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Human rights situations that require the Council's attention

Note verbale dated 6 June 2012 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and Other International Organizations in Geneva addressed to the Office of the United Nations High Commissioner for Human Rights*

The Permanent Mission of the Syrian Arab Republic to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights.

Further to its previous notes verbales regarding the prevailing situation in the Syrian Arab Republic and in keeping with the transparent and credible approach that the State has taken to laying out the facts about what is happening in Syria, the Mission has the honour to present herewith the preliminary findings of the national committee that investigated the horrific and despicable massacre in Houla. The investigation is being conducted openly and transparently and the Government has provided full cooperation. The witnesses from whom the information is drawn come from the region in question. Syria has made the preliminary findings public in keeping with its self-imposed pledge to establish a national committee of investigation and, within three days, to present its preliminary findings. Testimony from eyewitnesses who saw the massacre is also provided, but the Government has not disclosed the witnesses' identities for fear of reprisals by armed terrorist groups.

According to the preliminary findings of the report by the judicial committee of investigation into the Houla massacre, all the victims came from law-abiding families that refused to rise up against the State, had never once participated in demonstrations or taken up arms and were in disagreement with armed terrorist groups. The victims died after being shot at close range or struck with sharp instruments – not in bombardments.

According to the preliminary findings, armed terrorist groups that had gathered in Houla murdered the victims during an attack against law enforcement forces. The latter did not enter the area where the massacre took place. Many of the bodies found were those of terrorists killed in clashes with law enforcement forces.

* This note verbale has been reproduced as received.

Staff Brigadier General Jamal Qasim al-Sulayman, the chair of the committee of investigation, points out that these are preliminary findings; the investigation is continuing and due care is being taken to protect the witnesses and the evidence.

Al-Sulayman states that the committee of investigation was formed pursuant to Administrative Order No. 42 of 28 May 2012 issued by the General Command of the Army and the Armed Forces. The investigations are based on eyewitness accounts that can be directly verified and that have been provided by individuals who witnessed this horrifying massacre. The preliminary report draws on evidence and factual information about the armed attack against law enforcement forces in the township.

The chair of the committee explains that law enforcement forces were concentrated in five positions in the Houla area. The objective of the armed assault was to completely erase all traces of a State presence there and to wrest the area from State control.

According to Al-Sulayman, armed men gathered in the village after Friday prayers and launched a coordinated attack supported by from 600 to 800 other armed men who had arrived from neighbouring areas such as Rastan, Si`n, Burj Qa`i and Sam`alin, and were liaising with the armed men. All kinds of heavy weapons were used: mortars, machine guns and various types of armour-piercing missiles. The groups concentrated on two positions held by the law enforcement forces – the main target of the premeditated attack. The first position, Al-Qaws, was at the entrance to the village of Tall Daww. The second was at the Sa`a (clock) roundabout.

According to Al-Sulayman, the armed groups from outside the village began killing law-abiding families in simultaneous attacks during the operation.

Al-Sulayman points out that the massacre took place in an area where there were armed terrorist groups present. Law enforcement officers did not enter the area before or after the massacre, because it was at some distance from their positions and because they were still fending off deadly attacks from the armed terrorist groups. They did not leave their stations, because they were defending themselves from attacks by the terrorist groups. This can be verified from the images of the victims broadcast on satellite television, which show that the victims were killed after being shot at close range or struck with sharp instruments, and not by artillery fire. There were no compression marks, burns or wounds on the victims' bodies consistent with injuries sustained under a collapsing building or from artillery shrapnel. This all shows that the victims were killed at close range.

According to the preliminary information at the committee's disposal, the armed groups set up five mortars in and around Tall Daww so that they could attack any law enforcement forces that entered the village. A striking number of the victims were children. Their murders did nothing to further the goals of law enforcement personnel or the State. They did, however, serve the goals of the terrorist groups, namely, those of causing strife, widening the conflict and undermining national unity. None of this is in the interests of the State or the army.

The chair of the committee of investigation reports, based on checks carried out at the scene and direct testimony, that all the victims came from law-abiding families that had refused to rise up against the State, had never once taken part in demonstrations or taken up arms, and were not in agreement with armed terrorist groups. It was therefore in the interests of the armed groups to kill them, the purpose being to push for humanitarian and military intervention in Syria, in whatever form, and eliminate those who could urge hotheads in the area to be reasonable for the sake of stability in the country.

The main targets of the massacre were the relatives of a member of the parliament, Abdulmu`ti Mashlab. The plan was to take revenge on him for having defied the

perpetrators by standing for and being elected to parliament. However, the plan was overtaken by events and other families got caught up in the massacre.

Al-Sulayman points out that there had been large concentrations of armed men in the area for some time. Thus, no group would have been able to enter the area without it coming to the attention of these men or of affiliated groups. Some of the bodies described as being those of victims of the massacre were in fact those of armed men from outside the town who were killed in the attacks against law enforcement forces.

Al-Sulayman emphasizes that the massacre, timed to coincide with the arrival in Syria of the United Nations Special Envoy Kofi Annan, was carried out by the armed terrorist groups as part of a plan to make the international community believe that Syria was on the brink of civil war: those groups had failed to undermine Syria, which had responded to all constructive initiatives by offering genuine cooperation.

The Syrian Ministry of Foreign Affairs, furthermore, immediately granted international observers permission to go to the scene. When the observers arrived, they found the bodies both of martyrs and of armed men who had been killed in the fighting. The latter were counted as victims of the massacre. The bodies were transported in the armed men's cars to the village mosque to be photographed so as to make it seem like a large massacre. After the observers had been sent there, they were told a barrage of lies while standing in front of cameras so that the pictures could then be sent out to the media.

We have shed light on other massacres, such as those at Karm al-Zaytun and Dayr Ba`albah. The Syrian Government was accused of perpetrating them, but that story was untrue. An investigation is under way and other leads are being uncovered. The international media focuses on some massacres rather than others when a particular confessional group is involved. In Syria, we refuse to look at Syrian nationals in terms of their confessional identity and we will continue to refuse to do so. Syria will not allow itself to behave in such a manner.

We wish to inform you that there are circles and dark forces working around the clock to tear at the very fabric of Syrian society and to spark off a sectarian conflict. Even after the Houla massacre, there was an attempt to attack another village inhabited by people from a different confessional group; however, the armed terrorist groups failed in their mission.

The number of terrorist operations and bombings in Syria has increased of late. The committee provided information on some of those incidents in its oral briefing. A question needs to be asked as to who stands to gain from an escalation in bomb attacks and terrorist operations. Syria honours its international commitments and has signed an understanding and a preliminary six-point plan. The other side must abide by declared commitments, however. There are States whose ministers for foreign affairs openly declare that they are arming, funding and harbouring terrorists. It follows that there is a side that has nothing to gain from the Annan plan, whose success would also be a success for Syria.

In his speech before parliament on 3 June 2012, on the occasion of the opening of parliament under the new Constitution, the President of the Republic drew attention to the horror of the Houla massacre and how it had been used in the most abject manner for propaganda against Syria. He said:

“We have described what happened in Houla, Qazaz and Maydan [two terrorist explosions that hit Damascus], Dayr al-Zawr [a massacre a few days before, in which armed terrorist groups killed 11 labourers who were going to work and then sought to put the blame on Syria], Aleppo [a terrorist bombing in the city] and many other parts of Syria as despicable and barbaric massacres. In truth, not even barbarians would commit the acts that we have seen, particularly the Houla

massacre. I do not believe that the Arabic language, or even the language of mankind, is capable of describing what we have seen (...).

After the despicable Houla massacre, they blamed the Armed Forces. At first, they said that artillery and tanks had been used. Then, they instantly retracted that story because they could sense the public outrage. They realized that to accuse the Armed Forces of a crime was to accuse every Syrian citizen, without exception, of being a criminal and a terrorist. So they changed tack and started talking about so-called pro-Government militias.”

That story is not true either, as is clear from the committee’s preliminary findings, set out above.

With regard to the witnesses to the crime, extracts of testimony from two witnesses are provided below. The witnesses’ identities have not been disclosed in order to protect them from reprisals from armed terrorist groups.

The first witness gave the following account:

“Three days before the massacre, they were talking about something that would happen on Friday, something special, something big. They kept talking about it, so much so that we became very anxious to know what the big event would be.

On Friday, after the noon prayer, a group of armed men gathered in the northern quarter, near the checkpoint at the Sa`a roundabout. Other large groups headed towards what we call the Sadd (barrage) road — the State refers to it as the Tripoli road — and to the area called Nasiriya and the Sittu road, where the Abu Zayd pastry shop is located, the road which leads to the Al-Zahir family’s marble workshop.

The armed group in the northern quarter began to shoot into the air in order to keep those manning the Sa`a checkpoint busy and make them think that they were going to shoot at it and attack it. It would have been very difficult to reach it or take control of it from those areas.

I went to the Sadd road. I was with some large groups: the Salafi Khalid Abu al-Wahid group, the Abdulmalik al-Salih group, the Nidal Bakkur group, the Haytham al-Hisan group, the Ikrimah group, a group from Aqrab, one from Kafr Laha, one from Tall Dhahab, and many outsiders who were heavily armed. They started shooting at random in the vicinity of the law enforcement post and they hit it, as well as civilians and homes.

Many of them did not know how to use a weapon. One of them was using a PKC machine gun, but he could not control it and was thrown backwards. Another man launched a rocket-propelled grenade. Instead of hitting the law enforcement post, it hit the Zukahi family home, killing two people. All of this happened in full view of the armed men.”

The eyewitness added that most of those who were killed died because the armed men were on a mission to eliminate a particular family, one of whose members was a member of parliament. The family had not participated in demonstrations, had sided with the State and kept away from trouble. It had money but had not bought weapons for or donated money to armed men for them to buy weapons. There was also an element of revenge and there were some long-standing family rivalries. The Al-Sayyid family was closely connected to the member of parliament. They (the assailants) wanted to “give him this as a present for his success in parliament”.

The eyewitness also said:

“The Al-Hisan group hate the Al-Sayyid family intensely. They are killers. Their business is not revolution but abduction, killing, plundering and stealing petrol from pipelines. They have millions. This group was in front of the Al-Sayyid home, on the other side of the road, next to the Abu Zayd pastry shop. They spread out and opened fire at random. Their weapons were not trained on the law enforcement post, but in the opposite direction, on the home of Uqbah al-Sayyid and of his brother and sister-in-law and the children who died. There was another house next to the Al-Sayyid home. It belonged to a relative of Nidal Bakkur. Why were the owners spared when their neighbours were killed?

On the other side were the house of the Al-Gharar family, the house of the Haddu family and Ali Bakkur’s house. Nothing happened to them – so why target that house specifically? The same goes for the house of the Abdul Razzaq family. There are homes next to it. One is the house of a mathematics teacher from the Na`san family – why did nothing happen to him or to his family? His house was next to the law enforcement post, only five metres away. The massacre happened because the armed men wanted to target those families.”

Using a map of Tall Daww, the eyewitness explained the locations of the homes in which the crimes took place; the location of the law enforcement post and checkpoints; the places where the armed men had gathered; and how they had carried out their planned, premeditated attacks.

The second eyewitness said:

“Last Friday — never mind the Friday before — there were large numbers of armed men and many unfamiliar faces in the Tall Daww area. Armed men started shelling the law enforcement checkpoint from our quarter. The man firing the shells was Fayiz al-Uksh. The men at the checkpoint spotted him and returned fire, hitting him in the leg. He was taken to a field hospital in Kafr Laha.

These people then launched a heavy gunfire attack at the checkpoint. Other groups were receiving messages, which we could hear. We could hear them talking to one another on radio telephones. Most of the men in the group were in the Nasiriya and Sadd areas, opposite the second checkpoint, known as the ‘Mafraza’ (post), which had been set on fire. Another group stayed where we were to distract those at the checkpoint.

There were several groups: one from Aqrab, one from Kafr Laha, one from Tall Dhahab, one from Tayyibah and several from Rastan. They were talking on radio telephones. We could hear them. They were saying: ‘Get me the Tall Dhahab group’, or the Aqrab group, or the Rastan group.

The groups included people from outside our village that we were seeing there for the first time. There were people from Tallaf and Burj, but not very many.

The attack on the checkpoint started at the same time, at about 1.30. When it fell, several officers lay dead, as did a great number of the armed men; they took some three hours to move them.

The armed men shelled a BRDM armoured vehicle; we could see the smoke billowing up from it. They stole ammunition and weapons from the law enforcement post and took them to the northern quarter, where they handed them round to one another.

The armed men set fire to the post immediately after looting it. They also set fire to the hospital and to a wood behind it which is very close to the barrage and the National Hospital. When we passed by we saw the blackened trees.

After the post fell, I heard one of the men, whose name is Ikrimah al-Salih, talking on the radio telephone to two men called Nidal Bakkur and Khalid Abdulwahid. Nidal Bakkur was saying to him, 'Send me a group of outsiders because we have a second operation.' At that moment, Haytham al-Hallaq walked by. He was carrying a cleaver in his hand as well as his weapon. He went over to the Nasiriya group, which he leads. It was a group of some 200 armed men, the biggest group, and it specializes in robberies and abductions.

The attack on the post came straight from the Nasiriyah area and the Sadd Road. After they got control of it, Nidal and Khalid talked and they sent them groups of outsiders. The person talking to him said that he would send him a group from Aqrab. The person talking did not seem to know who the leader of the group was. So he asked him who the leader was, because he had mentioned the leader's name. He said that the person leading the Aqrab group was called Yahya Yusuf. The Kafar Laha group was not mentioned, which shows that they knew.

The groups headed off in the direction of Al-Khazan, where there are roads leading to the Sadd road. At around 7 p.m. we learned that the massacre had taken place. So, only two hours elapsed between the time the post was overrun and the time that the people were killed.

At 8 p.m. they took the bodies to a mosque in the northern quarter, far away from the scene of the fighting where they were. It was the Al-Ram Mosque. Then a person called Ghalib al-Yusuf called and told him to send him 'Kia' cars.

We saw them driving in the cars at 8 p.m. The post had been completely overrun and the army reinforcements had not arrived yet.

The dead were from families of the Al-Sayyid clan. Mu`waiyah al-Sayyid was a police officer who had not deserted. He was certainly targeted, because anyone who does not desert is a target and his life is in danger. He was trying to ensure his safety. His house was close to a security checkpoint. That is why he did not leave the village.

There was a second family from the Al-Sayyid clan and a third related to Abdulmu`ti Mashlab. So, they were relatives of the Mashlab who was elected as parliamentary secretary in the People's Assembly. There was also the Abdul Razzaq clan. I know they are loyalists, except for one family among them which has taken up arms. The Abdul Razzaq clan comprises four families. They were attacked. Their homes are on the Sadd road behind where the detachment was positioned, beside the river.

The houses of the Al-Sayyid family were next door to those of the armed men. A member of the so-called *Shabihah* was staying there. They killed them. Why did they not kill the children of the armed men? Why did they kill people in those houses specifically? There are many houses next to those of the armed men from the Al-Halaq clan — we call them the Al-Hisan clan — and the Abdul Razzaq and Bakur clans. Why was nobody from the Bakur clan killed? Why did they kill just the children of the Abdul Razzaq clan?

And there was the Fa`ur family. They have all taken up arms. The famous cameraman is from the family — one of them died and his brother immediately took his place — and he works for Al Jazeera. Why did none of them die when their houses were all full? The many bodies that they took out in front of the observers to

make it seem like they were those of people killed in a bombardment were mostly those of armed men as well as of other families that were killed.”

The Permanent Mission of the Syrian Arab Republic should be grateful if the present note could be issued in all the official languages of the United Nations and circulated as a document of the Human Rights Council at its twentieth session.

The Permanent Mission of the Syrian Arab Republic takes this opportunity to convey to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.
