

International support to transitional justice in Syria:

Lessons learnt and ways ahead

Narrative Report with Recommendations



The Syrian Legal Development Programme (SLDP)

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Content

03

**Executive Summary
and Recommendations**

09

Setting the Stage

10

Breakout Group 1

12

Breakout Group 2

14

Breakout Group 3

16

Conclusion

20

Moving Forward

01 Executive Summary and Recommendations

In April 2025, The Syrian Legal Development Programme in cooperation with the German Federal Foreign Office and the kind support of the Berghof Transitional Justice Hub, over 70 transitional justice (TJ) experts and practitioners from Syrian CSOs, victims and survivor groups, international organizations, think tanks, UN mechanisms, donor governments, and the Syrian government convened to explore how international support can effectively contribute to TJ in Syria. Drawing from 13 years of Syrian justice work and global TJ experience, participants assessed the current landscape and considered how to shape future efforts that are principled, inclusive, and responsive to Syria's evolving needs. The workshop aim was to discuss the critical role of international support in enabling transitional justice for Syria. It drew on lessons learned from 13 years of Syrian justice efforts as well as other transitional justice processes, assessed current dynamics, opportunities and challenges and explored ways to shape future support for Syria's transitional justice efforts. During the Workshop, we discussed the following key questions:

The convening focused on key questions:

01

- *How can support for TJ be context-sensitive, adaptive, and coordinated?*

02

- *How can TJ be meaningfully linked to peacebuilding, reconstruction, and development?*

03

- *How can inclusive, multi-stakeholder engagement be built into Syria's political and justice transition?*

The consensus was clear: **transitional justice is not a technical formula or a checklist of deliverables—it is a political and cultural process** that must be cultivated and supported over time. If justice in Syria is to be real and lasting, it must prioritize dignity, participation, and transparency over speed and surface-level outcomes.

Participants identified the rush to demonstrate 'quick wins'—often driven by donor urgency and political agendas and public demands—as one of the most serious risks to sustainable justice in Syria. Overemphasis on fast outputs undermines trust, prevents reflection, and bypasses broader Syrian society-supported solutions. Justice, they insisted, must be consultative. This means investing in process as justice—where open dialogue, inclusive participation, and gradual consensus-building are treated as outcomes in their own right.

A recurring concern was that flexibility is often mistaken for inefficiency. In fact, the ability to adapt to political and social shifts is critical in a political transition context like the Syrian one. Rigid frameworks and deliverables stifle innovation and ignore the needs of communities who must respond dynamically to rapid changes on the ground. Flexibility, therefore, must be seen as a precondition for relevance. Donors were urged to establish structured, multi-donor coordination platforms and align their agendas, reducing redundancy and contradictory pressures on Syrian actors. In parallel, CSOs were encouraged to build platforms for advocacy and engagement, recognizing that coordination is not just an operational need but a source of political leverage.

Without coordination between donors, the Syrian Government, and among CSOs, justice efforts risk becoming disjointed, inconsistent, and ineffectual. But with alignment and strategic unity, both international actors and local stakeholders can amplify each other's efforts and strengthen legitimacy on all fronts.

The principle of "Syrian-led" was reaffirmed—but with a strong warning. Participants insisted that "Syrian-led" must not be allowed to become a euphemism for "government-controlled." Genuine ownership requires inclusive governance that distinguishes between the Syrian state as an institutional infrastructure, and the Syrian government as a political actor. Civil society, survivors, professional sectors, and communities must have a meaningful seat at the table—not as symbolic stakeholders, but as co-designers of Syria's justice future. Participants highlighted the danger of "realistic compromises" that prioritize political expediency over rights. When rights are sacrificed in the name of pragmatism, the very essence of political transition is eroded.

Participation emerged as a critical pillar, but one that cannot be taken for granted or presumed. Many Syrian communities remain under-equipped to participate effectively in national or local justice processes due to decades of authoritarian governance and civic marginalization. Likewise, institutions must learn to facilitate, not control, dialogue. Participation must be structurally built, particularly among women, youth, and displaced communities, and matched with responsiveness and transparency to avoid tokenism or unmet expectations. True participatory justice requires more than consultations. It calls for a cultural transformation from centralized control to shared responsibility—what one participant called the need to transition not just from the Assad regime as an event, but from the Baathist mindset as culture.

A critical theme across the workshop was the inseparability of justice, peacebuilding, and reconstruction. Reconstruction is highly political, and rebuilding Syria cannot proceed in parallel to—or in contradiction with—transitional justice. Infrastructure and development efforts must be designed with justice benchmarks embedded from the start. Reconstruction must not reward perpetrators or deepen inequality. Instead, it must serve as a form of social and economic justice, as a vehicle for restoring dignity, repairing relationships, and reintegrating excluded populations. The private sector must also be held accountable to international human rights standards to avoid entrenching injustice through economic opportunism.

Participants affirmed that transitional justice in Syria will be a long, contested, and nonlinear process. It will require balancing the magnitude of the violations to which Syrians were subjected with the need to find realistic solutions and manage expectations, while remaining grounded in the right principles. To achieve this, Syria needs support that is flexible, coherent, and principled. It needs space for civil society to play an effective role in the process (whether through informal TJ initiatives, engagement in formal/governmental TJ process and to act as watchdog and monitor, and more), time for processes to evolve, and transparency to rebuild trust. Above all, it needs all stakeholders, including international actors to resist the urge for expedient outcomes and to commit to justice as a process of societal change, not merely a phase of political transition. In short: **do not abandon the right approach in the name of realism.** The path forward must be principled, people-centered, and rooted in the dignity Syrians deserve.

To advance transitional justice in Syria, three priority actions are recommended:



1. Operationalize Participation Through Co-Designed and Legally Grounded Terms of Reference:

The Syrian government must institutionalize meaningful, structured collaboration with civil society, survivor groups, and independent experts in shaping transitional justice mechanisms. This includes co-developing laws and Terms of Reference for bodies such as the National Institution for Transitional Justice (Degree 20) and the National Institution for the Missing in Syria (Degree 19), ensuring regular and transparent engagement with civil society at all levels.



2. Establish a Donor–State Coordination Platform:

To address fragmented donor efforts, a formal coordination mechanism should be created to align funding with transitional justice benchmarks. This platform would enable joint planning between international donors and Syrian stakeholders, enhancing coherence across justice, development, and humanitarian initiatives.



3. Support a Syrian Civil Society Coordination Space:

Syrian civil society organizations need dedicated support to create a collaborative platform focused on transitional justice. International donors should fund this space as a critical part of a sustainable, rights-based justice framework that amplifies civil society leadership and legitimacy.

The following recommendations integrate further strategic direction with foundational principles derived from the broader cross-cutting themes, ensuring that justice efforts are both legitimate and sustainable. They focus on four key principles to sustain and support a genuine Syrian owned transitional justice process:



Deepen the Meaning of “Syrian Ownership”



Support and Center Syrian Civil Society, including Victims’ Associations, as a Cornerstone of Transitional Justice



Adopt a Process-Oriented Approach



Ensure Holistic Support to Justice Across Sectors



To the Syrian Government

■ **Build Co-Ownership Through Shared Governance:**

Establish multi-stakeholder bodies—including civil society, independent professionals, local councils, and survivors' groups—to co-design and oversee transitional justice processes, such as Terms of References and working procedures of specific mechanisms and commissions, and other relevant work necessary to rebuild a country for all. Ensure that decision-making is distributed, transparent, and accountable, resisting the monopolization of legitimacy by any single institution or political entity.

■ **Respect Civil Society's Dual Role:**

Civil society is diverse in its approaches, methods and its positions. Civil society will not speak with one voice—some groups will collaborate with state institutions; others will challenge them. Support all orientations, and recognize pluralism as a sign of a healthy civic landscape.

■ **Acknowledge Syrian Civil Society's Expertise and Contribution:**

Formally recognise Syrian civil society as a legitimate actor in transitional justice and the rebuilding of the country. Leverage their technical experience and knowledge to inform national strategies.

■ **Build Civic Space and Ensure Institutional Access and Engagement with Syrian Civil Society:**

Institutionalise regular, inclusive access to and engagement between state bodies and CSOs. Engagement must be protected and legally and institutionally guaranteed.

■ **Prioritize Trust Through Public Transparency:**

Where time is needed, be transparent about the reasons. Trust is built when communities understand not just what is happening, but why and how.

■ **Invest in Process as Justice: Consultation and Participation:**

All justice initiatives must center on meaningful consultation with victims and affected communities. This includes intergenerational dialogue and attention to gender and minority perspectives. Process is not a delay—it is justice in motion. Institutionalize broad-based consultation mechanisms, ensuring that the Syrian people shape transitional justice processes and other initiatives aimed at rebuilding the country.

■ **Restore Dignity and Prevent Recurrence:**

Use dignity as the normative framework, focusing on restoring victims' sense of agency and security. A State's legitimacy arises from how people are treated along the way, not just the outcome reached. Prioritize guarantees of non-recurrence in justice work.

■ **Design Reconstruction with Justice at the Core:**

Integrate justice criteria—such as equitable access to housing, restitution for displacement, and reparations for harm—into national reconstruction policies. Use reconstruction as a tool to heal and re-integrate, not as a vehicle for exclusion, appropriation, or political reward.

■ **Demand Private Sector Accountability:**

Require all economic actors involved in reconstruction to respect international human rights standards. No investment should come at the cost of rights or dignity.

■ **Avoid Creating New Inequalities:**

Ensure that infrastructure and services reach marginalized areas, avoiding new forms of exclusion or elite capture.



To European and Other Governments

■ **Clarify “Syrian-led” to Prevent State Capture:**

Consider broader interpretations of Syrian ownership as going beyond government-led initiatives. Genuine ownership must be inclusive and multi-stakeholder, separating the Syrian state (as an institution) from the Syrian government (as a political actor).

■ **Invest in Process as Justice:**

Recognize that justice is not only in outcomes but in the fairness, inclusivity, and deliberation of the process itself. Resist politically advocating for checklist approaches that emphasize immediate deliverables at the expense of cultural, political, and social transformation.

■ **Donor Coordination Must Improve:**

Establish structured, multi-donor coordination platforms to align funding agendas, to prevent duplication and blind spots, and ensure coherent support to Syrian civil society. Ensure that donor agencies coordinate not only at the country level but also across thematic areas.

■ **Ensure Holistic Support and Coherence Across Donor Agendas:**

Align humanitarian, development, and transitional justice funding streams to avoid fragmented programming.

■ **Embrace and Sustain Political Support to TJ in Syria in Parallel to Syrian CSOs' Needs:**

Governments are not only donors whose role is reduced to providing funding, but also political actors. Governments should serve as the ones to sustain a political dialogue with the Syrian government on transitional justice, in parallel to and in support of Syrian civil society's efforts and needs.

■ **Provide Sustainable, Flexible Support:**

Donors must embrace adaptive, iterative programming, which provides space for decentralised as well as informal initiatives and Allow grantees and partners to adapt programs to evolving conditions. Flexibility is not inefficiency; it is the architecture of relevance.

■ **Shift from Output-Driven to Process-Oriented Funding:**

Tie funding to impact on dignity, inclusion, and community trust—not just activities and reports.

■ **Facilitate and Foster Meaningful Dialogue and Participatory Work:**

Support inclusive spaces inside and outside of Syria for ongoing dialogue, truth-telling, memory work, and precedent-building. These are not “soft” programs—they are essential justice components

■ **Encourage Local Innovation:**

Fund small-scale pilot initiatives in diverse geographies, especially in neglected or marginalized areas. Learn from these experiments to inform support strategies for national frameworks.

■ **Support Reconstruction with Justice at the Core:**

Condition all reconstruction assistance on clear, public benchmarks related to justice, accountability, and non-recurrence. Develop a framework that links infrastructure investments with victims' rights, legal reforms, and property restitution, ensuring that rebuilding does not reproduce past injustices and that it aligns with support to transitional justice to guarantee social and economic justice..



To Syrian Civil Society:

■ Claim Space as Co-Designers of Justice:

- **Assert a leadership role** in shaping national and international transitional justice agendas—not as implementers, but as co-designers with political and normative authority.
- **Engage in institutional advocacy** to demand formal roles in any TJ-related bodies, commissions, or policy development processes. Leverage technical expertise, survivor networks, and years of field experience to influence decision-making.

■ Invest in Inclusive Participation and Community Trust:

- **Deepen grassroots engagement** by expanding work with local communities—especially women, youth, and displaced groups—to ensure they have the skills, space, and support to participate meaningfully in justice processes.
- **Facilitate participatory dialogue** to connect top-down policy conversations with bottom-up experiences, ensuring that justice efforts remain grounded in community needs and lived realities.

■ Strengthen Coordination and Collective Strategy:

Develop shared platforms or flexible mechanisms for strategic coordination, joint advocacy, and knowledge exchange across geographic and thematic lines. A united front can amplify civil society's voice in both national and international arenas.

02 Setting the Stage

Fourteen years into the Syrian conflict, the quest for justice remains as urgent as it is complex. The Syrian landscape is marked by deep societal fractures, widespread victimization, ongoing human rights violations harming prospects for civil peace and justice, and competing political interests. TJ is no longer a future aspiration—it is an immediate necessity, deeply intertwined with Syria's prospects for peace, and a democratic future for the country.

This workshop convened at a pivotal moment. As discussions of (which type of) political transition are taking shape, Syrian civil society, victims' groups, international actors, and UN mechanisms gathered to ask difficult but necessary questions: How can TJ in Syria be inclusive and principled amid fragmentation and trauma? How can international support align with evolving Syrian needs without becoming prescriptive or politicized? And critically, how can justice be linked meaningfully to peacebuilding and reconstruction—so that rebuilding Syria does not reproduce the injustices of its past? Participants confronted a range of challenges: the erosion of civic trust, the tension between urgency and process, the risk of donor-driven agendas, and the need to ensure that TJ is truly Syrian-led—not co-opted or symbolic. The workshop also grappled with systemic gaps.

There was strong consensus that justice in Syria cannot be reduced to a checklist of mechanisms; it must be cultivated through sustained, adaptive support and genuine local ownership. At the heart of the conversation was a call to treat justice not only as a technical or legal outcome, but as a political and cultural process—one that prioritizes dignity, participation, and long-term legitimacy over expedient solutions.

03 **Breakout Group 1: Building Transitional Justice Through a Process-Oriented and Participatory Approach**

This breakout group explored how TJ in Syria can be pursued through a process-oriented, inclusive approach rooted in Syrian ownership and supported—not directed—by international actors. The group emphasized that the process itself is foundational, and that trust, participation, and time are prerequisites for any sustainable or legitimate justice outcomes.

The breakout group aimed to answer the questions on how do we build TJ shifting from an outcomes-oriented approach to a process-oriented approach, and how do we ensure international assistance to support a transformative approach to TJ. Crucial to these questions is the need to unpack and understand the concept of ‘Syrian-owned, Syrian-led’ to ensure that its definition and operationalisation support the Syrian people, rather than marginalise them in favour of pragmatic approaches.

■ **Rethinking Process: Procedural Transparency and Participation as Key Foundations for State-Led Work**

The conversation began by grappling with the question: what does a process-oriented approach to transitional justice look like? Participants emphasized that shifting the focus from predefined outcomes to building structure, direction, and trust is essential.



One participant referenced the Havana peace talks to illustrate how procedural transparency, even when outcomes are not immediately clear, can generate legitimacy. The group contrasted this with examples of performative or rushed efforts, such as the Syrian government’s national dialogue completed in a single day, and a constitutional declaration drafted within a week—absent meaningful participation.

TJ must be understood as a transformative process, not a technical output. Outcomes must emerge through shared deliberation, not be imposed from above.

Participants reflected deeply on the cultural and emotional relationship to justice in Syria. Decades of violence, fragmentation, and exclusion have created deep skepticism about justice mechanisms, institutions, and the law in itself. One speaker noted, “We need to bring back a healthy relationship with justice itself”.

■ Clarifying Syrian Ownership and Role of Government and Civil Society



Throughout the discussion, participants underscored the importance of agreeing on what "Syrian-owned" means. Many argued that Syrian-led or Syrian-owned TJ does not mean owned in a manner that allows for government-imposed measures. Several participants expressed criticism or lack of trust toward the present Syrian authorities and agreed on the fact that the government alone cannot impose decisions without participation and consultations with broader sectors of society. After 14 years of violence and over 50 years of dictatorship, the basis of legitimacy for TJ must come from democratic participation, victim recognition, and civil society leadership—not just institutional authority.

Others pointed to a necessary distinction between the government and the state, with the government having the responsibility to take leadership on TJ while being grounded in the State's obligations related to public political participation and victims' participation.

One participant suggested civil society must be both judge and monitor of the TJ process, ensuring accountability and independence. Some participants suggested the need to establish clear roles: civil society leads process design, the state provides legal and institutional infrastructure, and the government does not dominate or dictate.

■ Rethinking Process: the Role of Donors in Facilitating, not Undermining Process as Justice



Participants reflected on the distinction between external donor pressure to show progress (often through check-box exercises) versus the internal, organic pressure from Syrians themselves who seek forward movement. External actors' urgency often undermines the very trust that process-oriented TJ seeks to build.

Many participants expressed a shared sense of being "hamsters on a wheel". Despite deep experience and accumulated knowledge, Syrian CSOs are exhausted and feel trapped in a cycle in which donors expect Syrian CSOs to already have answers to a seismic change in Syria. On this note, one speaker stressed: "We're told we're prepared—but we're not. We're carrying too much. Don't ask us for outcomes. Don't ask for a report. Just give us the space".

One speaker described how, in 2022, civil society groups opted not to build a new platform for women's political participation, but instead launched "reimagining spaces" that prioritized collective thinking over deliverables. Narrative work, reflection, and imagination are essential parts of transformative justice, yet these are often underfunded or dismissed by donors seeking visible results.

Breakout Group 2: Linking Transitional Justice with Reconstruction and Development

The breakout group aimed at addressing the need for holistic engagement across sectors. Reconstruction and development are inherently interconnected with justice and sustainable peace issues; it is therefore essential to understand where development, reconstruction, and transitional justice meet. This requires a holistic approach across sectors—integrating an awareness of participatory processes and broader justice concerns—to identify how the needs for reconstruction and economic development can be embedded into the broader process of justice-seeking and restoring dignity in Syria.

■ Understanding Justice in Its Many Forms

Participants firstly recognised the existence of, and the need for, different forms of justice within Syria. Given the multitude of violations and different experiences of Syrians, the country needs a multifaceted understanding of justice, which is closely linked to development and peacebuilding. Justice is not limited to legal justice, and the TJ process in Syria should ensure to respond to different forms of justice, including questions such as what kind of society are we trying to build? What's our vision for civic life, social justice, and the distribution of wealth?



Various forms of justice may sometimes compete with each other—not only because individuals may hold different views, but also because different needs cannot be met with the same amount of resources or institutional capacity. A key way to address this, while also managing expectations and understanding the linkage between the needs and societal demands, is through consultations and dialogue. These are crucial to understanding how multiple forms of justice intersect, and what they truly mean for Syrians. The example of Iraq was brought up as useful to understand this challenge, and the importance of consultations to address it: “We found in Iraq that it took months of consultation to move people from demanding 'restitution' to expressing what they really needed—secure housing, access to livelihoods, recognition of suffering. Once we knew that, we could build practical options that were actually achievable given the resources and institutional capacity available”.

■ Spatial Justice and Agency as Lens and Tool for Reconstruction

A key concept that emerged was spatial justice, where reconstruction addresses not only the loss of property, but also the entirety of the concept of space and home. One speaker explained, “[p]eople return to their neighborhoods and can't even recognize where their homes were. They've lost not just buildings, but their spatial memory—the very layout of their lives.” Participants argued that how, where, and for whom rebuilding occurs goes beyond the reconstruction of buildings, and it can either redress or entrench past injustices. Illustrative examples brought this to life.



One speaker shared how projects like Marota City by the Assad regime were perceived not as reconstruction, but as punitive measures. It was not about rebuilding communities; it was about removing them, and it was exclusionary in nature. Another example concerned Jobar, where residents, when asked, expressed a desire for both improved housing but also memorialization of war tunnels, symbolizing their desire for memory to be part of the reconstruction.

Once again participants agreed that consultations and reclaiming of decision-making power (spatial agency, as described by one participant) is essential to ensuring urban planning becomes a tool for a forward-looking TJ, in which all stakeholders (from communities, local authorities, investors, returnees) learn how to participate and guarantee this participation space. One speaker said: “We need a culture of participatory planning. But people don’t know how to participate—they’ve never had a voice”.

■ **Reconstruction as Inclusive Investment, Reparation, Transformation**

Participants agreed that reconstruction is a national priority, but warned against approaches that treat it as purely technical or economic. Instead, reconstruction should be seen as an opportunity to deliver economic justice and restore dignity, especially for displaced communities (inside and outside the country). To this end, the proposed “distributive localisation” - ensuring that investment and decision-making are not concentrated in usual decision-making spaces, but reach affected communities. One participant noted the broader potential of reconstruction as a societal investment that supports everyone, by suggesting that displaced people rebuild their towns, therefore also providing new economic opportunities. Syria has a long-standing history of producing and exporting construction materials—revitalizing this sector could help stimulate industry and support economic recovery.



Participants agreed that the urban planning process needs to be re-designed and transformed. Participants advocated for Syrian CSOs’ involvement in pushing for this transformation, starting from the repeal or reform of Law 10, Decree 66, and other rights-infringing laws enacted since 2011. One participant reiterated that laws must come from victims’ needs. Lastly, no urban planning or transformation of Syrians’ spatial justice and agency can occur without a gender-sensitive lens to avoid entrenching pre-existing discriminatory situations: “In one study, over 90% of women who were detained couldn’t access their property. Discriminatory laws and social stigma block them, with some having lost inheritance rights entirely”.

■ **Safeguarding against Harmful Development: The Role of Human Rights Due Diligence**



Participants expressed concern that without proper safeguards, reconstruction could further marginalise affected populations. The role of the private sector was flagged as particularly critical—reconstruction investments must undergo human rights due diligence to avoid replicating patterns of dispossession, abuse, or exclusionary practices, in addition to possibly further rewarding businesses involved in aiding and abetting the Syrian regime in the past or replicating similar Assadist practices.

Participants agreed that the private sector should be required to meet social accountability and human rights standards, including transparent public engagement and grievance mechanisms. This should also be accompanied by establishing clear due diligence frameworks to prevent harm and ensure reconstruction supports justice rather than creating further need for it.

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Breakout Group 3: Coordinating Justice Across Actors, Levels, and Spaces

This breakout group explored the role of international actors in supporting and enabling justice in times of political transition at multiple levels, with multiple partners, and across multiple spaces (both inside and outside Syria), with a focus on accountability processes. It reflected on the impact of external support and engagement over the course of the war, and considered the changing role of external actors as justice efforts shift into Syria and state-led initiatives emerge, and explored strategies to adapt ongoing engagement through support to multiple actors and multiple approaches.

Participants explored the role of international actors in supporting and enabling justice during political transition in Syria. Participants focused on the challenges and opportunities of working at multiple levels (local, national, international), with multiple partners and across multiple spaces, including inside Syria, the diaspora, and refugee communities. The group paid particular attention to the accountability landscape, examining how international engagement has evolved over the course of the war, how it must now shift in response to state-led initiatives, and how justice works can be recalibrated to support diverse actors and approaches without duplication or harm.

■ **Linking the Local to the International: UN Bodies as Bridges**



Participants emphasised the need to bridge the gap between local justice work and international mechanisms. The contributions of Syrian civil society outside of Syria have been pivotal since 2011. However, there is growing concern that current shifts in the justice landscape risk sidelining the role of Syrian civil society and the mechanisms they have contributed to creating in the past years, as more attention turns toward state institutions and in-country processes. Participants agreed that pre-existing work must be preserved and integrated into domestic initiatives, not discarded in favour of a narrow state-led agenda.

UN entities were identified as uniquely positioned to act as connectors between local and international efforts. Their legitimacy, access, and convening power place them in a key role to bridge the local-international divide. Participants emphasized that the UN's legitimacy and access place it in a position to facilitate coordination and coherence.

■ Ensuring Multi-Level Coordination: Non-Duplication and Coherence

The group discussed the risk of duplicating efforts, particularly in documentation and evidence collection. Participants flagged the issue of mass graves as an area where overlapping mandates and a lack of coordination have already created confusion and potential harm to survivors and families. Justice efforts must prioritize coherence, non-duplication, and survivor-centered coordination. Fragmentation leads not only to inefficiency but also to retraumatization and lost trust.



There was a strong call for Syrian civil society to develop a unified, collective vision for TJ. Fragmentation among CSOs is a risk to credibility and leverage. A collective plan can serve both as a counterweight to state-driven processes and a framework to engage international partners coherently. There is a need to facilitate collaboration and joint action amongst Syrian civil society, while noting that diversity and conflicting views and priorities may remain.

Some participants argued for the need to break down the core pillars of TJ into thematic areas and identify who is best positioned to lead within each. This approach enables thematic specialization—recognizing that different Syrian civil society organizations, survivor groups, and institutions bring distinct forms of expertise to areas such as truth-seeking, reparations, criminal accountability, institutional reform, and memorialization. Mapping these thematic strengths under a coordinated framework or umbrella mechanism would allow for more strategic collaboration, minimize duplication, and ensure that each pillar is advanced by actors with the appropriate knowledge, experience, and community trust. This does not fragment the process but rather enhances coherence by aligning roles with competencies. Establishing clear leadership and responsibility across pillars, while maintaining cross-sectoral coordination, will support a more structured, inclusive, and results-oriented TJ ecosystem.

Breakout Group 1

TJ in Syria can be pursued through a process-oriented, inclusive approach rooted in Syrian ownership and supported—not directed—by international actors.

Breakout Group 2

The need for holistic engagement across sectors. Reconstruction and development are inherently interconnected with justice and sustainable peace issues.

Breakout Group 3

The role of international actors in supporting and enabling justice in times of political transition at multiple levels, with multiple partners, and across multiple spaces with a focus on accountability processes.

Conclusions: Cross-Cutting Themes in Syria's Transitional Justice Pathway: Time, Flexibility, Coordination, Trust, Participation and Ownership

Syria's TJ landscape is shaped by deeply rooted dilemmas and urgent realities. From the tension between donor-driven urgency and the need for local reflection, to the fundamental question of what constitutes genuine Syrian ownership, recurring themes emerged across discussions with stakeholders. These themes are not peripheral; they are foundational. They form the ethical, practical, and political scaffolding upon which any meaningful and legitimate TJ process must rest. The following reflections highlight these cross-cutting themes, emphasizing the necessity of a process-oriented approach grounded in dignity, inclusivity, and responsiveness.

■ Time as Resource: The Necessity for Sequencing and Process-Orientation

Throughout all discussions, one message stood out with clarity: time is not an obstacle—it is a critical resource. The prevailing donor logic, which prioritizes short-term visibility and rapid outputs, risks undermining the depth and sustainability of justice efforts. Syrian civil society leaders repeatedly emphasized the need for a slower, deliberate, and consultative pace that enables true reflection, healing, and planning. As one participant poignantly observed: "It's time to give time to time."



Justice in Syria cannot be achieved through hasty programmatic implementation. It requires a process-based approach where each step—be it criminal accountability, housing, land, and property rights (HLP), or reconstruction—is thoughtfully sequenced to avoid conflict between justice elements. The 'do-no-harm' principle must be reinterpreted not only in terms of what is done, but when and how. Rushing to implement justice mechanisms without inclusive dialogue or contextual analysis can produce new grievances and deepen mistrust.

Trust, too, is built over time. It cannot be mandated or imposed. It must be cultivated through transparent engagement, where the process is as important as the outcome. As one expert cautioned: "If there's no discussion or clarity, the time just feels like a delay. But if we're open and honest about the process, people will understand the time required". Sustainable justice and peacebuilding depend on a transparent, process-oriented approach that allows for reflection, consultation, and democratic participation.

■ Flexibility as a Condition for Relevance



Another universal theme was the need for flexibility. In a political context as rapidly evolving as Syria where political changes and initiatives are happening faster than Syrian CSOs are able to respond to, rigid programme designs tied to fixed deliverables are both ineffective and potentially harmful. Participants urged donors to reconsider inflexible frameworks that cannot respond to local shifts or seize emerging opportunities.

As one participant noted: “The system has to change. Syria is evolving fast. If funding is tied to inflexible outputs, we’ll miss key opportunities”. Flexibility should not be misunderstood as inefficiency. On the contrary, it is the precondition for relevance. It enables programs to adapt, communities to innovate, and local actors to test responses to fast-changing political context.

■ **Building Precedents: From Idealism to Practicable but Right-Based Models**

In confronting Syria’s TJ challenges, participants discouraged the pursuit of a singular, “perfect” model. Instead, they advocated for building practical precedents.

Drawing on Colombia’s experience, one speaker described how focusing on 70 of the most-affected municipalities allowed the government to implement integrated programmes that combined justice, education, health, and development. These projects offered tangible, visible outcomes and created trust at the community level.



A similar approach was considered for upcoming TJ steps within the Syrian context, such as the establishment of the TJ commission or the national commission on missing people. Participants discussed how to utilise these spaces to build new precedents for civil society engagement and civic space.

A caution raised by a participant was the risk of trading principles for practicality. While pragmatism is necessary, it must not come at the expense of rights, accountability, or meaningful participation.

■ **Participation and Inclusion: Long-Term, Genuine Commitment**

During the discussion, the principle of participation and inclusion enjoyed widespread support. However, participants clarified that participation cannot be assumed; it must be actively cultivated. Many communities in Syria lack both the institutional infrastructure and civic confidence to participate effectively in justice dialogues.



This deficit runs in both directions: communities need support to engage, and institutions need to be trained to facilitate, not control. The legacy of authoritarianism and the nature of the new authorities may leave Syrian institutions ill-equipped for participatory governance at the institutional level; while Syrian society requires sustained investment in civic education, capacity-building, and inclusive decision-making processes to engage with.

Women's participation, in particular, was flagged as structurally essential—not only for representational legitimacy but for justice outcomes that reflect the full spectrum of Syrian experience. However, inclusive participation must be matched with transparency and responsiveness; otherwise, it risks generating expectations that cannot be met, leading to disenchantment and loss of trust.

One participant succinctly noted that Syria is not merely transitioning from the Assad regime, but that Syria requires a transition from the Baathist culture to a new one. In this context, participation is not an event—it is a culture. It requires investment, training, and a reimagining of power relations, particularly between state and society.

■ **Ownership and Accountability: Beyond-Government Controlled Agendas**

Participants agreed that the notion of “Syrian-led”, “Syrian-owned” is often cited but rarely interrogated. Many argued that Syrian-led or Syrian-owned TJ does not mean owned in a manner that allows for government-imposed measures. Several participants expressed criticism or lack of trust toward the present Syrian authorities and agreed on the fact that the government alone cannot impose decisions without participation and consultations with broader sectors of society. After 14 years of violence and more than 50 years of dictatorship, the basis of legitimacy for TJ must come from democratic participation, victim recognition, and civil society leadership—not just institutional authority.

Discussions highlighted the need to distinguish between the Syrian government (as a political actor) and the Syrian state (as institutional infrastructure). While skepticism toward government-led TJ is well-founded, the complete exclusion of state structures risks undermining long-term institutional sustainability. Ownership must not be conflated with political control. True Syrian ownership is rooted in accountability, transparency, and responsiveness—not in formal authority alone.

As one participant aptly noted: “We’re not used to seeing authority as coming with responsibility. I’m skeptical of any authority until I see it act”. Syrian-led must not become a euphemism for government-led. “Realistic compromises” that default to government monopoly in power and decision-making and control risk eroding the normative essence of justice. A credible justice process requires inclusive, shared leadership where civil society retains a watchdog role and the state remains accountable. Transparency, in this context, is more than just openness—it is the key to rebuilding public credibility. Without it, neither plans, nor actors, nor timelines will gain legitimacy.



■ The Role of Coordination: Coherence as Leverage



A multi-level coordination mechanism is essential to bring coherence, inclusivity, and strategic alignment to Syria's TJ efforts. Coordination must take place across five interconnected levels. First, CSOs must strengthen internal coordination among themselves, fostering a shared vision, thematic complementarity, and joint advocacy to amplify their collective influence. Donors must fund and facilitate spaces for CSOs to align and strategize together—not just implement in parallel. Coordination is not merely a logistical matter—it is about building trust and relationships, and it's a source of political power. A coherent civil society is better positioned to advocate for rights-based policy and to hold institutions accountable.

Second, there must be structured, institutionalized coordination between Syrian CSOs and the Syrian government, ensuring regular, inclusive engagement that enables civil society to contribute meaningfully to policy design, oversight, and implementation. Third, at the same time, donor coordination is equally essential. Donors risk overwhelming local actors with uncoordinated demands, inconsistent priorities, and parallel initiatives that dilute impact and exhaust capacity. Coordination among donors must involve periodic updates, and it must be operationalized also through political alignment around core justice principles. When donors speak with a unified voice and support complementary roles among Syrian actors, they not only increase efficiency—they amplify legitimacy and influence in a space where both are urgently needed.

Fourth, UN mechanisms and agencies with mandates linked to TJ coordination is essential. One participant indicated that a common vision and coordination agenda by the UN bodies will have a great impact on the speed of moving the work forward especially on files like documentation, accountability and searching for the missing.

Finally, some participants argued that an overarching international–domestic coordination platform should be established to connect all stakeholders—Syrian CSOs, state actors, donors, and international agencies—under a shared framework. This mechanism would facilitate transparency, bridge strategic gaps, and uphold accountability, ensuring that TJ efforts are mutually reinforcing rather than fragmented.

07 Moving Forward

As this report highlights, TJ in Syria faces both profound opportunities and persistent challenges. The themes that emerged—from time and trust to flexibility, inclusion, and ownership—are not abstract ideals. They are the conditions for a just, sustainable, and Syrian-led future. But to realize this vision, these principles must be operationalized through concrete actions.

Based on the reflections above, three actionable priorities emerge:

a- Operationalize Participation:

Co-Design Terms of Reference for Transitional Justice Mechanisms: The Syrian government must take a tangible step toward shared ownership by co-designing Terms of Reference for TJ mechanisms in full partnership with Syrian civil society, survivor groups, and independent professionals. This means not just symbolic consultation but structured, institutionalized engagement in shaping the scope, mandate, and working procedures of TJ bodies. This could be immediately practised through the newly established National Institution for Transitional Justice (Degree 20) and the National Institution for the Missing in Syria (Degree 19). At the same time, the government must institutionalize regular access and engagement with CSOs at all levels of the justice process. This includes establishing permanent liaison mechanisms, legal frameworks for civil society access, and ensuring transparency around government-CSO dialogue. These steps are essential to rebuild trust, distribute decision-making, and embed pluralism at the heart of Syria's transition.

b- Launch a Donor–State Coordination Platform on Transitional Justice:

Donor fragmentation remains a significant obstacle. To address this, a formal coordination platform and working group between international donors and national stakeholders should be established. This mechanism would allow for joint planning and funding frameworks, aligned with justice benchmarks and timelines and regular political dialogue to ensure that funding is consistent with non-recurrence, accountability, and inclusive reconstruction. Such a platform would serve not only to prevent duplication and reduce the burden on Syrian actors, but also to enhance international legitimacy and coherence across justice, development, and humanitarian portfolios.

c- Support a Syrian Civil Society Coordination Space on Transitional Justice:

To strengthen collective agency and advocacy, Syrian CSOs must be supported in developing a space for collaboration and joint action focused specifically on transitional justice. International donors should fund and facilitate this platform not as an isolated project, but as an essential component of a rights-based justice infrastructure—one that amplifies the legitimacy, knowledge, and leadership of Syrian civil society.



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