

Lebanon/Syria: End Indiscriminate Cross-Border Attacks
Human Rights Watch
22 April 2013

(Beirut) – All parties to the conflict in Syria should stop indiscriminate cross-border attacks on inhabited areas in Lebanon, Human Rights Watch said today.

On April 14, 2013, a Syrian opposition armed group, identifying itself as Omar al-Farouq Brigade, shelled the Shia villages of al-Qasr and Hawsh al-Sayyed in northern Bekaa killing two civilians and wounding three.

The nature of the rockets and launchers that appear to have been used, together with the lack of any evidence of military targets in the villages, strongly suggests these attacks were indiscriminate and therefore violate the laws of war.



© Human Rights Watch

Shia villages were shelled in northern Bekaa again on April 20 but no casualties were reported and no opposition group claimed responsibility. Syrian government forces have also previously shelled and conducted air strikes on areas inside Lebanon, killing at least two civilians and wounding four in attacks on Wadi Khaled in July 2012.

Both the Syrian government and armed opposition fighters have said their strikes in Lebanon are aimed at armed groups participating in hostilities in Syria from Lebanon. During visits to the affected villages, residents told Human Rights Watch there were no military targets near the strike sites. Human Rights Watch saw no signs of military targets during site visits within days of the strikes.

“Even if fighters are present in Lebanon, there is no excuse for any warring party to conduct indiscriminate strikes on residential areas,” said Nadim Houry, deputy Middle East director at Human Rights Watch. “All sides need to take all feasible precautions to protect civilians.”

In the latest cross-border attack, a number of shells and rockets fired from Syria fell on the towns of Hermel, Sahlat al-Ma’, and al-Qasr, in northern Bekaa on April 20. No casualties were reported. A Hermel resident told Human Rights Watch by phone that three to four shells fell during the attack that began around 6:00 p.m. He told Human Rights Watch there were no military targets in the vicinity of the strike sites, and that no attacks were launched from his town before or after the strikes took place. The National News Agency reported that two rockets hit the village of Sahlat al-Ma’, and three rockets hit the village of al-Qasr, both in northern Bekaa. The impacted towns are Hezbollah strongholds.

On April 14, a Syrian armed opposition group launched two rockets on the village of al-Qasr in the northern Bekaa, which both landed within 20 meters of the Imam al-Mahdi mosque.

According to local residents, at around 4 p.m., one rocket struck a wall surrounding a courtyard and damaged nearby homes and stores. All residents interviewed by Human Rights Watch denied the presence of any fighters or military targets in the vicinity of the strike. Human Rights Watch visited the site of attack and confirmed the physical damage.

A second rocket struck minutes later, killing Ali Hasan Qataya, 30, who was visiting from Beirut to see his fiancée, who was injured. Residents said that it was the first time Ali had visited the area and that he was doing so only to see his fiancée. At the time of the strike Ali and his fiancée were on a motorbike fleeing the area after the first rocket struck. A 20-year-old Lebanese man who was also injured in the attack spoke to Human Rights Watch from his hospital bed:

I was passing on the road in front of the Imam al-Mahdi mosque at around 4:00 p.m. I was walking alone, and as I was passing I felt a strike and I fell. I was hit in my shoulder and in the head with shrapnel. ... I passed out when it happened and came in and out of consciousness in Hermel, but wasn't really conscious until we were in the hospital. At the time of the attack there were just three or four people around. ... The Lebanese army told us it was a 107mm rocket [used in the attack].

The 107mm rockets said to have been used in the strike are unguided rockets that are prone to indiscriminate use because of their inaccuracy. A video posted on YouTube on April 14 by the Syrian opposition al-Qusayr Media Center purports to show the rockets being launched by a Syrian opposition battalion into Lebanese territory. In the video, the battalion is seen using improvised launchers, which also significantly increases their inaccuracy.

One of the improvised launchers has been identified by Eliot Higgins, who blogs on military hardware and tactics used in Syria under the pseudonym "Brown Moses," as also appearing in several other videos belonging to the Omar al-Farouq Brigade. The same individual is operating the launcher in all of the videos, including the video posted by the al-Qusayr Media Center on April 14.

In a second incident on April 14, a rocket struck the village of Hawsh al-Sayyed Ali, also in the Hermel region, killing Abbas Hussein Kheirdein, 13. The boy's father, who spoke to Human Rights Watch at a memorial service for his son, said he was killed at around 5:00 p.m. on Sunday, within 15 meters of their home. He said that his son had just returned from school, dropped his bag at home, and was heading out to their orchards when the rocket struck, killing him. According to Abbas's father, there are no fighters in the area surrounding his house.

According to media reports, a commander identified as a member of the independent Farouq Battalion claimed responsibility for the April 14 attacks saying that they were in retaliation for strikes from Hezbollah from these areas earlier in the day. Agence France Press quoted him as saying:

Yesterday [April 14], Hezbollah bombarded Qusayr, Nahriyeh, Burhaniyeh and Saqarji from its positions in Qasr and Hosh Sayid Ali. They bombed civilians and killed many women and children. ... If we have to, we will target civilians just like they do. Our civilians are not less valuable than theirs. Hezbollah is killing arbitrarily in Syria. ... Yesterday, we responded. We hit back at Hezbollah's positions.

In October 2012, the Daily Telegraph reported that Hezbollah was conducting attacks on rebel positions in Syria from the Bekaa. Local residents in al-Qasr and Hawsh al-Sayyed denied to Human Rights Watch that any strikes were launched into Syria from their villages. Human Rights Watch has no independent information on whether any strikes into Syria did occur.

In a statement on April 15, the Syrian opposition coalition called on the Lebanese government to stop Hezbollah from conducting operations inside Syria and the Free Syrian Army in Homs to respect Lebanon's sovereignty.

Human Rights Watch has also documented cross border attacks by Syrian government forces that have killed or wounded civilians.

On July 7, 2012, Syrian government forces shelled the Lebanese villages of al-Mahatta and Hishe in Wadi Khaled. The attacks killed Nadia Ahmad Al-Ouwaishi, 25, in al-Mahatta, and an 8-year-old child in Hishe, and wounded the boy's father and three siblings. A neighbor who spoke to Human Rights Watch in Hishe said:

I was in the house when the explosion occurred. ... I went outside and I couldn't believe what I saw. I saw children everywhere all on the floor not moving. My [Lebanese] brother and another Syrian man were with me. I saw a finger on the ground. We didn't know what to do or from where to start. ... The Red Cross came and took the bodies of the children and [their father who was injured].

More recently, Syria's air force conducted air strikes near the border town of Arsal in the Bekaa on March 18 and April 3, with bombs falling in Lebanese territory, but no casualties were reported. Lebanon's president issued a statement saying that the Syrian strikes were unjustified; media reports said he reviewed assessments showing that the targets were non-military. On April 11, Syria's air force launched missiles on an area in Lebanon known as Seeraj al-Ajram, located 4 kilometers northeast of the town of Arsal. Media reported that the attack wounded at least five Syrians. The area has been used to smuggle goods between Lebanon and Syria, but is also a transit area for fleeing refugees. Human Rights Watch has no information whether those wounded were civilians or combatants.

Syria's government had warned Lebanon on March 14 that it would attack rebel sites inside Lebanon if incursions from across the border didn't cease.

"As parties in Lebanon get further involved in the conflict in Syria, civilians increasingly pay the price of indiscriminate attacks from across the border," Houry said. "Security in border areas will almost certainly deteriorate unless the government takes measures to secure such areas."

Under international humanitarian law, parties to an armed conflict must at all times distinguish between combatants and civilians. Customary international law requires that operations be directed only against combatants and other military objectives; civilians and civilian objects may not be the target of attacks. Deliberate, or disproportionate attacks against civilians and civilian objects, or indiscriminate attacks are prohibited.

Indiscriminate attacks are those:

Which are not directed at a specific military objective;

Which employ a method or means of combat which cannot be directed at a specific military objective;

Which employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law; and

Consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

© Human Rights Watch, 2013