



## EVERYWHERE BURST INTO FLAMES

A REPORT ABOUT THE AERIAL BOMBARDMENT ON THE AREA OF  
OMAR IBN AL KHATTAB MOSQUE IN THE CITY OF AL BOUKMAL,  
DEIR EZZOR PROVINCE, IN 2015

June/2019

منظمة العدالة من أجل الحياة  
Justice For Life Organization



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**Contents:**

FIRST: EXECUTIVE SUMMARY:.....4

SECOND: BACKGROUND:.....5

Third: Reports Issued by JFL about Aerial Bombardment on Deir Ezzor:.....7

FOURTH: ABOUT JFL:.....8

FIFTH: THE LEGAL FRAME:.....9

SIXTH: METHODOLOGY AND CHALLENGES:.....11

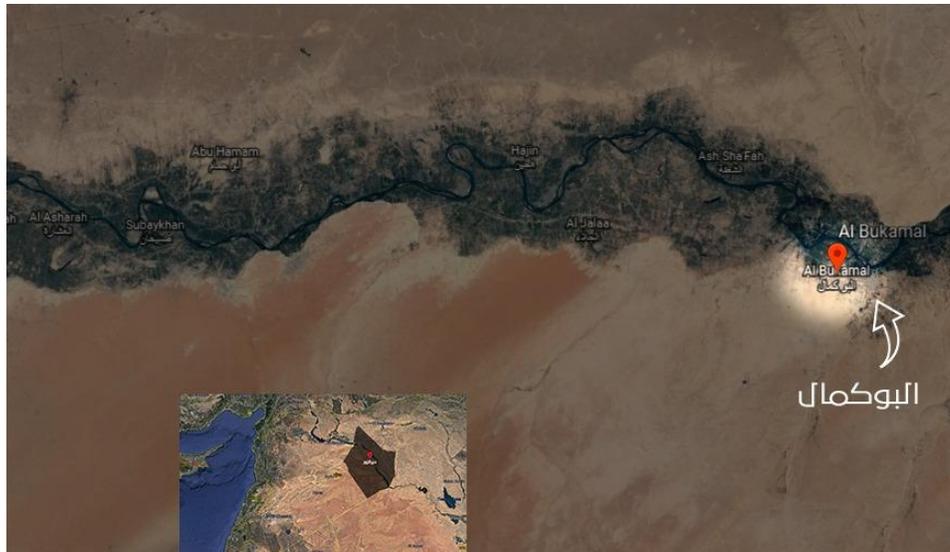
SEVENTH: DRAMATIC HOURS:.....12

EIGHTH: RESULTS:.....19

NINTH: RECOMMENDATIONS:.....20

## FIRST: EXECUTIVE SUMMARY:

Warplanes, likely affiliated to Syrian government forces and their allies, targeted a neighborhood in [Al Boukmal](#) city, nearby the Syrian-Iraqi border in [Deir Ezzor](#) province, on 5<sup>th</sup> November 2015. This resulted in death and injury of hundreds of civilians. According to witnesses, the attack which was locally called “Omar Mosque Attack”, is considered the most violent and bloody one that the city has ever seen.



**Location of Al Boukmal city**

Hamid (pseudonym) says: "I went to the targeted location immediately after the incident, the warplane targeted the commercial and residential area adjacent to the mosque Omar bin al-Khattab, the raid led to the destruction of part of Omar Mosque and the wall of Tishreen school and the fire broke out in shops and houses".

"About ten minutes later, the warplanes targeted the same place at the peak of gathering of civilians to rescue the injured and pulling out the bodies. This raid resulted in a bigger number of victims. At least 120 people, including 23 persons with unknown identity, were killed. ISIS hid some injured", Hamid added.

Muaz, who lost six of his children, said: " I was expecting the school to be targeted, I heard a lot about a weapon depot in the school but I did not see anything with my eyes, I did not expect I will be negatively affected by any bombing as the distance between my house and the school was about 200 meter, which I believed that it is long distance and that missiles cannot mistake to this degree."

The Rule 1 of [the Study on customary international humanitarian law conducted by the International Committee of the Red Cross](#) stated “The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians”.

Justice for Life demands ensuring independent and impartial investigations in the cases detailed in this report, and other reports, as there are information available that indicate that there are violations against the IHL, and bringing persons presumed responsible for their criminal responsibility to trials fall short of international standards.

## SECOND: BACKGROUND:

### 1- Current situation in Deir Ezzor:

By the end of 2017, the Syrian government forces controlled the entire cities, towns, and villages located in the south of Euphrates River following a large scale military operation where hundreds of civilians were injured and thousands were displaced. Most prominent areas that were recaptured were Deir Ezzor city, Al Mayadin city, Al Boukmal city, along with all subordinated towns and villages located in the south of the river.

The province has been targeted by aerial bombardment since 2012 until the end of 2017 as the Syrian government forces recaptured parts of the province

Since 2012, Syrian armed opposition groups have controlled vast areas across the entire province, where the Syrian government could keep only some neighborhoods inside the city of Deir Ezzor along with some military locations.

### 2- Al Boukmal city:

It is located in the east of Deir Ezzor on the Syrian-Iraqi border. It enjoys an importance for different military powers due to its location. Foreign militias fought alongside with the Syrian government forces in the battles to recapture these areas, including Hezbollah, as they established headquarters inside the city.

The city and its countryside has been out of the government forces control since 2012. The local councils that are opponent to the Syrian authorities managed them for a while before Al Nusra Front became the most prominent military power and started obstructing the work of those councils.

The city witnessed critical battles between the armed opposition and Al Nusra Front on a hand, and ISIS on the other, where the latter tried to control the city due to its importance since the very beginning. ISIS killed dozens of populations and fighters in the attack. Following the failure of the first military attack, ISIS launched a second one and was able to control the entire city as dozens from the city were killed and arrested.

### 3- Shelling Omar Ibn Al Khattab Mosque in Al Boukmal city:

November 5<sup>th</sup> 2015, at 10:00, two warplanes targeted a neighborhood in Al Boukmal city nearby Omar Ibn Al Khattab Mosque as it is a pickup point in the city. The aerial bombardment resulted in killing and injuring hundreds of civilians.

This is considered one of the bloodiest attacks on Deir Ezzor province as following targeting the location, the civilians gathered to hospitalize the injured, the location was targeted again. As there were fuel dealers in the area, this increased the numbers of victims. Usually the neighborhood is overcrowded at this time.

The party behind this attack cannot be identified accurately, however, all of the interviewed witnesses confirmed that they did not hear the warplanes sound, yet they saw them flying high with a white color. All of persons interviewed by JFL researchers confirmed that the warplanes were likely of the Syrian government forces and their allies.

### **THIRD: REPORTS ISSUED BY JFL ABOUT AERIAL BOMBARDMENT ON DEIR EZZOR:**

Since 2015, JFL has issued multiple reports on the aerial bombardment that targeted different areas of Deir Ezzor province that resulted in death of civilians including women and children. The following links for the issued reports:

["My Children were not hospitalized as They Passed Away"](#)

["The neighborhood was bombed by more than twenty missiles where my entire family was killed"](#)

["A Voice I Can Never Forget"](#)

["The Entire Family Was Killed"](#)

["Deir-ez-Zor in numbers"](#)

["The Death of 69 civilians Due to the Bombardment of A water Crossing Point and Two IDPs camps in November 2017"](#)

["Like Doomsday"](#)

["The Black September of Deir Ezzor"](#)

["They Died While they were Playing"](#)

["Deir Ezzor.. The Dust of Warplanes"](#)

#### **FOURTH: ABOUT JFL:**

[Justice for Life organization](#), JFL, is a Syrian, independent, non-profit, non-governmental that works on promoting human rights in Syria.

It was established in 2015 by a number of human rights defenders and actors from Deir Ezzor province. This was a fruit of their individual and team defend for human rights in their communities, and documenting the human rights violations that are committed by different parties and powers who have been in the province since 2011, to make it as a platform and space for those who defend human rights and victims in order to advocate and defend their cases in accordance with a legal and professional course, so these violations and acts do not go by no just accountability. It also aims at promoting the human rights in the Syrian society and state on the political, behavioral, and cultural levels in order to ensure access for the victims and their relatives to their rights. In this endeavor, JFL expanded its work in 2016 to be an active and effective part in the national and international alliances and platforms concerned in human rights and documenting violations in Syria, and preparing the profiles of violations and crimes that took place against the Syrians since 2011 according to mechanism and methodologies compatible with international legal standards.

JFL team includes Syrian male and female activists and human rights defenders along with specialized supporting team that includes experts and specialists such as lawyers, judges, doctors, and journalists, who had a role and experience during the past years in the processes of documentations, defend, and advocacy towards human rights in their communities, and on the national level on the other hand, where they depend on their deep belief in principles and values of human rights.

##### **JFL Vision**

Syria is a justice and rule of law state where human rights are inviolable an enshrined.

##### **JFL Mission**

We work in a participatory manner with the exerted efforts locally and internationally in observing and following up the reality of human rights in Syria through observation, documentation, forming evidences, participating in initiating legal actions before courts and specialized parties, promoting the capacity of human rights defenders in Syria, and creating spaces for citizens, especially victims and the marginalized, to express and participate in the course of justice until reaching the state of law and citizenship.

## FIFTH: THE LEGAL FRAME:

### 1- Distinguishing between civilians and combatants:

The Rule 1 of the [Study on customary international humanitarian law conducted by the International Committee of the Red Cross](#) stated “The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians”. According to [Rome Statute of the International Criminal Court](#), “Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities” is considered as a war crime in the armed conflicts not of an international<sup>1</sup> character.

[Additional Protocol II to the Geneva Conventions](#) states “The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited”<sup>2</sup>. “Civilians are persons who are not members of the armed forces. The civilian population comprises all persons who are civilians”<sup>3</sup>.

### 2- Distinction between civilian objects and military objectives:

“The parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Attacks must not be directed against civilian objects”<sup>4</sup>.

### 3- Proportionality in Attack:

“Launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited”<sup>5</sup>

### 4- Precautions in Attack:

“In the conduct of military operations, constant care must be taken to spare the civilian population, civilians and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects”<sup>6</sup>.

“Each party to the conflict must do everything feasible to verify that targets are military objectives.”<sup>7</sup>.

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<sup>1</sup> Rome Statute of the International Criminal Court, Article 8, (2), (e), (i).

<sup>2</sup> Additional Protocol II to the Geneva Conventions, Article 13, 2

<sup>3</sup> Customary International Humanitarian Law, Rule 5

<sup>4</sup> Ibid, Rule 7

<sup>5</sup> Ibid, Rule 14

<sup>6</sup> Ibid, Rule 15

<sup>7</sup> Ibid, Rule 16

“Each party to the conflict must take all feasible precautions in the choice of means and methods of warfare with a view to avoiding, and in any event to minimising, incidental loss of civilian life, injury to civilians and damage to civilian objects”<sup>8</sup>.

“Each party to the conflict must do everything feasible to assess whether the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated”<sup>9</sup>.

“Each party to the conflict must give effective advance warning of attacks which may affect the civilian population, unless circumstances do not permit”<sup>10</sup>.

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<sup>8</sup> Ibid, Rule 17

<sup>9</sup> Ibid, Rule 18

<sup>10</sup> Ibid, Rule 20

## **SIXTH: METHODOLOGY AND CHALLENGES:**

JFL team communicated with witnesses who saw the shelling on the area of Omar Ibn Al Khattab Mosque in Al Boukmal city. It also communicated with the father of six children victims who were killed in this shelling. The report depended on seven testimonies. The testimonies were collected either through direct interviews with the witnesses, or online through Skype and WhatsApp, inside and outside Syria.

The team collected testimonies and pictures available with the survivors, or on the social media. The team validated pictures. The witnesses were informed about the purpose of the testimonies and to have informed consent to publish them.

Many challenges were faced by the team including rejection of some witnesses to talk about the aerial bombardment for security reasons, bearing in mind that the Syrian government forces control the city of Al Boukmal. The witnesses reserve their positions on mentioning their real names. Some details were forgotten due to the long period between the incident and preparing the report.

## SEVENTH: DRAMATIC HOURS:

### 1- Testimony of survivors and people on the site:

All the witnesses confirmed that the bombing was horrible, that they couldn't count the number of dead and injured, and that the injuries were serious, including amputation of the limbs and permanent disabilities.

Hamid (pseudonym) says: "I went to the targeted location immediately after the incident, the warplane targeted the commercial and residential area adjacent to the mosque Omar bin al-Khattab, the raid led to the destruction of part of Omar Mosque and the wall of Tishreen school and the fire broke out in shops and houses".

Fateh (pseudonym) talks about the people's attempt to provide aid to the wounded: " The bombing caused massive destruction to the buildings and the property, I tried with a group of people to go to the house of one of my relatives which was destroyed, I was only able to get there after I climbed onto the rest of the stairs. Six of my relative's children died as a result of the bombing"

Zaher (pseudonym) who was passing through the region at the time of bombardment says: "Hundreds of wounded people were treated by the civilians. None of the clans of al-Buqamal remained without having someone of its members injured or killed as a result of the bombardment. In a second raid to the targeted region, an ambulance driver was killed as he was transporting the wounded from the location. "

Mahmoud (a pseudonym) talks about the reason behind targeting the region: "The purpose of the bombardment is al-Tishreen school, which contains a weapons depot for ISIS in the basement of the school. During the process of the rescue of the wounded, I saw members of ISIS transporting weapon to another location."

Mahmoud asserted the presence of a large number of fuel sellers on a pavement near al-Tishreen school, that is why fire broke out in shops and car repair workshops, flames reached the upper floors of the residential buildings, in addition to that Omar Mosque was badly damaged.

Ahmed (pseudonym) says: "The wounded people were transferred to Aisha hospital but the city's hospitals did not absorb the large number of injured people, so many of them were taken to the hospitals in the cities of Mayadin and al-Raqqa, despite the availability of doctors and necessary tools, but they were not enough, many of the wounded died after a period of being transferred to hospitals."

A witness to the incident said to Justice for Life: "I heard the first strike where the rocket landed in the house of Muaz al-Dibs and I headed to the place, about 100 meters before my arrival, the

plane raided the same location again, killing dozens of people. Al-Boukmal hospitals were not enough, so some of the wounded were transferred to Iraq for treatment. "

2- Six children killed in one family:

One of the raids targeted the house of Muaz Abd al-Rahim al-Dibs, killing six of his children. Muaz moved from his old house which was adjacent to a court of ISIS to a new house next to Omar bin al-Khattab mosque. He was not expecting his new house to be bombed, as there was no ISIS military headquarters near it and there was no ISIS element house in the building of his house.

Muaz said to Justice for Life: "The first missile landed in my children's room that was overlooking the public Street, six of them were killed and 2 survived. My son Saad was not in the room but as result of the intensity of the pressure caused by the bombing, he knocked to the wall and died due to the wounds. My son Omar's body turned into small pieces as a result of the bombing. I did not hear the sound of the plane but I saw it in the sky, it was very high and its color was white".

The children of Muaz who died in the bombing: Ahmed Muaz al-Dibs (11), Abdul Rahim Muaz al-Dibs (10), Ibrahim Muaz al-Dibs (8), Omar Muaz al-Dibs (5), Saad and Harith twins of Muaz al-Dibs (20 month).



**The child Ahmed Muaz al-Dibs – Photo source Muaz al-Dibs**



**The child Harith Muaz al-Dibs – Photo source Muaz al-Dibs**

Muaz said: “My son Muhammad was speaking before the bombing, but he did not speak for six months after it. I saw two of my children's face broken because of the bombing so I started screaming, ISIS elements tried to arrest me because they consider shouting/screaming in such cases something not permissible by Islamic laws.”



**The child Ibrahim Muaz al-Dibs – Photo source Muaz al-Dibs**



**The child Saad Muaz al-Dibs – Photo source Muaz al-Dibs**

Muaz's house is 200 meters away from al-Tishreen School, where witnesses believe that there is weapons depot for ISIS. The second raid targeted a point away from Muaz's house about 100 meters, at the halfway between Muaz's house and al-Tishreen school. Muaz said: " I was expecting the school to be targeted, I heard a lot about a weapon depot in the school but I did not see anything with my eyes, I did not expect I will be negatively affected by any bombing as the distance between my house and the school was about 200 meter, which I believed that it is long distance and that missiles cannot mistake to this degree."



**The child Abdul Rahim Muaz al-Dibs – Photo source Muaz al-Dibs**



**The child Omar Muaz al-Dibs – Photo source Muaz al-Dibs**

Muaz continued saying: " I returned to the home several days later and saw 6 or 7 pieces of iron each weighing about 5 kg. I do not know if they were sharpeners of the missile that landed in my house, but I found these pieces immediately after the bombing. "

## **EIGHTH: RESULTS:**

- 1- Two warplanes which likely belong to the Syrian Regime Forces and its allies targeted a neighborhood crowded with civilians and at a time when the overcrowding at its peak, which led to the death and wounding of hundreds, this is contrary to rule 14 of the International Committee of the Red Cross's study on customary international humanitarian law.
- 2- The attacking parties did nothing to verify that the targets were military. The first raid targeted a room in Muaz's house, killing six of his children. The second raid also targeted a civilian location where a lot of fuel sellers exist. This is contrary to rule 15 & 16 of the International Committee of the Red Cross's study on customary international humanitarian law.
- 3- According to the testimonies of all those who are interviewed by Justice for Life, the Tishreen school in the targeted neighborhood is likely to contain ISIS's weapon depot. But the raids targeted the neighborhood and caused heavy civilian casualties, targeted 2 locations one is at 10 meters distance from the school and the other is Muaz's house 200 meters away from the school, where six children were killed.
- 4- In one of the targeted houses, heavy iron pieces were found, which the house owner said that they are likely to be used in the attack, which is contrary to the rule 17 of the International Committee of the Red Cross's study on customary international humanitarian law.
- 5- The attacking parties did not direct any prior warning to avoid civilian casualties, which is contrary to the rule 20 of the International Committee of the Red Cross's study on customary international humanitarian law.

## **NINTH: RECOMMENDATIONS:**

### Justice for Life recommends the following:

- 1- To respect the international humanitarian law and the international human rights law along with all agreements and treaties applicable during conflict by all parties to conflict in Syria, and hold accountable those who violate them.
  
- 2- Survivors and Victims:
  - The need to keep all documents and data that document the violations that took place in Deir Ezzor.
  - The need to collaborate with the local organizations that enjoy high credibility aiming at documenting the human rights violations, either for purpose of publications, advocacy, or prosecutions in future.
  
- 3- UN Security Council:

Taking all actions to refer the Syrian file to the judiciary, including the ICC or special courts, and the council shall shoulder its responsibilities and having real measures to ensure accountability and zero impunity.
  
- 4- The international community:
  - Activating the universal jurisdiction to prosecute the war criminals and perpetrators of crimes against humanity that are committed in Syria.
  - Considering all crimes committed in Syria by all parties to conflict.
  - Putting pressure on all actors and stakeholders to enter in a comprehensive peace process in Syria that respects the human rights.
  - To ensure conducting independent and impartial investigations in the cases detailed in this report and other reports as information indicate violations against international humanitarian law, and holding persons presumed for criminal responsibility to prosecutions that meet the international standards.
  
- 5- The Syrian government:
  - Ratifying the Rome Statute establishing the International Criminal Court in order to allow the prosecution to investigate in the crimes committed in Syria by all parties to conflict. Cooperating with the IIM and Independent Inquiry Committee for Syria to conduct independent and impartial investigations on the crimes committed in Syria.

6- The International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under International Law committed in the Syrian Arab Republic:

Not to neglect Deir Ezzor province in the investigations that may reveal many committed crimes in the province and revealing the responsible persons.



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