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Written statement* submitted by Physicians for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

* Issued as received, in the language(s) of submission only.



Attacks on Medical Facilities and Personnel in the Syrian Arab Republic: Documentation of War crimes and crimes against humanity by Physicians for Human Rights

Summary

Since its inception, the conflict in the Syrian Arab Republic has been characterized by belligerents' blatant disregard for international laws and norms. Prominent among the profusion of human rights and international humanitarian law violations have been attacks on medical facilities that amount to war crimes, and that could rise to the threshold of crimes against humanity given their widespread and systematic nature. Using exacting research methods, Physicians for Human Rights (PHR) has documented and mapped 550 such attacks over the course of the conflict (from 2011 through 2018), indicating both indiscriminate attacks affecting patients, health personnel, and facilities as well as the deliberate targeting of medical infrastructure as part of a broader strategy of war. PHR has also documented the killing of 893 medical personnel. The PHR documentation shows that the Syrian government and its allies, including the Russian Federation, have been the primary perpetrators of attacks on medical facilities and personnel. At a time when the conversation about Syria is shifting toward reconstruction and stabilization, it is more vital than ever to maintain focus on these egregious human rights violations and war crimes that have been, and continue to be, perpetrated in Syria, and to re-center the discussion on protection, justice, and accountability as the only viable underpinnings of a peaceful Syria.

PHR's Methodology

PHR has researched, documented, and corroborated attacks on medical infrastructure since March 2011. PHR collected information and verified reports primarily through open source methods, with substantial support from a wide range of sources in Syria and the region. For the purposes of its study, PHR has defined "attack" as a violent assault upon a facility resulting in any destruction, damage, or loss of the facility's function, equipment, or medical supplies. PHR has been mapping attacks on medical facilities that were used for medical purposes at the time of attack, and therefore protected under international humanitarian law. Medical facilities used for military purposes at the time of the attack were not mapped as incidents.

PHR's Key Findings

Between March 2011 and December 2018, PHR documented and verified a staggering 550 attacks on at least 348 separate hospitals, clinics, and other medical facilities across Syria. Of that total, 494 (or 90 percent) are assessed to have been perpetrated by the Syrian government or its allies, including the Russian military, 32 by perpetrators from various non-state armed opposition groups, three by international coalition forces, and 22 by unknown actors. Tellingly, 57 percent of facilities have been attacked more than once, with some subjected to more than five attacks in relatively short time spans. For instance, between 2014 and 2018, the Kafr Zita Specialty Hospital in northern Hama was pounded from the air by the Syrian government and its allies on 13 separate occasions that PHR was able to verify. The nearby, but more isolated, Hassan al-Aaraj Hospital, established in a cave 22 feet underground for additional security, was itself targeted on six separate occasions between 2016 and 2018. Multiple attacks on single facilities clearly point to intentional targeting by the Syrian government and its allies.

Another indication of the deliberate nature of attacks on health care in Syria are "double-tap" attacks – where a first strike, typically on a civilian area, is closely followed by a second on the same target aimed to injure or kill medics and others who are responding to the initial attack. Between 2012 and 2017, PHR documented 46 such attacks. Banned

weaponry, including cluster munitions and chemical weapons, have been used in several attacks on health facilities.

In addition to verifying and mapping attacks on health facilities, PHR has documented the killing of 893 healthcare workers since the beginning of the conflict. As is the case with facilities, most health care workers (90 percent) are assessed to have been killed by the Syrian government and its allies, with 169 deaths attributed directly to torture or execution. Health care workers in Syria have been routinely arrested, kidnapped, detained, tortured, executed, and forcibly disappeared due to their impartial provision of care. Based on existing documentation,¹ many of these medical professionals are assumed to have been targeted by the Syrian government under the banner of anti-terrorism laws 19 and 22, sweeping legislation the regime has deployed to justify its widespread campaign of arrests and detention of civilians. Physicians, nurses, paramedics, and even health care students are among the many who continue to languish in Syrian government prisons and whose fates remain unknown.

Conclusion and Recommendations

International humanitarian law requires special protections for medical personnel and facilities to ensure the functioning of health care throughout a conflict. International humanitarian law also prohibits the targeting of civilians, including wounded combatants receiving care. Any attack that deliberately targets health care facilities, or that does not take appropriate measures to avoid the destruction of health care facilities, is potentially a war crime.

Effectively, the protected status of health facilities and providers under international law has been blatantly disregarded by parties to the Syrian conflict, and most egregiously by the Syrian government. Attacks on health care have persisted throughout the conflict, despite the Security Council's adoption of Resolution 2286 in 2016 and repeated international calls for the end of impunity for those responsible. A reliable field source recently told PHR that attacks on health facilities have been so common that Syrians have taken to saying that hospitals bring only detriment to the areas they operate in. Noting the absurdity of the situation, the same contact told PHR that even military outposts have moved away from the vicinity of health facilities, finding that these tend to compromise their security.

The consequences of the widespread and systematic assault on health care has been disastrous for Syrian civilians, and its impact is bound to be felt for years to come. The targeting of medical care, like the denial of humanitarian access and the strangling of vital supplies through sieges and other means, has been as intentional and cruelly effective at killing civilians as the tons of ordinance rained down on civilian areas throughout the conflict. When health facilities are destroyed and medical workers are killed, an untold number of people suffer and potentially lose their lives because of lack of treatment: preventable illnesses become life-threatening conditions; minor injuries grow into debilitating ailments; routine medical procedures become loaded with risk.

- PHR calls on all parties to the conflict in Syria to immediately cease acts of violence against civilian persons and objects in violation of international humanitarian law, and to take all possible measures to protect civilians from the impact of hostilities.
- PHR calls on the Syrian government and other parties to the conflict to account for the fate and whereabouts of missing and detained health care workers.
- PHR calls on the Syrian government and other parties to the conflict to release all health care workers detained for their medical or humanitarian work and allow them to return to their work without restriction or reprisal.

¹ [https://www.refworld.org/docid/523c24704.html%20\(Source%20Review\)](https://www.refworld.org/docid/523c24704.html%20(Source%20Review)); <http://www.vdc-sy.info/pdf/reports/1430186775-English.pdf>

- PHR calls on the Syrian government to cease conflating humanitarian work and free expression with acts of terror or support for acts of terror and to cease its campaign of arrest, detention, enforced disappearance, and execution of medical workers under the banner of anti-terror laws.
 - PHR calls for the continuing support of efforts to document violations of international laws and principles, with justice and accountability as an essential response to such crimes. Sustainable peace and stability in Syria must be built on the firm foundations of a sincere accountability process involving all parties to the conflict.
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