

Episode 11, season 3 (14 July 2022)

Syrian Victim and Survivor Groups at the Forefront of Justice Efforts

Welcome to a new season of the Justice Visions podcast about everything that is new in the domain of Transitional Justice (TJ). Justice Visions is hosted at the Human Rights Centre of Ghent University. For more information visit [Justice Visions](#).

Brigitte: Hello, I am Brigitte Herremans, researcher at Justice Visions at Ghent University. With me is my co-host Artino, a Syrian human rights activist and photographer. Hello Artino!

Artino: Hi Brigitte. It's great to be discussing one of the main breakthroughs regarding justice for Syrians.

Brigitte: Yes, today we are looking into the activism of victim groups which is quite remarkable because they have advocated for justice initiatives that are more meaningful to victims. They have also been very successful in doing so.

Artino: Indeed, one of the achievements we will discuss is the [Truth and Justice Charter](#). Five victim groups have launched this Charter last year to outline their perspectives and justice needs.

Brigitte: Yes and along with other organizations, the so-called 'Charter' victim associations that you have just mentioned have also been the driving force behind the idea of a [mechanism to look into the fate of the missing and the disappeared](#) because there are over 100.000 people whose fate is unknown, because either they are forcibly disappeared by the regime or they are kidnapped by jihadi groups or ISIS.

Artino: Yes, unfortunately. This is one of the most painful experiences that unites many Syrians. We wanted to highlight in this episode how victim groups pushed international institutions to step up their efforts.

Brigitte: Indeed, and this is a very important form of activism too, their resistance because victims and their families keep resisting the forces that are intent on breaking them.

Artino: Let's start with the origins of that activism. You spoke to Christalla Yakinthou, a scholar on transitional justice at the University of Birmingham. Let's listen to that conversation please.

Brigitte: Hello Christalla, it's really nice to have you in the podcast episode on the victims' activities and agency, and especially because you're also involved in the Impunity Watch report that will be released after the summer: 'No one should speak on our behalf'.

Christalla: Thank you so much for having me. It is my honour and my pleasure.

Brigitte: Well, I think it's really important what you're doing and that's, of course, why we wanted you to talk about the report, because it's a very much needed

introduction to the establishment of Syrian victim groups. And I would first like ask you to give us a bit of background about the formation of these groups around 2016.

Christalla: I think around 2016, if we think back, we were five years into the violence and into the conflict and at a period when people I think had hoped for such a different end to 2011. And so I think around that period was also the time when the dynamics shifted really, really radically, when the Russians had not just been supporting the Syrian regime, but also had boots on the ground and they had planes in the air, assertively. And so those years were really brutal, really, really brutal. And alongside the Russians, there were coalition planes. And so it was around the time that there were so many airstrikes and it was so heartbreaking. And I think in that context we had such a feeling of disappointment for victims, survivors, families with the international community, and this feeling that there any international kind of justice efforts that had started were nonexistent or had failed and such a feeling of being absolutely abandoned and let down. And I think in that dual context of this escalation of violence and this sense in the context that in the international community they weren't going to do anything. There was this emerging sense of what can we do for ourselves? So those things together formed this kind of ripe moment for the establishment of organisations. And particularly I remember Families for Freedom as this super important marker of victims groups organising across political lines.

Brigitte Thank you, that is really clear the way how you put it. It's easy to envisage why it's so important that these groups started to emerge firstly and also to organise themselves. And I was wondering if you could also highlight the reasons why former detainees are so key in this whole set-up?

Christalla: My perspective is that former detainees have a critical and a really authentic voice that they felt wasn't being represented in any of the forums for dialogue from what I hear from associations of former detainees when we speak, people were being released from prison, dumped out of prisons with no support or released, with no support and no one outside understanding their experiences. Associations of former detainees have this unique insight into what it is to be detained. They understand the shape of the problem, the institutional shape of the problem and the scale of it. They know what families need because their families were lobbying to have them released or went through the pain of not knowing where they were or if they were forcibly disappeared. And I think they were also acutely aware that every day that passes is a day of lives lost. And so one of the kind of forefront aspects of what they do is to organise in their commitment to those who are still detained. So I think they fill an important space. And I guess one of the things I've been reflecting on recently is that it's important that we note that there's a set of voices of former detainees that isn't always represented here, and I think that's the specific experiences of female former detainees. So often I think we focus, rightly, focus on the extraordinary work being done by the associations of detainees that we have. But often they are the experiences of male former detainees. And there's also this group of associations that are gathering voice, a more tentative but a gathering voice, and that is the experiences of former female detainees like Release Me, for example. But I think there's still a gap.

Brigitte Yeah, thank you for drawing our attention to groups that are not always that visible. And I was wondering when you talked about justice needs and how these needs are so big and vast really, they're also changing, of course. Could you maybe give us an idea about how a different group of victims have different priorities when

it comes to justice, for example, when it comes to criminal accountability or social and economic rights, if at all it is so easy to look into these neat categories?

Christalla: Yeah, of course. I think all so there is a fear of when we talk about different needs of and different ways of seeing justice from different victim and survivor groups and the different priorities. The important thing to foreground is that justice means different things to different people at different times. I think it's also important to say that all of the survivor and victims groups that I speak with are concerned that achieving justice for victims is going to be ignored in the bigger scheme of things, because their demands are seen as problems that are going to impede the political transition. Right. So that's also why you see in part this multiplicity of platforms pushing different kinds of accountability, different kinds of ideas of justice, because there is a fear underneath. But all of the people that I speak to have a nuanced approach to what, justice is, and that justice is not the same thing, even to the same person in the same period of time. So there are short-term justice demands, for example, as the Charter highlights and as multiple groups have come together and said as a short term justice goal. There is, for example, an immediate measure that must be taken, which is stopping the violations, mitigating the suffering of victims, releasing detainees. But there is also, alongside that, an awareness that there is, that is a step towards a bigger picture of what justice is, which is about accountability, about reparations, about all of the spectrums of harm that has happened and repairing that. So justice is a journey and there is a deep and nuanced awareness that amongst survivor and victim and family groups that there is short term, immediate justice and there is longer term justice. It's important to reflect on how the different groups of victims, survivors and families might organise around specific principles like accountability or like truth. But at an individual level, what it needs to have justice done, one is complex and changes across time, and two depends on your immediate individual circumstances.

Brigitte: Thank you so much. I think the idea of indeed breaking these justice needs and priorities down, is so important and you did so eloquently and wonderfully. Justice is a journey that will, I think, stick with me.

Christalla: It's a pleasure to be with you. And thank you for having me alongside such incredible activists.

Artino: That was a great introduction to the issue of victims' activism. This is a topic that has not been researched or debated in depth, despite the great work of victim groups.

Brigitte: Yes, Christalla explained very well how former detainees took the lead in this activism, even well before 2016, that was of course the moment when the first official victim groups were established. And as we heard in the previous episode, the Syrian gulag or the prison system laid the basis for a lot of the actions against the regime's annihilation policies.

Artino: This is the subject of my conversation with Riyadh Avlar, he is one of the founders of the Association of Detainees and Missing Persons at Sednaya Prison. I first asked him about the reasons for his involvement.

Riyad: In 2017, I was released from prison, where I spent twenty-one years. I was one of the founders of The Association of Detainees and The Missing in Sednaya Prison. Why did we establish the Association? First of all because it was very important to have an

association for the survivors of detention centers in Syria to unite them, so that their voice could be heard more strongly in the international community and reach decision-makers who deal with the Syrian issue, but also so that they themselves can pursue justice. The second reason concerns the centrality of the issue for the families of the missing in Syria more generally. We needed to support them and assist them in their search for their loved ones. In the beginning, we realized that we should shed light on the Sednaya prison. Sednaya prison was even called “the Human Slaughterhouse” by Amnesty International. And to be honest, it's where the Syrian regime is silently slaughtering its people. So it was necessary to shed light on this place, which the whole world must see, especially the international human rights community.

Brigitte: What I find fascinating about his account, is the way in which this kind of activism arose out of concrete needs and was led by the former detainees, who are after all the experts on this issue. Because of immense needs and the steep learning curve, they quickly became very professional.

Riyad: *The Association of Detainees and The Missing in Sednaya Prison* was one of the first victims' associations. Firstly, it had sufficient experience in supporting what we call “the issue of detention in Syria”. At first, we were only working in the field of human rights documentation with survivors of Sednaya prison. Yet step by step we understood that human rights documentation works in its own ways. We saw that especially after establishing “the Family Center” which provides psychotherapy and psychological support for those suffering from traumas of war and torture. So we gained experience, and acknowledged the importance of providing psycho-social support during our work in documentation, and that we could not work on documentation without also providing this psycho-social support. In addition to the services that we provide to the families of the missing, there is another important thing to add, which I believe has become a true model in this case. That is the way in which we support the victims' groups and empower them to be the leaders on the issue of detention in Syria. Previously, it was civil society organizations who worked on the issue of detention, and we are certainly grateful for that work. But for us, as victims and survivors of detention ourselves, it is not enough and does not match our ambition, largely because we are driving by a cause. In *The Association of Detainees and The Missing in Sednaya Prison*, we were aware of this issue, and we aspired to transforming the story of the detention issue in Syria from a project into a proper case in and of itself. This means that the participants or those who do the work are victims themselves, because no one but the victims themselves can express the pain, the feelings and the needs of victims. So the association was able to help other organizations to see this model of work and build on the experience that we gained. To that end, it certainly helped other victim groups and other civil society organizations shift and adjust their respective models.

Brigitte: *The Association of Detainees and The Missing in Sednaya Prison* is intent on transforming the lives of victims. And beyond that, of course they want to transform the road to justice. One of the main issues they have been working with along with *Families for Freedom, The Caesar Families Association, Massar* and *Ta'afi* is the Truth and Justice Charter.

Artino: The Charter lays out a common vision and framework on the question of enforced disappearance and arbitrary detention in Syria. I asked Riyad why it so essential in their work.

Riyad: The Charter was necessary for us and for all the victim groups. Why? Because in the Charter we set out the broad outlines on the issue of detention in Syria and we spelled out the most appropriate solutions to tackle this issue. For example there is the issue of the refugees' return from countries hosting Syrian refugees. We explained that it is not possible to envisage returning to Syria when the issue of detention and enforced disappearance has not been resolved. If anyone is deported to Syria, this person will be the next enforced disappearance case as a result. Or if we take the example of the issue of reconstruction, how will these countries accept reconstruction while under its very soil there are still bodies of the forcibly disappeared and their fate has not been revealed? It is very important to address these points, which are the victims' demands regarding a solution to the issue of detention in Syria. Moreover, it is not possible for Syria to have a political solution, and for example, to have a Constitutional Committee or to have political discussions and negotiations before there is a solution to the issue of detention and enforced disappearance in Syria. We, the five groups of victims, raised these main points so that if the issue of detention is discussed, the Charter will serve as a guide and a reference point, and that the demands of the victims and the families of the missing or survivors will also be taken into account.

Brigitte: It is also astonishing how quickly the Charter became a reference point, and that victim groups also managed to push for a concrete solution for the attention for missing persons in Syria. In June 2021, they published their own study – in cooperation with Impunity Watch- that recommends the establishment of a mechanism for the missing and detained.

Artino: Yes, and as Riyad explains, this mechanism needs to focus on obtaining the release of detainees, searching for the disappeared and missing, and finding and identifying the remains of those who are no longer alive. It must be victim-centred and independent.

Riyad: The most important issue that we are currently working on as victims' groups is a mechanism for missing persons in Syria. This mechanism must be international, this is crucial. For example, if an international organization wants to work on discovering the fate of the missing persons in Syria, how can it do so without the approval from the United Nations, and if it can't enter Syria? There is no way to force the Syrian regime to allow this organization to enter and to detect the locations of mass graves or secret detention centers in Syria. So it was very important that we would work on a mechanism for missing persons in Syria that is independent and doesn't intend to work on accountability. This is needed in order for the international community, including Russia and Iran, to accept this mechanism. In this way, we can reassure every mother about her missing son. If he is dead, she will be handed over his remains, so that she can begin to accept this harsh reality. Because there are also blackmailers, who tear apart the family of the missing person by telling lies about their fate. These people don't only destroy this family financially, but also socially and psychologically. One of our important achievements is that the international mechanism for missing persons in Syria will be led by the victims and the families of the missing. Another important achievement is that we were able to prove to the international community that the victims themselves are able to lead this process, and they have the capacity and potential to do so.

Brigitte: You talked about similar issues to Yasmen Almashan who is a founding member of the *Caesar Families Association* and we wanted to hear the perspectives from different organisations on the main evolutions in the domain of victims'

activism. Just like you did with Riyadh, you asked her first about the reasons for her involvement in the organization.

Yasmeen: The Caesar Families Association is the association of the families of the victims who identified loved ones in the Caesar photos. As one of the members and the founders, I recognized one of my relatives among the Caesar photos. This was my brother Uqba, who was arrested by the Syrian regime on 29 March 2012. We only knew about this after his transfer from the Air Force Intelligence branch in Deir Ezzor to the Damascus branch. But then we lost track of him. On March 15, 2015, I discovered that Uqba was tortured to death through a tag on one of the published photos. When I opened the picture, it was clearly defined, there was no doubt that it was his picture. Therefore, when the idea of the *Caesar Families Association* was proposed, I was one of the initiators and co-founders.

Artino: Yasmeen did not only lose her brother Uqba, whom she recognized among the Caesar photos.

Yasmeen: I also lost four other brothers. One of whom was kidnapped by ISIS. He is now considered as one of the forcibly disappeared persons by ISIS, when ISIS entered the city of Deir ez-Zor in 2014. During the time when we were waiting for Uqba to be freed from prison, I lost the rest of my brothers because we had stayed in Syria for a long time, as we were hoping for Uqba's release from prison. Unfortunately, in 2012, a sniper killed my brother Ubeida while he was trying to help one of the injured who was shot by the sniper. Ten days later, my other brother Tishreen was also killed by a sniper. And when we lost my brother Bashar, we decided we had to leave Syria.

Artino: She also confirms that the Charter was a milestone, clearly setting out the short-term and long-term priorities for victims and their families, in order to propose concrete solutions.

Yasmeen: From the beginning, when we proposed the idea of the Truth and Justice Charter, we set our vision that there is short-term justice and long-term justice. The reason is that justice paths are usually long and take a very long time that may take years. But there are urgent needs and necessities for us as families that must be prioritized, to initiate the first stage from which justice begins. These are: an immediate halt to torture, inhuman treatment, and sexual crimes in detention centers and prisons, revealing the fate of the forcibly disappeared, and returning the remains of those killed under conditions of enforced disappearance and detention. As the families of the victims, we believe that building peace begins from this point.

Brigitte: It is very interesting to hear Yasmeen's reconstruction of advocacy and research by victim groups. Because they looked into previous initiatives in other countries in their own study that was published last year, and where they first address the need for a mechanism. This led the UN General Assembly in December 2021 to request the Secretary General for a feasibility study into this mechanism.

Yasmeen: Always when we asked countries about revealing the fate of the forcibly disappeared and the release of the detainees, they answer that they do not have solutions. Hence, we proposed a solution to help us reach our goal, which is to reveal the fate of the forcibly disappeared, and accordingly the idea of the mechanism was proposed. Then followed a study into this idea and several advocacy campaigns. This then triggered an interest from countries and international organizations. The UN Commission of Inquiry for Syria recommended the General Assembly to establish a

mechanism. Accordingly a decision was issued to do a feasibility study about establishing a mechanism based on previous efforts. Hence this mechanism would not be built from scratch, but would be based on the efforts by Syrian civil society organizations and victims' associations, as well as international organizations to reveal the fate of the disappeared. These efforts can result in a solution that could be the most feasible to reveal the fate of the missing and forcibly disappeared in Syria.

Artino: As Yasmeeen demonstrates, the joint efforts by the Charter groups led to this renewed interest. She insists though that these efforts are shared by many civil society groups.

Yasmeeen: We have a goal that unites us as Syrians and as civil society organizations. On the other hand there are many efforts at the level of individual organizations to reveal the fate of the detainees and to follow-up on their fate. These efforts could also result in the establishment of a mechanism. It is possible to use these efforts and assemble them in one melting-pot, to solve the issue of the disappeared persons.

Artino: The next conversation echoes this focus on joint work. You spoke to Hiba Alhamed, a member of the *Coalition of Families of Persons Kidnapped by ISIS* also called Massar. This is a collective of families which was founded in 2019.

Brigitte: Welcome Hiba, it is great to have you on board of this episode on victims' groups justice efforts. Firstly, I wanted to ask you about the reasons for your personal involvement in Massar.

Hiba: So let's start from the beginning. My father Ismail Hamoud got kidnapped on 2 November 2013. So at that moment, we started as a family to search, and we stayed in Syria and we were doing this personal, small effort, trying to know where he is, if he's still alive, if we can reach him, if we can have a deal with the group who kidnapped him. It's ISIS in general. Then we left Syria in 2015. We kept asking and having contact with people who are still in Syria and then in 2017 the coalition started their operation against ISIS. At that moment ISIS was defeated, it was partly defeated, not completely, that happened only in Raqqa city. So at that moment we started small groups just to ask to do something like to put pressure on the coalition in order to take into consideration the issue of the disappeared. But there was no answer. So we were really disappointed. We tried during months to push. But nothing happened, they were just fighting ISIS and they did not care a lot. So in 2019, I knew that the coalition was created and I saw how individual efforts didn't make any effect. And I said, maybe if we are more organised, if we do more like official, more like institutionalized efforts, maybe it can make a difference. So other families proposed, why don't you join us? And since that moment - I think I joined in 2020, March 2020, if I'm not mistaken - I started just to work with them. Because the issue was so ignored for a long time by the international community. People always focus on the crimes committed by the Assad regime and they don't care a lot about the other perpetrators. And then since we started to get more organised, I think things became better than before.

Brigitte: Do you feel that the attention for the crimes by other perpetrators has changed after Massar started its activities? Is there more consciousness about different forms of harm caused by other perpetrators such as ISIS, but also jihadi groups?

Hiba: For sure, before Massar, people were not mentioning ISIS. All the side events, all the attention, all the reports were about the Assad regime's violations and what they are doing, but not really mentioning ISIS or Jabhat an-Nusra and all these jihadist groups. I feel that we at least on the international level, I think we made an effort, at least when we are talking about different groups of victims or violation ISIS is mentioned and every time and in every single like event. And that's really so good.

Brigitte: That's very important indeed. I also wondered if you also feel when it comes to crimes committed by different perpetrators, that there is a sort hierarchy between the crimes or that there might be competition between different victims based on who the perpetrator is?

Hiba: To be honest for sure we can't compare what the Assad regime is still doing and what the other groups are doing. I think that is a huge difference in terms of the quantity of the violations. For sure the Assad regime has the army and is more organised and all this stuff. But we can't ignore that there are many violations which are committed by the other groups. In terms of victims, I feel there's is not at all a competition because if we want to, for example, to reveal the truth, there is no problem if we reveal the truth of what happened to the detainees in all the prisons, not only the prisons of the Assad regime, I think there is no competition. If we want to hold accountable those who are responsible, there is no problem if we hold these groups, or the others to account. For sure, I think we have other, different sources of information, for example, concerning ISIS or Jabhat an-Nusra, we have maybe other tools. But at the end, like it's the same rights, right to truth and right to justice, and we can achieve it regardless of the perpetrator.

Brigitte: What is also quite remarkable in the Syrian context is that victim groups are at the forefront of a lot of these efforts. But of course there's also a cost for victims. Could you give some more background on the consequences of their activism and also on the tension between the possible danger of re-traumatisation and the emancipation of victims?

Hiba: I'm so proud of all these efforts by all of the families who are just working and working, and they simply don't give up. And I think it makes a difference because we have to impose our vision on justice. It should not be imposed by others. That's so important for us. But still, it's not easy, remembering every time these sad stories, talking about our beloved ones every time and mentioning some personal details. I feel like every time I talk about my dad, I live it again and again. So it's not really easy. And also what's so important to know that this work has no direct consequences. We know that it is for the long term and it's not easy for us. Because the most important thing for me is that I want my dad to be back, this is my ultimate objective. But I know that I have to work and work and work. I know nothing can just happen directly. So this point is really so difficult for the families. It is burning-out work for a long time. And I think this is so hard for us in general.

Brigitte: It must be very hard indeed to always focus on the long term perspectives. I wanted to ask you with regard to the far-away and also near the future, I wanted to ask you lastly how you about the future of justice efforts by Syrian victim groups? How do you think that their activism will evolve in the future?

Hiba: Sometimes I'm so pessimistic. But sometimes when I see these small steps that we did, when we got unified as victim groups, I feel more optimistic. Because even if we don't see the consequences for the moment, I see that at least there is a reaction

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towards our involvement, towards our activism. We saw how we imposed the Charter, for example, and the mechanism. Even if it's small, it's so important because right now, the international community is talking about that. So I feel it's so important that we were at the forefront of the issue. Our voices at least are heard and nothing is imposed on us. I believe that it needs a lot of time. I think we have to work and to work because the situation is not so nice. At least we are making an effort and believing that one day we will arrive, even if it takes a long, long time. That's so important.

Brigitte Thank you so much, Hiba. I wish you all the best with your efforts in the short term, especially also and also, of course, in the long term.

Hiba: Thank you for you too.

Artino: This was a wonderful last conversation. It underscores so well how victim groups overcome the many silences that they had to endure.

Brigitte: Yes, their voices are resounding in many different places, but furthermore they managed to impose their presence on the international scene. Thus they raising attention for the centrality of the issue of the forcibly disappeared and the missing. And of course this will also be highlighted in the Impunity Watch report that will be launched in September.

Artino: In our next and last episode of these series we will reflect on what this means for the pursuit of justice. More broadly, we will also talk about the consequences of the Syrian tragedy on the wider field of international justice.

Brigitte: For now I would like to thank our guests and Jules De Pauw and Maisaa Tanjour for the voice-over. And thank you to our listeners.

Artino: Feel free to send your comments and questions for the last episode. And bye for now!