperate.⁷⁰¹ Witness SYR.WGA.848 indicated that two of his female neighbours were reportedly raped by security forces in Al-Sultaniya in February 2012.⁷⁰²

Witness SYR.WGA.818, a member of an armed opposition group, had access to the cell phone of a member of the security forces who was captured in late February 2012. On this phone, he saw several video clips depicting sexual violence, including the gang rape of minors from Baba Amro and the insertion of a shovel handle into a girl's vagina.⁷⁰³

The evidence of at least eight witnesses alludes to instances of rape perpetrated in front of family members during house raids in Baba Amro, Shimas, Jobber and Sultaniya in February 2012.⁷⁰⁴

Witness SYR.WGA.584 also recounted how personnel of the Army and pro-Regime militias "raped women – daughters in front of their mothers and mothers in front of their daughters."⁷⁰⁵

Witness SYR.WGC.513, who was a part of the Arab League Monitoring Mission to Syria in December 2011, saw a 15-year-old girl in an acute psychological condition as a result of being raped by pro-Regime elements. These militia allegedly forced her father to rape her and her brother to rape his mother. When they refused, everyone but the girl was killed.⁷⁰⁶

Witness SYR.WGA.818 described two videos which showed security personnel raping a young girl in front of her mother and a father and son being forced to rape the women in their family. The witness personally saw the videos on the cell phone of a security personnel captured in February 2012.⁷⁰⁷ Witness SYR.WGA.694 additionally heard seven or eight accounts of rape during home

⁷⁰¹ Witness Interview SYR.WGA.676.

⁷⁰² Witness Interview SYR.WGA.848. *See also* Witness Interview SYR.WGA.746 (while helping to rescue the family of one of his friends from Basatin Baba Amro in the last week of February 2012, the witness encountered five females, three of whom were young girls, who told him that "Iranian elements" and "*shabiha*" had raped them).

⁷⁰³ Witness Interview SYR.WGA.818 (also stating that he was informed by ten families from Baba Amro that their daughters had been raped by soldiers and "*shabiha*"). *See also* Witness Interview SYR.WGA.765 (witness informed by a relative of the rape of two sisters at their home in Jawrat Al-Arais on 1 March 2012).

⁷⁰⁴ Witness Interviews SYR.WGA.584, SYR.WGA.585; SYR.WGA.638; SYR.WGA.673; SYR.WGA.694; SYR.WGA.742; SYR.WGA.818; SYR.WGA.831; SYR.WGC.513.

⁷⁰⁵ Witness Interview SYR.WGA.584.

⁷⁰⁶ Witness Interview SYR.WGC.513.

⁷⁰⁷ Witness Interview SYR.WGA.818.

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raids in Sultaniya in which the male members of families were tied up and forced to watch the women being raped.⁷⁰⁸

Three insider witnesses referred to cases of rape in Homs during raids.⁷⁰⁹ Witness SYR.WGA.792 – a former member of the Syrian Army who previously served in the 112th Brigade, 5th Division – reported that the above-mentioned 1st Warrant Officer Abu Ibrahim, who was the Head of the Counter-Terrorism Section of the Political Security Branch in Homs, was involved in the rape of women in Baba Amro neighbourhood during the February 2012 raids. The witness referred to two additional members of a pro-Regime militia who took part in sexual assaults: Muhammad Zarzour from Jawrat al-Arais and his brother Hassan Zarzour.⁷¹⁰ Witness SYR.WGA.628 (former Sergeant in the 41st Special Forces Regiment) and witness SYR.WGA.802 (a driver at the Military Intelligence Branch in Homs) reported incidents of rape which occurred in Homs between February and May 2012.⁷¹¹ Similar accounts were recorded by the Commission of Inquiry, corroborating this pattern of conduct.⁷¹²

Numerous witnesses provided additional hearsay accounts of incidents of sexual violence at various other locations in Baba Amro and surrounding neighbourhoods between February and July 2012,⁷¹³ including at the Al-Zirai Hall (located on Al-Joulani Street and often described as a

⁷⁰⁸ Witness Interview SYR.WGA.694.

⁷⁰⁹ Witness Interviews SYR.WGA.628; SYR.WGA.792; SYR.WGA.802.

⁷¹⁰ Witness Interview SYR.WGA.792.

⁷¹¹ Witness Interviews SYR.WGA.628; SYR.WGA.802.

⁷¹² See UN Human Rights Council, 3rd Report of the independent international commission of inquiry on the Syrian Arab republic, 16 August 2012, A/HRC/21/50, Annex IX, at para. 9 (reporting that in late February to early March 2012, a group of forty to fifty men wearing military clothes entered a home in the city of Homs and raped an entire family – including the father, mother, and 14- and 11-year-old daughters. The family members were also forced to watch the rape of their relatives. An account obtained from a Syrian military defector who was deployed in Homs during the military operations in February 2012 further indicates that troops were ordered to force rebels to watch the sexual assault of their wives and daughters).

⁷¹³ Witness Interviews SYR.WGA.519; SYR.WGA.633; SYR.WGA.672; SYR.WGA.679; SYR.WGA.713; SYR.WGA.720; SYR.WGA.726; SYR.WGA.729; SYR.WGA.742; SYR.WGA.756; SYR.WGA.765; SYR.WGA.769; SYR.WGA.778; SYR.WGA.787; SYR.WGA.783; SYR.WGA.792; SYR.WGA.805; SYR.WGA.806; SYR.WGA.834.

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wedding hall);⁷¹⁴ the Consumer Establishment;⁷¹⁵ and a “brothel” in Baba Amro, run by Abu Ibrahim, where a number of women and girls were allegedly detained.⁷¹⁶

Sexual violence against males

Rape and sexual violence was likewise inflicted upon men detained during and in the aftermath of the February to March operations.

Witness SYR.WGA.756, who was detained during Regime operations in Baba Amro neighbourhood in February 2012,⁷¹⁷ stated that a fellow detainee was sodomised. The witness heard the victim screaming while being tortured and later saw him with blood dripping from his anus.⁷¹⁸ The witness indicated that a Shia member of the security forces named Abu Zaher forced a wooden stick into the anus of the detainee.⁷¹⁹

Witness SYR.WGA.519, who was arrested on 2 March 2012 together with some of his neighbours and taken to a stadium, was forced to strip naked, handcuffed and had gasoline poured over his body.⁷²⁰

IV. Conclusion

This report has provided information on the Syrian Regime’s Governorate and operation-level institutions in Homs; contextual elements of crimes allegedly committed in Homs Governorate; and a presentation of the alleged crimes. CIJA stands ready to respond to further enquiries regarding this report and answer other requests in the future.

⁷¹⁴ This location is mentioned in the accounts of five witnesses. *See* Witness Interviews SYR.WGA.713; SYR.WGA.765 (describing the incident as notorious among residents of Baba Amro); SYR.WGA.778; SYR.WGA.783; SYR.WGA.806.

⁷¹⁵ Witness Interviews SYR.WGA.720; SYR.WGA.672.

⁷¹⁶ Witness Interview SYR.WGA.834. *See also* Witness Interview SYR.WGA.672 (stating that in February 2012, minor girls from Baba Amro were obliged to act as “comfort women” for Syrian Army officers); SYR.WGA.679 (a former member of the Air Force Intelligence Branch in Homs heard that a certain Colonel Majid Abu Aid had participated in the sexual assault of female detainees).

⁷¹⁷ Witness Interview SYR.WGA.756.

⁷¹⁸ Witness Interview SYR.WGA.756.

⁷¹⁹ Witness Interview SYR.WGA.802 (also alleging that the same Abu Zaher offered sex with detainees in return for payment).

⁷²⁰ Witness Interview SYR.WGA.519.

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Bilaga - Skäligen misstänkt

Enhet
Nationella Operativa Avdelningen, Krigsbrott 1 UtrS NOA

Diariernr
5000-K622888-18

Skäligen misstänkt person
Hamo, Mohammed

Personnr
19581020-0559

Identifierad Kontrollsätt
Ja ID-kort bank

Kommentar
9752272696701164645



Personalia och dagsbottsavgift

Utskriftsdatum
2023-11-20

Namn Hamo, Mohammed		Personnummer 19581020-0559	
Tilltalsnamn	Kallas för	Öknamn	Kön Man
Födelseförsamling	Födelseän	Födelseort utland Latakia	
Medborgarskap Syrien	Hemvistland Sverige	Telefonnr	
Postadress Hagalundsvägen 15 LGH 1103 681 34 Kristinehamn			
Folkbokföringsort Kristinehamn			
Föräldrars/Vårdnadshavares namn och adress (beträffande den som inte fyllt 20 år)			
Utbildning			
Yrke / Titel			
Arbetsgivare		Telefonnr	
Anställning (nuvarande och tidigare)			
Arbetsförhet och hälsotillstånd			
Kompletterande uppgifter			
Uppgiven inkomst	Bidrag	Hemmavarande barn under 18 år	
Försörjningsplikt		Skulder	
Förmögenhet			
Kontroll utförd			
Taxerad inkomst		Taxeringsår	
Taxeringskontroll utförd av		Datum - -	



Polisen

Underrättelse/Delgivning jml RB 23:18a

Enhet

Nationella Operativa Avdelningen, Krigsbrott 1 UtrS NOA

Ärende

Diariernr

5000-K622888-18

Underrättad av

Hector, Cecilia

Gärning

Folkrättsbrott (grovt) Fullbordat, OKÄND PLATS I SYRIEN null, mellan 2012-01-01 och 2012-07-20

Berörd person

Personnr

19581020-0559

Efternamn

Hamo

Förnamn

Mohammed

Underrättelsesätt

Muntlig underrättelse

Datum för muntlig underrättelse

2023-08-04

Yttrande senast (rådrum)

2023-11-15

Notering

Tagit del av ett exemplar via advokaten.

Resultat av slutunderrättelse

Ingen erinran

Information gällande erinran

Försvare

Namn

Kilman, Mari

Underrättelsesätt

Muntlig underrättelse

Datum för muntlig underrättelse

2023-08-04

Yttrande senast (rådrum)

2023-11-15

Notering

Tagit del av ett exemplar.

Resultat av slutunderrättelse

Ingen erinran

Information gällande erinran