



المنظمة الفلسطينية لحقوق الإنسان (حقوق)
Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
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Beirut 10 January 2014

PHRO condemns the systematic starvation of Palestinian refugees in Yarmouk camp and reserves its right to exhort and support the victims to prosecute perpetrators of crimes according to international law

20,000 Palestinian refugees are still inside **Yarmouk** camp, a Palestinian refugee camp south of the Syrian capital Damascus, under siege since July 2013. Prior to December 2012, the camp was home to 160.000 Palestinian refugees. Between December 2012 and July 2013, the camp was subjected to heavy shelling, resulting in dozens of deaths and causing 140.000 refugees to flee their homes across that period.¹

On 30th December 2013, **Chris Guinness**, spokesperson for **UNRWA**, the UN agency for Palestine refugees, confirmed in a statement that “Reports have come in over the weekend that at least five Palestinian refugees in the besieged refugee camp of **Yarmouk** in **Damascus** have died because of malnutrition, bringing the total number of reported cases to 15”.²

In December 2013, **UNRWA** Commissioner-General **Filippo Grandi**, issued a statement about the plight of the Palestinian refugees in **Yarmouk** camp, in which he said: "Since September 2013 we have been unable to enter the area [**Yarmouk** camp] to deliver desperately needed relief supplies.”³

According to a report published by **Palestinian Human Rights League – Syria**⁴ on its *Facebook* page under the title ‘*The Report documenting the Martyrs of the blockade in the Yarmouk refugee Camp till the due date 5 January 2014*’, the report documented 42 deaths in the camp due to the conditions of life under siege between 18th of August 2013 and 3rd January 2014, and they are distributed as follows:

- 29 cases due to dehydration and malnutrition, including the case of an infant girl who died due to lack of milk, and an adult of poisoning due to consumption of expired food;
- 10 cases due to a lack of medical supplies;
- 3 cases due to lack of fuel, including the case of an infant girl who died of suffocation because of power outage that rendered neonatal intensive care unit

¹ Numbers are taken from UNRWA Report: <http://www.unrwa.org>

² The statement distributed by France Press, issued on 30 December 2013 and published on Lebanese and Arabic Newspapers

³ For more: <http://www.unrwa.org/ar/newsroom/official-statements/>

⁴ The Report is published on Facebook Page and can be downloaded from: <http://upload.3ode.net/files/64906.pdf>



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inoperable, a second from hypothermia due to lack of heating fuel and a third due to suffocation caused by burning wood to keep warm inside a house.

- The report also shows that among the 42 deaths, there were 3 children and [13] women. As for the dates where the deaths have occurred, the report shows that among the 42 deaths there were 16 cases recorded in December 2013, and the first 3 days of 2014 recorded another 6 deaths; all of these deaths were due to dehydration and lack of food – this refers to a steady increase the number of victims.

The data and testimonies gathered by **PHRO** and the early findings of reports on the human security of the camp – which will be published in upcoming months – showed a systematic siege of the camp: targeting of food security (destruction and theft of the food depots and food storages); enforcing a systematic reduction of food permitted to be carried by each individual from outside the camp, until it was banned to bring food inside which led to a widespread famine among about 20,000 Palestinian refugees (unarmed civilians) in **Yarmouk** camp. This compounded the already existing problems of diseases and epidemics which were already a major concern due to lack of medication.

From the preliminary results of the research and field investigations, conducted in collaboration with human rights activists and grassroots collective within **Yarmouk** refugee camp, **PHRO** concluded that the events of the camp reveal patterns of destruction that targeted civilian buildings and residential vicinities which led to concentrating the confined population of the camp into inadequate space after the systematic destruction of essential foundations of life in all other areas of the camp. Cognisant of international law, these atrocities are clearly war crimes and crimes against humanity.

PHRO has monitored the **Yarmouk** siege that targets all elements of human security and is causing serious deterioration of the camp and is jeopardizing the population confined inside. After analyzing data (questionnaires, testimonies, documented mass human rights dire violations...) sent from within the camp, **PHRO** found that the cause of deaths in the last two weeks all came as a result of the intense systematic siege. **PHRO** is concerned that the systematic siege is the direct cause of serious bodily and mental harm to the confined population; and the sole outcome is reducing the number of population trapped inside the camp – this is, under international law, committing the crime of genocide. Pertinent here is evidence indicating that the conflicting parties showed carelessness towards the confined population of **Yarmouk** and prevented them from leaving – mainly, the Syrian government



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armed forces and its militias, who play a major role in planning to reduce the number of civilian population trapped and terrifying them.

According to human rights activists and media⁵, attempts to evacuate civilians from **Yarmouk** camp failed in spite of efforts and agreements between the regime and the **Palestinian Liberation Organization (PLO)**, and those who attempt to leave got arrested and serious bodily and mental harm inflicted on them, and were shot at near camp's entries – in particular, the last two months of 2013 and early January 2014. **PHRO** could not interview any men, women or children who have been subjected to violence at **Yarmouk** camp entries; however, there are credible testimonies from human rights activists: confirmed arrests and assault by beating, killing and raping occurred on checkpoints controlled by armed groups affiliated to the armed forces of the Syrian government and other allies of the Syrian regime. **PHRO** personnel listened to the certificates broadcast on *YouTube* detailing assaults and rapes⁶; if these claims were true, they are indeed war crimes and crimes against humanity, but if they were rumors, it is also considered a war crime under international law which addresses the intimidation and terrorizing civilians.

PHRO expresses its deep concern about the failure of all attempts to break the siege of **Yarmouk**, and non-compliance with the agreements reached between the Syrian government and the **PLO** in the recent period, which stipulates breaking the siege of camp and neutralising the conflict in the civil war in Syria, which is on the verge of entering its fourth year. **PHRO** emphasizes the following:

- 1- Civil wars are subject to the terms of the Geneva Conventions, and events in Syria are civil war. Those who are involved in the war – whether regime armed forces, groups affiliated to the armed forces of the Syrian regime and other allies or anti-government – are legally bound to respect the Geneva Conventions⁷, and must lift the siege on all besieged areas in Syria, including the **Yarmouk** camp for Palestinian refugees, Article 14 of Protocol II of the Fourth Geneva Convention, which states: "Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the

⁵ Al Hayat Newspaper on 13 December 2013 : <http://alhayat.com/Details/581394>

⁶ A woman testimony: <https://www.youtube.com/watch?v=0a3AMHT1Tmg&feature=youtu.be>

⁷ Civil war is known as an armed conflict not of an international, located on the territory of one state, between the armed forces of the State and dissident armed forces or other organized armed groups exercise, under responsible command, control over part of the land are able to carry out armed operations continuous and coordinated. The subject of the conflict in a non-international armed conflict (civil war) data to the Geneva Conventions, according to the Protocol II of 1977 overtime - the Geneva Conventions; Common Article 3, the four Geneva Conventions of 1949.



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production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.”⁸

- 2- **PHRO** condemns all forms of violence targeting women and children by those who are involved in the civil war, and urges for special protection of Palestinian refugee women and children.
- 3- Accordingly, **PHRO** condemns all forms of the blockade imposed on civilians in Syria by government forces or armed groups, pro or anti-government. In particular, the siege imposed on the refugee camp, which is a war crime and a crime against humanity.
- 4- **PHRO** is demanding that the **United Nations**, human rights organizations, the states of the world and currently involved sub-state actors to put pressure on the Syrian government and any other party related to this unjust siege. Further, **PHRO** demands that the aforementioned groups and institutions work on ending all siege practices immediately and allow the entry of food supplies and to permit those who want to leave the camp to be able to do so and those who want to return to their homes to be able to do so safely.
- 5- **PHRO** is demanding guarantees of safe passages to civilian, relief teams and a **United Nations fact finding mission**, entry of sanitary equipment, medicines and all the needs which are necessary to live, according to Protocol II Additional to the Geneva Conventions of 12th August 1949 on the protection of victims of non-international conflicts.⁹

⁸ For

more: <http://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=ACF5220D585326BCC12563CD0051E8B6>

⁹ Additional Protocol II to the Geneva Conventions of 12 August 1949: Part IV: Civilian Population: Article 13. PROTECTION OF THE CIVILIAN POPULATION.

1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances.

2. 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.

3. Civilians shall enjoy the protection afforded by this Part, unless and for such time as they take a direct part in hostilities.

Article 14. PROTECTION OF OBJECTS INDISPENSABLE TO THE SURVIVAL OF THE CIVILIAN POPULATION. Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as food stuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.

Article 15. PROTECTION OF WORKS AND INSTALLATIONS CONTAINING DANGEROUS FORCES. Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population.



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The crimes against humanity are not pardoned through time, which means that the prosecution of the perpetrators from commanding ranks of the siege, implementers and those who took part or participated in any atrocities during that time can be prosecuted at any time. Thus, **PHRO**, in collaboration with other human rights organizations, reserve the right to exhort the victims of **Yarmouk** camp siege to prosecute perpetrators – who starved camp population to near death, causing the population number to reduce – of the aforementioned crimes locally and internationally, in accordance with international law offering them support.