



الشبكة السورية لحقوق الإنسان
SYRIAN NETWORK FOR HUMAN RIGHTS

Trial Monitoring Report on Two Sessions of Case No. (1) of 2026 before the Fourth Criminal Court in Damascus

The two sessions held on 26 April 2026 and 10 May 2026

Sunday 19 July 2026





The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

Contents:

First: Executive Summary.....	1
Second: Documentation and Monitoring Methodology	2
Third: General Context of Case No. (1) of 2026	4
Fourth: The Course of the Sessions	4
Fifth: Preliminary Assessment of the Course of the Trial and the Guarantees of a Fair Trial.....	10
Sixth: Procedural Recommendations and Matters Requiring Follow-up	11
Seventh: Conclusion.....	11
Eighth: Annexes	14

FIRST: EXECUTIVE SUMMARY

This report monitors the proceedings of two sessions of a trial pending before the Fourth Criminal Court in Damascus within Case No. (1) of 2026, relating to charges directed against a number of individuals against the backdrop of the events of Daraa governorate during 2011. One of the defendants appeared before the court in person, while the court continued the proceedings against a number of absent defendants whom it considered fugitives from justice, according to what it announced in the two sessions under monitoring.

The report covers the first session, held on 26 April 2026, and the second session, held on 10 May 2026. Its scope is confined to monitoring the public proceedings that took place inside the courtroom, and to documenting the decisions, measures, and observations announced therein that relate to fair-trial guarantees. The report does not address an assessment of the validity of the charges, the sufficiency of the evidence, the individual criminal responsibility of the defendants, or the soundness of the final legal characterization of the facts at issue in the case.

The Syrian Network for Human Rights affirms that this report is a judicial monitoring report, not an accusatory report or a substantive legal analysis of the case file. Therefore, any presentation of the facts or the legal characterizations stated by the court, the Public Prosecution, or the parties to the case appears here as a transmission or a summary of what took place in the public sessions, and does not constitute an adoption by the Network of the validity of those facts, the sufficiency of their evidence, or the soundness of their legal characterization.

The first session was devoted to the preliminary procedures, including verifying the attendance of the present defendant, establishing the absence of the remaining defendants, and taking measures relating to notification and to proceeding with the case against the absent defendants, according to what the court announced. The first session did not include any questioning of the present defendant, nor any discussion of the subject matter of the case or of the evidence connected to it.

As for the second session, it witnessed the court's transition to the stage of presenting the summary of the indictment and the grounds of the prosecution, according to what the court announced inside the courtroom. The representative of the Public Prosecution also delivered a pleading that addressed facts attributed to the defendants and linked them to national and international legal characterizations. The monitoring team observed that some of the expressions contained in the presentation of the indictment and in the pleading carried, on their face, an assertive or conclusive character, which requires, in the later stages, clearly preserving the presumption of innocence and separating the presentation of the indictment from any final judicial determination, which cannot occur except after the discussion of the evidence and the hearing of the defense's pleas.

The two sessions, in their monitored portions, were marked by a clear degree of openness and organization, and by the presence of representatives of media outlets, human rights organizations, lawyers, and parties to the case. Within the limits of what it was able to attend publicly, the team also did not observe any apparent procedural disturbances that affected the orderly course of the two sessions. At the same time, several matters remain in need of follow-up in the coming sessions, in particular the rights of the defense, the guarantees of the absent defendants, the limits of witness-protection measures, and the extent to which the separation between the discourse of the indictment and the final judicial ruling continues to be maintained.

SECOND: DOCUMENTATION AND MONITORING METHODOLOGY

This report relied on direct qualitative monitoring of two public sessions before the Fourth Criminal Court in Damascus within Case No. (1) of 2026, held on 26 April 2026 and 10 May 2026.

This methodology aims to document the course of the sessions in a precise and neutral manner, and to monitor the extent to which the apparent judicial procedures comply with the fundamental guarantees of a fair trial, in particular the openness of the sessions, the right of defense, the presumption of innocence, procedural equality between the parties to the case, and the orderly management of the sessions.

1. Sources of Information

The report relied on the information available to the monitoring team through direct attendance inside the courtroom during the two sessions under monitoring. The team documented the sequence of the judicial procedures, the decisions announced inside the session, and what was stated by the court, the Public Prosecution, and the parties to the case in the public portions that the team attended.

This report does not rely on an independent assessment of the contents of the case file, the evidence, or unpublished records, except to the extent that was presented or referred to publicly inside the sessions under monitoring.

2. Scope of Monitoring

The scope of monitoring included:

- The first session, of a preparatory and procedural character, held on 26 April 2026.
- The second session, which included the presentation of the summary of the indictment, the pleading of the Public Prosecution, and certain subsequent measures connected to organizing the questioning and protecting the witnesses, held on 10 May 2026.

This report does not include verification of the notification procedures beyond what the court announced inside the courtroom, nor the non-public judicial deliberations, nor the sufficiency of the evidence, nor the lawfulness of the final legal characterization of the charges.

3. Presentation Methodology

The report distinguishes between three levels:

- The factual narration of what took place in the sessions as monitored by the team.
- The summary of the statements of the court, the Public Prosecution, or the parties to the case, in an attributed form.
- The observations of the monitoring team and its preliminary procedural assessment.

Verbatim quotations, when used, are presented between quotation marks. As for the paragraphs that summarize the statements of the court, the Prosecution, or the parties to the case, they are presented as transmitted or monitored content, and do not necessarily represent a position adopted by the Syrian Network for Human Rights.

4. Data Protection

Identifying data not necessary for publication was withheld concerning some of the claimants, witnesses, or persons whose names or details, if mentioned, could expose them to danger or infringe upon their privacy. The report also refrained from publishing the list of claimants, despite its mention in the session, out of regard for the do-no-harm principle and the protection of personal data.

THIRD: GENERAL CONTEXT OF CASE NO. (1) OF 2026

This trial falls, according to the context announced for it inside the sessions, within the cases connected to the track of accountability and transitional justice in Syria, pending before the Fourth Criminal Court in Damascus. The case relates to the events of Daraa governorate during 2011, which were connected to the beginning of the popular protests in Syria and to what followed them of grave human rights violations and subsequent developments.

The case addresses charges directed against a number of former civilian, security, and military officials, among them Atef Najib, the former head of the Political Security Branch in Daraa governorate, who appeared before the court in person. The court also continued the proceedings against other defendants in their capacity as absent, and considered them fugitives from justice, according to what it announced in the sessions under monitoring.

The counts of the indictment, as presented inside the public sessions, refer to attributed acts that include killing, torture, detention or deprivation of liberty, the use of force against protesters, and other acts that the court and the Public Prosecution described as grave violations or as crimes under Syrian law, with references to rules and principles of international law. This report does not include an independent assessment of the validity of those facts, or of the extent to which those characterizations apply to them.

The Syrian Network for Human Rights had previously addressed the legal aspects of the case in an independent analytical [report](#) entitled “Criminal Accountability in Syria: A Legal Analysis of the Litigation Procedures and the Indictment Decision against the Accused Atef Najib,” issued on 21 May 2026. As for this report, it remains confined to monitoring the two sessions referred to and to documenting the procedures that took place in them.

FOURTH: THE COURSE OF THE SESSIONS

The First Session: 26 April 2026

The presiding judge opened the session by noting that the court was beginning its consideration of Case No. (1) of 2026, that it comprised a defendant present before the court and other absent defendants, and that the session was devoted to the administrative and legal procedures relating to notification and preparation.

Then the defendants were called. According to what the team monitored, the defendant Atef Najib appeared before the court in the presence of his lawyer, while the remaining defendants who were called did not appear. The attendance of the present defendant and the absence of the other defendants were established, according to what the court announced.

The claimants were also called, and the judge stated that their number, according to the list read out inside the courtroom, was fifty claimants, among them ten women, and that most of them attended while five of them were absent. The Syrian Network for Human Rights retains the list of claimants within its internal records, and does not publish it in this report for considerations of privacy and safety.

The judge announced that the said list of claimants included those who had been notified and whom the court was able to reach, that it was not a final list, and that the remaining claimants connected to the case had the right to submit their claims in the subsequent sessions.

After repeating the call for the absent defendants, the court decided to issue the time-limit decisions against them and to notify them duly, in accordance with the provisions of Article 322 of the Code of Criminal Procedure, as announced inside the session. At the close of the session, the court decided to adjourn its consideration to Sunday, 10 May 2026, at ten o'clock in the morning.

The first session, within the limits of what the team monitored, was a preparatory session during which no questioning of the present defendant took place, nor any discussion of the subject matter of the case or presentation of the evidence.

— Observations of the Monitoring Team on the First Session —

The first session was of a procedural and preparatory character, and was confined to establishing the attendance of the present defendant and the absence of the remaining defendants, recording the names of the claimants present, and taking measures relating to notifying the absent defendants and proceeding with the case, according to what the court announced.

The team observed that the session was held publicly, in the presence of representatives of local and international media outlets, human rights organizations, lawyers for the claimants, and the defense lawyer for the present defendant. During the public portion that it attended, the team did not observe any apparent restrictions on the entry of those present or on their following of the session.

With respect to the rights of the defense, the team observed the attendance of the present defendant in the courtroom in the presence of his lawyer, and his identity and procedural capacity were established before the court. At this preliminary stage, the team did not observe anything indicating a direct restriction on the lawyer's right to attend the initial proceedings and to represent his client. However, an assessment of the adequacy of the rights of the defense cannot rest on this session alone, but rather requires following the subsequent sessions, in particular as regards access to the case file and the evidence, and the time available for preparation and response.

The team also observed that the court repeated the call for the absent defendants before deciding to issue the time-limit decisions against them. The team notes that assessing the extent to which the in-absentia trial procedures conform to fair-trial guarantees requires following up on whether the notification procedures have, in practice, satisfied the requirements of knowledge, or the exertion of reasonable steps to inform the defendants of the proceedings and the charges attributed to them, and whether they will be afforded, in accordance with the law, the guarantees of appeal or retrial where appropriate.

In general, during the first session the team did not observe any apparent disturbances or external interferences that affected its course, and the session was marked by an appropriate degree of organization and openness, while it remained confined to the preliminary procedural matters.

The Second Session: 10 May 2026

The presiding judge of the Fourth Criminal Court in Damascus opened the session by calling the defendants, and the names of the absent defendants were mentioned, in addition to the present defendant Atef Najib Najib.

After the call was completed, the court announced that the absent defendants had not attended the previous session, and that their summons memoranda and the time-limit decisions relating to them had been duly served, according to what was announced inside the session. Accordingly, the court decided:

- To establish their absence.
- To proceed with the case against them in absentia.
- To consider them fugitives from justice.
- To try them in accordance with the procedures specific to the trial of fugitive defendants.
- To arrange the announced legal effects in accordance with the provisions of Article 322 of the Code of Criminal Procedure, including the measures referred to by the court relating to civil rights and to movable and immovable property.

The court then announced the commencement of the trial, in person and in absentia, publicly, after confirming the attendance of the present defendant and his defense lawyer. The court asked the defense lawyer to abide by the order of the session and to present his defense within the appropriate procedural framework.

After that, the court read out a summary of the indictment decision directed at the present defendant. The summary, according to what the team monitored, included a presentation of attributed facts relating to the events of Daraa governorate in early 2011, among them the arrest of children and school-children, allegations of torture and cruel treatment, the use of force against protests and sit-ins, the opening of fire on demonstrators and funeral mourners, the prevention of the evacuation of the wounded, and the occurrence of deaths and injuries, in addition to charges connected to command responsibility and to participation in issuing orders or directing security operations.

The court's reading included legal characterizations that relied, according to what it announced, on provisions of Syrian law and on rules and principles of international law. In its presentation, the court referred to the fundamental rights guaranteed under international human rights law, including the right to life, the prohibition of torture and ill-treatment, the right to liberty, and the rights of children. It also referred to national and international criminal characterizations, including crimes stipulated in the Syrian Penal Code and other Syrian legislation, and to international legal characterizations raised by the court and the Prosecution, such as crimes against humanity and war crimes.

This report does not adjudicate the validity of any of these characterizations. Nor does it assess whether the legal conditions necessary for characterizing the attributed facts as war crimes, including the existence of an armed conflict and a sufficient nexus between the attributed acts and the conflict, are met temporally and substantively in the facts presented. The report is confined to recording that these characterizations were raised inside the public session.

The summary of the indictment also referred to the principles of the non-applicability of statutory limitations, the impermissibility of amnesty for grave international crimes, and continuing accountability. The report presents these references as part of the summary of the indictment as read inside the courtroom, without this constituting an independent adoption by the monitoring team of the legal basis presented by the court or the Public Prosecution.

After the reading of the summary of the indictment was completed, the presiding judge announced that the defendant's lawyer could obtain a copy of it and examine it. He then gave the floor to the representative of the Public Prosecution to present the grounds of the prosecution.

The Pleading of the Public Prosecution

The representative of the Public Prosecution delivered a pleading in which he addressed the facts of the case as the prosecution sees them. He considered that the events of Daraa governorate in 2011 began with the arrest of children against the backdrop of writings on the walls, and what followed of torture and suppression of the peaceful protests.

The representative of the Prosecution noted that the protests, including the sit-in at the al-Omari Mosque, were met with the use of excessive force and gunfire, which led, according to the prosecution's account, to the falling of dead and wounded, and to the opening of fire on funeral mourners and the prevention of the evacuation of the wounded.

The representative of the Prosecution also attributed to a number of the defendants leadership, security, and political responsibilities, and linked this to a military and security chain of command. He considered that the facts presented constitute a systematic pattern of violations, and that they rise, according to the Prosecution's position, to crimes against humanity and war crimes, as well as crimes punishable under Syrian law.

After the pleading was completed, the court announced that it would move to the stage of questioning the present defendant, and clarified that some of the questions might include documents and the names of witnesses covered by protection measures. Accordingly, the court requested:

- Halting the live broadcast.
- The departure of the media representatives.
- Keeping a number of those present inside the courtroom, in accordance with what the court permitted.

The court also clarified that the recordings would be published later, after deleting the names of the witnesses and the documents or sensitive data, and then it adjourned the session for five minutes.

— Observations of the Monitoring Team on the Second Session —

The monitoring team observed that the second session was held on its scheduled date of 10 May 2026, and began publicly, in the presence of representatives of media outlets and human rights organizations, in addition to the lawyers for the claimants and the defense lawyer for the present defendant.

The session witnessed the case's transition from the preliminary procedural stage to the stage of presenting the indictment and the grounds of the prosecution. The court established the absence of the other defendants, according to what it announced inside the session, and decided to proceed with the case against them in absentia and to consider them fugitives from justice, while arranging the legal effects that it announced on the basis of Article 322 of the Code of Criminal Procedure.

The monitoring team notes that in-absentia trial procedures, by their nature, raise important matters from the standpoint of fair-trial guarantees, especially as regards effective notification, the defendant's right to be present, his right to defend himself or through a lawyer, and his right to appeal or to request a retrial in accordance with the guarantees that the law provides. Therefore, assessing the extent to which these procedures conform to human rights standards requires following the subsequent stages of the case, rather than confining oneself to what was announced in the two sessions under monitoring.

The team also observed that the summary of the indictment read out by the presiding judge was not confined to presenting the charges and the legal characterizations, but in some places included expressions of an assertive character regarding roles and responsibilities attributed to the defendants. The team considers that the integrity of the procedures requires that these expressions be understood exclusively as a presentation of the indictment, not as a final judicial conclusion preceding the discussion of the evidence and the hearing of the defense's pleas.

With respect to the legal characterization, the session showed the reliance of the court and the Public Prosecution on a mixture of provisions of Syrian law and rules and principles of international law. The monitoring team affirms the necessity of distinguishing between three levels: human rights violations; potential violations or crimes under international humanitarian law; and international criminal characterizations such as crimes against humanity and war crimes. This report does not adjudicate the validity of any of these levels, nor does it consider that every grave human rights violation automatically turns into an international crime without the availability of its legal and contextual elements.

With respect to the rights of the defense, the team noted that the court affirmed the right of the defense lawyer to obtain a copy of the summary of the indictment and to review it. This measure is important in enabling the defense to examine the content of the charges and to prepare to respond to them. However, an assessment of the adequacy of this guarantee will remain tied to what is made available to the defense in the coming sessions in terms of time, materials, and the possibility of discussing the evidence and the witnesses and responding to the facts attributed to the defendant.

The team also observed the court's taking of measures connected to the protection of the witnesses and the sensitive data before moving to the questioning stage, which included halting the live broadcast and the departure of the media representatives. The team views positively the measures that aim to protect the witnesses and their safety, provided that they remain confined to the necessary extent, that they are applied on a clear basis, and that they do not unjustifiably infringe upon the rights of the defense or upon the principle of the openness of the trial. Any restriction on openness should also be specific, reasoned, and proportionate to the purpose of protection.

Within the limits of what it was able to attend publicly, the team did not observe any procedural disturbances or apparent external interferences that affected the course of the second session. Nevertheless, the session revealed matters that deserve follow-up in the later stages, in particular the presumption of innocence, equality of opportunity between the prosecution and the defense, the provision of sufficient time and materials for the defense, the limits on restricting openness for the protection of the witnesses, and the guarantees of the absent defendants.

FIFTH: PRELIMINARY ASSESSMENT OF THE COURSE OF THE TRIAL AND THE GUARANTEES OF A FAIR TRIAL

Based on the proceedings of the two sessions under monitoring, the monitoring team notes that the court provided a clear degree of openness in the monitored portions of the proceedings, where representatives of the media, human rights organizations, lawyers, and parties to the case attended, and the fundamental procedural decisions were announced inside the courtroom. The openness of the sessions is, in principle, among the important guarantees of a fair trial and of public oversight of the work of the judiciary.

The team also observed a general adherence to the announced procedural sequence, from the preparatory stage relating to establishing attendance and absence and completing the notification procedures, to the stage of presenting the indictment and the grounds of the prosecution, with the court announcing the subsequent stages relating to the questioning of the defendant and the hearing of the witnesses.

With respect to the rights of the defense, the defense lawyer attended alongside the present defendant during the two sessions, and the team did not observe any apparent restrictions on his attendance during the public portions. The court also announced the right of the defense to obtain a copy of the summary of the indictment. However, the most important human rights assessment will emerge in the coming sessions, when the extent of the availability of the evidence and of sufficient time for preparation is tested, along with the enabling of the defense to examine the witnesses and the documents and to respond to the prosecution's evidence.

As for the in-absentia trial, the court commenced proceedings against a number of the defendants after establishing their absence and announcing their notification, according to what was stated in the sessions. Given the importance of the in-absentia trial from the standpoint of a fair trial, the team sees the necessity of following up on whether the practical guarantees for the absent defendants will remain in place, especially as regards notification, legal representation where appropriate, and the avenues of appeal or re-trial.

The team also noted that some of the expressions contained in the presentation of the indictment or in the Prosecution's pleading may be understood as going beyond the procedural presentation to the assertion of certain facts or roles attributed to the defendants. The team affirms the importance of preserving the presumption of innocence, and of ensuring that the presentation of the indictment or the prosecution's discourse is not understood as a prejudgment of criminal responsibility, which is not established except by a judicial ruling issued after the discussion of the evidence and the hearing of the pleas of all the parties.

With respect to the witness-protection measures, halting the live broadcast and restricting the attendance of the media can be two legitimate measures if they are necessary and proportionate for the protection of the witnesses or the sensitive data. However, these measures must remain specific and justified, and must not lead to depriving the defense of the necessary information or of the actual ability to discuss the evidence.

In general, the two sessions show a degree of organization and openness in the management of the trial, with the existence of important procedural and legal matters that require follow-up before reaching any final assessment of the extent to which the trial conforms to the national and international standards of a fair trial.

SIXTH: PROCEDURAL RECOMMENDATIONS AND MATTERS REQUIRING FOLLOW-UP

In light of what the monitoring team observed during the two sessions, the Syrian Network for Human Rights recommends the following:

1. **To the Court:** To maintain a clear separation between the presentation of the indictment and any expressions that may be understood as a prejudgment of criminal responsibility, in a manner that ensures respect for the presumption of innocence throughout the stages of the trial.
2. **To the Court and the Public Prosecution:** To use attributed and precise formulations when presenting the facts and the legal characterizations, in particular when referring to the international crimes, while avoiding conflation between human rights violations, the crimes stipulated in national law, and the international crimes that require specific legal elements and contexts.
3. **To the Court:** To ensure that the defense is enabled to access effectively the summary of the indictment, the evidence, and the relevant documents, to grant it sufficient time for preparation and response, and to enable it to examine the witnesses and the evidence within the legal guarantees.
4. **To the Court:** To confine any restriction on openness, broadcasting, or the attendance of the media to the extent necessary for the protection of the witnesses or the sensitive data, while ensuring that this does not unjustifiably infringe upon the rights of the defense or upon the principle of public oversight of the trial.
5. **To the Court and the competent judicial authorities:** To clarify the guarantees available to the absent defendants, in particular as regards effective notification, the right of appeal, and the possibility of retrial or of review of the procedures in accordance with the law, if they appear later or it becomes possible to notify them effectively.
6. **To the parties concerned with witness protection:** To continue withholding the unnecessary identifying data, and to ensure that no names, documents, or details that could expose the witnesses, the claimants, or their families to danger are published.

SEVENTH: CONCLUSION

This report represents a preliminary and limited-scope monitoring of two sessions of the trial in Case No. (1) of 2026 before the Fourth Criminal Court in Damascus. The two sessions showed positive elements relating to openness, organization, and the procedural sequence, alongside fundamental matters that require follow-up, in particular the presumption of innocence, the rights of the defense, the in-absentia trial, the witness-protection measures, and the precision of the use of the legal characterizations.

This report does not include a judgment on the validity of the charges, the sufficiency of the evidence, or the criminal responsibility of any of the defendants. Any final conclusion regarding the extent to which the trial conforms to the standards of a fair trial will remain contingent on following the later stages, in particular the questioning of the defendant, the hearing of the witnesses, the presentation and discussion of the evidence, and the enabling of the defense to exercise its rights effectively.

EIGHTH: ANNEXES

Annex (1): Basic Information on the Case and the Court

- **Court name:** The Fourth Criminal Court in Damascus.
- **Case number:** Case No. (1) of 2026.
- **Nature of the case:** A criminal case relating to charges attributed to a number of former security, military, and political officials against the backdrop of the events of Daraa governorate during 2011.
- **Sessions covered by the monitoring:**
 - The first session: 26 April 2026.
 - The second session: 10 May 2026.
- **Monitoring body:** The Syrian Network for Human Rights.
- **Scope of monitoring:** This report is confined to monitoring the public sessions and the procedures that took place inside the courtroom during the two sessions covered by the monitoring.

Annex (2): The Legal Provision Referred to in the First Session

The Syrian Code of Criminal Procedure

Article 322:

Reference was made to Article 322 as the procedural basis on which the court relied in taking decisions relating to the absent defendants, their notification, and proceeding against them, according to what was announced inside the session. This annex does not include an independent assessment of the validity of the application of the article or of the sufficiency of the notification procedures beyond what the court announced in the public session.

Annex (3): Legal Provisions and References Cited in the Second Session

This annex appears as a presentation of the legal references that were raised inside the second session, according to what the monitoring team observed. The inclusion of these references does not constitute an adoption by the Network of the validity of their application to the facts at issue in the case, or an assessment of the sufficiency of the legal basis adopted by the court or the Public Prosecution.

First: The Syrian Code of Criminal Procedure

Article 322:

It was cited as a procedural basis for proceeding with the case against the absent defendants after the announcement of their notification and their being considered fugitives from justice, with the arrangement of legal effects according to what the court announced.

Second: The Syrian Penal Code No. 148 of 1949 and its amendments

Reference was made in the session to articles of the Syrian Penal Code relating, according to what the court and the Prosecution presented, to the crimes of killing, incitement, the crimes against personal liberty, and the crimes affecting the internal security of the State. This report does not adjudicate the extent to which these articles apply to the facts at issue in the case.

Third: Law No. 16 of 2022

Reference was made to Law No. 16 of 2022 in the context of the attributed acts relating to torture. This law relates to the criminalization of torture and the determination of the penalties arising from it, and it should not be conflated with the provisions specific to abduction or unlawful detention.

Fourth: Legislative Decree No. 20 of 2013

Reference was made to Legislative Decree No. 20 of 2013 in the context of the crimes of abduction or unlawful deprivation of liberty, according to what the court and the Prosecution presented. The report does not include an independent assessment of the extent to which this decree applies to the attributed facts.

Fifth: Law No. 3 of 2013 and Legislative Decree No. 33 of 2005

Reference was made to Law No. 3 of 2013 in the context of charges connected to public funds, and to Legislative Decree No. 33 of 2005 in the context of charges relating to money laundering, according to what was stated in the presentation of the court and the Public Prosecution. This report does not adjudicate the validity of these charges or their evidence.

Sixth: The Constitutional Declaration of the Syrian Arab Republic issued on 13 March 2025

Reference was made in the session to Articles 12 and 49 of the Constitutional Declaration. This report presents that reference as it was stated inside the session, while affirming that the extent of its employment in criminal accountability, in particular as regards the principle of legality and the non-retroactivity of laws, remains a legal matter subject to judicial assessment.

Seventh: The International Covenant on Civil and Political Rights

Reference was made to rights protected under the International Covenant on Civil and Political Rights, in particular the right to life, the prohibition of torture and ill-treatment, and the rights of persons deprived of their liberty. This appears as part of the general human rights framework that was raised in the session.

Eighth: The Convention against Torture

Reference was made to the Convention against Torture in the context of the attributed facts relating to torture and cruel, inhuman, or degrading treatment. This report does not address an assessment of the availability of the elements of torture in the facts at issue in the case.

Ninth: The Convention on the Rights of the Child and the Optional Protocol on the Involvement of Children in Armed Conflict

Reference was made to the Convention on the Rights of the Child in the context of the attributed facts relating to children. The Convention is mentioned here as the fundamental instrument relating to the rights of the child, in particular the right to life and protection from torture or cruel treatment or arbitrary or unlawful detention.

If reference is made to the Optional Protocol on the Involvement of Children in Armed Conflict, it must be distinguished from the Convention on the Rights of the Child in terms of date and scope, and the date of ratification of the Convention must not be conflated with the date of accession to the Optional Protocol.

Tenth: International Humanitarian Law and the Geneva Conventions

The court and the Prosecution referred to rules of international humanitarian law and the Geneva Conventions, and to characterizations that include war crimes. The report records these references as they were stated inside the session, without assessing the extent of the validity of the application of international humanitarian law to the attributed facts, or the availability of the condition of the existence of an armed conflict and a sufficient nexus between the attributed acts and the conflict.

Eleventh: Peremptory Norms and International Crimes

References were made in the session to the peremptory norms (*jus cogens*) in general international law and to crimes against humanity. This report affirms the necessity of not conflating the concept of peremptory norms with the elements of crimes against humanity, which require an independent assessment of their legal and contextual elements. The report does not adopt any specific legal foundation in this regard, but rather confines itself to recording what was raised inside the session.

Annex (4): List of Claimants Present

The Syrian Network for Human Rights retains the list of claimants who were called during the sessions covered by the monitoring within its internal records. This report does not include the publication of the names or any identifying information relating to them, out of regard for privacy, safety, and the protection of personal data.

Annex (5): The Defendants and Their Procedural Situations as Stated in the Sessions

Based on what was announced inside the public sessions, this annex sets out the general nominal sequence of the defendants and their procedural situations as stated in the sessions under monitoring:

1. **Bashar Hafez al-Assad:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
2. **Atef Najib Najib:** A defendant present before the court, who appeared in the presence of his lawyer.
3. **Maher Hafez al-Assad:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
4. **Fahd Jassim al-Freij:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
5. **Muhammad Ayman Mahmoud Ayoush:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
6. **Louay Ali al-Ali:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
7. **Qusay Ibrahim Mahyoub:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
8. **Wafiq Saleh Nasser:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.
9. **Talal Fares al-Asimi:** An absent defendant, whom the court considered a fugitive from justice, according to what was announced inside the session.

This annex uses the procedural descriptions announced by the court, including the description “fugitive from justice,” without this constituting an independent assessment by the monitoring team of the final legal status of any of the defendants, or a judgment regarding criminal responsibility.

Annex (6): The Content of the Public Prosecution’s Pleading in the Second Session

This annex appears as a monitoring summary of the content of the Public Prosecution’s pleading as recorded by the monitoring team during the second session, held on 10 May 2026. This summary does not represent a position adopted by the Syrian Network for Human Rights or the monitoring team, nor does it constitute a judgment on the validity of the facts, the sufficiency of the evidence, or the criminal responsibility of any of the defendants. All the charges remain subject to the procedures of proof, judicial discussion, the pleas of the defense, and the final ruling of the court.

The representative of the Public Prosecution presented, in his pleading, the prosecution's account of the events of Daraa governorate in 2011, and considered that the facts began with the arrest of children against the backdrop of writings on the walls, and what followed, according to the prosecution, of torture and cruel treatment and the rejection of the demands of the notables of Daraa for their release.

The representative of the Prosecution also addressed the protests and sit-ins that Daraa witnessed, in particular in the vicinity of the al-Omari Mosque, and attributed to a number of the defendants roles in the use of live ammunition against demonstrators, protesters, and funeral mourners, the prevention of the evacuation of the wounded, and the occurrence of dead and wounded, according to the prosecution's account.

The representative of the Prosecution attributed to the present defendant and a number of the absent defendants security, military, and political responsibilities, and linked the attributed acts to a chain of command and to orders issued by former officials. He also referred to charges relating to the theft of public funds and money laundering, and stated that the case file includes evidence of these charges, without this report addressing an assessment of that evidence or its sufficiency.

The representative of the Prosecution concluded his pleading by saying that the acts attributed to the defendants constitute, according to the Prosecution's position, crimes punishable under Syrian law, and he described some of them as crimes against humanity that are not extinguished by amnesty or by statutory limitations. This annex presents the content of the pleading as the position of the prosecution, not as an established judicial result.

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info@snhr.org
www.snhr.org

