REDRESS

Ending torture, seeking justice for survivors

# REPURPOSING ASSETS FOR REPARATION FOR SYRIAN SURVIVORS: PATHWAYS FOR EU INSTITUTIONS AND MEMBER STATES

## OCTOBER 2025

## SUMMARY


Survivors[1] of serious human rights and international humanitarian law violations have a legal right to reparation, but in practice, this is often inaccessible, leaving them without redress. This briefing addresses a pressing yet under-explored aspect of the post-conflict justice landscape in Syria: how to recover illicit assets linked to Syria's civil war and re-direct them to fund reparation for survivors.

The collapse of the Assad regime has created momentum for transitional justice as a foundation for reconciliation and lasting peace in Syria. Reparation for survivors must be part of that process, to recognise and address the harm that survivors of human rights violations have faced, and to enable them to rebuild their lives.

The European Union (EU) is well placed to act. It has adopted a new Directive on Asset Recovery and Confiscation, holds a large share of frozen Syrian assets between its Member States, and has a stated commitment to supporting transitional justice processes as an "integral and important part of state and peace building". The EU Parliament has also adopted a Resolution which invites EU Member States to "explore pathways to use frozen assets of the Assad regime for a trust fund for Syrian reconstruction, rehabilitation, and compensation of victims."

This briefing outlines concrete recommendations for the EU and its Member States to facilitate asset recovery for reparation in the Syrian context. Its content has been informed by consultations with Syrian survivors and civil society, who we thank for their **contributions.**


## KEY RECOMMENDATIONS

The EU and EU Member States should:

1. **Strengthen penalties for sanction evasion.** EU Member States should introduce legislation to implement the 2024 EU Directive on Asset Recovery and Confiscation, ensuring a legal framework is in place to direct penalties for breaches of its Syria related sanctions towards Syrian victims.

2. **Promote and support confiscation proceedings and other repurposing processes, and dedicate a significant proportion of the recovered proceeds to reparation**. Associates of the Assad regime and other groups responsible for serious human rights violations in Syria, that live or operate in the EU are believed to possess assets of illicit origin, and some investigations are ongoing. EU Member States should investigate these individuals, apply their legislation to seize any illegal as-

[1] This paper uses the term "Syrian victims" to refer to all victims and survivors of gross violations of international human rights law and serious violations of international humanitarian law in the conflict in Syria, not just those who are Syrian by nationality or ethnicity. While acknowledging that many individuals prefer the term "survivor" for its empowering language, this paper uses "victim" to refer to a broad class and avoid an implication that only direct victims who remain alive are included.

sets and redirect the proceeds to Syrian victims, for instance through a future victims fund. This should include providing timely and effective mutual legal assistance where assets are moved across borders and deploying diplomatic leverage to ensure third-party cooperation.

3. **Support the creation of a centralised and secure database of Syrian-linked assets to map financial networks, track asset flows and identify illicit assets.** The EU and its Member States should commit to shared evidence gathering and international cooperation on legal cases.

4. **Coordinate with the Syrian Transitional Justice Committee to ensure that the recovery and repurposing of frozen Assad-linked assets forms a core element of Syria's transitional justice and reparations strategy.**

5. **Collaborate with international partners and survivors to explore mechanisms for delivering reparation to Syrian victims**. An express commitment must be made by the EU and its Member States, and should encourage Syrian authorities, to place survivors at the heart of any reparations process, noting that reparation must go beyond financial compensation and reflect the diverse experiences of survivors.

## WHAT IS THE ISSUE?

Syria's decade-long civil war generated significant illicit financial flows that span multiple jurisdictions, including in EU Member States. Assets looted by associates of the former Assad regime, ISIS operatives, affiliated networks, and other actors responsible for serious human rights violations in Syria are believed to be hidden or frozen across Europe, as well as the Gulf and beyond.

According to some estimates, the net worth of Bashar al-Assad alone is approximately **$2 billion**, though many believe it to be significantly higher. His uncle, Rifaat al-Assad, is known to have built a vast property empire across Europe, much of it allegedly financed through the embezzlement and laundering of Syrian State funds (see case study: Rifaat al-Assad below).

EU Member States have also frozen substantial assets under sanctions targeting terrorist organisations in Syria, including ISIS. Many of these assets remain frozen within the relevant jurisdictions, possibly including in cases where domestic criminal investigations into foreign fighters from the EU are ongoing.

Authorities have also begun investigating and enforcing breaches of sanctions related to both the Assad regime and ISIS, with some cases resulting in substantial financial penalties (see Lafarge case study below).

Collectively, these funds represent a potential, yet largely untapped, resource for financing reparation for survivors of conflict-related violations, their families, and communities. Humanitarian needs in Syria remain at an all-time high after years of protracted conflict, with nearly 90% of the population living in poverty. Redirecting even a small portion of these assets to affected communities could make a meaningful difference – both in improving lives and contributing to the broader stability and security of the country.

The EU and its Member States are at the forefront of this opportunity and are best placed to take decisive action on behalf of Syrian survivors. Yet, while the EU has introduced a new Directive on Asset Recovery and Confiscation and legal proceedings in France and Spain have targeted certain assets linked to the former Assad regime, **none of these efforts have yet resulted in reparation for Syrian survivors**.

Pathways to redirect recovered assets remain **unclear or politically blocked** – fuelled by legal gaps, complex bureaucracy, and a lack of adequate coordination or political will by EU Member States. Significant concerns persist that seized funds could be absorbed into the general budgets of enforcing States rather than reaching those harmed by the original crimes. Plus, additional efforts are required to trace the former Assad regime's financial trails, with many assets likely concealed in tax havens or located in States that are themselves linked to the conflict in Syria.

## THE CASE FOR FINANCING REPARATION FROM ILLICIT FINANCIAL FLOWS

**The right to reparation** seeks to address the consequences of grave human rights violations and is essential for restoring survivors' dignity and well-being. Reparation for survivors may take different forms, including compensation, rehabilitation, access to healthcare, support in reclaiming lost loved ones and property, memorials and commemorations. Without adequate reparation, the harms of conflict and mass victimisation may compound over time, including through poverty, displacement, and intergenerational trauma.

Asset recovery offers a **practical way for the EU and its Member States to unlock resources**, ensuring that reparations is financed by those responsible for the underlying harms. Further, asset recovery ensures that those involved in illicit financial flows do not profit from their ill-gotten gains. Many EU Member States already hold frozen Syrian assets under various sanctions regimes. Redirecting illicit funds towards reparation for survivors aligns with both international law, including the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation, which call for third States to step in where those primarily responsive for reparation are unable or unwilling to act, and with **EU commitments to transitional justice.**

There is currently no international reparation fund that covers Syrian survivors, and no no meaningful steps have been taken by EU Member States to establish such a mechanism for Syria.

By committing to asset recovery and repurposing, EU Member States can help establish the financing of a reparation model designed in collaboration with Syrian civil society.

## TRACING ASSETS THAT CAN BE SEIZED AND REPURPOSED

**The first step in successful asset recovery is identifying illicit assets. In the case of Syria, however, these assets are often laundered through complex financial structures,** making them difficult and resource-intensive to trace and connect to criminal activity. A 2022 report by the US Department of State noted that Assad's regime ran "a complex patronage system" of shell companies, real estate holdings, and offshore accounts designed to conceal their wealth and avoid sanctions. Many Syrian assets are likely concealed in tax havens with limited transparency or even political ties to actors involved in the conflict, such as the UAE and Russia, posing significant obstacles to recovery efforts.

To address this challenge, EU Member States should provide resources (including technical capacity and long-term funding) to develop a centralised, secure database to map financial networks, track asset flows and link assets to crimes, individuals and corporate enablers. Such a database could support future prosecutions and reparation processes, as well as serve as a repository for investigators, legal teams, and journalists. This could be a cross-sector initiative led by a coalition of Syrian and international civil society groups, working in tandem with national financial crimes, war crimes, and sanctions units, among others.

Whilst some EU Member States have identified some illicit assets through their investigations and prosecutions, we are not aware of any coordinated efforts across jurisdictions in this area. A more streamlined and collaborative approach is needed to enhance and scale up existing efforts.

## CONFISCATION PROCEEDINGS AND WIDER LITIGATION

Once illicit assets are identified, EU Member States should take the necessary steps to **commence confiscation proceedings at the earliest opportunity**. Importantly, this refers to asset confiscation based on a proven link to criminal conduct, distinct from assets frozen under sanctions regimes, using criminal law standards and procedures applicable in the relevant jurisdictions. This ensures due process is upheld and property rights are protected in accordance with the rule of law.

Given the sheer scale of illicit financial flows and the urgency of survivors' reparation needs, EU Member States may wish to prioritise cases to which they have the strongest connection – for instance, where assets are located within their territory, or where individuals or entities suspected of supporting human rights violations in Syria are present and subject to their jurisdiction and laws. EU Member States should also support the confiscation and repurposing process in other ways, including by providing **timely and effective mutual legal assistance** where assets are moved across borders, and deploying diplomatic leverage to ensure that third States cooperate.

Some jurisdictions, such as France, already have legal frameworks in place that allow seized illicit assets to be redirected toward public interest or humanitarian purposes, offering a potential precedent for reparative uses in Syria-related cases. Identifying such "favourable" jurisdictions can help focus legal strategies on contexts where asset repurposing is more feasible and may also provide a blueprint for legal and policy reforms in other countries

### CASE STUDIES

**Rifaat al-Assad Cases:** In France, the courts have ordered the confiscations of tens of millions in assets linked to Rifaat al-Assad, a former Syrian military officer and uncle of deposed dictator Bashar al-Assad, following convictions for tax fraud and embezzling Syrian state funds. Approximately EUR 90 million were to be restituted to the Syrian population, as provided a law adopted in July 2021 creating new corruption asset restitution mechanisms in France. Parallel proceedings are ongoing in Spain, targeting Rifaat al-Assad and his family members for money laundering that could result in the seizure of up to EUR 700 million in assets.

## INNOVATIVE AVENUES FOR FINANCING REPARATION

In addition to confiscation of illicit assets, there are further innovative ways to use frozen assets to finance reparation. This includes using the fines and penalties generated from the enforcement of EU sanctions towards reparation.

The **EU Directive on Asset Recovery and Confiscation**: This directive encourages the creation, at Member State level, of mechanisms for confiscating and repurposing proceeds of EU-level crimes, including sanctions violations, for "public interest or social purposes". This opens a pathway, for example, to redirect proceeds from the enforcement of Syria-related EU sanctions toward public interest uses, potentially including reparation.

Such an approach would build on emerging precedents from the Ukraine context, where countries like the US have begun repurposing proceeds from violations of Russia-related sanctions to support Ukraine. These measures represent a growing recognition that sanctions enforcement can serve both punitive and reparation functions and offer valuable lessons for Syria.

To replicate such impact, the EU and its Member States should continue to investigate and prosecute Syria related sanctions violations, including through targeting those found to be enabling illicit financial flows. The EU and EU Member States should continue to target enablers of illicit financial flows. For example, in the UK, Assad's niece had her London bank account frozen after the National Crime Agency found it had been used for money laundering.

### CASE STUDY

**Lafarge Case:** The Lafarge case illustrates the scale of funds that could be raised through robust enforcement action. In the US, French cement giant Lafarge was fined nearly $800 million for financing ISIS and ANF operations in Syria in breach of US terrorist financial laws. While this case offered a unique opportunity for US authorities to prosecute violations related to the conflict in Syria, the award does not automatically benefit the relevant victims of ISIS and ANF atrocities – highlighting the need for mechanisms to channel such funds towards reparation.

## DEPLOYING FUNDS FOR REPARATION

Once assets have been identified and seized, the final – and most crucial – step is ensuring that recovered funds are used to repair the harm caused. Any framework for asset recovery should therefore include a firm commitment from States that a significant portion of recovered funds will be dedicated to **reparation for survivors**, rather than absorbed into general budgets or diverted elsewhere.

**Grounded in Meaningful Survivor Consultations**: As an overarching principle, reparation and restitution processes should be grounded in extensive collaboration and co-creation with survivors, ensuring that their priorities and concerns are meaningfully incorporated into the design and implementation of the process. Models for survivor-led advocacy and support already exist in Syria, and lessons from these initiatives should inform future policy and programme development. One such model is the design of a potential Syria Victim Fund as initially conceptualised by the Atlantic Council, in collaboration with Syrian civil society.

**Independent Administration of Recovered Assets**: Recovered assets should not be simply returned to State institutions, particularly where there are risks of corruption or a lack of trust among survivors. Instead, the recovery and repurposing of these assets should form a core element of Syria's transitional justice and reparations strategy. In this context, close coordination with the Syrian Transitional Justice Committee is crucial to ensure recovered assets are managed transparently and in line with survivors' needs and priorities. Assets should be administered through independent bodies with meaningful survivor participation, leadership and oversight to guarantee transparency and accountability. Strong safeguards are also essential to prevent funds from being diverted to militias or other harmful actors, ensuring that recovered assets directly support meaningful reparation and survivor-led initiatives.

**Balancing Reparation and Accountability**: Asset recovery should be viewed as a mechanism that complements and reinforces – rather than replaces - broader reparation and accountability processes within the wider framework of transitional justice. By depriving individuals of illicitly acquired wealth, asset recovery serves as a direct means of accountability. Moreover, recovered assets can be used to fund domestic justice initiatives, thereby strengthening both accountability and restorative justice efforts. This approach aligns with the demands of civil society organisations, including the European Center for Constitutional and Human Rights, which have called on EU Member States to commit long-term, sustainable funding that supports comprehensive reconciliation, political transition, and peace in Syria – while also enabling the establishment of new judicial mechanisms and strengthening Syria's domestic judicial capacity.

**Global Partnerships**: Collaborating with existing reparative initiatives can play a vital role in delivering urgent reparation, facilitating information-gathering and expediting recovery processes. Organisations such as the Global Survivors Fund (GSF), which in 2022 partnered with the Association of Detainees and Missing of Senaya Prison and the Centre for Victims of Torture to provide interim reparative measures to survivors of detention in Syria now living in Turkey, can play a vital role in delivering urgent reparation. Such partnerships are crucial to meet the immediate needs of survivors, while at the same time building the infrastructure required for sustainable, long-term reparation and recovery.

## ABOUT US

**REDRESS** is an international human rights organisation that represents survivors of torture in obtaining justice and reparations. We bring legal cases on behalf of individual survivors, and advocate for better laws to provide effective reparations. Our cases respond to torture as an individual crime in domestic and international law, as a civil wrong with individual responsibility, and as a human rights violation with State responsibility.

The **Global Initiative Against Impunity** **(GIAI),** a four-year project that is co-funded by the EU, aims to enhance victim and civil society participation in accountability processes for serious human rights violations. This initiative focuses on a survivor-centered, trauma-informed and gender-transformative approach to justice and accountability. Please refer to the work of our partner organization the European Center for Constitutional and Human Rights on "Promoting criminal accountability and transitional justice in Syria: The role of the EU."