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# MAINSTREAMING TRANSITIONAL JUSTICE IN SYRIA: A PROPOSAL FOR MINISTERIAL INTEGRATION

*Mansour Omari*

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**About the Author**

Mansour Omari is a Syrian human rights defender and legal researcher. He holds an LLM in Transitional Justice and Conflict. Omari works with international and Syrian human rights organizations to hold the perpetrators of international crimes in Syria accountable. In 2012, Omari was detained and tortured by the Syrian government for 356 days for documenting its atrocities while working with the Syrian Center for Media and Freedom of Expression as the supervisor of the Detainees Office.

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Cover photo: Marjeh Square, where families of the disappeared have put up photos of their missing loved ones. Damascus, Syria – 15 January 2025. (c) Andrea Backhaus - Shutterstock

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# Introduction

The establishment of Syria's National Commission for Transitional Justice (NCTJ) on 17 May 2025 marks a crucial step in the country's pursuit of transitional justice. However, given the immense scope of past violations, the widespread destruction and damage across the country, and the large number of affected individuals, a singular, centralized commission is insufficient. To better address the legacy of systemic abuses, it is imperative to integrate transitional justice operations directly into the fabric of governance. This paper argues for a whole-of-government approach by establishing a dedicated transitional justice (TJ) office or focal point within every relevant ministry. This approach transcends traditional, centralized mechanisms, aiming to embed accountability, reconciliation, and victim-centered processes directly into policy-making and service delivery. This paper outlines the potential functions of these ministerial units, details the necessary conditions for their success, and argues that this transformative stride is essential for effective transitional justice implementation.

The rationale for a whole-of-government approach is multifaceted. Firstly, abuses during the conflict were not confined to specific security forces but permeated various state apparatuses, including those responsible for healthcare, education, and property. Addressing these, therefore, requires a sector-specific understanding and response. Secondly, it fosters a culture of accountability and human rights within the bureaucracy itself, thereby preventing future abuses. Thirdly, it ensures that policy-making and service delivery are inherently informed by the imperative of non-repetition of violations and victim redress. It also makes a case for why this integrated approach is essential to rebuilding citizen trust in the state apparatus and preventing the recurrence of abuses.

Nearly every ministry, irrespective of its primary function, has a role to play in transitional justice. Consequently, a Transitional Justice Integration Unit (TJIU), or a designated focal point, should be established within each ministry, reporting directly to and coordinating with the Minister or Deputy Minister, as well as the NCTJ. These units would ideally be staffed by individuals possessing expertise in human rights, law, social sciences, and crucially, a nuanced understanding of the specific ministry's operations and its historical context within the conflict. The establishment of these units should be mandated

by a legal framework from the government in consultation with the NCTJ and other experts, which would also lead the training and capacity building for the TJIU staff to ensure a consistent approach across all ministries.

## Background: Transitional Justice and a Traditional Reliance on Centralized Commissions

Transitional justice (TJ) represents a comprehensive suite of processes and mechanisms employed by societies to confront and address the profound legacy of large-scale past abuses. As defined by the United Nations, its core objectives are to ensure accountability, serve justice, and achieve reconciliation, thereby strengthening the rule of law. This discipline is fundamentally rooted in international human rights law, which obligates states to provide effective remedies for victims of severe violations.<sup>1</sup> Beyond merely looking backward at past wrongs, transitional justice is also a forward-looking endeavor, aiming for significant societal transformation by addressing the needs of victims and the underlying causes of violations, fostering trust in state institutions, and reinforcing the rule of law.

Traditionally, the implementation of transitional justice in post-conflict contexts has gravitated towards a centralized model, typically spearheaded by a dedicated TJ committee and operationalized through mechanisms such as truth commissions, special courts, and reparations programs. While these centralized mechanisms are undoubtedly vital,

<sup>1</sup> OHCHR, *About Transitional Justice and Human Rights*, n.d., <https://www.ohchr.org/en/transitional-justice/about-transitional-justice-and-human-rights>

their impact can be limited if not complemented by a broader, systemic integration of TJ principles within the very institutions of the state. The Office of the United Nations High Commissioner for Human Rights (OHCHR) argues in its *Transitional Justice and Economic, Social and Cultural Rights* for a broader understanding of TJ that includes economic, social, and cultural rights, directly supporting the idea of ministries beyond traditional justice sectors having a role.

## The Role and Mandate of a Central Transitional Justice Commission

A central Transitional Justice Commission (TJC) typically operates as an independent government agency, established through specific legislation. These commissions tend to be vested with significant authority to investigate actions taken during periods of authoritarian rule or conflict. In essence, a central Transitional Justice Commission serves as the strategic architect and oversight body, providing the normative framework and driving the high-level processes necessary to confront a legacy of past abuses and guide a society towards a more just and democratic future. Their primary objectives often include high-level investigations and truth-seeking, recommending or overseeing mechanisms for redressing injustices and providing reparations, as well as issuing recommendations for systemic reform.<sup>2</sup>

Furthermore, transitional justice is meant to extend beyond addressing the needs for post-conflict stability; its ambition is to function as a catalyst for broader societal transformation.<sup>3</sup> This involves addressing not only the direct violations but also the deeper, structural root causes, such as gross inequalities, unfair power structures, and entrenched discrimination.<sup>4</sup> Consequently, the success of transitional justice initiatives should be

2 UN Security Council Report, *United Nations Approach to Transitional Justice*, n.d., [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/TJ\\_Guidance\\_Note\\_March\\_2010FINAL.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/TJ_Guidance_Note_March_2010FINAL.pdf)

3 Ibid.

4 International Center for Transitional Justice, *How Context Shapes Transitional Justice in Fractured Societies*, 2017, [https://syriaaccountability.org/content/images/wordpress/ICTJ\\_Book\\_JusticeMosaics\\_2017.pdf](https://syriaaccountability.org/content/images/wordpress/ICTJ_Book_JusticeMosaics_2017.pdf)

measured not solely by immediate accountability or peace, but by their contribution to dismantling systemic injustices, addressing historical grievances, and fostering a more equitable and inclusive society. This implies a mandate that extends beyond merely processing past violations to actively shaping future governance and social structures.

## Critiques of Traditional Transitional Justice Commissions

The reliance on centralized TJ commissions has been critiqued as creating a siloed approach, disconnected from the broader government, which limits the effectiveness of proposed or adopted measures.<sup>5</sup> Critiques of traditional transitional justice commissions often focus on their limited scope and their ad hoc nature, specifically arguing that they are not sufficiently integrated within broader government structures.<sup>6</sup> The core issue is that while commissions are tasked with complex and wide-ranging goals—from truth-telling to institutional reform—they are rarely given the authority or support needed to make these goals a reality across the government. The former UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, Pablo de Greiff, has extensively written on the limitations of temporary, ad hoc commissions. His work, including *Transitional Justice and Development: Making Connections*, emphasizes that for TJ to be truly effective, its principles must be permanently embedded in state institutions to prevent the recurrence of abuses. He wrote:

*Reparations are unique among transitional justice measures in requiring adequate performance from a wide range of government entities. Unlike truth commissions, which are set up on an ad hoc basis, or even trials, which involve either special chambers or at most police and justice ministries, a complex reparations program requires input and participation from numerous government ministries, including health, education, land, housing, planning, and*

5 Naomi Roht-Arriaza and Javier Maríezcurrena, eds., *Transitional Justice in the Twenty-First Century: Beyond Truth versus Justice*, Cambridge University Press, 2006.

6 Amanda Cats-Baril, “Moving Beyond Transitions to Transformation: Interactions between Transitional Justice and Constitution-Building”, *International IDEA Policy Paper No. 22*, International IDEA, 2019.

finance.<sup>7</sup>

The UN Office of the High Commissioner for Human Rights recognized the limitations of a narrow TJ approach in addressing underlying causes of conflict, including violations of economic, social, and cultural rights.<sup>8</sup> This directly challenges the historical focus of TJ processes on civil and political rights and points to the need for a more expansive scope involving ministries responsible for development and social services.

David Crocker, a prominent philosopher in this field, outlines in his work *Reckoning with Past Wrongs: A Normative Framework*, a multi-goal framework for transitional justice. He argues that TJ should pursue goals beyond just truth and prosecution, including institutional reform and long-term development, which are impossible to achieve without integrating TJ into the permanent state structure.<sup>9</sup>

## A “Whole-of-Government” Approach: Examples of TJ Integration Into Ministries from Around the World

Effective transitional justice implementation necessitates sustained integration into existing state ministries responsible for public services, as evidenced by post-conflict experiences from around the world. Examples from Chile (Health), Colombia (Housing, Agriculture, and Environment),

7 De Greiff, Pablo, Duthie, Roger, “Transitional Justice and Development: Making Connections”, Social Science Research Council, June 2009.

8 OHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, United Nations, 2014, <https://www.ohchr.org/sites/default/files/Documents/Publications/HR-PUB-13-05.pdf>

9 David A. Crocker, “Reckoning with Past Wrongs: A Normative Framework”, *Ethics & International Affairs* 13 (1999), pp. 43-64, doi:10.1111/j.1747-7093.1999.tb00326.x

Taiwan (Education), and South Africa (Justice) demonstrate how such integration into various state ministries responsible for public services can take place. However, integration of transitional justice mechanisms into different ministries also requires robust coordination across government and with any central transitional justice commission to ensure comprehensive victim support and a strategic pursuit of objectives. This is particularly important in Syria, where trust in state institutions is very low.

### Chile’s Ministry of Health

As part of its post-conflict reparations framework, the Chilean Ministry of Health launched the Program of Reparation and Comprehensive Health (PRAIS) in 1991. This state-led initiative provides victims of political violence with comprehensive healthcare services, including mental healthcare, which are delivered through the national healthcare system.<sup>10</sup> The scope of PRAIS is particularly extensive, having served as the primary health-related reparation measure for all categories of human rights violation victims, with eligibility extending to relatives as far as the third generation. The program, which is foundational to Chile’s reparatory efforts, was legally reinforced by a law passed at the end of 2004.<sup>11</sup>

### Colombia’s Ministries of Agriculture, Housing, and Environment

In Colombia, the Victims and Land Restitution Law (Law 1448),<sup>12</sup> enacted on 10 June 2011, by President Juan Manuel Santos, established a comprehensive framework for transitional justice, aiming to secure

10 OHCHR, *Rule-of-Law Tools for Post-Conflict States: Reparations Programmes*, n.d., <https://www.ohchr.org/sites/default/files/Documents/Publications/ReparationsProgrammes.pdf>

11 Elizabeth Lira, “Reparation Policies in Chile”, in *The Politics of Memory in Chile*, Oxford University Press, 2018, pp. 209-234, <https://academic.oup.com/book/26106/chapter-abstract/194098865?redirectedFrom=fulltext>

12 Law 1448 of 2011, *Victims and Land Restitution Law*, (By which measures of attention, assistance and integral reparation are dictated to the victims of the internal armed conflict and other provisions are dictated) <https://reparations.qub.ac.uk/assets/uploads/Victims-Law-1448-2011.pdf>

the rights of victims of the internal armed conflict.<sup>13</sup> This legislation mandates an inter-ministerial collaborative approach for its implementation, forming the National System of Comprehensive Care and Reparation for Victims (SNARIV). Within this system, key ministries, notably the Ministry of Agriculture and Rural Development and the Ministry of Environment, Housing and Territorial Development, or their designated substitute entities, are empowered to fulfill specific functions.<sup>14</sup> For instance, the Ministry of Environment, Housing, and Territorial Development is explicitly tasked with the restitution of housing for victims whose homes have been affected by dispossession, abandonment, loss, or impairment.<sup>15</sup> The law also emphasizes a “differential approach,” tailoring support to the unique vulnerabilities of various groups, such as women, children, the elderly, and ethnic communities, and includes provisions for inter-ministerial and harmonious collaboration to fundamentally alter state-victim interactions, thereby fostering trust through simplified administrative processes and transparency.<sup>16</sup>

## South Africa’s Department of Justice

In South Africa, the Department of Justice and Constitutional Development created the Truth and Reconciliation Commission Unit (TRC Unit), which plays a crucial role in the ongoing implementation of the recommendations of the Truth and Reconciliation Commission (TRC). Specifically, the Department’s TRC Unit is entrusted with the comprehensive responsibility of addressing the legacy of apartheid-era human rights violations.<sup>17</sup> This includes providing

13 Amnesty International, *Colombia: The Victims and Land Restitution Law: An Amnesty International Analysis*, AMR 23/018/2012, 2012, <https://www.amnesty.org/ar/wp-content/uploads/2021/06/amr230182012en.pdf>

14 Ibid.

15 Ibid.

16 Law 1448 of 2011, *Victims and Land Restitution Law*, By which measures of attention, assistance and integral reparation are dictated to the victims of the internal armed conflict and other provisions are dictated <https://reparations.qub.ac.uk/assets/uploads/Victims-Law-1448-2011.pdf>

17 Department of Justice and Constitutional

educational bursaries, medical support, aid to affected communities, and the crucial task of locating and repatriating the remains of apartheid-era victims to their families.<sup>18</sup>

## Taiwan’s Ministry of Education

In Taiwan, the Transitional Justice Commission (TJC), which was dissolved on 30 May 2022, significantly emphasized the importance of integrating transitional justice concepts into the national education curriculum. In particular, the TJC recommended that public schools incorporate lessons on state-perpetrated violence into civics and social sciences, recognizing this as crucial for fostering a deeper understanding of Taiwan’s authoritarian past and its democratic transition.<sup>19</sup> With the support of the Ministry of Education, transitional justice content was incorporated into the “human rights and civic education interim program,” along with efforts to train teachers to effectively deliver this new curriculum.<sup>20</sup> The Executive Yuan (the executive branch of the government of Taiwan) further solidified this commitment in 2023 with the launch of the National Action Program for Transitional Justice Education, a four-year plan (2023-2026) overseen by the Ministry of Education, which targets schools at all levels, civil servants, and the general public to promote social understanding, reconciliation, and human rights values.<sup>21</sup>

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Development (South Africa), *Truth and Reconciliation Commission*, n.d., <https://www.justice.gov.za/trc/>

18 Parliament of South Africa, “Media Statement: Justice Committee Cautiously Optimistic About TRC Prosecutions Progress”, 20 May 2025, <https://www.parliament.gov.za/press-releases/media-statement-justice-committee-cautiously-optimistic-about-trc-prosecutions-progress>

19 *Taipei Times*, “Civil Servants to Take Transitional Justice Courses”, 16 July 2023, <https://www.taipeitimes.com/News/front/archives/2023/07/16/2003803247>

20 Ministry of Education, Republic of China (Taiwan), *Implementation of the National Action Program for Transitional Justice Education and Promotion of Educational Efforts in This Area*, n.d., <https://english.moe.gov.tw/cp-48-39453-990a4-1.html>

21 Ibid.

# Transitional Justice Integration Units (TJIUs) in Syria: Concept and Interplay

The proposed Transitional Justice Integration Units (TJIUs) represent a whole-of-government approach to implementing transitional justice in Syria. While a central TJ commission provides strategic direction and high-level oversight, TJIUs are envisioned as operational units embedded within specific government ministries. This structure allows for the translation of the central commission's broad mandates into actionable, context-specific measures within their respective institutional environments, including contributions to institutional reform and vetting.

The Syrian TJ commission would function as the strategic and oversight body. It is responsible for defining the overarching policy, establishing the legal framework, conducting high-level investigations, and issuing recommendations for systemic reform.<sup>22</sup> It would ensure that the overall TJ strategy aligns with international standards and maintains overall coherence.

Meanwhile, the TJIUs in the different ministries would be tasked with:

- Internal Institutional Reform: Applying vetting and lustration processes within their host ministry to remove or exclude individuals implicated in human rights abuses or corruption, and revising internal policies to align with human rights standards.
- Truth-Seeking Support: Facilitating access to internal archives and documentation related to past abuses within their specific ministerial domain.
- Reparations: Assisting in the implementation of reparation programs relevant to their ministry's scope, such as coordinating healthcare services

for victims through the Ministry of Health.<sup>23</sup>

- Non-Recurrence Measures: Integrating human rights training and new curricula for personnel within their ministry to prevent future abuses.<sup>24</sup>

The central TJ commission would provide essential guidance, technical advice, and continuous monitoring to the TJIUs. This ensures consistency across different ministries, adherence to international standards, and prevents fragmentation of efforts. TJIUs would report regularly to the central commission, providing updates on progress and challenges. This symbiotic relationship allows for specialized, context-specific application of transitional justice principles while maintaining overall coherence and accountability to a central authority.

A key advantage of the proposed TJIU model is that it would ensure national ownership of the initiatives and a sustainable and long-term approach to address Syria's complex and multilayered abuses. It will also increase the odds of success for core TJ objectives such as institutional reform, reparations programs, truth-seeking, and guarantees of non-recurrence with the ultimate aim of "rebuilding trust in institutions and government."<sup>25</sup>

## Composition of TJIUs

A one-size-fits-all approach to TJIU staffing would be ineffective. The size and specific staffing composition of a TJIU would depend significantly on how relevant a particular ministry is to transitional justice, as well as the unique context and challenges within that ministry. This implies that the unit's structure and personnel would need to be tailored to the ministry's particular role in past abuses and its potential for future reform.

<sup>23</sup> US Department of State, *Lustration and Vetting*, n.d., <https://2009-2017.state.gov/j/gcj/transitional/257569.htm>

<sup>24</sup> OHCHR, *Rule-of-Law Tools for Post-Conflict States: Reparations Programmes*, n.d., <https://www.ohchr.org/sites/default/files/Documents/Publications/ReparationsProgrammes.pdf>

<sup>25</sup> United States Institute of Peace (USIP), *Transitional Justice: Information Handbook*, n.d., [https://www.usip.org/sites/default/files/ROL/Transitional\\_justice\\_final.pdf](https://www.usip.org/sites/default/files/ROL/Transitional_justice_final.pdf)

<sup>22</sup> US Department of State, *Transitional Justice Overview*, n.d., <https://2009-2017.state.gov/j/gcj/transitional/257566.htm>

For instance:

- Ministries with direct links to past abuses (e.g., security-linked ministries): These would likely require larger, more robust TJIUs with specialized expertise in vetting, institutional reform, and potentially documentation of severe human rights violations. The complexity and resource-intensive nature of tasks like data analysis and verification for vetting processes in such ministries would necessitate multiple staff members.
- Ministries with significant victim interaction (e.g., Health, Social Affairs): TJIUs in these ministries might need staff with strong backgrounds in victim support, psychological care, and reparations facilitation, potentially requiring a larger team to handle the volume of cases and the sensitivity of the work.
- Ministries with a broader societal impact (e.g., Education, Local Administration): These TJIUs might focus more on curriculum reform, community engagement, and promoting reconciliation at a grassroots level, requiring staff with expertise in social sciences, education, and community development.

vast network of experienced lawyers, judges, doctors, and activists who have been working on justice and accountability issues from within Syria and from abroad. International bodies and the United Nations can provide technical assistance and training. They can offer guidance on establishing legal frameworks, implementing reparations programs, and adapting best practices from other post-conflict states to the Syrian context.

A significant risk and challenge in the proposed whole-of-government approach to transitional justice in Syria is the weak authority, capacity, and legitimacy of many of Syria's ministries. After years of conflict and sanctions, many of the ministries have been hollowed out. This raises the risk of an "implementation gap" where well-designed policies and initiatives by TJIUs fail to be enacted on the ground and TJIUs then become symbolic gestures rather than effective instruments of reform.<sup>26</sup> But the way to mitigate that risk is to focus on robust capacity building, clear lines of authority, continuous assessment of implementation progress, and sustained political backing within concerned ministries.

Another challenge for TJIUs is the inherent tension between the need for institutional preservation that they will likely encounter in many ministries and the imperative for transformative reform that they hope to embody. TJIUs are designed to reform institutions from within, yet these institutions, especially security-linked ones, have historically functioned as instruments of repression and corruption. Resistance to change within such institutions, including reluctance to adopt new practices, is to be expected. This suggests that TJIUs will need to adopt a nuanced approach, balancing the imperative for accountability with the practical need for institutional stability and expertise retention. Overly aggressive purges could destabilize critical state functions, while insufficient reform could perpetuate impunity and undermine public trust. TJIUs must navigate this delicate balance, requiring strong political leadership and strategic decision-making.<sup>27</sup> This situation presents a fundamental dilemma: the need to transform

<sup>26</sup> "A Framework for Assessing Political Will in Transitional Justice Contexts", n.d., [https://www.researchgate.net/publication/331185315\\_A\\_framework\\_for\\_assessing\\_political\\_will\\_in\\_transitional\\_justice\\_contexts](https://www.researchgate.net/publication/331185315_A_framework_for_assessing_political_will_in_transitional_justice_contexts)

<sup>27</sup> Cynthia Horne, "Transitional Justice: Vetting and Lustration", 2017, doi:10.4337/9781781955314.00030.

## Navigating TJIU Implementation Challenges

The successful operation of Transitional Justice Integration Units (TJIUs) faces several significant challenges, particularly given their mandate to instigate change within potentially resistant state structures as well as the need to address critical issues of funding and expertise in post-Assad Syria.

Funding for TJIUs in Syria would depend on a hybrid funding model from different sources, including own ministries' budgets, international donors, dedicated funds from the United Nations and foundations, assets of the Assad regime perpetrators and their associates seized by international sanctions and businesses, both domestic and international.

The expertise for TJIUs would come from Syrian civil society and international specialists. The involvement of Syrian civil society is crucial because of its deep knowledge of the conflict and its years of meticulous documentation of human rights abuses. Syria has a

deeply complicit institutions while simultaneously preserving their functional capacity.

## Examples of the potential role of key Syrian Ministries in a Whole-of-Government Approach to TJ

In a post-conflict Syria, several ministries beyond Justice, Interior, and Defense should play a crucial role in transitional justice by addressing the root causes of the conflict and implementing necessary reforms. Below are examples of the measures that some of these ministries could enact in pursuit of a whole-of-government approach to TJ.

### Ministry of Health

The Syrian Ministry of Health is of paramount importance in the context of transitional justice, given that the Assad regime had weaponized the health sector during the conflict. It bombed hospitals that it had lost control of while transforming some of those under its control into places of torture. The conflict also had a direct impact on medical professions. Some medical personnel perpetrated abuses or were present during torture sessions, while doctors or nurses who sought to provide care for wounded protesters were themselves detained or disappeared. A TJIU in the Ministry of Health could document attacks on medical facilities and personnel under the Assad regime, the politicization of healthcare access, and other health-related crimes. It is imperative to meticulously document these crimes and the implicated hospitals and facilities before any alterations to these facilities are made – whether through renovation, demolition, or reconstruction – as these sites served as a fundamental nexus in the operationalization of enforced disappearance and killing under torture.

Furthermore, the Ministry of Health has an essential role regarding:

- Health and psychological reparations, which

include advising on programs for psychological and physical support for victims and affected individuals.

- Redressing doctors and nurses who lost their licenses or jobs for helping treat wounded protesters or fighters.
- Adopting a new code of conduct that makes it imperative that no doctor or medical personnel supervises/participates in torture or ill treatment.

### Ministry of Awqaf (Endowments)

The Ministry of Awqaf (Endowments) is the ministry responsible for managing Islamic religious affairs and *awqaf*, Islamic charitable endowments. Alongside institutions representing other religions, it holds a unique and critical role in Syria's transitional justice process. Given its significant religious and societal standing, as well as its control of significant real estate and endowment money, it can contribute to transitional justice in significant ways.

Specifically, it can:

- Facilitate spiritual and psychological reparations for victims, addressing the non-material harms suffered. The ministry can organize and support rituals of healing for the affected communities to create and support traditional healing ceremonies or rituals. These can help victims find meaning in their suffering, reconnect with their faith or cultural identity, and move toward forgiveness and inner peace. As explored in *The Oxford Handbook of Religion, Conflict, and Peacebuilding*, particularly by Daniel Philpott, religious traditions offer profound ethical frameworks for peacebuilding and reconciliation that are highly relevant to transitional justice practices.
- Document and record violations perpetrated against religious facilities and, by extension, those associated with them.
- Contribute to reparations measures. In June 2025, Minister Assistant to the Minister of Awqaf, Samer Bayraqdar, stated in [a TV interview](#) that the Ministry is reorganizing its management and re-evaluating its endowment properties. He defined endowment/Waqf as the dedication of a physical asset for public benefit, and it is donated for a permissible cause. He mentioned that the ministry is "extremely rich in real estate." He also

said that the waqf money is invested in other endowments, investment and development projects, and is also spent on the poor and needy, and on charitable organizations.

## Ministry of Education

The Ministry of Education is uniquely positioned to benefit from the integration of specialized transitional justice advisers.<sup>28</sup> These experts can collaborate with the Ministry to develop educational curricula that effectively:

- Enhance awareness of the conflict's history and human rights violations and promote values of tolerance and peaceful coexistence. The ministry can mandate the inclusion of topics related to tolerance, diversity, human rights, and peaceful conflict resolution across subjects, not just social studies. For example, literature classes can explore books from different cultures, and history can teach about the root causes of conflict and successful peace movements. The ministry can also train and encourage teachers to use teaching methods that are sensitive to the cultural backgrounds of all students.
- Ensure the incorporation of victims' narratives and lessons from the past to prevent recurrence.
- Implement a child-sensitive approach to transitional justice processes and mechanisms within the curriculum.<sup>29</sup>

This integration within the educational system is crucial for fostering a generation that understands its history and is committed to building a more just and stable future. The Ministry of Education's TJIU could also address the use of schools for military purposes or discriminatory educational policies. This localized data collection would feed into broader national truth-seeking processes.

## Conclusion and Forward-Looking Recommendations

The implementation of Transitional Justice Integration Units (TJIUs) in a post-Assad Syria is both a critical necessity and an immense challenge. TJIUs would serve as a vital whole-of-government mechanism to embed accountability and institutional reform directly within the ministries that were central to the regime's repressive apparatus and other ministries that have a role in implementing transitional justice. Their success would hinge on a symbiotic relationship with a central Transitional Justice Commission, allowing for a decentralized yet cohesive approach to addressing the legacy of systemic atrocities. The Transitional Justice Commission would provide strategic direction and oversight, while TJIUs drive operational implementation at the sectoral level.

The path to effective TJIU operation is fraught with significant challenges. Operating within ministries historically complicit in abuses, particularly security-linked sectors, presents inherent risks of resistance to change, perpetuation of impunity, and limited institutional capacity. Furthermore, TJIUs are vulnerable to co-optation and instrumentalization by political actors seeking to undermine or manipulate their mandate. Underlying these operational hurdles is the persistent challenge of generating and sustaining political will, which can be elusive, complicated by competing interests, and undermined by resistance from those implicated in past abuses.

Crucially, given deep mistrust between communities and state institutions in Syria, civil society emerges as an indispensable partner. Civil society organizations are not merely stakeholders but primary legitimizers and sustainers of transitional justice. Their roles span advocacy, victim mobilization, independent monitoring, co-design of programs, and the provision of essential services that directly build community trust and resilience. Their "soft power" contributions, through tangible economic, social, and cultural initiatives, indirectly create an enabling environment for state-led transitional justice efforts to gain acceptance.

Based on this analysis, the following forward-looking recommendations are proposed for policymakers and practitioners:

28 UNESCO, *Recommendation on Education for Peace, Human Rights and Sustainable Development*, 2023, [https://unesdoc.unesco.org/ark:/48223/pf0000391686\\_eng/PDF/391686eng.pdf.multi.page=3](https://unesdoc.unesco.org/ark:/48223/pf0000391686_eng/PDF/391686eng.pdf.multi.page=3)

29 UN Secretary-General, *Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice*, n.d.

- Strategic Design and Legal Mandate: Establish a clear, legally mandated framework by the government in consultations with the TJ Commission, for TJIUs that precisely defines their powers, responsibilities, and limitations. This framework must ensure their operational autonomy in host ministries while maintaining robust oversight and guidance from a central Transitional Justice Commission to ensure coherence and adherence to international standards.
- Prioritize Capacity-Centric Implementation: The TJ Commission and international supporters of TJ in Syria should prioritize substantial capacity building within ministries hosting TJIUs, providing adequate human and technical resources, alongside targeted training programs for personnel.
- Implement Nuanced Accountability Mechanisms: Design and implement vetting and lustration policies that meticulously balance the imperative for accountability with the practical need to retain essential institutional expertise. Adhere strictly to the “vet, don’t purge” principle, focusing on individual conduct while ensuring due process protections to prevent destabilizing purges.
- Develop Multi-Dimensional Political Will Strategies: Implement comprehensive strategies to generate and sustain political commitment to TJ, including in the state’s bureaucracy. This includes broad stakeholder engagement, public mobilization through transparent communication, consistent and long-term resource allocation, and the enforcement of credible sanctions against those who obstruct justice.
- Foster Empowered Civil Society Partnerships: Cultivate deep, co-design partnerships with civil society organizations, leveraging their inherent legitimacy and established trust within communities. Move beyond tokenistic consultation to genuine collaboration in the design, implementation, and oversight of transitional justice programs in their sectors of expertise, recognizing their vital role in bridging the trust deficit.
- Embrace Adaptive and Context-Specific Approaches: Acknowledge that transitional justice processes are dynamic and must be continuously adapted to the unique and evolving circumstances of each transitional context. Flexibility, continuous learning, and a willingness to adjust strategies based on ongoing assessment are critical for long-term success.

**Table 1: Examples of Transitional Justice Integration within State Ministries**

| Country      | Ministry/Unit                                  | Integrated TJ Function/Principle                          | Specific Program/Mechanism  | Source(s)   |
|--------------|--|---|---|---|
| Chile        | Ministry of Health                             | Reparations (Healthcare)                                  | Program of Reparation and Integral Healthcare (PRAIS)                       | Lira, 2018; OHCHR, n.d.-a   |
| Chile        | Interior Ministry                              | Reparations (Pensions)                                    | Administered pension program after NCRR dissolution                         | ICTJ, 2007 (for National Commission on Reparation and Reconciliation and subsequent state role in pensions); OHCHR, n.d.-a (for general reparations in Chile)           |
| Colombia     | Victims' Unit (UARIV)                          | Reparations (Assistance & Comprehensive Repair)           | Part of the National System of Attention and Reparation for Victims (NSARV) | Amnesty International, 2012; Law 1448 of 2011; UARIV, n.d. (for UARIV's official mandate)   |
| Colombia     | Land Restitution Unit (URT)                    | Reparations (Land Restitution)                            | Part of the National System of Attention and Reparation for Victims (NSARV) | Amnesty International, 2012; Law 1448 of 2011; URT, n.d. (for URT's official mandate)   |
| Colombia     | National Center for Historical Memory (NCHM)   | Truth-seeking (Historical Memory)                         | Part of the National System of Attention and Reparation for Victims (NSARV) | Amnesty International, 2012; Law 1448 of 2011; CNMH, n.d. (for CNMH's official mandate)   |
| Georgia      | Ministry of Internal Affairs                   | Human Rights Protection                                   | Human Rights Protection Department  | Georgian Ministry of Internal Affairs, 2018 (for department establishment); Number Analytics, n.d. (for general human rights protection in MIA)                         |
| Kenya        | Judiciary                                      | Institutional Reform (Vetting)                            | Judges and Magistrates Vetting Board  | Constitution of Kenya, 2010 (for establishment); Judiciary of Kenya, n.d. (for overview of vetting process)   |
| Kenya        | Independent Policing Oversight Authority       | Institutional Reform (Police Vetting)                     | Oversight of police vetting and abuses                                      | IPOA, n.d. (for IPOA's mandate); Constitution of Kenya, 2010 (for legal basis)  |
| South Africa | Dept. of Justice & Constitutional Development  | Reparations (Education, Medical, Memorials, Repatriation) | TRC Unit  | Department of Justice and Constitutional Development, n.d.; Parliament of South Africa, 2025  |
| Taiwan       | Ministry of Education (via TJC recommendation) | Institutional Reform (Education Curriculum)               | Inclusion of transitional justice in civics/social sciences                 | Ministry of Education, n.d.-b; Taipei Times, 2020; Taipei Times, 2023   |
| Taiwan       | Transitional Justice Board                     | Cross-Governmental Coordination                           | Coordinates TJ initiatives between agencies                                 | Taipei Times, 2022 (for TJC dissolution and role of successor mechanisms); Republic of China (Taiwan) Government Portal, n.d. (for governmental oversight/coordination) |
| Iraq         | Ministry of Foreign Affairs                    | International Humanitarian Law                            | International Humanitarian Law Section                                      | ICRC, 2022 (for the general context of IHL integration in Iraq); IHL in Iraq, n.d. (if a specific governmental source can be found for the section's mandate)           |

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**Table 2: Chronology of the National Commission for Transitional Justice in Syria**

|   |
|---|
| <b>13 March 2025</b>  |
| <p>The <a href="#">Constitutional Declaration</a> of the Syrian Arab Republic was announced. Article 49 of the declaration, titled Transitional Justice Commission stated:</p> <p>A transitional justice commission shall be established, adopting effective, consultative, victim-centered mechanisms to determine accountability mechanisms, the right to know the truth, and justice for victims and survivors, in addition to honoring martyrs.</p>   |
| <b>17 May 2025</b>  |
| <p>Presidential Decree No. 20 formally <a href="#">established</a> the National Commission for Transitional Justice in Syria.</p> <p>The decree also:</p> <ul style="list-style-type: none"> <li>Appointed the head of the Commission and,</li> <li>Set a 30-day deadline for the formation of a working team and the drafting of its internal regulations.</li> </ul>  |
| <b>23 May 2025</b>  |
| <p>Abdul Basit Abdul Latif, the appointed head of the Commission <a href="#">outlined</a> its official mandate as follows:</p> <ul style="list-style-type: none"> <li>Uncovering the truth about grave violations committed by the previous regime.</li> <li>Holding those responsible for these violations accountable.</li> <li>Providing redress for the victims.</li> <li>Establishing principles of non-recurrence and promoting national reconciliation.</li> </ul> <p>Abdul Latif stated his intention to form a working team within the 30-day deadline, comprising representatives of victims, legal and human rights experts, forensic specialists, and representatives from civil society organizations. The planned operational structure also includes:</p> <ul style="list-style-type: none"> <li>Seeking the help of an advisory council that represents the victims and accompanies the Commission's work at all stages, including the drafting of its internal regulations.</li> <li>Adopting a practical, clear, and phased roadmap built on realistic foundations that consider the unique Syrian context.</li> <li>A national plan to raise awareness about the concept of transitional justice.</li> <li>An electronic platform to receive complaints.</li> <li>Mechanisms for communicating with the community.</li> <li>Issuance of credible periodic reports documenting its achievements.</li> </ul> |
| <b>31 July 2025</b>   |
| <p>The head of the TJ Commission provided <a href="#">an update</a>, confirming that the body is still in the process of formation and preparing to officially launch its work.</p>   |
| <b>13 August 2025</b>   |
| <p>The National Commission for Transitional Justice <a href="#">published</a> a brief <a href="#">report</a> on its founding phase, highlighting challenges and proposing strategic recommendations.</p> <p>A key challenge identified in the report is the difficulty of engaging with government institutions. The Commission issued a recommendation to establish clear coordination mechanisms between the transitional justice body and relevant government ministries and institutions.</p> <p>Furthermore, the report emphasized the importance of learning from the experiences of other countries. Notably, the report clarified the ambiguous phrase in the decree establishing the Commission, from "revealing the truth about the grave violations caused by the former regime", which was widely understood to exclusively "focus on abuses by the former regime", to "revealing the truth about the grave violations of human rights committed during the rule of the former regime."</p>   |

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### **About the Arab Reform Initiative**

The Arab Reform Initiative is an independent Arab think tank working with expert partners in the Middle East and North Africa and beyond to articulate a home-grown agenda for democratic change and social justice. It conducts research and policy analysis and provides a platform for inspirational voices based on the principles of diversity, impartiality, and gender equality.

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