

Truth Beyond Prosecution: Reassessing Documentation for Truth in Syria and Beyond

Roundtable Primer

Background and Findings

In protracted conflicts like Syria, human rights violations are often denied or memorialized in a distorted way that silences the voices of victims. While there is more documentation of the Syrian conflict than any other conflict in history, it is unclear the extent to which this material can challenge the deeply contradictory narratives that have emerged. The Syria Justice and Accountability Centre (SJAC) explores this question in its recent report, “[Truth Beyond Beyond Prosecution](#),” which analyzes survey data that suggests many Syrians remain hesitant to change their beliefs about the facts of the conflict. At the same time, the report argues, many are still willing to meaningfully engage with documentation of diverse violations, recognizing shared trauma even across political divides.

To discuss strategies for addressing this challenge, on 28 July, 2021 SJAC held a roundtable discussion with leading civil society organizations (CSOs) engaged in documentation in Syria and internationally. Participants had the opportunity to share how they currently document for truth-seeking and the challenges they face, while learning new strategies for facilitating engagement with potentially divisive documentation from a range of different geographic and political contexts. The roundtable began with presentations on participatory methods of collecting and staging documentation from three international organizations: Surviving Memory in Postwar El Salvador, Asia Justice and Rights (AJAR), and Center for Victims of Torture (CVT). These presentations were followed by questions and comments from four Syrian human rights organizations: Justice for Life (JFL), Syrians for Truth and Justice (STJ), Syrian Archive (SA), and SJAC. They discussed the challenges of applying particular documentation methods in the Syrian context, and how to link memory work with truth-seeking purposes. The following is a summary of the key points that emerged from the presentations and subsequent discussions.

The roundtable raised a number of important questions about the appropriate form and purpose of documentation, and provided useful examples of alternative methods of documentation that are not often pursued in formal truth mechanisms. The organizations involved in the roundtable operate at different scales and with different missions: from those focused on the symbolic justice achieved by community-driven truth-seeking and memory work to those oriented around national and international transitional justice processes that aspire toward a single official record of conflict-related abuse. The roundtable demonstrated that the different kinds of documentation that these organizations conduct are complementary and can support a wide variety of justice processes.

The initial challenge that the roundtable posed was whether the post-conflict initiatives that have been successfully pursued in places like El Salvador and Indonesia can be pursued in Syria while the conflict is still ongoing. While participants agreed that these processes could not be copied exactly, nor would

they be appropriate throughout the country, participants were left asking whether there are specific areas and communities in Syria and the diaspora where participatory documentation, in collection and presentation, would be appropriate in the near term. Answering this will likely raise other issues--such as the specific methods that are most appropriate, or the implications of this work for other transitional justice processes like post-conflict mediation—that could be discussed by roundtable participants and others in the future.

Presentation 1: Surviving Memory in Postwar El Salvador

The first speakers represented Surviving Memory in Postwar El Salvador (SM), a collaborative research initiative that is an international partnership of survivors, scholars, artists, lawyers, museums, architects, community organizers, municipal governments, civil society organizations and mental health professionals who are committed to documenting the history of the Salvadoran Civil War (1980-1992).

- **Mission - gaps left by official truth mechanisms** SM is documenting the experiences of communities that were not adequately addressed by the official truth commission (1993), especially the displaced populations who were neglected by the state upon returning home (e.g. those who spent time in the refugee and IDP camps in Cuscatlan and Chalatenango, where SM has focused its work so far). CSOs and municipalities are working to fulfill the recommendations of the 1993 truth commission, including by documenting the abuses of anti-government forces that have received less attention.
- **Documentation guided by collaborative governance structure:** Survivors and local communities help determine the themes of the documentation activities and how they support community-based planning (e.g. inter-generational educational workshops and mental health support). They do so through a horizontal government model built on consensus; important in this are committees of women, graduate students, and youth.
- **Diverse forms of documentation:** The interlocking themes that SM's local partners have identified support diverse methods of documentation for truth-seeking and memorialization, including mapping sites of civil war-era massacres, marking graves for future exhumation, community exhibitions that repatriate amateur photographs from abroad and in which survivors identify themselves, giving a face to victims who went unseen; music archives, including new songs about what happened during the conflict; communally-curated books of photos; film and video testimony that can be used in legal accountability processes; and communal design of memorial parks and museums.
- **Value of group workshops:** SM organizes multi-day thematic historical memory workshops (e.g. on women's experiences, political participation), as well as capacity-building and training workshops (e.g. in oral history, use of camera technology to narrate experiences without an intermediary). These workshops are meant to counter an extractive model of gathering information from victims, by keeping information within a community. They offer people a space in which to work through competing perceptions of what happened during the conflict.

- **Necessity of mental health interventions:** Few outlets for addressing the mental health impacts of the conflict have led many survivors to self-medicate and engage in interpersonal violence. SM's documentation activities therefore involve the input of local mental health experts whenever possible.

Presentation 2: Asia for Justice and Rights

The second set of speakers represented Asia Justice and Rights (AJAR), a human rights organization focused on post-conflict countries in the Asia Pacific region, including Indonesia, Myanmar, Timor-Leste and Sri Lanka. It conducts workshops, research, and advocacy related to human rights and transitional justice, provides technical assistance to local partner organizations, and uses participatory methodologies for documentation purposes. AJAR has also contributed to several truth commissions in the Asia Pacific region and sought to provide rehabilitation to victims.

- **Challenges of documentation:** AJAR has encountered *fatigue among victims* from the interview process, especially due to the *perception that providing testimony has not led to accountability* and that interviewees are only regarded as research subjects; this *requires developing documentation practices partly from the bottom-up, in a way that reflects community preferences*. An additional challenge has been the protracted nature of conflicts in the Asia Pacific region and the relative lack of documentation that has been collected.
- **Documenting long-term impacts of abuse:** In light of those challenges, AJAR strives to work closely with women's groups in particular to involve them in truth-seeking as well as psycho-social healing processes (as outlined in its [Stone and Flower methodology](#)). It *pursues forms of documentation that build solidarity among survivors and also sheds light on the long-term impacts of abuse*, include community mapping, where participants collectively remember the locations of violations in their communities; resource mapping, in which victims discuss (or illustrate, in cases of language barriers) their old and current livelihoods, and how violations threw them into cycles of poverty; body mapping, in which individual victims speak about the bodily impact of violations - including through illustrations in cases of highly-sensitive SBGV; and timeline drawing, in which participants collectively create a timeline of the conflict to analyze violations and build a shared memory that fills in the gaps of individual memories.
- **Lessons learned:** AJAR stressed the need to always be ready with documentation for future transitional justice mechanisms, even when the possibility of their being implemented seems distant. Also, following a victim-centered approach, AJAR called on organizations to *look for other ways of providing rehabilitation and repair to survivors when formal justice avenues are blocked*, including by referring participants to sources of economic, social, and mental health assistance.

Presentation 3: Center for Victims of Torture

The third and final set of speakers represented the Amman office of the Center for Victims of Torture (CVT), which was established in 2008 to help traumatized Iraqi refugees suffering from the effects of torture and war. The work has since expanded to include Syrian refugees, and today CVT Jordan also extends rehabilitative care to refugees from Eritrea, Somalia, South Sudan, Sudan and Yemen.

- **From rehabilitation to documentation:** In recent years CVT came to realize that its rehabilitative care--through psychological and physical therapy services--were insufficient. Survivors expressed a desire to tell the stories of their abuse, and hence CVT realized the *need to integrate documentation and human rights work into its psycho-social healing work.*
- **Need for trauma-informed documentation:** CVT identified *gaps in the approach of human rights documentation organizations*, even when they recognized the requirement to do no harm and avoid re-traumatizing witnesses (in part because conflict-related trauma is still ongoing). These gaps included a lack of coordination between psychosocial support services and human rights work, a lack of understanding of signs of trauma among witnesses, a lack of case management, and a lack of resources.
- **Therapeutic documentation:** It was for this reason that CVT developed a Therapeutic Documentation pilot program in Amman, in which there is an *option for documentation following the initial MHPSS intervention and referral for legal support.* This program foregrounds the perspective of survivors through *qualitative interviews that inquire into their ideas about justice* (which are often described as equality and fairness, safety and security, and accountability and justice). Survivors are also asked to speculate about different pathways to accountability, to combat the idea that the interviews have no material benefit. The documentation process involves the use of artistic media for telling survivor stories, communication resources to share survivor stories with the public where appropriate, and outlets for advocacy, policy, and legal work.

Discussion

The discussion raised several important points about documentation, as well as questions about the degree to which the organizational and methodological practices introduced could be applied to the Syrian context:

- **The necessity/challenges of holistic documentation:**
 - Participants from SJAC observed that the presentations highlighted the *need for documentation that serves multiple pillars of transitional justice*, but asked whether/how the international organizations use their documentation specifically for legal accountability or reparations purposes.

- SM noted that one of its partners uses the documentation collected to pursue accountability for some of the largest violations that occurred during the civil war, but that amnesty laws prevent cases from moving through the traditional court system. Furthermore, many survivors felt attacked when being interviewed for legal purposes, in part because they were being questioned about their memories even though time and experience distorts memory--making any documentation process hard. As a result, SM prioritized *beginning justice and reconciliation processes from the bottom up and through community mobilizations*.
 - A participant from SJAC affirmed these insights and noted that the symbolic and material dimensions of documentation could be mutually reinforcing: many witnesses whom SJAC interviews--often after referral from CVT--gradually begin to express a desire for accountability and even think of themselves more as “survivors” than only “victims.” This suggests the *importance of extended documentation and multiple witness interviews* where possible, as collecting testimonies that speak to the long-term impact of abuses can both bolster claims for reparations and elicit sympathetic responses from Syrians across political and social divides.
 - AJAR emphasized the *need to bridge community and official truth-seeking purposes where possible*, such as by issuing recommendations to ongoing and future truth commissions. It has tried to do so in the Asia Pacific region, by assessing the documentation practices of truth commissions, recommending where they could incorporate AJAR’s participatory methodologies, and making submissions of documentation to these official mechanisms.
- **Logistical challenges to documentation:**
 - SJAC participants raised the logistical challenges of pursuing the kinds of alternative documentation methods that the international organizations described in Syria, given the ongoing conflict and dire humanitarian conditions. How can documentation organizations cultivate networks of trust and pursue complex forms of documentation for truth-seeking and memorialization in such settings? A participant for Justice for Life (JFL) suggested that certain documentation could be implemented in the parts of Syria where the organization operates. Some documentation methods, such as the creation of survivor timelines, could be very useful and also plausible in meeting immediate truth-seeking goals (e.g. among survivors of ISIS detention in northeast Syria). Other kinds of alternative documentation, however, may be perceived among certain communities (e.g. the families of those who remain forcibly disappeared and arbitrarily detained) as not addressing urgent goals related to truth-seeking and accountability. This was a reminder that participatory, bottom-up documentation processes may look different from one place to the next, reflecting distinct needs and preferences among survivors. A representative of SM explained that 30-40 years have passed since the end of the Salvadoran civil war, and as a result different kinds of documentation strategies were possible in that setting.

- **The challenge of building trust and consent:**

- A participant from Syrians for Truth and Justice (STJ) asked SM whether it encountered *pushback from survivors when exhibiting pictures or other forms of documentation* from a conflict that had produced such sharp social divisions and divergent memories. STJ identified a challenge in building consent and trust among different individuals and groups when confronted with documentation
- A representative from SM explained that *intergenerational workshops were key in addressing these divisions* and getting participants to buy into the process. *Young people in particular were important* in these workshops, as many often had parents or older relatives who supported different sides of the civil war and could therefore serve as mediators able to recognize multiple perspectives and memories of the conflict.
- A participant from JFL also recognized this problem when calling for *greater involvement of Syrian survivors in the design and implementation of documentation activities*. Doing so would build trust in the work of larger organizations like JFL on the part of smaller organizations and local activists based in the areas where JFL operates. This buy-in will reinforce and render more legitimate eventual accountability and reparations processes, which in certain other settings (e.g. some international tribunals) have only intensified post-conflict divisions due to the lack of local outreach and legitimacy.

- **Dealing with disinformation:**

- A former SJAC staffer who had worked on early stages of what became the “Truth Beyond Prosecution” report asked *how online disinformation would impact future documentation efforts*.
- Representatives from SM agreed that disinformation poses a problem, and noted in El Salvador specifically it is coming from the governing authorities. The current government is waging a campaign to deny the abuses of the civil war era, attack indigenous activists attempting to document and speak out about them, and roll back commemorative events. It is for this reason, SM explained, that *bottom-up, community-driven processes of truth-seeking are important: to counter top-down campaigns of disinformation*.
- A participant from JFL agreed with the importance of bottom-up documentation, but also noted that in some areas in which JFL operates it has sometimes actually been *local organizations and authorities that are burying evidence that is politically unfavorable*. As a result, Syrian organizations should work to correct this local disinformation by delivering reliable information and raising awareness about the necessary standards of high-quality documentation.
- Participants from Syrian Archive (SA) said that they tried to *deal with the problem of disinformation through transparent and participatory documentation*, including through the reliance on networks of local citizen journalists, human rights activists, and lawyers. To that end, SA also *strives to clarify its methodology* for collecting, processing, and verifying data on rights violations in Syria, and to *make this verified data as publicly accessible as possible*, in line with the core transparency principle for open-source investigation and other open-source data work. The participants from SA also noted that although the organization had not explicitly thought of its work as serving truth-seeking purposes, the roundtable and report illustrated the substantial overlap between those purposes and the goals for its own documentation (research, advocacy, and accountability).