

Civil Society Roadmap in the Transitional Justice Process in Syria: Priorities, Challenges, and Visions

Introduction:

Over more than a decade, Syrians have lived through one of the most complex humanitarian tragedies in modern history, where severe human rights violations intersected with displacement, enforced disappearances, and systematic destruction of social and national infrastructure. This reality has generated an urgent need to build a transitional justice process that places victims at the center, addresses deep past wounds, and lays the foundation for a future grounded in dignity, freedom, and the rule of law.

Transitional justice in the Syrian context cannot be a political luxury or mere formal slogans; it is a national and humanitarian entitlement, representing the cornerstone for achieving civil peace and building a new social contract that breaks with tyranny and impunity. It is a complex process that requires combining accountability, truth-seeking, reparations, and institutional reform, in a hybrid approach arising from the Syrian reality with all its complexities and divisions, yet fundamentally aiming to ensure victims' justice and prevent the recurrence of violations.

From this perspective, this paper serves as a roadmap for Syrian civil society in the transitional justice process, outlining priorities, challenges, and visions, highlighting the roles expected of the Transitional Justice Working Group derived from civil society, as the closest actor to victims and the bearer of collective memory. It emphasizes the importance of engaging victims' families and survivors in policymaking and decision-

making as their participation is a genuine guarantee of credibility and effectiveness.

This vision is based on the firm belief that transitional justice in Syria can only be achieved through a comprehensive and balanced approach that elevates victims' voices, is participatory and transparent, and balances justice imperatives with the necessities of national reconciliation. Without truth-seeking and victims' justice, there will be no sustainable peace; without building honest and effective institutions, there will be no guarantee against the recurrence of violations.

Key Questions Addressed:

- How is the concept of transitional justice perceived among groups of Syrians?
- What are the main challenges facing transitional justice in Syria?
- What legal frameworks are required for the implementation of transitional justice in Syria?
- What roles are expected and envisioned for Syrian civil society in the pathways of transitional justice?

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I. Concept of Transitional Justice:

A comprehensive system based on accountability, reparations, truth-seeking, and institutional reform, guided by a balanced philosophy. It requires confronting the past and acknowledging violations, ensuring justice for victims in the present, and building a future that guarantees non-repetition. Emphasis is placed on rejecting its reduction to a logic of revenge or victor's justice, advocating instead for a hybrid approach rooted in the Syrian national context, with civil society as the guarantor of its credibility and the bearer of victims' memory.

- Emphasis on the broad meaning of transitional justice, which goes beyond judicial mechanisms to include other essential pillars that must be strongly present: accountability, reparations, truth-seeking, and institutional reform.
- Emphasis on a clear foundation: the victim, as the holder of the right to recognition, justice, and representation. This centrality cannot be merely formal or symbolic.
- Emphasis on balancing past, present, and future, without disrupting this equilibrium, while demonstrating boldness on critical issues through truth-seeking, acknowledgment, and accountability, as a path to ensure non-repetition.
- Rejection of the implementation of transitional justice in a formalistic manner, devoid of content and results, or its exploitation as a process of revenge or victor's justice.

- The necessity of building a hybrid approach that combines punitive and reconciliatory logic, as a model suitable for the specificities of the Syrian context, which must serve as the primary guide in shaping a transitional justice approach.
- Avoiding calls for retribution on one hand and calls for general amnesty, while adhering to the Constitutional Declaration, which framed transitional justice based on a set of integrated mechanisms grounded in consultation and victim-centeredness, addressing the question of “how?”—that is, the detailed mechanisms of implementation. Article 49 of the Constitutional Declaration stipulates“ :A Transitional Justice Commission shall be established, adopting effective consultative mechanisms centered on victims, to determine the means of accountability, the right to know the truth, justice for victims and survivors, in addition to honoring the martyrs”...

II. Our Vision for Engaging Victims’ Families in the Transitional Justice Process in Syria

We believe that the engagement of victims’ families is fundamental to achieving genuine and sustainable transitional justice in Syria. Their active participation in justice and reconciliation processes contributes to consolidating civil peace and safeguarding collective memory from oblivion or distortion. Their voices represent both the memory of pain and the assertion of rights, and their involvement guarantees non-repetition of violations. We adopt the following definition of a victim:

Any individual or group who has suffered physical or psychological harm from a direct or indirect violation since 1980.

Strategic Objectives

1- Enhance the participation of victims' families in shaping policies and decisions related to transitional justice.

2- Empower victims' families psychologically, cognitively, and socially to become active agents in peacebuilding.

3- Protect and document collective memory, transforming it into a lever for national reconciliation.

4- Strengthen civil peace through the role of victims' families as bridges for communication and trust-building between community groups.

5- Highlight victims' issues at both the national and international levels to ensure non-repetition of violations.

Aspirations for Victims' Families:

1- Representation and Participation

- Allocate seats for victims' families in committees concerned with transitional justice and civil peace.
- Establish advisory councils representing victims' families, serving as channels of communication with decision-makers.

- Prepare a “Joint Demands Document” representing the vision of victims and their families, to be adopted as a reference in policymaking.

2- Psychological and Social Support

- Implement individual and group psychological support programs to help overcome trauma and enhance participation capacity.
- Establish social solidarity networks among victims’ families to strengthen ties and counter isolation.
- Provide specialized programs for reintegrating women and children from victims’ families into society.

3- Training and Capacity Building

- Organize training workshops on transitional justice, human rights, advocacy, and conflict resolution.
- Develop community leadership from among victims’ families to serve as influential voices on peace and justice issues.
- Prepare a simplified training guide for victims’ families on transitional justice and its tools.

4- Documentation and Protection of Collective Memory

- Produce media and artistic works (films, books, exhibitions) that highlight victims’ experiences and transform their pain into shared national memory.

- Launch symbolic initiatives, such as memorials or national days, to honor victims and safeguard their narratives.

5- Community Reconciliation and Trust-Building

- Hold local dialogue sessions among victims' families from different regions and communities to foster understanding and reduce tension.
- Launch trust-building initiatives based on the recognition of shared suffering among all Syrians.
- Adopt an inclusive discourse that balances the right to justice with the need for national reconciliation.

6- National and International Advocacy

- Conduct advocacy campaigns and community awareness initiatives linking transitional justice with civil peace.
- Engage victims' families in international conferences and human rights forums to ensure their voices are heard directly.

Governing Principles

Victim-Centricity: The victim and their family must be at the heart of the transitional process.

Partnership: Work collaboratively with civil society organizations and official bodies in an integrated manner.

Transparency: Ensure that processes and policies are clear, fair, and accountable.

Reconciliation and Collective Memory: Balance the right to justice with the need to build sustainable civil peace.

III. Challenges of Transitional Justice in Syria and Priority Responses

In the Syrian case, a wide range of practical challenges emerge, linked to the country's complex context, the most significant of which are:

- Severe social divisions resulting from the former regime's identity-based and sectarian policies.
- Widespread hate speech in Syria, particularly following events in the Coast and Suwayda, compounded by slow progress and delays in establishing a comprehensive legal framework.
- Weak public trust in inherited institutions from decades of authoritarianism, making public mobilization and support for transitional justice processes a continuing challenge. The legacy of fragile institutions also creates a circular problem, as courts and ministries remain mired in corruption and collapse.
- Multiplicity of control and proliferation of arms amid emerging and developing security institutions, while effective justice requires strong and impartial institutions.
- Reparations and truth-seeking for the disappeared represent a major challenge, both as a humanitarian and symbolic stake. Current data document over 157,000 enforced disappearances, with likely higher actual numbers, in addition to vast lists of victims and families entitled to compensation. This makes implementation a complex and slow process, as demonstrated by experiences in South Africa, Peru, and Sierra Leone.

IV. Priorities to Focus on During the Implementation of Transitional Justice

There are fundamental priorities that matter to Syrians and enhance their trust in the transitional justice process. At the forefront is the importance of truth as the cornerstone of the vision for transitional justice in Syria, aligning with the human rights motto: “No peace without justice, no justice without truth.” This underscores the need to preserve the official narrative from the victims’ perspective, ensure a special place for women and survivors of sexual violence, and empower marginalized and affected communities to guarantee the inclusiveness of justice.

Accountability is another central priority, aimed at preventing impunity by prosecuting those responsible for gross crimes and preventing them from remaining in power or positions of influence.

These core priorities converge with most transitional justice experiences, but they are broader in scope as they combine accountability, reparations, and participation. For example:

South Africa focused on uncovering the truth, but this process was not balanced with accountability and prosecutions, nor did it seriously translate into social justice. As a result, class disparities between whites and blacks persisted.

Morocco succeeded in compensation and reparations but revealed only part of the truth, with little accountability or enforcement mechanisms.

Likewise, and despite the efforts made in Tunisia, especially at the level of legal texts, the persistence of power centers and beneficiaries of financial and political corruption, along with the retreat from purging

institutions and safeguarding public life, led to serious setbacks in the course of transitional justice.

- **Recognition of Suffering and Violations:** Ensuring the right to know the complete truth—what happened, who is responsible, and why—and official acknowledgment of all violations. Building upon this with comprehensive efforts to preserve the Syrian narrative from the victims’ perspective, including personal testimonies and collective stories.
- **Participation and Representation:** Involving victims in decision-making bodies such as transitional justice commissions, missing persons committees, constitutional and political reform processes, and empowering women and survivors of sexual violence by giving them a special place in the process to ensure its inclusiveness and fairness, and to achieve social justice by guaranteeing access to justice for marginalized and particularly affected communities, especially in areas that have suffered widespread destruction.
- **Accountability:** Prosecuting those responsible for violations to prevent impunity or the continuation of perpetrators in positions of power or influence. There is a focus on rejecting the culture of impunity and the idea of general or blanket amnesty, even for lower-level perpetrators, with only limited consideration given to the notion of partial and conditional amnesty or alternative penalties.
- **Reparations and Material and Moral Compensation:** Implementing a mix of financial and material compensation for those affected by killing, torture, enforced disappearance, displacement, destruction of property, and restitution of confiscated assets. Restoring dignity through official decisions that recognize victims and reinstate their social standing. Providing psychological and healthcare services to survivors of torture and sexual violence, with sustainable healthcare privileges, including treatment and medication.
- **Guarantees of Non-Repetition:** Promoting education, awareness, and a culture of human rights and citizenship, integrating these into schools and universities, and strengthening civil oversight by

empowering civil society to monitor the implementation of transitional justice and institutional reform.

V. Priority of the Transitional Justice Working Group in Civil Peace and Reparations

Reparations place victims at the center by involving them in the process to achieve sustainable peace, with particular focus on regions most in need of civil peace.

Our intervention is based on awareness, analysis, training, and empowerment, implemented through four stages:

- Awareness: Educate the community about the importance of transitional justice and its role in reparations to achieve sustainable peace, using media and community influencers.
- Analysis: Map local actors, assess community needs and influential elements, and identify pillars of authority through interviews and focused dialogue sessions.
- Training: Deliver skill-based training programs tailored to affected local communities and societal actors. Training them with advanced skill-building tools.
- Empowerment: Design community initiatives to achieve civil peace and restore dignity to affected communities.

Stage One: Awareness and Analysis

- Begin with an initial analysis to understand the nature of the local community, sensitivities in social cohesion, and civil peace dynamics.
- Conduct individual meetings and awareness sessions, both in-person and via video messages, highlighting the importance of civil peace and social coexistence.
- Conduct in-depth analysis through individual interviews and focused dialogue sessions in target areas, with objectives to:
 - 1- Map community actors, societal stakeholders, and key figures from families, tribes, and public personalities.
 - 2- Identify community needs and priorities for intervention in civil peace and reparations.
 - 3- Define the community's role in consolidating civil peace and reparations.
 - 4- Determine community training needs to design programs aligned with the social context.

Stage Two: Awareness and Training

- Conduct specialized awareness programs for the target local community on intervention mechanisms to consolidate civil peace.
- Design training programs for local societal actors, including influential victims and affected individuals, to enable active participation in reparations and civil peace initiatives. Program design is based on in-depth analysis.

Note: The duration and tools of awareness and training programs vary from one area to another, depending on the in-depth analysis and community needs assessment.

Stage Three: Empowerment

- Design targeted community initiatives for reparations and civil peace, implemented by local communities in cooperation with government institutions. These initiatives are built on clear scientific foundations, aiming to ensure justice for victims and achieve sustainable peace.

VI. Recommendations of the Transitional Justice Working Group

- ✓ Consider Syria's Specificities: Take into account the political and regional divisions, the nature and scale of violations, and public perceptions of transitional justice.
- ✓ Balance Ambition and Realism: Strike a balance between the goal of comprehensive justice and the practical feasibility of implementation.
- ✓ Adopt a Comprehensive Approach: Build a holistic transitional justice framework based on a mix of tools and mechanisms, aiming to balance accountability and victims' justice on one hand, with civil peace and social reconciliation on the other.
- ✓ Exercise Caution with Amnesty and Settlements: Handle criminal and financial amnesties and the reintegration of perpetrators and individuals involved in incitement or supporting violations

carefully, as these actions may fuel individual revenge and a perception of failure or absence of transitional justice.

- ✓ Truth-Seeking and Missing Persons: Ensuring full truth disclosure and knowledge of the fate of the disappeared is fundamental for public trust in addressing past grievances. Conversely, ambiguity or superficial procedures generate public anger and a sense of propaganda.
- ✓ Judicial System Reform: Given widespread skepticism about the competence, integrity, and independence of Syria's judiciary, pursuing national courts requires clear reform efforts and public communication, with emphasis on training, capacity building, and procedural simplification.
- ✓ Broad Temporal and Subject-Matter Mandate: Consider broad jurisdiction for the Transitional Justice Commission, possibly in graduated phases, in response to public insistence on not leaving any case unaddressed. This ensures symbolic or actual justice for as many victims as possible, uncovers the truth of as many violations as possible, and helps prevent recurrence.
- ✓ Ensure clear governance indicators for transitional justice structures, focusing on oversight, participation, transparency, and clarity of policies and procedures.
- ✓ Public institutions involved in transitional justice must remain open to civil society participation and oversight. In turn, Syrian civil society must take responsibility through advocacy, monitoring, and partnership in implementation.

VII. Transitional Justice Working Group

Who We Are:

We are a team of experts and practitioners in social and human rights fields, believing that achieving just peace in Syria requires a comprehensive approach to addressing past wounds and safeguarding human dignity.

We work in partnership with civil society organizations to establish the foundations of transitional justice through integrated pathways, beginning with truth-seeking, enhancing judicial follow-up and accountability, and extending to mechanisms for reparations and promoting coexistence, guided by principles derived from the Constitutional Declaration.

Our Vision:

A safe and just Syria where citizens enjoy dignity, and victims receive justice that strengthens civil peace and stability.

Our Mission:

Empowering victims and affected communities to ensure their voices are heard and influential in the justice process through truth-seeking, reparations, and fostering a culture of coexistence and sustainable peace.

Our Methodology:

We operate through a comprehensive methodology that combines:

- 1- Partnership Building

- Establish partnerships and hold sessions with victims, survivors, and civil society.
- Facilitate connections between victims and relevant government authorities.

2- Facilitating Community Dialogue

- Organize open dialogue sessions within affected communities.
- Promote frank discussion while respecting diversity and differences of opinion.
- Conduct open dialogue sessions in communities aligned with the opposing side.

3- Policy Support

- Prepare and present evidence-based policy papers and reports for decision-makers.
- Knowledge dissemination and capacity building:
- Organize workshops and training courses targeting local communities.

- Produce educational and awareness materials on transitional justice.
- Raise awareness about legal decisions issued by government authorities or international bodies.

4- Launching Local Advocacy Campaigns

- Implement campaigns to support transitional justice issues and strengthen the decisions issued by transitional justice committees and teams.

Our Tools:

The team works to collect and analyze information with precision and depth, aiming to uncover the truth, identify patterns of violations, understand the needs of victims and affected communities, and develop actionable, practical recommendations.

To achieve this, the team relies on a wide range of proven tools, including:

- ❖ In-depth Interviews: With victims, survivors, and families of the disappeared to obtain direct and reliable testimonies.
- ❖ Surveys: To measure community perceptions and opinions regarding justice, reconciliation, and reparations.
- ❖ Stakeholder Analysis: To identify actors and influencers, mapping their relationships and roles in the transitional justice process.

- ❖ Outcome Harvesting and Mapping: To document achievements and illustrate the impact of programs and initiatives on the ground.
- ❖ These tools ensure that team decisions are based on strong and reliable evidence, transforming data and testimonies into practical steps contributing to justice, reconciliation, and prevention of future violations.
- ❖ Quantitative and Qualitative Statistical Analysis Programs.

Our Impact:

We measure our impact not just by the number of activities, but by our ability to create real change in the lives of victims. Our goal is to see the Syrian community capable of coexistence, with every individual feeling that they have a place and a voice in the journey toward justice.

Our Story:

In the heart of a society torn apart by years of conflict, we are the children of this homeland, raised in its streets and shaped by its stories. We witnessed the suffering endured by our community and saw how sacrifices transformed our lives, and we refused to remain mere spectators.

We came together to be the voice of those who lost loved ones, the tongue for those who silently endured pain, and a bridge for our society toward a more just and hopeful future.

Our story is the story of ordinary people who decided to make a difference because they believe that every small step toward justice creates a significant impact in people's lives.

Our Values:

- ❖ **Listening to Victims:** We believe in listening to victims because their voices are the foundation of any justice process.
- ❖ **Respecting Sacrifices:** We honor the sacrifices of martyrs, the disappeared, and the injured.
- ❖ **Empowering Local Communities:** We are committed to honesty with communities, presenting facts without distortion or manipulation.
- ❖ **Truthfulness and Transparency:** We work with all stakeholders to build bridges among different, even previously conflicting, groups.
- ❖ **Bridge-Building:** We prioritize protection and confidentiality to ensure the safety of witnesses and participants and safeguard their data.
- ❖ **We believe in empowering local communities to lead the paths of justice themselves.**
- ❖ **Flexibility:** We embrace flexibility to adapt to changing field and political dynamics.

1- Information and Advisory Support to the Commission:

- ❖ Provide research policy papers on reparations according to geographic regions.
- ❖ Prepare policy research papers outlining steps to initiate civil peace processes, considering ethnic differences, through detailed mapping of actors at religious, tribal, and community levels.
- ❖ Offer legal consultations to victims and their families in coordination with the Transitional Justice Commission.
- ❖ Prepare legal summaries for investigation files or truth committees.

2- Community Support, Civil Peace, and Reconciliation:

- ❖ Organize community dialogue sessions to explain the Commission's work and build trust.
- ❖ Raise awareness in communities about reparations mechanisms and compensation programs.
- ❖ Contribute to educational campaigns about victims' rights.
- ❖ Promote a culture of community reconciliation.

3- Capacity Building:

- ❖ Train teams on documentation mechanisms.
- ❖ Prepare simplified procedural guides explaining transitional justice processes.
- ❖ Produce informational bulletins detailing the Commission's progress to help build communication bridges with the Syrian diaspora.

4- Monitoring and Evaluation:

- ❖ Measure victims' and families' satisfaction with the Commission's performance.
- ❖ Track the impact of the Commission's decisions on the ground.
- ❖ Identify obstacles facing the Commission and provide practical recommendations.
- ❖ Document lessons learned for the post-Commission phase.

Wetad Center:

brings together a diverse Syrian team in terms of fields, expertise, skills, competencies, and geography, united by shared values and a belief in the importance of achieving an aware society governed by sustainable peace through the protection of rights and freedoms and the consolidation of citizenship values. The Wedad team sees the priority issues at the current stage as focusing on two main areas:

- ❖ Achieving sustainable peace in Syria through the path of transitional justice by ensuring victims' rights, redressing harm, and guaranteeing fair accountability, ultimately consolidating civil peace.

- ❖ protecting rights and freedoms by reinforcing values of belonging and citizenship and promoting equitable community participation.