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'Clichés and fakes': Russia's response to concerns about its attacks in Syria fails to convince

Comments made by Russian officials rejecting the findings of Amnesty International's recent briefing on Russian attacks in Syria have failed to substantively address evidence they violated the laws of war, the organization said today. Instead they have used sweeping statements to issue blanket denials of evidence and false accusations of bias.

Amnesty International has studied and evaluated responses made by Russian officials since it published its briefing *'Civilian objects were not damaged': Russia's statements on its attacks in Syria unmasked* on 23 December 2015, which provided evidence that Russian attacks, particularly attacks on residential areas, had either directly targeted civilians or civilian objects or been indiscriminate and had used internationally banned cluster munitions and unguided bombs in populated residential areas, all in violation of international humanitarian law.¹ Russian officials responded by accusing Amnesty International of publishing "lies" and of "selective" targeting of suspected perpetrators. The Russian authorities' response came mainly during a Ministry of Defence press conference on 23 December.²

'No evidence'

At the Russian Ministry of Defence's press conference on 23 December, spokesperson Major-General Igor Konashenkov said that there was "no evidence" in Amnesty International's report and that information provided was "completely false". "They are the same clichés and fakes, repeatedly refuted before," he said. However, neither he nor other Russian officials have presented any specific information to challenge or disprove the concerns detailed in the briefing.

The Russian authorities had had the opportunity to respond case by case to the evidence in Amnesty International's briefing, which is based on research into a total of more than

¹ Amnesty International, *'Civilian objects were not damaged': Russia's statements on its attacks in Syria unmasked* (Index: MDE 24/3113/2015), December 2015, available at www.amnesty.org/en/documents/mde24/3113/2015/en/

² Ministry of Defence of the Russian Federation, "Russian Defence Ministry commented on briefing of Amnesty International and summed up results of operation carried out by Russian Aerospace Forces in Syria on December 18-23", 23 December 2015, available at eng.mil.ru/en/news_page/country/more.htm?id=12072315@egNews. All quotes by Ministry of Defence spokesperson Major-General Igor Konashenkov are from this statement.

25 attacks and focuses on six, using witness testimony and expert analysis of photos and video clips showing attacks or their aftermath, as well as the statements of the Russian Ministry of Defence itself. Amnesty International had sent a memorandum with preliminary findings to Russia's Minister of Defence on 9 November 2015 and also to the Russian embassy in London on 23 November 2015. The organization requested meetings with the Russian authorities to discuss the findings, but has received no substantive response to date.

At the press conference, the Ministry of Defence spokesperson called upon Amnesty International "to reveal who provided them with this so-called data and when", warning that otherwise "it will be done by the Ministry itself". As stated in the briefing, most witnesses requested anonymity for security reasons. Individuals in Syria who speak out about suspected abuses put themselves at risk and Amnesty International takes such risks extremely seriously. Amnesty International cross-checks and corroborates evidence as much as possible, and does not refer to sources that lack credibility.

Attacks on Sermin field hospital and Omar Bin al-Khattab mosque

In response to the briefing's finding on a suspected Russian air strike on 20 October in the immediate vicinity of Sermin field hospital in Idleb governorate, which killed 13 civilians, the Ministry of Defence spokesperson said at the press conference that a "detailed refutation" had already been provided by the Ministry. Amnesty International's findings were based on testimony provided by three witnesses interviewed by Amnesty International, as well as its review of video clips and other imagery of the aftermath of the attack.

The spokesperson did not specify which statement he was referring to, but Amnesty International is aware of a statement issued by the Ministry of Defence on or around 31 October 2015.³ At that time the Ministry of Defence did not dispute that it had carried out the attack but argued rather that the hospital had not been hit. As explained in Amnesty International's briefing, the Ministry of Defence based this refutation on images showing the hospital undamaged that were incorrectly presented as having been taken after the attack.

At the press conference, the Ministry of Defence spokesperson claimed that Amnesty International's briefing "mentioned that eyewitnesses did not see or hear the aircraft [which attacked Sermin]. The fact is that there was no air strike at all in that area." This is incorrect. The briefing mentions that witnesses did see and hear the aircraft. Of the three witnesses to the suspected Russian attack interviewed by Amnesty International, only one, a doctor, said that he did not see or hear the plane but noted that this indicated that "it was a more sophisticated plane and therefore Russian". He said also that "opposition forces" had intercepted Russian communication from the planes. The second witness, a

³ Ministry of Defence of the Russian Federation, "In the course of the last two days, the aircraft of the Russian air group in the Syria have been making strikes against uncovered infrastructural facilities of the ISIS and Jabhat al-Nusra terrorist groupings", (date not given but believed to be 31 October 2015), available at eng.mil.ru/en/news_page/country/more.htm?id=12062400@egNews

Civil Defence first responder, told Amnesty International that he did not see the plane but did hear it. His published testimony mentions the fact that “the Civil Defence started to tell them [people who had gathered at the site of the first strike] to pull back in case the plane returned”. He added: “By the time I tried looking at the sky, the [second] strike happened.” He also told Amnesty International that he later learnt from people “close to the rebels” that aircraft which attacked Sermin had been tracked departing from Russia’s Hmaymim air base in Syria. The third witness, as cited in the briefing, told Amnesty International that “I heard and saw two warplanes but they were at an unusually high altitude so couldn’t identify them.”

Su-34 fighter jets, for example, which Russia has deployed from its Hmaymim air base, are capable of firing missiles from an altitude of 5,000m.⁴ Amnesty International therefore bases its claim that the hospital was likely attacked by Russia’s warplanes on several factors, including multiple witness testimony indicating that missiles were launched from a particularly high altitude, the sighting of two fighter planes rather than one (it is common practice for Russia’s air force in Syria to deploy two planes for one attack, but not for the Syrian government’s air force), the reported tracking of the flight path from Hmaymim air base and the reported content of intercepted Russian communications. In addition, the Russian Ministry of Defence went to considerable lengths – even to the extent of using misleading imagery – to seek to disprove the fact that Sermin field hospital had been damaged in the attack.

Amnesty International provided grounds for suspecting that Russia’s armed forces were responsible for the other attacks included in its briefing, including statements from the Russian Ministry of Defence that it carried attacks in or in the vicinity of locations targeted, as well as, in one instance, images of remnants of a missile that indicated it was of a model used by the Russian navy.

With regards to another case featured in the briefing, an attack on Omar Bin al-Khattab mosque in central Jisr al-Shughour, Idlib governorate, on 1 October, the Russian authorities later that month responded to reports and photos of the destroyed mosque by calling them a “hoax”. As described in the briefing, they presented a satellite image purporting to show the mosque still intact. However, the mosque in the image was a different one from the one destroyed in the attack. The Russian Ministry of Defence did not address this issue in its press conference on 23 December nor has it done so subsequently, as far as Amnesty International is aware.

Possible unlawful use of weaponry

In response to evidence presented in the briefing that the Russian military has used cluster munitions in Syria, including imagery of such attacks and their aftermath, Ministry of Defence spokesperson Major-General Igor Konashenkov said at the press conference that “Russian aviation does not use [cluster munitions]” and that “there are no such

⁴ Sputnik news agency, “Russian Su-34s can precisely strike any ISIL ground target in Syria”, 2 October 2015, available at <http://sputniknews.com/military/20151002/1027900140/russian-su-34-syria-isil-video.html>. Minister of Defence spokesperson Igor Konashenkov is quoted as saying that “Su-34s have carried out precision strikes at targets from an altitude of more than 5,000 meters (16,400 feet).”

munitions at the Russian air base in Syria". Detailed evidence of the use of cluster munitions in Syria by Russia's armed forces was also published by Human Rights Watch in December 2015.⁵ Since then, further images have surfaced of Russian fighter jets at the Hmeymim air base in Syria carrying cluster bomb dispensers.⁶ A munitions expert consulted by Amnesty International viewed a series of clips and images from Hmeymim air base and said he was "confident" that many of them were indeed of Russian aircraft armed with RBK-500 cluster munitions. Regarding several other images, the munitions expert said it was "probable" or "possible" that they were also of cluster munitions.⁷

Russia is one of a small number of states who are both major producers and users of cluster munitions. There is evidence that its armed forces deployed cluster munitions in conflicts in Chechnya, Afghanistan and Georgia, despite the spokesperson's statement that "Russian aviation does not use" them. For example, Amnesty International found evidence that the Russian air force dropped cluster munitions in RBK-500 bombs in Georgia in 2008.⁸ In addition, Russian-backed armed groups are reported to have used them in the conflict in east Ukraine.⁹ Amnesty International continues to call upon Russia to become a state party to the Convention on Cluster Munitions and to work towards a global ban on the use, production, transfer and stockpiling of all such weapons.

To Amnesty International's knowledge, Russian officials have not responded to its findings that Russia's armed forces may have acted unlawfully by allegedly deploying fuel-air bombs in the vicinity of civilians and repeatedly dropped unguided bombs in the vicinity of densely populated civilian areas.

'Selectivity'

Ministry of Defence spokesperson Major-General Igor Konashenkov claimed at the press conference that Amnesty International has shown "selectivity" in reporting on human rights violations. Amnesty International firmly rejects such claims.

Ukraine: The Russian Ministry of Defence accused Amnesty International of being "silent" concerning "irrefutable evidence of usage of cluster bombs by Ukrainian armed forces against cities in east of Ukraine". Amnesty International acknowledges that it did not research the use of cluster munitions in eastern Ukraine but notes that its delegates there were documenting numerous other violations of international humanitarian law, including

⁵ Human Rights Watch, "Russia/Syria: Extensive recent use of cluster munitions", 20 December 2015, available at www.hrw.org/news/2015/12/20/russia/syria-extensive-recent-use-cluster-munitions

⁶ See for example Conflict Intelligence Team, "Sputnik, RT and Russian MoD expose cluster bombs at Hmeymim air base", 7 January 2016, available at citeam.org/sputnik-rt-and-russian-mod-expose-cluster-bombs-at-hmeymim-airbase/

⁷ Email correspondence, 7 January 2016.

⁸ Amnesty International, *Civilians in the line of fire: The Georgia-Russia conflict* (Index: EUR 04/005/2008), November 2008, pp. 33-34, available at www.amnesty.org/en/documents/EUR04/005/2008/en/

⁹ Cluster Muniton Coalition, *Cluster Muniton Monitor 2015*, August 2015, available at the-monitor.org/media/2135498/2015_ClusterMunitonMonitor.pdf

war crimes, by both sides. It did not come directly across evidence of the use of cluster munitions, but it was aware that other organizations, including Human Rights Watch, were already documented their use by both Ukrainian government forces and Russian-backed forces.¹⁰

Yemen/Saudi Arabia: The Ministry of Defence claimed that “There are still no detailed reports [by Amnesty International] on the activities of the ‘coalition’ of the Saudis on the territory of Yemen”. On the contrary, Amnesty International has produced a series of such reports, which are all publicly available.¹¹

Islamic State abuses in Syria and Iraq: The Russian Ministry of Defence said that Amnesty International had not documented “the crimes of terrorists in Syria and Iraq”. This is also

¹⁰ Human Rights Watch, “Ukraine: Widespread use of cluster munitions”, 20 October 2014, available at www.hrw.org/news/2014/10/20/ukraine-widespread-use-cluster-munitions

¹¹ See, for example, Amnesty International, “Yemen: Mounting evidence of high civilian toll of Saudi-led airstrikes”, 8 May 2015, available at: www.amnesty.org/en/latest/news/2015/05/yemen-mounting-evidence-of-high-civilian-toll-of-saudi-led-airstrikes/; “Saudi Arabia’s Cruel Stranglehold”, 21 May 2015, available at www.amnesty.org/en/latest/news/2015/05/saudi-arabia-s-cruel-stranglehold/; “Nowhere safe for civilians’: Airstrikes and ground attacks in Yemen (Index: MDE 31/2291/2015), 18 August 2015, available at www.amnesty.org/en/documents/mde31/2291/2015/en/; “The Human Carnage of Saudi Arabia’s War on Yemen”, 27 August 2015, available at www.amnesty.org/en/latest/news/2015/08/the-human-carnage-of-saudi-arabias-war-in-yemen/; “Yemen: UN inquiry needed as civilian lives devastated six months after Saudi Arabia-led coalition began airstrikes”, 25 September 2015, available at www.amnesty.org/en/latest/news/2015/09/yemen-un-inquiry-needed-as-civilian-lives-devastated-six-months-after-saudi-arabia-led-coalition-began-airstrikes/; “Call for suspension of arms transfers to coalition and accountability for war crimes”, 7 October 2015, available at www.amnesty.org/en/press-releases/2015/10/yemen-call-for-suspension-of-arms-transfers-to-coalition-and-accountability-for-war-crimes/; *Our kids are being bombed’: Schools under attack in Yemen* (Index: MDE 31/3026/2015), 11 December 2015, available at www.amnesty.org/en/documents/mde31/3026/2015/en/; “Bombing of schools by Saudi Arabia-led coalition a flagrant attack on future of Yemen’s children”, 11 December 2015, available at www.amnesty.org/en/latest/news/2015/12/bombing-of-schools-by-saudi-arabia-led-coalition-in-yemen/

incorrect, as numerous Amnesty International publications on abuses by the armed group that calls itself the Islamic State attest.¹²

United States of America: The Ministry of Defence spokesperson insinuated that Amnesty International and others who have criticized Russia's unlawful actions in Syria may have done so as part of a propaganda war in support of the US government, since a "wave of accusation went on after the tragic bombardment of the Doctors Without Borders hospital in Kunduz (Afghanistan) carried out by the US air force". Amnesty International is an independent and impartial non-governmental organization which researches and campaigns against abuses regardless of who the perpetrators are. Amnesty International condemned the Kunduz hospital attack, called for an independent investigation and has lobbied heavily in the USA and internationally for the findings of the investigation to be made public. Amnesty International has repeatedly documented unlawful attacks by US armed forces in Afghanistan as well as elsewhere and has been reporting on human rights violations in the USA for decades.¹³

¹² See for example, Amnesty International, "Syria: Harrowing torture, summary killings in secret ISIS detention", 19 December 2013, available at www.amnesty.org/en/latest/news/2013/12/syria-harrowing-torture-summary-killings-secret-isis-detention-centres; *Northern Iraq: Civilians in the line of fire* (Index: MDE 14/007/2014), 14 July 2014, available at www.amnesty.org/en/library/info/MDE14/007/2014/en/; *Ethnic cleansing on a historic scale: Islamic State Systematic targeting of minorities in Iraq* (Index: MDE 14/011/2014), 2 September 2014, available at www.amnesty.org/en/documents/MDE14/011/2014/en/; "Released schoolboys reveal torture, fear and anxiety in IS captivity in Syria", 7 November 2014, available at www.amnesty.org/en/latest/campaigns/2014/11/released-schoolboys-reveal-torture-fear-and-anxiety-in-is-captivity-in-syria; *Escape from hell: Torture and sexual slavery in Islamic State captivity in Iraq* (Index: MDE 14/021/2014), 23 December 2014, available at www.amnesty.org/en/documents/MDE14/021/2014/en/; *Iraq: Taking stock: The arming of Islamic State* (Index: MDE 14/2812/2015), 7 December 2015, available at www.amnesty.org/en/documents/mde14/2812/2015/en/

¹³ See for example, Amnesty International, 3 May 2013, available at www.amnesty.org/en/library/info/AMR51/022/2013/en/; *USA: 'He could have been a good kid': Texas set to execute third young offender in two months* (Index: AMR 51/027/2014), 1 May 2014, available at www.amnesty.org/en/library/info/AMR51/027/2014/en/; *USA: 'I have no reason to believe that I will ever leave this prison alive': Indefinite detention at Guantánamo continues; 100 detainees on hunger strike* (Index: AMR 51/022/2013), *Entombed: Isolation in the US federal prison system* (Index: AMR 51/040/2014), 16 July 2014, available at www.amnesty.org/en/library/info/AMR51/040/2014/en/; *Left in the dark: Failures of accountability for civilian casualties caused by international military operations in Afghanistan* (Index: ASA 11/006/2014), 11 August 2014, available at www.amnesty.org/en/documents/ASA11/006/2014/en/; *USA: Crimes and impunity: Full Senate Committee report on CIA secret detentions must be released and crimes under International Law ensured* (Index: AMR 51/1432/2015), 20 April 2015, available at www.amnesty.org/en/documents/amr51/1432/2015/en/; "Afghanistan: Bombing of Kunduz hospital a deplorable loss of life must be investigated", 3 October 2015, available at www.amnesty.org/en/latest/news/2015/10/afghanistan-bombing-of-kunduz-hospital-a-deplorable-loss-of-life-that-must-be-investigated/; Joanne Mariner, "How investigation should be carried out", CNN, 7 October 2015, available at edition.cnn.com/2015/10/07/opinions/mariner-afghan-hospital-airstrike/; "US bombs struck Doctors Without Borders hospital", October 2015, available at

Reduction in Ministry of Defence published data

At the press conference on 23 December, Russia's Ministry of Defence spokesperson disputed Amnesty International's statement that the Ministry reduced the amount of information it released concerning its campaign in Syria following the shooting down of a Russian fighter jet by Turkey's armed forces on 24 November. He said that in fact the "Russian Defence Ministry has increased the volume of published information". It is clear from the Ministry's website (www.syria.mil.ru) that, from 30 September to 22 October, there were daily reports on activities, while, from 23 October until 23 November, the reporting was roughly on alternate days. From 24 November to 22 December there were only six days on which such reports were issued.

Conclusion

Despite the dismissive remarks made by the Ministry of Defence in its press conference, elsewhere the Russian authorities indicated on 23 December that they would "check the validity" of Amnesty International's claims.¹⁴ Amnesty International urged the Russian authorities to translate this type of remark into the opening of independent and impartial investigations into all the cases that appear in its report, as well as all other incidents in which violations of the laws of war are reported. They should make public the findings of such investigations and, wherever there is sufficient admissible evidence, bring those suspected of criminal responsibility to trial in proceedings that adhere to international standards. Regretfully however, Amnesty International is not aware of any such investigations having been set up.

The organization repeats its calls on the Russian authorities to fully comply with the relevant provisions of international humanitarian law in the planning and execution of any air strikes by ensuring that civilians and civilian objects, including homes and medical facilities, are not targeted, Russia's armed forces should take all feasible precautions to minimize harm to civilians and damage to civilian objects, including giving effective advance warnings of impending attacks when possible to civilians likely to be affected; ensure that targets are in fact military objectives; and, particularly in the case of medical facilities, adhere strictly to the presumption of civilian character in case of doubt. And they should halt any use of cluster munitions, and the use of unguided bombs in the vicinity of densely populated civilian areas.

www.amnestyusa.org/sites/default/files/emails/W1510EASHR1.html; USA: 'He just disappeared from the face of the earth' (Index: AMR 51/2992/2015), 9 December 2015 available at www.amnesty.org/en/documents/amr51/2992/2015/en/

¹⁴ Sputnik, "Kremlin to investigate validity of Amnesty Int'l accusation", 23 December 2015, available at sputniknews.com/russia/20151223/1032192565/russia-kremlin-validity-amnesty-international-claims-syria.html