

1.4.3. Transitional justice process and accountability

In May 2025, the government announced the establishment of two government bodies tasked with investigating crimes committed during the Assad rule, compensating victims, and locating thousands of missing individuals: the National Commission on Transitional Justice and the National Commission on Missing Persons in Syria.158 The scope of the National Commission on Transitional Justice's mandate was not clear,159 raising concerns that it would be limited to crimes committed by the Assad government while excluding victims of abuses by non-state actors, as well as for being unclear on the role of victims in the commission's work.160 Syrian law does not comprehensively codify crimes against humanity, war crimes, or genocide as distinct offences. As a result, acts that may qualify under international law as part of a widespread or systematic attack against civilians are likely to be prosecuted under ordinary criminal offences, such as murder, unlawful detention, or torture.161

A report prepared in consultation with 27 Syrian civil society organisations identified as major challenges of the transitional process weak judicial independence, the absence of a legal framework to prosecute crimes committed throughout the conflict, limited expertise in handling international crimes by judges and prosecutors, lack of investigative capacity by security forces, and the continued presence of some alleged perpetrators within state institutions and local communities.162

The government issued arrest warrants against Bashar Al-Assad, former high-level military and intelligence officials on charges of human rights violations, abuses and corruption.163 Although Syria has not yet adopted legislation establishing a specialised transitional justice tribunal, the government has designated the Fourth Criminal Court in Damascus, which operates under the Syrian Penal Code of 1949,164 to hear cases related to transitional justice.165 In April 2026, the first public trial of officials associated with the Assad regime commenced in Damascus. The proceedings included the appearance in court of a former head of the Political Security Branch in Dar'a, while Bashar al-Assad and his brother Maher were charged in absentia.166

The government created the National Inquiry on the March 2025 Coastal Events and the National Inquiry on the July 2025 Sweida violence to investigate the events and hold those responsible accountable.167 The National Inquiry on the March 2025 Coastal Events published its findings and referred hundreds of suspects to the judiciary.168 In November 2025, 14 alleged perpetrators linked to the violence were put on public trials facing charges including killing of civilians and attacks on public security personnel.169 The National Investigation Committee on the Sweida violence released its findings in March 2026,170 classifying the violations as individual rather than systematic, with 23 security and military personnel reportedly detained for

trial.171 Some of those arrested, including government forces, were reportedly later released following the issuance of presidential decree No. 39/2026 granting general amnesty for crimes committed before its issuance date.172 According to the UNCOI, the responsibility of senior officials and commanders has not been announced.173

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