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House Foreign Affairs Subcommittee on Europe, Energy, the Environment, and Cyber  
“Early Signs of War Crimes and Human Rights Abuses Committed by the Russian Military  
During the Full-Scale Invasion of Ukraine”  
March 16, 2022

Chairman Keating, Ranking Member Fitzpatrick, distinguished members of the Subcommittee, thank you for the opportunity to appear before you and speak about “Russian War Crimes in Ukraine.”

To understand what is happening in Ukraine we need only look at Russian actions in Syria. I am here today to share with you my experience investigating Russian war crimes in Syria and their implications on the civilian population of Ukraine. As the military advisor on the UN’s Syria Commission of Inquiry I examined the tactics, weapons, and conduct of all parties to the conflict.

We are witnessing likely Russian war crimes broadcast daily from within Ukraine. Unfortunately, for those of us that investigate war crimes none of this is new as these acts by Russia have been tested on the battlefield of Syrian villages, towns, and cities. We have all been horrified by the brazen attack on a maternity hospital in the city of Mariupol last week. I fear we will see many more such attacks on protected places because of Russia’s prior practice. In Syria, the group Physicians for Human Rights implicated Russia in 244 attacks on hospitals and medical facilities. I investigated the use of Sarin by the Syrian Air Force in Khan Sheikhoun in 2017. While this attack garnered the world’s attention for the use of weapons of mass destruction against civilians the follow-on strikes on Syrian hospitals in the region by the Russian Air Force is less well known. For example, we found Russian jets carried out strikes on the Al-Rama Hospital in Khan Sheikhoun hours after the Syrian chemical strike. This attack deprived the local population of lifesaving treatment.

Russia states it has a robust precision strike capability yet that has been almost completely absent in Syria where weapons have been largely unguided, indiscriminate, and used against the civilian population. In Syria, Russian aerial bombs were almost exclusively unguided and targeted urban centers. We are seeing the same tactic of bombing the population into submission in Ukraine. Photo 1 was taken from a Russian propaganda video released by the Russian Ministry of Defense. It shows Russia’s premier attack aircraft the Sukhoi 34 as it takes off for operations in Ukraine. It is carrying only dumb bombs. These OFAB 250 were used widely in Syria in attacks on civilians and we are seeing widespread use of them throughout populated areas in Ukraine. These unguided bombs should not be employed in populated areas due to their inherent inaccuracy and widespread effects. Russia also relies on cluster munitions and their inherently indiscriminate effects when used in cities. Syria will likely be contaminated by Russian cluster bombs for decades. We are seeing the same weapons in Ukraine. Image 2 is a photo of a Russian artillery rocket in the city of Pokrovsk. Each rocket contains 552 DPICM submunitions with a standard volley of 12 rockets containing 6,624 bomblets. Typical dud rates for cluster bombs are

25% meaning we may soon see millions of these indiscriminate killers unleashed on Ukraine, killing on contact, and creating de facto mine fields that kill for years.

The use of starvation as a weapon of war is a war crime. The Commission documented the use of siege tactics in Syria where Russian and the Syrian military trapped the population in urban centers, surrounded them, and starved them out. I fear we will see this same tactic applied in Ukraine as Russia moves to encircle Kiev and other urban areas. They may also attack aid convoys as happened in Syria. In 2016 I investigated a deliberate attack by the Syrian Air Force on a UN aid convoy in Urum al-Khubra outside Aleppo; an attack labeled by the UN as a war crime. The strike on the convoy was preceded by persistent Russian UAV traffic giving our team reasonable concern Russia provided Syria with targeting information. It is critical humanitarian aid convoys in Ukraine are given safe passage, but I fear we may see a reprisal of this tactic.

The group Airwars has documented up to 6,381 Syrian civilians killed by Russian attacks in Syria during some six years. I fear Ukrainian civilian casualties will dwarf that number before the month is out.

What can you do?

I began my career as a civilian intelligence officer in the Defense Intelligence Agency. The intelligence community has a lot to offer to war crimes investigations and has in the past provided important support. They can publish an order of battle and chain of command so we know what units are committing war crimes and who is giving the orders. The IC can begin a declassification process to provide air tracks and signals intercepts of attacks on civilians. They can also provide data on weapons launched into civilian areas so attacks can be matched to harm. Finally, the US government can support the new UN Ukraine war crimes Commission with funding so it can conduct investigations into war crimes in Ukraine.

Thank you.