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Considerations for a collaborative approach to post-conflict development and transitional justice in Syria

A research report presented in partial fulfilment of the requirements for the degree of Master of International Development

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Abstract

Neither transitional justice nor post-conflict development is possible without the other. Thinking about reconstruction, and development more generally, requires an understanding of core political issues of ownership, governance and participation which are similarly key concerns of transitional justice. Such issues also need to be informed by longer-term processes for development which includes strategies for rehabilitation, reform and reparation, all consequences of war which influence development outcomes.

A consideration of how post-conflict development objectives can inform a transitional justice process for Syria identifies key areas of convergence and divergence between the two fields as well as debates pertaining to the prioritisation of justice versus peace, international law, and contextualising strategies to individual states and post-conflict situations. In Syria, where work is already under way by multiple organisations and activist groups to facilitate, gather and document evidence of human rights violations in preparation for a future transitional justice process: a ‘good-enough’ approach to governance (Grindle, 2004), the strengthening of civil society to provide national level support, and institutional reform are identified as key areas for development intervention.

However, the success or otherwise of development interventions in these areas will rely upon a number of critical factors: the willingness of a transitional government to take ownership of post-conflict development and transitional justice processes, facilitate citizen participation by first addressing Syria’s severe humanitarian crisis, and accept independent or international involvement where required; the capacity of Syrian civil society to provide national level support following an intense and prolonged period of conflict; the state of Syria’s post-conflict physical and human resource; and the willingness of a divided Syrian society to accept cross-community human rights initiatives or a transitional government comprised of any one party where violations have been committed by both sides of the conflict.
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CIL  Customary international law
DDR  Disarmament, demobilisation, and reintegration
ECCC  Extraordinary Chambers in Court of Cambodia
HRBA  Human rights-based approach
HRW  Human Rights Watch
ICC  International Criminal Court
ICRC  International Committee of the Red Cross
ICTJ  International Center for Transitional Justice
IDP  Internally displaced person
IHL  International humanitarian law
ICTY  International Criminal Tribunal for Yugoslavia
MDGs  Millennium development goals
NGO  Non-governmental organisation
NJWP  No Justice Without Peace
OECD  Organisation for Economic Co-operation and Development
OHCHR  Office of the High Commissioner for Human Rights
PICC  Syrian Planning and International Cooperation Commission
PILPG  Public International Law and Policy Group
ROL  Rule of law
SAMA  Syrian Aid Management Authority
SCJA  Syrian Commission for Justice and Accountability
SDGs  Sustainable development goals
SJAC  Syria Justice and Accountability Centre
SLA  Sustainable livelihoods approach
SSR  Security sector reform
TRC  Truth and Reconciliation Commission
UN  United Nations
UNDP  United Nations Development Programme
UNSC  United Nations Security Council
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