

Recommendations on Syria to the EU-Commission and Member States



DAR JUSTICE

عائلات
من أجل الحرية
FAMILIES FOR
FREEDOM

The fall of the Syrian regime marks a critical opportunity to transition from decades of oppression and war to a future based on justice, accountability and democracy. It is also an opportunity for EU member states to articulate a clear strategy in support of the aspirations expressed by many Syrian people, civil society groups and victims/survivors' groups. In this regard, we wish to make specific recommendations related to six key issues: justice and accountability; transitional justice, the political transition, refugees and asylum seekers, reconstruction and sanctions.

▪ **On Justice and Accountability**

1. **Encourage the interim government to ensure effective and impartial investigations on all allegations of human rights abuses** arising from acts or omissions of the interim Syrian government, and prompt judicial follow up through appropriate and independent judicial mechanisms on individuals found responsible for abuses.
2. **Encourage the interim government to ensure investigations at institutional level** to address ongoing violations and identify and implement reforms and structural changes in security operations, use of force and arrest and custody operations to ensure non-recurrence of abuses.
3. **Encourage the interim government to ensure public disclosure of facts and results of investigations** to ensure transparency and accountability to the Syrian people, and as step toward reconciliation and civil peace.

▪ **On Transitional Justice**

1. **Support and ensure a Syrian-led and Syrian-owned approach to transitional justice in Syria**; ensuring that any support to transitional justice in Syria is context-specific, sustainable and enduring in the longer-term; including by ensuring sustainable and flexible funding and international assistance to Syrian CSOs in their work inside Syria.
2. **Support the provision of medical, legal, material and psychosocial support** to victims, survivors, and the families of those affected by serious violations of international law in Syria.
3. **Support the provision of sustainable legal, financial, and psychological support** to survivors of detention, sexualized violence, and torture; ensure aid distribution and reconstruction efforts promote gender equality, including land/property rights for women.
4. **Support national transitional justice efforts** that recognize and address past violations by all perpetrators, ensure redress for victims and society, and guarantee non-recurrence.
5. **Encourage the interim government to provide a clear roadmap for transitional justice**, ensuring meaningful and effective participation and inclusion of victims,

survivors, affected communities – including refugees and IDPs communities – and the broader Syrian society in the design and development of transitional justice plans; acknowledge the need to avoid a top-down approach and the need to ensure a broader participatory framework in the making of transitional justice in Syria.

6. **Ensure and support the active participation of victims and survivors in all formal and informal transitional justice efforts** as rights holders and an essential factor in stability and lasting peace; support and advocate for the enhancement of women's leadership roles and victim-led groups in accountability efforts.
7. **Establish a European fund for victims of serious violations of international law in Syria by EU Member States**, by identifying existing funds linked to violations of international law in Syria within their jurisdictions, such as monetary judgements, sanctions fines and penalties, forfeiture orders, funds frozen for being linked to property unlawfully acquired by the Syrian regime, and other revenue; develop a legal framework allowing the transfer of such funds to benefit victims and the families of victims; such a fund must be carefully designed in full cooperation with the Syrian civil society organizations, victims, survivors, and the families of victims; in its initial phase, focus on establishing a registry of victims and a map of violations for use in providing collective support measures for victims, with the potential to expand to collective or individual reparations as conditions permit.
8. **Support the interim government to ensure their work is complementary with the UN mechanisms** established specifically for Syria and support these mechanisms in fulfilling their mandate.
9. **Encourage the interim government to sign international agreements**, especially those related to human rights, women's rights, and accountability.
10. **Condemn ongoing practices of torture, enforced disappearances, and extrajudicial killings**, and call on the interim government to immediately halt such violence, conduct effective and impartial investigations on alleged individuals and parties responsible for abuses, and ensure accountability for alleged abuses; acknowledge that fighting against impunity includes ongoing and new violations.
11. **Recognize Syrian women's experiences and perspectives** on crimes committed in Syria, advocate for their leadership in justice efforts and promote their access to justice spaces.
12. **Recognize sexualized and gender-based violence** in justice and accountability processes, support survivors and work that prevents recurrence through constitutional and legal reforms for Syria's future.
13. **Support the rights of families of the missing and disappeared to know the truth**, including by clarifying the fate and whereabouts of their loved ones, ensure

families' right to participate in the search for their loved ones, and the development of a comprehensive and effective legal framework to address enforced disappearance in Syria and its impact on families and society. This can also be supported by tackling disinformation created and spread in Europe through EU laws (such as the DSA), and by funding research into disinformation, oral history and documentation projects.

▪ **On the Political Transition and the Role of Civil Society**

1. **Support a Syrian-led political transition** and therefore engage with the Syrian people, including women's leadership, support and demand their political engagement in the political transition.
2. **Support the establishment of a framework that acknowledges individuals as rightful members of society with equal citizenship rights**—granting them equal access to property, services, and opportunities—to bridge inside-outside and urban-rural divides, fostering an inclusive, resilient nation; support those working on a reform of Syrian citizenship law to allow Syrian women to pass their citizenship to their children.
3. **Recognize that a change in the political landscape in Syria could be a positive development**, while stressing that the upcoming period will be crucial in building a new social contract based on participation, the rule of law, and transitional justice, offering an opportunity for stability.
4. **Support the safeguarding of existing civic, political, economic, cultural, and social spaces**, inclusive of all sections of Syria's diverse society, their expansion and the insurance of Syrian women's leadership within these spaces.
5. **Emphasize that any political reforms should be made according to international law standard**, including guarantees of basic human rights (healthcare, education).
6. **Call for transparency including a clear roadmap and timeline of the political transition.**
7. **Recognize and emphasize the fundamental role of Syrian civil society** in shaping Syria's future and a successful democratic political transition and **continue investing in its strengthening.**
8. **Provide sustainable, flexible, long-term funding to Syrian civil society organizations** including women-led organizations and their core operations.
9. **Support the role of women in the future of Syria and commit that funding remains gendersensitive**, supporting women and their ability to access social and economic structures and to facilitate direct cash assistance to women and women-led groups, especially in contexts with financial restrictions.
10. **Support free and independent media** to counter misinformation and promote accurate, unbiased reporting.

▪ On Refugees and Asylum-seekers

1. **Maintain temporary protection and the legal status of Syrian refugees and asylum seekers in EU Member States** and do not force returns in breach of international law. Returns must be voluntary, safe, and dignified, in line with international standards.
2. **Ensure that Syrians with international protection in Europe can make visits to Syria without losing their legal status in EU Member States**, recognizing that this will strengthen the societal and economic relationship between Europe and Syria and allow Syrians to assess for themselves their own safety regarding returns.
3. **Call on Syria's neighbors Turkey, Lebanon, and Jordan, to not force returns** in breach of international law; maintain temporary protection or other legal status of Syrian refugees; maintain support to frontline states; to sign 1951 Refugee Convention and allow UNHCR to register refugees as refugees.

▪ On Reconstruction

1. **Acknowledge that Syrians, especially those most affected by the war, must lead the reconstruction**, ensuring that their resilience and knowledge shape the recovery. Continued humanitarian aid is still needed for those still in camps and living in dire conditions and with crippled services, including health services.
2. **Any reconstruction efforts and economic development should adopt human rights due diligence and address housing, land, and property (HLP) rights**; stress that legal frameworks must protect displaced citizens, allowing them to reclaim and rebuild their homes; stress the need for inclusive policies for fair reconstruction and resettlement.
3. **Call to expand reparations, truth-seeking mechanisms, and property restitution** to recognize victims' suffering and foster reconciliation and recognize the interlinked nature of reconstruction with transitional justice.
4. **Support reconstruction while ensuring that the decision-making remains in Syrian hands.**
5. **Encourage the strengthening of local councils and grassroots initiatives** that empower communities while guaranteeing land and housing rights for displaced and marginalized groups. Support the recognition of informal settlements and self-built recovery efforts and promote participatory planning that allows communities to shape their own spaces.
6. **Prioritize local expertise in economic recovery** and ensure that any EU support of Syria's reconstruction invests in Syrian labor and experts, supports small businesses and cooperatives, and uses sustainable, locally sourced materials in order to achieve self-sufficiency and long-term stability. Support vocational

training and education to empower all societal segments and create sustainable economic opportunities.

7. **Encourage the fostering of healing and reconciliation through reconstruction**, such as public spaces that promote inclusion and dialogue, community-led memorials that acknowledge collective trauma, inclusive memorials, archives and commemorations that reflect the diverse experiences of Syrians, and urban design that prioritizes accessibility, dignity, and social cohesion.
8. **Emphasize that sustainable recovery in Syria requires the participation of all Syrians**, regardless of gender, ethnicity, religion, or political affiliation. Acknowledge that social exclusion has historically contributed to instability, and the post-war reconstruction provides an opportunity to address these disparities. Support a recovery process that prioritizes Syria's distinct cultural identity, ensuring that the path to rebuilding aligns with the values and needs of the Syrian people, without being influenced by foreign modernization models.
9. **Stress the importance of inclusive policies** that engage and strengthen ties between all communities in the rebuilding process while ensuring balanced participation between the diaspora and those who remained in Syria, enduring severe conditions for over 14 years.
10. **Support the implementation of policies** that support equitable development across all regions and promote a unified national identity, that balance development across urban and rural areas to reduce regional disparities, and that focus on empowering local communities and ensure that reconstruction reflects Syria's core values.
11. **Acknowledge that equitable access to vital resources, services, and spaces facilitates the return, investment, and participation of Syrians in national recovery**; that establishing transparent and fair property ownership frameworks safeguard citizens' rights, while inclusive and sustainable urban planning prevents future social and economic inequalities.
12. **Acknowledge that economic and governance structures are required for effective rebuilding that foster national cohesion**, design spaces that promote social cohesion, reconciliation, and collective recovery in order to bring communities together rather than further fragmenting them.
13. **Support the strengthening of governance institutions to foster national unity and prevent further fragmentation**; support the establishment of dialogue frameworks for reconciliation and addressing grievances, encourage partnerships between local communities, government institutions, and international stakeholders.

▪ On Sanctions

1. **Recognize that retaining sanctions could undermine the transitional political process**, by limiting economic recovery and the recovery of states services

(electricity, healthcare, education), providing this recovery allows for better engagement with the political process.

2. **Recognize that retaining sanctions will undermine Syrians' efforts to reclaim the country.** The collective efforts of the Syrian diaspora in Europe and the region to invest in Syria's recovery remains restrained by sanctions imposed against trade and financial services.
3. **Support lifting the EU's sectoral sanctions against Syria in their entirety.** EU sanctions were introduced following the Assad regime's repression against civilian protests, which began in March 2011, and as a response to grave human rights violations that ensued. The EU sanctions sought to force a change in the regime's behavior, helped in providing a measure of accountability against the regime, and limited its capacity to commit further violations. With the fall of the regime, the reasons for the sanction regime are gone.
4. **Support the maintaining of individual sanctions,** which served as an accountability measure against human rights abusers in Syria since 2011 and should remain so. Military officers, regime officials, businesses financing oppression and the Assad family should not be allowed access to their frozen assets or be allowed entry to the EU.
5. **Support the creation and clarity of clear delisting criteria for those who could help in accountability efforts** against the regime's human rights violations.
6. **Explore pathways to use frozen assets of Assad's regime for a Fund for Syrian reconstruction, rehabilitation and compensation of victims.**
7. **Engage with European banks to reduce over-compliance.**
8. **Call upon the USA to lift secondary sanctions and lift the ban on exporting any product that contains more than 10% US made parts as this might affect European parts or software.**

▪ **Signatories:**

1. Adalaty
2. Association of Detainees and The Missing in Sednaya Prison (ADMSP)
3. Association of Victims of Chemical Weapons (AVCW) - رابطة ضحايا الأسلحة الكيميائية
4. Caesar Families Association
5. Civil Peace Group
6. Dar Justice
7. Dawlaty
8. Families for Freedom
9. Huquqyat
10. Lawyers and Doctors for Human Rights (LDHR)

11. Release Me
 12. Synergy Association for Victims
 13. Syrian Archive – Mnemonic
 14. Syrian Center for Media and Freedom of Expression (SCM)
 15. Syrian Network for Human Rights (SNHR)
 16. Syrians for Truth and Justice (STF) - سوريون من أجل الحقيقة والعدالة
 17. Ta'afi
 18. The Day After Association
 19. The Syria Campaign
 20. The Syrian Legal Development Program
 21. Together Space
 22. Women Now for Development
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