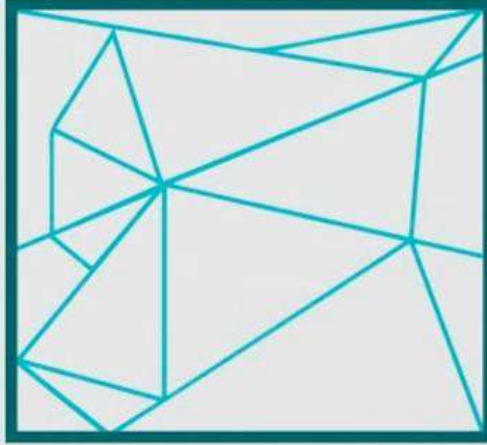


Syrians for Truth and Justice submits a contribution to the UN Working Group on Enforced or Involuntary Disappearances

سوريون
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الحقيقة
والعدالة

Syrians
For Truth
& Justice



The Contribution Was Submitted To The Working Group As Part Of The Thematic Report On Enforced Disappearance And Memorialization

April 2026

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Submitted To: UN Working Group On Enforced Or Involuntary Disappearances (WGEID)

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Submission Overview: This submission is provided in response to the Working Group's call for submissions for its thematic report on enforced disappearances and memorialization, to be presented to the Human Rights Council in September 2026 and to the General Assembly in October 2026. It addresses enforced disappearances in Syria as a long-standing practice that predates 2011, expanded during the conflict years, and continues after the fall of the Assad government in December 2024. The submission draws on STJ's documentation and analysis, complemented by relevant UN and humanitarian reporting. If helpful, STJ stands ready to provide further details or additional documentation related to any of the cases and patterns referenced, including through its reports and supporting materials.

1. About Syrians for Truth and Justice:

Syrians for Truth and Justice (STJ) is an independent Syrian human rights organization that documents serious violations and supports victims and survivors through rights-based approaches, including legal analysis aimed at advancing truth, accountability, and remedy. In the context of enforced disappearance, STJ's work seeks to preserve victims' records and families' accounts, and to safeguard evidence necessary to establish fate and whereabouts, thereby directly contributing to memorialization grounded in verified truth.¹

STJ has documented patterns of arbitrary arrest, enforced disappearance, torture and ill-treatment, and identity-based targeting affecting civilians across Syria both before and after the fall of the Assad government on 8 December 2024, including continuing violations in the post-transition period.

Through this submission, STJ contributes to the Working Group's thematic report by reflecting on the Syrian experience and highlighting how memorialization can support victims' rights to truth and remedy, while warning against denial, exclusion, and hierarchies of victims in transitional contexts.

2. Executive Summary:

This submission addresses the relationship between enforced disappearances and memorialization in Syria, with a particular focus on how selective transitional justice risks producing selective remembrance and exclusionary reparations. Enforced disappearance in Syria is a long-standing practice spanning decades, expanding dramatically after 2011 into widespread and systematic patterns of secret detention, torture, and the denial of information to families. The fate and whereabouts of tens of thousands of missing and disappeared persons remain unknown to this day, leaving families trapped in prolonged uncertainty and undermining the minimum conditions for mourning, public acknowledgment, and collective remembrance.

¹ For more information about STJ, see its official website: <https://stj-sy.org/en/>

Following the fall of the Assad government on 8 December 2024, a critical opening emerged for truth-seeking and addressing Syria's accumulated legacy of disappearance. However, STJ documentation indicates that disappearance-related violations have not ceased in the post-Assad period. Patterns of arbitrary arrest, abduction, enforced disappearance, and torture-related practices continued in different forms and contexts, alongside intimidation and fear that restrict victims' families from speaking publicly or engaging in possible commemoration.

STJ identifies a central risk to memorialization in post-December 2024 Syria: the consolidation of a selective transitional justice framework that narrows victimhood and produces hierarchies of victims. STJ notes that Article 49 of the Constitutional Declaration, and Decree No. 20/2025 establishing the National Commission for Transitional Justice, risk embedding an exclusionary approach by restricting justice to crimes committed by the former regime and marginalizing victims harmed by other actors, including those affected by post-transition violations. Such selectivity does not only limit accountability; it shapes public acknowledgment and collective memory, determining which harms are recognized as legitimate and which are rendered invisible.

This submission also highlights how identity- and citizenship-related exclusion can shape memorialization in Syria, including through the long-term consequences of the 1962 al-Hasakah exceptional census on Kurdish communities. It notes that rights-based recognition measures should be matched by equal guarantees of truth, remedy, and inclusive victim recognition, to avoid producing an official memory that remains partial.

This submission further highlights how enforced disappearance uniquely obstructs memorialization by keeping victims in a condition of legal and existential uncertainty: without confirmed fate and whereabouts, families remain unable to mourn, commemorate, or publicly demand truth without fear. The situation is further compounded by risks to evidence preservation. Following the opening of detention facilities and security branches, reports indicated that critical records and detainee-related documentation were left unsecured and exposed to loss, theft, or destruction, undermining families' ability to establish fate and whereabouts and weakening the evidentiary foundation necessary for truth, reparations, and memorialization.

Drawing on STJ documentation and relevant international reporting, the submission proposes key elements for the Working Group's thematic report, emphasizing memorialization as part of the rights to truth and remedy; inclusive victim recognition across time periods and perpetrators; protection for families and civil society actors; safeguarding archives and detention records; and community-led, truth-based memorialization capable of supporting guarantees of non-recurrence.

3. Context: Enforced Disappearance and the Absence of Memorialization in Syria:

Enforced disappearance in Syria has long served as a coercive mechanism of state repression, used to silence opposition and control populations. It expanded after the 2011 uprising, becoming widespread and systematic. This long-term legacy remains largely unacknowledged, leaving thousands of families without verified information about fate and whereabouts and without the minimum conditions required for mourning and public remembrance.

The fall of the Assad government on 8 December 2024 created a critical opening for truth-seeking and for addressing Syria's accumulated disappearance legacy. However, STJ documentation indicates that disappearance-related violations have not ceased in the post-Assad period. Communities continue to face patterns of intimidation, uncertainty, and denial—conditions that restrict public acknowledgment and make memorialization unsafe. In several contexts, victims and families remain reluctant to document cases, name the disappeared, or participate in collective remembrance due to fear of reprisals and the absence of credible, protective complaint mechanisms.

Against this backdrop, memorialization in Syria faces a dual challenge: it must address a vast pre-December 2024 legacy of disappearances that has never been meaningfully acknowledged, while also addressing concerns that victims of enforced disappearance in the post-Assad period may not be recognized or memorialized. Competing narratives about past and ongoing violations risk producing selective truth-telling and hierarchies of victims, particularly to the detriment of minority victims and those harmed by actors other than the former regime. Memorialization will only contribute to guarantees of non-recurrence if it is anchored in inclusive recognition, equal citizenship, and non-discrimination, and if it safeguards the rights and security of families, survivors, and civil society actors.

4. Legacy of Enforced Disappearance Before December 2024: A Long-Term Pattern of Denial and Unresolved Cases:

Enforced disappearance in Syria has been used for decades as a tool of repression and social control, dating back to the early years of Hafez al-Assad's rule and the violent repression surrounding the Hama events in the 1980s.² While the practice persisted in subsequent years, it expanded dramatically after the 2011 uprising, becoming widespread and systematic. Human rights reporting has repeatedly emphasized that the fate and whereabouts of tens of thousands of missing and disappeared persons remain unknown, with disappearances attributable to multiple parties to the conflict.³

Moreover, STJ has documented how the former government relied on exceptional mechanisms such as military field courts, which contributed to patterns of enforced disappearance and secret executions, leaving numerous families without verified information on fate and whereabouts, a legacy that remains unresolved to this day.⁴

² The Syrian Network for Human Rights. The Hama massacre: an old file facing the new Syrian government. February 22, 2025. <https://snhr.org/blog/2025/02/22/the-hama-massacre-an-old-file-facing-the-new-syrian-government/>

³ The Office of the High Commissioner for Human Rights. Syria's Missing and Disappeared (Policy Paper). June 17, 2022. https://www.ohchr.org/sites/default/files/2022-06/PolicyPaperSyriasMissingAndDisappeared_17June2022_EN.pdf

⁴ Syrians for Truth and Justice. Military Field Courts in Syria: 55 Years of Arbitrary Decisions. October 13, 2023. <https://stj-sy.org/en/military-field-courts-in-syria-55-years-of-arbitrary-decisions/>
Amnesty International. Syria: Human slaughterhouse: Mass hangings and extermination at Saydnaya Prison, Syria. February 7, 2017. <https://www.amnesty.org/en/documents/mde24/5415/2017/en/#:~:text=Amnesty%20International's%20research%20shows%20that,in%20furtherance%20of%20state%20policy.>

This entrenched practice is directly relevant to memorialization. Where disappearance remains unresolved, families are denied the minimum factual basis required for mourning, commemoration, and collective remembrance, and victims risk being erased from official narratives. Victims' families continue to require truth-seeking measures that address both historic and ongoing disappearances, without restricting recognition to a single period or perpetrator, particularly given that many cases remain unresolved and families remain without answers.⁵

The risk is compounded by the vulnerability of archives and detention-related documentation. Following the regime's collapse and the opening of detention facilities and security branches, critical records were reportedly left unsecured, exposing them to loss, theft, and destruction. Amnesty International warned that official files and other evidence were looted, damaged, or deliberately destroyed, including instances in which security personnel reportedly burned information before fleeing.⁶ The loss of documents containing detainees' names, detention registers, and custody-related records undermines families' ability to establish fate and whereabouts and weakens the evidentiary basis for truth, reparations, and memorialization, underscoring the urgency of securing, preserving, and professionally archiving all detention registers, transfer logs, and related documentation.

5. Enforced Disappearance and Memorialization: Continuing Patterns and Barriers in Post-December 2024 Syria:

Enforced disappearance continues to undermine memorialization in Syria because it is rooted in concealment and denial. By withholding information on fate and whereabouts, perpetrators keep victims outside the protection of the law and keep families in a prolonged state of uncertainty. In transitional contexts where security actors retain coercive capacity and where complaint mechanisms remain weak or unsafe, families may avoid public reporting, documentation, and commemoration due to fear of reprisals and stigma.

STJ documentation indicates that disappearance-related practices and arbitrary deprivation of liberty remain ongoing in the transitional period,⁷ while fear, intimidation, and uncertainty continue to discourage families from public reporting and truth-seeking, directly undermining the conditions for safe memorialization. This assessment is consistent with international reporting: on 7 November 2025, the UN human rights office stated that it had documented at least 97 cases of abductions or enforced disappearances in Syria since January 2025.⁸

⁵ Amnesty International. Truth Still Buried: The struggle for justice of disappeared people's families in Syria. August 29, 2025. <https://www.amnesty.org/en/documents/mde24/0167/2025/en>

⁶ Amnesty International. Syria: Preserve evidence of mass atrocities. December 23, 2025. <https://www.amnesty.org/en/latest/news/2024/12/syria-preserve-evidence-of-mass-atrocities>

⁷ Syrians for Truth and Justice. "Living Between Hope and Fear": Testimonies Documenting the Persistence of Enforced Disappearance in Post-Assad Syria. August 29, 2025. <https://stj-sy.org/en/living-between-hope-and-fear-testimonies-documenting-the-persistence-of-enforced-disappearance-in-post-assad-syria/>

⁸ Reuters. Nearly 100 people abducted or disappeared in Syria since January, says UN. November 7, 2025. <https://www.reuters.com/world/middle-east/nearly-100-people-abducted-or-disappeared-syria-since-january-says-un-2025-11-07>

5.1. Coastal Syria: Identity-Based Targeting, Fear, and the Shrinking Space for Public Remembrance:

In its assessment of post-Assad Syria, STJ documented a pattern of identity-based targeted killings and disappearances, particularly affecting Alawi civilians, in which individuals were subjected to arbitrary arrest, abduction, or killing based primarily on perceived sectarian identity rather than any individualized suspicion.

The documentation indicates that these incidents intensified in the months preceding the March 2025 coastal violence, with witnesses describing house raids, checkpoint harassment, and the disappearance or detention of Alawis under the pretext of targeting “regime remnants.” Even former government soldiers who had sought protection through “status settlement” procedures were nonetheless killed or subjected to violence, detention, and disappearance.⁹

The persistence of disappearance-related practices is compounded by the absence of safe complaint and redress mechanisms. STJ documented multiple cases of abductions and killings across Homs Governorate following the collapse of the former regime, noting that these violations primarily targeted Alawite civilians and unfolded amid authorities’ inability to prevent crimes, identify perpetrators, or provide effective legal recourse. In several documented incidents, abducted individuals remained missing for prolonged periods, leaving families without verified information about fate or whereabouts.¹⁰

Alarmingly, on 14 August 2025, the UN Syria Commission of Inquiry (CoI) reported that it continued to receive information about ongoing violations in these areas, including abductions of women, arbitrary arrests and enforced disappearances. The CoI further noted that the extreme violence deepened existing rifts between communities, contributing to a climate of fear and insecurity.¹¹ In this context, patterns of official denial and public narratives that discredited abducted women through stigmatizing allegations were observed, further silencing victims and undermining prospects for truth, accountability, and dignified memorialization.

5.2. Damascus (al-Qadam neighborhood): Arrest Campaigns, Denial of Detention, and Structural Barriers to Memory:

STJ further documented that disappearance-related practices extended beyond the coastal region into the capital. In Damascus’ al-Qadam neighborhood, STJ documented two arrest

⁹ Syrians for Truth and Justice. “Syrians for Truth and Justice. Are you Alawi?”. September 23, 2025. <https://stj-sy.org/en/are-you-alawi/>

Syrians for Truth and Justice. Syria: Serious Concerns Regarding Integrity, Independence, and Effectiveness of the Investigation Committee for Coastal Events. April 7, 2025. <https://stj-sy.org/en/syria-serious-concerns-regarding-integrity-independence-and-effectiveness-of-the-investigation-committee-for-coastal-events/>

Syrians for Truth and Justice. Left to Their Fate: Grave Violations Against Alawites Following the Coastal Massacres. October 28, 2025. <https://stj-sy.org/en/left-to-their-fate-grave-violations-against-alawites-following-the-coastal-massacres/>

¹⁰ Syrians for Truth and Justice. Syria/Homs: Violations Against Civilians Amid Lack of Effective Complaint and Redress Mechanisms. June 18, 2025. <https://stj-sy.org/en/syria-homs-violations-against-civilians-amid-lack-of-effective-complaint-and-redress-mechanisms/>

¹¹ The UN Syria Commission of Inquiry. Violations against civilians in Coastal and Western Central Syria in January - March 2025. A/HRC/59/CRP.4. August 14, 2025. <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/report-coi-syria-august2025>

campaigns, the first in late December 2024, and the second on 7 March 2025, coinciding with the onset of escalating violence in Syria's coastal region. These campaigns targeted residents – most of them from the Alawite community – and resulted in the disappearance of dozens, amid reports of extrajudicial executions. Testimonies collected by STJ indicate that security forces and affiliated armed actors carried out night raids on homes and workplaces, arrested individuals without judicial warrants, and frequently accompanied operations with sectarian insults and threats. Families reported prolonged loss of contact and an acute absence of reliable information on fate and whereabouts; in several cases, relatives searched across multiple police stations and security branches only to be met with denial of detention or refusal to disclose custody locations. STJ documented a recurring pattern in which authorities denied the presence of detainees in facilities, even where released detainees or family members later confirmed that some individuals had in fact been held there.¹²

5.3.As-Sweida: Severe Intimidation, Displacement, and Limited Accountability:

In As-Sweida, the conditions for truth-based memorialization were further undermined by a documented pattern of identity-linked violence and severe intimidation, including abductions and enforced disappearances. UN experts warned of attacks against Druze communities and cited reported violations including killings, enforced disappearances, abductions, looting, destruction of property, and sexual and gender-based violence against women and girls, highlighting the fear and coercion generated within affected communities.¹³

Humanitarian updates described a broader environment of escalating hostilities and insecurity, with displacement and disrupted access, further eroding civic space and families' ability to safely document abuses or publicly demand truth about missing relatives. Subsequent human rights reporting stressed that accountability remained limited for grave abuses committed during the July 2025 events, including unlawful killings, arbitrary arrests, and abductions attributed to multiple actors, including government forces and local armed groups.¹⁴

5.4.Aleppo: Mass Arrests and Opaque Custody in Predominantly Kurdish Neighborhoods:

A similar dynamic emerged in northern Syria. In early 2026, STJ and the Kurdish Lawyers Union (KLU) raised concerns over the fate of hundreds of detainees in the aftermath of clashes in

¹² Syrians for Truth and Justice. Syria: Documentation of Enforced Disappearances and Arbitrary Arrests in the al-Qadam Neighborhood of Damascus. June 23, 2025. <https://stj-sy.org/en/syria-documentation-of-enforced-disappearances-and-arbitrary-arrests-in-the-al-qadam-neighborhood-of-damascus/>

¹³ The Office of the High Commissioner for Human Rights. Syria: UN experts alarmed by attacks on Druze communities, including sexual violence against women and girls. August 21, 2025. <https://www.ohchr.org/en/press-releases/2025/08/syria-un-experts-alarmed-attacks-druze-communities-including-sexual-violence>

The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). Syrian Arab Republic: Flash Update No. 5 - Escalation of Hostilities in As-Sweida Governorate (as of 31 July 2025). August 2, 2025. <https://www.unocha.org/publications/report/syrian-arab-republic/syrian-arab-republic-flash-update-no-5-escalation-hostilities-sweida-governorate-31-july-2025>

¹⁴ ReliefWeb. UNHCR Flash Update #7 on the situation in As-Sweida - 9 September 2025. September 9, 2025. <https://reliefweb.int/report/syrian-arab-republic/unhcr-flash-update-7-situation-sweida-9-september-2025>
Human Rights Watch. Syria: Accountability Lacking for Sweida Abuses. January 15, 2026. <https://www.hrw.org/news/2026/01/15/syria-accountability-lacking-for-sweida-abuses>

Sheikh Maqsoud and Ashrafieh, two predominantly Kurdish neighborhoods in Aleppo. STJ reported that large-scale arrests and transfers were carried out under opaque custody arrangements, leaving families without reliable information on the fate and whereabouts of their relatives.¹⁵

In such contexts, uncertainty becomes systematic: families often cannot confirm whether detainees are alive, where they are held, or which authority controls their detention, conditions that not only hinder legal follow-up, but also suppress public truth-seeking and obstruct collective remembrance.

Humanitarian reporting further illustrates the broader environment in which these disappearances occur. A flash update published on ReliefWeb described the clashes as triggering acute civilian harm and displacement pressures, alongside insecurity and movement constraints.¹⁶

6. Key Risk: Selective Transitional Justice Produces Selective Memorialization:

STJ considers the most serious risk facing memorialization in post-December 2024 Syria to be the consolidation of a transitional justice framework that produces selective recognition of victims, and ultimately a selective regime of memory and reparations. Memorialization cannot function as a guarantee of non-recurrence if the underlying transitional justice architecture narrows victimhood, excludes categories of violations, or privileges a politically convenient narrative. In such settings, transitional justice does not merely determine legal accountability, it also shapes public acknowledgment, defining whose suffering is recognized as legitimate and whose claims to truth, remedy, and remembrance are deferred or denied.

6.1. The Constitutional Declaration of 2025:

This risk is already reflected at the constitutional level. STJ notes that Article 49 of the Constitutional Declaration¹⁷ provides for the establishment of a transitional justice body and affirms victims' rights to truth, accountability, and redress. However, the article simultaneously specifies that war crimes, crimes against humanity, genocide, and all crimes committed by the

¹⁵ Syrians for Truth and Justice. Joint Press Statement: Concerns Over the Fate of Hundreds of Detainees After Sheikh Maqsoud and Ashrafieh Clashes in Aleppo. January 15, 2026. <https://stj-sy.org/en/joint-press-statement-concerns-over-the-fate-of-hundreds-of-detainees-after-sheikh-maqsoud-and-ashrafieh-clashes-in-aleppo/>

¹⁶ ReliefWeb. Syrian Arab Republic: Flash Update No. 4 - Clashes in Aleppo (as of 12 January 2026) [EN/AR]. January 12, 2026. <https://reliefweb.int/report/syrian-arab-republic/syrian-arab-republic-flash-update-no-4-clashes-aleppo-12-january-2026-enar>

¹⁷ Article 49 of the Constitutional Declaration states: 1- A Transitional Justice Commission shall be established, adopting effective consultative mechanisms centered on victims, to determine avenues for accountability, the right to know the truth, and the redress of victims and survivors, in addition to honoring the martyrs. 2- War crimes, crimes against humanity, the crime of genocide, and all crimes committed by the former regime shall be excluded from the principle of non-retroactivity of laws. 3- The State shall criminalize the glorification of the former Assad regime and its symbols, and the denial of its crimes, the praise thereof, the justification thereof, or the minimization thereof shall be considered crimes punishable by law.

Syrian Arab News Agency (SANA). The Constitutional Declaration of the Syrian Arab Republic. March 13, 2025. <https://sana.sy/?p=2198312>

former regime are excluded from the principle of non-retroactivity of laws. While this provision does not, in itself, define the full material jurisdiction of the transitional justice body, it frames the constitutional understanding of accountability in a manner that centers crimes of the former regime.

In practice, this framing risks shaping the boundaries of official recognition. When read in conjunction with subsequent implementing instruments, it may contribute to a state-endorsed narrative of victimhood in which remembrance, commemoration, and reparative measures are anchored in a narrowed definition of harm, leaving entire categories of victims –particularly those harmed by other actors– outside the scope of public acknowledgment. As a result, constitutional framing, combined with implementing decrees, may evolve into selective memorialization, shaping which losses are validated and preserved in collective memory, and which are rendered invisible.¹⁸

6.2. Decree No. 20 of 2025 establishing the National Commission for Transitional Justice:

Decree No. 20/2025 builds on this constitutional framing.¹⁹ STJ's analysis of the decree, which operationalizes transitional justice through the establishment of the National Commission for Transitional Justice and the definition of its mandate, underscores how constitutional exclusions may be translated into practice. STJ notes that the decree anchors transitional justice in a narrowly framed perpetrator-based approach, effectively limiting the process to “uncovering the truth regarding the gross violations committed by the former regime, ensuring accountability for those responsible, providing reparation to victims, and promoting guarantees of non-recurrence and national reconciliation.” This approach excludes grave abuses perpetrated by armed opposition factions, de facto authorities, ISIS, and foreign forces. This design does not merely narrow accountability; it also narrows the universe of truth that the transition is institutionally prepared to acknowledge, thereby laying the groundwork for an official memory that is partial by construction.²⁰

Crucially, STJ highlights that Decree No. 20 omits an inclusive definition of victims and fails to articulate clear criteria or standards for reparations, leaving broad discretion that may facilitate exclusion in practice. STJ warns that such gaps risk legitimizing selective truth-seeking by privileging one set of narratives and harms while relegating others to political invisibility. For memorialization, this creates a structural danger: when transitional justice is framed around a single historical perpetrator, the state effectively signals which victims merit national

¹⁸ Syrians for Truth and Justice. The Constitutional Declaration in Syria: Exceptional Powers for the Transitional President and the Risks of Entrenching Authoritarian Rule Hindering the Transition to Democracy. July 9, 2025. <https://stj-sy.org/en/the-constitutional-declaration-in-syria-exceptional-powers-for-the-transitional-president-and-the-risks-of-entrenching-authoritarian-rule-hindering-the-transition-to-democracy/>

¹⁹ Syrian Arab News Agency (SANA). Presidential Decree No. 20 establishing the National Commission for Transitional Justice. May 17, 2025. <https://archive.sana.sy/?p=2219864>

²⁰ Syrians for Truth and Justice. Selective and Discriminatory: How Decree No. 20/2025 Failed to Deliver a Comprehensive Approach to Transitional Justice in Syria. November 12, 2025. <https://stj-sy.org/en/selective-and-discriminatory-how-decree-no-20-2025-failed-to-deliver-a-comprehensive-approach-to-transitional-justice-in-syria/>

acknowledgment and which experiences can be omitted from the public record, producing “official forgetting” of victims whose suffering falls outside the decree’s mandate.²¹

6.3. Identity Recognition and Memorialization in North-East Syria:

Recent developments concerning Kurdish rights further illustrate how official recognition can shape memorialization, either toward inclusion or toward a partial, selective public narrative. On 16 January 2026, Presidential Decree No. 13 affirmed that Syrian Kurdish citizens are an integral part of the Syrian people and recognized their cultural and linguistic identity as a component of Syria’s national diversity.²² Such measures may constitute an important step toward equal citizenship and non-discrimination, particularly given the long history of denial and exclusion affecting Kurdish communities.

STJ recalls that exclusion in Syria has not been limited to discourse; it has also been embedded in legal identity frameworks. The 1962 exceptional census in al-Hasakah and its long-term consequences created enduring forms of legal and social marginalization, depriving many Kurds of recognition and associated rights.²³ This legacy is directly relevant to memorialization: when communities are denied legal identity and equal citizenship, their suffering is more easily excluded from official narratives, and their access to truth, documentation, and remedy becomes structurally constrained.

At the same time, STJ stresses that symbolic recognition alone cannot prevent selective remembrance. Memorialization requires not only acknowledgment of identity, but also institutional commitment to truth-seeking and equal victim recognition, especially where communities continue to experience insecurity, intimidation, and restricted civic space. In north-east Syria, ongoing tensions and contested authority structures have heightened concerns relating to custody transparency, access to information, and the protection of documentation and records. These conditions can leave families unable to determine fate and whereabouts or safely seek disclosure, thereby constraining public acknowledgment and undermining the conditions for truth-based memorialization.

STJ therefore emphasizes that recognition of Kurdish cultural rights must be matched by safeguards that ensure equal access to truth, remedy, and memorialization for all victims, without discrimination and regardless of the identity of the perpetrator. Otherwise, rights-based recognition risks coexisting with institutional silence around unresolved disappearances

²¹ Some political and human rights actors have attempted to justify this narrow mandate by adopting an expansive interpretation of the phrase “violations caused by the defunct regime,” arguing that all subsequent crimes stem indirectly from the former regime’s responsibility for triggering the conflict. However, this interpretation lacks any legal basis. It conflates the political cause of the conflict with the direct legal cause of specific crimes and undermines the principle of individual criminal responsibility—a foundational concept of international human rights law and international criminal law—requiring a direct causal link between the criminal act and its perpetrator.

²² Syrian Arab News Agency (SANA). Presidential Decree No. 13 of 2026. January 16, 2026. <https://sana.sy/presidency/2376054/>

²³ Syrians for Truth and Justice. “Strangers in Their Own Homeland”: The 1962 al-Hasaka Exceptional Census and the Path to Transitional Justice in Syria. November 27, 2025. <https://stj-sy.org/en/strangers-in-their-own-homeland-the-1962-al-hasaka-exceptional-census-and-the-path-to-transitional-justice-in-syria-2/>

and arbitrary deprivation of liberty, producing an “official memory” that remains partial and leaving certain victims and communities outside meaningful acknowledgment.

6.4. Recognition and Inclusivity as Foundations for Memory and Reparations:

According to international standards set out by the United Nations, transitional justice encompasses the full range of judicial and non-judicial processes and mechanisms employed by states to address the legacy of gross human rights violations wherever they occur and regardless of the identity of the perpetrator.²⁴ Under this definition, justice must be inclusive of all victims without discrimination and must ensure accountability, reparation, truth-seeking, and guarantees of non-repetition.

STJ further stresses that this selective architecture is especially damaging in a context where multiple perpetrators continue to hold coercive power and where victims –particularly in marginalized communities– already face stigma, fear, and retaliation risks. In such conditions, narrowing the scope of justice may not only deny certain victims meaningful avenues for truth and accountability; it may also suppress their ability to participate in public remembrance, to have their losses recognized in national narratives, and to ensure their experiences are preserved in collective memory as part of the transition.

In the Syrian context, the consequences of selective victim recognition are especially acute because they directly shape memorialization and reparations as mutually reinforcing processes. Public commemoration and collective remembrance do not begin with monuments; they begin with recognition. When victims are excluded from recognition in practice, families may face a “second exclusion”: not only the original violation (disappearance, torture, arbitrary detention, unlawful killing), but also exclusion from acknowledgment, certification, and reparative pathways, including compensation, access to information, and measures of satisfaction such as memorialization. STJ warns that this dynamic entrenches “hierarchies of victims,” reinforcing discrimination and undermining guarantees of non-recurrence.

Victims’ testimonies documented by STJ reflect how such selectivity is experienced in practice. One testimony emphasized that **“losses cannot be overcome without full recognition of all victims, fair compensation, and accountability for all parties responsible for violations, whoever they may be.”** Another testimony described feeling excluded from any real calculation of justice, illustrating how selective justice rapidly becomes selective memory.

From STJ’s perspective, inclusive memorialization in Syria is therefore inseparable from inclusive justice. Any transitional justice process that privileges one category of victims while marginalizing others risks entrenching discrimination through selective remembrance and selective reparations, replicating the very dynamics of exclusion and denial that enforced disappearance has historically relied upon in Syria.

²⁴ Office of the High Commissioner for Human Rights. Transitional justice and human rights. <https://www.ohchr.org/en/transitional-justice>

7. Suggested elements for the Working Group's thematic report:

Based on STJ documentation and analysis, as well as relevant international reporting, the Working Group's thematic report on enforced disappearances and memorialization may wish to consider the following elements:

1. **Memorialization as part of truth and remedy.** The report may wish to emphasize that memorialization is a form of public acknowledgment and satisfaction closely linked to victims' rights to truth and reparations.
2. **From uncertainty to recognition: prerequisites for commemoration.** The report may wish to note that meaningful memorialization is severely constrained where authorities maintain concealment or ambiguity regarding fate and whereabouts, and where families lack safe channels to seek information.
3. **Long-standing disappearances.** The report may wish to highlight that Syria has tens of thousands of unresolved enforced disappearance cases spanning decades. Memorialization should reflect this legacy while also addressing continued disappearances in the transitional period. Legal identity and civil documentation can also shape inclusion in truth, remedy, and remembrance, particularly for historically marginalized groups.
4. **Inclusive victimhood and rejection of "hierarchies of victims."** The report may wish to caution against transitional justice frameworks that recognize certain categories of victims while excluding others, whether based on identity (including through citizenship or legal-status-based exclusion), political affiliation, geography, or the identity of the alleged perpetrator.
5. **Safety of families, survivors, and memorial actors.** The report could highlight that fear of reprisals, stigma, and intimidation can silence families and prevent naming the disappeared. It may therefore be useful to stress protections that enable safe truth-telling, documentation, and commemoration.
6. **Safeguarding records and evidence.** The report may wish to emphasize protecting detention registers, transfer logs, investigative files, and victim documentation from loss, destruction, tampering, or politicized control, as these records underpin both truth and memory, especially where detention facilities have been accessed chaotically, heightening the risk of looting or record loss.
7. **Victim- and community-led memorialization.** The report may wish to encourage participatory memorialization approaches led by victims' families and affected communities (e.g., community archives, oral history initiatives, naming projects, and local commemorations, and documentation of previously erased identities), while noting the risks of politically instrumentalized narratives.
8. **Non-recurrence through inclusive remembrance.** The report may wish to note that selective or exclusionary remembrance can reproduce denial and discrimination, while inclusive memorialization contributes to societal acknowledgment, reform, and prevention.
9. **Institutional reform as a condition for credible memorialization.** The report may wish to note that inclusive and credible memorialization depends on the existence of capable, impartial, and representative institutions, particularly within the security and judicial

sectors. Where institutions remain politicized, exclusionary, or structurally biased, they risk producing partial narratives of harm that undermine truth-based remembrance.

10. **Hate speech and stigmatization as barriers to remembrance.** The report may wish to highlight that persistent hate speech and stigmatizing public narratives can deter victims —especially from religious or ethnic minorities or politically marginalized groups— from seeking recognition, truth, or memorialization. Addressing such discourse is essential to enabling victims to articulate their experiences and participate safely in collective memory.
11. **Power, immunity, and obstacles to memorialization.** The report may wish to caution that granting protection, immunity, or influence to individuals implicated in serious violations can obstruct memorialization by silencing victims and discouraging public acknowledgment, particularly where alleged perpetrators retain coercive or political power.
12. **Pluralism and independence in truth-seeking mechanisms.** The report may wish to emphasize that investigative and truth-seeking bodies play a decisive role in shaping collective memory. Where such mechanisms lack independence, plural representation, or perceived neutrality, they risk excluding certain victims' experiences —particularly post-transition violations— from official narratives and memorial processes.

8. Contact Information:

Additional documentation and published reports are available at <https://stj-sy.org/en/>

ABOUT STJ

Syrians for Truth and Justice (STJ) started as an idea in a co-founder's mind while attending the U.S. Middle-East Partnership Initiative's (MEPI) Leaders for Democracy Fellowship program (LDF) in 2015. The idea became a reality and flourished into an independent, non-profit, impartial, non-governmental human rights organization.

STJ's beginnings were more than humble; initially, it only reported stories of Syrians who experienced arbitrary arrest, enforced disappearance, or torture. Planted in fertile soil, the seed of this project grew into an established human rights organization licensed in the Middle East and the European Union. STJ today undertakes to detect and uncover violations of all types committed in all Syrian parts by the various parties to the conflict.

Convinced that Syria's diversity is a wealth, our researchers and volunteers serve with unfailing dedication to monitor, expose, and document human rights violations that continue unabated in Syria since 2011, regardless of the affiliation of the victims or perpetrators.